



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.

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AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber
Tuesday, July 7, 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.

1. *CALL TO ORDER*

2. *ROLL CALL*

3. *STUDY SESSION*

- a. Police Strategic Plan Update
- b. Use of Force Policy Update
- c. School Resource Officer Report

4. *HONORS AND PROCLAMATIONS*

5. *COMMUNICATIONS*

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

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.

PLEASE CALL 48 HOURS IN ADVANCE (425-587-3190) if you require this content in an alternate format or if you need a sign language interpreter in attendance at this meeting.

6. PUBLIC HEARINGS

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.

a. Safe, Inclusive and Welcoming Framework

- (1) Resolution R-5434, Affirming Black Lives Matter and Approving the Framework for Kirkland to Become a Safe, Inclusive and Welcoming Community Through Actions to Improve the Safety and Respect of Black People in Kirkland and Help End Structural Racism By Partnering with Those Most Affected

7. SPECIAL PRESENTATIONS

a. COVID-19 Update

8. CONSENT CALENDAR

a. Approval of Minutes

- (1) June 16, 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) Annual Street Preservation Program, 2020 Street Overlay Project

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

- (1) School Safety Zone Camera Update
- (2) August 2020 City Council Calendar Adjustment
- (3) May 2020 Sales Tax Report
- (4) Procurement Report

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.

***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 submissions.

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.

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.

9. BUSINESS

a. State Shelter Expansion Grant

- (1) Resolution R-5435, Supporting the King County Joint Application for Washington State Department of Commerce 2020 Shelter Grant Funding

*** b. Market Street Dental Clinic Variance Appeal**

- (1) Resolution R-5431, Affirming the Hearing Examiner Decision Approving the Market Street Dental Clinic Variance in Department of Planning and Building File No. VAR18-00070

c. Fire and Emergency Medical Services Ballot Measure

- (1) Ordinance O-4731 and its Summary, Providing for the Form of the Ballot Proposition and Specifying Certain other Details Concerning Submission to the Qualified Electors of the City at a Special Election to be Held Therein on November 3, 2020, of a Proposition Authorizing the City to Lift the Levy Limit Established in RCW 84.55.010 in Order to Fund Fire and Emergency Medical Services, and to Acquire, Construct, Improve, Equip and/or Renovate City Fire Facilities

- (2) Ballot Measure Pro/Con Committee Appointments

10. REPORTS

a. City Council Regional and Committee Reports

b. City Manager Reports

- (1) Calendar Update

11. ITEMS FROM THE AUDIENCE

12. EXECUTIVE SESSION

13. ADJOURNMENT

**CITY OF KIRKLAND****Police Department****11750 NE 118th Street, Kirkland, WA 98034-7114 425.587.3400****www.kirklandwa.gov**

MEMORANDUM

To: Kurt Triplett, City Manager

From: Cherie Harris, Chief of Police

Date: June 18, 2020

Subject: 2016 Police Strategic Plan Update

RECOMMENDATION:

City Council receives an update on the 2016 Police Strategic Plan, including recommendations that were completed in 2019, and ongoing and in progress items and the Department's priorities in 2020. The original Police Strategic Plan briefing was scheduled for June 2, 2020 along with the Fire Strategic Plan update and was postponed due to a crowded Council agenda. This memo was written prior to the death of George Floyd and the national and local conversations about police use of force, transparency, accountability, and alternative public safety strategies. Rather than adjust this memo, which is focused on the specific Strategic Plan document, staff has included a separate memo for the study session on police use of force. In addition, the Council will hold a public hearing later in the Council meeting on a draft framework resolution regarding these other critically important issues.

BACKGROUND:

The Department participated in the formulation of a Strategic Plan in 2016 that was conducted by BERK Consulting (**Attachment A**). While BERK conducted an overview of the entire Department, special emphasis was placed on conducting a patrol staffing study and making recommendations to improve jail procedures. After the Strategic Plan was presented to the City Council, the original steering committee, as well as a wide variety of other Department members were assigned to develop and implement the recommendations included in the consultant's report.

The initial priority for the Department was creating a new Mission, Vision and Values through an inclusive process involving a cross section of staff:

Mission: *The Mission of the Kirkland Police Department is to protect and serve our community with Honor, Integrity and Courage.*

Vision: *The Vision of the Kirkland Police Department is to proactively reduce crime through partnerships and teamwork.*

Values: *Honor, Integrity and Courage*

Honor – we live and die by our obligation, to fulfill our duty and commitment to justice.

Integrity – we do the right thing for the right reason, even when no one is looking.

Courage – we choose to face challenges or adversity, even when others will not or cannot.

The Department maintains a master list (**Attachment B**) of all the recommendations made by the consultants that includes “working notes” that are updated by the steering committee members as items are completed or partially completed (in progress). Many recommendations have been incorporated into current practice or procedure which may leave them as “on going” on the spread sheet.

Strategic Plan Actions - 2019

There are a number of recommendations that have been completed or substantial steps taken to completion in 2019 and are summarized by the following list:

Implementation of Proposition 1 to enhance police services:

- Pro-Act (4) - All 4 Officers deployed as of October 1, 2019. In addition, the Department has assigned a Sergeant for supervision
- School Resource Officer (SRO) (4) – testing and selection occurred in 2019, 3 Officers were appointed as SRO’s. Training occurred during the summer and fall 2019 and all are actively working in their schools as of January 6, 2020. Additional testing will occur in Spring 2020 for the remaining vacant position. The Department has assigned a Sergeant for supervision who attend SRO basic and works with the International School and Emerson.
 - Conducted Community Policing Engagement & Outreach (Attachment C)
 - 11 Neighborhood Association meetings & 3 Interest Group meetings
- Participated in the planning and outreach of the Welcoming Kirkland Initiative to include attendance at Town Hall Meetings and Community Dialogues
- Continued focus on recruitment and retention of staff:
 - Hired 20 police officers to include the 9 new Proposition 1 Officers
 - Negotiated lateral incentive hiring bonus to recruit experienced police officers
 - Re-occurring Labor/Management meetings
- Conducted a LEAN Mental Health Process to improve processes (Attachment D)
 - Implemented new clearing codes
- Conducted a cost benefit analysis for contracting out vacant bed space to other agencies.
 - Signed lease for jail beds with the City of Woodinville Police Department
- Completed construction of Detox cells into full detention units to increase jail flexibility
- Conducted Animal Services licensing outreach
 - Licensing canvassing
 - Wednesday Market & Juanita Friday Market
 - Pet a Palooza
- Implemented a Safety Camera Pilot Program – October 2019
 - Rose Hill Elementary & Kamiakin Middle School/John Muir Elementary
- Implemented the use of non-commissioned personnel to allow the Department to re-allocate commissioned Officers to higher priority functions:
 - Replaced the Administrative Commissioned Captain with a Civilian Administrative Commander

- Replaced the Administrative Sergeant Quartermaster with a civilian Quartermaster position. The commissioned Sergeant position was reclassified as a Community Services Sergeant in order to supervisor the new Proposition 1 employees and existing staff in those classifications (SRO (6) NRO (2) MHP (1)).

Strategic Plan Actions - 2020

In 2020, there are a number of priorities that have been identified but the following are of the highest priority:

Final implementation of Proposition 1 to enhance police services:

- **Neighborhood Resource Officer (NRO) (1)** – testing occurred in 2019. The Officer selected is currently the Department Training Officer a critical position that cannot be backfilled with overtime. The new Training Officer selection has occurred, and the officer is currently cross-training.
- **Crime Analyst (1)** – hiring process was originally frozen due to the unknown economic impact of the virus on sales tax as this is a Proposition 1 funded position. Several factors have led to the restart of this hiring process. The Council expressed concerns during budget briefings about the impact to public safety of freezing some Police and Fire Dept. vacancies, including this position. Additional economic information does show a significant financial impact to sales tax, but further analysis indicates the Proposition 1 fund is likely to be able to sustain this hire. Finally, there have been numerous requests for data and crime analysis in response to the death of George Floyd and the related issues of police use of force and alternatives to policing. In order to effectively provide and analyze this data, additional support is needed for the current crime analyst.
- **Mental Health Professional (MHP)** – This position will be primarily paired with the new NRO, providing direct response to calls but will also work with the grant funded WASPC MHP, City Human Services Staff and the Fire Department to coordinate services to achieve good outcomes for those in need. An RFP was conducted, one qualified candidate recently completed a Professional Services Contract and will start on July 1, 2020. The current NRO continues to respond to calls related to people experiencing homelessness, and the WASPC grant-funded MHP is working several days a week and riding with patrol officers who have completed the 40-hour crisis intervention training. These teams respond to crisis calls in progress when available and/or follow up as needed after calls occur.
- **Gun Safety program** – Staff developed a safety program that includes safety instruction and will provide gun locks and or gun safes to those that attend. Due to the COVID19 outbreak and the “stay at home order”, Staff are developing a virtual program that would still allow for community interaction and the ability to ask questions about gun safety. Gun locks are available to the community upon request.
- Implement Community Policing Engagement and Outreach findings:
 - Seek feedback from the community
 - Getting to know the police department
 - Share data trends and stories of police activity
 - Patrol Officer visibility and accessibility
 - Empower the community to help prevent crime
- Implement the reclassification of Captain to Deputy Chief to clarify the line of command in the Chief’s absence and to better align with peer agencies organizational structures.

- Develop Washington State accreditation standards for Corrections with the goal of conducting an assessment in 2021.
- Increase Animal Licensing revenue through additional community engagement and professional contracted canvassing
- Continue community outreach through Welcoming Kirkland in addition to utilizing current Department programs.

Overall, there have been important recommendations that were completed in 2019. A number of others have had substantial steps taken and are well under way. While there will be significant programs implemented in 2020 through Proposition 1, due to the outbreak of COVID-19 and the restrictions involved with social distancing and the "stay at home" order there are other recommendations that have been suspended to include in person town hall meetings with the Welcoming Kirkland Initiative. The Department will endeavor to utilize virtual tools to stay connected with the community such as participating in Zoom neighborhood meetings and planning for a virtual Kirkland Community Police Academy.



KIRKLAND POLICE DEPARTMENT

Strategic Planning: CONSULTANT REPORT

Final – September 30, 2016





"Helping Communities and Organizations Create Their Best Futures"

Founded in 1988, we are an interdisciplinary strategy and analysis firm providing integrated, creative and analytically rigorous approaches to complex policy and planning decisions. Our team of strategic planners, policy and financial analysts, economists, cartographers, information designers and facilitators work together to bring new ideas, clarity, and robust frameworks to the development of analytically-based and action-oriented plans.

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Appendices

The following Appendices provide additional information and analysis as context for the recommendations contained in this report:

- 1. Kirkland Crime Trends**
 - 2. Community Perceptions of Kirkland Police**
 - 3. Community Profile**
 - 4. Review of Existing Conditions**
 - 5. Assessment of the Corrections Unit**
 - 6. References**
-

EXECUTIVE SUMMARY

The Kirkland Police Department has a long history of being an effective, responsive, and professional agency. Through its recent growth, it has stayed a nimble organization with strong leadership, people, and infrastructure. Importantly, the Department has maintained its positive relationships with its community members and City of Kirkland partners. The Department aspires for excellence and is dedicated to critical self-review, ongoing improvement, and, if necessary, substantial change to be the best law enforcement agency possible for the Kirkland community it serves.

This Consultant Report makes recommendations to further strengthen the organization by addressing key observations of the assessment process, including service and staffing capacity, technology, professional development, communication, and the community's desire for even stronger community-police relationships.

The recommendations in this report seek to build upon the foundation the Department has created and further strengthen it by providing the means to:

- Articulate what is most important to the community and to the Department through the Department Philosophy, Mission, Vision, and Values.
- Execute a significant, fundamental shift in operations, moving from a relatively reactive model to a more proactive model focused on community policing and crime prevention. This change has implications for staff capacity, data systems and the capacity to analyze and use data, strengthened community relations, and enhanced officer training.
- Further professionalize the Corrections function as the Unit continues to evolve from a holding facility to a full-fledged correctional facility.
- Strengthen internal communications, performance evaluations, and other internal processes, tools, and procedures.

While this report contains many important recommendations, the following deserve prioritization in the short-term:

- Finalize the Department's Philosophy, Vision, Mission, and Values.
- Engage the community in establishing policing priorities.
- Establish a detailed workplan and timeline for system and process improvements identified in this report.

1. INTRODUCTION AND PLANNING PROCESS

1.1 Purpose and Organization of this Report

This report is the result of a seven-month assessment and planning process that involved a team of consultants, a diverse planning committee representing the Kirkland Police Department and the City of Kirkland, and numerous engagements with KPD staff, Council Members, and community stakeholders.

This document and the accompanying volume of appendices compile the findings and recommendations of the consultant team as discussed and vetted by the Planning Committee. Together with the issuance of this report, KPD will engage City leadership in a dialogue around implementation of some or all of the recommendations contained in these pages. The Department will develop a work plan to implement the final direction as established in subsequent conversations with the City Manager and City Council.

This document and accompanying appendices are organized as follows:

- **The remainder of Section 1** provides additional context by summarizing the planning process and presenting a brief history of the Department. An overview of crime trends and a community profile are provided for additional critical context.
- **Section 2** reviews existing conditions based chiefly on data analysis, consultant observations, and employee input. Topics explored include:
 - Overarching Direction: Departmental Philosophy, Vision, Mission, and Values.
 - Resource Levels, Deployment, and Performance.
 - Corrections Unit Operational Analysis.
- **Section 3** begins to look forward, considering the following:
 - Changes occurring in the Kirkland community and surrounding region.
 - Regulatory changes affecting policing in general.
 - Opportunities to use current and emerging data tools and other technologies.
- **Section 4** provides a situation assessment of the internal functions of the Department and offers strategies to strengthen the organization through:
 - Communication, connection, and collaborative leadership.
 - Performance evaluation and professional development protocols.
 - Retention, succession management and recruitment plans.
 - Community Relationships.
 - Performance Measurement.
- **Section 5** concludes the report with brief summary comments and suggestions for next steps.

1.2 Planning Process

This strategic planning process centered on the four meetings of the Strategic Planning Committee, which included membership from across KPD, as well as representation from City Administration. The Committee met four times during the seven-month planning process, reviewing, commenting on, and helping to revise the work done by the consultant team. Five Committee members also served on a Core Planning Team that provided guidance on draft materials prior to each Committee meeting and served to steward the overall planning process.

To inform and complement the input of Committee members, additional engagement efforts focused on key stakeholders and Department staff. The consultant team also reviewed Kirkland's Biennial Community Survey and log of citizen complaints to better understand community perceptions of the Department. These inputs are summarized below.

Stakeholder Engagement

The consulting team interviewed stakeholders as part of the assessment process, including community members, City Councilmembers, and City of Kirkland department directors. Two meetings were held with a total of five City Councilmembers, who were asked about strengths and challenges of the Police Department. A group of 15 community leaders was interviewed, including representatives of faith communities, youth, seniors, businesses, human services, and neighborhoods.

From these conversations, three themes emerged:

KPD Strategic Planning Steering Committee

- Marilynne Beard, Deputy City Manager*
- Cherie Harris, Police Chief*
- William Hamilton, Operations Captain*
- Michel St. Jean, Lieutenant – Training and Cadres*
- Nathan Rich, Sergeant – Traffic and Guild President*
- Randi Crocker, Corporal – Investigations
- Jessica Dreher, Administrative Assistant
- Brandon Hardesty, School Resource Officer
- John Haslip, Lieutenant – Operations
- Eric Karp, Corporal – Operations
- Kimberly McLynne, Records Lead
- Kyle Sheler, Corrections Officer
- Kristina Shull, Crime Analyst
- Clayton Slominski, Detective
- Shawn Stredwick, Sergeant – Corrections
- Tiffany Trombley, Training Officer
- Mike Ursino, Administrative Captain
- Julia Valencia, Traffic Officer

* member of Core Planning Team

1) Praise for KPD's Community Outreach and Responsiveness

- Both community leaders and Councilmembers gave high marks to **KPD's outreach to the community**, including presence and participation at neighborhood meetings. Several Councilmembers stated that this presence helps the community feel more secure.
- Several community members praised KPD's relationship with **vulnerable populations**, including homeless persons and individuals with mental illness, and with churches hosting homeless encampments.
- Both community members and Councilmembers praised KPD's **responsiveness**. The Department is seen to respond quickly to incidents, such as late-night issues at bars, or in follow-up to crimes. The Department also received praise for clear explanations of process and call priority.

- Several Councilmembers expressed strong support for the **“guardian” culture** of respecting everyone, as opposed to an “enforcer” or “warrior” culture. They believe the guardian culture has helped with public interactions, and that it should be maintained and emphasized more, in part through hiring the right people.
- Councilmembers do occasionally hear **complaints** about KPD. Some hear complaints about overly aggressive traffic enforcement in newly annexed areas, but this has declined since annexation. In addition, one Councilmember stated they heard frustrations about inadequate response to property crimes.

2) A Strong Desire for Stronger Community-Police Relationships

Both community members and Councilmembers voiced concerns that **national tensions** between communities and police departments related to officer-involved shootings could spill over in to Kirkland. Community members and Councilmembers expressed a strong desire for more proactive community engagement to maintain or enhance the good relationship that exists now between the Kirkland community and its police force. This will be increasingly critical as the city experiences denser land use, increasing population, demographic shifts, and a more “urban” policing context. Some Councilmembers also expressed concern that the national atmosphere could harm officer recruiting efforts.

Two community members reported that they or family members have had negative experiences with KPD officers, described as racial profiling.

Community members and Councilmembers voiced a desire for KPD to take more steps to proactively reach out to the community and build stronger relationships. This could include:

- Outreach to immigrants, ethnic and language minorities, and faith groups. Building personal connections and relationships can strengthen trust and is seen by Councilmembers as a necessary step to prevent a Ferguson-like situation. In addition, community members felt this would support the Department’s efforts to recruit more diverse candidates for officer positions.
- Better integration of officers in the community, through participation in events, general friendliness, officers getting out of their cars, and perhaps more officers residing in Kirkland.
- A more proactive role in social services and emergency preparedness.
- More diversity and cultural training for officers.

3) A Desire for More Communication

Community members and Councilmembers articulated a desire for more communication from KPD. Desired communication improvements include:

- Increased use of social media to push timely information to residents and business owners. Real-time information during incidents is desired to help reduce speculation and misinformation.
- More educational information for residents, including steps to prevent crime, and how to report non-emergencies.
- Information about policing priorities, including how property crimes are prioritized relative to other demands.

Staff Engagement

The consulting team met with KPD staff members in a series of meetings. These included four meetings with Patrol during shift briefings (on March 3rd and March 24th), a meeting with non-commissioned personnel (March 3rd), a meeting with command staff (March 24th), and four meetings with Corrections professionals (March 17th and March 21st). Discussion centered on KPD's strengths and areas for improvement. Participants were provided a handout with discussion topics and a link to an online survey. One response to the online survey was received; it included similar themes to the in-person meetings.

Information from these employee meetings is considered throughout the report. The major themes heard during these meetings include:

Department Strengths

- People
- Professionalism
- Public image and a strong relationship with the community (that needs to be protected)

Areas for Improvement

- Service and staffing capacity, particularly with regard to proactive policing
- Technology for digital evidence storage, records system, and online reporting
- Performance evaluations
- Professional development, training, and promotional opportunities
- Communications within the Department and with the community
- Performance measurement

Later in the planning process, KPD staff were asked to provide input on Vision, Mission, and Values statements. This input was incorporated in Steering Committee discussion of this topic and is reflected in consideration of these governing statements in **Section 2.1**.

Community Perceptions of Kirkland Police

Nationwide issues affecting community-police relations may impact local perceptions of the Kirkland Police Department. In the past few years, several videotaped and publicized cases of police use of force with African-Americans have drawn protests and increased scrutiny of police departments. Incidents include the deaths of Michael Brown in Ferguson, Missouri in 2014, Eric Garner in New York City in 2014, Freddie Gray in Baltimore in 2015, and Alton Sterling in Baton Rouge, Louisiana this year.

National polling about confidence in police has shown a decline in confidence in the past few years, with Gallup reporting that the proportion of Americans who have “a great deal” or “quite a lot” of confidence in police dropped from 57% in 2012-13 to 52% in 2014-15. (Gallup, 2015) The new figure is the lowest level of confidence reported in this survey since 1993.

The Kirkland community's relationship with its police department is in noted contrast to the national scene. As reflected in the stakeholder input summarized above and the Biennial Community Survey, residents in Kirkland by and large feel safe and have a positive association with the Department. Significant Planning Committee discussion focused on the importance of retaining this trusted position and many of the recommendations contained in this report focus on strengthening the relationship and communication between KPD and the community it serves.

Appendix 2 provides more details on the Biennial Community Survey and citizen complaints.

1.3 History and Structure of the Department

Kirkland was incorporated in 1905 with a population of 400. Shortly thereafter, Charles H. Daniels was named the first Town Marshal beginning the legacy of what is now the Kirkland Police Department. Since that time, the community, the city, and the Department, as well as the nature of policing, has changed fundamentally.

As shown in **Appendix 3**, the Kirkland population has increased greatly, both through natural population growth and annexation. Through 11 annexations, city boundaries are about 12 times as large as they were at founding (Wikipedia). The most recent annexation, in June 2011, added approximately 30,000 residents to the City's population, bringing in the neighborhoods of Finn Hill, Juanita, and Kingsgate. These neighborhoods were previously served by King County Sherriff's Office and as they transitioned to city policing, the Department needed to expand its staffing, budget, and physical space.

The City purchased a former Costco Home property in 2010 and issued \$35 million in bonds to convert it into the new Kirkland Justice Center. The move occurred in June 2014.



The Kirkland Police Department is now a larger department, attempting to address the needs and demands of the population it serves, including:

- A larger geographic service area.
- A larger, growing, and increasingly diverse population.
- Increasing community expectations.
- Increasing expectations for data-driven policing – and the associated technology to support it.

This is being done within the context of a larger police force and a new facility.

These recent changes are important to consider as the remainder of this report describes KPD's current strengths and challenges and considers future opportunities and challenges. KPD's evolution from a quiet suburban department to a larger organization serving a more complex community is very much a work in progress.

Relationship to the City of Kirkland

The Kirkland Police Department is a City of Kirkland department. As such, the Police Chief is responsible to the City Manager, who is hired by the City Council. The Council's Public Safety Committee focuses on police issues, as well as fire and EMS, municipal court, emergency management, and code enforcement.

It is important that a police department have a productive relationship with the City Council, City Manager, and other City departments. In Kirkland's case, this appears to be working very well, as the Department appears to enjoy a highly professional and productive relationship with the City of Kirkland administration and other City departments. This view was supported by input from the Steering Committee, which described these relationships as a "strength" and by interviews conducted for this study with the City Manager and individual department directors.

Mutual respect is evident between the Police Department and City Administration. Police leaders seem well informed and supportive of the City's priorities. As the Department develops its Strategic Plan, it will be important to keep this context in mind, building a plan that is aligned with City priorities and cognizant of the Department's part of this larger whole.

Organizational Structure

The current organizational structure of the Department, represented in **Exhibit 1**, is well within industry standards, structured around a Patrol Division, an Investigations Division, and several special units, including:

- A Corrections Unit that manages the Kirkland Jail.
- A Domestic Violence Unit.
- A Records Unit responsible for phone and counter customer service in addition to records management.
- A Traffic Unit that is primarily responsible for traffic enforcement, traffic collision investigation, and all other traffic related incidents.

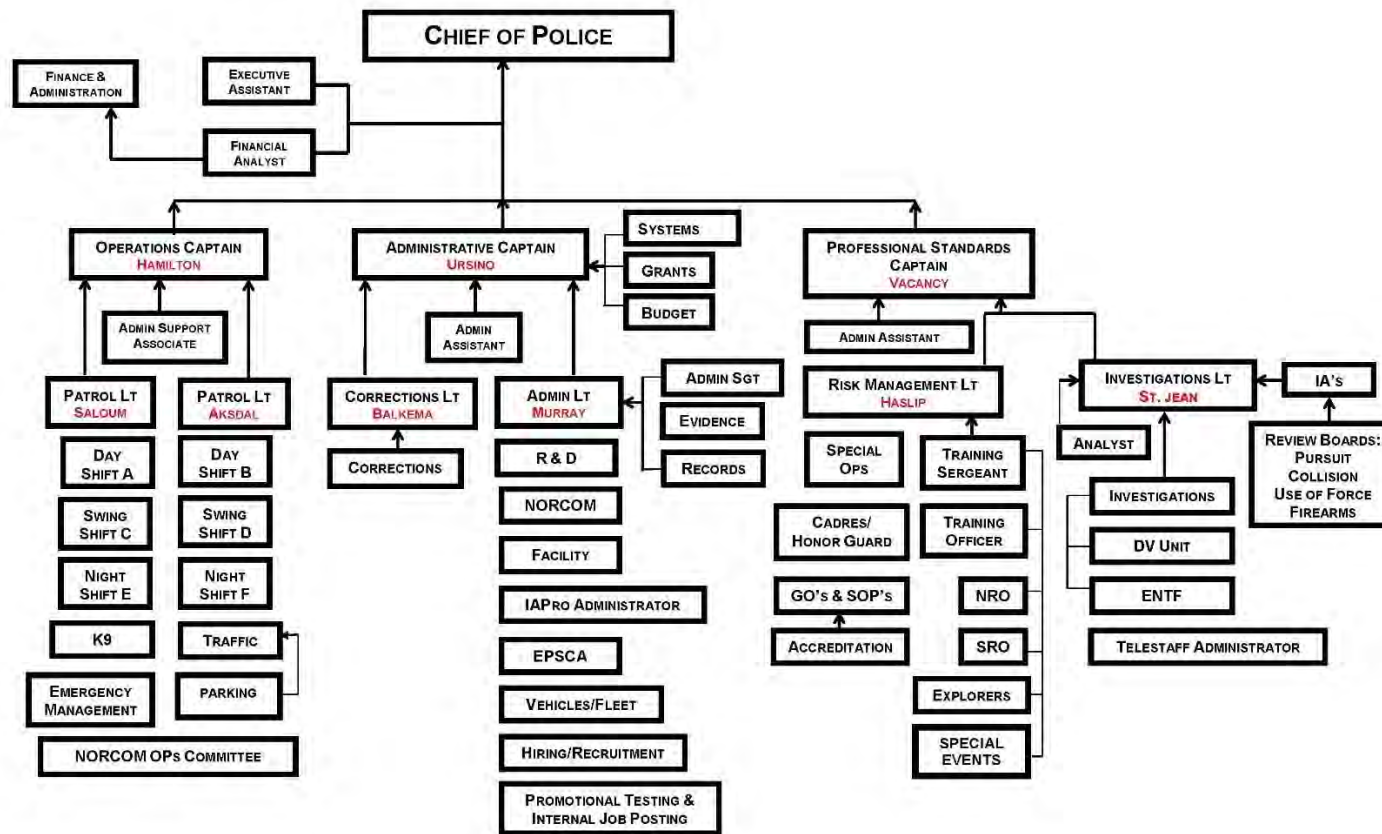


Exhibit 1. Organizational Structure, February 2016

1.4 KPD's Previous Strategic Plan

The Department last developed a strategic plan in the early 2000s, which resulted in the *Kirkland Police Department 2003-2008 Strategic Plan*.

Exhibit 2 summarizes the document's Goals and Objectives and provides a brief status update.



Exhibit 2. Status of 2003 Strategic Plan Goals and Objectives

Goals and Objectives	Notes
1. Adequately staff KPD to meet the needs, expectations, and priorities of our community.	
• Create staffing model.	• Became Annexation Staffing model.
• Develop budget plan to support staffing needs.	• Completed.
• Create an "Annexation" staffing model.	• Completed.
• Create Pro-active unit to focus on identified problem areas.	• Created and then shut down during the Recession.
2. Construct and occupy a new public safety facility.	
	• Done: move in was June 2014.
3. Provide best training possible for our employees to ensure their success.	
• Redefine training officer/coordinator position.	• Completed.
• Refine current training matrix.	• Completed and revisited in 2012.

Goals and Objectives	Notes
4. Provide useful and meaningful information to employees and community on continual basis.	
<ul style="list-style-type: none"> Develop plan to educate and involve community and enlist their support for staff and facility needs. 	<ul style="list-style-type: none"> This did not seem to occur in a “formal” program. Related efforts include: <ul style="list-style-type: none"> Crimemapping.com, Participation in community events National Night Out Against Crime Citizens Academy Neighborhood Resource Officer In addition, the City supported KPD’s facility needs through construction of the Kirkland Justice Center.
<ul style="list-style-type: none"> Identify a method to disseminate Civilian Crime Information Bulletin to the community. 	<ul style="list-style-type: none"> Other than CrimeMapping.com, this was not completed.
<ul style="list-style-type: none"> Invite on-duty supervisors and sergeants to weekly staff meetings. 	<ul style="list-style-type: none"> Completed and still a current practice.
<ul style="list-style-type: none"> Establish a monthly one-on-one between the Chief and the Guild President. 	<ul style="list-style-type: none"> Was done inconsistently during the 2003-2008 Strategic Plan period. Now is a consistent practice.
5. Encourage and support high morale throughout the department through open communication and respect for all employees.	
<ul style="list-style-type: none"> Command, Supervisors, and all employees should identify and discuss reasons for low morale and implement ways to improve it. 	<ul style="list-style-type: none"> More detail needed on what was done.
<ul style="list-style-type: none"> Foster and maintain employee recognition for “job well done.” 	<ul style="list-style-type: none"> Created a system for anyone at any level of the department to nominate other KPD employees for awards listed in SOP. Created “Lunch with the Chief” program: employees are nominated for good work, taken out to lunch by the Chief, and given a Chief’s coin.
6. Successfully accomplish the re-accreditation of the KPD.	
	<ul style="list-style-type: none"> Done in 2012. Onsite Accreditation Assessment completed June 2016.

1.5 Kirkland Crime Trends

Kirkland has relatively similar rate of crime (49.4 crimes per 1,000 members of the population) as the neighboring jurisdictions of Redmond (51.2) and Bothell (46.7), with lower crime rates than the state overall (59.2). Despite similar overall crime rates, Kirkland experiences higher rates of motor vehicle theft and larceny than Redmond and Bothell. The community experienced increases in these crimes from 2012 to 2014 while the same crime rates were decreasing in Washington State and across the nation. More details on Kirkland's crime trends are available in **Appendix 1**.

1.6 Community Profile

Population and Demographics

Kirkland's 2015 population was estimated to be 83,460 by the Washington State Office of Financial Management. This reflects a growth of 71% over the 2010 population. As noted in **Section 1.3**, this growth was primarily due to the 2011 annexation of North Juanita, Finn Hill, and Kingsgate, which added approximately 30,000 people to Kirkland.

Along with this increase in population, the city is experiencing growing diversity, with the population of white residents decreasing 13.5 percentage points between 1990 and 2010. During the same period, the population of Asian and Pacific Islanders increased from 4.5% to 11.5% and there were notable increases in those identifying as Hispanic (City of Kirkland, 2015).

Kirkland has experienced a gradual aging of its population since 1990, and now has a median age of 37. The city is also relatively wealthy, but with increasing levels of poverty. The median income for all households in Kirkland was \$94,332 in 2014, which is significantly higher than the median income for all households in King County (\$75,834). Despite this indicator of wealth, in 2010 5.6% of all households were living in poverty, similar to other communities in the region. More information on Kirkland's demographic makeup is available in **Appendix 3**.

Housing

The 2011 annexation of relatively low-density neighborhoods with primarily single family homes decreased the overall citywide density. It also increased the community's share of single-family housing stock to 60% in the 2010 to 2014 time period, from 50% in 2000 (City of Kirkland, 2013; U.S. Census Bureau, 2000). Even though the annexation increased the share of single-family homes in Kirkland, most development over the past decade has been multifamily construction. Of the city's net gain of almost 2,000 housing units between 2006 and 2013, 62% (1,173) were multifamily. More information on Kirkland's housing is available in **Appendix 3**.

Employment

In 2013, the City of Kirkland had an estimated 40,514 jobs. Employment in the city ebbs and flows, declining in 2005 and again in 2009, before rising dramatically in 2012.

Future

Kirkland updated its Comprehensive Plan in 2015 to comply with the Growth Management Act; this plan accommodates expected housing and employment growth through the year 2035. Kirkland is planning for the addition of over 17,000 new residents between 2013 and 2035, for a total 2035 population of

approximately 99,632, and the addition of over 22,000 new jobs. Over 75% of Kirkland's expected housing growth through 2035 is anticipated to be in multifamily housing units (City of Kirkland, 2015).

In addition to increased multifamily housing, ongoing development projects could impact demand for police services, including:

- Kirkland Urban is anticipated to net approximately 2,200 new office employees, 160 new retail employees, and 500 new residents in downtown. (City of Kirkland, 2015)
- On the east side of Interstate 405, the Totem Lake Mall Redevelopment includes new buildings, parking structures, and a redesigned public plaza. In addition to the typical retail uses, the site may include office and residential spaces.
- The Cross Kirkland Corridor is a 5.75-mile segment of the Eastside Rail Corridor. If the trail is opened at night, KPD will need to determine how to patrol it.

2. OPERATIONAL ANALYSIS AND RECOMMENDATIONS

2.1 Overarching Direction: Departmental Philosophy, Vision, Mission, and Values

Nationwide, effective policing strategies are increasingly guided by four variables:

1. Successful crime control depends on a close relationship between the police and the community being policed.
2. Fear in the community is a problem itself regardless of the traditional measures of crime and arrest rates. Police are being asked to reduce this fear and the means used to reduce fear may not be the same traditionally used to address crime.
3. Community members increasingly want to use the police for services other than crime control, often to address disorder, unsettling behavior in their neighborhoods, or to access other service providers.
4. What police see as disparate incidents are often indicators of a continuing, fundamental problem that demands more than an initial police response to resolve.

The Community Policing Style continues to be a popular approach because of its focus on (1) community partnerships, (2) organizational transformation, and (3) problem solving. It also reflects a way of providing police service that does not rely on patrolling in cars to reduce crime, detective work to solve crimes, or quick response times to calls-for-service to reduce crime. It does promote closer community relationships, the systematic assessment of problems, and an organizational approach to solving problems, focusing on addressing crime, the fear of crime, and disorder. Further, it encourages the development of critical thinking; strategic planning; communications skills; organizational skills; and initiative, all desired skills in employees and good for encouraging teamwork and building morale among employees.

Recommendations

Recommendation 1. Finalize the articulation of the Department's Philosophy, Vision, Mission, and Values as begun during this planning process

The Kirkland Police Department operates under the overarching direction established by the City of Kirkland, including its Vision, Guiding Principles, Operating Values, and City Council Public Safety Goals. In setting strategic direction for the Department and in making operational decisions, KPD leadership should be informed by these governing statements.

In parallel fashion, the various divisions and units that make up the Kirkland Police Department should be seen as operating under the umbrella of the Department's Vision, Mission, and Values. It is important, therefore, that these statements are broad enough and inclusive enough to appropriately guide all the work done by all the members of the Department. As noted in **Recommendation 15**, this report recommends establishing a Purpose Statement and set of Guiding Principles specific to the Corrections Unit. These division-level governing statements operate under the overarching departmental guidance described below.

Kirkland City Council Public Safety Goal

Provide for public safety through a community-based approach that focuses on prevention of problems and a timely response.

a. Establish a clear and meaningful description of KPD's guiding philosophy.

The following key ideas were discussed multiple times over the course of the planning process and found to be accurate descriptions of how KPD approaches its work:

- **Kirkland Police exists to serve Kirkland's residents, business, and visitors.** Our top priority is to build a trusting, collaborative relationship with our community and to respond to what is important to community members. Our approach to our work is informed by and focused by what is important to our community, as we ask ourselves: is this what the community wants?
- **Kirkland Police embraces the 21st Century policing model.** We seek to serve ethically, effectively, and efficiently. We believe in procedural justice and must have strong policies and procedures in place to guide our work.
- **Kirkland Police is a progressive department.** We are open to innovative policing models and the appropriate use of technology to strengthen the effectiveness and efficiency of our work. We are a learning organization, seeking to continually improve and adapt to a dynamic operating environment. We seek creative ways to provide efficient and effective service, collaborating with others in the region where appropriate.
- **Kirkland Police practices collaborative leadership.** Our people are empowered to make decisions consistent with our Vision, Mission, Values, and department directives. Clear direction, a collaborative approach to leadership, strong communication, and opportunities to excel support individual and collective success.

The final articulation of this philosophy should be stated in "plain English," without use of buzz words or reliance on national frameworks; it should speak directly and clearly to external audiences as well as those employed in the police profession.

As with the Department's Vision, Mission, and Values, this Philosophy should be true to the Kirkland community's desires for its police department, and it should be informed by members of KPD itself. Ultimately, however, it is the responsibility of the Police Chief to provide leadership to guide the organization toward its Vision.

b. Establish strong Vision, Mission, and Values statements that distinctly represent Kirkland and the Kirkland Police Department.

The Department's **Vision Statement** should be an aspirational and inspiring statement describing the organization that KPD seeks to be. Potential concepts for consideration include:

- *A leading or model department.*
- *A department recognized for excellence.*
- *Other ideas noted in the Department Philosophy section, above.*

The Department's **Mission Statement** should describe the organization's purpose, focusing on what the Department does and its role in the community. Some suggested words or clauses include:

- *Promote community safety; uphold the law; preserve the peace; protect rights.*
- *Principled service; provided with honor.*
- *Working in partnership with the Kirkland community to uphold the law with fairness, preserve the peace, and provide quality service.*

The Mission Statement is an important place to reflect the breadth of the Department's work, inclusive of crime prevention, crime response, corrections, and records. The consultant team recommends a Mission Statement that describes the full extent of the Department's role and functions, such as:

- *We work in partnership with the Kirkland community to prevent crime, respond effectively when incidents occur, and rehabilitate convicted offenders.*
- *We provide for a safe and just community through crime prevention, responsive policing, and the rehabilitation of inmates.*

Organization Values describe the spirit by which the Department approaches its work. Committee discussion emphasized the importance of these in distinguishing what defines the Department, perhaps distinguishing it from other police departments. To avoid dilution, the Department should limit itself to a small number of Values, perhaps three or four, focusing on what matters most. Values may be accompanied by a brief description of how they will be applied to KPD's context or manifested by staff in their day-to-day work.

Appendix 4.1 summarizes the ideas generated by the Planning Committee in its third meeting and the number of votes each option received from staff.

The consultant team recommends the following potential Values as reflective of the type of Department KPD is and seeks to be:

- ***Progressive.***
- ***Compassionate.***
- ***Courageous.***

While there are many other relevant words that could be referenced, including service, professional, respect, etc., they are generally true of well-managed police departments and speak less directly to the spirit of policing embraced by the Kirkland Police Department.

Recommendation 2. Animate these governing statements by promoting them and using them.

Unless the Department puts the above governing statements to work, they are nothing more than words. The statements and what is intended by them must be actively promoted with current and new team members. They must be actively used and referred to whenever the appropriate opportunity arises in making budget requests, in work planning, and in making personnel decisions, including hiring, evaluations, promotions, and terminations. Organizational Values in particular are well-suited to inform personnel decisions; it is most important that they be used to attract and screen for new employees who are well suited to serve the Kirkland community.

2.2 Crime Prevention and Response

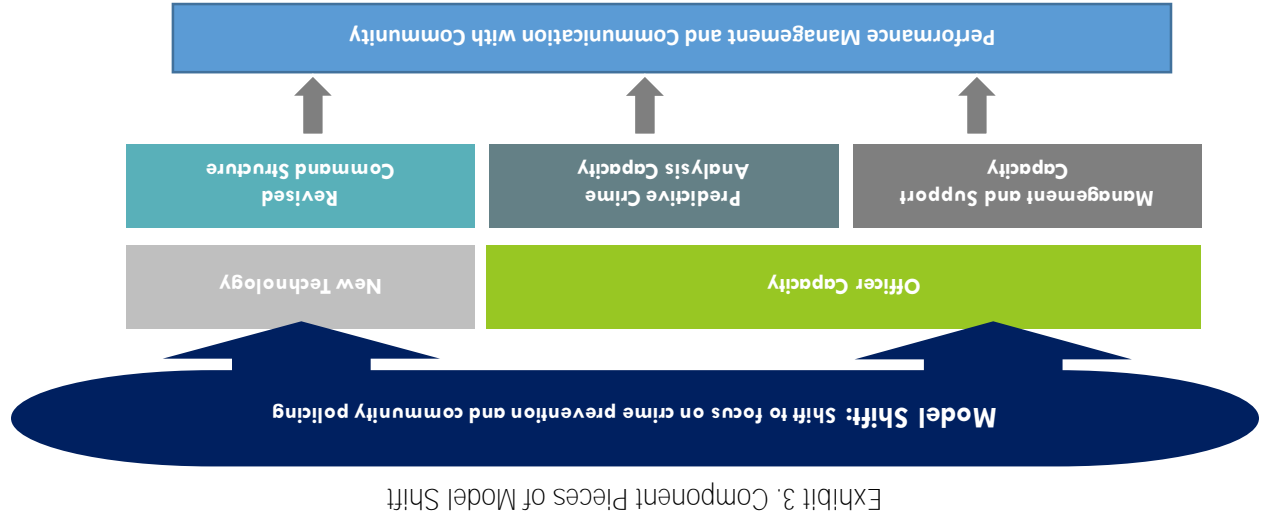
This section considers the many interlinked components related to KPD's capacity for preventing and responding to crime. The Records and Corrections Units that are directly related to this effort are considered in the sections that follow.

The Kirkland Police Department enjoys a positive public image and relationship with the City, and the Kirkland City Council Goals reflect community desires for a community-based approach to crime prevention. Public stakeholders report appreciation for the Department and a desire for more police involvement in community development and social support functions, both of which require more consistent, dedicated resources. At the same time, personnel across the Department report feeling over-extended and would like to be less reactive in their work. Quantitative analysis of Patrol described on the following pages confirms this self-reported perception that officers go from call to call, with little opportunity for proactive community engagement and preventative policing.

Increasing such activities through a model shift that focuses on crime prevention and community policing will have ripple effects throughout the rest of the Department with implications on technology, support functions, crime analysis, command structure, and investigations. To support community partnerships and problem solving, an organizational transformation is needed to align all parts of the KPD organization – management, technology, and personnel – around this purpose as illustrated in **Exhibit 3**. This organizational change will also require leadership to demonstrate the value of this shift through their actions as well as by investing in resources that align with this model.

Community Policing

Community policing typically focuses on community involvement, consultation, and problem solving. Because community policing is focused on close collaboration with the community and addressing community problems, it has often been seen as an effective way to simultaneously increase citizen satisfaction, enhance the legitimacy of the police, and reduce crime. The President's Task Force on 21st Century policing recommended using strategies that "reinforce the importance of community engagement in managing public safety" and "working with neighborhood residents to co-produce public safety" through problem solving efforts.



Staffing Levels

Rather than basing staffing levels on a simple ratio of officers per 1,000 residents, police staffing is increasingly determined based on performance relative to community expectations. To evaluate the adequacy of the current staffing levels, the Department needs to engage the City leadership and community in a discussion about service expectations, and then determine whether the current staffing can meet those expectations. The City's Biennial Community Survey provided generally positive feedback about Department performance, indicating that the Department is meeting the community's service expectations.

The following sections describe how staffing levels for Patrol and Investigations can be determined by response and clearance rates, while staffing levels related to community engagement are determined by community-specific expectations.

Staffing Levels Related to Response and Clearance Rates for Patrol and Investigations

There are many factors to consider in determining appropriate staffing levels and several approaches. Some departments use the "**per capita**" approach that looks at the number of officers and the population of a jurisdiction and compares the officer number with similarly sized cities. This approach is simple, but does not take into account community conditions, community expectations, or quality of service provided.

Another method is to set a **minimum staffing level** for the jurisdiction at different times of day. There are no objective standards for setting a minimum staffing level. Departments can consider call load, crime rate, and other variables such as whether there are other police resources performing duties who can be deployed (e.g. administrative officers, or other specially assigned officers) to accommodate fluctuating workload.

The most comprehensive approach is to engage stakeholders in a detailed conversation about performance expectations based on workload in a "**performance-based**" staffing study. This workload approach analyzes staffing needs based on workload demand while accounting for the specific community characteristics and service expectations. Most accredited agencies regularly conduct workload assessments that can be used to assist in this analysis. There is not a universally accepted standard for this assessment; the work relies instead on the specific characteristics of each jurisdiction such as type of crime, geography, travel times, and desired time for community policing activities.

The Department of Justice Office of Community Oriented Policing Services issued a comprehensive report: ***A Performance-Based Approach to Police Staffing and Allocation*** by Jeremy M. Wilson and Alexander Weiss, 2012. This report describes a step-by-step approach for conducting a workload-based assessment that includes:

1. Examining the distribution of calls for service by hour of day, day of week and month.
2. Examining the nature of the calls for service.
3. Estimating time consumed on calls for service.
4. Calculating an agency shift-relief factor.
5. Establishing performance objectives.
6. Providing staffing estimates.

BERK conducted a modified performance-based staffing study of the Patrol Unit using the methods described in ***A Performance-Based Approach to Police Staffing and Allocation***. The full results of this study can be found in **Appendix 4.6**.

The last step prior to providing the staffing estimates is to establish and apply a "performance objective." A performance objective determines what portion of an officer's time should be dedicated to calls for

service, and therefore, how much time is available for other activities such as cultivating positive relationships with the community and engaging in proactive, data-driven policing. To determine the appropriate performance objective for our analysis, we took direction from multiple sources, all of which described a more proactive model, with capacity to engage in preventative policing and community engagement. These sources included the City Council Public Safety Goal which emphasizes a community-based approaches to policing and the prevention of problems (see page 13), stakeholder input which stressed a desire for stronger community-police relationships and a desire for more communication (see page 3), and input from Department leadership and line staff.

Based on these inputs and the many well-recognized benefits associated with this model as described in **Recommendation 3**, we used a performance objective established by the International Association of Police Chiefs which dedicates one-third of an officer's time to citizen-generated calls for service. This is a less reactive model than the current one, in which patrol officers spend about 45% of their time responding to calls for service.

Recommendations

The following recommendations emphasize a shift towards a more proactive force focused on increased crime prevention and community policing. As noted in Recommendation 4, additional patrol officers are required to make this shift. A workload based assessment conducted for this study estimated a specific number of positions, but the reality is that the Department will add these positions over time, seeking the greatest possible gain from existing and added resources. The implementation of other recommendations contained in this report may cause the precise number of additional positions to shift up or down as visually depicted below:

Impact	Factor	Related Recommendations
<i>Upwards Pressure</i> ↑	Prioritization of traffic enforcement	Recommendation 9
	Continued growth and development of the Kirkland community	Recommendation 11
Number of positions identified in workload-based staffing analysis		Recommendation 4
<i>Downwards Pressure</i> ↓	Efficiencies gained through lean process improvements and the use of technology	Recommendations 4b., 4d.
	The use of non- or limited commissioned personnel for selected functions	Recommendations 5a., 5b.
	De-prioritization of traffic enforcement	Recommendation 9

Recommendation 3. Align the Patrol policing model with an increased focus on crime prevention and community policing.

This foundational recommendation entails aligning the Department's policing style to match community desires as reflected in the overarching Department Philosophy and the City Council Public Safety Goal (see text in **Recommendation 1**). This shift would focus the Department on community-based policing and proactive crime prevention.

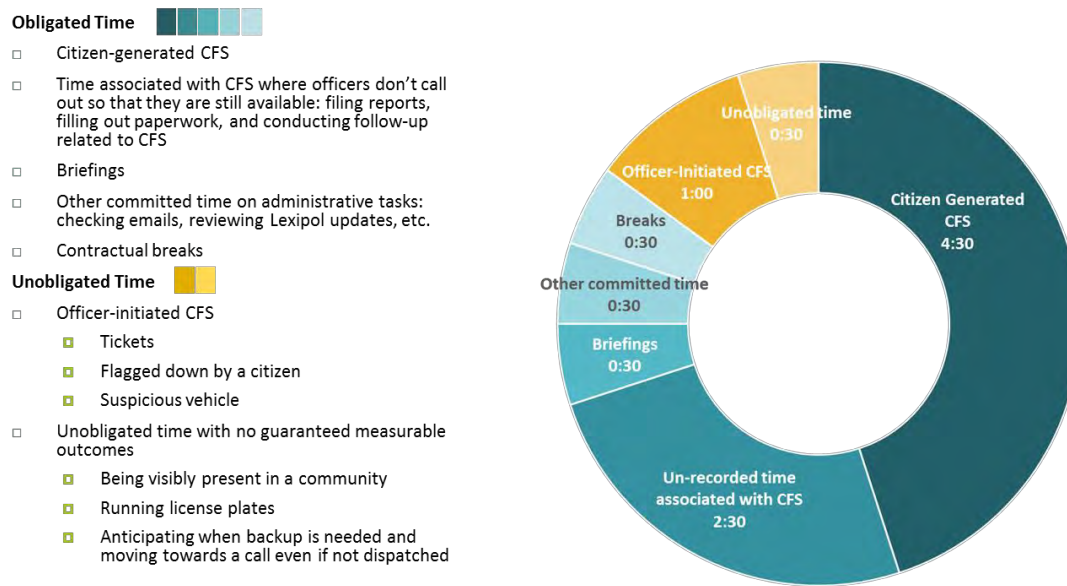
Community policing uses trust-building and collaboration between a city and its police department to effectively address the underlying issues causing crime. This shift to community policing would include building community partnerships and using proactive problem solving to prevent crime. Increased community partnerships can lead to creative problem solving and also serve to bolster community trust in police, which is always important and critical in this time of tense community/police relations elsewhere in the country. Problem solving entails proactively examining identified problems, using the best available data, and developing effective strategies to address them. (COPS, U.S. Department of Justice, 2014)

Recommendation 4. Increase Patrol capacity to create time for preventive, data-driven policing and directed patrol.

A workload-based assessment of the Patrol Division found that additional capacity, equal to 11 additional full-time officers, over current authorized levels (60 officers), would be required to create time for community policing, including community relationship building and proactive crime prevention through directed patrol. The model driving these conclusions is fully explained in **Appendix 4.6**.

Our analysis of the Patrol Unit's typical day found that much of it (~45%) is currently spent being reactive, as shown in **Exhibit 4**. This data analysis was reflected in engagement with patrol officers who described their day as largely running from call to call and handling the paperwork that accompanies those calls. This status quo model, with 45% of time spent on responding to calls for service is substantially more than the 33% recommended by the International Association of Police Chiefs (IACP), one standard that can be used to define a patrol unit's performance objective.

Exhibit 4. Typical Day on Patrol, February 2016



To be effective in community policing, police must have time to have positive interactions, unrelated to criminal activity, with residents on the street. In addition to having time to build positive relationships, the Department must also be able to use data to be proactive in policing. Not just responding to crime reactively, after it occurs, but determining where crimes are occurring and having the time and resources to dedicate officers to those areas. This type of directed patrol, based in sound data analysis, coupled with strong community relationships is demonstrated to lead to systematically reducing recurring crimes, such as motor vehicle prowls or stolen vehicles.

Increasing patrol staffing is only one way to increase capacity and patrol operations could benefit from a lean process improvement exercise, efficient and effective use of new shift schedules, and increased use of non- or limited-commission personnel where appropriate.

a. Seek to add the equivalent of approximately 11 additional patrol officers over current authorized levels (60 officers).

Additional patrol officer capacity is required if the Department wants to become less reactive and create time for community-focused preventive policing. The Department should explore the ways to deploy this additional capacity, including the following three options:

- **Option 1.** Add 11 full-time sworn officers to the Patrol Unit to create increased time for directed patrol initiatives that could focus on crime prevention, relying on increased crime analysis capabilities.
- **Option 2.** Reestablish a free standing proactive unit ("proact unit"), which would require a minimum of five FTEs, including three full-time sworn officers, one full-time sworn supervisor, and a civilian. This option emphasizes crime prevention and decreases the amount of time that Patrol could spend building community relationships and using data to drive directed patrols. If a standalone proactive unit is desired in addition to the extra capacity of patrol to focus on community policing, the number of full-time officers required for the unit would need to be in addition to the 11 full-time officers needed to make time for community policing.

- **Option 3.** A third option is to create a hybrid model and form a small emphasis team of patrol officers to focus on analyzing and organizing directed patrol operations focused on specific current issues or community topics. This special team would deploy officers on special duty assignments as part of their regular shifts, and could be much smaller than a full-fledged proactive unit, leveraging the extra capacity created in the Patrol Unit for directed patrols.

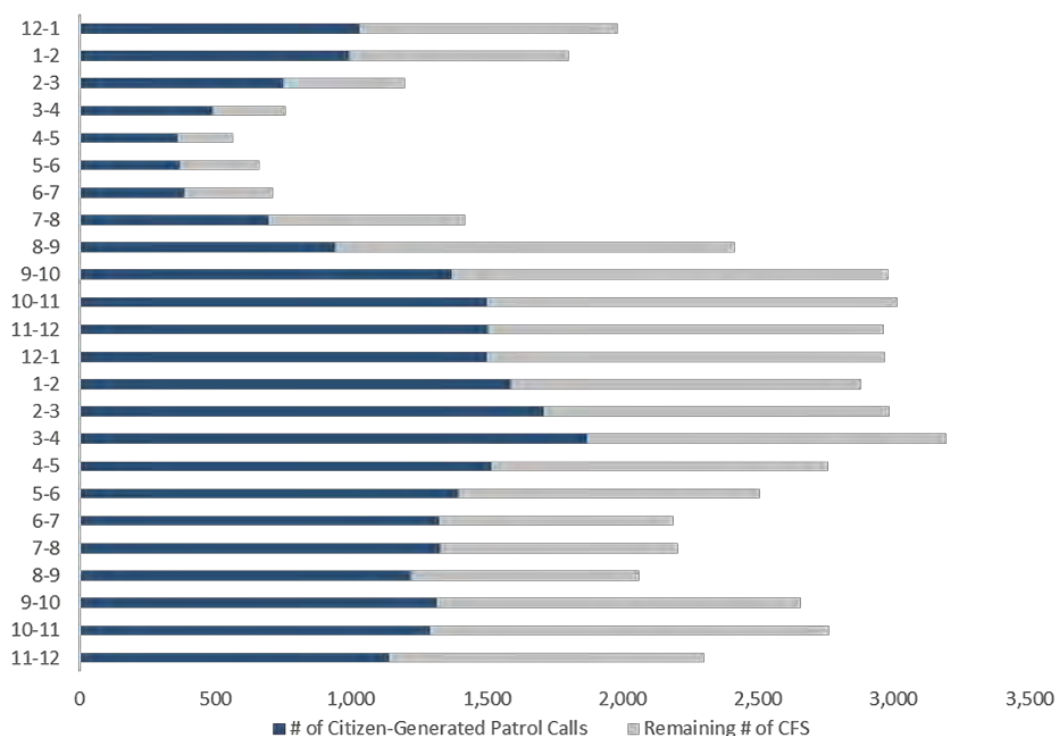
b. Make lean process or technology improvements to reduce officer paperwork, approvals, and internal communications to enhance service and increase time for directed patrol.

Similar to the process suggested for Records in **Recommendation 11**, Patrol should undergo a lean process improvement exercise to evaluate inefficiencies in officer paperwork, approvals, and internal communications. Police agencies can often gain efficiencies in these areas through effective lean analysis. By nature, the process would also touch other departmental functions including traffic, investigations, and special teams. The result of implementing this process would be enhanced service and increased time for directed patrol once identified inefficiencies were addressed.

c. Monitor the shift schedule in relation to calls for service to adapt to changes in production.

To efficiently address peak demand times, the shift schedule should be continually evaluated in relation to call volume. This will eliminate staffing inefficiencies and make best use of shift overlap days, times of day for training, directed patrol, and community outreach. **Exhibit 5** demonstrates the call volume for the year (April 1, 2015 to March 31, 2016) and when high volume is generated by residents. In the late spring/early summer of 2016, the Department adjusted their swing shift to start an hour earlier, at 3 pm, to better cover peak demand times during the same hour. This type of examination and adjustment should continue to be made on at least an annual basis.

Exhibit 5: Annual Call-for-service Volume by Time of Day with Shift Overlap (April 1, 2015 – March 31, 2016)



d. Consider the use of non- or limited-commission personnel.

Non- or limited-commission personnel are a less resource intensive way to add capacity for specific roles. Many law enforcement agencies in the Puget Sound employ civilian staff or limited-commission personnel as Community Service Officers or Crime Prevention Officers. Non- or limited-commissioned personnel may also direct traffic, complete paperwork at the crime scene, conduct jail transfers, package evidence, and perform other functions that do not require a commissioned officer. Additional information is provided in **Appendix 4**, under **Section 4.4: Personnel**.

Through a department-wide survey, call types that could be handled by a civilian were identified. The call types with more than 80% agreement are listed in Exhibit 6. Call descriptions are provided by NORCOM.

Exhibit 6: Civilian Opportunity Call Types

NORCOM Call Types	Call Description
Lost Property	Lost property such as wallets, purses, etc.
Civil	Neighbor complaints and other non-criminal calls between two parties
Illegal Dumping	When someone has dumped something in a spot other than where it should have gone
Traffic Abandon	When citizens are reporting vehicles parked in odd/unauthorized places
Animal	Any animal-related call that does not represent an immediate threat to people
Found Property	Found property such as wallets, purses, etc.
Mail Out Report	Very specific crime types with no suspect information such as stolen phones.

Recommendation 5. Implement technologies to alleviate burdens on Patrol and increase capacity for crime prevention and community policing.**a. Begin use of online reporting paired with ongoing evaluation.**

Online reporting is easy for the victim, eliminates some duplicate data entry, and can free up officer time to respond to other calls. Personnel across the organization indicated numerous calls for service where the online reporting system “CopLogic” could be used for citizen reports of crime and scheduled patrol responses. The calls with the most opportunity are identified in **Exhibit 7**. While online reporting produces some efficiency, it also lessens contact between officers and the public. Each incremental change from in-person to electronic contact needs to be evaluated as to how it changes the relationship between the Department and the public.

Exhibit 7: Online Reporting Opportunity Call Types

NORCOM Call Types	Call Description
Civil	Used for neighbor complaints and other non-criminal calls between two parties
Lost Property	Used for lost property such as wallets, purses, etc.
Illegal Dumping	Used when someone has dumped something in a spot other than where it should have gone
Motor Vehicle Prowl	Used when a vehicle is broken into and items are taken
Malicious Mischief	Used for events such as graffiti, broken windows, etc. where no burglary/prowling is involved
Traffic Abandon	Used when citizens are reporting vehicles parked in odd/unauthorized places
Noise Complaint	Used when citizens have called in to report noise above a level they deem appropriate
Animal	Used for any animal-related call that does not represent an immediate threat to people
Found Property	For found property such as wallets, purses, etc.

- b. Once community use of CopLogic has stabilized, evaluate the impact online reporting of some crime types affects staffing needs.***

Recommendation 6. Increase data-informed policing with support from crime analysis.

Crime analysis is a critical function of law enforcement. Effective crime analysis can reduce crime using strategies that direct limited patrol resources efficiently. In addition to providing reports such as weekly crime summaries and year over year comparisons, crime analysis can also be used operationally to identify hot-spots and commonalities in crimes to reveal serial cases. At the command-level crime analysis can be used strategically for long-term planning and to optimize the workforce. (VERA Institute of Justice, 2014)

- a. Add capacity in the form of an additional Crime Analyst.***

The Investigations Lieutenant monitors and prioritizes crime analysis requests, but despite a managed workload, current capacity of the crime analysis unit is low due to frequent unplanned data requests and urgent crimes requiring large analytic lifts. The insufficient resources in the unit lead to long wait times for anything other than urgent requests. Up-to-date and geographically specific crime information will be needed to support the shift to more proactive patrol approaches and community-oriented problem-solving strategies. Additional capacity, in the form of a second crime analyst, should be added to absorb current workload and add capacity for urgent requests. This new capacity will free up existing resources to use data proactively, for both operations and strategy.

- b. Use local resources that can help support crime analysts in small departments.***

Many smaller departments have constrained crime analysis resources and there are organizations that offer support. The Bureau of Justice Assistance (BJA), one of the Office of Justice Programs run

by the U.S. Department of Justice, funds training and technical assistance directly to local agencies to enhance crime analysis capability. The “Crime Analysis on Demand” training and technical assistance connects departments to products and services that address analytical gaps. The BJA also offer symposiums and workshops to help increase and build analytical capacity. In addition to these resources, there is also a local peer working group for the Northwest that KPD should join. Working regionally and sharing information can help identify larger trends that span jurisdictional borders and address regional issues. Aside from the BJA, resources can be found through the Washington Association of Police Chiefs (WASPC) and the King County Chiefs.

c. Provide internships to local university students such as students or graduates of the Seattle University crime analysis certificate program.

The Criminal Justice programs have many students that are eager to gain experience and have the benefit of bringing new tactics and knowledge that could help create efficiencies in crime analysis within the department.

Recommendation 7. Shift KPD’s command structure to better align with new shift schedule and strengthened focus on crime prevention and community engagement.

KPD’s current command structure is reasonable, with appropriate span of command. However, with the addition of a third patrol shift and changes in peer department command structures, KPD should consider adjusting its command structure to better align with new the new shift schedule and provide parity with neighboring agencies.

a. Align command structure with new 10-hour shifts to ensure appropriate span of control.

Reorganize the existing lieutenant structure or create a third lieutenant position so that each 10-hour shift has a lieutenant.

b. Clarify the line of command in the Chief’s absence and consider alternative command titles, such as Deputy Chief to better align with peer agencies organizational structures.

The current command structure and titles serve to channel communication through the Police Chief. In the Chief’s absence, it is unclear who neighboring agencies and others should contact. Further, the current Captain rank is not parallel with Deputy Chiefs in neighboring jurisdictions, meaning that external communications that would preferably be directed to the next tier in the command structure is more likely to be directed back to the Police Chief. This creates inefficiencies and overburdens the Chief with tasks and communications that are in the Captains’ purview.

c. Consider the merits of a permanent non-commissioned administrative manager position that can work closely with commissioned personnel while increasing the Department’s expertise and oversight capacity in administration.

This additional consistent and highly trained administrative command and management capacity with skills related to budget, technology, records and other non-patrol functions is warranted given the increasing demands on crime analysis and technology reflected in many of the recommendations in this section.

Recommendation 8. Continue to monitor workload of Investigations and other units with shift to new policing model

The current staffing in Investigations is reasonable. However, making the best use of the detectives' skills requires thought about support services - e.g. is there adequate crime analyst and clerical support, are the detectives getting adequate training and mentoring etc. With additional demands on Patrol related to preventive policing, the current level of felony-case investigation could change and increase demand for additional investigative support or additional detectives. Investigative workloads are directly tied to which cases are filed and prosecuted.

a. Communicate regularly with the City prosecutors and City policy makers to maintain a shared understanding of the prosecution priorities and filing standards for the City.

City policy makers and the City Prosecutor's office set misdemeanor filing standards and priorities for the community. These filing standards and enforcement priorities affect police department deployment and resource utilization. KPD should regularly provide policy makers with current data to help inform these decisions.

The City may adjust its prioritization of civility or low level property crimes, or choose to implement deferral programs. Any policy direction of enforcement priorities will have an impact on deployment and support resource levels. For example, some cities choose not to prosecute or have a very high threshold for certain types of crimes such as car prowls, prostitution, or civility-related crimes. Cities with a high threshold have determined that they will not file a case unless the suspect has a specified number of previous arrests or convictions. This filing standard reduces the workload of investigations, by removing the need to file the case for use in a criminal proceeding. Alternatively, having a lower threshold for certain types of crimes would require additional police resources for those cases in order to investigate the crimes and prepare the file to the level required to prosecute the crime.

Recommendation 9. Assess community traffic enforcement priorities.

More community discussion is needed to evaluate and update how the Department approaches traffic. Carefully focused traffic enforcement (ticketing) can address community safety concerns but does little to address *congestion*, which may in fact be the primary concern of the community.

Currently, KPD's Traffic Unit is primarily focused on accident investigations and not ticketing. Using a simple workload-based assessment of the Traffic Unit, there appears to be adequate staffing for the current role and workload, with some additional capacity that could be allocated to other units where needed.

a. Engage community members to better understand their traffic-related concerns.***b. Based on this understanding, set appropriate objectives and staffing. Consider how the Traffic Unit and other resources are best used to address traffic issues relative to other community priorities.***

- What is the appropriate traffic enforcement role for patrol officers?
- What is the capacity of the Traffic Unit to do tasks other than accident investigations?

c. Determine the importance of addressing school zone speeding relative to other potential uses of department resources.

Stakeholder and staff input did not describe speeding in school zones as a top priority in discussions with the consultant team. To better understand the relative priority of school zone speeding, the Department should work with the School District to gather data on how much speeding currently

occurs in the school zones, especially when children are present. This information should then be used to make an informed policy decision in collaboration with the City Council. In the end, the City must weigh this use of resources with others based on community priorities.

If reducing speeds in school zones is determined to be a priority issue, cameras can be an aid to calming traffic with a relatively less intensive use of officer resources. While each ticket generated by the camera system must have video footage reviewed by a commissioned officer before a ticket can be issued this takes less time than assigning an officer to this location during school hours.

Residents are often skeptical of camera-generated tickets, believing they are primarily a revenue source and not a meaningful safety tool. Evidence describing the magnitude of the safety issue gathered in collaboration with the school district should be used to communicate the public safety intent behind use of the cameras. Subsequent reduction in speeding should also be communicated to demonstrate success of the effort and the enhanced safety secured for school children.

Recommendation 10. Reevaluate staffing needs regularly to adapt to City development and population growth, with a focus now on current redevelopment occurring in Kirkland Urban and Totem Lake.

By the year 2035, the City of Kirkland is anticipated to grow its population by 13% to 99,632 residents. If call volume continues its current relationship with population, the Department can expect a 14% increase in patrol officer need over current recommended capacity in **Recommendation 4a**, requiring 81 officers by 2035. This is only one measure of future demand, and a variance analysis anticipating a 5 or 10% increase over current 2035 estimates could increase the officers needed to respond to demand up to 90 officers.

Changes in policing and new commercial development (such as the Village at Totem Lake and Kirkland Urban) and greater residential density may change demand and should be monitored. To better understand the potential impact of current redevelopment in Kirkland Urban and the Totem Lake, the Department's crime analyst should anticipate crime and appropriate service response by assessing the experiences of neighboring communities. Analysts from Bellevue, Bothell, Redmond, and Woodinville would be able to share changes in crime stats related to developments of comparable size, density, volume of public transit, and other factors.

2.3 Records Unit

The Records Unit is a core operation of the Department that requires special attention due to the current backlog and its effect on other functions. The workload of the Records Unit is impacted by its large volume of work in archiving and in Public Disclosure Requests (and associated redactions). This workload is currently challenging Records to be able to support the Department as well as desired.

Public Disclosure Requests. Public records requests for law enforcement records are often more complicated because of conflicting statutes and rapidly evolving case law. The number of Kirkland's requests increased approximately 36% from 2013 to 2015 (based on WEBQA). In addition to the increased number, each request can include a number of reports to generate (as many as 200) and time-consuming redactions.

Year	Number of Requests
2013	1,918
2014	2,504
2015	2,609

Archive Backlog. There is a large backlog of records that need to be archived and also records that have been kept past their retention date. Keeping records past their required retention makes them subject to public disclosure and complicates the search process when responding to public records requests.

Succession Planning. Turnover is anticipated in the Records Unit, with the supervisor and PDR specialist both expected to retire in the next year.

Recommendations

Recommendation 11. Take a phased approach to strengthening the Records function, seeking efficiencies before adding capacity.

With some effort, efficiencies may be gained that will offset the need for additional capacity in the Records function. Note that the recommended new Administrative Manager described in **Recommendation 7** will add management capacity and oversight to this function.

a. Seek to address workload issues through increasing operational efficiencies.

- **Fund a special duty assignment or temporary position to clean up the archive backlog.**
- **Increase presence of City's Public Disclosure Analyst.** Many of the Department's public disclosure requests require specialized review from the City's Public Disclosure Analyst. The Department would benefit from additional regularly scheduled time dedicated to KPD.
- **Monitor the impact of CopLogic on the record unit workload.** New online reporting through CopLogic, which is currently being tested, could lead to more crimes being reported, and therefore a higher workload for Records.
- **Conduct a lean analysis of Records, archiving, evidence and others to identify opportunities to create more efficient processes.**
- **If necessary, do a detailed workload analysis** coinciding with the lean process.

b. Add staffing if the above efficiencies do not alleviate concerns.

c. Create a staff succession plan to account for known retirements.

2.4 Corrections Unit

Kirkland Police Department's Corrections Unit experienced significant changes with their inmate population, facility design, operations and staff levels over the last two years as seen in **Exhibit 8**. While their increased staffing levels and deployment schedules may be adequate for day to day maintenance of normal operations, it does not support the development of systems and programs necessary to comply with best practices, national standards and mitigate risk associated with the operations of a municipal correctional facility. The bed capacity increased from a 12 bed Holding Facility to a 62 bed Correctional Facility; the average daily population increased from 11 male inmates to 40 male and female inmates; the average length of stay of inmates increased from 2 to 11 days. These changes collectively have had a tremendous impact on staffing levels, training needs, available resources and the achievement of desired goals.

Exhibit 8: Change in the Operations, Responsibility, and Liability of KPD Corrections

	Prior to 2014	Post-2014
Bed Capacity	12	62
Average Daily Population	11	40
Length of Stay (days)	2	11
Defined as	Holding Facility (<30 days)	Correctional Facility (< 365 days)

In spite of these critical changes in the scope of responsibility, the KPD Corrections Unit developed and implemented a two-week orientation and training of all staff to prepare for the transition to the new facility; adopted the Lexipol policy manual management system which provides content and a consistent format of all policies; successfully contracted with South Correctional Entity Regional Jail (SCORE) for Special Needs Inmates including high risk inmates with medical, mental health, assaultive and behavioral issues; and provided all staff with new state of the art equipment and uniforms. These achievements are noteworthy and demonstrate the intent of the Kirkland Police Department and Corrections Unit Administration to establish and support sound correctional practices.

The findings from the initial assessment of current jail operations indicate that overall the jail may not be managed in the most efficient and effective manner. Discussions with line staff, supervisors and administration revealed the desire and need to establish management systems; operating and supporting processes for sound decision making; data collection and analysis; process, outcome and key performance measures; vertical and horizontal communications strategies; employee performance measures; comprehensive policies and procedures; best practices inmate programs; and population management initiatives.

The below stated **Goals** were voiced indirectly by line and supervisory staff, city, police and corrections administrators as critically important. In order to accomplish these goals over the next two to three years, various strategies, processes and initiatives are recommended. These include audits, assessments, reviews, research, policy and procedure development and most importantly, development and implementation of management systems. All strategies, processes and initiatives should be plotted out in an Action Plan format in order to prioritize, assign responsibility, designate resources and establish a time line. Support from the City and KPD administration is critical to the successful implementation of these initiatives. By providing the necessary resources to seek technical assistance grants where available;

backfilling skilled staff to accomplish specific tasks; or contract when necessary -- these goals can be met within the next two to three years.

Corrections Goals

1. Safe, Secure and Sanitary Facility
2. Standards Driven Operations
3. Research Based/Data Driven Management Information System
4. Efficient and Effective Staff
5. Evidence Based Inmate Population Management Plan
6. Open, Transparent, Relative and Frequent Communications

Needed Systems Development

To attain these Goals, various management **systems** should be developed that will provide a solid foundation for jail operations and programs.

- Validated and Objective Inmate Classification System
- Comprehensive Management Information System
- Policies and Procedures compliant with American Corrections Association (ACA) Core Jail Standards
- Staffing Plan
- Training Plan
- Communications Plan

Recommendations

Recommendation 12. Articulate a clear and compelling direction for KPD Corrections Unit

As articulated by staff, the **Mission** of KPD's Corrections Unit is to protect the public by holding inmates accountable and providing opportunities for positive change. The **Vision** for the Unit is that inmates who are detained at KPD Jail go on to lead productive and crime free lives. In order to accomplish this Mission and establish a plan to realize the Vision of the KPD Corrections Unit, KPD and City Officials must be crystal clear on prioritizing their goals and provide the necessary resources and funding.

KPD is more than just a police department. KPD has an opportunity to improve public safety, change behavior and positively impact offenders' lives. A work environment can be created so staff can see the importance of their work and connect their daily work assignments to the Mission, Vision and Goals of the Agency. Further, that the establishment of a Corrections Unit Work Plan in collaboration with KPD and City Administration will ensure collaboration and communication while the Unit moves from a baseline of supervising inmates to a safe, secure and effective corrections operation supported by evidence based practices.

The Development of a Work Plan is the most pressing and critical initiative to organize and prioritize strategies and activities, designate responsibility, identify funding and resources, assign tasks, establish timelines, monitor and evaluate progress and readjust as needed. The above listed **systems** in need of development will become the basis for reaching the goals indicated above which ultimately support the Mission and Vision. These strategies and systems and can be attained by the development of a supported Strategic Plan.

- a. Engage Corrections staff to establish a compelling Purpose Statement and Guiding Principles for Corrections.***

b. Establish an action plan to guide systems development and the continued maturation of the Corrections Unit.

Recommendation 13. Establish a validated and objective inmate classification system.

Implementation of an **Objective Inmate Classification System** is recommended as the first and most important initiative as it provides the foundation to all operations. To operate safe, secure, and productive correctional operations, we must know what the inmate population is really comprised of as related to risk to the public, risk to other inmates and staff, and risk to themselves. Inmate needs are also important in terms of establishing relevant medical and mental health services; educational, vocational and reentry programs; drug and alcohol treatment services; and cognitive and/or behavioral treatment programs.

An Objective Inmate Classification System that is normed to the local jurisdiction reflects true risk; is reliable; non-discriminatory; efficient and easy to understand for staff and inmates alike. It ensures appropriate housing and program assignments; identifies least restrictive housing based on inmate's risk; involves prisoners in the process; and establishes a clear definition of operational goals and objectives. Advantages also include improved safety and security; reduced escapes, suicides, and assaults; supports cost savings; ensures consistent decision making; provides a structure for fair and equitable processing and programming of inmates; effectively and cost efficiently deploys personnel; identifies eligibility of low risk population for least restrictive, correctional options programs; and improves overall safety for staff and inmates.

Technical Assistance Grants are available through the National Institute of Corrections to conduct a Classification Review. Reportedly, there are still funds available for Inmate Classification, however all other travel and training technical assistance grants are frozen until January 2017. A National Institute of Corrections (NIC) Classification Review may be sufficient to determine if the risk instruments and scoring weights are normed for the KPD inmate population, however a complete Validation study may be in order.

a. Request Review and/or Validation Study of current Classification Process (NIC).

Recommendation 14. Ensure a safe, secure, and sanitary facility.

A Safe, Secure, and Sanitary Facility can be attained by initiating a Security Audit or Jail Vulnerability Assessment. This process can provide the roadmap to facility and security practices that may compromise inmate and staff safety. Existing policies, procedures and post orders will be reviewed and recommendations made. Often times, these recommendations result in reducing duplication, simplifying procedures, and identifying critical differences in duties related to various posts or types of inmates being managed. The National Institute of Corrections or our Washington State Sheriffs and Police Chiefs Association (WASPC) may provide the resources necessary.

A security audit is a "process of evaluation and analysis of security systems, policy, procedures, standards, and practice combined for a safe and secure environment." Its goal is to identify and correct security deficiencies. The three components of this process are to: 1. Determine if the physical plant supports the mission, vision, goals and objective; 2. Establish outcome and key performance measures as related to programs and services; and 3. Determine the performance levels and effectiveness of the staff. For example, a good staff can often manage safely and effectively even if a jail has a poorly designed physical plant. Similarly, a facility that ensures that inmates are continually involved in productive programs, can offset design flaws.

- a. Conduct a security audit or jail vulnerability assessment (NIC, WASPC)).*
- b. Develop Emergency/Critical Incident Response Plan*
- c. Develop, fund and implement Equipment Repair and Replacement Plan*
- d. Develop and implement random and unannounced Safety, Security and Sanitation Inspections conducted by Administration*

Recommendation 15. Implement standards-driven operations.

To ensure all KPD Corrections Unit operations are supported by nationally recognized correction's standards as well as standing court decisions, all existing and future policies, procedures and post orders must be reviewed for compliance. Successful litigation and court decisions are sometimes seen as a moving target so policy makers should stay current on legal issues through publications and training offered by national organizations such as the American Corrections Association (ACA), American Jail Association (AJA), National Prison Rape Elimination Act (PREA) Resource Center, National Institute of Corrections (NIC), and National Sheriff's Association (NSA). The most litigated corrections issues continue to be isolation/in cell times, mail, visiting, program opportunity, PREA compliance, and LGBTQI (Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex) parity issues.

- a. Compare existing policies, procedure, post orders and practices with National and State Standards – identify gaps.*
- b. Attend Legal Issues for Jails Training (AJA).*
- c. Review current litigation and court decisions regarding Administrative Segregation, Discipline Lockdown, Protective Custody housing (AJA Legal Issues).*
- d. Review NIC Policy, Review and Development Guide LGBTQI in Custodial Settings (NIC Library).*
- e. Develop and Implement an Inmate Discipline, Grievance and Appeal Process that will comply with recent court decisions (NIC).*
- f. Request initial PREA Pre-Audit Review to determine steps to PREA Certification.*
- g. Develop and implement scheduled operational reviews.*

Recommendation 16. Establish a research-based/data-driven inmate management information system.

KPD does not currently have a **Comprehensive Inmate Management Information System** or data collection and reporting strategy which could positively impact decisions of managing day to day jail operations and support research based planning for the future. In order to enhance the current jail information system, initial research utilizing jail information experts such as Looking Glass Analytics or King County Jail information staff to provide training and examples of the benefits of accurate and timely information would be a good starting point. A request should be made to Tyler Technologies/New World Information System to determine the capacity of their enhanced Odyssey Product Suite specifically the Integrated Jail Management System. A comparison of what their software is capable of providing (data, reports, formats, frequency, interpretation, analysis services) along with associated costs of other models could be used to determine the most cost effective means to implement a solid corrections Management Information System. In addition, corrections officers are currently performing clerical records work and

being paid an officer's wage for this work. The best use of resources would move this work from corrections officers to records clerks.

- a. Explore utilizing computer and electronic technology for efficiency, accuracy, and cost containment.*
- b. Review "How to Collect and Analyze Data: A Manual for Sheriffs and Jail Administrators" (NIC).*
- c. Identify key data elements for decision making.*
- d. Obtain a list of available information data bytes from Tyler Technologies/New World Jail Information System.*
- e. Consult with Looking Glass Analytics to provide demonstration of service.*
- f. Consult with King County Detention research and information staff for examples of their data and reports.*
- g. Collaborate with NORCOM and Tyler Technologies/New World JIS to develop daily, monthly and annual inmate data reports.*
- h. Assign staff resources to ensure timely, accurate, relative reports generated.*
- i. Move warrants and records clerical responsibilities from corrections officers to records clerks.*

Recommendation 17. Employ efficient and effective staff.

To reach the aspiration of ensuring that KPD Corrections has the most **Efficient and Effective Staff** several strategies must occur. The KPD Corrections Unit has developed and implemented a staffing schedule for current operations. However, once a Validated Classification System and Management Information System are implemented the current schedule and deployment of staff should be analyzed using the National Institute of Corrections' Model. Staff costs can make up 70-80 percent of the annual budget so attention to managing, deploying and allocating staff is critical to controlling costs and effective management of a jail. The National Institute of Corrections (NIC) Staffing Analysis Workbook for Jails provides a model to help improve jail operations by improving jail staffing practices. It is helpful to "review and evaluate an existing staffing plan in response to changes at the facility or in policy." Technical Assistance Grants may be available in January, 2017 from NIC to assist with this process.

Similarly, the creation of a comprehensive **Staff Training Plan** that supports the onboarding of new staff as well as in-service annual training for all staff is an important component to developing the skills required for an effective staff. A Training Plan should be clear, concise, realistic, and measurable. A comprehensive Staff Training Plan will: identify goals of the agency; assess the training needs of the current staff; establish training objectives for newly hired staff as well as current staff; identify funding and training resources (including subject matter experts and on-line training resources); solicit feedback; evaluate and revise as necessary.

- a. Conduct Staffing Analysis (NIC model).*
- b. Develop a training plan.*
- c. Review recruiting, background, hiring and retention processes.*

Recommendation 18. Develop an evidence-based inmate population management plan.

An **Evidence Based Inmate Population Plan** begins with establishing the goals and purpose of in custody inmate programs based on the Vision, Mission and Values of the Agency. Components of an Inmate Population Plan include: A Housing Plan that ensures inmates will be housed in a safe and secure environment; development of in custody programs based on the needs of the population, available resources, and solid evidence based practices; establishment of correctional options programs based on the inmate's risk to reoffend. All correctional options programs must be developed in collaboration with the law and justice stakeholders to ensure success.

- a. Develop a housing plan with housing assignments based on inmate risk, needs and facility resources.***
- b. Initiate an inmate behavior management program (NIC – train the trainer funding request).***
- c. Recruit and train volunteers to oversee inmate programs.***
- d. Review agencies with similar size and operational scope re: budget, resources, content, frequency, success measures, schedules and implementation of successful inmate programs.***
- e. Develop and implement selected in-custody inmate programs.***
- f. Establish a Correctional Options Advisory Board comprised of stakeholders (see Law and Justice Council statutory membership for examples).***
- g. Develop correctional options programs to ensure least restrictive alternative without compromising safety.***
- h. Identify bed capacity and housing of current population.***

Recommendation 19. Communicate in an open, transparent, and frequent manner.

A Communications Plan for the Corrections Unit can be developed that will ensure **Open, Transparent, Relevant, and Frequent Communications**. The development of this plan can begin with a simple needs assessment or survey of corrections stakeholders including city and police administration, law and justice partners, volunteers and community partners, police and corrections staff. The survey should solicit what information they require or are interested in receiving. Frequency, format and recipients of the information should be identified and mapped out in the plan to determine daily, monthly, annual or as requested reports on corrections related data and general information.

- a. Engage stakeholders to determine what Corrections-related information they would like to receive, how often, and in what format.***

Stakeholders should represent City functions (Council, City Manager, budget, human relations) and Police functions (Police Chief, Patrol, administration, corrections union officers, Corrections Unit line staff, supervisory and civilian staff), and related stakeholders (courts, prosecutor, public defender, clerk, court security).

- b. Identify agenda items, frequency, participants for regularly scheduled meetings.***
- c. Identify content, frequency, audience, contributors, author, and support staff for written communication and report.***

Recommendation 20. When developmental improvements are complete, evaluate options for contracting out excess capacity.

When current population is safely and appropriately housed with low risk offenders transitioned to non-bed correctional options programs, the resulting vacant bed capacity may be utilized to generate revenue by contracting with other local agencies. This option should only be explored once Corrections has completed the above recommendations related needed to strengthen its core functions and serve as a fully-functional Correctional Facility.

- a. Conduct a cost benefit analysis for contracting out vacant bed capacity to other agencies.***
- b. Review with assigned Civil Prosecutor any contractual or potential liability concerns.***
- c. Develop a timeline for implementation of contracts.***

2.5 Community Relationships

As described in **Section 1.2**, the Kirkland community appreciates its relationship with its police department and would like: more engagement and more non-enforcement interactions. The proposed model shift introduced in **Recommendation 3** increases capacity for crime prevention and community policing, creating additional ability to engage community members in non-enforcement interactions. This investment seeks to preserve the goodwill that currently exists between community and department, and will also pay dividends in building effective crime prevention and crime response as described below.

Recommendations

Recommendation 21. Increase the frequency and depth of non-enforcement interactions with community members, building a stronger partnership with the community.

Dedicated effort will be necessary to maintain/improve positive relations with specific populations. In general, as the Eastside continues to diversify, the Department will benefit from more community engagement, greater diversity of its workforce, greater language abilities, and greater cultural competency.

- a. Build organizational capacity to develop community relationships, including training for all officers on community policing techniques.***

The Department may want to form community advisory groups representing interests whose perspective and input to the Department could enhance department operations. Typically, such advisory groups are assembled in collaboration with already identified leaders among the members of the groups. The groups may represent various interests: neighborhoods, social services, businesses, religious denominations, racial or ethnic groups, sexual identity groups, or ad hoc groups arising from topical issues of interest to the community and department.

Because studies demonstrate close police-community relationships are often the reason crimes are solved, the Department will want to have established trusting relationships with whatever individuals and groups might be of help in solving or preventing crimes. These relationships can be slow to develop, must be nurtured over time, and are fragile. Reaching out to these individuals and groups can be done in several ways: visits by department employees, invitations to attend informational meetings facilitated by department employees, and use of various electronic media.

Note that some dedicated community engagement functions can be fulfilled by limited commission personnel, training in effective community policing will be critical for all officers.

b. *Increase the Department's overall cultural competency:*

Trust and intimate relationships between police and diverse communities and individuals may take time. Relationship building cannot be rushed. The Department should acknowledge that this will be a process, there is no inoculation that can make everything better with one shot. The Chief may want to be the face of the Department in reaching out to these diverse communities and individuals as her demonstrated interest will be appreciated and valued.

Other potential strategies include:

- The Department may want to use its present training cadre to develop a resource list of readings, websites, presentations, and other available learning resources to be used by department employees to gain knowledge about current events, history, and issues.
- The Department training cadre may want to arrange a speaker's forum where members of the community are invited to interact with department employees on topical issues of race and ethnicity- or similarly sensitive matters.
- Create a welcoming environment by hosting social events at police facilities where diverse community members can interact with department employees in a loosely structured way, perhaps over ethnic meals subsidized by local businesses.

Recommendation 22. Increase electronic public access to departmental information.

a. *Make improvements to the Department website.*

Provide content on the website that adds value to the public's interaction with the Department and continue to update it regularly. Most law enforcement job applicants find information about Police Departments via the internet, and specifically on the Department's website. KPD's website is not especially visually appealing, interactive, or updated regularly. Adding visual appeal and more information to the website could assist with both recruitment and community outreach.

Include information relative to the Corrections Unit operations that would inform the public and law and justice stakeholders such as summary inmate data (ADP, ALOS, percent pre-trial status, percent of sentenced, racial breakdown, number and percent of male and female population); specific inmate information for public viewing by inmate families, friends, victims (who is in custody, status, court dates, booking and release dates. All of this is public information.

b. *Improve use of social media.*

KPD should expand its use of popular social media platforms, to continue its positive image and good relationship with the community. Continued proactive use of the Department's Twitter account and possession of the existing Kirkland Police Department Facebook account, as well as new Instagram or Snapchat accounts could provide an opportunity for the Department to promote the good work it does in the community.

Importantly, the Department should strive to create opportunities for social media *interactions* (two-way communication) with the community.

Several local jurisdictions use social media very effectively. Issaquah, Kent, and Mercer Island focus on sharing positive images of the department engaging with community members:

- Issaquah’s Facebook account highlights the department’s relationship with the community, including posts showing a School Resource Officer ready for the first day of school, annual cookie deliveries from the local Girl Scout Troop, thanks for officers that are retiring, and congratulatory posts for new corrections officers.
- Kent highlights the department’s participation in neighborhood family festivals with photos of their Neighborhood Response Team interacting with residents.
- The Mercer Island Police highlight their Citizens Academies and volunteer activities through posts with photos of officers interacting with the public.

Lynnwood provides more real-time updates on police activity by maintaining a Twitter account that alerts residents to high-priority police incidents, like stabbings and successful high-profile arrests.

[The State of Washington](#), [King County](#), and the [Kirkland City Council](#) have social media guidelines and/or policies that the Kirkland Police Department can leverage.

2.6 Performance Measurement

Performance measurement is critical to an organization. Performance measures inform a department’s policing priorities and form the standards that a department delivers against. They are also complex, easy to get wrong, and can demand disproportionate resources to implement. Many common measures are flawed or insufficient, and many departments remain focused on outdated indicators. Like other police departments, Kirkland emphasizes indicators such as enforcement productivity (e.g. arrests, tickets), response times, and clearance rates. Though productivity and response times show effort, they don’t reveal if the department or individual police officers are engaging in smart policing or if they are positively impacting the community. The Department should be moving toward a “balanced scorecard” approach for law enforcement, initially proposed by Kaplan and Norton in 1996. By broadening the focus of the police mission, Mark Moore suggests in *Recognizing Value in Policing* the focus should be framed around the following dimensions.

1. Reducing criminal victimization
2. Calling offenders to account
3. Reducing fear and enhancing personal security, guaranteeing safety in public spaces
4. Using financial resources fairly, efficiently, and effectively
5. Using force and authority fairly, efficiently, and effectively to achieve legitimacy with those policed

The Northern Ireland Policing Board is one example of using a balanced scorecard approach to measuring law enforcement performance, with a focus on service excellence, serious harm, and local policing. Their annual report contains a scorecard that indicates police performance on measures outlined under each identified goal. They follow strict protocols on how and when each metric is recorded. An example of this scorecard is shown in **Exhibit 9**. The Policing Board that oversees this process also conducts a survey of the community twice annually, in addition to surveys sent specifically to victims of crime in the past year. These surveys are used to determine the community’s satisfaction with police response times, treatment, and follow-up. (RAND , 2012)

Exhibit 9. An Example from Northern Ireland's Annual Report Scorecard

Target	Performance	Target Achieved
1.1.1. To achieve a victim satisfaction rate of 75% for 2005–2006	PSNI/Northern Ireland Policing Board Victims Survey, quarters 1–3, 2005/2006: 80%	Achieved
1.2.1. To increase the percentage of people who think that the police do a good job by 5 percentage points	Omnibus survey: April 2005: 63% September 2005: 60% Average: 62%	Partially achieved
1.3.1. To increase the percentage of people who think that the police treat everyone equally by 5 percentage points	Omnibus survey: April 2005: 66% September 2005: 64%	Not achieved
1.4.1. To work toward establishing a baseline for measuring police response times to emergency calls, reporting to the Northern Ireland Policing Board quarterly	Within 5 minutes: 34.9% 5–9 minutes: 26.9% 10–14 minutes: 15.2% 15–19 minutes: 7.8% 20–24 minutes: 4.5% 25–29 minutes: 2.9% 30+ minutes: 7.9%	Achieved

Source: (RAND, 2012)

Recommendations

Recommendation 23. *Measure organizational success based on indicators the community cares about. Organizational performance measures should drive individual performance measures.*

a. Conduct annual Community Satisfaction Surveys in addition to the bi-annual city-wide Citizen Satisfaction Survey.

Use Community Satisfaction Surveys to create indicators based in community desires, such as citizen willingness to report crime, citizen fearfulness, and citizens' perceived crime and disorder issues. Indicators should be chosen carefully, thinking about the ripple effects through the Department and any perverse incentives they could create. For example, if officers are given targets for traffic tickets, they may devote free time and resources to meeting that target, instead of addressing other emerging crimes or being visible in the community. The Community Surveys create an important feedback loop, informing priorities of Kirkland citizens and measuring departmental performance.

Questions for residents that can help lead to meaningful indicators include:

1. What do you think the current priorities are of the Kirkland Police Department?
2. What do you think the current priorities of the Department should be?
3. Have you had an encounter with the police? If yes, was the Department empathetic? If yes, was your issue resolved satisfactorily?
4. Do you feel informed about crime trends and safety issues in your community?
5. Have you accessed the KPD website? If so, did it answer your questions or provide the information requested?

b. Create quality metrics to accompany department-wide quantity metrics.

Quantity metrics are the most familiar and easiest to identify and measure, but quantity measures for the Department should be accompanied by quality metrics. Those quality metrics should be rooted in the Organization’s Mission, Vision, and Values (see **Section 2.1**) and, based on the type of work, measure dimensions such as: significance, professionalism, accuracy, timeliness, cost-efficiency, or client satisfaction.

c. Use performance measurement as a means to drive improvement and shape organizational culture.

Performance measurement shouldn’t be a single point in time measure of department success. It should be rooted in the larger organizational culture. Moving toward this model will require investment and support of those in every position - from those in leadership positions to officers and civilian personnel. Making results of performance measures broadly available, both internally and externally, can encourage this continuous support of the program.

Recommendation 24. Consider the development of Neighborhood Policing Plans with neighborhood - specific goals and measures.

Neighborhood Policing Plans allow departments to engage with neighborhoods and define performance measures specific to those communities. The process builds trust and partnerships to fight crime collaboratively and produce public safety collectively. Another benefit of neighborhood-specific goals and measures are that they allow the Department to have varied metrics across neighborhoods based on their specific public safety needs. The Seattle Police Department’s [“micro community policing plans”](#) provide a local example, though Kirkland may approach this work at a less “micro” level, engaging fewer, larger neighborhoods.

3. ADAPTING TO A CHANGING ENVIRONMENT

3.1 Management of Data and Technology

Technology plays an increasingly important role in the daily work of law enforcement officers in the field, equipping them with enforcement and investigative tools that have the potential to make them safer, better informed, and more effective and efficient.

The City of Kirkland has a centralized IT Department that provides services to the Police Department. The IT Director has a well-developed understanding of the unique issues related to criminal justice information management. The new Justice Center facility was built with future technology in mind. The Police Department is in a good position to move forward with new technology, and the officers have indicated a desire to embrace new technologies to create efficiencies and enhance their service.

Important considerations:

- For all technology improvements or enhancements, the Department needs to consider the impacts on the records unit as well as privacy concerns of the public.
- Many of the current KPD officers and the upcoming generation of potential recruits have high technology expectations. Keeping current and progressive with technology tools may draw in new employees, as well as retain current employees.
- There are some tools that often grab attention but may not offer value to KPD at this time. These tools include facial recognition software (other than used with booking photos), gunshot detection systems, or drones.

Recommendations

The Department should be progressive, but not overly aggressive with regard to technology. It should find ways to engage staff, community members, and community partners in new and emerging technologies. Technology leadership will uphold the expectations of a tech-savvy community and aid in staff retention and recruitment.

Recommendation 25. Increase the Department's ability to manage technology in a strategic manner.

a. Establish a "Technology Champion" role.

To increase capacity for addressing technology in a thoughtful and well-managed way, the Department should create dedicated capacity and consistent support for IT. This internal "Technology Champion" may be a full-time position, or dedicated capacity within an existing FTE. This individual should be tasked with:

- Maintaining currency with technology advances in public safety.
- Collaborating directly with the City's IT Director, serving as a consistent liaison between the Department and the City.
- Monitoring current tools and evaluating future tools to avoid gathering disparate technology systems that cannot communicate with one another.

- Reviewing technical and budgetary impacts of new technology, using the International Association of Chiefs of Police (IACP) Technology Policy Framework and City policymakers to discuss the appropriate use and management of the tools.

b. Engage local technology firms and community members as technology partners.

Many technology companies enthusiastically partner with law enforcement agencies as a development opportunity for their own employees as well as a public service. Several sophisticated technology companies have offices in Kirkland: Google, Microsoft, INRIX, Acumatica all have large offices in the City and could be valued partners in learning about technology tools, sharing resources and enhancing KPD's technology toolkit. Tableau trains police departments how to enhance visualization of their crime data for internal use in streamlining police processes in crime mapping and other crime analysis, and for external use, as a way to share data with the public.

In addition, the public meeting room space in the Justice Center can be used to host technology demonstrations, hackathons, or other technology events sponsored by KPD and involving community partners.

3.2 Emerging Data Analysis Tools and Other Technologies

Contemporary policing is being affected by rapidly emerging new technologies. KPD's current and potential use of some existing tools is explored in **Section 3.1**, while this section focuses on emergent technologies. Technology is becoming an increasingly important means by which law enforcement agencies accomplish their missions and meet the evolving expectations of their communities:

Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy.

President's Task Force on 21st Century Policing. 2015. Final Report of the President's Task Force on 21st Century Policing. Washington, DC: Office of Community Oriented Policing Services.

Recommendations

The recommendations that follow are listed in sequential order reflecting the relative immediacy of uptake suggested by the consultant team. This reflects the relative maturity of the technologies in question and the relative benefits they can provide KPD. Note that speeding cameras were discussed earlier in the document, under **Recommendation 9**.

Recommendation 26. Increase use of real time crime data.

Law enforcement data systems are being developed to gather large amounts of data from multiple sources, analyze the data, and use it to make rapid deployment and response decisions. This information can also be used for predictive and intelligence-led policing strategies for more efficient deployment of resources and increased apprehension rates. The Department's staff capacity to take advantage of these advances is addressed in **Recommendation 5**, which speaks to the need for an additional Crime Analyst position.

- a. Evaluate current use of New World system and functionality. Determine if the system could be enhanced by creating additional modules in the current Records Management System.*
- b. Explore emerging analytic tools that can be used with the existing crime information generated through the New World records system.*
- c. Evaluate new forensic tools that become available.*

For example, new truth detection systems are becoming available that can be used to in lieu of polygraphs. It may provide value to the detectives in lieu of using a polygraph in some circumstances. It is inexpensive and easy to learn.

- d. Invest time with the Automated Fingerprint Identification System technicians to learn the latest tools that can be used with their system.*

New tools such as mobile fingerprint units could aid the Department in making instant identifications and cut down on mistaken identity.

This task would be ideally suited to either the detectives or evidence technicians.

Recommendation 27. Purchase tools with mobile device capability.

Kirkland officers have mobile data terminals in their vehicles but do not have hand-held mobile devices such as tablets or smart phones. The vehicle-based mobile data terminals are limited in their functionality due to their interconnectedness with the dispatch system, NORCOM, and cannot access the internet or the internal City network. Many applications are being developed to push information out to officers on mobile devices (tablets and phones). These tools can aid in confirming identity of witnesses and/or suspects, gathering evidence, filling out contact forms, and officers in the field receiving a wider range of timely information. Emerging law enforcement technology innovations and applications will require putting additional mobile tools in the hands of officers.

Any acquisition of a new tool should be carefully evaluated by the Technology Champion and the City's IT Department to make sure that it is compatible with other equipment and that data gathered by that tool will not have to be reentered into another system.

Recommendation 28. Examine results of local two-year body-worn video pilots.

Many agencies are evaluating whether to deploy body-worn video cameras to gather evidence in cases, and for police accountability related to their interactions with the public. Although body-worn cameras can offer benefits, they also raise serious questions about how technology is changing the relationship between police and the community. A two-year pilot window recently passed and our recommendation is to closely monitor and evaluate the results of the 50 jurisdictions that chose to participate in these pilots. The police departments shown at right may be of particular interest given their geographic proximity to and shared characteristics with Kirkland.

During evaluation, community desires as well as the total cost of operating body worn cameras should be considered, including camera upgrades and other equipment as well as ongoing records management (indexing, redacting, storing, uploading, reviewing, retrieving and matching video with case records, and transmitting video to prosecutors and courts).

- Auburn
- Bainbridge Island
- Bellevue
- Bellingham
- Bremerton
- Gig Harbor
- Lake Forrest Park
- Lake Stevens
- Lakewood
- Lynwood
- Mill Creek
- Monroe
- Puyallup
- Renton
- Seattle
- Tukwila

Recommendation 29. Invest in automated license plate readers for patrol vehicles.

Automated license plate readers can assist officers with identifying and recovering stolen vehicles, locate wanted vehicles, and provide information for various types of investigations. The parking enforcement vehicle has this technology, but the functionality should be available to officers beyond the Traffic Unit to aid in proactive crime prevention.

3.3 Adapting to Regulatory Changes

The following recent and potential future changes in state and federal laws and regulations could impact KPD's future operations:

- **Sentencing requirements.** The trend in Washington State is toward less jail time, and more diversion or referral to treatment services or community service, especially for those involved in low level drug or property crimes. The level of supervision of individuals who commit such crimes and who are no longer being incarcerated is minimal and especially if they are doing low level property crime (bike theft, car prowls, burglaries, shoplifting, etc.) to support a drug habit or due to other untreated conditions, the criminal behavior is more likely to continue.
- **Marijuana legalization.** After the legalization of recreational marijuana, Washington law enforcement agencies are still working out the practical aspects of their relationship and involvement with marijuana possession, consumption, and distribution crimes. The State Legislature continues to modify roles and responsibilities between local law enforcement and the State's Liquor and Cannabis board, especially as it relates to medical marijuana dispensaries and personal growing operations.
- **Washington State Public Records Act.** Washington's Public Records Act requires that all records maintained by state and local agencies be made available to all members of the public with only narrow statutory exemptions. Due to the potential liability related to disclosure errors and the complicated web of rules related to law enforcement records, police departments, including Kirkland,

devote sizeable resources to managing the public records process, taking resources away from other priorities.

- **Disparate impact of criminal justice system.** Policy makers at all levels of government are concerned about the overrepresentation of minorities in arrests, convictions, and sentences. Police departments are being asked to collect more demographic data to help study these issues, which can be time consuming and may require new policies, forms, and data aggregation tools. KPD will need to monitor this change as reflected in **Recommendation 30**, below.

Recommendations

Recommendation 30. Determine the demographic data that KPD will collect to monitor the impact of the City's criminal justice system on minorities.

The President's Task Force on 21st Century Policing recommends the following:

To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department's website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics. [emphasis added]

As noted previously in this report, KPD overall enjoys a positive relationship with the community it serves. This relationship should be protected as the agency's greatest asset, particularly in the current national context of strained police/community relations. Stakeholder input gathered in this process did surface some concerns of racial bias on the part of KPD (see page 4). To better understand this issue, we recommend that the Department gather, analyze, and share data on the relationship between law enforcement interactions and race.

KPD should engage City policymakers in determining what level of detail and how much data they want to collect, analyze, and report. Only data that will be used should be gathered. This will require modifying forms and records templates to gather additional data, and demand time from officers, as well as the Records and the Crime Analysis units. Each data point collected will add time to each police encounter to collect and input the information, and new forms will likely create large amounts of data that will need to be analyzed, stored, and managed.

Many other law enforcement agencies have started collecting demographic data including the Washington State Patrol and City of Seattle. The Department of Justice published a [*Resource Guide on Racial Profiling Data Collection Systems*](#), with data collection goals and limitations, case studies of jurisdictions outside of the Puget Sound area, and recommendations for traffic-stop data collection systems. The demographic data that should be collected during traffic stops includes date of birth, gender, race/ethnicity, and reason for the stop.

3.4 Evolving Social Challenges

Broad social conditions will continue to create challenges for the City of Kirkland and other communities in Washington State:

- **Mental health and substance abuse.** Washington State does not have enough services for individuals experiencing mental illness or substance abuse crises. Consequently, police are called upon when these untreated or unhoused individuals commit crimes, cause disorder, or endanger others. Law

enforcement contacts with individuals in crisis continues to grow. Officers find inadequate options available to assist with these encounters. Even individuals who desire treatment (either emergency medical detox, or longer term treatment) find that the treatment centers have no capacity.

Opioid abuse is widespread throughout our region, and often contributes to three types of crime: use-related crime by individuals who take drugs that affect their behavior, economic-related crime to fund a drug habit, and system-related crime that result from the structure of the drug manufacture and delivery of drugs.

- **Homelessness.** The entire Puget Sound region is experiencing a large increase in individuals and families experiencing homelessness, some of whom sleep or camp in unauthorized areas or live in their vehicles. Police often are the first service provider called to respond to citizen complaints about these individuals. Kirkland's Parks and Community Services Department and Police Department collaborate to make referrals to appropriate services or take law enforcement action when necessary. Some individuals are experiencing mental health or substance abuse issues, or are engaging in low-level property and drug crimes. In many cases police have a legal basis to arrest and/or book a person for these crimes, but there is a trend toward diversion or referral to services instead of arrest, booking or charging.

It is likely that the number of homeless individuals on the Eastside will increase and programs, training, and collaborative efforts to address this population will need to expand.

- **Privacy concerns.** With the enhanced ability of police departments and other public agencies to gather and store large quantities of data and connect regional data systems, civil rights organizations and some citizens are concerned about privacy. There are calls to limit the amount of information that is gathered, especially in the context of law enforcement activities. Tools such as video surveillance, body-worn or in-car video, automatic license plate readers, and facial recognition software are becoming a focus of privacy concerns, especially in the context of Washington's Public Records Act.

Recommendations

Recommendation 31. Increase Department capacity and expertise for handling increasing behavioral and mental health challenges.

Currently KPD partners with an outside social services agency for behavioral health events. Every indication is that the frequency with which the Department interacts with individuals with mental and behavioral health complications will increase. We recommend exploring other partnerships and potentially increasing in-house capacity and expertise, either through another City department or via KPD staff, though there are good reasons to have the function fulfilled by staff outside the Police Department.

This issue may be fruitful to pursue in collaboration with neighboring communities or via a regional partnership, the subject of the next section.

3.5 Partnerships

Effective partnerships can provide the benefit of a large amount of expertise for emergencies with a reasonable amount of officer resource commitment. These partnerships also give officers an opportunity to develop professional relationships and skills. Kirkland Police currently participates in the FBI Cybercrimes Task Force, the Washington State Internet Crimes Against Children Taskforce, North Sound Metro SWAT and, until June 2016, the East Side Narcotics Taskforce.

Recommendations

Recommendation 32. Partner with other public safety agencies in the region.

Explore partnership opportunities to address issues that are more efficiently or more effectively addressed in collaboration with others. With its new firing range, Kirkland can offer access to an increasingly scarce resource and so should leverage this asset in exploring partnerships.

Regional collaboration may make most sense related to:

- Water and bike patrols.
- Tactical Emergency Medical Support (EMS). Tactical EMS provides emergency medical care during high-risk special operations, such as active-shooter scenarios. Having tactical EMS experience can save officer and citizen lives.
- Community engagement. This may take the form of coordinating outreach by City of Kirkland entities (Police, Fire, Emergency Management, Parks, etc.) to align messages, leverage outreach efforts to carry multiple messages, and sharing effective tools, techniques, and partners. The increasing complexity of culturally- and linguistically-tailored outreach also means that it may be effective to share resources with neighboring Eastside agencies facing the same challenges of serving an increasingly diverse population.
- Narcotics, Car Thefts, and Gangs.
- Internal Investigations and Use of Force reviews.
- Regional Crime Analysis.
- Special Events.
- Legal Advising.

Recommendations from other sections also relate to partnerships, including:

- **Recommendation 25** encourages partnerships with technology companies.
- **Recommendation 31** notes that regional collaboration may be an effective way to address human services issues.

City of Kirkland Operating Value Related to Regional Partnerships

Kirkland encourages and participates in regional approaches to service delivery to the extent that a regional model produces efficiencies and cost savings, improves customer service and furthers Kirkland's interests beyond our boundaries.

4. STRENGTHENING THE ORGANIZATION

4.1 Overall Situation Assessment

The Kirkland Police Department has undergone significant change, including the recent appointment of a new Police Chief. The recent changes, including an annexation expanding the geographic jurisdiction of the department, an increase in the number of department personnel, a new facility, and new work shifts, while presenting challenges, also offer an opportunity for the new Police Chief to inspire a course for transformational progress.

Organizational culture can be defined as the way the Department operates and the interactions among its members. It encompasses the work atmosphere; bonds among employees; how the Department learns; and the norms and values of the department. It is the deep identity of the organization and can enhance the Department or damage it.

4.2 Communication, Connection, and Collaborative Leadership

The functioning of any organization is as dependent on internal communications and culture as it is on having the proper people, training, equipment, and procedures. The assessment work found that there are opportunities to improve vertical and horizontal communication flow. Staff described cultural challenges created by the new facility that physically separates functions and decreases informal communication. This has led the Department rely more on e-mail and phone contact rather than face-to-face conversation.

The assessment also found that in addition to physical communication issues, there is a divided culture that has grown out of an historically strong hierarchy that limits innovation and organizational learning and improvement. This has led to limited delegation of tasks that can lead to decreased efficiencies.

Recommendations

Recommendation 33. Implement proactive change management and strengthen internal vertical communication flow.

The residual effects of recent significant changes (annexation, staffing expansion, new facility, new patrol work shifts, and the anticipation of additional change resulting from the recent selection of a new Police Chief) continue to ripple through the Department, creating concurrent feelings of loss and hopefulness among employees. There is a need for a proactive change management approach to address these issues head on, communicating the Department's strategy internally before making public announcements of changes. Department staff should hear of changes first, before hearing on the news or rumor mill.

Communication systems should support the effective dissemination of command direction, organizational, and individual performance expectations, and revisions in departmental policies and procedures. In addition, vertical communication improvements are required for identifying and clarifying decision-making processes and promoting constructive feedback and input from employees.

a. Strengthen leadership's communication of issues of importance.

Focus on decreasing emails to convey important shifts in policy or procedure and increase in-person communications.

b. Focus on improving communication at the sergeant level.

Sergeants are the main connector between command and officers and strong leadership in this position can improve vertical communication for commissioned personnel.

Recommendation 34. Strive to create a strong department-wide culture that unites diverse work groups under the Kirkland Police banner.

KPD is a relatively large and relatively diverse organization. While individuals naturally feel most connected to their individual work group, it is critical for the success of the organization to maintain a strong Department-wide identity that embraces all work units and both civilian and commissioned personnel.

a. Promote a department-wide identity through communications, celebrations, personnel recognition, and other opportunities.

b. Break down silos in horizontal communication.

Staff reported horizontal communication is “siloe,” i.e., intra-unit information may flow well but inter-unit information flows poorly, creating information voids or confusion that generate inaccurate speculation, rumor, and ill will.

Internal newsletters or other communication devices can be used to share information of unit's work. For example, few people knew about CopLogic, the social media plan, new recruitment strategies, and other meaningful, positive changes occurring in the department. Keeping people notified helps limit rumors or misunderstandings about what is happening.

Recommendation 35. Continue to preach and practice collaborative leadership in which personal initiative and suggestions for improvement are welcomed so long as they are well-intentioned, professionally delivered, and aligned with KPD's Philosophy, Vision, Mission, and Values.

KPD's Philosophy encourages independent decision making and leadership when it is informed by, aligned with, and accountable to community and departmental values.

“Collaborative Leadership,” the systematic development of all formal and informal leadership throughout the Department at all levels, including commissioned and non-commissioned personnel, is a way to enhance the flexibility and responsiveness of the organization to anticipate and respond to evolving environments and associated service expectations. It acknowledges that neither the chief nor any centralized authority can make all the decisions necessary to ensure the efficient and effective functioning of such a complex organization. Collaborative Leadership has five characteristics:

1. A shared understanding of what leadership means in the department.
2. A commitment to shared goals and values by leaders at all levels of the department.
3. A recognition that leaders at different levels in the Department have varying responsibilities and therefore must be trained according to their needs.
4. Formal training to develop leader knowledge and skills at all levels.
5. A means to assess where leaders are in the Department and their evolution as leaders.

Collaborative Leadership has many benefits, including:

- Creating a more intelligent and adaptive agency.
- Cultivating future leaders (succession planning).
- Creating a positive workplace environment in which employees feel valued, respected, and that they have opportunities for growth (retention and attraction).

a. Create opportunities to match individual interest and talents with organizational needs.

Department staff bring a variety of strengths and interests to the workplace, not all of which may be actively utilized. Professional development plans (see **Recommendation 37**) can be used to link individual talents to departmental initiatives, encouraging staff members to contribute in a well-managed way where they have interest/strengths. These contributions and special duty assignments simultaneously strengthen the department, provide professional development and succession planning opportunities (see **Recommendation 38**), and enhance engagement and job satisfaction, leading to retention.

4.3 Performance Evaluations and Professional Development

As an accredited agency, KPD is required to do yearly performance evaluations. KPD Administration states that all employees received an evaluation in 2015, and that a new patrol evaluation was just completed.

In speaking with department employees, we found widespread dissatisfaction with the present performance evaluation process. Moreover, several employees stated they had not been evaluated in some time. Comments about the evaluation form included:

- It lacks meaningful performance standards.
- It is not tailored to the specific positions being evaluated.
- It does not promote constructive discussion between the evaluator and the person being evaluated.
- It fails to contribute to a Personal Performance Plan for the individual being evaluated.
- It is administered infrequently and in a subjective manner.

There is a strong desire for a more meaningful evaluation and professional development processes for both commissioned and non-commissioned employees.

Recommendations

Recommendation 36. Revamp the current evaluation process and supporting tools.

There is a widespread and deep desire for processes that capture not only simple quantitative-based performance but also recognize the qualitative performance, especially in light of how patrol officers function as both first responders and as detectives conducting follow-up investigations. Staff further believe performance should be evaluated for how the individual supports the Mission, Vision, and Core Values of the Department.

a. Revise the evaluation process.

Staff currently evaluate their superiors just prior to being evaluated themselves, a sequence which, warranted or not, creates a fear of reprisal. This practice creates strong disincentives for honest

feedback. The Department should create a process for subordinates to evaluate superiors in a way that promotes a productive critique, ensures the anonymity of the subordinate, and protects them from retaliation. This should include separating supervisor evaluations from evaluations of subordinates.

It may be advantageous to have input gathered by a lieutenant, analyzed for themes, and presented in productive fashion.

The employee whose performance is being evaluated and the supervisor conducting the performance evaluation should collaborate to draft a Professional Development Plan for the employee to develop the knowledge and skills helpful for the employee to assume a higher responsibility or desired position. The plan may consist of readings, discussions via mentoring, training classes, or experiences.

b. Establish clear and transparent expectations defining what individuals will be evaluated for by position.

The framework for evaluation should be based on clear position descriptions and identified desired competencies. Revisit and update position descriptions throughout the Department to gain a clear understanding of roles and responsibilities across the agency and how they tie to the overall Department's overarching philosophy.

In addition to capturing simple quantitative-based performance measures, it is important to recognize qualitative performance, especially in light of how patrol officers function as both first responders and as detectives conducting follow-up investigations. A performance evaluation should also consider how the individual supports the Mission, Vision, and Core Values of the Department.

The evaluation process should likely incorporate self-reflection and evaluation.

Recommendation 37. Strengthen professional development planning, establishing a longer-term view and linking to Departmental succession management efforts.

An organization's commitment to the ongoing professional development of its employees is directly correlated to staff retention, succession management, and even recruitment.

a. Establish a long-term focus in professional development planning.

The current focus in professional development conversations is very short-term (the current year), resulting in goals that are too modest as staff are incentivized to show attainment of stated goals. Instead, this process should have a long-term focus, looking out 5 or even 10 years.

Long-term goals should align with the organizational needs of the Department (a part of succession management discussed in **Recommendation 38**) and should be used to directly inform training goals and budgets and the departmental level.

b. Support and evaluate staff in leadership positions for their ability to grow their staff through collaborative leadership, evaluations, and professional development.

Supervisors should be mentors and advocates, helping people achieve their long-term goals. If someone aspires to an unreasonable goal given his/her abilities, it is the responsibility of the supervisor to have an honest conversation, or to give them the opportunity to succeed or fail. Supervisors may need training and skill development to perform this function well. It is a core duty for a sergeant.

With the new shift bidding process, people will get a new supervisor, with a new look at their goals, each year.

4.4 Retention, Succession Management, and Recruitment

The Kirkland Police Department pays close attention to the composition of its workforce as it relates to age, seniority, and retirement. The Department enjoys a good reputation in the area with good pay and benefits. That said, as with other public agencies in the region, the Department is facing a pending wave of retirements creating concerns about retention, leadership succession, and recruitment. In the next nine years, almost 40% of Kirkland's staff will become eligible for retirement. Though all eligible staff will not choose to retire due to health benefits the Department affords as well as increases in pay that come with seniority, the number of staff with eligible retirements remains a risk for the Department. Approximately 15% of the KPD staff are currently eligible for retirement, all of them commissioned officers. See **Appendix 4.** for more information.

Recommendations

Recommendations related to retention, succession management and recruitment are made here, but many other sections of the plan make recommendations related to making KPD a great place to work (including improved communications – **Section 4.2**, personal development – **Section 4.3**, etc.), which will contribute to the retention of existing employees.

Recommendation 38. Establish a succession management program.

- a. Establish a succession management approach.** Establish a deliberate and systematic effort to encourage individual advancement and ensure continuity in key positions, including management, technical and professional specialist roles.
- b. Analyze the data.** Understand where the Department will need to take a more proactive role in cultivating future leaders. This includes identifying key leadership positions that will need replacement due to pending retirements.
- c. Hire for future leaders.** Include consideration of quality and character – key ingredients for future leaders – when hiring at all levels and for all positions.
- d. Be transparent about expectations and competencies for leadership, establishing a career development guide and specifics for each rank/level of responsibility.**

There is a large body of research surrounding the leadership competencies for law enforcement employees at all ranks and levels of responsibility within an organization. There are studies from the International Association of Chiefs of Police (IACP), Police Executive Research Forum (PERF), Federal Law Enforcement Training Centers (FLETC), Royal Canadian Mounted Police (RCMP), U.S. Army, and others that list these competencies for various supervisory and leadership positions. Although there are variations of these lists, most set out similar competencies that can be grouped together in the following categories:

Succession Management

Succession management proactively identifies, trains, and develops internal staff to fill leadership positions, expanding the availability of experienced and capable employees when retirements occur.

Successful succession management can shape an organization's leadership culture and build a leadership pipeline by concentrating resources on talent development.

- Ethics/integrity
- Vision and goals
- Getting results - completing tasks/making decisions/solving problems
- Communication
- Coaching/training/mentoring
- Technical improvement/self-improvement

Working within each category, it is possible to list more details specific to a particular rank or position. Therefore, more detailed lists can be assembled for desired ranks/levels of responsibility.

- e. **Cultivate individuals.** Identify those with the aptitude and desire to advance; provide critical development experiences and mentoring that actively guides them through career development.

Recommendation 39. Continue to strengthen recruitment efforts to get the best qualified applicants aligned with KPD's values.

The Department should create a formal recruitment plan that prioritizes desired competencies aligning with the Departmental Philosophy, Vision, Mission, and Values.

a. Modernize hiring standards.

Throughout the organization hiring standards are cited as a point of pride for staff, but they have also posed a challenge for recruitment. We recommend that the Department review all of its oral board testing, background screening, and minimum qualifications criteria to evaluate whether these standards are still relevant to their desired workforce.

b. Use limited commission positions as hiring pool for fully commissioned officers.

Positions like limited commission Community Service Officers can provide opportunities to test recruits before investing in trainings required for full commissioning.

c. Continue a strong marketing campaign that highlights the new Justice Center Facility and demonstrates the Department's progressive stance on technology.

The Department should continue current marketing efforts and increased media presence, which will be helpful in keeping Kirkland at the forefront of potential recruits' minds and updating the image they may have of Kirkland. Specific ideas include:

- Using public events as a forum for promoting the Department as a superior workplace.
- Continuing to host trainings at the new Justice Center and use those trainings as recruitment opportunities while promoting the Department's modern facilities.
- Using technology for marketing efforts: update the Department's website, allow for electronic application forms, and communicate with texts or email on progress of candidate applications.

- Targeting recruitment of Millennials who are increasingly dominating the hiring pool, estimated to constitute more than 75% of the workforce in the next 10 years. See sidebar at right.

In general, the agencies that are doing well hiring and recruiting are those who have a highly motivated and active person dedicated to shepherding applicants through the process and keeping in regular contact with them. The State Patrol and SCORE are noted as being very good at this process; they and others typically have recruiters present when Public Safety Testing holds testing events.

d. Increase diversity in hiring.

As Kirkland continues to grow, the Department should strive to reflect the diversity of the community in its workforce. KPD should work with Civil Service to develop specific, measureable, diversity goals, with incentives to increase diversity in initial applicant pools. Diversity in race as well as gender should be prioritized. For example, additional points could be given during the hiring process for language proficiency in languages that are relevant to the Kirkland population. Other examples of incentives are a 5% dual language premium provided by King County Sheriff's Office. An example of diversity in hiring goal, from Irving, California, is to have minorities and women make up more than 50% of entrance exam takers.

Given Civil Service requirements, some variables related to recruiting cannot be changed. The Department controls its own process, however, and its chances of landing the right candidate will increase if the process is swift and lean:

- Eliminate duplicate processes and meaningless steps.
- Eliminate errors.

Finally, as noted by community stakeholders during interviews, partnerships with local organizations and community-based organizations could be used to raise KPD's profile and reputation with members of diverse communities, encouraging more to apply for open positions with KPD.

Strategies for Recruiting Millennials

Meet them where they are:

- Seattle University Job Fair
- Central Washington University's Women in Law Enforcement Job Fair

Target those employed in:

- Companies that are downsizing as posted on the Washington State Employment Security Department website:

<https://esd.wa.gov/about-employees/WARN>

- Jobs where Millennials may become bored, including the airline industry, nursing, or teaching

Identify personality interests or strengths that are compatible with a public safety career and KPD's Philosophy.

5. CONCLUSION

Kirkland Police began this strategic planning process in a strong position, with a robust positive relationship with community members, a healthy and respectful affiliation with other partners in the City of Kirkland organization, and strong leadership, people, and infrastructure. Perhaps most important, the Department has confidence and aspirations for excellence that are well-founded based on its long history of being an effective and professional agency.

The BERK team strongly believes that the recommendations contained in this report will further strengthen the organization by:

- Articulating what is most important to the community and to the Department.
- Executing a significant shift in operations, from a more reactive model to a more proactive model focused on community policing and crime prevention, relying on strong data systems, strengthened community relations, and enhanced officer training.
- Further professionalizing the Corrections function.
- Strengthening internal communications, performance evaluations, and other important tools.

As the Department begins to implement these recommendations, bargain changes with the guild, and make other improvements in the Department, we suggest that the following actions deserve prioritization:

- Finalize the Department's Philosophy, Vision, Mission, and Values.
- Engage the community in establishing policing priorities.
- Establish a detailed workplan and timeline for system and process improvements identified in this report.

The result of this hard and important work should be stronger community connections and demonstrable performance improvements. Further, the Department will be well prepared for ongoing and upcoming changes in its operating environment, including new technologies and new regulations, as well as ongoing population growth and increasing commercial and residential density in the City of Kirkland.



KIRKLAND POLICE DEPARTMENT

Consultant Report: TECHNICAL APPENDICES

Final – September 30, 2016



"Helping Communities and Organizations Create Their Best Futures"

Founded in 1988, we are an interdisciplinary strategy and analysis firm providing integrated, creative and analytically rigorous approaches to complex policy and planning decisions. Our team of strategic planners, policy and financial analysts, economists, cartographers, information designers and facilitators work together to bring new ideas, clarity, and robust frameworks to the development of analytically-based and action-oriented plans.

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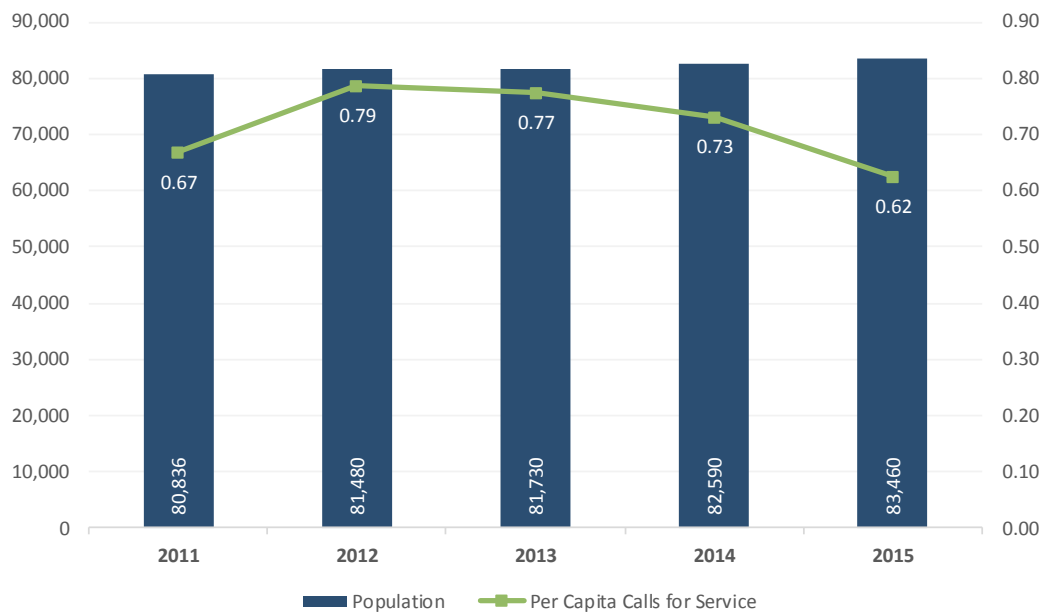
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1. KIRKLAND CRIME TRENDS

Kirkland experiences relatively similar crime levels as neighboring Redmond and Bothell, with lower crime rates than the state overall. Despite an overall similar crime profile to neighboring jurisdictions, Kirkland has a higher rate of motor vehicle theft and larceny than Redmond and Bothell, and experienced increases in these crimes from 2012 to 2014 while these crimes were decreasing statewide and nationwide.

As seen in **Exhibit 1**, Kirkland's per capita calls for service have been fairly steady since annexation in 2011. After the annexation there were 0.67 per capita calls for service for 2011. That number increased to 0.79 in 2012. Since 2012, per capita calls for service have decreased each year. On average, over the last five years, there have been 0.72 calls for service per resident.

Exhibit 1: Per Capita Calls for Service



Source: (Kirkland PD, 2010 - 2015)

Crime Statistics

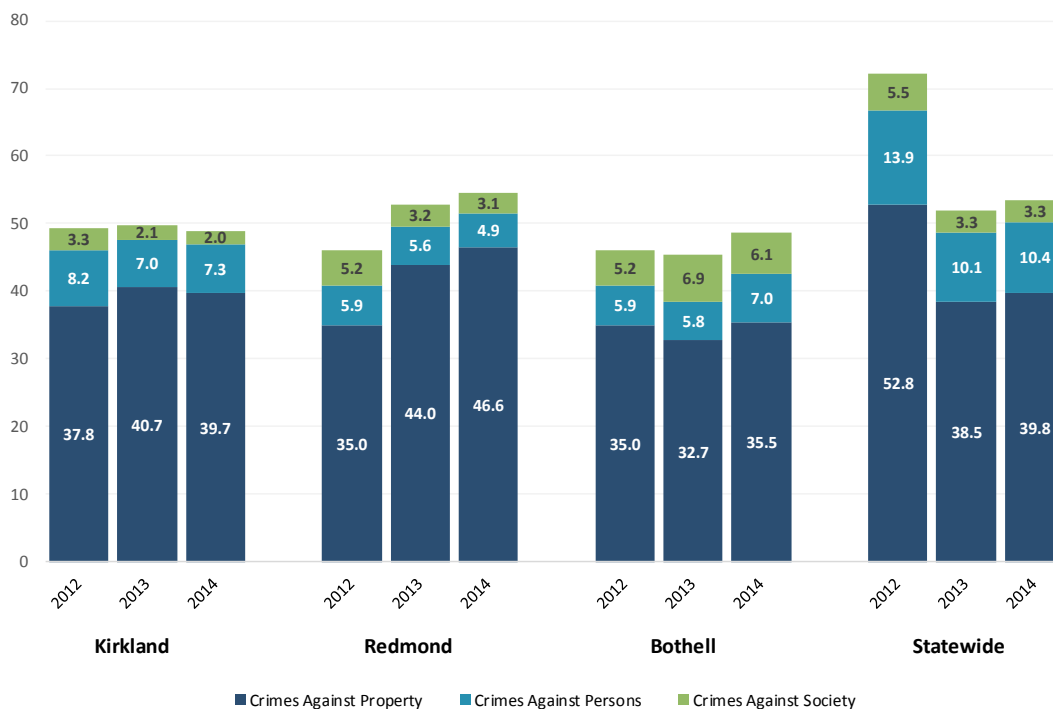
Crime data for Kirkland, Redmond, and Bothell, discussed below, is from the Washington Association of Sheriffs and Police Chiefs (WASPC). Redmond and Bothell are neighboring jurisdictions that report crime data similarly to Kirkland. Data shown is for the period from 2012 through 2014; during this time, each city used the National Incident-Based Reporting System (NIBRS). National crime data is from the FBI's Uniform Crime Reporting webpage.

Overall Crime Rate

Exhibit 2 shows Kirkland's overall crime rate remained steady from 2012 to 2014. During this time, Kirkland had an average rate of 49.4 crimes per 1,000 members of the population and an average annual growth in crime of -0.4%. These rates are similar to rates in Redmond and Bothell.

Bothell shows a slightly lower average rate during this same time period of 46.7 crimes per 1,000 members of their population and an average annual growth in crime of 2.7%. Redmond experienced a greater increase in crime than both Bothell and Kirkland from 2012 to 2014, with an average annual growth in crime of 8.8% and an average rate of 51.2 per 1,000 members of their respective populations.

Exhibit 2: Crime Rates Per 1,000 People, By Type, 2012 – 2014



Source: (WASPC, 2012-2014)

Crimes Against Persons

Crimes against persons include crimes such as murder, rape, and assault and the victims are always individuals. Kirkland's crimes against persons were slightly higher during the 2012 to 2014 period than both Redmond and Bothell, with an average crime rate of 7.5 compared to Redmond's 5.5 and Bothell's 6.2.

Crimes Against Society

Crimes against society include activities that society has prohibited such as gambling, prostitution, and drug violations. These crimes are typically victimless crimes and property is not involved. The rate of crimes against society in Kirkland was lower than Redmond and Bothell during this period, with an average rate of 2.5 crimes per 1,000 compared to 2.8 in Redmond and 6.1 in Bothell.

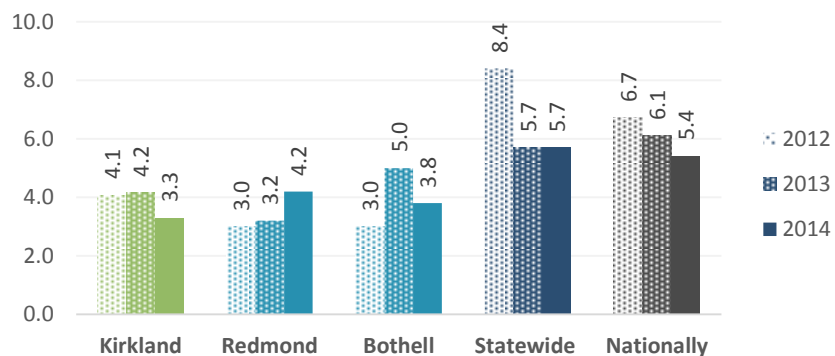
Crimes Against Property

Crimes against property include robbery, bribery, and burglary and are typically focused around obtaining money or property. Crimes against property make up the largest share of crime locally, statewide, and nationally. As seen in **Exhibit 2**, Kirkland experienced a relatively steady rate of property crime from 2012 to 2014, with an average crime rate of 39.4 and an average annual growth in crime over that period of 2.4%.

Burglary

Burglary is the unlawful entry of a structure to commit a felony or theft, such as breaking into someone's house to steal a television. Matching nationwide trends, Kirkland's rate of burglary decreased from 2012 to 2014, as shown in **Exhibit 3**. Over the same period, neighboring Bothell and Redmond experienced increases in burglary rates.

Exhibit 3: Burglary Crime Rate, per 1,000

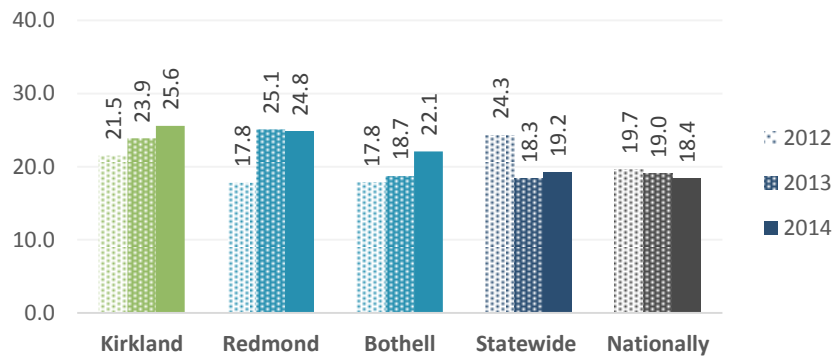


Source: (WASPC, 2012-2014), (FBI Uniform Crime Reports, 2014)

Larceny Theft

The FBI defines larceny theft is the unlawful taking of property from the possession of another, such as bicycle theft or pocket-picking. Kirkland's rate of larceny steadily increased from 2012 to 2014 despite decreases in larceny theft nationally, with an average annual growth of 9.1%, as shown in **Exhibit 4**. Neighboring Redmond and Bothell experienced increases in larceny to an even greater extent, with annual average growth of 18% and 11.4% respectively.

Exhibit 4: Larceny Theft Crime, per 1,000

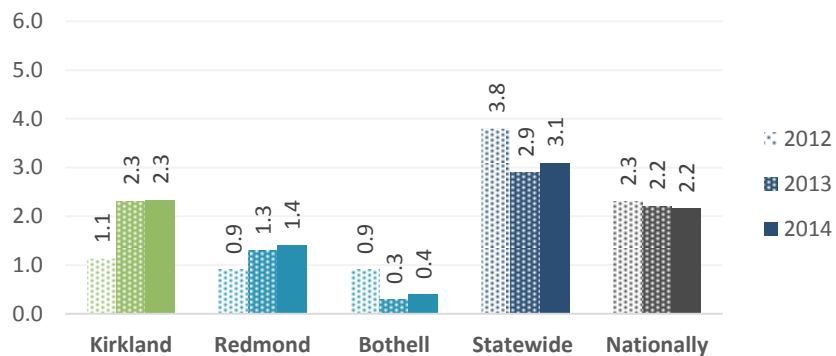


Source: (WASPC, 2012-2014), (FBI Uniform Crime Reports, 2014)

Motor Vehicle Theft

Kirkland experienced increased motor vehicle theft from 2012 to 2014, with an annual average growth of 44.6%, as shown in **Exhibit 5**. Redmond experienced an increase to a lesser extent over the same period with an average annual growth of 24.7%, while Bothell's motor vehicle theft decreased in line with statewide and national trends.

Exhibit 5: Motor Vehicle Theft Crime Rate, per 1,000

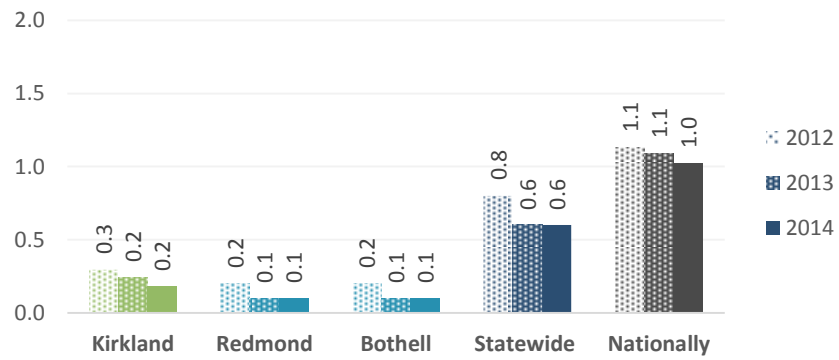


Source: (WASPC, 2012-2014), (FBI Uniform Crime Reports, 2014)

Robbery

Robbery is defined as the taking or attempting to take anything of value from the custody of a person by force or threat of force. **Exhibit 6** shows Kirkland's low robbery rates, with an average crime rate of 0.2 during this period, decreasing from 2012 to 2014. These low rates of robbery are similar to Redmond (0.1) and Bothell (0.1). All three neighboring jurisdictions experience lower robbery rates than the statewide average (0.7) and national average (1.1).

Exhibit 6: Robbery Crime Rate, per 1,000



Source: (WASPC, 2012-2014), (FBI Uniform Crime Reports, 2014)

2. COMMUNITY PERCEPTIONS OF KIRKLAND POLICE

2.1 Biennial Community Survey

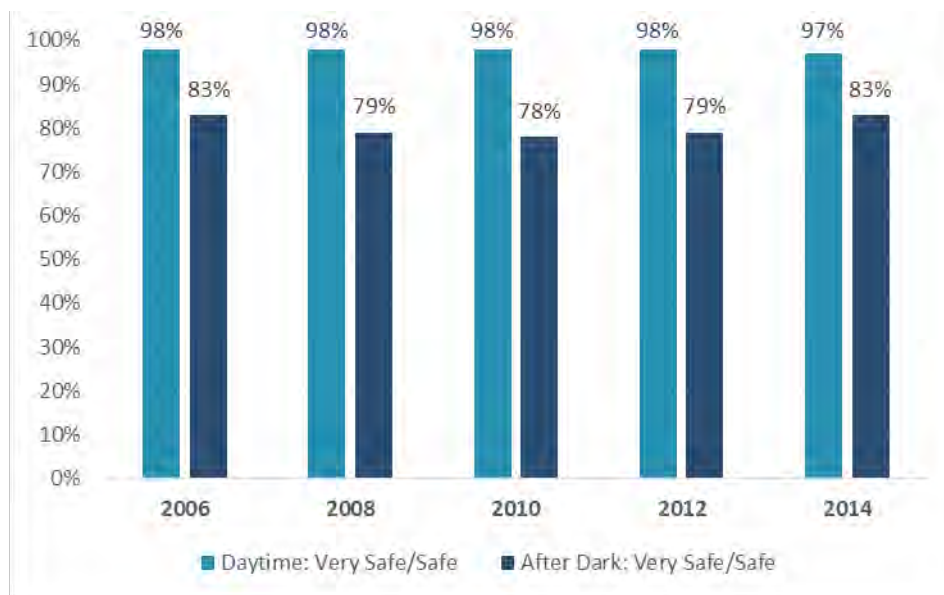
Since 2006, the City of Kirkland has surveyed its residents every two years to assess attitudes and opinions about quality of life, priorities for the future, and satisfaction with city government and services. These telephone surveys are conducted by a polling firm of a random sample of Kirkland registered voters.

Questions relevant to the Police Department include feelings of safety, concerns about the way things are going in Kirkland, and performance of each city agency.

Feelings of safety

The proportion of Kirkland residents who feel safe during the day has remained very high, at 97% to 98%, since 2006, while the proportion who feel safe at night declined after 2006 then rose again in 2014, as shown in **Exhibit 7**. Concerns mentioned by respondents who felt unsafe included lack of streetlights and general concerns about crime.

Exhibit 7. Proportion of Kirkland Residents Who Feel Very Safe or Safe, 2006-2014

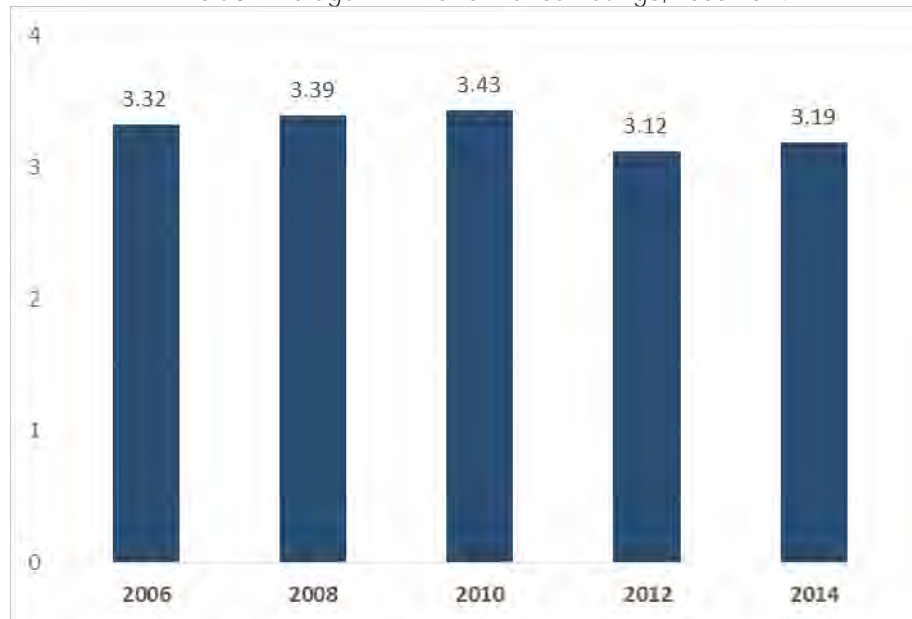


Source: (City of Kirkland, 2006-2014)

Performance

The Community Survey asks residents how well they think the City is doing in a variety of functions. Residents are asked to grade each function, including Police Services, on a scale of A (Excellent) through F (Failing). The Police Department's average rating gradually rose from 2006 through 2010, as shown in **Exhibit 8**. After falling in 2012, the rating rose modestly in 2014, the last year surveyed.

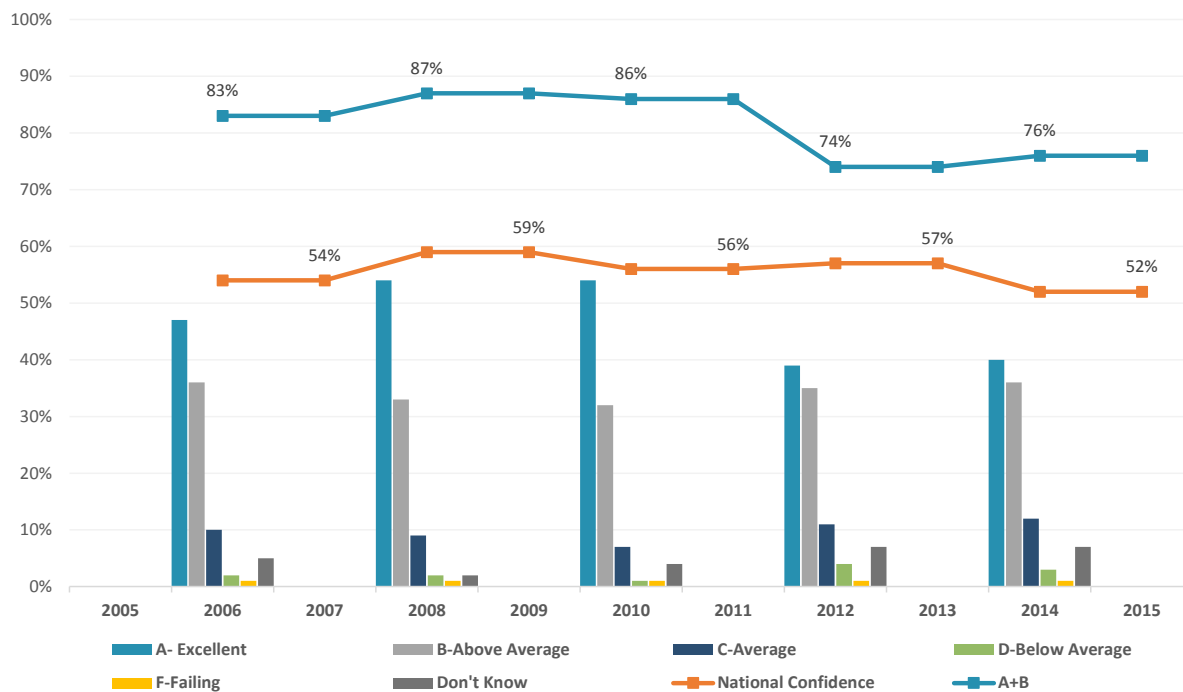
Exhibit 8. Average KPD Performance Ratings, 2006-2014



Source: (City of Kirkland, 2006-2014)

Looking at the actual grades given to the Police Department, we see that the “A” grade fell from a high of 54% in 2010 to 39% in 2012 and 40% in 2014, as shown in **Exhibit 9**. The C grade, D Grade, and “Don’t Know” responses all rose in 2012, as did the B grade.

Exhibit 9. KPD Performance Ratings, 2006-2014



Note: National Confidence reflects proportion of Americans who have “a great deal” or “quite a lot” of confidence in police according to Gallup’s national polling. A+B reflects proportion of Kirkland residents who grade Police Services an “A-Excellent” or “B-Above Average” according to community surveys.

Source: (City of Kirkland, 2006-2014), (Gallup, 2015)

One possible reason for the drop in performance ratings in 2012 is the 2011 annexation of neighborhoods that had previously been served by the King County Sheriff's Office. According to anecdotal reports from stakeholders, some residents of newly annexed areas were uncomfortable with the increased level of traffic enforcement during the period immediately following annexation. This adaptation to more rigorous policing by the community is frequently seen following annexation.

Concerns about “the way things are going”

The Community Survey asks if residents have any concerns about “the way things are going” in Kirkland. Residents are asked to name those concerns in an open-ended response. Each year the top answers have been growth or land use issues, traffic or parking, or “nothing”. However, a few responses have mentioned police: 1.5% of respondents in 2006, 2% in 2008 and 2010, and 5% in 2012 and 2014.

The higher level of concerns in 2012 and 2014 track with the performance ratings for the Police Department, which declined in 2012. This could be related to residents in newly annexed areas or national attention on law enforcement issues.

2.2 Citizen Complaints

In 2014, the KPD received 20 citizen complaints and a handful of internal complaints; 2015 data is still being finalized by the Department.

While this is relatively low number of complaints for a department of Kirkland's size and complexity, it is difficult to benchmark this volume to other departments. There is a wide variation of what complaints are accepted among departments (e.g. some departments don't accept anonymous or third party complaints, some don't include complaints over a certain number of months old, etc.). The most common of Kirkland's 20 citizen complaints in 2014 were reports of officers being disrespectful or rude. Other complaints included not operating their vehicle safely, and failure to investigate.

It is worth noting, however, that in reviewing the Kirkland website, it is difficult to understand how an individual would file a complaint. Information on how to file a complaint should be easily available. Contact information for supervisors should also be updated to reflect current staffing.

3. COMMUNITY PROFILE

3.1 Change in the Kirkland Community

Kirkland's population and employment has grown rapidly over the past fifteen years. The 2011 annexation expanded the population by approximately 60%, largely adding single-family residential neighborhoods. Meanwhile, new residential construction is primarily multifamily housing, and that is expected to continue as the city becomes denser and more urban. More mixed-use development of residential, office, and commercial space is expected (and underway) in the Downtown and Totem Lake areas.

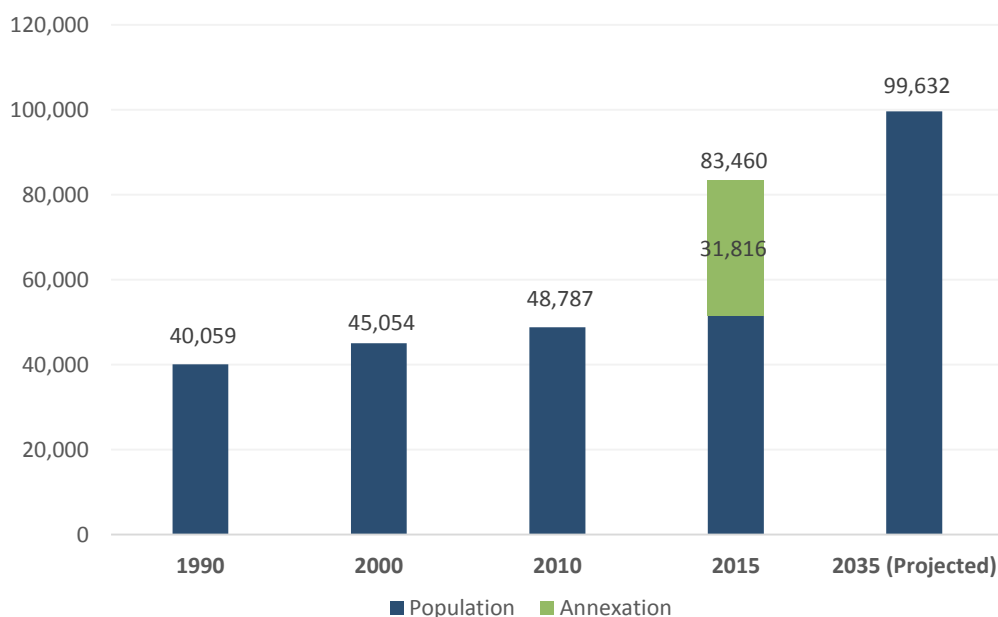
3.2 Population Growth

Kirkland's population was estimated at 83,460 in 2015 (Office of Financial Management, 2015). This reflects a growth of 71% over the 2010 population, primarily due to the 2011 annexation of North Juanita, Finn Hill, and Kingsgate, which added approximately 30,000 people to Kirkland.

Kirkland updated its Comprehensive Plan in 2015 to comply with the Growth Management Act; this plan accommodates expected housing and employment growth through the year 2035. Kirkland is planning for the addition of over 17,000 new residents between 2013 and 2035, for a total 2035 population of approximately 99,632, and the addition of over 22,000 new jobs.

Exhibit 10 shows Kirkland's population growth since 1990 and projected population in 2035. In 2015, 31,816 residents, shown in green, are attributed to the 2011 annexation.

Exhibit 10. Kirkland Population Growth, 1990-2015 and 2035 Projection



Source: (City of Kirkland, 2015)

3.3 Demographics: Race and Ethnicity, Age, and Income

Increasing racial and ethnic diversity

In 2013, Kirkland's population was 77.4% White, 13.8% Asian or Pacific Islander, 1.4% Black, 1.7% Some other race, and 5.1% Two or more races. In addition, 7.3% of residents identified themselves as being of Hispanic or Latino origin (U.S. Census Bureau, 2015).

Between 1990 and 2010 Kirkland's racial and ethnic composition changed significantly:

- The population of White residents decreased from 92.8% to 79.3%.
- Asian and Pacific Islanders increased from 4.3% to 11.5%.
- Those identifying as Hispanic increased from 2.4% to 6.3%.
- Neither Blacks nor American Indians saw significant increases.

These numbers follow similar trends to those seen in King County as a whole (City of Kirkland, 2015).

An aging population

The median age in Kirkland is just over 37 years. Although the changes have been gradual, there has been an increase in older residents and a decrease in younger and workforce aged residents since 1990 (City of Kirkland, 2015).

A relatively wealthy community...

The median household income for all households in Kirkland was \$94,332 in 2014. This is significantly higher than median household income for all households in King County (\$75,834) and Seattle (\$70,975), and just below Bellevue (\$95,146).

...with slowly increasing poverty levels.

In 2010, 1,262 households (or 5.6% of all households) were living in poverty in Kirkland. This percentage was comparable to similar communities in the region, and significantly less than in Seattle (12.5%). The City of Kirkland, however, experienced a less pronounced increase in the number of households living in poverty between 2000 and 2010 than similar communities, the City of Seattle, and King County overall.

Homelessness

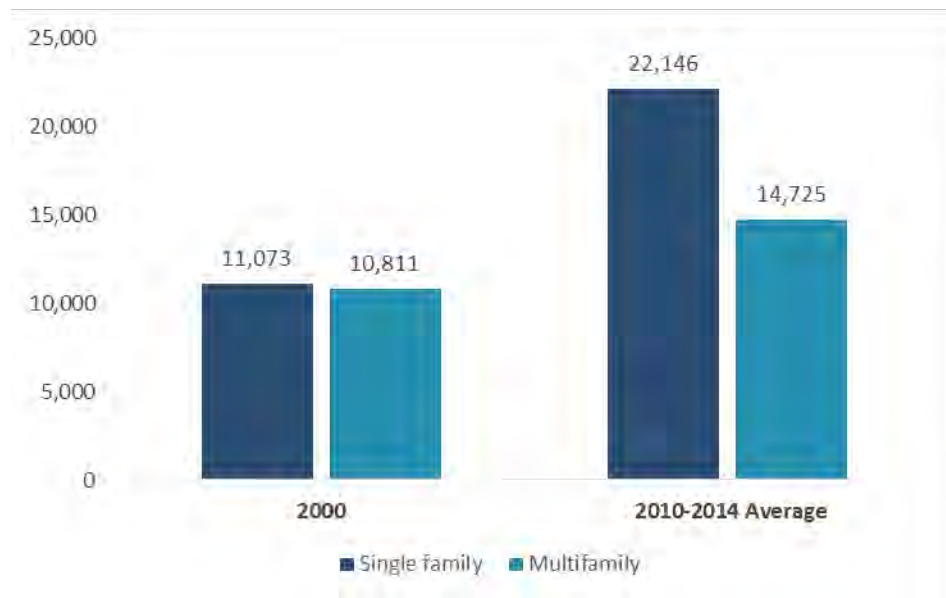
While there is no data available for individual cities, the number of unsheltered homeless people in east King County grew between 2015 and 2016. The "One Night Count" organized by the Seattle King County Coalition on Homelessness found 134 unsheltered homeless in east King County in 2015, and 245 in 2016 (Seattle/King County Coalition on Homelessness, 2016).

3.4 Housing

The 2011 annexation of primarily low-density residential land changed the citywide density and housing composition in Kirkland. The 2013 average citywide residential density was an estimated 3.1 units per acre, a decrease from the 2010 residential density of 3.4 units per acre (City of Kirkland Community Profile, 2013; U.S. Census, DP-1, 2010).

Kirkland's citywide housing stock became more single family after annexation, going from 50% of the housing stock in 2000 to 60% in the 2010-2014 time period, as shown in **Exhibit 11**.

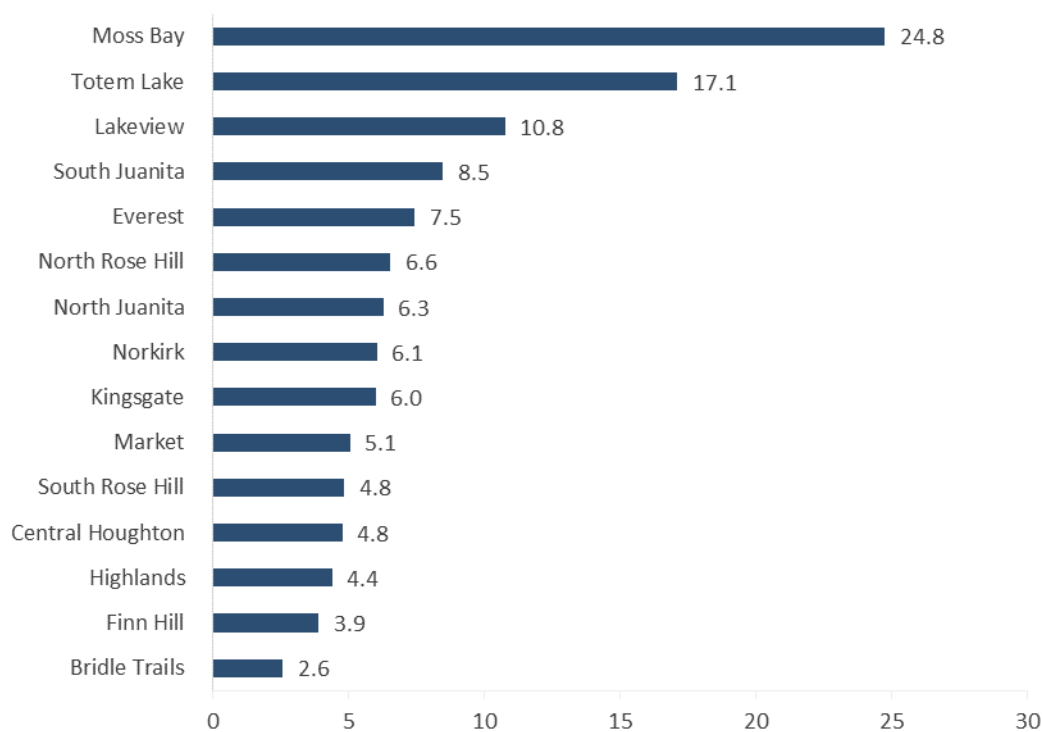
Exhibit 11. Kirkland Housing Units by Type, 2000 and 2010-2014



Source: (U.S. Census Bureau, 2000), (American Community Survey 2010-2014)

Kirkland's residential density varies significantly by neighborhood, as shown in **Exhibit 12**, with Moss Bay (which includes downtown) and Totem Lake the densest.

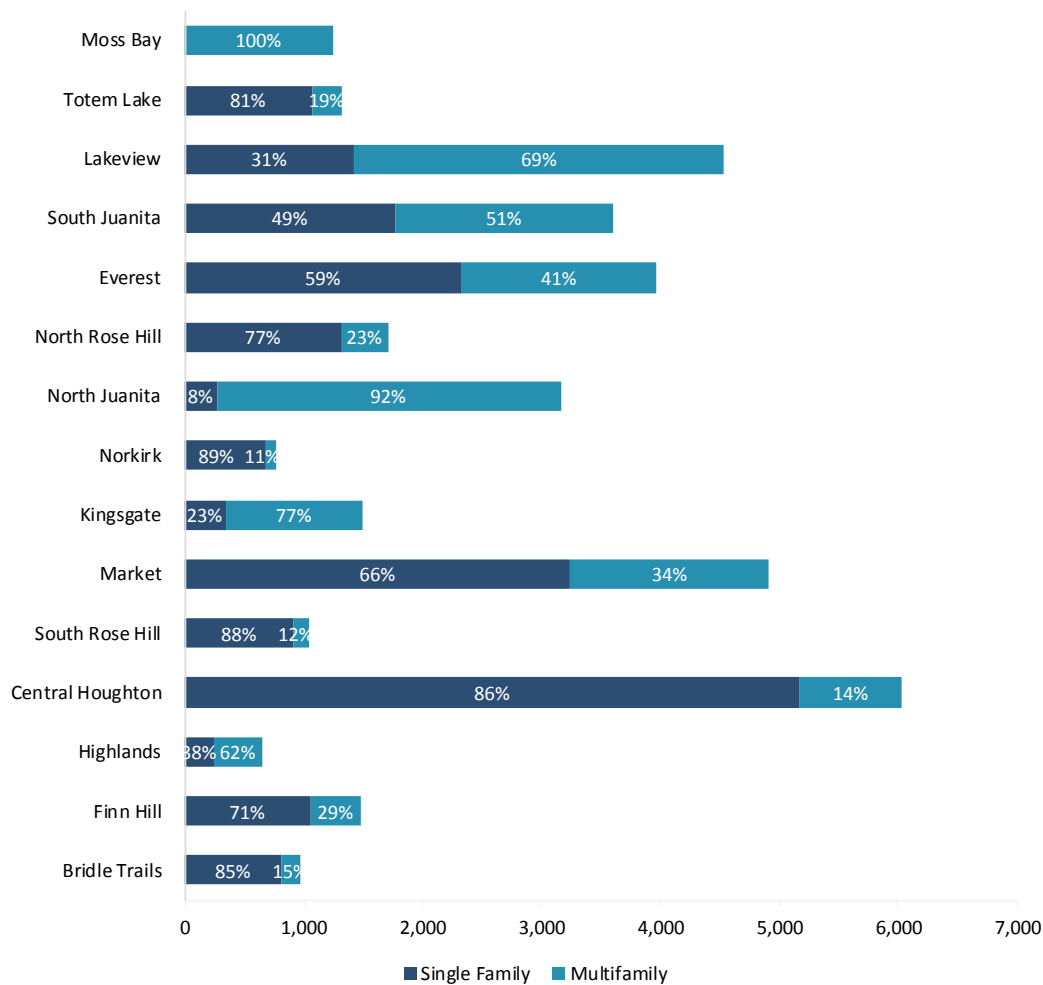
Exhibit 12. Residential Density by Neighborhood, 2013 (Units per Residential Acre)



Source: (City of Kirkland, 2015)

Similarly, the amount of single family and multifamily housing varies significantly by neighborhood, as shown in **Exhibit 13**.

Exhibit 13. Housing Units by Neighborhood, 2013

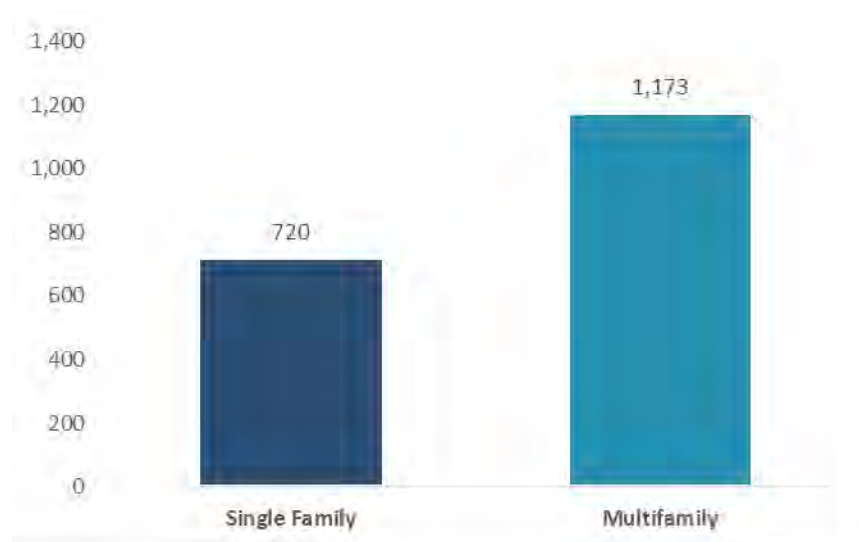


Source: (City of Kirkland, 2015, p. 80)

Housing Density and Form

An analysis of building permits shows that new residential construction in Kirkland over the past decade is primarily multifamily. Between 2006 and 2013, 2,373 new residential units were completed and 480 residential units were lost, creating a net gain of 1,893 housing units (Puget Sound Regional Council, 2006-2013). Of these net new units, 62% (1,173) were multifamily and 38% (720) were single family, as shown in **Exhibit 14**. The vast majority of net new multifamily units (1,042) were in structures with 50 or more units.

Exhibit 14. Net New Housing Units Permitted, by Type, 2006-2013



Source: (Puget Sound Regional Council, 2006-2013)

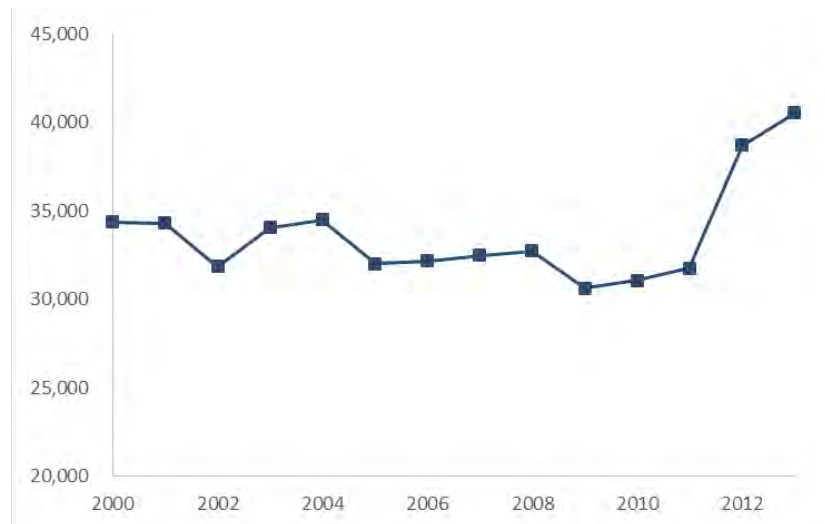
Over three-quarters of Kirkland’s expected housing growth through 2035 is expected to be in multifamily housing units, with about one-quarter in single-family dwellings (City of Kirkland, 2015). This projection is based on the fact that the land parcels with development capacity are largely located in multifamily areas.

3.5 Employment

In 2013, the City of Kirkland had an estimated 40,514 “covered” jobs (Puget Sound Regional Council, 2013). Covered employment refers to positions covered by the Washington State Unemployment Insurance Act, which exempts self-employed persons, making total employment likely to be higher.

Employment in Kirkland has ebbed and flowed over the past 13 years, declining in 2005 and again in 2009, then rising dramatically in 2012, as shown in **Exhibit 15**. The sharp increase of jobs in 2011 and 2012 is likely due in part to a continuation of the national recovery from the recent recession, as well as the 2011 annexation of the Kingsgate, North Juanita, and Finn Hill neighborhoods, which contain several small commercial areas and employment centers.

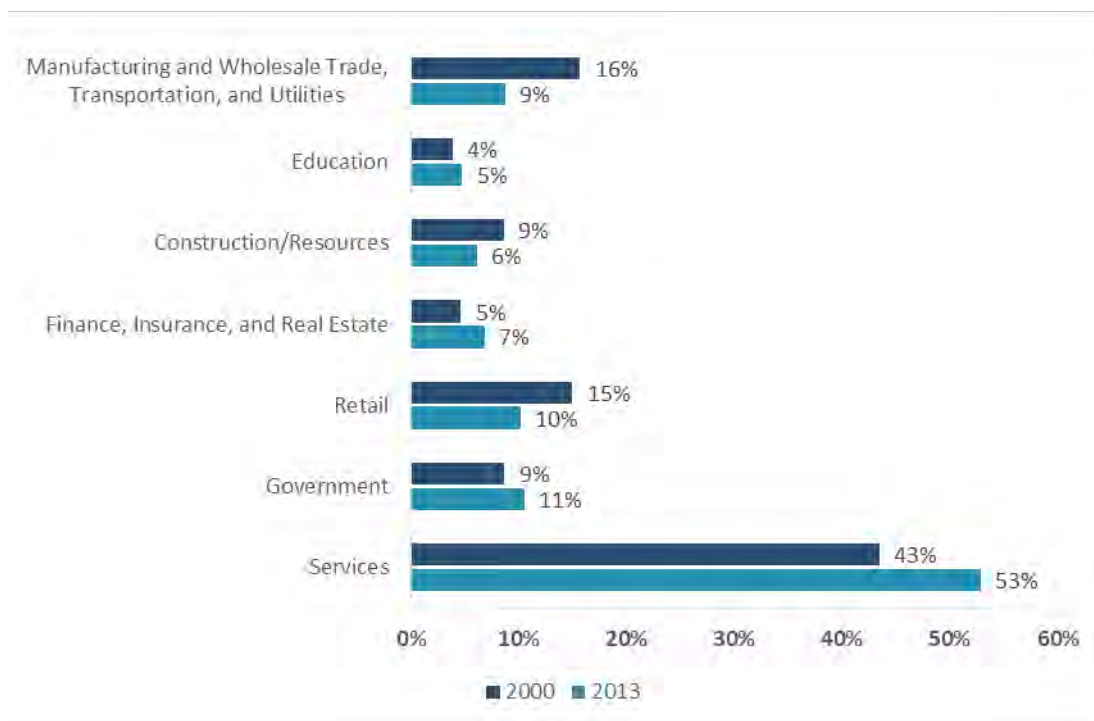
Exhibit 15. Covered Employment in Kirkland, 2000-2013



Source: (Puget Sound Regional Council, 2013)

Kirkland's economy and job base have also changed over time. The proportion of the Kirkland workforce employed in industrial and retail sectors has declined, while the proportion employed in services has increased, as shown in **Exhibit 16**.

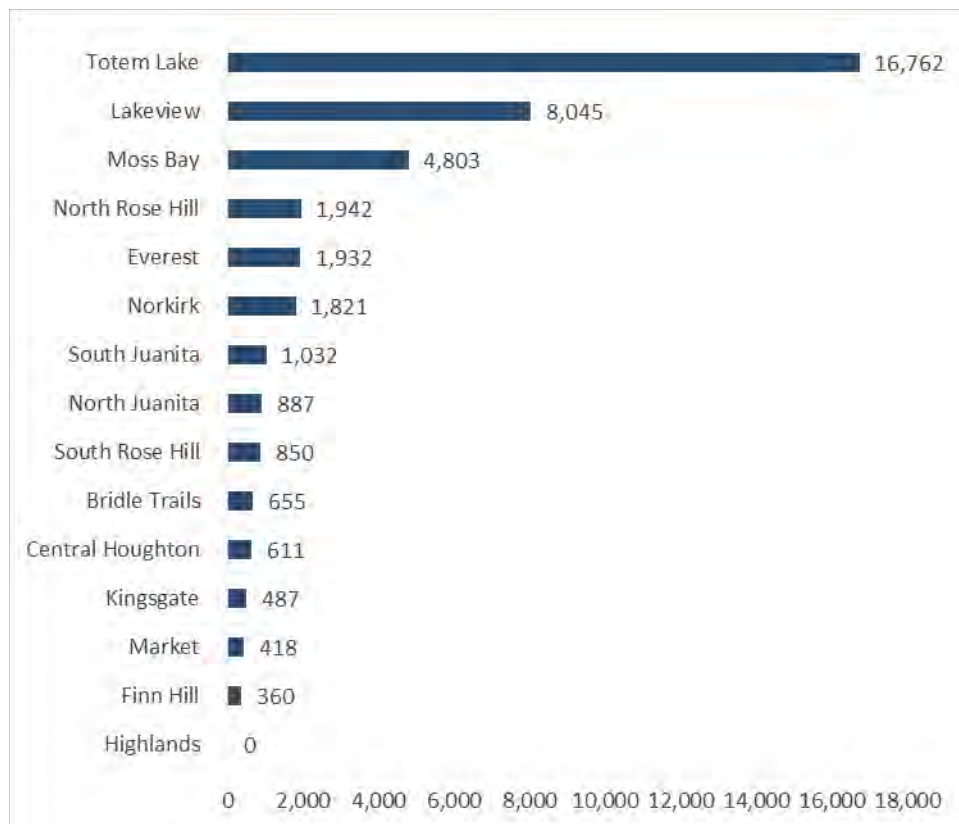
Exhibit 16. Kirkland Employment by Sector as Proportion of Total Employment, 2000 and 2013



Source: (Puget Sound Regional Council, 2013)

Kirkland's employment is geographically concentrated in the Totem Lake and Downtown areas, as shown in **Exhibit 17**.

Exhibit 17. Estimated Employees by Neighborhood, 2013



Source: (City of Kirkland, 2015, p. 81)

3.6 Development Projects that Could Impact Demand for Police Service

Kirkland is planning for the addition of over 22,000 new jobs by 2035, with the majority located in Totem Lake and Downtown (City of Kirkland, 2015).

Kirkland Urban

Kirkland Urban is a development under construction at 457 Central Way in downtown Kirkland. The site has served as a shopping center and office complex and is being redeveloped with approximately 300,000 square feet of residential, 650,000 square feet of office, and 225,000 square feet of retail/commercial space, as shown in **Exhibit 18**.

Exhibit 18. Development Uses, Existing and Proposed, at Kirkland Urban, in Square Feet



Source: (City of Kirkland, 2015)

The new development could net approximately 2,200 new office employees, 160 new retail employees, and 500 new residents (City of Kirkland, 2015).

Studies of Kirkland Urban and earlier development proposals at the site found the following potential impacts on law enforcement:

- Growth in retail and commercial establishments may result in increased shoplifting and fraud crimes at a rate similar to other retail businesses in Kirkland.
- Increases in vehicular and pedestrian traffic may result in a need for additional traffic enforcement. Total afternoon peak-hour trips generated by Kirkland Urban were estimated at 1,680.
- The new employees and residents at the site were estimated to generate between 235 and 701 new calls for service.¹ At one officer per 1,500 calls, this would require an additional 0.16 to 0.47 new police officers (City of Kirkland, 2015, pp. 35-36).

Totem Lake Mall Redevelopment

Totem Lake Mall is located on a 26-acre site within the Totem Lake Urban Center. The Totem Lake Mall Conceptual Master Plan envisions new buildings and parking structures, a redesigned public plaza, and changes to street connections. In addition to typical retail uses, office and residential use are

¹ Estimated calls for service is based on two methodologies used in earlier Parkplace studies: the Total Population method and Representative Development method. Under Total Population, a ratio of calls for police service per capita is developed based on Kirkland's total served population (residents and employees). Under that method, Kirkland Urban would generate an estimated 701 new calls for service. Under the Representative Development method, a ratio of calls per type of population is developed, including calls per office employee (.0125/year), calls per resident (.165/year), and calls per retail employee (.75/year). Under that method, Kirkland Urban would generate an estimated 235 new calls.

contemplated, and the completed Mall is expected to include up to 1,000,000 square feet. The project applicant is currently in the design review process.

Cross Kirkland Corridor

The Cross Kirkland Corridor is a 5.75-mile segment of the Eastside Rail Corridor, purchased by the City from the Port of Seattle in 2012. It traverses Kirkland from the South Kirkland Park and Ride to the city's northern boundary in the Totem Lake Business District as shown in **Exhibit 19**. If the trail is open at night, KPD will need to determine how to patrol it.

Exhibit 19. Cross Kirkland Corridor



4. REVIEW OF EXISTING CONDITIONS

4.1 Organization Mission and Values

During the third meeting of the Steering Committee, ideas for the Department's Mission and Values were generated by members through a facilitated process. Using these ideas, the entire Department then had the opportunity to weigh in on this content through a Department-wide survey.

Strong themes for the Mission emerged through that process, including:

- Protecting the community.
- Providing a safe community, both real and perceived.
- Preventing crime.
- Serving to the community.
- Protecting individual rights.
- Providing access to resources.

In addition to the Mission, staff were asked about to list and rank values that are actionable by Department personnel on a day-to-day basis and can be used to guide behavior and frame how individuals in the Department are evaluated. The results of that survey are shown in **Exhibit 20**.

Exhibit 20: Survey Results – Value Rankings

Ranking by Number of Mentions (added by open-ended responses)		Ranking by Weighted Score		Ranking with "Bonus Points"	
Professionalism	41	Integrity	4.56	Honor	4.31
Service	38	Honor	4.50	Accountability	4.25
Integrity	37	Accountability	4.40	Integrity	4.24
Honor	26	Courage	4.21	Courage	4.16
Accountability	24	Professionalism	4.18	Dedication	4.11
Respect	23	Dedication	4.14	Respect	4.09
Compassion	21	Respect	4.13	Professionalism	4.07
<i>Connected to</i>		Trust	4.06	Trust	4.05
<i>Community</i>	21	Service	3.88	Service	3.95
Trust	20	Commitment	3.80	Commitment	3.82
Work ethic	19	Compassion	3.60	Compassion	3.71
Courage	19	Worth ethic	3.38	Work ethic	3.47
Dedication	18	Note: Similar words are combined into one concept (e.g. "Professionalism" and "High Standards"; "Integrity" and "Honesty")		"Bonus points" added when Steering Committee suggestions were called out in open-ended question	
Commitment	17				
<i>Progressive</i>	12				
<i>Proactive</i>	9				

4.2 Supervisory Structure, Performance Management and Accountability

Supervisory Structure and Span of Control

The Police Chief is supported by three Captains with oversight of Operations, Administration, and Professional Standards. Six Lieutenants oversee the following:

- Patrol (2).
- Corrections.
- Administration.
- Risk Management.
- Investigations.

The current supervisory span of control appears adequate. Neither supervisors nor subordinates indicated that the number of direct reports was the root cause of any issues.

Employee performance management systems and accountability

As an accredited agency, KPD is required to do yearly performance evaluations. In speaking with Department employees, we found widespread dissatisfaction with the present performance evaluation process. Moreover, several employees stated they had not been evaluated in some time. Comments about the evaluation form included:

- It lacks meaningful performance standards.
- It is not tailored to the specific positions being evaluated.
- It does not promote constructive discussion between the evaluator and the person being evaluated.
- It fails to contribute to a Personal Performance Plan for the individual being evaluated.
- It is administered infrequently and in a subjective manner.

There is a strong desire for a more meaningful evaluation processes for both commissioned and non-commissioned employees.

KPD Administration states that all employees received an evaluation in 2015, and that a new patrol evaluation was just completed.

Performance evaluation is clearly an opportunity for improvement that will be addressed in subsequent work on this project. It will be important to consider appropriate measures, as well as the performance evaluation process itself:

- There is a widespread and deep desire for processes that capture not only simple quantitative-based performance but also recognize the qualitative performance, especially in light of how patrol officers function as both first responders and as detectives conducting follow-up investigations. Employees further believe performance should be evaluated for how the individual supports the Mission, Vision, and Core Values of the Department.
- A regular and objective process and supporting tools must be developed.
- The Department should create a process for subordinates to evaluate superiors in a way that promotes a productive critique, ensures the anonymity of the subordinate, and protects them from retaliation. This should include separating supervisor evaluations from evaluations of subordinates.

4.3 Labor/Management Relations

Comments from command staff and the guild suggest that the communication and relationships between labor and management over approximately the past 14 months have noticeably improved, as reflected in

only two grievances having been filed during this time. A change in the leadership of the bargaining unit representing officers and first line supervisors is noted as a likely reason for this improvement.

The current relationship between labor and management appears to be collaborative and professional. Most issues are worked out informally without grievances or unfair labor practice complaints.

4.4 Personnel

The “quality and professionalism” of the Department’s personnel are consistently noted as the foundation for the positive public image and relationships the Department enjoys within the community and among neighboring police organizations.

Issues related to the demographic makeup of the Department, staff retention, and recruitment are addressed in **Section 4.6**.

Due to Kirkland's recent and projected growth, the kinds and levels of service provided by the Department need to be established and will necessitate evaluating the capacity of the organization to meet community performance expectations. This is further discussed in **Section 4.7**.

Opportunities for Civilianization

Potential Benefits. Assigning civilians to functions within the department has several benefits including reduced costs and the ability to hire individuals with a specific area of expertise that will not be lost upon promotion or change in assignment.

The following possible positions may be well suited for civilians:

1. Administrative Manager (potential new position)

Role: Overseeing technology, hiring, recruiting, records, fleet, facility, relationship with NORCOM. Most of the assignments the Administrative Captain has could be handled by a civilian, except for the Corrections function.

Benefits: Less turnover in supervision, ability to hire an employee with a skills and abilities for this role, less time away from position for generalized law enforcement training.

2. Technology Champion (potential new position or dedicated role for existing KPD employee)

Role: An internal KPD employee who can help supplement and best use the resources from the central Kirkland IT Department. This person would be a super user and trainer for KPD technology systems and could help the KPD command and Kirkland IT Department evaluate new technology for the department.

Benefits: Internal subject matter expert who can work with City IT to prioritize KPD technology needs, research new technology tools, communicate with other law enforcement agencies to learn about technology tools to add efficiency and value to KPD.

3. Additional Crime Analyst

Benefits: Additional support for patrol, detectives, and public crime information.

4. Community Service Officers/Crime Prevention Officers

Role: Civilian or limited commissioned personnel can assist with duties that do not require a fully commissioned officer, such as transports, community meetings, gathering evidence, assisting with traffic direction.

Benefits: Civilian or limited commissioned personnel provide officers additional time to respond to calls and work cases. These positions generally are less expensive, require less equipment, less up-front and continuing training and can be a significant benefit to the department at a lower cost than a fully commissioned officer. These positions can call be a recruiting pool for potential law enforcement hires.

Examples: The following communities have civilian Community Service Officers or Crime Prevention Officers:

SeaTac, Shoreline, and Burien Departments and King Co. Sheriff's Office have Community Service Officers (CSO) who drive marked Community Service Officer vans. Community Service Officers are civilian employees who provide a variety of field and education services to the community and support services to police officers. Some of their duties include:

- Provide agency referral for substance abusers, indigents, juveniles, and victims of crime.
- Assist patrol with investigations of juvenile problems and child abuse and neglect.
- Take incident reports and provide information on laws and ordinances. Attempt to resolve problems or refer complaints to appropriate agencies.
- Direct traffic in emergency and accident situations.
- Conduct crime prevention activities.
- Act as a department liaison with various community organizations.
- Mediate conflict in family, neighbor, and landlord/tenant disputes.
- Provide updated information to officers and the public, including referrals for social services.

Lacey Police Department: Community Service Officers (CSOs) perform duties related to law enforcement requiring a limited commission, but do not carry firearms.

- Transports misdemeanor and felony prisoners from the field to the Lacey Police Department for processing.
- Transports Lacey prisoners from contracted city and county jails to court and back; transports to Olympia, Thurston County, and Juvenile Detention where the CSO is responsible for pre-booking process.
- Responsible for standing by with prisoners who have been transported to the hospital emergency from the field.
- Transports evidence to the Washington State Patrol Crime Lab.
- Marks and tags abandoned vehicles.
- Responsible for completing impound reports
- Will be dispatched to blocking and non-blocking disabled vehicles, for various found property and lost property calls
- Responsible for writing appropriate reports.
- Responds to traffic accidents with Patrol Officers for the purpose of traffic control, may assist with gathering various information at the scene.
- Responsible for pick-up and delivery of warrants and teletypes, victim and suspect statements, department equipment and/or vehicles
- Sets up speed radar board at various locations;
- Delivers City Council packets; conducts house checks for citizens on vacation; and assists with crime prevention programs by distributing literature and answering questions.

- Assists front office staff with phones, walk-ins, responding to inquiries, and filing and sorting, and other duties as assigned.

City of Mukilteo:

The Mukilteo Police Department has three Community Service Officers: an Animal Control Officer and Two Park Rangers. These positions are limited commissioned civilian employees reporting to the Police Commander. A Community Service Officer has three major responsibilities:

- Animal Control
- Parking Enforcement
- Assist in Support Services

City of Seattle Crime Prevention Coordinators

- Applies the principles and methods of crime prevention, communications, public relations, public information dissemination, public education, community organizing, and citizen motivation to effectively interact with citizens.
- Works with the community to decrease crime by developing, implementing, and coordinating a variety of police programs in the area of crime prevention.
- Make professional public presentations (e.g. Neighborhood Watch meetings and community safety programs) throughout the City to citizens, businesses, community leaders, and the media.
- Gather data and statistics about specific programs in order to disseminate crime statistics to residents and businesses.
- Develops brochures, posters, slides and other informational material, including layout and design.
- Organizes special Seattle Police Department functions such as Night Out, Community Clean Up, and help organize and participate in Precinct Picnics.
- Attends community block watch meetings, community crime prevention meetings, and selected city council meetings.

Opportunities for Limited Commissioned Positions

Potential Benefits. Limited commissioned officers do not need to attend a full Basic Law Enforcement or Corrections Academy. Accordingly, the initial training costs are significantly less. Continuing training is generally less time consuming and expensive – but the specifics will depend on what duties are assigned to the limited commissioned personnel. Some may have gone through citizen's academy or reserve academy.

Limited commissioned personnel can be a potential hiring pool for law enforcement or corrections officers.

Role. Limited Commissioned personnel can:

- Direct traffic.
- Complete paperwork at the scene.
- Serve as CSOs doing community engagement.
- Conduct jail transfers.
- Package evidence.

Examples: The following communities use limited commission positions:

- King County Sheriff's Office Marshals – King County Marshals hold a special law enforcement commission that allows them to perform law enforcement duties while on duty. The Marshals do weapons screening and provide law enforcement at Courthouses. Many of the marshals are former reserve officers or retired law enforcement.
- Redmond Police Department Police Support Officers - The department's five Police Support Officers receive a limited commission from the Chief of Police which gives them the authority to detain suspects in-custody, write parking citations, and issue infractions to drivers involved in a collision. Their primary functions are transporting prisoners, handling parking complaints and investigating minor collisions. Police Support Officers are able to assist officers with booking prisoners in the holding facility. Police Support Officers assist sworn personnel at collision and crimes scenes by helping with traffic control, transports, and logging information.
- State of Washington Park Rangers: (unarmed)
Duties:
 - Limited Commissioned Park rangers are responsible for protecting, state parks, and ensuring the safety and welfare of park visitors.
 - They issue non-traffic civil infraction notices such as Discover Pass violations, boat launch violations and overnight parking violations.
 - May assist with investigations.
 - Educates the public on park rules and directs traffic. Prepares written reports. This position does not carry a firearm as part of his/her duties.
 - Gives presentations to groups of various sizes, answering questions and giving directions. Informs the local community of park changes.
 - Registers park visitors and assigns them to appropriate areas; collects and accounts for fees; answers questions and explains park policies and regulations.
 - Updates manuals; records traffic counter readings; completes law enforcement reports, vehicle and equipment usage reports, attendance reports, incident reports, cash receipt transmittals, purchasing requisitions, employee timesheets, and other reports as assigned or needed; and performs expenditure reconciliations.

4.5 Internal Communications and Culture

The functioning of any organization is as dependent on internal communications and culture as it is on having the proper people, training, equipment, and procedures. The findings related to internal communication and culture represent significant challenges for KPD that must be addressed for it to achieve its full potential.

Poor vertical and horizontal communication flow

Internal communication was frequently flagged as an area in need of improvement, including both vertical and horizontal information flow:

- Vertical communication flow should be improved to support the effective dissemination of command direction, organizational and individual performance expectations, and revisions in departmental policies and procedures. In addition, vertical communication improvements are required for

identifying and clarifying decision-making processes and promoting constructive feedback and input from employees.

- Horizontal communication flow is described as being “siloe,” i.e., *intra*-unit information may flow well but *inter*-unit information flows poorly, creating information voids or confusion that generate inaccurate speculation, rumor, and ill will.

Cultural challenges created by the new facility

The new facility is greatly appreciated and generally perceived as functional and spacious. However, it also is viewed as having disrupted formal and informal communication flows by spreading out the workforce and compartmentalizing units, both of which result in more reliance on e-mail and phone contact rather than face-to-face conversation. It also creates physical barriers to co-workers easily encountering one another. Notably, this is in comparison to the coerced closeness of the previous facility where space was much more limited.

Many comments about KPD culture conveyed a melancholy mood engendered by a feeling of “loss.” Related comments described a loss of “the KPD family” or “KPD teamwork.” While, clearly, employees appreciate the new facility, it also appears that its size and layout have adversely affected what previously had been a stronger feeling of unity and comradery among employees. Comments suggest the additional space discourages employees from socializing and seeing one another, accentuates role or power distinctions among employees, and contributes to a sense of exclusion that discourages meaningful interactions.

In addition, walls not reaching ceiling height and the absence or insufficiency of noise-reducing materials interferes with communication and makes private conversations more difficult.

Significant challenges to employee morale and retention, and to KPD’s ability to be a high performing and learning organization

A divided culture and strong hierarchy limits innovation and organizational learning and improvement.

Operations are overly influenced by cliques within the organization. These cliques can be described as representing different perspectives between those who were in the KPD before the annexation (those who are older or more experienced) and those who arrived as a result of the increased hiring resulting from the annexation (those who are younger or less experienced) and are more comfortable with technology and “new ways of doing business.”

We found a widespread feeling among rank and file that the KPD suffers from a “vacuum of innovation,” with senior leadership holding to an “old-school mindset” where there is limited delegation of tasks. Decision-making is described as too hierarchical, restricting employee initiative and job satisfaction.

There is an expressed eagerness among many to “modernize” the Department, to evolve beyond “how we have always done things,” and to employ newer technology. There is also a desire for less top-down oriented management and a more collaborative and inclusive approach, especially given the “quality and professionalism” of Department personnel (this is the perspective employees have of themselves).

Morale could likely be enhanced by greater inclusiveness of employees in overall Department operations. Employees express a strong desire to actively participate in generating new and improved ways of doing business; enhancing their performance through personal development and challenging expectations; and receiving appreciation for their skills, competence, enthusiasm, and teamwork.

Proactive change management is needed. The residual effects of recent significant changes (annexation, staffing expansion, new facility, new patrol work shifts, and the anticipation of additional change resulting from the imminent selection of a new Chief of Police) continue to ripple through the Department, creating

concurrent feelings of loss and hopefulness among employees. There is a need for a proactive change management approach to address these issues head on.

Challenges for Non-Commissioned Employees

Several themes about internal communications and culture emerged from a meeting with Non-Commissioned employees. The input below represents what was heard at that meeting.

While non-Commissioned employees love their jobs, there is also a feeling of not being valued, known, or communicated with.

Employees feel they are treated differently than commissioned officers. They aren't asked their opinion on decisions that impact them, and they don't receive information via email that goes only to commissioned officers. This makes them feel uninformed and undervalued.

There is a feeling that supervisors do not interact with the non-commissioned employees enough, and don't understand what they do. It's a structural problem - supervisors have too much on their plate, but there is a desire to feel heard and for their concerns to be acknowledged.

Employees feel that their skills aren't recognized or acknowledged, and they aren't being used to their potential. It was stated that most non-commissioned employees do not have promotional opportunities.

Evaluation process isn't useful when supervisors don't understand an employee's role or job duties. The lack of promotional opportunities also reduces the importance of evaluations.

The impact of the new building has been particularly strong on non-commissioned employees. The layout, with small groups separated and behind locked doors, isolates employees from the patrol officers and from each other. Statements included "The sense of family is gone" and "We're grateful for the new building, but it's destroyed the comradery." This has hurt morale.

Employees feel that there is a lack of transparency for decision making on requests, such as for new equipment. Decisions take a long time, they don't know who makes the decision, the requests "get lost," and it's difficult to find out what's happening.

There is a feeling that the Department as a whole is not innovative enough, and there is a resistance to change. They would love to have leaders who are not afraid to shake things up.

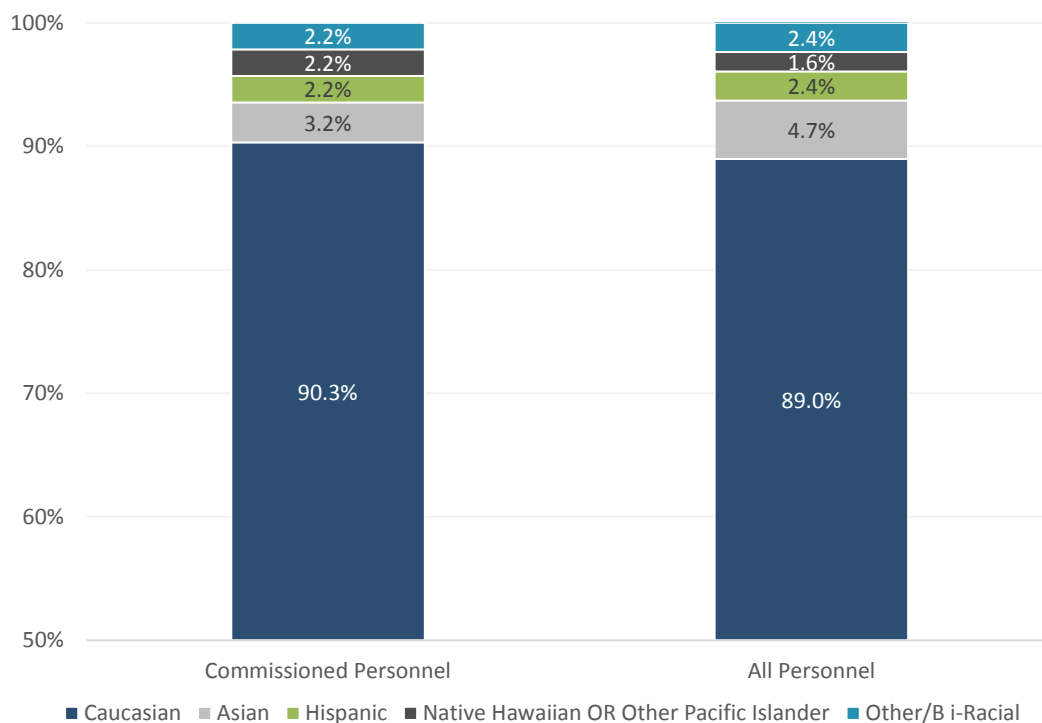
4.6 Workforce Demographics, Turnover, Recruitment, and Succession Planning

Workforce Demographics

Diversity

In 2015, the Kirkland Police Department on the whole was 89% White, 5% Asian, 2% Native Hawaiian or Other Pacific Islander residents, 2% Hispanic, and 2% Other/Bi-Racial (KPD, 2015). The racial makeup of the Department is significantly less diverse than the residents of the City of Kirkland. As discussed in **Section 3.3** in 2013, the City's population was 77.4% White, 13.8% Asian or Pacific Islander residents, 1.4% Black, 1.7% some other race, and 5.1% two or more races. In addition, 7.3% of residents identified themselves as being of Hispanic or Latino origin (U.S. Census Bureau, 2015). When isolating commissioned personnel, the percentage of Asian employees decreases 1.5 percentage points (3.2%) and the percentage of Caucasian employees increases by 1.3 percentage points (90.3%).

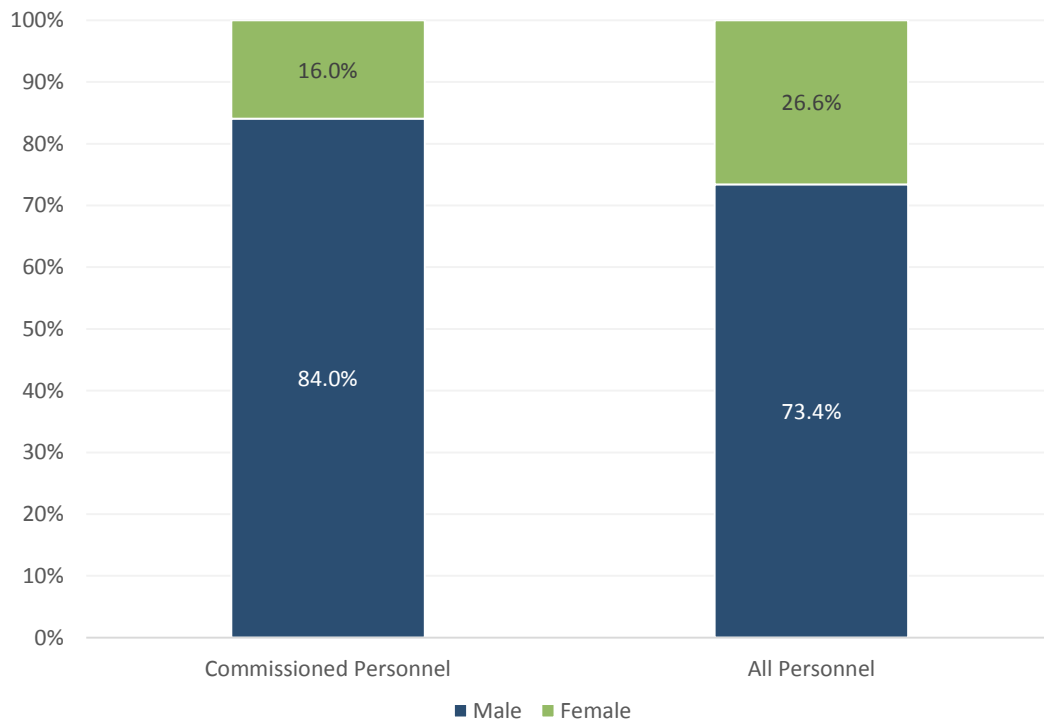
Exhibit 21: Race/Ethnicity of KPD Personnel, 2015



Source: (KPD, 2015)

In 2015, just over a quarter of Kirkland Police Department was female and 73.4% was male. When isolating commissioned personnel, the percentage of female employees decreases by 10.6 percentage points (16%).

Exhibit 22: Gender of KPD Personnel, 2015



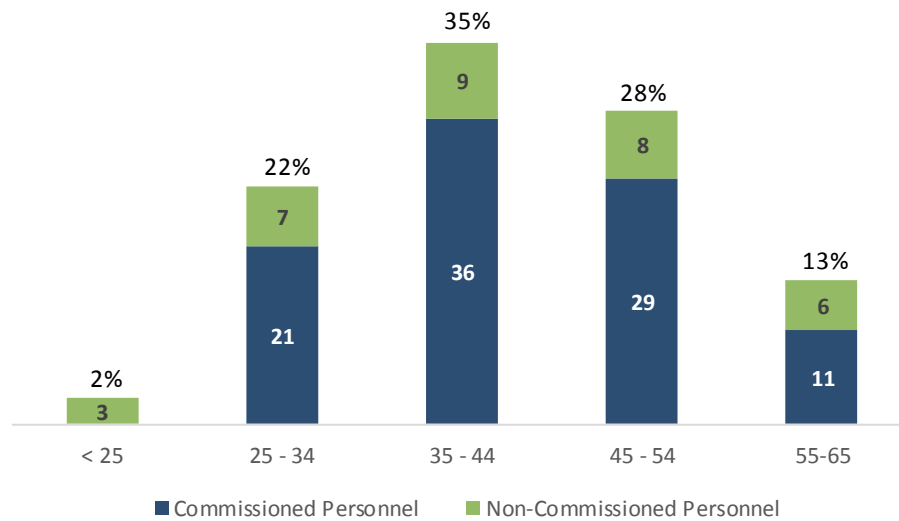
Source: (KPD, 2015)

Age, Retirements, and Employee Turnover

Age

In 2015, over 41% of the Kirkland Police Department was over the age of 45. A breakout of age by division was not available for this assessment, but since retirement eligibility for commissioned personnel starts at age 50, depending on years of service, a large proportion of the Department is anticipated to either already be eligible to retire or to become eligible to retire in the next five years.

Exhibit 23: Age Distribution of KPD Personnel

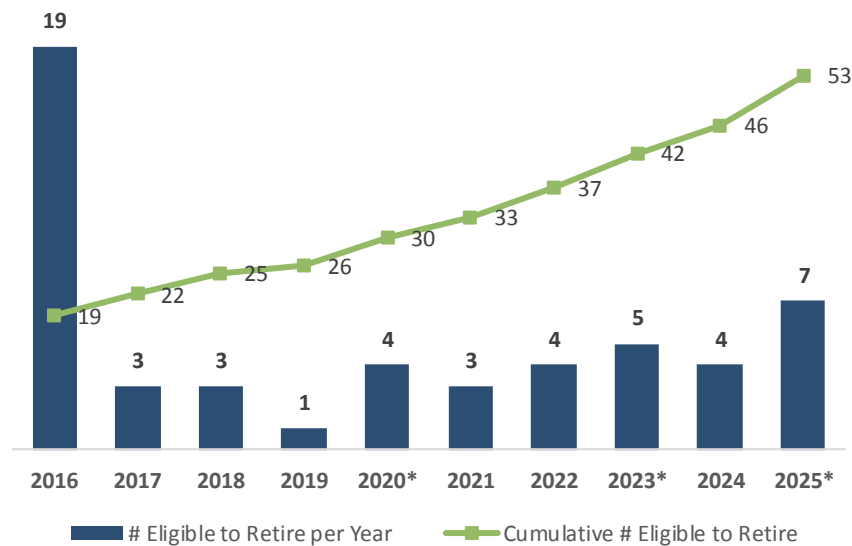


Source: (Kirkland, Longevity & Age , 2015)

Retirements

Exhibit 24 shows anticipated retirement based on years of service and age, representing commissioned personnel in the Department eligible to retire with 50 years of age and 20 years of service, 53 years of age and five years of service, or 65 years of age regardless of years of service, as well as non-commissioned personnel that will reach 65 years of age. With this basic definition, about 40% of the Kirkland Police Department will be eligible to retire within the next nine years, with an average of 5.3 employees per year, including 2016.

Exhibit 24: Personnel Eligible to Retire by Year



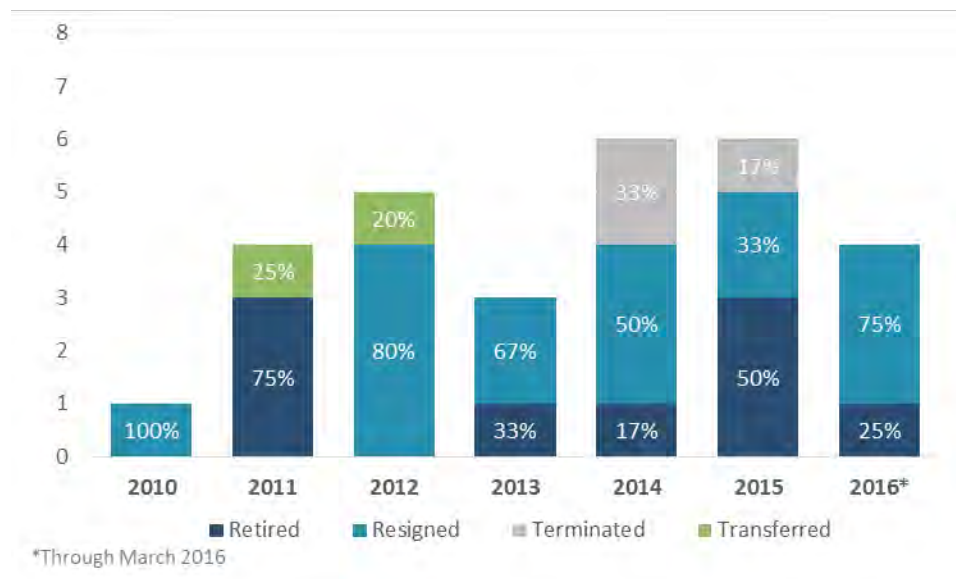
Note: Number eligible to retire calculated as commissioned staff who have either: 20 years of service *and* have reached 50 years of age, 5 years of service *and* have reached 53 years of age, *or* have reached 65 years of age regardless of years of service.
*Years that include one to two non-commissioned personnel that have reached 65 years of age.

Source: (Kirkland, Longevity & Age , 2015)

Employee Turnover

As shown in **Exhibit 25**, Kirkland Police Department had turnover ranging from one in 2010 to six in 2014 and 2015. Over this time Kirkland averaged a four-employee turnover per year. In almost every year, the most prevalent reason for turnover is resignations, with an average of two per year.

Exhibit 25: Employee Turnover 2010 – 2016



Source: (Kirkland, 2010 - 2016 Turnover, 2016)

Succession Planning and Recruitment

KPD pays close attention to the composition of its workforce as it relates to age, seniority, and retirement eligibility. This information is used in budget and hiring projections, and was part of a recent presentation to the Kirkland Civil Service Boards supporting a change in hiring requirements to encourage more lateral recruitment.

Additional resources could be spent on individual development plans, and a framework for all employees to be aware of the competencies required for each rank and specialty position.

Recruitment and Hiring

The Department should create a plan for recruiting and reporting hiring focused on desired competencies, and look for ways to attract more women and minorities. The City and Police Department have many positive attributes that could influence potential recruits. The Police Department facility and equipment are state of the art, salary and benefits are competitive, the financial management of the city is stable, the Department enjoys widespread support from peer agencies, the community, and the City administration, and the physical and cultural environment of the city is very appealing. The Department could increase its media presence, promoting the Department as a superior workplace at public events, and hosting trainings and other events at the new Justice Center facility.

The Department has recently announced a new recruitment plan to attract more officers and fill vacancies through lateral and new hires. The proposed strategy includes radio, mass transit advertising, attending career fairs, and updated brochures and business card handouts.

As noted by community stakeholders, partnerships with local organizations and community-based organizations could be used to raise KPD's profile and reputation with members of diverse communities.

The Department should also review all of its oral board testing, background screening, and minimum qualifications criteria to evaluate whether these standards are still relevant to its desired workforce.

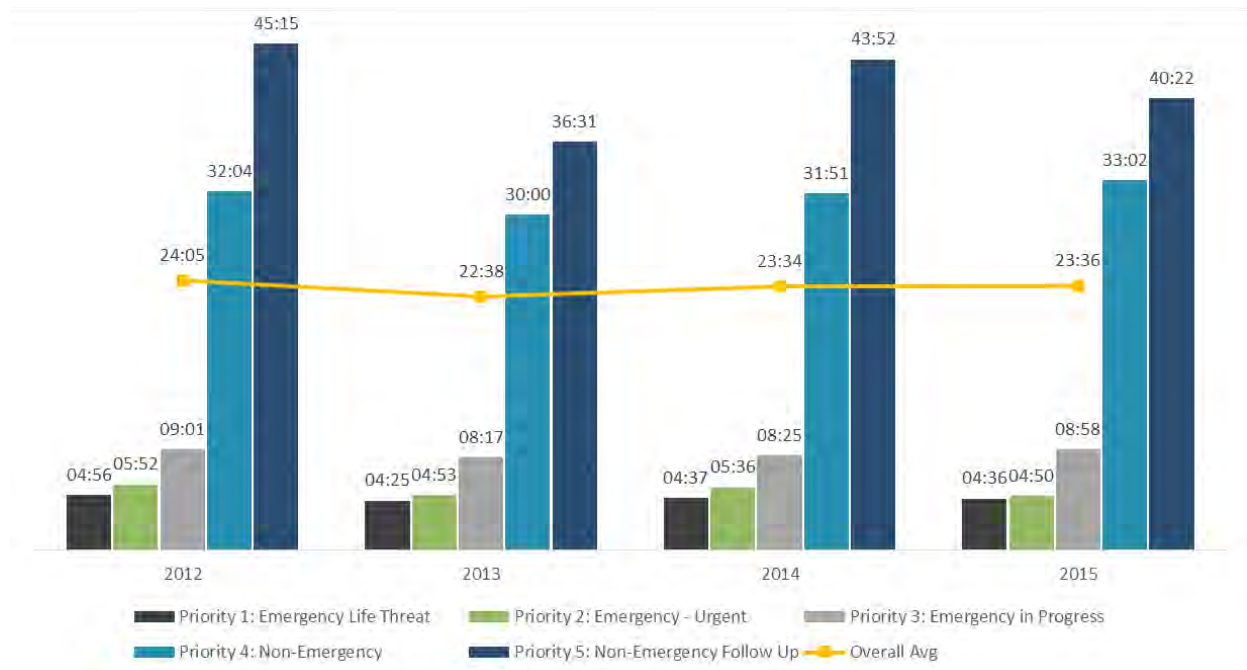
4.7 Performance, Resource Levels, and Deployment

Performance: Response Times and Case Clearance Rates

Response Times

Exhibit 26 shows Kirkland's average response times by type of call for 2012 to 2015. These response times represent the time between when an initial call is created and the arrival time of the first unit on the scene. Since response times are calculated several different ways and priority rankings vary by department, there isn't an accepted standard for response times. The best gauge of appropriate response time is citizen satisfaction. The community scores Kirkland received are very high on response times for serious crimes, where Kirkland has an average response time of 4 minutes and 28 seconds for Priority 1 calls, which include immediate threats to life and an average response time of 5 minutes and 18 seconds for Priority 2 calls, which include imminent threats to life. In 2015, Kirkland was able to decrease both its Priority 1 and Priority 2 response times. Public concerns about response time are most frequently related to low-level crimes. Kirkland's Priority 4 calls, which include non-emergency calls, have increased over the last four years, with an average response time of 31 minutes and 41 seconds. Kirkland's non-emergency follow-up response times vary from year to year, but average 41 minutes and ten seconds over the 2012 to 2015 period.

Exhibit 26. Response Times, 2012 - 2015



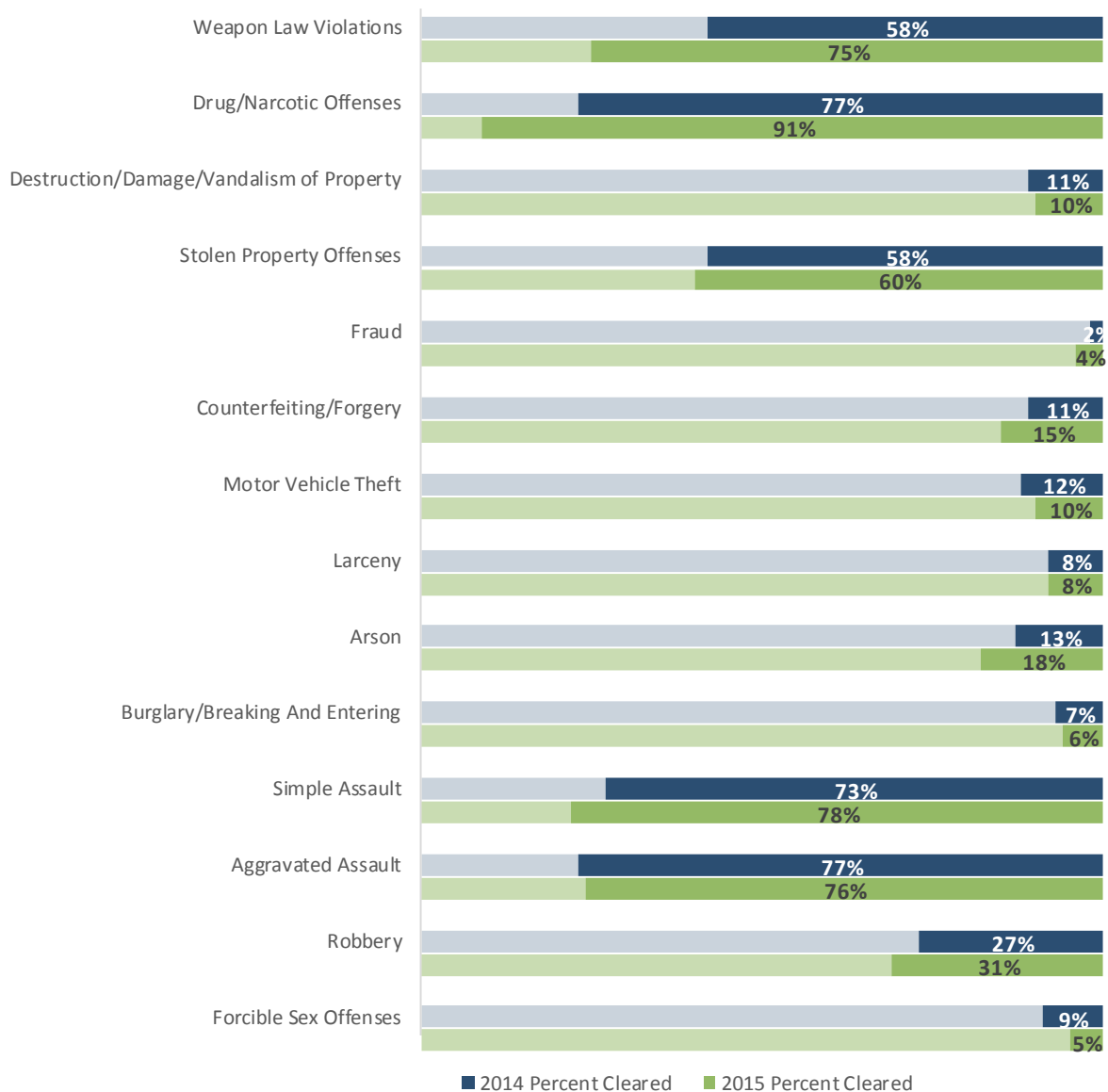
Note: The average response times were provided by KPD and have the following caveats: “Priority 1 and Priority 2 response time averages were calculated using 95% of available data. Priority 3, 4, & 5 response time averages are calculated using 98% of available data”. Response times are calculated from the time of initial call creation to the time of the arrival of the first unit on scene.

Source: (Kirkland, Response Times by Type of Call (Average), 2015)

Clearance Rates

Clearance rates are the relationship between number of crimes cleared compared to the number of crimes recorded. In general, clearance rates increased in 2015, with the most progress being found in clearance of drug and narcotic offenses as well as weapon law violations. Decrease in clearance rates were found in the crimes destruction of property, motor vehicle theft, breaking and entering, and forcible sex offenses.

Exhibit 27: 2014 and 2015 Clearance Rates by Crime Category



Source: (Kirkland, Calls for Service - Crime Stats - Clearance Rate, 2014 - 2015)

Staffing levels related to community outreach

Interviews with City of Kirkland staff noted that officer involvement in internal City meetings (for example related to special events planning and collaborating with other departments on addressing the city's growing homeless population) was valuable. Similarly, community stakeholders reported an appreciation – and desire for more – police involvement in community development and social support functions. An expansion of these roles may require more consistent, dedicated resources.

Performance-based Staffing Study of Patrol

BERK conducted a performance-based staffing study to understand the current workload of Patrol and the demand for service in Kirkland. Patrol was selected for this quantitative analysis because it represents

the largest share of personnel in the Department and patrol's capacity is directly linked with other departmental groups, and in turn those groups' capacity affects Patrol. In addition to determining Patrol's current capacity, BERK assessed the resources required to create time to meet the Council goal to "provide for public safety through a community-based approach that focuses on prevention of problems and a timely response."

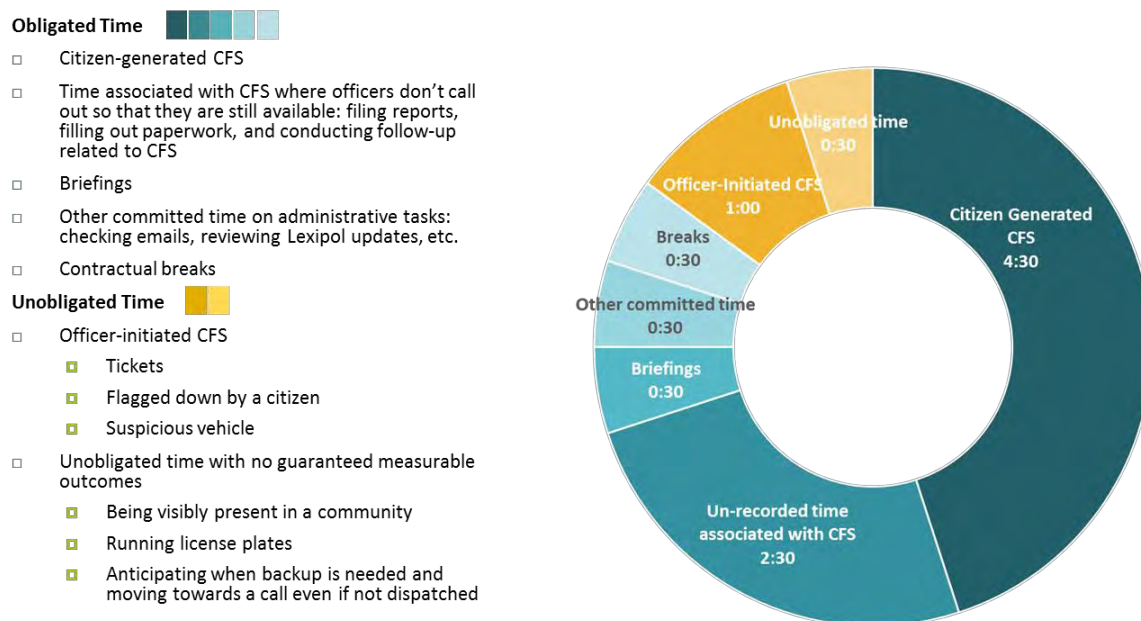
A departmental shift to community policing and a less reactive focus on crime prevention requires the involvement of many different work groups, not just patrol officers.

Typical day on Patrol – February 2016.

To understand a typical patrol shift we analyzed data for the month of February after the implementation of the new 10-hour shifts (February 4, 2016 – February 29, 2016). By matching calls for service with actual hours worked for that month, referencing the contract to determine break lengths, and interviewing patrol to understand time not spent "called-out" we saw the typical day start to take shape. The results of this analysis can be found in **Exhibit 28**.

The results show that 45% of an officer's time is spent responding to citizen-generated calls for service. The most common types of these calls include responding to alarms, responding to calls of questionable activity, motor vehicle prowls, and traffic calls – such as accidents or items in the roadway. This percent represents a reactive model of policing, with officers running from call to call. Paired with their additional duties, such as paperwork and report-writing tied to calls-for-service, which most officers said took just as much time as the calls themselves, there is no time left in an officer's day for proactive or directed patrol that is dedicated to preventing crimes before they start. Proactive patrol includes activities such as being present in a high car prowl area during the times that car prowls typically take place.

Exhibit 28: Typical Day on Patrol, February 2016

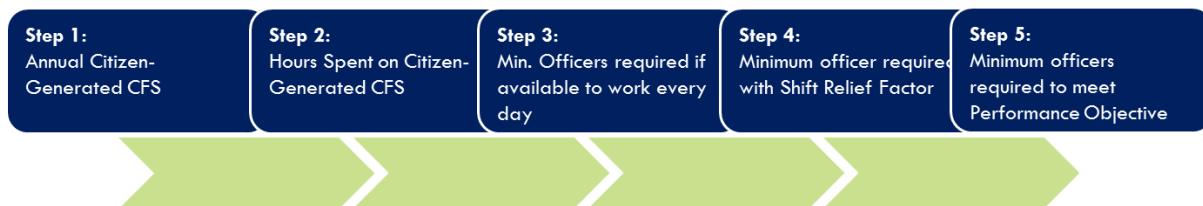


Source: (NORCOM, Calls-for-service data, 2015 – 2016) (Kirkland, Agreement By and Between City of Kirkland and Kirkland Police Guild Commissioned Staff, 2014 – 2016) and Interviews with Patrol

Workload-based assessment of Patrol

A current model of KPD's policing was built using the methods described in ***A Performance-Based Approach to Police Staffing and Allocation*** by Jeremy M. Wilson and Alexander Weiss, 2012. Using those same methods, a complementary model was created to determine what additional capacity, if any, would be required to shift the current policing style toward the community-based preventive policing that the community and Council desire. The process is outlined in **Exhibit 29** and walked through in detail below.

Exhibit 29: Workload-based Assessment Steps



Step 1: Determine Annual Citizen/Other generated CFS

- Considerations: How many units respond to each CFS

Step 2: Determine hours spent on Citizen/other-generated CFS

- Considerations: How much time does an assisting officer spend on a CFS

Step 3: Determine minimum number of officers required if working 10 hours/day, 365 days/year

Step 4: Determine & apply the Shift Relief Factor

- Considerations: How many hours per year is an officer available to work?

Step 5: Determine & Apply what percent of shift an officer spends responding to citizen/other-generated CFS

Step 1. Annual citizen-generated calls for service and officers required to answer calls for service.

The goal of this step is to determine demand for service, by isolating calls created outside of the control of individual officers. This forms the workload demand base for the analysis. Typical call-for-service production was determined using data provided by NORCOM for the year dated April 1, 2015 – March 31, 2016. The number of reactive calls, those outside the control of the Department – typically created by citizen's or other agencies, were found to represent just over 56% of all calls. These reactive calls were identified using assumptions provided by NORCOM identifying the percentage of each call type that is typically initiated by an officer versus generated outside of the Department by a citizen or other agency. Since we are specifically analyzing the patrol unit, and not the traffic or investigations unit, we also had to isolate calls that according to protocol should be handled by patrol. These assumptions were provided by KPD leadership.

Using both assumptions, we were able to determine that the citizen-generated demand on patrol service is about 27,600 calls per year.

We also found that many calls for service require a multi-officer response, such as alarm and domestic violence calls, meaning that more than one officer responds to a call. The computer aided dispatch system (CAD) reported that on average, there were 1.57 officers responding to a citizen-initiated patrol call for service. To determine the officers required to answer each call for service, we multiplied the annual citizen-initiated calls for service by the number officers responding to find that total modified calls for service to be 43,300 annual calls for service.

Step 2. Time spent on calls for service.

This step turns the number of calls for service in to the time spent by officers. The average time spent on a citizen-generated call for service is the time between when a call is dispatched to when a call is closed. In February 2016 the average time spent on a citizen-initiated call for service was 56 minutes and the average time spent on a citizen-generated call for service over the year was 54 minutes. These times are recorded in CAD and were provided by NORCOM by incident. Because calls have multiple responding units, and not all responding units spend the same amount of time on a call, through interviews with patrol and discussion with the steering committee, it was assumed that backup spends 75% of the time of the primary responder on each call requiring a multiple officer response.

Using the annual assumptions, including those for backup responses, patrol officers spend 37,000 hours on calls for service each year.

Step 3. Minimum officers required.

If an officer was available to work 10 hours a day, 365 days a year, the department would need 10.4 officers to respond to the current demand in calls for service.

Step 4. Shift Relief Factor.

Officers are not able to work every day and there are constraints on when they are available due to regular schedules (4 days on, 3 days off), vacation time, sick time, training, and regular leave such as bereavement, jury duty, military duty, etc. To take this into consideration the Agency Shift Relief Factor (SRF) was determined. The SRF represents the number of officers that need to be assigned to a shift to make sure that one is working any given shift.

Agency Shift Relief Factor

$$\frac{365 \text{ days a year} \times 10\text{-hour long shifts}}{(365 \times 10 - \text{Total hours off})}$$

$$3650 / (3650 - 2,067)$$

$$2.31$$

2.31 officers need to be assigned to a shift in order for one to be present to work that shift. This is due to allowances for regular days off and other time off (vacation, sick time, military leave, etc.).

Step 5. Performance Objective.

A performance objective is a framework for how the Department wants to police and it should be informed by community desires and the Department's Philosophy, Mission, Vision, and Values. In the staffing model, the performance objective assigns an officer's time to different policing activities. If more time is assigned to community policing and crime prevention, then less time would be spent by an individual officer on each call for service. But when call for service response time is fixed, additional capacity is needed to decrease this ratio.

When modeling the current workload, we found that officers spend approximately 45% of their time on citizen-generated calls for service, to determine what capacity would be required if more time were dedicated to community policing and crime prevention we applied one standard, developed by the International Association of Chiefs of Police (IACP) over three decades ago, which assumes that 33% of time should be devoted to calls for service.

As seen in **Exhibit 30**, the analysis displays the actual number of police officers working in February under the current reactive model of policing. In February this number was 54 although the authorized level was 60 officers. Then, applying the IACP standard to the annual averages, the capacity required to make time for proactive directed patrol increases to 71 officers, which is 11 officers more than currently authorized.

Exhibit 30: Workload Based Assessment Assumptions and Results

	Average Time Spent on CFS	Average # of units responding to a call	% of Primary's Time that Backup spends on CFS	Time an officer is available to handle calls for service if working 10 hours/day, 365 days/year	Shift Relief Factor	Performance Objective
February	0.96	1.57	75%	3,650	2.31	45%
Annual	0.94	1.57	75%	3,650	2.39	33%

	Annual Citizen-generated patrol CFS w/ Backup assumption (calls)	Time Spent on Annual Citizen-generated CFS w/ backup assumptions (hours)	Min. Officers required if available 10 hours/day, 365 days/year (officers)	Min. Officers required with Shift Relief Factor (Officers)	Minimum Officers Required to meet Performance Objective (Officers)
February	43,300	37,800	10.4	23.9	54
Future	43,300	37,000	10.1	23.4	71

Note: In February the Department was authorized for 60 officers, with 54 officers working.

Conclusions

To meet desire for community-based preventive policing, additional capacity will be required within Patrol and other supporting departments. Population and development growth will increase the need for Patrol resources over time. There are currently 0.31 citizen-generated calls per capita, projected out to 2035 population estimates from the City's comprehensive plan, Kirkland Police Department can expect an increase of 26% over today's estimate of 71 officers to meet the IACP performance objective.

The 33% performance objective is only one standard to use for policing and future goals should be focused on community desires.

Shift Schedule and Overtime Use

Benefits to new patrol schedule – and an opportunity to improve

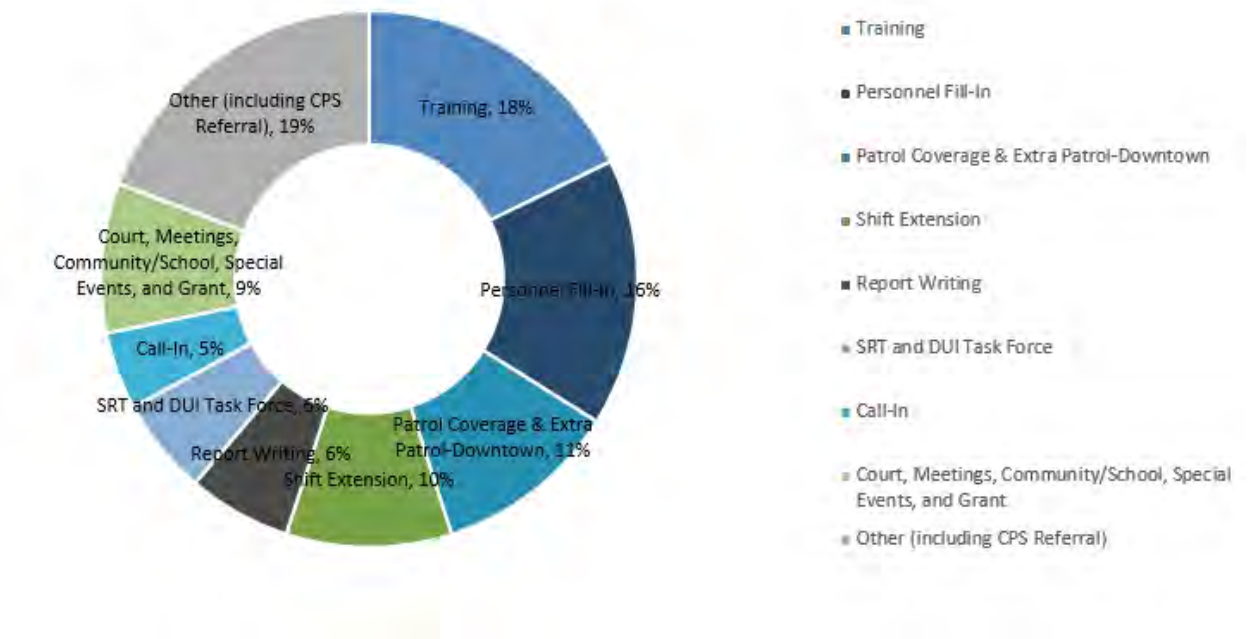
The Department recently moved to a new 4-10 patrol schedule, which has been well received by officers and supervisors and is seen as preferable to the former 12-hour rotating shift. The new schedule allows for more free time for personal activities on work days, and less fatigue at the end of a week of long shifts.

Adjustments and planning are needed to get the maximum benefit from the overlap day. On the overlap day there are fewer cars available than officers working. The overlap day also provides an opportunity to provide training or other development programs when the Department is more fully staffed.

Overtime use

Slightly over 50% of overtime use in 2015 was spent on Training, Personnel Fill-in and "Other," which in **Exhibit 31** includes CPS referrals.

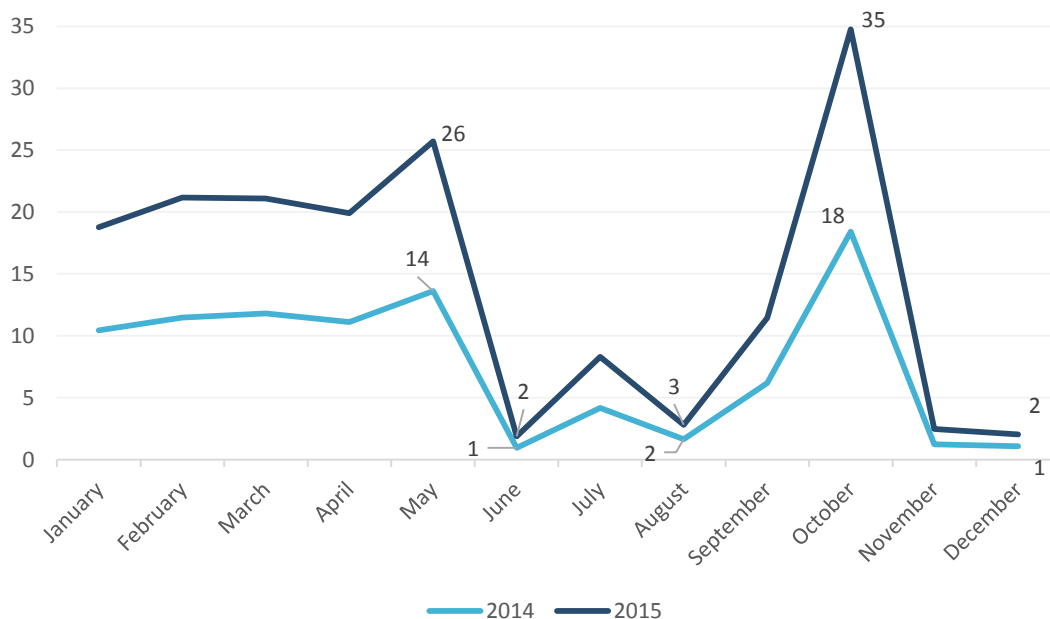
Exhibit 31: Overtime Hours by Type, 2015



Source: (Kirkland, Logged Overtime Hours, 2014 - 2015)

Excessive overtime use can be an indicator of burnout, and overtime use in Kirkland peaks in May and October of each year, with 2015 overtime hours reaching close to a typical 40-hour work week. **Exhibit 32** shows similar trends in overtime use over the year when comparing 2014 and 2015, but 2015 experienced an increase in overtime use over 2014, sometimes in excess of 15 hours per month.

Exhibit 32: Overtime hours per FTE by Month, 2014 and 2015



Source: (Kirkland, Logged Overtime Hours, 2014 - 2015)

Officer Training

Employees are satisfied with the quality of training overall but would like greater input into what topics are presented. There is a desire for individual development plans, i.e., training tailored to the employee's career aspirations, and leadership training, consistent with the needs of the organization. This strategy would strengthen succession planning as well as support employee growth and retention.

Some employees stated they would like to be more involved in the development and presentation of training, believing that KPD does not fully recognize or utilize the talent of its employees. It is suggested that an appraisal be made of who possesses what particular talents in order to create an inventory of potential training and trainers.

Current Use of Data and Technology

Technology plays an increasingly important role in the daily work of law enforcement officers in the field, equipping them with enforcement and investigative tools that have the potential to make them safer, better informed, and more effective and efficient.

The City of Kirkland has a centralized IT Department that provides services to the Police Department. The IT Director has a well-developed understanding of the unique issues related to criminal justice information management. The new Justice Center facility was built with future technology in mind. The Police Department is in a good position to move forward with new technology, and the officers have indicated a desire to embrace new technologies to create efficiencies and enhance their service.

The Department makes modest use of its technology but could benefit from working closely with the IT department to create a future technology vision. Developing a technology vision takes time, and requires a deliberate process to jointly plan with IT to budget and evaluate secondary consequences of new technologies such as storage, retention, and public records disclosure management, especially as it relates to implementing new video tools. The Department does not currently have a designated internal technology subject matter expert or internal champion who has the resources or time to partner with the IT Department to explore future technology tools. In addition to considering the technical and budgetary impacts of new technology, new tools should be reviewed using the IACP Technology Policy Framework with City policymakers to discuss the appropriate use and management of the tools.

KPD has made some use of established technologies to quickly analyze, communicate, and leverage crime data for informing a strategic response. Kirkland officers have mobile data terminals in their vehicles but do not have hand-held mobile devices such as tablets or smart phones. Moving towards emerging law enforcement technology innovation and applications will likely require putting additional mobile tools in the hands of officers.

Opportunities to use real-time data to inform response and deployment and to communicate with City decision makers

- Better use of existing tools or the use of new analytical techniques and mapping tools may require additional staff support.
- **Analytical tools.** There are large amounts of information available and sifting through this data is time consuming. There are analytical tools to help sort through the information and make it usable for officers, detectives, and administrators. Predictive analytics may help agencies manage the flood of raw data and transform it into information that can help guide actions and plan deployments.
- **Mapping tools.** Increased use of GIS technology can provide geographic tools for crime prevention, investigation, and illustration.

Opportunities to better communicate with the public

- **Department website.** The City's IT Department administers the city department websites, but the Police Department has control over the content on its website. Although the site has basic information, it is not updated regularly.
- **Social media.** Tools such as Twitter and Facebook help to push out important information to the community and can be helpful communication tools. Information can be quickly disseminated to those following the Department's news feeds, which would likely include neighborhood blogs or other sites that could push the information out to a wider audience. These sites can also be valuable for reporting out awards, notable arrests, and case closures, and are helpful in recruiting new employees.

Opportunities for online crime reporting

As of the writing of this report, the Kirkland Police Department does not have online reporting that allows crime victims to report certain types of crime online, without having to wait for an officer to respond. Often, concerns about police response time are related to low-level crimes that are a low priority because they only involve collection of victim information. Online reporting is easy for the victim, eliminates some duplicate data entry, and can free up officer time to respond to other calls.

While online reporting produces some efficiency, it also lessens contact between officers and the public. Each incremental change from in-person to electronic contact needs to be evaluated as to how it changes the relationship between the Department and the public.

The Department recently announced it will be testing online reporting of crimes through CopLogic. This will allow residents to report specific property crimes and choose between a police response or an electronic report. The new system provides residents with a fast and efficient method for reporting low-level crimes and also helps KPD improve efficiencies in use of personnel.

Staffing Alternatives and Regional Partnerships

Opportunities for different staffing models in some positions

As the Department discusses methods of service delivery and service levels, it should consider which tasks require commissioned law enforcement officers, and which can be done with non-sworn staff. These discussions should include the appropriate labor representatives.

Specialty services and regional partnerships

The Department participates in some regional partnerships which provide the benefit of a large amount of expertise for emergencies with a reasonable amount of officer resource commitment. These partnerships also give officers an opportunity to develop relationships and learn other skills. Kirkland Police participate in the FBI Cybercrimes Task Force, the Washington State Internet Crimes Against Children Taskforce, North Sound Metro SWAT and until June 2016, are part of the East Side Narcotics Taskforce. More partnerships should be explored, especially related to training and firearms now that the Department has such a well-built and well-located facility.

5. ASSESSMENT OF THE CORRECTIONS UNIT

This section begins with background on the Kirkland Jail and then analyzes current operations in comparison to industry standards on the following topics:

- Management Systems
- Facility, Equipment, and Technology
- Training
- Staffing, Shift Schedules, Overtime, and Potential Staffing Alternative
- Employee Recruitment, Retention, and Morale
- Inmate Programs

5.1 Background

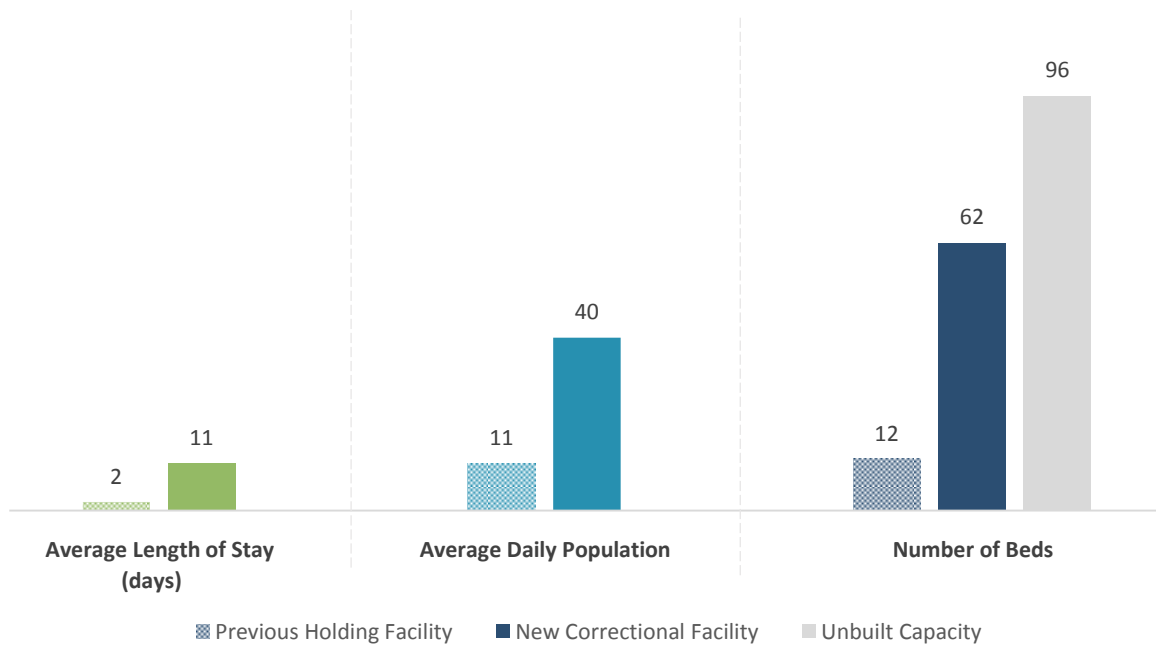
The Corrections Unit of the Kirkland Police Department manages the Kirkland Jail, Electronic Home Detention Program, Work Release Program, and inmate transport services.

When the Kirkland Justice Center opened in August of 2014 after an extensive remodel of a vacant Costco Home store, the new facility had significant impact on Corrections. The prior jail facility had 12 beds and an average daily population (ADP) of 11 males, with an average length of stay (ALOS) of two days. It was defined under RCW 70.48 City and County Jails Act as a “Holding Facility” for the temporary housing of inmates, not to exceed 30 days. With the move to the Justice Center, KPD Corrections Unit has transitioned and begun operating a full-service Correctional Facility with 62 beds², an ADP of 40 male or female inmates, and an ALOS of 11 days. **This is a significant change in operations and responsibility, with far greater impact than simply moving existing operations to a new facility.**

Staffing levels increased to accommodate basic operations in the new jail and the supervision of the additional inmate population. However, administrative resources to develop and implement the systems and programs necessary to operate a safe, secure and effective corrections system were not designated nor were funds allocated. These administrative functions should be identified and funded if the Corrections Unit is to be successful in reaching its goals.

² The Design Capacity of the jail (62 beds) is much higher than Operational Capacity (53 beds).

Exhibit 33: Jail Characteristics in Previous Holding Facility and New Correctional Facility



The National Institute of Corrections offers a 40-hour training for agencies moving to a new facility, but there is no training for a “startup” operation such as what Kirkland Corrections Unit has undertaken. A holding facility or transport services operation that evolves into a full-service jail facility must establish:

- New policies and procedures
- Training curriculum and protocols
- Inmate housing decisions
- Options for medical and mental health services, as well as other programs
- An inmate classification system
- A staff deployment plan
- A robust management information system

The initial 13 months of occupancy in the new jail were fraught with significant operational problems caused by a faulty electronics system. After a collaborative effort supported by the Kirkland City Attorney to insist the manufacturer make repairs, the electronic issues were addressed. Kirkland Jail Administration has made significant progress in developing foundational systems required to operate a safe and secure correctional facility.

KPD has two major advantages in its jail management:

- A commitment by the City, Police Department, and Corrections Administration to implement research-based, data-driven “best practices” programs for staff and inmates.
- The availability of contract beds at SCORE for special-needs inmates with behavioral, medical, or mental health problems. SCORE provides a ready option to reduce liability and risk to the City. SCORE is seen regionally as a cost-effective and dependable alternative to municipal jails.

5.2 Management Systems

Major Findings

Kirkland Corrections lacks current and ready access to baseline information that is typically used to inform standard management decisions.

- Data collected at intake are not available in a formal and scheduled daily, monthly, or annual report to evaluate the implications of the changing inmate profile on budget development, operations, housing, programs and staff deployment.
- No population reports are generated regularly from New World since dispatch moved to NORCOM.
- While information relative to mental health or behavioral issues of inmates may be recorded in the inmate's file in the New World System, it is not readily available for cumulative reports to analyze budget, staffing, or resource needs, nor do staff perceive that information relative to safety or security concerns is easily accessible.

These issues are important because data-driven and research-based jail management ensures the most efficient and effective corrections operation.

In addition, the jail lacks several basic management systems which are supported in the American Corrections Association Core Jail Standards:

- There is no responsive **Management Information System** which would provide Administration with standardized and routine reports and allow ad hoc queries of specific data to develop reports on an as needed basis.
- There is no **Classification System** for separating inmates based on community and institutional risk or need for services. While Corrections Administration is working on adopting SCORE's classification system, it is not validated for the KPD population and may over-classify the population. A validated classification system is important because it provides the structure for objective decision making for housing and program assignments; establishes the custody level of inmates; determines the security level of housing units; identifies special needs of inmates; reduces liability for the agency; reduces escapes, suicides, inmate on inmate assaults; allows for staff discretion; and is simple, efficient, and easy to understand.
- The jail does not have a comprehensive set of **Policies and Procedures**, although an Action Plan was developed with assignments and timelines. This is important because policies and procedures establish a solid foundation for security and efficiency of operations, ensure inmate and staff safety, guard against potential litigation, and support consistency and impartial treatment as well as access to services and programming for the inmate population.
- There is no current **Staffing Analysis** to determine the most efficient deployment of staff. This analysis should be undertaken prior to selection of a final shift schedule. The National Institute of Corrections' process for conducting a comprehensive Staffing Analysis identifies the right number of staff with the right skills, in the right place, at the right time, doing the right thing.

5.3 Facility, Equipment, and Technology

Significant Concerns

There is no outside recreation area for inmates. This may be a potential problem because use of outdoor areas for exercise is preferred in the ACA Core Jail Standards.

Radio, camera, and computer systems are problematic. The quality of radio communications is reportedly insufficient with many dead spots that interfere with communications. Administration reports

that repairs were made two months ago and this is no longer an issue. Camera quality is also a concern. The repair rate should be analyzed for number and frequency of repairs. These systems create a liability that may put personnel and the City at risk. Officers also voiced major concerns about the New World information system and computer hardware. These concerns relate to a vast amount of inmate specific information that is inputted by officers but not readily available relative to their safety and security concerns.

Additional Findings

Strengths

- Officers report that the facility operates in a safe manner. As one staff member noted, “Officers run it: it’s theirs and a good place to work.”
- Officers and supervisors are pleased with quality of equipment on their duty belt.

Challenges

- Staff expressed the opinion that facility maintenance requests that impact staff safety are not responded to in a timely way and are not a priority. Staff believe there is a delay in transmitting requests to facility staff; the facility staff are seen as responsive when they receive the requests. Cited examples of maintenance issues include lights, raising intake counters, a request for a window in the kitchen, exposed wires, open drains which could be used to hide contraband, the need for a lock on the kitchen door, and the need for steps for inmates to get to top bunks.
- There is a concern that inmate supplies are not a priority. When delays occur, officers are responsible for responding to complaints and disgruntled inmates.
- Lack of lighting outside the building results in safety concerns for staff travelling to or from work, or going on transports in the dark. [The Justice Center has a secure employee parking lot with lighting, but Corrections employees feel it is not in a convenient location for them.]

5.4 Training

Significant Concerns

KPD lacks an overall training plan and several important types of specific training that protect officer and inmate safety and help protect KPD against liability.

- There were two weeks of training in 2014, none in 2015 (due to staffing shortages), and a Lateral Vascular Neck Restraint training in 2016. This level of training is insufficient for a facility of Kirkland’s size and complexity. Training should prioritize safety and security issues, such as inmate transport, vehicle engagement, cell response, response to court incidents, mentally ill inmate management, and defensive tactics.
- The jail has no Training Plan. A Training Plan should describe the key elements of training for newly hired officers as well as in service/core annual training for all staff. Annual training is crucial to ensure safety, officer development, and protect against lawsuits. Administration has reported that 20 hours of Core Training is scheduled for October, 2016, however, specific curriculum has not been determined.
- Specific additional training requested by officers includes:
 - Officer training for medication administration and for monitoring inmates held in the Restraint Chair.
 - Firearms instruction, not just annual qualifications.
 - In-Service Annual Training in areas specific to jail operations.

- Officers have also voiced the need for law enforcement staff to undergo additional training on response to corrections incidents. A perception exists that patrol police officers are not adequately trained to provide backup to the corrections unit in situations such as large scale assaults, riots, escapes, hostage scenarios that mandate timely response with external resources. Additional training and time spent in the corrections facility by patrol officers building relationships and learning correctional procedures and processes would be well spent.

Additional Findings

Strengths

- An excellent two-week training was held in 2014 in preparation for the move to new facility.
- The new hire Corrections Officer training program is comprehensive.

5.5 Shift Schedules, Staffing Levels, and Use of Overtime

An overview of the current schedule found an opportunity to improve staff coverage and increase efficiency.

Significant Concerns

The current 4/10 schedule is inefficient, causing overlaps of officers 6 hours per day. In addition, staffing levels are uneven, with five to eight officers on duty for 33 hours each week, and only two officers on duty for 49 hours each week. The level of supervision is also uneven: there is no supervisor on duty for 35 hours each week, but there are three supervisors on duty for 15 hours each week. Felons booked in and kept overnight and over weekends results in a higher level of potential violence, when no supervisors are on duty.

Staff expressed concerns with the minimum staffing level of two officers given difficulty obtaining outside backup and response to incidents. Two-officer staffing also means there are no staff available for incident response or for outside transport requests.

There are evening shifts with no female corrections officers on duty. The Core Jail Standards state, “When a female inmate is housed in a facility, at least one female staff member is on duty at all times (1-CORE-2A-05 (Ref. 4-ALDF-2A-08)).

An in-depth Staffing Analysis using the National Institute of Corrections model is needed to determine the most efficient deployment of staff. An alternative schedule has been developed with input by staff that will improve coverage, however the findings from a formal Staffing Analysis should be reviewed prior to adopting a permanent schedule change.

Additional Findings

- Requests from probation officers, law enforcement, and judges for external transports have increased, impacting minimum staffing levels. A formal Staffing Analysis will provide information to determine staffing necessary for external transports.
- Among the total staff of 20, 4 of 14 corrections officer positions are vacant, equating to a 29% vacancy rate. The majority of overtime results from backfilling for vacant positions.
- Court transports are assigned during day shift when staffing levels are higher. Appropriate staff resources may be determined by careful documentation of the frequency and numbers of transports required.

Opportunities

- Alternative shift schedules which provide the most coverage (8 and 12 hour shifts in process).

- Corrections Officers are entering approximately 150 warrants a week. It may be more cost effective to move records and clerical responsibilities to a civilian position. This question could be addressed in the “time and motion” study portion of the NIC Staffing Analysis process.
- Create a civilian position to oversee a staffing analysis process and develop in collaboration with the union a staff deployment plan; create a budget and timeline for a three-year in-service staff training plan; and coordinate the development of a robust management information system.

5.6 Employee Recruitment, Retention, and Morale

Major Findings

Staff seem to work well together. There is reportedly strong teamwork and camaraderie, as well as a desire to get the job done. This appears to be true among line officers and newly appointed supervisors. Staff report that they work well together, that everyone pulls their own weight and pitches in to cover shifts when needed.

Many comments focused on the relationship between Corrections Officers and Administration:

- Corrections Officers perceive Administration priorities as centered on clerical and administrative duties such as entering warrants, rather than supporting safety and security in daily operations.
- Officers perceive a lack of support, interest, and empowerment from Administration.
- Officers perceive communication with Administration to be one-way: when officers report an issue or make a request, there is no response about a decision.
- Staff have requested regularly scheduled meetings with Administration.
- Officers request Corrections Administration (Lieutenant, Captain) participate occasionally in pass-down, shift information exchange; conduct unannounced walk-throughs of the facility (PREA, Core Jail Standards); increase visibility; and improve communication.
- There is a perception that Administration emphasizes police and law enforcement issues ahead of jail and corrections issues. This was less of a concern when the jail was just a “hold and transport” operation.
- Jail Administration is seen as responsive when there are staff issues with performance.
- The Interim Police Chief was viewed as interested and supportive of corrections operations.

Additional Findings

Strengths

- Officers like working for the City of Kirkland, which has a good reputation in the area.
- Officers are very positive about level of pay and benefits package. They see lots of potential, feel KPD is a great place to work, with good pay and benefits, including vacation and retirement. Officers would like the City to consider additional benefits, including an education incentive to reimburse for tuition costs and a fitness bonus.
- The hiring process is seen as working well, with good staff hired.

Challenges

- There is a low percentage (15%) of people of color in the Corrections workforce.
- Officers perceive that decisions are made without consideration of their input or recommendations.

5.7 Inmate Programs

Major Findings

Lack of Inmate Engagement Programs

The jail currently has no inmate engagement programs, such as education, commissary, religious services, or substance abuse programs. Staff are anxious to implement programs as they perceive the absence of programs contributes to idle inmates and increased safety concerns for officers.

Administration is working to develop and implement in-custody programs to engage inmates, reduce violence, improve safety, and support successful reentry of inmates back to community. Programs in various stages of development include religious services; education; commissary; haircuts; Alcoholics Anonymous, Narcotics Anonymous, and substance abuse; parenting; and mental health liaison. Administration is also planning to initiate a volunteer recruitment and training initiative to augment inmate programs.

The delay in program implementation has caused frustration among corrections officers, particularly the lack of a commissary, haircuts, law library, and religious programs. Staff seem frustrated that programs are a known best practice that are not yet implemented.

Medication Administration

Lack of coverage and consistent medication administration by contract medical services is a major concern. This is important because medication distribution by corrections officers is a liability risk if the wrong medication or dosage is provided to the inmate. Administration reported a recent problem with a contract nurse has been addressed. An increased amount and frequency of training is required to ensure that officers are confident in their delivery of medication when medical staff are not available. The detox process also requires medical oversight and consistent protocols and procedures, which are currently lacking. This is important because research identifies the first 24 hours of confinement as the most critical period for potential death of inmates as a result of drug overdose. It may be advantageous to implement tele-med capabilities for appropriate cases.

Additional Opportunities

- Jail Administration is interested in the potential to enhance and expand Electronic Home Detention (EHD). It was reported that 30% of the inmate population are held on Driving with License Suspended which may justify expansion of the EHD program.
- Cost benefit analysis of a work release program to determine the profile of the eligible population, Average Daily Population, and consideration for consolidating with EHD program
- Additional correctional options such as day jail and day reporting for eligible inmates to provide alternative sanctions and step down transition programs.
- Video Court, so hearings could be held with other jurisdictions when an inmate is in King County or other facilities to avoid travel costs and reduce security concerns.
- Assign the development and implementation of in custody inmate and correctional options programs to a civilian administrative position.

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POLICE STRATEGIC PLAN—SUMMARY OF RECOMMENDATIONS AND STAFF RESPONSE										
Category	Recommendation	Agree?	Priority	Responsible	Target Completion	Current Status	Notes	Requires Bargaining	Requires Funding	Requires Council Action
OVERARCHING DIRECTION										
1.	Finalize the articulation of the Department's Philosophy, Vision, Mission, and Values as begun during this planning process									
1. a.	Establish a clear and meaningful description of KPD's guiding philosophy.	Y	M/H	Chief	2017	Complete	Exploring possible consultants to facilitate process for developing vision, mission and values statements. Completed	N	N	N
1. b.	Establish strong Vision, Mission, and Values statements that distinctly represent Kirkland and the Kirkland Police Department.	Y	M/H	Chief	Consultant 2/1/17 Process 4/30/17	Complete	Exploring possible consultants to facilitate process for developing vision, mission and values statements. Core staff groups; Mission & Vision; Represent all levels & work groups 2017- Completed by a core group of the Steering Committee and voted on by the entire Department	N	N	N
2.	Animate these governing statements by promoting them and using them.	Y	M/H	All	Ongoing	Complete	Vision, mission and values have been incorporated into the testing and promotional process, citizen thank you letters and Department correspondence. The Department is working on updating evaluation guidelines for supervisors to include mission, vision and values. 2018 -All Department personnel recently signed mission statements reflecting the new mission, vision and values adapted as a result of the strategic plan. 2019: Mission, Vision and Value statements were professionally printed out and hung throughout the building in order to reinforce their message on a daily basis.	N	N	N
CRIME PREVENTION AND RESPONSE										
3.	Align the Patrol policing model with an increased focus on crime prevention and community policing.	Y	H	All	5 year plan	Ongoing		Maybe	Y	Y
4.	Increase Patrol capacity to create time for preventive, data-driven policing and directed patrol.				Ongoing	Ongoing	This change in policing will involve multiple steps, some of which will require additional resources and some that will require a change in operational practices. 2017-Community policing is discussed on a daily basis during briefings. New performance goals for patrol will focus on community policy as will stated expectations regarding behaviors that model the principles of community policing. 2018 -New patrol expectations were published in January 2018 that are much more focused on our mission, vision and values and encourages community outreach and community service. Unit Goals were also set surrounding these new expectations and we have been very encouraged with the results. 2019: Completed the project that was started in 2018 to discontinue the use of self recorded "stats" which can be captured in CAD/RMS. Self-recorded "stats" were replaced by Monthly Patrol Activity reports generated directly from RMS capturing Accidents, Arrests, Cases, Citations Issued, DUI's, FIR's, Incidents, Tickets and Traffic Warnings. A Monthly Report was implemented in which Officers report to their supervisors how their actions have supported the Mission and community policing in general.			
4. a.	Seek to add the equivalent of approximately 11 additional patrol officers over current authorized levels (60 officers).	Y	H	Chief/City Manager	TBD	Ongoing	One new and one re-deployed officer were approved in 2017-2018 Budget to re-form a Pro-Act unit. Increase in resources helps allow for Community Oriented Policing (COP). The two pro-act officers are in addition to the 11 recommended new officers. 2018 -Proposition 1 passed in 2018, allowing the funding of a ProAct Unit (1 sergeant, 1 corporal, 2 officers and an Admin Support position), 4 SRO's in the middle schools and international school, 1 NRO, 1 MHP and 2 additional patrol officers. 2019: ProAct team was staffed and began operations. New SRO's were selected and will begin serving their schools in 2020. NRO was selected and will begin in 2020. The two additional patrol officers were hired and should be on solo patrol sometime in 2020.	Y	Y	Y
4. b.	Make lean process or technology improvements to reduce officer paperwork, approvals, and internal communications to enhance service and increase time for directed patrol.	Y	H	Chief to schedule, OPS line level to do work	Ongoing	In Progress	Lean process scheduled to take place in early 2017 for report writing and processing. Who - Nate, Cody, Randi & Records; Look for efficiencies; forms, felony filings, required reports & redundancies. 2017- A lean event was held with representatives from patrol. A series of recommendations emerged including improvements to forms. On-line reporting, implemented in 2017, is also helping to process complaints and requests without generating a call for service. 2018 - Evidence & Digital Software approved for 2019/2020 budget 2019: Due to a possible update in the records software that will include an improved evidence modul the Department is only considering a digital evidence storage system through an RFP in 2020. In addition, the Department conducted a Mental Health LEAN process that resulted in a number of recommendations to improve service delivery and coordination of efforts with community members in crisis.	Maybe	Maybe	N

4.	c.	Monitor shift schedule in relation to calls for service to adapt to changes in production.	Y	H	Chief & OPS Divisions	Ongoing	Complete	Adaptations to accommodate changes related to the shift schedule change are being explored or taking place. For instance, the department will be purchasing six new patrol vehicles to provide more efficient shift changes. 2017 - Additional patrol cars were purchased to create a more efficient shift change. A Department also added a swing shift for the Lieutenants to provide additional opportunities for them to work with patrol. 2018 - The Lieutenants are currently designing an alternative shift schedule that will allow for more coverage between the two Lieutenants and the three squads they cover while still attending Department, City and Community meetings. 2019: The previous changes continue to work well and the shift start times will continue to be monitored to best match the coverage with the annual call loads.	Maybe	Y	N
4.	d.	Consider the use of non- or limited-commission personnel.	Y	H	Chief	Ongoing	Ongoing	Neighboring agencies use police support officers for non-emergent calls for service. This would need to be bargained. Transport officer (overtime vs position), Quartermaster as civilian position, Evidence, use to pick up bikes and found property, Volunteers like other agencies have, Front Counter Officer. 2017- The lean process completed by patrol did include discussion of using volunteers. A program would need to be established and implemented. Current vacancy levels have necessitated delaying program development. The department does currently use volunteers such as the Explorer and DART programs. 2018 -MSP approved for a civilian Administrative Commander to replace 1 of the 3 commissioned Captains. 2019: Civilian Administrative Commander was hired and will take the place of one of the three commissioned Captain positions. The Quartermaster position was successfully negotiated, transitioning a historically commissioned position to a civilian and will start in 2020. A third parking enforcement officer was approved and hired.	Y	Y	Y
5.		Implement technologies to alleviate burdens on Patrol and increase capacity for crime prevention and community policing.									
	a.	Begin use of online reporting paired with Ongoing evaluation.	Y	H	Command	2017 Done 1/4/2017	Complete	CopLogic (on-line incident reporting tool) is currently in the testing phase; department will develop a marketing plan and assign a staff person to review and follow-up reports as needed. On line reporting went live in January 2017. 2018- adjustments were made to crime reporting to better match the King County Prosecutors charging guidelines.	N	Maybe	N
	b.	Once use of CopLogic has stabilized, evaluate the impact online reporting of some crime types that affect staffing needs.	Y	H	Command	2017	Complete	Although there is additional burden on Sergeants to review on-line reports, it has helped relieve patrol's calls for service. There were 1,134 on-line reports received in 2017. 2018 - There were 969 total reports received in 2018.	N	Maybe	Maybe
6.		Increase data-informed policing with support from crime analysis.									
	a.	Add capacity in the form of an additional Crime Analyst.	N	H	Chief/City Manager	2020	Ongoing	Crime analysis support staff will enable the crime analyst to provide more assistance. Ongoing crime analysis support should be evaluated once additional officers are hired to assess demand. 2017- The Department requested an Administrative Support Associate in the 2017-2018 budget to support the Crime Analyst. The position was not able to be funded at this time. The Department will have access to a new dashboard function through NORCOM that could support emphasis patrols. 2018-Proposition 1 funded the addition of an Administrative Support Associate in Investigations to support crime analysis. 2019: The ASA position was converted to a second Crime Analyst position and testing was completed with several qualified candidates applying with a goal of hiring in 2020.	N	Y	Y
	b.	Use local resources that can help support crime analysts in small departments.	Y	M	Command		In Progress	The Crime Analyst currently works with regional partners on sharing intelligence information. 2017 -The Crime Analyst will contact Seattle to learn how they are using these resources. 2018 -Analysts for the Eastside agencies along with NORCOM and the Fusion Center have partnered together to deploy the iBase regional intelligence solution. The proposal was accepted by the Bellevue Police Foundation (BPF) in early 2018 which provided startup funding of the system. A 40 hour training was conducted in the fall and two site visits to the Seattle Police Department Intelligence Unit/Real Time Crime Center were conducted. The analysts from the partner agencies have been working with NORCOM IT staff to successfully build the interface between the agencies' RMS databases and the iBase system. Rollout of the system is expected in 2019. 2019: We are in the final stages of building out the interface between Tyler LERMS and iBase; setting security protocols and performing system testing using real and artificial data to ensure data accuracy and security compliance	N	Maybe	N
	c.	Provide internships to local university students such as students or graduates of the Seattle University crime analysis certificate program.	N	L	Crime Analyst	TBD	On Hold	Extensive background check and security clearance process to enable access to criminal data basis make short term appointments inefficient. 2017 -Although the Department does not recommend the use of interns given the long process to conduct background check, the Chief is exploring a cadet program. Cadet programs are offered in other departments in the state and requires a longer commitment from participants but also provides opportunity to recruit graduates to join the Kirkland Police Department. 2018- the Department lacked the capacity to support Interns or Cadets due to the high number of recruits in training.	N	Y	Y

7.	Shift KPD's command structure to better align with new shift schedule and strengthened focus on crime prevention and community engagement.									
a.	Align command structure with new 10-hour shifts to ensure appropriate span of control.	Y	M	Chief	TBD	Ongoing	One lieutenant has been reassigned to swing shift to provide more command staff support outside day shift; ultimately recommend one additional FTE to accomplish; change in lieutenants shift schedule requires change to PSEU collective bargaining agreement. This assignment has been in place since 2017.	Y	N	N
b.	Clarify the line of command in the Chief's absence and consider alternative command titles, such as Deputy Chief to better align with peer agencies organizational structures.	Y	H	Chief	2020	In Progress	Evaluate conversion of two Captain positions to Deputy Chief. 2017- The Chief is working with the Human Resources Director and City Manager to assess salary compression issues and identify opportunities to convert one or two captain positions to deputy chiefs. 2019: One of the captain positions was successfully transitioned to a civilian administrative commander position. Received approval to reclassify the remaining two captains into deputy chiefs and will fill both position in 2020	N	N	N
c.	Consider the merits of a permanent non-commissioned administrative manager position that can work closely with commissioned personnel while increasing the Department's expertise and oversight capacity in administration.	Y	H	Chief	2019	Complete	Evaluate conversion of a Captain position to non-commissioned administrative manager. The Department supports this recommendation but would either need a new position or to convert a captain position to a civilian status. 2018 - After the retirement of Captain Hamilton, developed job description, approved MSP & conducted salary survey. Recruitment to occur in 2019. 2019: Recruitment, testing and hiring occurred, which culminated in the hiring of a new civilian Administrative Commander.	N	N	N
8.	Continue to monitor workload of investigations and other units with shift to new policing model.			Ursino & Haslip	Ongoing	Ongoing	ProAct unit could also have an impact on workload as they liaison with Detectives and handle additional property crimes.			
a.	Communicate regularly with the City prosecutors and City policy makers to maintain a shared understanding of the prosecution priorities and filing standards for the City.	Y	L	Command	Ongoing	Ongoing	The Operations Captain is in regular contact with the City's contract prosecutors regarding priorities and trends. 2017- The prosecutor's office has an office at the Justice Center and regularly communicate with patrol officers. Staff is also working with the Prosecutors to implement some of the recommendations that emerged from the lean process. 2018 -With assistance from the prosecutor's office and KMC the Department was able to change our policy on the following three practices emerging from the LEAN process: a stand-alone Trespass Letter was created so a case report is no longer needed, No Case Report is required for low level, NOT in custody offenses, implemented the use of the Field Interview Report (FIR) module for calls of a non-criminal nature. 2019: Communication continues between the Operations Captain and Lieutenants, as well as the Traffic Sergeant. A good working relationship has been established.	N	N	N
9.	Assess community traffic enforcement priorities.									
a.	Engage community members to better understand their traffic-related concerns.	Y	M	Command	Ongoing	In Progress	Recommend use of CopLogic on line reporting to reduce number of calls for service for non-reportable accident reports (less than \$750 damage and no injuries) . Outreach regarding the Police Strategic Plan will take place in 2017 and will include attendance at neighborhood and PTA meetings to discuss community priorities and range of tools available such as cameras. 2017 - The Department is exploring placing two to three speed zone cameras in selected school zone in collaboration with Public Works on speeding and collision data around schools. Initial data has been developed and possible school sites have been identified. The next step is to conduct an analysis of the implementation steps and the cost/benefit for the Police Department and the Municipal Court. 2018 - School Safety Program approved by Council. Coplogic and Our Kirkland QAlert are two ways the community can contact the Department's Traffic Unit to alert the police regarding traffic issues in the community. 2019: The school safety camera program went live in 2019 and was met with fairly good community support. Lots of community communication was done as this program was implemented. Command staff continued to attend neighborhood meetings.			
b.	Based on this understanding, set appropriate objectives and staffing. Consider how the Traffic Unit and other resources are best used to address traffic issues relative to other community priorities.	Y	L	Command and Traffic Unit	Ongoing	In Progress	Traffic represents the highest volume of complaints and calls for service and is clearly a high priority for the community. The Traffic Unit is key to assisting with accidents scenes to keep patrol free for calls for service and to timely clear accident scenes to improve traffic flow. 2017 - Due to the high number of vacancies in the Department, the Traffic unit is redeployed to patrol, since October 2016. Until the Traffic Unit is reassigned it will be difficult to implement this recommendation. 2018- Traffic was deployed in April 2018 and currently staffed with a Sergeant, two Motor Officers and two Parking Enforcement Officers. The Traffic Unit investigates traffic collisions and actively enforces violations in school zones and complaint zones. Traffic complaint zones are identified by the community, the review of collision data and officers. 2019: A 3rd Parking Enforcement Officer was hired to help with enforcement outside of the downtown core.	N	N	N

	c.	Determine the importance of addressing school zone speeding relative to other potential uses of department resources.	Y	H	Traffic Unit	2019	Complete	School zone speed cameras are effective in reducing speeds, however, each event must be reviewed by a commissioned officer to issue a citation; speed cameras are not a substitute for community presence of police officers. Recommend pilot project to be undertaken in coordination with Public Works in two high traffic school zones to determine effectiveness and impact on staff; also recommend concerted community communication effort to deal with possible negative public perceptions of speed cameras. 2018 - The Department began deliberate research along with Public Works on speeding and collision data around schools. Initial data was developed and possible school sites were identified. Ongoing analysis of the implementation steps and the cost/benefit for the Police Department, Safe Walk to School Routes and the Municipal Court. Program to be implemented in 2019. 2019: The school safety camera program went live in 2019 and was met with fairly good community support. Lots of community communication was done as this program was rolled out.	N	Y	Y
	10.	Reevaluate staffing needs regularly to adapt to City development and population growth, with a focus now on current redevelopment occurring in Kirkland Urban and Totem Lake.	Y	L	Chief planning permitting Captains - Admin and OPS	Ongoing	In Progress	Special attention should be paid to impact of high density developments that bring more traffic and people to an area. 2017 - The Department is working with the Fire Department on improving radio reception in public buildings and in new developments and will also benefit from the new regional radio system. The Department is exploring the potential for substation at one of the new large developments. Officers will also be equipped with improved technology that provides maps of large complexes. The Department will continue to reevaluate staffing needs as growth continues. 2018- PD has confirmed with Fire that both the Kirkland Urban and Totem Lake Village projects will have emergency responder radio systems installed. During the CityHub project, with the assistance of the GIS Team, PD and Fire combined efforts to develop the Kirkland Response Viewer App. The program developed standards and procedures for gathering high-priority, premise-specific information to help police, fire, aid, and medic responders. As the project grows it could also help meet numerous other city information needs such as address/business verification, access, and utility information. The project is expected to: *Reduce the amount of effort to maintain the large amount of GIS-based preplan information that has already been collected. *Increase the amount of available information to police, fire, and medic responders. *Reduce the amount of time to respond to a call.	N	Maybe	Maybe
RECORDS											
	11.	Take a phased approach to strengthening the Records function, seeking efficiencies before adding capacity.						Admin, Finance & OPS (Such as lean process)			
	a.	Seek to address workload issues through increasing operational efficiencies.	Y	H	Records	2017 - 2018	In Progress	Lean process scheduled for early 2017 to focus on public disclosure requests. 2017- A lean process was completed that recommended a focus on quality control for reports produced by patrol officers. Patrol received training and the Sergeants are reviewing their reports for completeness. This has produced significant time savings in records and has helped reduce the backlog. The Department will also request a new evidence module for the records system in the 2019-2020 Budget process that would help eliminate future backlogs in records destruction. 2018 - Evidence on Q was approved for 2019/20 budget and is still in progress of being implemented. The Records Unit was noticing that the "LEAN" process was not catching all of the errors being made within Police reports. For instance, the naming format was not being followed, we enter all names in capitals into our records management system. Records started keeping a detailed log of errors being made by Officers in September of 2018. Monthly compiled errors and sent to Patrol Supervisors so they can meet with their Officers to try and correct the errors being made. By keeping this detailed log Records hopes to dramatically decrease the errors being made in written reports so that we can produce a 100% correct report to internal and external customers. In 2019, Records personnel continued to work with supervisors and officers on a case by case basis to improve the report process. Several efficiencies were realized by cross-training PSA's in functions such as retention.	Maybe	N	N
	b.	Add staffing if the above efficiencies do not alleviate concerns.	Y	M	Chief/City Manager	2017	Complete	A new one-time Records Specialist was requested and approved in the 2017-2018 Budget. 2018 - Temporary Records Specialist position was re-approved for the 2019/20 budget cycle. With this temp spot filled the Department is focused on Retention backlog while still keeping current on other records tasks. This position will prove invaluable once 07/01/19 hits as the Department expects a significant increase in pistol transfer/CPL backgrounds that need to be processed due to a number of new firearms legislation. In 2019, the Records Unit supervisor left the agency. The position was filled by an internal applicant. The PSA, who had been filling the temporary position, tested for and was selected for the vacant permanent position. The temporary position is not expected to be filled based on unit needs and anticipated budget short falls associated with the COVID 19 pandemic. The current leadership has done a good job of cross-training in records. There are now 3 PSA's working on retention on a routine basis instead of just one.	N	Y	Y
	c.	Create a staff succession plan to account for known retirement.	Y	H	Command	2017	Complete	The Records Supervisor and Senior Records Specialist retired in 2017. The Supervisor position has been filled and other position is in background. 2018 - the Records Unit is fully staffed. In 2019, the Department appointed a new Records Unit supervisor and lead.	Maybe	N	N
CORRECTIONS											

[illegible]

	a. Make improvements to the Department website.	Y	H	PIO	2020	In Progress	Website in process of update to enhance recruitment efforts and to enhance usability. 2017- The Department is currently evaluating the department website and working with the City's Communication Team on improvements. New content needs to be added including the department's annual report. The City will be implementing an updated version of SharePoint that could provide better a better communication tool. 2018 - The website information on recruiting has been updated to reflect current status. 2019- The city has made the decision to redo all of the City's websites to include department specific pages. A new sharepoint site was completed to assist in the electronic routing of training requests.	N	N	N
	b. Improve use of social media.	Y	H	PIO	Ongoing	Ongoing	KPD has implemented an updated Facebook page and twitter account and is developing policies on their use. 2017 - A communications cadre has been established consisting of four officers that can act as Public Information Officers. Three staff have been assigned to monitor the twitter account and using it to advertise events such as Coffee with a Cop, critical incidents and marketing opportunities. 2018 -The department is currently using twitter as the primary social media platform. The cadre has utilized it to put out timely information and news on police activity and public safety information. 2019: A marked increase in the use of twitter by the PIO cadre occurred. The entire PIO cadre attended a national PIO conference in order to better determine how to best use this social media platform.	N	N	N
23.	Measure organizational success based on indicators the community cares about. Organizational performance measures should drive individual performance measures.				2017	Complete	Will emerge from visioning process and citywide performance management process funded in 2017. 2018- The Department is working with the Human Resources Department to provide performance measures for the City Performance Report which was completed in late 2017. Developed and implemented new monthly reporting for Patrol activity based on the Mission, Vision and Values			
	a. Conduct annual Community Satisfaction Surveys in addition to the bi-annual city-wide Citizen Satisfaction Survey.	N	M	Chief	2019	Complete	Biennial community survey provides useful baseline information; recommend focus groups to supplement. 2017 - The Department recommends conducting a survey in 2018. 2018 - survey conducted by the City as part of the 2019-2020 budget process and community outreach presentation are under development for 2019. In 2019, the Department and the City conducted Community Policing Outreach and Survey's.	N	Y	Y
	b. Create quality metrics to accompany department-wide quantity metrics.	Y	M	Chief	2017	Complete	Will emerge from visioning process and citywide performance management process funded in 2017. 2018- The Department is working with the Human Resources Department to provide performance measures for the City Performance Report which was completed in late 2017. Developed and implemented new monthly reporting for Patrol activity based on the Mission, Vision and Values	Maybe	N	N
	c. Use performance measurement as a means to drive improvement and shape organizational culture.	Y	M	Ursino	2017	Complete	Updated performance evaluation system to be based on updated vision and appropriate metrics. 2017 - Commissioned evaluation forms have been updated to better reflect the department's values. Non-commissioned evaluation forms are in progress. 2018 -Non-Commissioned Corrections Evals have been updated. Remaining non-commissioned evaluations are in final stages of updated performance evaluation better reflecting Department vision and pertinent to non-comm support positions. 2019: Completed a new Records evaluation process and it was implemented.	Maybe	N	N
24.	Consider the development of Neighborhood Policing Plans with neighborhood -specific goals and measures.	Y	M	Command/ NRO	TBD	Not Complete	Need to explore further with regard to process for development; possible one time resources needed. 2018 -The Neighborhood Resource Officer and Community Services unit has developed and / or actively participates in the following plans: Coffee With A Cop (CWAC), National Night Out (NNO), City Hall for All (Inclusion Group Meetings), ALICE Training for school staff and local businesses, Explorer Program, Neighborhood Meetings, Chief For A Day, Homeless Outreach, Cross Kirkland Corridor Patrol, Bike Patrol and Literacy Night (Elementary Schools).	N	Maybe	Y
MANAGEMENT OF DATA AND TECHNOLOGY										
25.	Increase the Department's ability to manage technology in a strategic manner.									
	a. Establish a "Technology Champion" role.	Y	M	Chief	TBD	Complete	Recommend dedicated applications analyst for police to support current and evaluate future applications. 2017 - The Department is participating in the IT Strategic Planning process . 2018 - Active representation on City's IT Planning Committee to champion and prioritize tech that will improve KPD processes. Smart phones and supportive apps out to all of Patrol. 2019: New civilian Administrative Commander has taken on this role and has already made several important contributions.	N	Y	Y
	b. Engage local technology firms and community members as technology partners.	Y	M	Command	TBD	Not Complete		N	N	N
26.	Increase use of real time crime data.									
	a. Evaluate current use of New World system and functionality. Determine if the system could be enhanced by creating additional modules in the current Records Management System.	Y	H	Command & NORCOM	2020	In Progress	Exploring potential for separate property module currently bundled with records. 2018 -The Department will also request a new evidence module for the records system in the 2019-2020 Budget process that would help eliminate future backlogs in records destruction. This module also provides for digital evidence storage. The Department currently does not have any kind of digital evidence storage 2019: Due to a possible update in the records software that will include an improved evidence modul the Department is only considering a digital evidence storage system through an RFP in 2020	N	Maybe	N

[illegible]

32.	Partner with other public safety agencies in the region.	Y	M	Command All	Ongoing	Ongoing	KPD continues to explore opportunities for partnerships for special programs such as Pro-Act. 2017 - Officers have shadowed the Redmond and Bellevue Pro-Act units and continue to coordinate with eastside law enforcement agencies on joint investigations. KPD is part of a regional SWAT team, participates on the Internet Crimes Against Children Task Force and has a Detective assigned to the FBI Cyber Crimes Task Force. 2018 - NorthSound RADAR Navigator program. 2019-As noted in 31 above, KPD remained very active in the Northsound MHP project.	Maybe	Maybe	Maybe
COMMUNICATION, CONNECTION AND COLLABORATIVE LEADERSHIP										
33.	Implement Pro-Act change management and strengthen internal vertical communication flow.									
a.	Strengthen leadership's communication of issues of importance.	Y	H	Command	Ongoing	In Progress	Chief has implemented a number of enhanced communications tools to include Department updates at In-Service training & Supervisors meetings 2019-Regular updates to Lexipol policies are put out by Risk Management Lt. Training Bulletins are put out for topics of higher liability and to reinforce training topics.	N	Maybe	N
b.	Focus on improving communication at the sergeant level.	Y	H	Sergeants	Ongoing	Ongoing	This is work in progress. 2018 - In collaboration with the Guild, developed a survey for input on supervisor evaluations. To be deployed in 2019. 2019-Surveys are available for use when supervisors' evaluations come due.	N	N	N
34.	Strive to create a strong department-wide culture that unites diverse work groups under the Kirkland Police banner.									
a.	Promote a department-wide identity through communications, celebrations, personnel recognition, and other opportunities.	Y	H	Chief	Ongoing	In Progress	The command staff is focusing on enhanced communication, recognition and connections with the community. 2017 -The Department focuses on mission, vision and goals in all communications. Investigation provides monthly reports to patrol on the status of their cases. Celebrations occur quarterly for awards, promotions and swearing in of new Officers. Report writing area was redesigned in 2017 to provide a sense of esprit de corps. 2018 - Support across the Department for community events such as National Night Out has allowed for Department pride as the various units are showcased. Command partnered with Guild members to provide shift barbeque's and even an ice cream truck visit that was free for everyone 2019 - Department wide swearing-in and awards ceremonies were held in April and September. The Department participated in the Employee Engagement Committee, a City wide effort to provide personnel recognition - we participated in other Department hosted grazing days, Oct-Nov and hosted with the Court in Dec. Community events such as National Night Out and the annual Explorer's Benefit Car Show showcased the Department to the community. The Guild hosted a waffle truck and ice cream truck for all PD personnel. Opportunities to showcase and thank individuals and divisions within the Department are sought out throughout the year. Patrol's Top-10, those with consistent high performance, is an example of highlighted good work among Divisions. Awards worthy of notice, but not included in scheduled ceremonies, were distributed by Chief Harris at briefings or workgroup meetings and recognition posted on Social Media via the Kirkland City and Kirkland Police Twitter accounts.	N	N	N
b.	Break down silos in horizontal communication.	Y	H	Chief	Ongoing	Ongoing	The Command Staff is working to improve responsiveness using on-line surveys to gather data. The process for training requests has been improved including providing feedback when training requests are not approved. The Department hopes to use SharePoint to further improve training requests and potentially create a "Suggestion Box". 2018 - Re-org of Department Admin staff with the intent to continue chains of support with a 'team' concept that encourages cross support when needed. 2019: A Monthly Report was implemented in which Officers report to their supervisors how their actions have supported the Mission and the idea of community policing in general. This also allows them to have detailed personal conversations with their direct supervisors and includes a space for officers to make suggestions to their chian of command.	N	N	N
35.	Continue to preach and practice collaborative leadership in which personal initiative and suggestions for improvement are welcomed so long as they are well-intentioned, professionally delivered, and aligned with KPD's Philosophy, Vision, Mission, and Values.			Training	1st Quarter 2017, Develop policy by end of 2017	Ongoing	Need to develop system for communicating ideas / suggestions (break down barriers); Understanding & Agreement of how to work through the ranks - check in before skipping ranks; Source of idea should be able to follow ideas through; include all effected staff; how to communicate decisions or changes horizontally and vertically; Accountability to follow through in a timely manner (defined); what decisions can be made at what level; have the right players in the room. 2018 - discontinuing the use of "stats" and self reported activity with monthly CAD/RMS reports & activity reports that are directed at accomplishing the Mission, Vision and Values. 2019: A Monthly Report was implemented in which Officers report to their supervisors how their actions have supported the Mission and the idea of community policing in general. This also allows them to have detailed personal conversations with their direct supervisors and includes a space for officers to make suggestions to their chian of command.			
a.	Create opportunities to match individual interest and talents with organizational needs.	Y	H	Command	Ongoing	Ongoing	Chief is actively engaging staff at all levels in providing new opportunities for supplemental responsibilities to enhance experience and employee growth.			

PERFORMANCE EVALUATIONS AND PROFESSIONAL DEVELOPMENT										
36.	Revamp the current evaluation process and supporting tools.									
	a. Revise the evaluation process.	Y	H	Command/HR/Captain Hamilton for non-commissioned/SRO Hardesty	2018	Complete	Need to simplify or streamline and eliminate redundancy by applying lean principles and providing training to achieve consistency and clarify the objective of evaluation process. Commissioned process and forms have been improved and non-commissioned still needs to be addressed. In progress; need to complete vision/mission to develop appropriate measures. Captain Ursino is collaborating with SRO Hardesty on a Professional Development Plan that is tied to new vision and mission statements. Commissioned process and forms have been improved and non-commissioned still needs to be addressed. 2017- updated the Commissioned Evaluation. 2018- Corrections evaluations updated. Removed the section for providing supervisor input on individual evaluations and developed Supervisor online survey for deployment in 2019. 2019: Completed a new Records evaluation process and it was implemented.	Y	N	N
	b. Establish clear and transparent expectations defining what individuals will be evaluated for by position.	Y	H	Captain St. Jean	2018	Complete	Need to complete vision/mission to develop appropriate measures. 2018 - Implemented Operations expectations that align with the Mission, Vision & Values. Discontinuing the use of self recorded "stats" which can be captured in CAD/RMS Self-recorded "stats" were replaced by Monthly Patrol Activity reports generated directly from RMS capturing Accidents, Arrests, Cases, Citations Issued, DUI's, FIR's, Incidents, Tickets and Traffic Warnings. Officers are also submitting a Monthly Report allowing then to have detailed personal conversations with their direct supervisors. 2019: New Records evaluations were developed and implemented in support of this goal.	Y	N	N
37.	Strengthen professional development planning, establishing a longer-term view and linking to Departmental succession management efforts.									
	a. Establish a long-term focus in professional development planning.	Y	H	Professional Standards	2018	In Progress	Include mid and long term goals in evaluation process and define how we hold ourselves accountable. The Department will need to achieve this over time.	Y	N	N
	b. Support and evaluate staff in leadership positions for their ability to grow their staff through collaborative leadership, evaluations, and professional development.	Y	H	SRO Hardesty	2018	In Progress	This has been embedded in evaluation process. Staff is evaluated against the Department Mission.	N	N	N
RETENTION, SUCCESSION MANAGEMENT AND RECRUITMENT										
38.	Establish a succession management program.									
	a. Establish a succession management approach.	Y	H	Command	Ongoing	In Progress	Chief is actively engaging staff at all levels in providing new opportunities for supplemental responsibilities to enhance experience and employee growth. 2017- Sergeants attending Northwestern School of Police Staff & Command. Requesting letters of interest for Specialty Assignments rather than just appointing personnel. 2018 - Supervisors attending Westport Leadership; three week nationally recognized training.			
	b. Analyze the data.	Y	H	Command	Ongoing	Complete		N	N	N
	c. Hire for future leaders.	Y	H	Command	Ongoing	In Progress	Current recruitments are focusing on individuals with capacity for long term growth. Department has maintained high standard in hiring practices, those with potential for current and future success in the Department.	N	N	N
	d. Be transparent about expectations and competencies for leadership, establishing a career development guide and specifics for each rank/level of responsibility.	Y	H	Command	Ongoing	Complete	Training is aimed at supervision and management. The Department hosts regional training for professional development that makes it affordable and accessible for Kirkland PD. Leadership training is needed in all functions. 2018- Varied training opportunities continue to be made available across the Department. Promotion preparation is made available and encouraged for those interested.	N	N	N
39.	Continue to strengthen recruitment efforts to get the best qualified applicants aligned with KPD's values.			Hamilton/Aksdal	2017					
	a. Modernize hiring standards.	Y	H	Command	Ongoing	Complete	Focus has been on getting laterals through the use of incentives. 2017- The Department completed a lean process on recruiting and background practices and identified ways to streamline the process but still assure the Department is hiring high quality individuals. Updated the Civil Service hiring standards for experienced Police Officers. 2018 - Hiring processes have been streamlined to allow for quicker contact with applicants. The Department is frequently the first agency that candidates engage with. Begun utilizing video interviews in order to reach out of state candidates more quickly. In 2019, standards were changed to allow for visible tattoos as well as beards and goatees. Recruiting and hiring materials were updated to reflect these changes.	N	N	N
	b. Use limited commission positions as hiring pool for fully commissioned officers.	Y	H	Command	Ongoing	Ongoing	The Department has hired a number of Commissioned Officers from within the non-commissioned ranks, primarily from Corrections.	Y	N	N

	c.	Continue a strong marketing campaign that highlights the new Justice Center Facility.	Y	H	Command	Complete	Complete	The Department is advertising through videos and local radio spots. The Department is using geo-fencing to advertise at events and venues that attract individuals that may be interested in law enforcement. 2017 - Department representatives are present at Public Safety Testing sessions and subsidizing testing fees to incentivize applying at Kirkland. The Department has also hosted Public Safety Testing sessions at the KJC. 2018 - The Department had the #2 highest number of applicants at Public Safety Testing due to assigning Officers to recruit at the written testing sights. The KJC is highlighted in the Department recruiting brochure. In 2019, the Department continued to actively recruit at Public Safety Testing Events and hosted interviews on average twice per month. The KJC continues to be featured in recruiting materials and presentations. The Department also worked with the City Manager's Office to enter into contracts for a professional recruiting video and social media campaign.	N	N	N
	d.	Increase diversity in hiring.	Y	H	Command	Ongoing	Ongoing	2017 - the Department hired 15 new police officers which included 1 female and 2 African American men. In Corrections, 2 of the 5 new Corrections Officers hired in 2017 are female. 2018 - The department has print and digital ads in the Minority Update's hiring publications. Female officers actively recruited at the Northwest Women's Show. 15 patrol officers have been hired between 01-01-18 and 04-03-19. Those include 1 Hispanic male, 2 Asian males and 1 White female. In 2019, the Department hired 20 police officers and 2 corrections officers. The police officers included 6 white females, 1 asian male and 2 black males. The Department has continued to run print and digital ads in the Minority Updates hiring publications.	N	N	N

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CITY OF KIRKLAND
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MEMORANDUM

To: Kurt Triplett, City Manager

From: James Lopez, Assistant City Manager
David Wolbrecht, Neighborhood Services Outreach Coordinator

Date: August 21, 2019

Subject: COMMUNITY POLICING ENGAGEMENT FINDINGS

EXECUTIVE SUMMARY:

This report on community policing engagement findings contains a 9-page memo and a 46-page appendix of public comments. A summary of these findings will be presented to the Council at the regular meeting along with the update on the Pro-Act Unit. The civic conversation on community policing consisted of 11 neighborhood association and three interest group meetings with a total attendance of 223 people, the collection of 527 surveys administered both in-person and online, social media posts on three platforms, and three focus groups with a total attendance of 27 attendees. Overall, the sentiment of community members involved in this civic conversation was appreciation and support for the Kirkland Police Department. Through this public participation process, the overarching theme that staff identified was that community members wanted an increase in communication between the Police Department and the community, which was in line with the emphasis of community policing on building trusting relationships.

Staff further identified five sub-themes that emerged from the survey and meeting feedback:

1. Seek feedback from the community
2. Getting to know our Police Department – in person and beyond
3. Share data trends and stories of police activity
4. Patrol Officer visibility and accessibility
5. Empower the community to help prevent crime

Police Strategic Plan

It is important to note that elements of each of the above five themes are consistent with several of the recommendations identified in the [2016 Kirkland Police Strategic Plan](#). An elaboration of the five themes, including possible strategies and performance measures for each, appear further in this report.

Depending on the interest of the Council, implementing some or all of the possible strategies identified in this report may require either reprioritizing of current staff work plans or the allocation of supplemental funding. With Council direction, staff could return to a future meeting with a draft work plan adjustment or an estimate for additional resources and associated fiscal note authorizing the expenditures.

BACKGROUND:

The Kirkland Police Department participated in the creation of a Strategic Plan in 2016. Since then, the Department has worked to implement certain recommendations contained in the Strategic Plan, including an increased focus on community policing. While the Department was implementing these

recommendations, a school shooting in Parkland, Florida, happened in February of 2018. In response to this, members of the Kirkland community initiated a civic conversation on the topic of gun safety that continued for several months. That process of civic engagement, as well as unfunded police resource needs previously identified in the Strategic Plan, led to the creation of Proposition 1, an enhanced police services and community safety ballot measure, which was part of the November 2018 general election. Kirkland voters passed Proposition 1, and the Police Department began preparing for the increased staff that were committed in the ballot measure.

With these new resources and priorities established in Proposition 1, City leadership decided this was an opportune time to engage the Kirkland community to better understand the community's expectations on community policing. Although definitions vary, for the purposes of this civic conversation, staff defined community policing as "the law enforcement philosophy that emphasizes relationships between the police and community members" as "these relationships help our police officers engage with residents to prevent crime from happening, instead of only responding after incidents occur". Due to community policing's emphasis on building trust through proactive collaboration and partnerships, the City Manager directed City staff to consult with Kirkland businesses, neighborhood associations, and other stakeholders to accomplish three engagement goals:

1. Establish neighborhood-specific public safety priorities and identify possible performance measures associated with those priorities;
2. Explore effective ways for residents and businesses to better partner with the police to enhance proactive crime prevention strategies; and
3. Encourage residents and businesses to work closely with the police department to maintain and strengthen trusting relationships that make our community safer.

OUTREACH METHODOLOGY

STRATEGIC APPROACH TO CIVIC ENGAGEMENT

The City Council was briefed by the Assistant City Manager at the February 23, 2018, Council Policy Retreat on a new strategic approach to civic engagement initiated to further the 2017-2018 City Work Program item: "Enhance resident and business engagement in Kirkland through community-based initiatives that foster a safe, inclusive and welcoming City and a love of Kirkland." Part of that briefing included a description of the Change & Innovation Agency, the City's selected consultant for improving the City's performance management system. One key element of this consultant's work with the City was a training conducted on May 8, 2018, that instructed more than 20 staff how to facilitate focus groups using the Change & Innovation Agency's methodology, including the staff responsible for the community policing civic conversation. Staff employed the focus group methodology to gain insight into what constitutes a successful community policing program.

The City Council received an update by the Assistant City Manager at the May 31, 2019, Council Financial Retreat, who described in more detail staff's system of civic engagement, referred to by staff as Themed Resident Engagement for Kirkland (TREK). Staff's TREK system relies heavily upon the methodology of the International Association of Public Participation (IAP2), a robust framework used internationally for civic engagement in support of sustainable decisions, as well as other sources. Staff refer to feedback-collecting TREKs such as this community policing effort as "civic conversations".

TECHNIQUES USED TO COLLECT FEEDBACK

At the direction of the Assistant City Manager, staff utilized the TREK framework to craft the strategy and techniques to collect public feedback on community policing and oversaw the implementation of the engagement plan in coordination with the City Manager's Office Communications team and Police Department personnel.

Staff collected feedback through a survey, notes from focus groups, and verbal comments at meetings. The survey was not randomized and is not statistically valid, and a Demographic Profile of Survey Responses is included in Appendix A. Staff utilized two methods of in-person outreach and seven methods of digital outreach to collect 527 total survey responses. The specific methods include:

Table 1: In-Person Techniques

Event Type	Quantity	Attendance*	Surveys
Neighborhood Association Meetings <i>Moss Bay, Juanita, S. Rose Hill / Bridle Trails, Central Houghton, N. Rose Hill, Everest, Lakeview, Norkirk, Evergreen Hill, Market, Highlands</i>	11	183	118
Interest Group Meetings <i>Business Roundtable meetings (January 9, April 10), Kirkland Senior Council</i>	3	40	n/a
Focus Groups <i>Business community, general community member (x2), Kirkland Senior Council</i>	3	27	n/a
SUBTOTAL	17	250	118

Each neighborhood association meeting presentation consisted of the viewing of a brief video, followed by a group discussion and paper survey responses.

*Total number of people that were present at a meeting.

Table 2: Digital Outreach Techniques

Digital Outreach Type	Quantity	Views***	Surveys
Partner Email Promotion <i>Neighborhood Leaders email, Inclusion Network email</i>	****	****	71
Facebook Posts (including Event)	4	8,086	251
Twitter Tweets	2	2,678	
Nextdoor Posts	2	5,491	
City Newsletter Articles	3	3,399	
Video posted on YouTube and Facebook	1	263	n/a
Landing Webpage (www.kirklandwa.gov/communitypolicing)	1	305	87
SUBTOTAL	13	20,222	409

*** "Views" defined as: Facebook Reach, Twitter Impressions, Email Unique Opens, Webpage Unique Visits, YouTube Views, and Facebook 1m Video Views.

**** Data unavailable.

FINDINGS

NEIGHBORHOOD-SPECIFIC PUBLIC SAFETY PRIORITIES

The survey was the primary means for City staff to accomplish the engagement objective of:

- Establish neighborhood-specific public safety priorities and identify possible performance measures associated with those priorities.

The survey asked respondents to identify if and where they lived and/or worked in Kirkland. It then asked for their top three public safety priorities for their selected location(s). For those respondents who both lived and worked in Kirkland, the survey was built to allow separate responses for each location.

Figure 1, below, shows the percentage of respondents who identified a public safety category as one of their three priorities, grouped by neighborhood of residence. For example, 7% of Central Houghton residents identified Animal Services as one of their three public safety priorities. Staff indicated the sample size for each neighborhood in parenthesis after the neighborhood name.

Figure 1: Percentage of survey respondents' identified public safety categories by neighborhood of residence															Gradation key
	Central Houghton (30)	Everest (17)	Evergreen Hill (40)	Finn Hill (70)	Highlands (65)	Juanita (64)	Lakeview (11)	Market (26)	Moss Bay (40)	Nokirk (34)	North Rose Hill (56)	S. Rose Hill / Bridle Tr. (35)	Totem Lake (13)		
Animal Services	7%	0%	5%	4%	5%	8%	0%	4%	5%	12%	2%	11%	8%		
Arson	0%	0%	3%	0%	2%	0%	0%	0%	0%	0%	4%	0%	0%		60% +
Assault	3%	6%	10%	6%	9%	11%	9%	4%	8%	3%	9%	3%	15%		45-60%
Burglary	50%	82%	55%	44%	57%	50%	64%	69%	25%	68%	57%	40%	15%		30-45%
Collisions	3%	6%	5%	3%	2%	8%	9%	12%	3%	3%	7%	3%	8%		15-30%
Disturbing the Peace	17%	24%	20%	11%	8%	14%	9%	15%	28%	18%	13%	9%	0%		0-15%
Drugs / Alcohol Violations	17%	0%	20%	17%	3%	17%	9%	27%	13%	15%	20%	6%	31%		
DUI	7%	6%	3%	7%	8%	9%	9%	15%	8%	6%	7%	6%	23%		
Fraud & Identity Theft	20%	0%	10%	4%	15%	11%	0%	4%	3%	21%	18%	26%	0%		
Homicide	3%	0%	0%	1%	5%	8%	0%	0%	0%	3%	4%	3%	0%		
Motor Vehicle Theft	7%	12%	3%	7%	3%	5%	0%	8%	5%	0%	5%	0%	15%		
Robbery	10%	0%	13%	13%	11%	13%	0%	12%	10%	9%	5%	11%	15%		
Sex Crimes	0%	6%	5%	4%	8%	16%	0%	0%	0%	6%	11%	3%	0%		
Theft / Larceny	30%	6%	23%	26%	31%	13%	27%	12%	28%	15%	29%	20%	23%		
Traffic	47%	41%	35%	39%	29%	25%	82%	35%	48%	35%	43%	43%	39%		
Vandalism	7%	6%	5%	3%	6%	11%	9%	4%	13%	6%	2%	6%	8%		
Vehicle Break-In / Theft	40%	88%	60%	40%	55%	45%	36%	58%	55%	56%	55%	66%	77%		
Weapons	13%	6%	0%	7%	6%	6%	0%	4%	8%	18%	7%	9%	0%		
None of the above	0%	0%	5%	4%	3%	3%	0%	0%	3%	0%	0%	0%	0%		

Similarly, Figure 2 shows the percentage of respondents who identified a public safety category as one of their three priorities, grouped by in which neighborhood they work. For example, 9% of those who work in Central Houghton identified Animal Services as one of their three public safety priorities.

Figure 2: Percentage of survey respondents' identified public safety categories by neighborhood of work

	Central Houghton (11)	Everest (3)	Evergreen Hill (7)	Firm Hill (9)	Highlands (3)	Juanita (10)	Lakeview (5)	Market (11)	Moss Bay (13)	Norkirk (13)	North Rose Hill (6)	S. Rose Hill / Bridle Tr. (5)	Totem Lake (19)	
Animal Services	9%	0%	0%	0%	0%	0%	0%	18%	15%	23%	17%	0%	0%	Gradation key
Arson	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	60% +
Assault	0%	33%	14%	11%	0%	20%	0%	0%	0%	8%	0%	0%	5%	45-60%
Burglary	9%	0%	29%	22%	100%	70%	20%	9%	15%	31%	17%	60%	26%	30-45%
Collisions	0%	67%	14%	0%	0%	0%	0%	9%	15%	0%	0%	0%	5%	15-30%
Disturbing the Peace	9%	33%	14%	22%	0%	0%	20%	18%	8%	0%	0%	0%	5%	0-15%
Drugs / Alcohol Violations	46%	33%	29%	44%	0%	30%	20%	27%	31%	15%	17%	0%	5%	
DUI	0%	33%	0%	0%	0%	10%	0%	18%	8%	23%	0%	0%	26%	
Fraud & Identity Theft	9%	0%	0%	22%	33%	0%	20%	0%	0%	31%	17%	20%	5%	
Homicide	0%	0%	0%	11%	0%	0%	0%	0%	8%	0%	0%	0%	5%	
Motor Vehicle Theft	9%	0%	14%	0%	0%	20%	20%	9%	0%	0%	0%	0%	11%	
Robbery	9%	0%	14%	11%	67%	20%	20%	9%	8%	23%	0%	0%	5%	
Sex Crimes	0%	0%	0%	11%	0%	20%	0%	0%	0%	0%	0%	20%	5%	
Theft / Larceny	18%	33%	14%	11%	0%	10%	20%	0%	8%	15%	50%	20%	16%	
Traffic	36%	67%	43%	33%	0%	20%	40%	46%	46%	23%	33%	20%	47%	
Vandalism	0%	0%	0%	0%	0%	0%	20%	9%	8%	8%	0%	0%	16%	
Vehicle Break-In / Theft	46%	33%	57%	11%	67%	30%	20%	46%	39%	62%	50%	60%	42%	
Weapons	18%	0%	0%	0%	0%	0%	0%	0%	15%	8%	0%	0%	0%	
None of the above	0%	0%	14%	0%	0%	10%	20%	9%	8%	0%	17%	20%	5%	

Staff noted some key differences between reported public safety priorities for neighborhood of residence and work, including the increase in concern from those who work in Kirkland for Drugs / Alcohol Violations. However, the sample size was very small for some of the neighborhoods for those who indicated they work there, which should be taken into consideration for any potential policy decision. Neighborhoods with a lower sample size also demonstrate an opportunity for additional, targeted outreach.

By collecting public safety priorities by neighborhood, City staff can more easily identify opportunities to raise awareness of actual crime data per neighborhood, as well as crime prevention strategies that may be of interest to specific neighborhoods. Further, seeing how trends differ between the residential and business community can provide guidance on audience-specific outreach. Finally, collecting a baseline of priorities by neighborhood provides beginning data that can be utilized to support Recommendation 24 from the Police Strategic Plan:

Recommendation 24: Consider the development of Neighborhood Policing Plans with neighborhood-specific goals and measures.

QUALITATIVE INSIGHTS

Staff also collected qualitative input from open-ended survey questions, focus groups conversations, and neighborhood association and interest group meeting comments. This qualitative feedback provided staff with insight for the engagement objectives of:

- Explore effective ways for residents and businesses to better partner with the police to enhance proactive crime prevention strategies; and
- Encourage residents and businesses to work closely with the police department to maintain and strengthen trusting relationships that make our community safer.

Specifically, the survey asked respondents the following open-ended questions:

- "For your top public safety priorities, how might community members in your neighborhood better partner with the police to help prevent crime?"
- "How would the police department know that it is meeting your expectations for community policing?"
- "Any other thoughts you have about community policing?"

A listing of survey responses categorized by survey question appears in Appendix B, a listing of focus group comments appears in Appendix C, and a listing of interest group meeting comments appears in Appendix D.

Themes

Below are descriptions of the major themes identified by staff through the synthesis of survey and meeting feedback. Each theme includes one or more possible strategies, most of which were suggested by community members, some of which originated with staff. Included in the description of each possible strategy are suggested performance measures and a reference to existing recommendations identified in the Kirkland Police Strategic Plan that could be supported by that strategy.

Theme 1: Seek feedback from the community.

Community members indicated a strong desire for ways to provide input to the Police Department. This included periodic community surveys, regular in-person or digital forums for conversation, and reporting alternatives (such as maps to report hotspots for traffic violations and text or app -based reporting mechanisms). Many community members were aware of attendance at neighborhood association meetings by Command staff and pre-existing tools already used by the Department, such as the Online Reporting portal. For those community members with this wider awareness of Department practices and tools, there was an interest in broader promotion and wider usage of these pre-existing tools.

Possible Strategy 1.1: Annual online survey and focus groups

The use of an annual community survey emerged from many survey responses as a method for the Police Department to know whether it was meeting the community's expectations on community policing. Additionally, focus group participants noted that the focus group meeting itself built trust between the Police Department and the community. The City Manager's Office Civic Engagement and Communications teams could collaborate with the Police Department to annually create and distribute a community survey, conduct a series of focus groups, and prepare a report of findings.

Performance measures: number of participants; satisfaction levels and trends

Strategic Plan Recommendation supported: Recommendation 23.a – Conduct annual Community Satisfaction Surveys in addition to the bi-annual city-wide Citizen Satisfaction Survey.

Possible Strategy 1.2: Promote alternative reporting methods

Feedback indicated there did not appear to be widespread awareness of the Online Reporting portal, which offers an opportunity for promotion across the City's communication platforms. A sub-theme that emerged is a desire for a map-based tool that allowed easy reporting of suspicious or concerning activity, such as traffic violations. To address this interest, City staff could explore the use of the "Our Kirkland" constituent response management tool for community members to provide map-based feedback on hot spots or other concerns.

Performance measures: increased number of online reporting using the portal

Strategic Plan Recommendation supported: Recommendation 22.b – Improve use of social media.

Possible Strategy 1.3: Continue Neighborhood Association meeting attendance

Many survey respondents indicated appreciation for officers attending the neighborhood association meetings to provide information, answer questions, and generally build relationships. However, many respondents indicated a preference for encouraging and increasing attendance at the meetings. To the extent that attendance remains possible in the Department's operations, the City Manager's Office Civic Engagement and Communications teams could support broader promotion of Department attendance at the neighborhood association meetings. Additionally, there may be opportunities to repurpose the crime reports that are generated for the meetings to become part of a regularly-published crime dashboard (reference Possible Strategy 3.1).

Performance measures: number of meetings attended; satisfaction indicated in annual survey

Strategic Plan Recommendation supported: Recommendation 21 – Increase the frequency and depth of non-enforcement interactions with community members, building a stronger partnership with the community.

Theme 2: Getting to know our Police Department – in person and beyond.

Another major theme that emerged was a strong desire from community members to meet and get to know the officers that patrol their neighborhoods. Survey respondents indicated a preference and appreciation for in-person relationship-building opportunities like Coffee with a Cop, neighborhood association meetings, and participation in other community events. Many focus group members were unaware of these in-person activities, which provides an opportunity for enhanced promotion of those programs. Some community members identified that those in-person events, although valuable, reached a small segment of the overall community, and they expressed a desire for additional strategies to broaden connections.

Possible Strategy 2.1: Continue Community Policing events and programs

Many community members indicated appreciation for current Community Policing events, such as Coffee with a Cop and Community Academy. However, many were unaware of those opportunities. To the extent that these programs remain possible in the Department's operations, the City Manager's Office Communications team could support broader promotion of these and other events.

Performance measures: number of events and public attendance; satisfaction indicated in annual survey

Strategic Plan Recommendation supported: Recommendation 21 – Increase the frequency and depth of non-enforcement interactions with community members, building a stronger partnership with the community.

Possible Strategy 2.2: Patrol officer video series with safety tips

The City Manager's Office Communications team could collaborate with the Police Department to produce a regularly-published series of short videos that each features a different patrol officer. The format of

each video could consist of: a brief introduction of the patrol officer, what neighborhood(s) they patrol, and a quick crime prevention or safety tip on a topic of relevance to those neighborhood(s) based on survey responses and crime data. The intention of the videos would be to humanize and familiarize community members with a specific patrol officer that regularly serves their neighborhood while also providing relevant community empowerment techniques (reference "Community Empowerment" theme area below). Community members provided several possible topics for crime prevention tips, which are listed in Appendix E.

Performance measure: number of video views

Strategic Plan Recommendation supported: Recommendation 22.b – Improve use of social media.

This possible strategy could also be used to support "Recommendation 2 – Community Outreach" of the Kirkland Police Department Mental and Emotional Health Response Improvement Team, the final report of which is available as an attachment to the September 3, 2019 staff report on the Mental Health and Community Crisis Intervention Framework (also a separate attachment to this Performance Management Update agenda item). Additionally, this possible strategy could be used to support three of the 12 "top ideas" identified in the [Gun Safety and Community Safety Outreach Findings Report](#), which was presented to City Council on July 17, 2018. The three "top ideas" of Firearm Safety Awareness Campaign, Firearm Ownership Training Program, and Mental Health Awareness Campaign emerged from the town hall event and nine focus groups conducted during the June 2018 civic conversation on Gun Safety and Community Safety, and each have elements that could be supported by this possible strategy.

Theme 3: Share data trends and stories of police activity.

Similar to "Theme 1: Seek feedback from the community", there was a strong interest from community members to learn about current crime trends, particularly in their neighborhood. Although current crime information is available via the Police Department's Crime Mapping website, many community members were unaware of this resource. Additionally, community members sought broader information about police activity beyond that provided in the Crime Mapping webpage, citing various news outlets' police blotter segments or similar police activity narratives.

Possible Strategy 3.1: Publish a regular crime report dashboard

Utilizing pre-existing communication platforms such as the City's *This Week in Kirkland* email newsletter and social media channels, the City Manager's Office Communications team could collaborate with Police Department public information officers to create a brief, standardized report that provides neighborhood-based crime data from a set timeframe. This "dashboard report" could mirror the "Alerts" created and sent by the Online Crime Mapping website, the reports generated for Command staff attendance at neighborhood association meetings, and/or the Quarterly Crime Summaries provided to the Public Safety Council Committee. Additionally, this brief report could be accompanied by very short narratives of prominent police activity to bring awareness to the work of the Police Department. Finally, this segment could provide links to the Community Crime Mapping webpage and a schedule of up-coming visits of police officers at neighborhood association meetings.

Performance measure: number of views

Strategic Plan Recommendation supported: Recommendation 22.b – Improve use of social media.

Theme 4: Patrol Officer visibility and accessibility.

Another strong theme from both the survey respondents and focus group attendees was the feeling that police officers being in their vehicles can, in some instances, be a barrier to community members interacting with police officers. The desire to have patrol officers on foot, bikes, or horses was a common interest, with a specific emphasis on encouraging informal interactions. Relatedly, community members also recognized that officers may be responding to certain categories of calls for which other specialized personnel may be better suited, such as calls related to mental health concerns.

Possible Strategy 4.1: Focus patrol officers on calls needing a police officer

The Kirkland Police Department Mental and Emotional Health Response Improvement Team identified that a significant burden is placed on patrol officers to respond to calls related to mental health. Many of the recommendations identified in the Mental and Emotional Health Response Improvement Team final report support freeing some patrol officer time by referring mental health and/or other calls that don't need a police response to the Police Department's mental health professional. To the extent that such referrals result in unallocated time, Department operations could explore ways to encourage patrol officers to spend part of their shift outside of their vehicle, when and where appropriate.

Performance measure: number of calls handled by a mental health professional

Strategic Plan Recommendations supported: Recommendation 4 – Increase Patrol capacity to create time for preventive, data-driven policing and directed patrol; Recommendation 31 – Increase Department capacity and expertise for handling increasing behavioral and mental health challenges.

Theme 5: Empower the community to help prevent crime.

The last major theme from survey respondents and focus group attendees was that the community could and wanted to do more to help prevent crime but were unsure how to best do so. One common idea was the Police Department providing crime-specific prevention tips or other safety advice. Another common idea was the creation of a Neighborhood Watch or similar program to help foster neighbor-to-neighbor relationships that could support neighborhoods being safer.

Possible Strategy 5.1: Patrol officer video series with safety tips (see Possible Strategy 2.2)

Possible Strategy 5.2: Explore implementation of a Neighborhood Watch program

With the addition of a second Neighborhood Resource Officer, the Department could explore the implementation of a Neighborhood Watch or similar program. Such a program could be integrated with the possible development of Neighborhood Policing Plans. Utilizing other neighborhood-level programs already supported by the City, such as the Map Your Neighborhood program and Community Emergency Response Teams, as well as the neighborhood associations, could help spread awareness by leveraging existing community networks and strengthen these other civic efforts. Additional collaboration with the PTSA's and other organizations could further expand the reach of this possible program.

Performance measure: number of participants in prevention programs

Strategic Plan Recommendation supported: Recommendation 24 – Consider the development of Neighborhood Policing Plans with neighborhood-specific goals and measures.

Beyond the above five themes, additional emergent themes for further consideration include:

- Utilizing permanent, satellite police stations spread throughout the city. If permanent locations are infeasible, instead use pop-up stations at various community locations.
- Using speed cameras to administer speeding tickets.
- Supporting a subsidized locking mailbox program, with specific references to the City of Seatac's program: <http://www.seatacwa.gov/government/city-departments/mailbox-program>

Appendix A: Demographic Profile of Survey Responses

Appendix B: Open-Ended Survey Responses

Appendix C: Focus Group Notes

Appendix D: Interest Group Meeting Notes

Appendix E: Education Topics Identified by Community Members

Appendix F: Written Public Comments

Appendix A: Demographic Profile of Survey Responses

DEMOGRAPHIC CATEGORY	Survey Responses¹	Census Estimates²
Neighborhood³		
North	36.7%	56.2%
Central	35.8%	19.5%
South	26.3%	24.3%
Outside Kirkland	1.2%	--
Housing Situation		
Rent	9.9%	36.1%
Own	89.6%	63.9%
Unhoused	0.5%	--
Age⁴		
Under 20	0%	22.3%
25-35	7.5%	22.2%
35-50	32.7%	22.5%
50-65	36.0%	19.9%
65+	23.8%	13.1%
Race/ethnicity⁵		
American Indian and Alaska Native	2.6%	0.3%
Asian	7.6%	17.4%
Black or African American	1.8%	2.4%
Native Hawaiian and Other Pacific Islander	0.3%	0.5%
Hispanic or Latino	2.9%	7.0%
White	84.1%	81.9%
Some other race	0.8%	2.3%

¹ Excluding those who chose not to answer the optional demographic questions

² Source: 2017 American Community Survey (ACS), Demographic and Housing Estimates

³ Neighborhood population estimates computed by staff based on ACS data and housing units per neighborhood association boundary.

⁴ Survey data collection age categories not parallel with Census data collection methods. Staff computed age estimates based on ACS data.

⁵ Survey data collection methods differed from Census methods.

Appendix B: Open-Ended Survey Responses

Question: For your top public safety priorities, how might community members in your neighborhood better partner with the police to help prevent crime?

Respondents were provided text boxes associated with each of their public safety priorities.

Burglary

- Neighbors watching out for each other
- Hospital needs better security
- Improved home security/assist in setting up neighborhood watch
- Non emergency reporting mechanism
- Neighborhood crime watch
- Neighborhood Watch
- Create community watch groups/phone trees to keep watch over neighbors homes when away or on holiday
- More patrols of neighborhoods
- More patrols in the area & cameras
- Programs @ school PTSA , More speed radar along cut through routes, more patrols along 108th 68th,52/53rd and side streets, i.e more visibility.
- We need to come up with a better plan to get neighbors more involved and active in our neighborhoods. People need to be more proactive when they see something that looks suspicious.
- Call and report suspicious
- Create and maintain a two-way discussion on the KPD website, where residents can report suspicious activity, or ask questions of KPD, and KPD can report on crime trends and things to watch for.
- I appreciate an officer coming to neighborhood meetings. Perhaps more officers on foot, in denser neighborhoods during the day for part of their shift.
- More police out of their cars that you can talk to. Better use of ring and camera technology
- Activities to speak with police - like the more coffee with police.
- Be aware of unusual and suspicious activity and report to police.
- Improve enforcement of traffic laws eg. running red lights, crosswalk violations and illegal parking.
- Please proactively address homelessness. Kirkland is currently a safe neighborhood, but can be susceptible to increased levels of crime if homelessness prevention is not on its radar.
- By being visible.
- Police need to be more present in neighborhood during commute times.
- I like that the police come to our neighborhood meetings. I would like to see regular patrols/presence in the neighborhood. fo there are points of contact for our neighborhood may be let us know and have an introduction to them @neighborhood meeting.
- Lock doors and windows; keep valuables inside and out of sight; burglar alarms and cameras
- Better information sharing
- Alarm systems, lighting, look out for your neighbos, lock your cars
- Set up contact list, have one person be the leader, all activity is reported to the leader, leader will contact 911
- patrols
- More information exchange. Website and weekly paper and monthly meetings are a good start
- Don't want theft/breakins to speeding.
- Communicate
- Keep informing people to report problems even if it does not reach the level of emergency. Have visible patrols in the neighborhoods.
- Coninue to engage with neighborhood associations. Put more emphasis educating citizens in protecting property.
- Traffic patrol / speeding (Radar). Info on setting up home security systems or ways to discourage home burglaries.
- Watchful neighbors.

- calling the police when we/they see suspicious activity
- crime watch
- visibility and prosecution
- Report suspected activity to police
- When a break-in occurs, have us check our cameras... Need current trends so we know how to protect ourselves... What does and does not work?
- No idea
- Help to organize Neighborhood Watch groups
- Report suspicious activity to the police
- Don't know, I guess if you see something then say something.
- Lock doors and post signs about neighborhood watch
- Security cameras,
- Monitored Alarms Installed
- Identify and notify me of burglary patterns near my home: not just that it happened, but what is similar in each situation (i.e., secluded home, poorly lit property, doors not locked, etc.)
- Crime watch
- People in the neighborhood are already vigilant. A stronger police presence would likely discourage burglars.
- Police presence
- Neighborhood-watch style collaboration
- use MYN to communicate with each other in neighborhood
- neighborhood crime watch programs
- Neighborhood block parties including police
- No idea, I feel like we call every time we see something.
- Education?
- Report suspicious activity
- Cameras
- Lock doors and windows
- ?
- Community watch programs
- Be vigilant, install an alarm system, keep an eye out for suspicious activity.
- neighborhood watch
- shoot burglars
- proactive reporting
- More neighborhood patrol's
- Establish neighborhood watches
- Have an officer come to the neighborhood meetings just to hear concerns before and after meetings.
- Bulk purchase of locking mail boxes to offer to citizens at a reduced rate- Seatac is doing this.
- Alert neighbors
- neighborhood patrols
- Neighborhood watch
- Report suspicious activity, capture and share on recording device like Ring.
- Better communication- Less multimedia, more posters or signs or flyers.
- Quick and easy reporting process and feed back.
- neighborhood watch or get to know neighbors
- Non-emergency phone or website to report suspicious activity.
- better house and street lights. Juanita streets are dark. report incidents
- Block watch and officer known to the community
- Neighborhood watch
- Education on preventative measures, incident awareness, stepped up apprehension and stiffer penalties
- My alarm notified neighbors, not the police
- Be aware of what's going on in the neighborhood and report suspicious behavior
- ?
- Expect police to investigate and follow through

- Lock windows; bright porch lighting; burglar alarms; reduce bushes around windows; install deeper deadbolts; put metal plates over deadbolt
- Utilize all the great data being gathered via Ring cameras and utilize this technology to proactively reduce the issue with burglary and theft.
- June 22 , June 15 meetings
- Make sure people are encouraged to contact police with concerns. I think people tend to talk themselves out of getting involved.
- prosecute and enforce sentences
- If you see something, say something, and get to know your community.
- Report crimes
- block watch
- Lights on
- neighborhood watch
- Follow safety procedures/lock doors, stay aware
- Neighborhood watch and police presence
- Neighborhood watch. Reporting unusual activity
- locking doors and keeping outside of homes well lit
- More police driving through neighborhoods
- neighborhood watch
- Surveillance cameras
- I don't know.
- Stay Alert
- Good Neighborhood watch
- Regular police presence for deterrent
- Be aware of surroundings, lock homes and car doors
- Be visible - in areas where . crime is . 2. Start ticketing on State ST and Lake WA blvd. 3. Mobilize a Moss bay interest group (volunteers) to identify the partnership and role in scope. 4. Identify the vision, create strategy.
- Communication via technology- emails etc. This may exist. I am new to the area.
- Beat cops, bike cops, equestrian , al these would make it easier for the communities to interface with the police.
- Security camera footage for package and mail theft
- Attend neighborhood meetings, provide data to the community on what the crime trends look like, schedule more community touch points to get face time with the residents. I don't actually know what the priorities of the Kirkland PD are and where resources are spent the most within the community.
- Make it easier to report a crime on your web site
- Let police know when you are out of town so they can drive by and be a visual deterrent
- Don't ignore what you see happening call non emergency police and report it.
- More presence of police cars patrolling various areas of the neighborhood.
- More police officers informally walking around the neighborhood and engaging with people, especially around Peter Kirk school.
- Train some citizens to deal directly with low risk crimes. Increase engagement and awareness levels (attendance today is only 16)
- Watch out for out-of-the-ordinary actions.
- Profiling anyone who doesn't belong.
- Crime watch
- small neighborhood police station outposts located away from Totem Lake
- lock doors, neighborhood/porch lighting/neighborhood watch groups
- More police presence...follow up on all of the videos being posted.
- Increase patrols in the neighborhood. So much package/mail theft. Seems like more visible officers would discourage?
- secure belongings
- Security cameras
- Work with law enforcement on a low effort, streamilned way to report suspected activity
- More patrols and crime watch signs
- More light installations on the street

- Report the crime and suspicious activities
- More police cars driving around
- It would be helpful to start with knowing extent of crime / more transparency re statistics and incidents. Until we were burglary crime victims last month , I was unaware of what I now perceive to be a serious problem.
- Neighborhood watch /cert collaboration
- Report suspicious activity
- Neighborhood watch
- Neighborhood Crime Watch
- More police presence
- Neighborhood watch prigrams
- not sure, seems like people already report what they see
- Neighborhood crime watch .Educate the public on how things can help.
- Police track Nextdoor Ap conversations and use home videos, get homeless persons into shelter
- Not sure what else needs to be done here. Everyone needs to be more vigilant in making their house and car safe.
- do neighborhood watch meetings
- It seems like SRH/BT is underserved , all the city's resources are being deviated to the annexation areas.
- get a monitored alarm and a dog
- Attend Neighborhood Watch-type training
- Report incidents (including suspicious activity) through appropriate channels

Vehicle Break-In / Theft (Car prowl)

- be smart about parking
- Neighborhood watch. Bait vehicles.
- Enforcement of neighborhood parking- garage not street
- Prohibit free parking.
- encourage people to get their junk out of the garage and park their car inside
- Programs @ school PTSA , More speed radar along cut through routes, more patrols along 108th 68th,52/53rd and side streets, i.e more visibility.
- Call and report suspicious
- Encourage community members to report suspicious activity to each other and to KPD, and to alert neighbors when a vehicle is left unlocked, or valuables are left in sight in vehicles.
- Utilize an email list and begin communication to identify the problems
- I appreciate an officer coming to neighborhood meetings. Perhaps more officers on foot, in denser neighborhoods during the day for part of their shift.
- More police out of their cars that you can talk to. Better use of ring and camera technology
- Activities to speak with police - like the more coffee with police.
- Be aware of unusual and suspicious activity and report to police.
- Improve enforcement of traffic laws eg. running red lights, crosswalk violations and illegal parking
- Please proactively address homelessness. Kirkland is currently a safe neighborhood, but can be susceptible to increased levels of crime if homelessness prevention is not on its rada
- By being visible.
- I like that the police come to our neighborhood meetings. I would like to see regular patrols/presence in the neighborhood. fo there are points of contact for our neighborhood may be let us know and have an introduction to them @neighborhood meeting.
- Regular community meeting involvement, in general and to address specific topics ie. education on preventing break ins or a particular traffic or parking issue in neighborhood
- Lock vehicles; don't leave valuables in cars; keep valuables out of sight
- Better information sharing
- Lock cars, leave nothing ... we have people living in the woods and I think they are desperate. Policing the woods regularly might help. Citizens should not approach, but could report suspicious activity.
- More patrol at night
- Crackdown on illegal parking.
- Community involvement neighborhood crime watch system with signage
- publicize age groups of the perpetrators

- Crime prevention training and reminders. Facilitate installation of locked mailboxes (many folks have no idea how to get it done). More neighborhood traffic control outreach.
- Keep informing people to report problems even if it does not reach the level of emergency. Have visible patrols in the neighborhoods.
- Traffic patrol / speeding (Radar). Info on setting up home security systems or ways to discourage home burglaries
- Lock cars, have surveillance cameras, don't leave valuables in the cars, have watchful neighbors.
- lock car?
- crime watch
- Report suspected activity to police
- Talk to each other
- I am in a coulda sac so I don't have an issue but it seems to happen along the major roads, am afraid it will venture into our peaceful neighborhood
- Check neighboring cameras, awareness of methods like vehicle key relays, etc...
- No idea
- Help to organize neighborhood watch groups
- Report suspicious activity to the police
- More patrolling
- Identify and notify me of car prowl patterns near my home.
- Police presence
- Neighborhood-watch style collaboration
- use MYN to communicate with each other in neighborhood
- See Theft/Larceny
- Report suspicious activity
- Lock doors, don't leave valuables in car
- Same as above
- get the people in one house committing the crime to move away.
- Police presence
- Lock car
- ?
- reminders to keep your cars locked. Frequent patrols through cul de sacs
- Community watch programs
- Make sure your car is locked and the alarm is armed.
- shoot criminals
- Night time neighborhood patrol's
- Better education about how to prevent
- Neighborhood watch groups
- Bulk purchase of locking mail boxes to offer to citizens at a reduced rate- Seatac is doing this
- neighborhood watch programs
- Alert neighbors
- Same as burglary
- Better communication- Less multimedia, more posters or signs or flyers
- Better neighborhood communication within the neighborhoods
- a way to notify neighborhoods when there is a problem
- Non-emergency phone or website to report suspicious activity.
- better lights. take preventative measures such as taking all valuables and make it an unprofitable neighborhood
- Video surveillance, neighborhood watches, more communication when a crime has occurred.
- Cameras
- Keep doors locked, valuables out of vehicles, bait cars when it is clear a person or persons are systematically working a neighborhood or street
- Be aware of what's going on in the neighborhood and report suspicious behavior
- ?
- Expect police to investigate and follow through
- Greater random visibility of police presence

- Not sure. Maybe encourage more neighborhood watch groups? Encourage better lighting or security cameras on private property.
- Neighborhood watch and reporting of prowlers
- s it on the "community " to better partner with law enforcement or is it on law enforcement to better partner with communities ?
- Make sure people are encouraged to contact police with concerns. I think people tend to talk themselves out of getting involved.
- public contact with suspicious activity
- Keep an eye out for odd events or people
- If you see something, say something, and get to know your community.
- don't leave valuables in autos
- Make more neighborhood known officers available
- No idea, more slow driving through neighborhoods, windows rolled down, invite conversation
- neighborhood watch
- Report
- Evening patrol.
- reporting behavior that appears suspect
- Same
- Quicker way to report directly to KPD instead of going through NorCom
- Citizens should become more comfortable calling 911.
- Surveillance cameras
- All community police need to walk a beat, get to know their citizens. instead of arresting a homeless person or putting them on bus to Seattle take them to a shelter or food bank. need a mens shelter here. Tent City 3 not enough. Take drug users to Evergreen Public hospital instead of arresting them for drug pisseession or sales. try to get these people help rather than filling up our jails and courts. TALK to people of color, homeless, drug users - try to help them rather than harrass or arrest them. Ve proactive rather than reactive (911). need to walk a beat and meet and talk to the people. be a part of our community - not driving around in a car handing out tickets.
- Patrols. The downtown library is a known drug hangout and car breakins
- not to leave valuables or garage door openers in the car and inform police about the break-in or theft
- vigilance & reporting
- Neighbor patrols at night and middle of the day.
- From my perspective, Kirkland is a safe place to live and pretty well managed. I walk my dog around downtown Kirkland at all hours and never feel insecure, even though there were few homeless people taking shelter where they can.
- Fast reporting/response of suspicious persons via app or 911
- Motion lights, security cameras
- Establish a small police station in each Kirkland neighborhood
- Be visible - in areas where . crime is . 2. Start ticketing on State ST and Lake WA blvd. 3. Mobilize a Moss bay interest group (volunteers) to identify the partnership and role in scope. 4. Identify the vision, create strategy.
- Communication via technology- emails etc. This may exist. I am new to the area.
- More frequent patrols day and night on neighborhood streets. Increased visibility of police. Moss bay includes fountain bars. A presence to discourage alcoho field fights, drunk driving and noise would be helpful.
- Lock doors
- Give a phone number we can call to get a car drive by when we think something is up with out it being an emergency number. Park off the street with better lighting usage. More street lights
- Don't leave valuables in plain sight in your car and lock your vehicle!
- Get Ring Cam or other device.
- Locking our cars, not leaving valuables in cars.
- Lock cars, illuminate parking areas
- ore presence of police cars patrolling various areas of the neighborhood.
- More police officers informally walking around the neighborhood and engaging with people, especially around Peter Kirk school.
- Train some citizens to deal directly with low risk crimes. Increase engagement and awareness levels (attendance today is only 16)

- ?
- As above, cameras as well as notification by police to residents if car prowls increasing.
- Lock cars
- Actually convict offenders-there is no deterrent, more after hrs visibility
- small neighborhood police station outposts located away from Totem Lake
- lock vehicles, nothing of value in sight - we have become an easy target because of lazy vehicle owners
- increase night checks by police
- Report incidences and security cameras
- More patrols
- More police petrol
- Send the police photos if have one
- Report the crime and suspicious activities
- Police car patrols
- neighborhood watch
- increase police surveillance
- It would be helpful to start with knowing extent of crime / more transparency re statistics and incidents. Until we were burglary crime victims last month , I was unaware of what I now perceive to be a serious problem
- Neighborhood watch
- Educate public to lock doors and not leave valuables, more patrolling
- Neighborhood watch program
- Neighborhood Watch
- Police work with community to use home camera videos, Nextdoor Ap
- more presence of uniformed police
- allow greater police presence/patrolling in neighborhood
- Realtors notify neighbors on a street when they will be having open houses; rental properties notify neighbors of vehicles moving into the neighborhood
- reporting
- report all incidents to police
- May be- periodic sit down meetings with resource officer, chief and patrol (or other admin)- just for our hood.
- I would be willing to offer a bait car with tracking
- Attend Neighborhood Watch-type training
- Don't leave valuables in sight. Park in lighted areas.
- Figure out ways to add more patrolling and engage with home owners by stopping at homes and introducing themselves. Additionally help with getting communities organized with email distribution lists of neighbors along with phone numbers and names as people may be willing to share to the kirkland PD.
- I don't know how community can stop these crimes
- Same
- working with local services agency that already serve these populations to see how to increase their safety
- police patrol after dark and before sunrise
- Neighborhood watch

Traffic

- Speed bumps to slow traffic flow
- Stop increasing road capacity.
- No idea, but all of the building in the area is going to make this a nightmare
- No free parking in any public spaces.
- Fully funded public transit, free at point of use.
- Incentives for non-car commuting.
- Limit construction to times that there are less commuters out.
- Build bike and public transit infrastructure to discourage car use.
- I'm not sure. Perhaps by knowing the peak times for traffic through our downtown and avoiding those times. It's just that we don't have many alternate routes.
- walk more; drive less
- patrol neighborhoods and or report violations of our traffic laws

- Community can hear from police what they can do to help specifically for each crime (eg. what to look for, what to report, trends that are happening)
- Programs @ school PTSA , More speed radar along cut through routes, more patrols along 108th 68th, 52/53rd and side streets, i.e more visibility.
- We need to come up with a better plan to get neighbors more involved and active in our neighborhoods. People need to be more proactive when they see something that looks suspicious.
- Get more neighborhoods involved , police could be more involved with planning festivals where alcohol is served. Something has to be done about public Marijuana use and designate public smoking shacks for cigarettes.
- Respect the traffic laws
- My concern regarding collision/traffic is not related to the quantity of traffic rather driver's disregard for the safety of pedestrians and cyclists. I am uncertain how the community can better partner as its the community that drives unsafely
- Utilize an email list and begin communication to identify the problems.
- Improve enforcement of traffic laws eg. running red lights, crosswalk violations and illegal parking
- Police need to be more present in neighborhood during commute times.
- I like that the police come to our neighborhood meetings. I would like to see regular patrols/presence in the neighborhood. fo there are points of contact for our neighborhood may be let us know and have an introduction to them @neighborhood meeting.
- Regular community meeting involvement, in general and to address specific topics ie. education on preventing break ins or a particular traffic or parking issue in neighborhood.
- Speeding through High Woodlands is constant. Even with the signs screaming "slow down", drivers still go 10 - 15 miles over the speed limit.
- Change safeway entrance next to KRM into ENTER ONLY
- Need more speed control on the streets and ways to get cut through traffic to take major thoroughfares
- restrict through traffice up 117th place to 160
- Crime prevention training and reminders. Facilitate installation of locked mailboxes (many folks have no idea how to get it done). More neighborhood traffic control outreach.
- More information exchange. Website and weekly paper and monthly meetings are a good start
- Coninue to engage with neighborhood associations. Put more emphasis educating citizens in protecting property
- Traffic patrol / speeding (Radar). Info on setting up home security systems or ways to discourage home burglaries
- more reporting
- "
- Speed bumps, cars driving too fast in neighborhoods without sidewalks
- Stronger distracted driving penalties
- Citizens jotting down license plate numbers and our Finn Hill facebook page.
- Reckless driving and speeding on arterials entering/exiting neighborhoods needs to be addressed. Safeway hill, Albertsons hill, Simonds- Too much emphasis is put on cherry picked tickets. Juanita Beach seems to constantly have a cop there to ticket someone going 5 mph over, or a dim headlight, expired tabs. Same with cops parked in HOV zones- Meanwhile, real traffic offenses are happening where people and pets live. Aggressive driving on freeways is increasing with our overpopulation. Tailgating, passing in no passing zones, super loud cars and motorcycles- Residents see this all the time and wonder where the police are.
- ???
- This is mostly a city-planning/road-planning issue. Building endless apartment buildings and subdivisions will make problem substantially worse
- report speeding vehicles hot spots to non-emergency number
- Well, I do know the Sandburg Elementary past and current Principals have requested the police monitor all traffics issues around the school in the morning and afternoon hours when kids are walking to or from school. The school crossing guards could write down license plate numbers and other residents in the area could do the same and notify the Kirkland Police Department. Not that these issues are exclusive to children. Adults walking and driving experience these same issue with drivers simply running stop signs as if they are optional.
- Patrol arterials that have the highest incidents of stop sign running.
- volunteers with radar guns
- Report speeders/request speed bumps
- LOL Abide by the rules of the road?!!

- Education?
- Online traffic alternatives when there are slowdowns
- Enforce texting/distracted driving laws, especially along Juanita Drive. (been rear-ended twice)
- slow down and respect their neighbors.
- Bring more attention to speed limit and stop sign. IEP, flags on stop signs and speed monitors.
- Better communication- Less multimedia, more posters or signs or flyers
- Better neighborhood communication within the neighborhoods.
- ticket bicycles that don't follow the rules
- Running stoplights at Ne 116 and 98 ave
- neighbors could use speed guns to monitor excess speeds on residential streets. Police could send warning letters to offenders.
- s it on the "community " to better partner with law enforcement or is it on law enforcement to better partner with communities ?
- Dare to call out asshole drivers
- educate about mail theft, online security education
- No idea, more slow driving through neighborhoods, windows rolled down, invite conversation
- Slow down and take public transport
- identify speeders & those passing others despite double yellow lines
- Don't park cars close to corners and traffic signs. They block traffic and cause dangerous congestion.
- Encourage ride sharing, alternative forms of transportation (walking, biking, transit), and encourage the safety and infrastructure that would make those options viable and attractive.
- speeding signs
- Install flashing ped walk signs at all mid block crosswalks. get rid of antiquated flags before someone is killed. enforce speed limits
- Need to change one of the N/S streets so middle lane is drivable and reverses with commute
- Ask cars to obey signals and Pedestrians flags
- One of the new community police officers needs to walk a beat in downtown Kirkland from 8 am to 2 pm daily and listen to citizen and business concerns and bring those to council. ,officer needs to espond to concerns before dispatched by 911. the crosswalks are dangerous. the library often has mentally ill people hanging out. car prowls and breakins numerous downtown. crosswalks in downtown need the new flashing light crosswalks. traffic downtown tripled as evidenced by all the new traffic lights. the antiquated flags are not enough. i have almost been hit numerous times by drivers speeding to make a green light. Change needed before someone is killed and sues city. i called to complain and told new crosswalks too expensive. if you can find funds for traffic light you can find funds for crosswalk lights
- Neighbor patrols at night and middle of the day.
- From my perspective, Kirkland is a safe place to live and pretty well managed. I walk my dog around downtown Kirkland at all hours and never feel insecure, even though there were few homeless people taking shelter where they can.
- Crosswalk flags already help; continue and expand the locations for them
- Establish a small police station in each Kirkland neighborhood
- Be visible - in areas where . crime is . 2. Start ticketing on State ST and Lake WA blvd. 3.Mobilize a Moss bay interest group (volunteers) to identify the partnership and role in scope. 4. Identify the vision, create strategy.
- Drive better
- Identify specific places and issues
- Safer driving, observing speed limits and any detour routes
- Slow down! Correctly navigate traffic circles, some way to prevent/catch/fine cut-thru speeders on my (should be) quiet residential street
- Mitigate the log jams on Lake, 3rd Street and Central
- Drive safely
- More police officers informally walking around the neighborhood and engaging with people, especially around Peter Kirk school.
- See a policeman actually enforcing speed limits in our neighborhood?
- Increase patrols in the neighborhood. So much package/mail theft. Seems like more visible officers would discourage?
- Encourage folks to use the freeway instead of the neighborhood

- better placed speed humps
- Improved traffic flows on 124th Ave NE
- Obey traffic laws/regulations, respect other drivers
- with increased development, ensuring proper street lights at intersections, flags at crosswalks, clear pedestrian walkways
- Well lit streets and crosswalks
- Stop building high density homes with infrastructure to support the building
- Enforce traffic laws, speed limit, etc
- Neighborhood watch /cert collaboration
- Neighborhood watch
- slow drivers down on 128th av ne
- Speeding on side streets while construction is being done of main streets is dangerous. Ticketing repeat offenders?
- No answer
- How can neighbors support speed limit enforcement on NE 70th street and traffic calming on feeder streets to the main arterial in the neighborhood? Regular schedule of volunteers to operate the mobile speed trailer?
- We need the city to act on ways to slow the traffic and more ways of making people accountable for violating the speeding laws. I would love to see a stop light on NE 70th and 122nd for starters.
- need more police presence on busy streets
- request speeding emphasis patrons
- I have no idea.. With all due respect, aren't you supposed to be the experts in this field :-)
- Cars racing late at night, and driving fast around neighborhoods are an issue. Community members could partner with police by notifying them of areas where this occurs most often. Perhaps a website with a map where people could easily report where these types of issues happen would be useful.
- Awareness! Much of the speeding/poor behavior is actually from locals, not just pass-through commuters
- Being patient
- Obey posted speed limits and follow basic traffic law

Theft / Larceny

- Report suspicious persons
- Clear way to use personal camera footage to find people
- police and neighborhood share what's going on on Nextdoor
- Create and maintain a two-way discussion on the KPD website, where residents can report suspicious activity, or ask questions of KPD, and KPD can report on crime trends and things to watch for.
- Minor stuff around here. Not all that bad.
- Report suspicious activity
- Bring community into a partnership with law enforcement, with potluck picnic in the park, bike safety check, meet and greet with our heroes you all.
- Crime prevention training and reminders. Facilitate installation of locked mailboxes (many folks have no idea how to get it done). More neighborhood traffic control outreach.
- Continue to engage with neighborhood associations. Put more emphasis educating citizens in protecting property
- more reporting
- Report suspected activity to police
- Sharing photos / videos
- Talk to each other
- Prevention education
- Report suspicious activity to the police
- Enforce existing laws
- If you see something, say something
- Package that is a big problem where I live and if the police were very present in the neighborhoods driving around I think that would dissuade people from trying to steal off of other people's porches. Some sort of partnership where neighbors watch out for each other would be helpful.
- Neighbors need to get out and meet their neighbors. Watch each others homes. Get to know their neighbors schedules. Police should be a presence in neighborhoods before an incident call. There are several courts and cul de

sacs in Finn Hill watch for people going door to door and especially leaving with packages. Doing so as not to profile or be biased.

- more people can get security cameras that record any theft from their yards, front doors, etc...
- Same as above plus lock doors & windows
- Police presence
- Lock doors and windows
- Secure your valuables around your home and in your car.
- proactive reporting and timely response from police
- Neighborhood watch groups?
- Get to know bartenders/owners (I am guessing you already do) Organizing a community wide mailbox upgrade discount. So a citywide discount on secure mailboxes offered by manufacturers for large number of purchases
- Bulk purchase of locking mail boxes to offer to citizens at a reduced rate- Seatac is doing this
- neighborhood watch programs
- Alert neighbors
- Quick and easy reporting process and feed back.
- Non-emergency phone or website to report suspicious activity.
- Neighborhood watches
- Not sure.
- June 22 , June 15 meetings
- s it on the "community " to better partner with law enforcement or is it on law enforcement to better partner with communities ?
- Report
- Do not leave vehicles open. Have store security
- report suspicious behavior?
- Share videos with police
- Set up neighborhood watch programs.
- Fast reporting/response of suspicious persons via app or 911
- Communication via technology- emails etc. This may exist. I am new to the area.
- More frequent patrols day and night on neighborhood streets. Increased visibility of police. Moss bay includes fountain bars. A presence to discourage alcoho field fights, drunk driving and noise would be helpful.
- Beat cops, bike cops, equestrian , al these would make it easier for the communities to interface with the police.
- Report any suspicious activities and keep a wary eye out in your neighborhoods
- Keep eyes out for and report porch pirates & car break-ins
- Train some citizens to deal directly with low risk crimes. Increase engagement and awareness levels (attendance today is only 16)
- Actually convict offenders-there is no deterrent
- Work with law enforcement on a low effort, streamilned way to report suspected activity
- More police presence
- It would be helpful to start with knowing extent of crime / more trasparency re statistics and incidents. Until we were burglary crime victims last month , I was unaware of what I now perceive to be a serious problem
- neighborhood watch
- Neighborhood Crime Watch
- Stop porch pirates - educate public on cameras available, signs that indicate cameras, etc, more patrolling of problem areas.
- Secure items
- Neighborhood Watch
- Package theft from porches is a problem, but I'm not sure what would help. More people have cameras, but does that actual help?
- reporting
- It seems like SRH/BT is underserved , all the city's resources are being deviated to the annexation areas.
- Business and community members should feel comfortable calling the police about people who may be stealing things (to prevent it before they actually do take something) and to let thieves know that people will report them.
- install and review provided legal cameras

- since new Totem Mall the crime gets closer to my address
- responsible neighbors

Disturbing the Peace

- Anonymous website reporting
- Stop loud activities at a reasonable time - control excessive dog barking
- Report noise violations. However, the police do not seem to take those seriously, in my experience
- Not fit illegal exhaust systems to motor vehicles
- Call and report suspicious
- Utilize an email list and begin communication to identify the problems.
- Please proactively address homelessness. Kirkland is currently a safe neighborhood, but can be susceptible to increased levels of crime if homelessness prevention is not on its radar
- Loud Neighbors
- Better information sharing
- Fireworks! Call the police? They're supposed to be illegal, yet year after year we live in a war zone during the 4th and New Years. I don't get it.
- Be aware that sound travels, especially late at night.
- Ease of reporting
- Don't want theft/breakins to speeding.
- Using an app to notify police
- Neighbors and I have called on year round bomb/firework explosions. We need to address the politics of firework sales (ban them completely, even over the border in Bothell where they're allowed) and meet the expectations of Kirkland residents-When we report explosions/fireworks, we want a visible response. See the cars/see the police lights at the scene, see an example of people getting fined/arrested so it discourages the behavior. Same with loud parties, burning trash/debris in the backyard during burn bans-We make the calls, but little is ever actually done. We still have teenagers throwing fireworks out of the car on 84th. This started a fire at Thoreau years back. Clearly, there was no consequence to this type of thing, because it continues to happen. I don't bother calling this in anymore because it took almost 15 minutes just to get someone here to put out the fire.
- Police need to actually ticket people for noise complaint. All they do is warn repeatedly and a warning doesn't do anything!
- Noise ordinances could be enforced. It needs to be less cumbersome to report barking dogs.
- Some of my neighbors are part of the problem.
- Report loud parties late at night / fireworks
- Have an officer come to the neighborhood meetings just to hear concerns before and after meetings
- Enforce the community rules through effective management, and communicate city noise laws clearly to all residents.
- Police patrol problem areas
- Let police know when there's rowdy activity going on
- Make more neighborhood known officers available
- Report disturbances that are repetitive
- reporting behavior that appears suspect
- reporting by neighbors, responsive police
- More police on the street
- Enforce construction, lawn service, cleaning service noise. enforce loud vehicle and music noise. CHANGE LAWS ABOUT NOISE POLLUTION - construction and cleaning M-F 8 til 5 pm. CBD IS A RESIDENTIAL NEIGHBORHOOD that City has turned into a big construction nightmare by allowing buildings over height restrictions. End gas powered leaf blowers - noise pollution and gas into environment
- we need to know the laws about muffler noise
- get rid of gas powered leaf blowers. extreme decibels (all operators wear noise cancelling headphones) gas is pollution to for environment. Change construction and cleaning services noise tolerance from 8 am til 5 pm M-F. don't forget downtown Kirkland is RESIDENTIAL neighborhood. I'm tired of eating dinner with noise and hearing cleaning crews at all hours of the night. That goes for the 6 am garbage trucks. There are way more residences than businesses downtown and the city seems to forget that. City needs to recognize downtown as a residential neighborhood and update the noise laws accordingly. I feel the mayor and council are in the back pocket of the developers to the detriment of residents. police need to realize that when it comes to noise it's not okay just cuz its

downtown And surrounding neighborhood should not be able go direct all noisy businesses downtown as we have more residents than any other neighborhood. After putting up with Urban for 4 years enough is enough. Time to take residents concerns over developers. Spend 2 weeks living next to Urban with the closed down streets and constant noise til 8 p. Then maybe you would have some empathy for us. Police need go talk to businesses that are violating noise laws after residents call to complain. city needs to update laws and let residents and contractors know zero tolerance for noise violations. one wzr ing then hefty fines.

- Call when someone is disturbing the peace, or when someone is visually agitated, give police the power to ACT
- Have regular patrols that issue noise violations on sunny days when they are likely to happen
- Specific sane hours for dumpster collection, monitor downtown bars at closing time on weekends
- ore presence of police cars patrolling various areas of the neighborhood.
- Make sure neighbors, visitors are correctly using public spaces and that builders are keeping their parcels free from debris and their workers are respecting the neighborhood and parking rules. As well as not working past the legal time of 8pm. I think all residential work sites, like the commercial ones, should have the lawd, rules posted.
- Having a presence in areas that are most affected to immediately address issues
- Neighborhood crime watch .Educate the public on how things can help.
- access to reporting fireworks violations easier
- Figure out ways to add more patrolling and engage with home owners by stopping at homes and introducing themselves. Additionally help with getting communities organized with email distribution lists of neighbors along with phone numbers and names as people may be willing to share to the kirkland PD.

Drugs / Alcohol Violations

- Don't let people under 21 have drinking parties
- Facilitate treatment access
- Community can hear from police what they can do to help specifically for each crime (eg. what to look for, what to report, trends that are happening.
- Get more neighborhoods involved , police could be more involved with planning festivals where alcohol is served. Something has to be done about public Marijuana use and designate public smoking shacks for cigarettes.
- I have lived in my place over 5 years, we need to branch out and exchange names and contact info and unite as a community to better parter with law enforcement
- Increased patrols in outlying neighborhoods
- Don't want theft/breakins to speeding
- reporting
- Provide suggests for combatting "drug houses", Help to organize neighborhood watch groups
- More police presence at parks is needed
- Enforce existing laws
- Stricter law enforcement
- notify police everytime we see people who are loitering and seem high or under the influence.
- Open cannabis use in O.O. Denny Park
- Notify police
- Zero tolerance with one strike and significant penalties enforced, proactive task force to identify drug houses and trafficking
- Report drug activities
- Report suspicious people in neighu
- Educate the public about drug,alcohol,tobacco,marijuana rules,provide tipline so people could call in dealers.
- If you see something, say something, and get to know your community.
- Report crimes
- reporting by neighbors, responsive police
- Better referrals
- Citizens should become more comfortable calling 911.
- Patrol! I rarely see patrols around downtown although drug issues are obvious
- Call when violations are seen...give police the power to DO something about this when it's seen
- Smoking marijuana in a vehicle happens far too often in downtown Kirkland and along the beachfront parks
- Same, report what you see that is not right.
- Drug dealers are moving in. The overbuilding of apartments are killing our community!

- Report suspicious activity
- More aggressive consequences for repeat violations
- More policing known drug selling sites
- Let people know the consequences of violations before they are sent to jail.
- reporting
- Schools in the area could partner with police on the issue of drugs in schools (both use and sale of drugs). Elementary schools could get more involved so that when their students progress to middle school they are more prepared for an environment where drugs are more prevalent.
- A way to quickly let police know there's an issue in a particular area so that an officer can do drive bys
- Same

Other

- Community members can educate ourselves on our town, observe and report issues, and love our neighbors.
- Training of law-enforcement personnel and community members about mental illness and de-escalation strategies. Law enforcement personnel could also meet with students of color at Northwest University.
- Follow posted speed limits
- Monitor actual speeds by schools, because there is road rage at people who follow the limit
- Kick them out and make it hades for them to come back
- Provide neighbors with a way to report vacant houses, require homeowners to secure the vacant property, and police patrol vacant property more frequently.
- Police presence
- Report to police
- volunteers with radar guns
- Again, some of my neighbors are the problem.
- training for officers. Education of public about what to do if they see someone in distress.
- Increase patrols in areas reporting thefts- these are daytime crimes generally committed when people are at work
- Everyone should have a locking mailbox
- education, signage, improved street markings
- Drive slower and stop at crosswalks / intersections reliably
- No idea but it's a huge problem in our neighborhood. Maybe the automated cameras that give tickets to speeders through mail.
- Enforcement of rules not just for motor vehicles, but cyclists and pedestrians - foot and cycling traffic need to follow rules too. I know it is small/minor in the bit scheme of things but failure to yield, speeding (cyclists), running red lights is equally dangerous
- Reach out directly to parents, the PTSA, administrators to discuss ways to keep our schools safer. Be physically present on campus every day
- anti panhandling, no camping in public areas.
- Dare to call out asshole drivers
- Communicating to police & city about the need. This is a walking neighborhood and as such our side walks and crosswalks need to be safe.
- Share videos with police and inform police about the break-in or theft
- Fast reporting/response of suspicious persons via app or 911
- Educate community on what is being done (or not)
- Additional police patrol officers, especially at night would be helpful.
- Use crosswalks and flags
- Actually remove homeless from streets, parks, freeways, there is no deterrent
- regular patrols of some of Kirkland's larger parks: Peter Kirk, Crestwoods, etc. Take reports of homeless activity seriously.
- They are trashing our beautiful community...smoking in front of the library, sleeping in our city park, begging, going through dumpsters. Get a job!
- Be educated and take actions about the traffic hazards and liabilities due to their ignorance or inaction.
- Send the police photos from ring
- Enforce codes currently on the books.

- Police track neighborhood share sites like Buy Nothing to know who is going where. Police track calls made on specific individuals by individuals and recognize when fake calls are being made and NOT harass the victim, but speak to the perpetrator about this.
- allow spot-checked community review of random body camera video; transparent reporting of all body camera outages

Fraud & Identity Theft

- We need to come up with a better plan to get neighbors more involved and active in our neighborhoods. People need to be more proactive when they see something that looks suspicious.
- Locking mailboxes; strong passwords; education to recognize phishing and other online fraud attacks
- Partner with local businesses to actively monitor and patrol businesses to ensure everyone's safety.
- Improve passwords and wifi security classes
- We have a lot of mail theft here....not sure what the solution is.
- Police presence. Mailbox break-ins
- ?
- shoot criminals
- Get to know bartenders/owners (I am guessing you already do) Organizing a community wide mailbox upgrade discount. So a citywide discount on secure mailboxes offered by manufacturers for large number of purchases
- Protect mail
- Report all mail theft / keep a close eye on suspicious vehicles and individuals in neighborhood
- June 22 , June 15 meetings
- Is it on the "community " to better partner with law enforcement or is it on law enforcement to better partner with communities ?
- Make sure people are encouraged to contact police with concerns. I think people tend to talk themselves out of getting involved.
- Educate on simple, actionable prevention strategies
- educate about mail theft, online security education
- Locking mailboxes
- ?
- Locking mail boxes and reporting suspicious people
- Actually convict offenders-there is no deterrent
- locking mailboxes/report those committing fraud to police
- mailbox security, programs
- Work with law enforcement on a low effort, streamlined way to report suspected activity
- Report the crime and suspicious activities
- ?? Not sure. Stop mailbox vandalism and mail theft
- Police could encourage the adoption of locking mailboxes by connecting groups of neighbors with others who have already made the transition.
- Locking mailboxes
- Neighborhood crime watch .Educate the public on how things can help.
- Not sure. We've had a number of mailbox break ins but other than advice about the most tamper proof types of locking mailboxes, I'm not sure.
- Assist in changing out mailboxes to ones that can't be broken into, assist when issues
- May be- periodic sit down meetings with resource officer, chief and patrol (or other admin)- just for our hood.

Robbery

- Clear way to use camera footage to find people
- Police support of personal/business protection.
- Communicate
- Be prepared to defend ourselves.
- visibility and prosecution
- More patrolling
- If you see something, say something
- Watchfulness

- Encourage people to use "Next Door" website to make people aware
- training about letting people who knock on your door know that you are home. Frequent patrols through cul de sacs
- Alert neighbors
- Not sure
- better lights for homes and streets. report incidents and make it easy to see/find
- Greater random visibility of police presence
- Walk with others or a dog; carry a whistle; maintain awareness of bushes near sidewalks as well as parked cars;
- Same
- Good Neighborhood watch
- Unknown but home invasion scares our house hold.
- Block watches, keeping doors and windows locked.
- Have more cameras.
- Adding cameras
- increase police surveillance
- stop unwanted solicitors of magazines etc
- have situational awareness, defend your loved ones
- Figure out ways to add more patrolling and engage with home owners by stopping at homes and introducing themselves. Additionally help with getting communities organized with email distribution lists of neighbors along with phone numbers and names as people may be willing to share to the kirkland PD.
- Don't know

Weapons

- Enforcing laws on gun control
- not sure.
- Community can hear from police what they can do to help specifically for each crime (eg. what to look for, what to report, trends that are happening
- Work together to pass common sense gun laws
- No idea
- Ban assault rifles
- Pass gun laws.
- Report to police
- make getting them harder and ensure schools and public areas are safe from them
- s it on the "community " to better partner with law enforcement or is it on law enforcement to better partner with communities ?
- Public education about weapons, turn in guns, campaign for weapons awareness
- Enforce safety and education.
- This is a tough one... but getting them out of the hands of criminals is a good start, though a tough one
- strictly enforce Initiative that bans guns to all domestic abusers, etc. TALK to peoole, esp homeless people and people of color before assuming they are up to no good. Alittle conversation can go along way to understanding rather than wasting resources on arrests
- Report DV crimes so police confiscate guns from DV offenders
- Prevent small crimes that lead to more serious infractions
- City policies limiting use of weapons
- More police officers informally walking around the neighborhood and engaging with people, especially around Peter Kirk school.
- Increase patrols in the neighborhood. So much package/mail theft. Seems like more visible officers would discourage?
- Report suspicious activity
- fewer guns/more safety training

DUI

- Get more neighborhoods involved , police could be more involved with planning festivals where alocchol is served. Something has to be done about public Marijuana use and designate public smoking shacks for cigarettes.
- Put their phones down whilst driving
- By being visible.

- Don't drink and drive? Not sure how to help this one...
- Reporting suspicious drivers
- Education
- Get to know bartenders/owners (I am guessing you already do) Organizing a community wide mailbox upgrade discount. So a citywide discount on secure mailboxes offered by manufacturers for large number of purchases.
- Quick and easy reporting process and feed back.
- Police patrol problem areas
- Educate local food establishments not to serve too much alcohol
- Educate the public about drug,alcohol,tobacco,marijuana rules,provide tipline so people could call in dealers.
- Offer free volunteer rides during holidays
- Quicker way to report directly to KPD instead of going through NorCom
- Sit down near some of the busier crosswalks in town
- I have no idea.. With all due respect, aren't you supposed to be the experts in this field :-)
- Report if observed

Vandalism

- Community engagement is best way to keep vandals from doing their thing and help report suspicious activities
- Regular community meeting involvement, in general and to address specific topics ie. education on preventing break ins or a particular traffic or parking issue in neighborhood
- Have an officer come to the neighborhood meetings just to hear concerns before and after meetings
- Alert neighbors
- tagging is not okay...not sure what we can do to help you
- Block watch and officer known to the community
- Expect police to investigate and follow through
- s it on the "community " to better partner with law enforcement or is it on law enforcement to better partner with communities ?
- Easy reporting process and communcation about follow up from the Police. No black hole after reporting.
- Make more neighborhood known officers available
- to be seen in the neighborhood more
- Be visible - in areas where . crime is . 2. Start ticketing on State ST and Lake WA blvd. 3.Mobilize a Moss bay interest group (volunteers) to identify the partnership and role in scope. 4. Identify the vision, create strategy.
- Communication via technology- emails etc. This may exist. I am new to the area.
- Determine how residential security cameras can be better utilized to identify these perpetrators
- May be- periodic sit down meetings with resource officer, chief and patrol (or other admin)- just for our hood.

Animal Services

- Report dogs running unleashed on the streets and in the parks However, the police dos not seem to take those seriously, in my experience
- Let us shoot the damn Racoons
- Mailers for responsible pet ownership
- Easier way to report off leash dogs
- Educate and enforce leash laws and licensing
- No idea, more slow driving through neighborhoods, windows rolled down, invite conversation
- leash laws need to be enforced
- Contact animal control for loose animals
- Curb dogs, clean up poop, keep on their leash, please no trespooping!
- follow through with education on how to disperse chicken feed without attracting rodents
- Have Animal Control enforce the leash laws. Way too many dogs being off-leash and LW field being used as an off-leash dog park.
- report all off-leash violations to animal control officer
- Don't leave your pets unleashed, or outside alone idk

Sex Crimes

- Talk to each other
- Report to police any suspicious activity

- Make community aware of predators who live in our area. Teach children
- notification of sex offenders moving into neighborhood
- Awareness and support groups.
- Block watch and officer known to the community
- Notifying the public
- Carry an approved safety device or interlace keys between fingers; take self-defense course(s); maintain awareness of surroundings
- Educate the public about drug, alcohol, tobacco, marijuana rules, provide tipline so people could call in dealers.
- Education on warning signs for sexual slavery / exploitation, at community events, schools
- ensure awareness of sex offenders in community
- neighborhood watch
- Neighborhood watch /cert collaboration
- Attend awareness education

Assault

- number we can text if we see something.
- More police out of their cars that you can talk to. Better use of ring and camera technology.
- More information exchange. Website and weekly paper and monthly meetings are a good start.
- Communicate
- Education?
- Education on preventative measures to protect against assault
- Be aware of what's going on in the neighborhood and report suspicious behavior
- More frequent patrols day and night on neighborhood streets. Increased visibility of police. Moss bay includes fountain bars. A presence to discourage alcohol field fights, drunk driving and noise would be helpful.
- Police being more of a presence when crime is down at community events like garage sales, open houses, etc.
- perhaps more police presence in new Totem Mall
- Tougher law enforcement & penalties

Collisions

- My concern regarding collision/traffic is not related to the quantity of traffic rather driver's disregard for the safety of pedestrians and cyclists. I am uncertain how the community can better partner as its the community that drives unsafely.
- Have less disabled/ long term parked vehicles on both sides of the street. Especially on hills in residential areas where there is an elementary school and kids frequently present.
- educate about mail theft, online security education
- Obeying traffic laws, especially speed limits, and all motor vehicle laws pertaining to the pedestrian right-of-way. Create dialogue that considers the needs of all road users: children, elderly, disabled, new drivers.
- stop signs
- Drive better
- quick clearing
- Enforce traffic laws, make more 4 way stops and speed bumps so no commuter cut thru traffic
- I have no idea.. With all due respect, aren't you supposed to be the experts in this field :-)
- Drive more responsibly, communicating with police

Motor Vehicle Theft

- Activities to speak with police - like the more coffee with police.
- Improved police policy that gives officers more flexibility in pursuing stolen vehicles. Criminals know that they will likely not be pursued and are much more brazen.
- Be aware of unusual and suspicious activity and report to police.
- no idea
- Neighborhood watch
- Alert neighbors
- Community police volunteering to walk through/ ride bicycles through hot spot areas
- Establish a small police station in each Kirkland neighborhood.
- block watch and awareness of the neighborhood

None of the above

- Be friendly, care about community. Dont assume the worst of people. I'm not rich, my car is not perfect, please don't make assumptions. I care about my home and neighbors and happiness in life
- It's not there job it's the police departments job and from what I see the finn hill Nabor good watch is bs they target and gangstock
- I do not have concerns about crime as it seems low , but what I hope it would be used for is to help with domestic and dui related or minor property crimes in a more socially helpful and de criminalized way (social work).
- I don't want my community members to partner with police.

Homicide

- Knowing who lives in our neighborhoods
- Police support of personal protection
- Make Police aware of potential trouble spots i.e. domestic problems Have
- Work with the community to change the legal framework around criminals getting out of jail so easily. For example, the women who almost died in the home near Columbia athletic club, could have been prevented us our state done a better job keeping criminals behind bars. a
- block watch

Arson

- thorough investigations and prosecution
- Be watchful for suspicious people in neighborhood & report

Question: How would the police department know that it is meeting your expectations for community policing?

- Fewer incoming calls
- Crime stats go down
- At this point it wouldn't. Unless police officers are out walking the neighborhoods regularly- we only see them if there is an incident
- The police department will not meet my expectations. They have no role in a healthy society.
- Send another survey like this?
- More police usage of twitter/social media notifying the public of major crimes, requests to identify suspects, and event announcements. The animal notices are appreciated and encouraged but we would also like to know what crimes are occurring so we can increase our vigilance and awareness. We would also like to see officers profiled on social media for heroic actions, positive interactions, and cracking major cases. This would show how professional our officers are which increases confidence and trust.
- We should give you feedback. I like that you are asking, and I trust that our neighbors will give you quality ideas and that they/we will stay involved!
- Have more surveys like this
- Another survey
- They would not. There should be an app/ forum or other tool that community members can communicate to police of issues occurring in neighborhoods, without having to file a report or call in - which should be reserved for more urgent issues.
- quasirandom review of bodycam data suggest officers are well trained, curteous, and professional in interactions officers feel comfortable reporting or intervening in situation where another officer violates law or departmental policy (and are held accountable by watch commanders if they fail to do so) Officers report feeling welcome in the community Officers score well on periodic tests of psychological and physical fitness as well as assessments of policies, laws, and the protection of civil rights
- statistics I suppose, fewer complaint
- Crime reduction
- Decrease in burglaries and crime in general.
- Decrease in crime.
- Monthly local meetings open to the public.

- It reminds me of our Postal Delivery person - Randy. We know the officer by name and every once in awhile wave at them as they drive through the neighborhood.
- They would be hauling parents to jail for letting their kids have drinking parties
- Speed data, Car prowls, burglaries.
- Once we have more patrol officers on our streets hopefully crime and speeding vehicles through neighborhoods will be greatly reduced.
- If more people are going to court for DUI citations and are caught and cited for cell phone use while driving.
- Statements of support from people of color or groups representing them. Avoidance of the use of deadly violence by law enforcement personnel.
- Zero crime
- When the number of those crimes decreases
- In order to know its succeeding in meeting community expectations, the community police department must determine jointly those expectations and develop metrics.
- Outreach to the community - . Face to face community interactions .Direct community feed back .Communications outside of incidents
- Obviously, KPD would need to work with the community to set expectations and agree on priorities, and then periodically survey the community.
- Online survey
- Feed back opportunities , coming to meetings.
- Regular poll/survey of community metrics.
- By attending.
- The survey results improve in 2020
- Have a concrete plan to address homelessness before it becomes an issue and share it with the community.
- Favorable trends on crime statistics. Quick response when needed.
- When there is a decrease in the number of crimes being reported.
- Could continue to periodically survey neighborhood (like this survey).
- Ask residents for feedback.
- complaints, satisfaction
- No real complaints really. So they are already.
- They wouldn't. But, I tell friends how much I appreciate the Kirkland police. They've always come through for us, no matter how small an event.
- Take month to month polls on suspicious activity sitings
- communication, set up block watch leaders (one per divided community area) Hold a monthly meeting at precinct with all leaders, and communicated and gather helpful information
- Perhaps you'd know it by the number of arrests and/or reports of crime? This seems like a no-brainer.
- Survey ballots with return postage (think report cards) sent to residents.
- Less calls and complaints online regarding the issues.
- less traffic count through the neighborhood understand who is damaging autos more patrols hopeful less theft and break-in
- Positive change in crime stats. Increase in the number of people implementing prevention such as through surveys.
- Follow up survey?
- Ask and keep measurements
- When comments on social media are more positive than negative in general.
- Crime numbers decrease.
- Number of traffic speeding would go down.
- Frequent feedback at community meetings and through the neighborhood liaison person.
- they don't
- come to neighborhood meetings
- They dont
- reports of convictions and prosecutions
- % of cases closed, meaning an arrest was made or property was recovered. Not closed w/ no action - doesn't count.
- They dont
- meetings on a regular basis?

- Take a survey
- Survey us. Follow up
- By showing up when called
- Community/neighborhood meetings, interactions?
- No idea
- Drop in crime rate; survey community to determine awareness of new community policing projects and resources.
- Crime goes down
- Online survey
- Survey, ask, low crime statistics
- Not sure..
- Ask us.
- I have no clue, but any time I've reported crimes to them they don't seem to care.
- Bi-annual online survey.
- Neighborhood meetings quarterly. Reading the neighborhood Facebook Finn Hill page. Their presence at 4 way stops..not just during the day.
- Fewer calls for emergency response
- Be in the area more often. Talk to residents. Have some sort of engagement on neighborhood forums, like Finn Hill neighbors or Nextdoor.
- Reduced drug use, related homelessness and theft
- Show up on my street now and then. I have never seen a Kirkland cop on my street...
- If I don't complain?
- Talk to us. The couple of officers I've spoken to were very nice and open with me. Informal interaction while on the job. Usually, up here, I see the police drive by rarely but there's no talking.
- Having regular patrols. We have not had any police presence on a regular basis for years.
- I really loved few opportunities when police officers came to the neighborhood block parties and had conversations with the people living here directly
- If I Colin a nice complaint and the police officer called me back and says they've actually taken of the person instead of just warning them. So tired of them just giving warnings which yield no results.
- The police is there equally for people of color and the white community.
- fewer emails/phone calls of complaints
- Send out surveys on a regular basis
- I don't know, because many of us have given up in the Kirkland Police being responsive to our needs. I can't speak for everyone else, though I won't call the police unless there's a break in or car accident. I'll fill out these surveys this last time, though doubt we'll see any change.
- Surveys like this, attendance at neighborhood association meetings, a website landing page where feedback can be offered, a community policing Facebook page allowing comments
- Less crime, less traffic speeding issues
- I try (and many do) post on our neighborhood FB pages with positive comments.
- By never calling you.
- The department would need to invest in a proactive public outreach program to frequently solicit specific feedback from community members about specific needs and conditions.
- Less phone calls to non-emergency number
- Community meetings
- Occasional online surveys would work.
- Weekly (electronic) communication from police department providing alerts/and or notifications for community regarding notable police presence/interventions. (When possible)
- Lack of complaints from me and comments to community police officer at neighborhood meetings.
- Enforce the laws against loitering and vagrancy.
- Timely and empathetic response to a call or report of a crime.
- They probably wouldn't. This survey is so far the only option for feedback I've engaged with.
- i don't call and complain
- Crime rates
- I don't know how, except to call the PD and thank them.

- By number of criminals shot and wounded
- fewer reports of crime
- If you were incident calls and complaints.
- Less crime
- Less warrants and arrests for minor incidents.
- I would like the police to get involved when noise levels are exceeded, instead of complaints to the city.
- More public exposure ?
- Feed back at the neighborhood meetings.
- Not sure.
- Catch criminals. Shoot them if you have to. Build reputation that Kirkland is a bad place if you are a criminal.
- Fewer complaints about police.
- more visibility and leadership in preventive measures to monitor, control traffic speed, right-of-way violations, support for bike lanes, pedestrian crossings
- Regular surveys
- Reduced ped/cyclist collisions and injuries (Vision Zero!) Reduced speed / fewer speeding tickets on neighborhood streets Fewer people running stop signs Fewer people distracted driving & DUIs
- Communication through email updates
- Decrease in number of reports or complaints.
- Answering machines that work! This way the police can hear our THANKS !
- Fewer complaints.
- Feed back and communications about what is being reported.
- I am not complaining
- People stop running red lights
- Conduct a short, online survey.
- Survey
- Not sure
- Interestingly, they wouldn't have any idea because there doesn't appear to be a channel for feedback that I have found other than this one. Quite frankly, they are not meeting my expectations in the least.
- If we had an officer assigned to each neighborhood and specific members of the community as partners for feedback and information exchange.
- I'm not sure
- Visible reporting of education and community outreach performed; tracking and public reporting of enforcements performed AND significant sentencing that discourages crime from occurring in Kirkland.
- Sales of drugs in a house down the street has been reported to police several times but no action was taken. I have not witnessed drug violations, but I had a very aggressive attempted break in when I was home and called 911. The police came and were savvy in checking out the neighborhood. I have since had a video surveillance system installed and feel safer.
- For me, success as a citizen is zero interaction with police whether as a person of interest, a suspect, victim, or witness. Ironically, if I perceive the police have a connection to my neighborhood, I can "see" them in the literal sense, but they are invisible yet accessible at the same time.
- They need to have independent body that will track KRs and do victimization surveys.
- Community meetings where we can thank them for what they do.
- More patrolling
- ?
- Actually respond to complaints in a timely manner, respond to materials submitted online, and when at the scene act like they actually care.
- Advertise crime rate trends that are both good and bad in Kirkland and trend them. Then do surveys showing the info and trending and get opinions.
- The department does a lot of community outreach. I expect they know a great deal right now. Surveys online are a good outreach tool.
- low stats for these occurrences
- Surveys - include as part of utility billing? Public meetings don't garner enough participation to get an accurate idea if goals being met.

- Reaching out to the community in ways such as this is wonderful. This surgery was hidden in an email from the city and I just stumbled across it. I would encourage more communication via social media / for example when hugs things are happening in our city, I rarely see the police department update their twitter page or FB page - sometimes I find stuff on the city of Kirkland's website, but that's not the best way to reach a large audience. Keep us updated on big things happening in our community! And thank you for all you do!!
- Surveys
- Community policing is successful if the vast majority of community members themselves or have a friend/family that knows a beat cop by name and see him or her often
- Lower speed on arterials and back streets, resulting in fewer accidents. Burglary and car theft prowling prevention measures result in fewer crimes, more crimes being solved.
- If the police are visible and engaged with the community and crime is at a minimum.
- There would be fewer calls to the police
- data driven results. less crime, vagrancy, panhandling etc....
- no more Menchie's incidents; more female and minority presence on force; more school safety/gun awareness programs w/ officers in the schools
- Crime is down. "Bad" encounters and misunderstandings between police and community members are rare or non-existent. Support of police by the community is up based on surveys or other public input.
- Generally pretty OK, but more emphasis should be put on vehicles that have no or broken lights, not using turn signals, too darkly tinted windows, etc. Those are defensive and proactive measures, part public outreach, part education, part addressing laziness, that easily can make a huge difference in helping avoid more serious issues.
- It would have strong, enforced policies regarding against the use of force against civilians.
- Statistics.
- Survey?
- You bring humanity and humility in your interactions with the community. Thank you for creating a good culture in your police force. My family and I have had positive interactions with you, including when called for a neighbor safety check.
- Conversations and feed back
- Online surveys at beginning of focus, driving focus and at designated check points.
- Metrics should be used to inform decisions. Call volume, tickets/incidents, resolutions/convictions.
- greater presence, especially on busy roads like Lake Washington Blvd
- Reduced rate of burglaries/break-ins, no weird people on streets under drug influence.
- Enforce the rules and laws that exist to keep the community and traffic civil and safe. Communicate with transportation department so they know the challenges residents have with various intersections/residential area parking and driving so they may adjust guidelines accordingly.
- Surveys, referendums, fewer interactions with the public
- Less incidents
- Stats on crime, good communication and interaction with residents. Perhaps a push notification system for incidents of crimes or service reports.
- Keeping us informed on priorities and progress. Measure goals
- that there are very few reported incidents
- less incidents of robbery (home break ins, theft, etc). Traffic would be more civilized to drive in, less incidents of road rage, speeding, bumper to bumper traffic on main roads (ie. Market street)
- Decline in incidents
- follow up on reported incidents.
- Easier feedback modes
- Reports from the city areas they are focused on statistics.
- By communicating with residents.
- Survey citizens.
- Another survey on six months
- I don't know
- I would see them driving around more often
- Generally believe all is good.
- polls on next door
- No burglaries, my kids know or have at least met a police officer.

- The Neighborhood Resource Officer could come to a neighborhood meeting to chat with residents (I believe this already happens regularly).
- If I see police walking a beat rather than driving in cars. i see police talking to people - what are your concerns - and acting on those concerns. for instance businesses downtown upset by drunks breaking windows. police arent downtown by bars they are waiting by 405 to hand out dui's. this is not helping the people who pay taxes. walk a beat!!!
- Just talk to people using the parks. I am uncomfortable walking my dog after dark in the main park. Reduce the loitering!
- Not sure
- A monthly report on number and nature of crime and what action has the police taken.
- We could be sent quarterly surveys asking how they did, or how we think they did.
- When we don't have cars with illegally modified mufflers driving down Central in downtown Kirkland.
- Seeing more officers downtown; reduction in off leash dogs; fewer much too noisy cars
- if i see a beat cop 24 x 7 in downtown Kirkland. we pay the most taxes and have highest density of residents and businesses and are deserving of these resources
- Reduction in crime stats
- Continued low crime rates, preventing crimes before they happen.
- Some change in the amount of crime.
- I see police mingling at outdoor spaces and may be bicycling on busy streets /corners/parks like downtown Seattle.
- Online Kirkland City - 1. Publication (quarterly) of stats. 2. Publication of success stories (could be anonymous).
- Feed back from the community.
- Officers are visible in the community, crime rates stop
- More meetings on how we can secure our homes and cars.
- Go to social media (nextdoor/Be Neighborly Kirkland) and ask. It will be easy to see what people are upset about and what areas people are happy about.
- Drug-addicted homeless will not be on the street because they know Kirkland will not tolerate sleeping on public sidewalks or being passed out with drugs anywhere.
- I want to see them patrolling my neighborhood, especially 3rd Ave S and nearby streets constantly hit by larceny and vehicle break-ins
- Each person living and or working in Kirkland is in a first name basis with at least one police officer.
- Give me the strategy and vision and we concentrate milestones towards measuring success.
- I think they do a good job. If we had the same officers covering Moss Bay, it would be great to know who they are.
- Crime statistics. I would love to see year over year trends that show the impact.
- Friendlier interactions. I think it would be easier to be friendlier if we interacted more.
- Less traffic/accidents. Better relationships with people
- investigate some of the minor issues that (theft / burglary) rather than just relying on insurance to 'make it right'. small issues become large over time.
- Receiving and responding to community input
- Have a presence at neighborhood meetings, attend community events, provide surveys and data to the community. We lived in Seattle and interacted pretty regularly with community policing.
- It would require a conversation. Not sure a survey is sufficient (although it's better than nothing).
- A more visible presence in the neighborhood being met with smiles and waves.
- Report on any or all joint meetings with neighborhood associations, etc. , publicize if and when there have been a rash of thefts, home break ins, mail thefts, vandalism, etc in city reports and KIRKLAND Reporter and what's being done to combat it.
- Regular community surveys or town halls
- I have great faith in the police department, and thankful for the many times that I have needed them.
- A reduction in property crimes.
- Report/email on steps to address my concerns and stats on how it's working. Forum to engage community members/residents on how we can help address the issues (e.g., report speeders & their license plates to the police to nab repeat offenders?)
- Provide data demonstrating reduction of traffic jams, and reduction of crimes related to noise and vandalism
- Set x hours per month of police presence or traffic stops in said areas
- Such great questions, I wish I had better answers for you...

- Attending neighborhood meetings to update residents. Booths@ the various festivals in Kirkland.
 - People in the neighborhood should be able to have a police officer and have had an opportunity to talk informally at some point at least monthly, easily accomplished by having a cop at the school crossing
 - reduced crime rates
 - All people are treated with equal respect, with particular attention to respecting the civil rights of minorities. No more harassing black people for existing. And then once in awhile, maybe think about patrolling our neighborhood at night to catch the mail thieves, and hand out some tickets to the speeders who cut through our neighborhood during the commute?
 - Do a survey periodically of the neighborhoods/ residents.
 - Not sure.
 - They wouldn't because they are MIA. Haven't seen a police person around Kirkland in years. You can speed, loiter, break in a car or smoke weed in any place your heart desires.
 - no complaints other than some apparent reported slowness in responding to non-emergency property crimes - I am personally quite satisfied with policing in Kirkland but not please with our city's non-voter based decision to be a "sanctuary" city. Moronic.
 - I feel bad for the Police Department as the City officials have decided to build way too many apartments and increase affordable housing (i.e. allow the homeless to take over apartment buildings and destroy them) which has significantly increased the population and they simply do not have the manpower to control everyone...plus they are not paid enough. The City officials need to do a better job at keeping our city healthy and staffed. Yes, I love the parks but now they are filled with drug trafficking and beds for the homeless. Kirkland just isn't the same and many are bailing because the City has simply messed up. They have overpopulated our schools and put our safety at risk. Expectations for the police...how about expectations for the City? The Police and Fire Departments are well aware that they do not have the resources they will need if something major happens. How will the police know...keeping our crime rate down which has been rising each week.
 - Show up when contacted
 - a survey just like this and attendance at neighborhood meeting
 - producing metrics quarterly for community to inspect, benchmark against similar communities, then take feedback
 - ?
 - Participate in community events
 - Less crime, robbery, break in
 - Publish accident rates at key locations and show reduced accident rates as well as complaints. Remove objects that block or restrict sight distances at intersections, e.g. NE 104th St./128th Ave. NE.
 - Send this survey every six months to a year, have an email for questions and recommendation or on social media
 - Lower crime rate
 - Less crimes
 - Reduced crime, punish criminals
 - by how low crime rates could be
 - As the crime rate comes down in the community, the police department will know that this is meeting community's expectations.
 - Calls from residents on complaints, infractions, etc
 - Surveys? Visit and talk with neighbors?
 - Crime rates - Decline People wave/ Cops stop and talk and there is no tension when police stop.
-
- People feel safe and able to communicate with the police.
 - Lower crime rate
 - Greater communications with neighborhood police officers
 - No idea
 - Seeing them out of their vehicles more often and interacting with the public.
 - Lower crime stats & increased citizen participation
 - Ask me to help Teach me how to be more effective when reporting issues
 - Occasional surveys
 - No calls
 - If they were able to catch the burglary suspects! And the vehicle prowls that happen so often.

- Neighborhood Association meetings
- SURVEY
- Perhaps do an annual survey like this one.
- Reduction in number of crimes. Reduction in expressed frustration about repeat crimes, for ex. on Nextdoor Ap and at community meetings.
- Be more visible in the community
- If I saw more people being pulled over for speeding, I would assume that more manpower is being devoted to this.
- decrease in car prowls, fireworks violations, home theft
- increased number of police patrols assigned to the neighborhood
- Come to smaller community events to introduce themselves and say "hi." Police would know who people in the neighborhoods are and what they are doing.
- The police need to demonstrate how they are different in Kirkland from other places. How they have set themselves apart as truly being partners with the community.
- report back on action taken
- Ask me
- When I and other citizens can report one positive interaction with the police in the past year (or three!)
- Ask us
- When nobody complains.
- vastly decreased car prowling break-ins, vastly reduced burglaries, determined prosecution of offenders.
- Conduct a survey that asks people how they feel about the police department. I think if people have more positive interactions with police officers then it will show in a survey conducted a year from now (or 3 years from now, 5 years, etc.). The department could also conduct a survey with their officers asking if they feel their relationships with community members, businesses, etc. have improved or not.
- By the way in which they interact with and process incidents involving the homeless, especially homeless youth.
- This is very hard. Random polling? "stats people care about" report each month with "I didn't care about [this]" buttons and a "I wish I saw [that]" field?
- Surveys. Feedback at Neighborhood Association meetings. Neighborhood-level crime statistic reporting. Neighborhood Resource Officer appearing at local events and locations (stores, parks) and asking.
- The crime report that I get listing crimes within 2 miles of my address would have fewer crimes near me. 12808 124th Lane NE 98034 Totem Heights Apts
- Don't know
- not overpolicing, de-escalation and demilitarization of police, more kindness towards the homeless and less Broken Window nonsense.
- Hold a community forum at the Kingsgate library
- This survey!
- Survey like this
- Be Polite. Determine if someone is breaking the law using peaceful means and then arrest them. Provide gun safety seminars
- Post on social media like other departments. Right now we get nothing about what is going on taking police catching bad guys. Most of your social media is lost animals and picking up dog poop.
- Unsure. May be a situation where "no news is good news".
- They would consider racial disparity, profiling in their response behavior to calls
- having outside organizations assess them
- Sometimes citizens are treated as if they don't need to know details. We should be able to find out what's going on in our neighborhoods in a timely manner, what the police may or may not do about vagrants, and if those vagrants are RSOs or criminals.

Question: Any other thoughts you have about community policing?

- Let me emphasize that neither I nor my family appreciates any more gun control measures. We are also very concerned with the number of homeless people allowed to crowd out regular visitors to our public facilities such as Kirkland library. We do not take our son to the library anymore because of that, for example. There also have been numerous reports of mail and package theft and other petty crimes, however nothing seems to be done about those.

I do not know whether that's the fault of the police, the city council or what, but clearly nothing is being done about problems that actually negatively impact the quality of life right here in Kirkland, yet the stated purpose of the community policing initiative is to react to some individual tragedy that happened years ago and across the country and not due to police's fault. I think the priorities of this program need to be adjusted to focus more on daily problem most residents are facing.

- How is this budgeted? It's a great idea and could cut down on crime, but I just don't see it working without significant resources.
- I'm usually in favor of taxes for public services, but I'm still mad we're paying more in property taxes for drug enforcement and putting cops in schools. Neither of those things should be happening.
- I love the idea of sharing the responsibility. We live in a (reasonably) safe environment where police and community can share the responsibility. Thank you, all!
- The Kirkland police should expand the use of police K9's like Bellevue does. Not only are they valuable police tools, they would also be a positive element when profiled on social media or public demonstrations (everyone loves dogs).
- Visibility of police is so important! That's why I feel reporting suspicious behavior is key
- reducing access to weapons
- I think your doing a great job. Thanks for your service
- no
- I am happy to see the department leading this conversation. Trust is vital to building relationships. There should be clear policies governing when officers are allowed to use deception or dishonesty. Events where the public can learn from officers would benefit the community as well as increase understanding and foster relationships.
- I always think it's the small stuff that makes a big impact in terms of policing, especially in less crime areas and neighborhoods. Because we don't necessarily have serious crimes, the little things, like resolving traffic incidence or parking violators, can have big impacts to a community and neighbors.
- Please enforce the leash laws. Dogs are walking off leash in Kirkland and on the Cross Kirkland Trail. This is dangerous and very frightening especially for anyone who has been previously attacked by dogs. Thank you.
- Would like to see more enforcement of pets on leashes.
- You're doing a great job in Houghton. Thanks!!
- Children need to see police cars around the neighborhood and meet police officers at public gatherings. I like the black and white cars over the nondescript ones
- Thanks
- Make sure you are monitoring park activities including dogs off leash , drinking and drug use. Be out in force for all festivals and celebrations to catch DUI.
- Thank you.
- The more, the better.
- . Add gun violence at schools to the list. .Letting the community know what to look for (example, on social media) and how to report concerning activities to Kirkland Police
- I've lived in this neighborhood for 30 years, and I have never seen a police vehicle simply on patrol, or officers engaging the public other than after a crime is reported. If patrols are too costly or impractical, at least arrange for periodic dates when community police officers will come out to visit residents and businesses, similar to the "coffee with a cop" meetups.
- Its great that you are focused on this!
- We hope city allocates sufficient resources to ensure prompt response times. Response time to date has been excellent.
- Thank you for your service :-)
- Kirkland police do a great job!
- Tell the officers that want to act like Rambo to knock it off and act like Adam 12 or Dragnet.
- I live in a fairly safe neighborhood. My biggest concerns are package theft, burglary and speeding. My biggest pet peeve is the fireworks that are supposed to be illegal. M80's explode for days and hours on end during the 4th and New Year's. I don't get it. Illegal fireworks illegally exploding everywhere around us ... sounds like we're in a war zone. We did ask our neighbors to stop a few years ago and that has worked. With King Co unincorporated so close, I don't know if anything can be done ... unless fireworks are made illegal in King County. I'm proud to live in Kirkland and I appreciate the wonderful job the police do!
- The police not be judgemental towards anyone regardless of their situation

- I have seen this work, helped activate the storm lake tree. Would love to be a part of it for my Kirkland community. I am so grateful for our men and women that serve to protect us!
- I believe the police are doing a good job and appreciate their efforts.
- More working together meetings.
- Make sure your officers are well versed in being "customer service" when speaking to folks in the community.
- Great to see the presence within the community. Good tool to educate people on how to reduce crime.
- not sure what community members can do
- The police department is not political ... do not allow "political correctness" steer the department
- Focus on driving all cases to closure.
- It's not there job someone' is going to get hurt
- MORE PATROLS! We hardly ever see any police units here until a crime has occurred and then they respond with more than are necessary.
- No
- It's a good way to improve tracking on theft and unsafe driving. If you (the kirkland PD) have any guidance on how to best send pics or be a good neighbor, for these efforts, please let us know. People speed and don't tolerate drivers who drive below or at the speed limit. It would be nice to know how to improve that. Also the speed limit if 84th. Street, where there are 3 kirkland schools in a row, is too high for walkers.
- Friendly presence outside of vehicle is inviting positive interaction, as opposed to staying in vehicle or not being visible in the community
- Citizens want law and order! We support the police doing their jobs!! We do not want crime and drugs to prevail and ruin our city and communities!! Please help us stay safe!
- It's good to be visible and interact as much as possible with the community. We support you!
- Generally police do well, just need to keep the drug addicts and criminal homeless out of the area, but that's in the hands of the city council. For various reasons we don't want a lot of homeless in the area, even in shelters. If people aren't working, and are doing drugs, they're stealing or panhandling to get money.
- Community and police need good communication. I don't think a 911 call is enough contact. Emergencies might be prevented if we all cooperate a bit.
- No, I personally think KPD does a wonderful job
- Not at this time
- Increase presence.
- No
- Please continue to always be working on being a resource we can be proud of and hold out to our children as an example of fairness for all. It's important concept.
- No
- I'm concerned that the verbiage implies community members are empowered to act as police in their neighborhoods. I'm concerned this will lead to more targeting of racial, lgbtq, and religious minorities. I am certain there needs to be clear boundaries and expectations. Even after reading and watching your video I don't have any idea exactly what you mean by the term.
- No
- Police presence is not welcoming to most. Being aware of the history of the police and being sensitive to various communities histories and the current environment especially when it comes to immigrants. People don't need to be more afraid.
- I would like a report, at least quarterly, summarizing the most reported crimes, average police response times, steps taken by the police to address these crimes, and results.
- I think I've said enough above.
- Visible police presence can act as a deterrent but balanced against the impression of becoming a police state. Create a rotating schedule of visits to neighborhoods using patrol cars. Maybe create an alternative to calling 911 for non-emergency reports. Lobby Olympia to require delivery services and transit services to have visible identification on vehicles.
- Friendlier approach when initiating conversation with public
- Most recently the fireworks have gotten out of control. They are illegal and yet that law is not enforced at all. The loudness seems to have increased exponentially this year. I understand Bellevue has an app to report - we need one of those. We also need very stiff fines for those that break the law.
- Keep the coffee thing going.

- The Department seems to have created some social barriers that prevent effective communication between officers and members of the community. Officers may benefit from training in more effective communication skills with members of the public.
- Intersection cameras to record/monitor traffic and vehicles.
- We need more patrols. The KPD is great, but we do need more of them.
- Seems good
- Don't treat the police with PC gloves, let them do their job.
- Outside of Highlands - more policing if possible to curtail litter & loitering (specifically) in Walgreens/Safeway parking lot due to homeless/transient activity. Got better for awhile now mess & discomfort at times (evening) increasing again.??
- I would love to call in suspicious behavior as I see it happening at times (on my walks), but calling the 911 line, even for non-emerancys is sort of a nightmare and I refuse to do it anymore.
- City council needs to let the police enforce the law regarding loitering and vagrancy.
- I was very concerned by the statement that community policing is handled by specialists. If the point of community policing is for me to build trust with the police, I don't want to be engaging with people who are specialized at engaging, I want to be engaging with the people on patrol - the people actually doing the policing. I am more concerned about trust with active duty police specifically than I am with trust with the police department as a whole. If there's one piece of information that I want to convey most strongly in this survey, this is it.
- Most Kirkland police officers are great. Some need more training on implicit bias and community relations.
- Be more visible. We have had tons of package thefts, burglaries and car break-ins lately.
- More visibility on graveyard shifts
- Continue trying to find new ways for public to meet officers at informal settings.
- I am sorry this lands on police. But I hope you can find a route that feels productive to de escalate the situations you are called to.
- Learn to listen
- The difference between myself and armed police makes me reluctant to engage in any way with police.
- Seems like a good thing.
- Don't reduce patrols.
- Keep up the good work
- Better lighting on internal streets
- I appreciate the emphasis on building relationships because where I grew up police had an adversarial approach, especially with teenagers, so I tend to just avoid cops now. I want to feel like they'll support me, not ignore me. (I once called in to report the bike lane being blocked by like 20 vehicles and they blew me off because I wouldn't read off all the license plates to them.)
- Would like to have more to keep our area safe.
- Tell people they need an appointment to speak to an officer. They had to come to my house for this.
- I like to see them out and about.
- I feel like I can contact you for non emergent business. Make sure that number is out there for people to call with concerns or questions. Do we have a crime app for our area? Thanks
- Homeowners taking car of their sidewalks and curb landscaping. Most of the time cannot walk on sidewalk due to overgrown weeds like blackberries and ivy.
- More transparency re: what local police do would be helpful. When I see them pull into my neighborhood, turn around two blocks in and leave every other week it feels like they're ticking off a quota vs. doing anything useful. The police blotter in the Kirkland Reporter reads like a joke half the time. I would appreciate real information about the crime taking place and what police are doing about it.
- no
- Yes, I think there is a lot for Kirkland Police to learn about how to serve and protect as opposed to condescending and patronizing the people that pay their taxes. I've lived all over the country, and I've never experienced the antagonizing, arrogant behavior from police officers like I have from the KPD. Improvement is needed. The first thing that needs to happen is that the city should provide a channel to complain when police act out of sorts.
- I think more department/neighborhood partnership would be tremendous.
- Establish useful metrics that track the effectiveness of crime prevention and enforcement strategies to assure plans are sustainably successful and result in a safer City for all.
- I understand that the police plan to patrol this area more often as they are able, which I appreciate.

- The quaint old days of foot patrols are long over - I get it - and they died when I was a little kid (Gen X here). Seeing foot patrols, and having officers at least appear approachable and accessible would go a long way. Community policing starts with being a part of the community, even if that is just perception.
- Property crimes appear to be a low priority regardless of the actual amount stolen or damaged.
- Invite homeowners and business owners to the station a few times a year to learn the officers and for them to learn and hear from the home owners in a smaller casual setting
- Send out specific mailer detailing what residents should do about package theft. Have Kirkland Courier publish safety action updates. If dogs should not be using Juanita Beach due to the health issues there, begin a campaign of posting signage. The Don't Feed the Wildlife signs are too small and too few. New signs can incorporate explanations about why dogs are a problem.
- Go to where the people are rather than vice-versa. Fred Meyer, public events (like Wednesday market, 4th July parade and fireworks show), etc
- I would go back to enhancing communication. Outside of attending community events (which is great), many of us want timely communication about what's happening in our communities - if I see 15 police vehicles drive by, I want to be able to easily access real time info on what is happening in our community (as opposed to hoping the local paper will pick it up days later, or someone in the neighborhood shares what they know in one of the social media platforms). I encourage the police force to utilize their social media pages for this - utilize technology to engage with us!
- Concerned with mail theft! and do not think the answer is locked mail boxes - I consider that suggestion similar to saying bars on your windows are the answer to burglaries .
- Concerned for mail theft , trespassing/ loitering , sex crimes. Relationships require human contact. How can our community increase regular (weekly/daily) contact with law enforcement ? Seeing a police car does not count.
- Traffic speeding causes collisions
- Engagement with schools is important.
- Kirkland is doing a great job.
- Don't let council politics drive away good police officers. Allow the police to use their abilities and tools to do their job. Don't apologize to the public before the facts are known! "Menchies"
- in general, more diversity on force, more diversity training, and housing for officers in the community- how can they afford to live here?
- While building relationships is critical, don't forget that enforcement against violators is also community-based policing. It keeps the law abiding members of the community safer from those who break the law and improves overall quality of life.
- Officers generally very good and approachable, but would like to see police management focus more on issues listed above.
- We need civilian oversight of police misconduct.
- Keep up the good work.
- No
- I grew up in Canada, Vancouver area where they had a nice police volunteer program to assist police at community events and safety walks/ bike rides in the community. It could be a good recruiting tool for you too
- Concerned for fast driving in neighborhoods
- Response time has been concerning when I have reached out to the PD on 2 separate incidents. I expect more
- Kirkland has grown, but police presence in busy areas like Lake Washington Blvd seems relatively minimal. Many speeders during night and early morning hours.
- We love seeing officers around the community and wish there were more of them to be able to help control some of the parking, crowds and trash that gather along the lake front beaches.
- Intimidation. Cars sitting in neighborhood with lights on to intimidate residents, police say can not do anything until something happens- someone hurt! They sit to hurt.
- I want police to stay away from my community and neighborhoods, and not to patrol looking for people to arrest or harass.
- It's a great idea. Don't let crime take hold in a community.
- I think its a great idea. Police need to be on bikes or foot and know the communities and the people who live and work there so they know when something is abnormal.
- would be nice to see more police presence in and around the community

- We live near Kiwanis Park and often see illegal drug use which makes the park feel unsafe for families. We'd like to be able to easily report these incidents and have quick follow up by police for a safer community.
- No
- Focus on kids. Respond and follow up when called.
- I hope officers will get to know residents.
- Try it , measure, adjust.
- We need police officers on the street. Market St outside the wild Rover is full of loud drunks every Thurs, Fri, Sat, Sun night until 2:30-3am. Yelling & fighting.
- I walk or bike every day, and every day, at nearly every interaction, nearly every car does not stop, and those that do, do not so where they are required to. It's especially discouraging to see city, county and other government vehicles, including the USPS, ignoring traffic safety.
- no
- To see more police patrolling the area.
- Experienced vehicle break in once. More major intersection cameras for vehicle monitoring- post signs.
- would love to eventually have a SRO in the elementary schools too - or have the middle school SRO once a week at elementary schools.
- get out of the classroom and out of your cars and walk a beat and talk to people. proactive vs 911 reactive.
- Be more visible!!
- Seek police help to ticket cars that do not stop for Ped Flag users.
- Police to be better monitoring our sidewalks that are becoming unsafe due to scooters coming up behind walkers and making it unsafe.
- Transparency.
- More events that let the community meet with our officers and have everyone get to know each other, and what the officers expect from us.
- Drivers in downtown Kirkland are a public nuisance and dangerous. We get too many loud cars and motorcycles driving through that don't meet noise regulations. There are numerous cars that will stop early at a light and floor it on green to see how fast they can get before spamming on the break without any safety regards for pedestrians.
- good idea - I like seeing the officers often enough to develop relationship with them
- Provide services to homeless and drug addicts - not bussing to Seattle or arresting them for drug use and possession. Proactive policing to help these people will go along way to preventing crime. realize these are human beings with family. these people are not trash to be discarded. give addicts transport to Evergreen public hospital for exam and treatment recommendations. provide homeless with rides to shelters or food banks or other services that can help them find employment, food, new clothes and a place to live. we are not solving the homeless and drug problem by putting people in jail. we need to change our attitudes towards these people and provide them with assistance because ignoring the problem is leading to more property crime. proactive community policing to help solve a problem before it turns into a property crime. Police need Evergreen public hospital to provide social workers and mental health counselors and MDs for Rx. we need more shelters for men with lockers for their belongings. we need sz safe parking lots for urban campers currently living in neighborhoods. Tent City 3 is not enough. The new shelter in Bridal Trails is for women and kids. This isnt just a Seattle problem. time to get serious about cleaning up our streets with proactive policing not arrests for drug use or possession. that does nothing to fix problem. get out of schools and onto the streets where police are desperately needed. If I see police helping people downtown I will know its working. If I hear of a mens shelter or urban camper parking lot I will know its working.
- I think community policing is very good here and I feel Kirkland is a very safe community.
- Set up programs to interact with young people so there are positive relationships.
- I think periodic reporting is essential - for example we just approved an MHP, how is that individual measured, what's success , case studies.
- It's a good idea to head off 911 calls that could be prevented by protective work.
- I do volunteering and have found that the police to be dedicated and approachable.
- See more police walking / biking around Moss Bay town.
- I have lived/worked in Kirkland for only 2 years. I would be curious to see the stats, but it seems that there is more drug use/sales in the park by Kirkland Urban and in the parking lot that houses Safeway/Walgreens. It also seems like the homeless population has grown and I have seen multiple people walking around not only downtown, but through the neighborhoods inebriated and/or agitated and yelling or talking angrily to themselves. I used to walk my dog alone at night or early in the morning in my neighborhood, but now I am not confident doing so. I also don't like

going to the library alone, for the same reason. I'm not sure what the solution is...I'd like to see these people get the help that they need so that they can be healthy and so the neighborhood can feel safe.

- Police are not our friends. They are the people who will take money to enforce any law passed. They lack patience and act as if they are above the law and their fellow citizens. They speed yet pull you over for the same. They park illegally to shop, yet have you towed for the same. They don't know the law they are enforcing and make threats to arrest for things that aren't laws (e.g. "you look suspicious. Give me your ID or you're going to jail.") police need less "enforcement" and more "assistance" attitudes.
- There's the domestic violence we don't always see because it's inside homes and people don't want to get involved. Try to support people who report DV and keep alert for the repeat offenders who don't stop...they just get away with it too often.
- I have not thought about this much.
- May be create sub posts and strong neighborhood watch programs. Thank you for your service and community support. Be safe. Speeding is a concern.
- Have them attend our events and just mingle.
- Seeing you walking , not just in cars would be nice and all of us to approach you without having to call 911.
- Stalking. The police force should definitely reflect the community in terms of gender and race
- Police officers dealing with non violent offenses should keep a more casual attitude. This is Kirkland we don't need our cops being full intimidation power Dynamics to random teenagers
- Sometimes I have general questions, not about a specific incident. I'll try asking at a booth if they have one at an event.
- Create touch points with the community that create positive connections with those you're serving.
- Would to know if patrols are increased when neighborhoods report an increase in crime (which has occurred on our street recently - 8th Ave).
- More cars driving the neighborhoods instead of only on the main drags. I can't remember the last time I saw a police presence on my street.
- Visibility of uniformed officers in the community, engaging in positive interactions is valuable
- When out in your service area cut through the near by neighborhoods, to make your presence seen, I know that it certainly helped our areas neighborhood.
- We appreciate City of Kirkland's efforts on this, and only wish there was still a police station at City Hall. We had more-frequent patrols, especially late at night, which helped us feel safe.
- What role should home security means play ? How to check speed of cars on 13th avenue heading towards the school. Concerned for weapons especially at new Peter kirk school.
- 1 Please enforce no smoking laws downtown. 2 Animal services (Jennifer) has been great. 3 We used to get more police driving through Norkirk when the station was here and we miss seeing them around.
- I am very concerned about how an emphasis on community policy would impact African-American, Hispanic, and other visible minorities in our community. I'd rather stick with "no policy" than have my friends be harassed for existing. The Kirkland police response to the yogurt shop was completely inadequate and inappropriate, both initially and in follow-up. It was a disgrace to this city, and you need to do better.
- It needs to be publicized and repeated over time in all the neighborhoods.
- Need more officers roaming the neighborhoods. Willing to pay more in taxes for more officers presence.
- Whatever you are doing today isn't working. Crime is up exponentially in Kirkland
- quite satisfied with all interactions I've had with Kirkland police over my 22 year tenure in this city - a house burglary, a building contractor committing fraud (as it turns out not a matter for L&I but rather for the police), and a call or two from police regarding potential issues at vacant house listing (I am a real estate agent) - much appreciated heads up.
- This should have been asked long ago...QUIT BUILDING APARTMENTS! We do not have the resources to support them (police, fire departments, schools, roads, parking, etc.) The City is ruining what once was an AMAZING place to live!
- Making friends and knowing the area are important so having regular person always be the point person.
- higher accountability and transparency to the things that occur/matter every day, not just on the headline making events
- Not at this time
- Nothing major at this time, but my garage was raided once several years ago.
- Need to see more police around the neighborhood
- Lets make it happen.
- Authentic, relationship based community policing is great once it is established, but takes a long time to do right.

- Have to get things like this communicated Please come to table at our summer picnic for North Rose Hill (Woodland Park - Sat 7/20)
- Police department open house. Get to know members of police force.
- Police presence in the community. All the listed crime concerns are important.
- It is a proven component of "SAFE" neighborhoods.
- Ask and teach people about the value of reporting vs fear of retribution
- I'm in favor! I'd love to see and interact with the police more often.
- Like that the police cars are painted so there are noticeable.
- The employee/public parking in the library is a dangerous place. Consistently there are people doing drugs/urinating/etc in the garage. I have never seen a police officer down there, but have smelled/seen drugs quite often. It would be nice to have a safe area to park as an employee in Kirkland.
- They seem to respond very quickly to calls but I never hear of the police actually catching the burglars and vehicle prowlers. What makes them so hard to catch?
- No.
- Not at this time.
- I have been very pleased over the years with the responsiveness and professionalism of the Kirkland Police Department. I would like to have a clearly defined way for neighborhoods to consult with officers about ongoing problems.
- Anticipating and addressing future issues, for example, people renting rooms in their house on AirB&B causing neighborhood issues. More ideas for getting neighbors together to know each other and to learn about disaster preparedness and what to do in an emergency.
- All of the police officers that we have encountered in our neighborhood have been more than helpful and friendly.
- We need more police presence on NE 70th Street due to speeding, or we need more metering tools like stop lights, roundabouts etc to slow traffic down.
- I think it would help if police were more people-like in the community so the community members could talk to them like people. It would be helpful if members of the community knew each other, residential, business, religious, governmental, traffic, police.
- I personally very much like the idea of our police having body cams, but I realize this may be a difficult topic to make fast progress on.
- Lack of police and fire presence. The city is ignoring some neighborhoods and focusing resources and money emerging in the annexed neighborhoods.
- Discussion meetings rather than presentation meetings. Vandalism along driving routes. My three issues are all first world issues- not to build a department around.
- Harshly enforce car prowling convictions and burglaries with hard time behind bars to reduce the more serious crimes and to chase the culprits out of our region. Give addiction treatment if needed when in jail.
- I think it will hopefully help people view police officers as helpful resources that protect the community. Currently some have negative, stereotypical views of police officers and this may be based off of one poor interaction. If officers partner more with organizations and have other opportunities to interact with community members (not due to a crime or being accused of a crime) then relations will improve).
- I only have a few data points, but I have been impressed with what I have seen and heard of the respect with which Kirkland police approach and handle disruptive and "unknown quantity" persons.
- Could Police Explorers have a more active role in neighborhood presence?
- We should utilize/ leverage technology better in a collaborative effort. For instance, we should be able to coordinate the wage of cameras (Nest) to focus on streets at a minimum near all entry points of streets for us to be able to better identify those who pose a threat or identify unsafe conditions. I would be interested in being involved with further conversations regarding community policing. email :- JohnnyLmarsh@gmail.com Name - John Marsh
- Perhaps community members can be more vigilant when out and about to their surroundings and call the police if they see something suspicious.
- Kirkland is mostly safe, except bled over from Seattle's drug problem. I find needles in my local park every couple of months.
- Enforce existing laws & keep vagrants/drug abusers out of the area, preferably in jail
- So like, you wouldn't need a staff increase if you weren't going all Broken Windows aggressive enforcement. It may make Pam from the PTA happy to see a homeless person get arrested for existing in public, but it feels like most

traffic actions and day to day actions are about revenue collection than they are keeping it safer. Most cops also don't really need firearms in my opinion. Or body armor. It's a show and intimidation thing.

- No
- More education about guns and counseling our youth to ensure that they do not escalate gun crime. Register students who are using antidepressants.
- We see a lot of people with behavioral health issues. It can be unsettling. It'd be nice to know more about the role of the police in these situations and when to call for help.
- As a hospital employee I have had multiple occasions to engage with police departments across the country. KPD is by far the most professional, respectful, and responsive department I've had the opportunity to work with. I really feel they are doing a tremendous job.
- Stop racial profiling
- There are officers who are down to earth, approachable, and open to input. Others are aloof and may come across as arrogant. Officers are public servants first and foremost, so when they aren't approachable it does nothing for community policing.

Appendix C: Focus Group Notes

Prompt: The City is seeking effective ways for residents and businesses to better partner with the police to: 1. enhance proactive crime prevention strategies; and 2. strengthen trusting relationships that make our community safer.

- Phone calls for solicitation - one call from ICE. Fearful to go places. What if someone came to the door and said they were ICE?
- Education and communication - Facebook user. Information sharing, including follow-up communication.
- "1. tougher city on crime, prosecuting and sentencing for convicted criminals. Cess pool across the water due to lack of prosecution of petty crimes. Transient communities
- 2. community events"
- "Communication - Nextdoor, Be Neighborly (helping community members know what's happening)
- Volunteer position to help share information on social media"
- "2. Supporting police officers to have building relationships as part of job expectations.
- Education - sharing information about different communities with the new social worker w/ PD (and others as a potential)"
- Clear communication and authority to share info about origination of suspects and criminals
- Accountability; bias on calls; local laws and accountability
- School (traffic control interactions and active shooter drills); uncomfortable with active shooter drills (not clear communication with parents); parents not clear on rates of risk for various - could use real numbers to inform parenting decisions
- Cascade Rising - more awareness for large scale earthquake; Kirkland Practice Day - companies that want to participate can go through a drill; educating on stereotypes and bias; meets and greets at hours that most community members can attend; farmers markets
- we trust people we know - the better we know our police officers the more trust we'll have; "management by walking around" (example bike patrol); delivery drivers are some of the most visible and potentially aware - how to strengthen relationships between PD and delivery drivers
- go to the people who can't make it to meetings (overworked, etc.) - find out what they're afraid of?
- Awareness Days - bring PD out to meet and greet out somewhere in the community; knowledge of how PD functions, focus, etc.
- Fire Department does really well with Fire Prevention Week; PD - how to do things (install car seats); "Best of Kirkland" Day - reps from Fire, PD, Animal Control, social workers, booths, teachers, waste management where people share how to do safety-related topics (focus on education and awareness-building around safety)
- Media and TV stereotypes - education, meet and greet to humanize the officers (while maintain authority-based respect); more likely to talk to bicycle officers than car-based officers
- Mental illness - explain to community members about how mental illness might influence their court process (Mental Health Court); communication would help community members how to respond and also support; focus on information sharing - people need to know what happened and why (closing the loop);
- Go where people are who can't get to community meetings (parking lot of Fred Meyer for car seat installation); multichannel promotion (not just social, maybe flyers with children through the schools); success looks like wide diversity of people who come and interact with officers (race/ethnicity, socioeconomic status, religion, age, etc.)
- Strengthen awareness of tent city and police officers - before city permits a tent city, ensure that women can reach out to police
- Visibility (farmers market, touch a truck at Summerfest); Coffee with a Cop; Neighborhood Resource Officer more visible; Nextdoor feedback and visibility campaign; NRO relationship with bigger businesses (Kirkland Urban as example); police in cars does not build trust - outside of cars; HOA meet and greet
- "Community Helpers Curriculum" in grade K-2 (social studies curriculum) - police officers in schools has been helpful (active shooter drill's have been terrifying for kids - lost opportunity for honest awareness); how to safely ride a bike, how to cross a crosswalk - empower people
- Social media - Kirkland is unique: our problems are unique to here; understanding who your neighbor is;
- Neighborhood Watch
- Kirkland neighbors used to wave, say hi, make eye contact; encourage neighbors to meet each other; respect and humanizing officers (DARE program helped) - boot camp for K-12 day-in-the-life of various officers

- Sometimes getting to know your neighbors can be hard; support for meeting new neighbors
- Having a response when a mistake happens; having honest communication; politicians not necessarily taking King County's lead; closing the loop is very important to build trust;
- Police Department could be more on City's communication channels; crime stories in This Week in Kirkland (Redmond does police blotter; Kirkland Report used to) - short bullets (close the loop, how the community helped)
- Better information sharing (a lot of negative information about police at large - federal, Seattle, etc.) - sharing crime data to demonstrate what's happening
- Importance of family role in morals and values; laws applied evenly; officers educating in schools (high/middle)
- Concerns around SRO relate to it not being a fair problem (what tools/strategies are police using?) - the city/school district could improve clarifying the role of the SRO position - share information about the program
- "Peace Officers" vs. "Police" - language can influence perspectives
- Talk to business owners of ethnic restaurants to see about having a meet and greet there (focus on other parts of city not just downtown); build relationships with foreign-born community members to help build trust
- Getting the message across beyond what's required
- Police Explorers as ambassadors
- Do we have a mental health professional on staff/call to support police officers - helpful, but make sure not just a bandaid
- Ensure accountability when officers bring mental health calls to hospitals - follow up calls by mental health professional; "Kirkland Cares"; education for how we all can be ambassadors
- Police officers can't police everything - refer mental health calls (with accountability)- police officers can be fear-inducing; programs like TACID in Tacoma where individuals in the community get education/training or can otherwise get support (transportation available for those that can't drive themselves)
- LWS Foundation focusing on mental health awareness - overlaps with police might end up getting involved down the road
- Any possible involvement of community members in mental health responses/follow-up?
- Education for community members of mental health topics/issues - Facebook to help generate volunteer interest
- Nextdoor is a good platform
- Platforms through organization networks - flyers, take-away cards; specifically churches and other faith-based organizations; Coffee with a Cop pairing with youth; reaching youth: Instagram, Snapchat, posting at grocery stores (Starbucks)
- Building on existing civic and faith-based organizations;
- School handouts; Hopelink backpacks (could use for flyers)
- Contact through schools - great opportunity, everybody is there, could target specific geographic areas; classroom or project with a police officer - lunch with an officer, Q&A, bring the police to interact with youth; cops become students for a day - don't necessarily need to talk about "cop stuff", just interacting; reference DAWG program (Dads...); simply dropping by would be helpful
- Ease out the bad stereotypes - how to have kids take photo with a cop and put on Instagram
- How also to reach out to renters?
- Coffee with a Cop - Saturday mornings (9am) for working parents
- Police interactions at community events
- Officers outside of their cars
- Picking a neighborhood and setting up shop (lemonade stands) for community visibility
- Police officers at Neighborhood Association meetings is positive (but NA still a very selective segment)
- Physical presence at commercial areas (QFC, etc.) just hanging out as part of their normal job duties
- Nextdoor users who have experienced a crime but say they haven't reported it to the PD - tips or education/awareness on crime prevention for specific crimes
- Ways to upload security video in a helpful way for PD to use; online platform with map (ref: PSE outage map)
- Online Crime Mapping - promotion of program
- Ways to have community members reach out (i.e. it's not just on the City and PD)
- Police box (ref: Japan, India) or "Bobby Station" in England; even having officers there at community events; change of culture for community members to think to invite police officers; Edith Moulton Pet-apoolza was well liked; how to invite City/PD to your event; "Cop in a Box" at Summer Sundays
- Condos/HOA monthly meetings - any way to have PD have notice of those meetings, came a gave brief summary of crime issues that had been going on in the area along with crime prevention tips

- Working through community member reluctance to report
- Text/message option for low-level crime reporting
- Ride-alongs with cops for community members - particularly with underrepresented community members; proactive calls from a local cop "just checking in, see what's going on?"
- Crime data and trends; promote newsletter more
- Dunk tank with police - other ways to have fun together
- Pop-up "Cop in a box", a few hours every couple weeks, rotating around the city (ref: mobile police unit at Alki); Farmers Market, Totem Lake Plaza - beyond 8-5 M-F, Kirkland Urban, QFC on Finn Hill, Dairy Queen/Goodwill in Juanita, Safeway in Kingsgate, Bridle Trails Center, OO Denny Park, Edith Moulton, 132nd Sq. Park
- Animals - canine-in-training is a magnet, especially at schools; partnership with shelters; if same dog, becomes a mascot or celebrity; "Kittens and Cops"
- Wine tastings with Cops "Cops & Corks" "Cops Uncorked"
- Paw Patrol reference
- Barrier-free ways to outreach - accessible and welcoming "fireside chat" sort of feel; maintaining respect of the officers while also humanizing them - ways to minimize gear would help decrease intimidation
- Community Academy - show and tell version, drop-in options; Quarterly Clinics (example: firearm storage)
- Ways to communicate and stronger partnerships between KPD and mental health agencies and institutions - would need to work out HIPPA issues
- Emergency financial assistance (rent & car repair), child homelessness - issues and stressed on people's lives are much larger than just police
- Congregations for the Homeless - have a police officer show up there to build relationships (would need to be introduced and handled well to avoid intimidation and have police officers have orientation of best way to interact); officers serving food or providing some other support - so it's not just a cold walk through
- How to support officer relationship-building given that officers rotate in their assignments
- Perf. Measure: external validation, leading by example (other jurisdictions are noticing we're doing something well); news story
- Perf. Measure: knowing officers by name (meeting via a positive interaction); wave a cop
- How to foster police officers wanting to live in Kirkland - the neighbor factor
- Perf. Measure: non-response interactions; community presence
- Perf. Measure: take snapshot of current conditions prior to implementing new strategies - measurable metrics for crime reports, calls
- Study efficacy of satellite stations - Crossroads great opportunity, especially for diverse communities; storefront options in lieu of mobile (could be helpful for businesses)
- Postcard to all residences about how to sign up for the newsletter
- Awareness for officers and community at large for mental illness and the effects mental illness can have
- Cops & Crafts, "Pottery Police"
- Beat cop, especially through Downtown core - just having a police presence with appearance of monitoring an area acts as a deterrent - builds relationships with merchants, businesses
- Ref: Redmont Town Center - RPD patrol around regularly (hourly) in cars
- Walking, biking, horse - more open and accessible; cars act as separation
- Police uniform looks aggressive - SWAT look (all black); visually look more approachable
- Interviewing officers who are more outgoing (ref. NRO Lansing); seeing how to have patrol officers say more hello, drop in in shops and checking in - coaching officers on how to be more accessible
- Body language; letting down guard as a part of trust-building - conversation, engage with population that's there, to be honest; need to commit to strategies for an X-year plan (5 year example); not "Off. Hanson, it's 'Jim'", informal relationship (almost friendship)
- Officers putting in effort to get to know the neighborhood, so they know when something is off; getting to know the ebb and flow of the businesses and owners; response times and potential criminals knowing there are swift response times
- SPD: "it's up to you - community - to approach us" is counter to Obama-administration Community Policing; training to let one's guard down
- Expectations between potential police officers (like they're going to war) as opposed to reality (social workers with guns) - Kirkland-specific training parameters; KPD hiring practices to support out-going behavior

- More presence and more familiarity - come in and introduce themselves (familiarity is key); every interaction matters - connections; why do we know our mail delivery person and none of our police officers? Getting to know an officer will get around any personality trends (stoic)
- Looking at KPD as a customer service, with safety as the product - the customer service tools already exist
- Coffee with a Cop hits a very small percentage of the population (is it successful from a cost benefit perspective?)
- Non traffic stop activities (nation-wide 60% involve a gun); body cameras can lead to apprehension from officers - jobs can be threatened by escalating situations
- Different strategies for different parts of the city - Downtown more like a mall therefore walking around might work (as opposed to Rose Hill, etc.);
- Property crime higher concern; sending out crime data; promote Crime Mapping more
- It's not the PD's responsibility to babysit everyone - crime data helps empower residents and businesses to help protect themselves - Top Ten Tips (retail-focused)
- Publicizing post-Menchie's incident - reassure businesses that when they call KPD it won't escalate
- Dispatching needs to provide more options regarding "unwanted persons" calls
- Metropolitan Improvement District (Seattle) - helps handle things of such a low level that it doesn't rise to PD
- (Ref: Seattle) - community relationship professionals for homeless outreach (one element of MID)
- KPD should have a mobile mental health professional on staff; KPD supporting awareness of mental health concerns and support;
- Downtown employee parking concerns; library garage feels unsafe, as a result they park in customer parking; lower level door is broken, signage would be helpful - more communication to business community would be helpful about what changes are happening; smells, filthy, dark; officers (beat cops) getting to know the homeless youth population that are in that area;
- Ref: West Virginia opioid problem - social workers providing options for help for when an effected community member wants help; social worker helps with the relationship-building - reaching out to those in recovery if they want to support
- PD connections with youth (through schools, etc.) - soccer, softball games - connectivity pieces; PD as sports coaches; events that help humanize the officers; being in the schools just to connect with students; Command staff involvement? Principals meeting with the Chief to help strategize
- Police departments should be ahead of the curve in regards to diversity (ahead of the population trends) - if you see people that look like you, you feel better; intentional hiring around diversity
- Festivals - not just policing, but set up an activity for a public relations function
- Perf. Meas: word of mouth from the residents
- PM: not just a one-time outreach; seeing more police presence that's not just intimidating or call resposne (relational feel); reduction in crime; getting out message that Kirkland's not the place to commit crimes
- PM: when there's activity with police, community members speak about it (police therefore feel more welcome);
- PM: officers are known by name by residents / businesses
- PM: some positive stories about downtown KPD beyond parking tickets (changing the downtown narrative)
- Downtown parking warning system

Appendix D: Interest Group Meeting Notes

Business Roundtable Notes

- Police on bicycles and on walk routines
- Thoughts and plans with Kirkland Urban policing and responses
- Will Kirkland urban and park lane have own security?
- Fires are being set in parking garages – Brenda Nunes office SEPA office
- What are thoughts on RING
- Could the city put out options for security cameras both home based and commercial with best practices or tips?
- Coordinate a property managers conversation to go over resources or tips for security
- Could we have design guidelines with planning, so garages are built to best practices to reduce crime
- PSE wants to partner with City on owned properties and encampments
- Update on Implicit bias training and other training for businesses ?
- What resources are going to be available to the business community?
- Federal way – putting up security cameras that registered with the police department.
- Coordinated effort between business community and police on best practices.
- Let “Me” know if want to be part of the process.

Kirkland Senior Council

- Police liaison helpful to homeowner association
- Actual officer came out and proposed solutions – very satisfying
- Community police – opportunity to develop relationships with different segments of community
- Explore ways to proactively provide guidance on robo calls and scams – i.e. Property Taxes forum last year, 150 people showed up; PD program rather than AG Office
- Isolated seniors – identify people who are isolated, help with outreach
- Neighborhood Association still assigned – this is good
- Kids doing drugs – police don’t respond
- Attend block parties
- Citizens night at police department

Appendix E: Education Topics Identified by Community Members

- How and when to call the police
 - Emergency – what they'll ask you, what it will be like, etc.
 - Non-emergency – when to call, when not to call, etc.
- How to provide camera footage to support an investigation
- Tips on crime-specific prevention strategies
 - Avoiding vehicle break-ins / protecting against car prowls
 - How to have effective home security systems – helpful installation techniques for alarms, cameras, and other non-technology options like landscaping
- Mental health calls and ways for the community to support
- Traffic laws
- Pedestrian safety (how to cross a crosswalk, Kirkland Wave)
- Firearm safety
- Responsible pet ownership

Appendix F: Written Public Comment

Email received August 1, 2019

Thank you for your energy and ability to engage everyone at the table.

It was a very diverse group of people with a variety of ideas, solutions, beginning of ideas to further add on to.

We too have an autistic and partially deaf, missing an ear (birth defect) 6 year old grandson who wears identification, would run off of police or stranger approached him.

Our daughter had a huge brain tumor growing when she was pregnant. (Surgery removed and she now is in education field)

Sue ashenbrenner.

Long time kirkland resident with 3 sons who own homes here too, wants to attend next forum.

Her 98 year old WW11 veteran Dad passed or she would have attended.

Having multiple scerolsis sometimes makes my messages incomplete.

I want to clarify as I know the one lady had different information

I see TWO very LARGE and dangerous problems.

1. Political agenda of some that trickles down and it isn't factual, accurate or truthful.
2. Hiding truth from the public allowed many vulnerable senior church members to end up victims.

The TRUTH is the police cases !

I read them through a public disclosure request

Plus heard from several of the victims.

We also were helping the homeless in tent cities.

Due to the Politicians, pastors, church friends all saying that the tent city people were just people who fell on hard times.

Our Family stepped up with money donations, in kind donations, time, meals and resource support.

We are in our 60s and law abiding.

We do not condone the crimes we became aware of that victimized Kirkland residents.

Here are a few examples of factual data. Not gossip or NIMBY rumors.

1. Sandi Hunt LWUM senior citizen had her credit cards taken by Steve Wiggins she claimed and there was a report. Steve admitted he stole for 10 years from church members while living in tent cities to support drug habit. This habit was ignored and took his life and he left behind a high school son at Seattle's Hale.
2. A Redmond/woodinville senior lady Yates had her car and checkbook taken. She spent thousands of her retirement funds trying to help people.
3. Holy Spirit senior had her checkbook taken by homeless tent city 4 lady who she allowed in her home. Karen Morris has documents. Court case her children filed.
4. Margaret S hired a couple men to do gardening and her rings were taken and she located them on Emily Easter's fingers directly across street from city hall.

Margaret also have SHARE tent city 4 a grant for \$5,000 for KC metro bus tickets where KC charged 20% cost to non profits. (it's now gone down to 10%). Multiple churches and business give SHARE the cash for bus tickets. Homeless were NOT getting the bus tickets.

5. Father Ramon Santa Cruz had his bowling ball, liquor and communion kit and cash taken at his church the last time they hosted.

6. Kirkland fire department went to tent on fire. THEY were cooking drugs Holy Spirit. The fire dept was lied to and told it was just a candle caused fire. Documented.

2012 we were able to obtain inside documents from SHARE tent cities This had a bar list of hundreds of homeless women who were permanently barred.

Reasons were

Missing a security shift

Missing a protest

Missing a city council meeting mandatory Calling 911. Sexual assault.

Having too many blankets

Getting mail at church

Talking to church members without permission

This was shown to king county council in 2014.

Along with multiple sexual assaults and rapes that occurred.

SHARE has a harvest auction every October and homeless must gift a donation of something of \$30 or more value June, July and August.

A homeless man videotaped the meeting

Homeless were told IF they didn't donate this \$30 a month they were barred. Evicted for a month. This was in writing which is available.

They were told

Shoplift an item

Steal packages off porches

Sell your EBT card

Beg for someone to buy you a gift card.

Whatever but you must produce.

They also told volunteers they were told stealing packages is a victimless crime That Nordstrom's, fed ex. UPS ALL replace the value from insurance. Wealthy companies

I don't see it that way. My medication is \$5,500.00 a month and 3 months is delivered at a time. My insurance won't replace. I stay home and try to meet delivery. If it's stolen it affects my health.

Other people get sentimental baby quilt delivered or other personal items.

We stepped up in 2012 in November when Scott morrow kicked homeless off the church grounds in winter with NO donated supplies No bus tickets, tents, tarps, sleeping bags, food

Kirkland police TRIED to advocate for the homeless and asked SHARE management to allow homeless to take some of the donated supplies.

I HAD just gifted 80 blankets I sewed with 4 yards each of fleece I bought.

We also gifted Kirkland police 50 blankets for patrol cars and stuffed animal.

The drugs cooked and sold at local high schools from church property WAS unfair to local parents and teachers.

Ron and I have paid for
GED TESTING
professional license fee
Work boots
Meals
Mended clothing.
Hemmed jeans
Laundry
Moved the tent city

Drove people to doctors. Hospital. Dentist Babysat homeless children Bought clothes. Shoes. School supplies
Replaced identification Paid for eye glasses.
Hired in 2012 at \$15-\$20 an hour for yard work Helped out on job fair Helped out on pizza and free haircut day

It still is NOT acceptable for pastors, politicians, homeless advocates to spin the facts.

The tent cities had MANY problems.
A lot of domestic violence.
Sexual assaults. Several rapes 2004-2015 Pimps selling young girls.
THIS IS NOT ACCEPTABLE!

A disabled deaf lady Brenda was raped directly across from city hall at church. No one knew until month later.

Kirkland leaders have to BALANCE helping homeless with protecting children, handicapped, elderly.
The dishonesty and spin of that everything is safe is dangerous.

As you saw last night the one lady wanted none of the facts to be true. She had her opinion that she talked to people they said things were safe.

Most informed churches have moved to helping homeless in better ways.

2004. I suspected that tent cities were not self managed. That it was a political activism and keeping homeless homeless.
Not only did SHARE not provide case management. They turned down offers of help for those living homeless on their behalf.

2012 when sec offender of child arrested in Kirkland. YOUNG PARENTS had concerns.

Tent city Scott morrow said "he didn't give a damn. About the children His job was to make sure homeless civil rights protected."

Kirkland leaders and police MUST give a damn about the children's safety, truth and balancing protecting all groups of people.

In closing. King county kept saying
1. The tent city residents had background checks.
Truth for a carton of cigarettes to security you could get this waived.

2. These are local residents.

Data collected asked. What is the zip code you slept in last night ?

If we all go to Hawaii and sleep on the beach one night. We still have homes in Kirkland.

The question of
53

Where did you attend school. ?
Where did you work?
Where have you rented. Lived. ?
Where are your families?

In conversations of volunteering we met a total of 3 people who had lived, worked and had family in king county.
The rest were from
Alaska, Texas, Arizona, New York, california. Florida, Michigan, Mexico, Nebraska, North Carolina.

Our solutions

1. Earlier intake appointments
Who is homeless
Where. Why. What are there needs.

2. Separate the people THAT volunteers. Church members can help. People who need a job. Help back to independence.

3. Professional drug counselors for those in need.

4. Professional mental health people for those in need.

5. Invest in seasoned social workers.
TRAIN the volunteers to do the things we can do.

KC declared homelessness an emergency.
Funding is up, laws changed, public land moving to non profits.

Proper services in a timely manner are missing

Without proper services in the first year a person experiencing homelessness gives up HOPE.

we as a family want to help. We learned our volunteering needs to be in a controlled safe organized system.

Communication is very important.

As a mixed race Family we find today's climate very sad.
We have cousins, children, nephews and nieces that are Black, Native American, Latino, White.
I have 2 half brothers that are Asian.
We love them all and want them all to be law abiding productive members of their communities, volunteer, and have fair opportunities at education and careers.

Email received August 14, 2019

<https://mynorthwest.com/1479917/rantz-homeless-drug-use-south-lake-union-tiny-home-village/?>

2012 a group of us VOLUNTEERS told
King county
Seattle and Kirkland councils

Our personal experience of trying to help people living as homeless. We became aware through visual and hearing on site conversations.

1. Sexual abuse of women
2. Evicted if they called 911
3. Drugs. Meth and heroin WHICH in our late 50s. We were all STUNNED we had no idea about the cooking and addiction.

We were there to

Provide meals

Clothing

Job applications

Tutor for GED

4. The crime element.

5. FORCED protesting. Activism

Attending meetings

6. Missing donations. Taken by management away from the tent city residents that the donations were donated for.

Basically CRIMINALS are using vulnerable people

1. City and county funds
2. Push a false narrative they care about those experiencing homeless.
3. EXPENSIVE in kind donations sold secondary markets. Or returned for money.
Computers. Surge protectors. Tents. Sleeping bags. Costco batteries. Tide pods. Generators.

4. Using homeless to commit crimes

Examples. Sell EBT cards.

Steal packages off porches

Steal jewelry and pills. Checkbooks. Cameras from church members.

Pastors with greater church council have TOLD CHURCH MEMBERS NOT to report crimes to police.

Criminals POSING as homeless advocates are victimizing real homeless.

The sex abuse of the women has been heartbreaking.

There's also cases where women went to Seattle city to complain.

They were sent to nick licata assistant Lisa herbold now a council member.

Lisa took notes on computer about abuse

Forced protesting

Evictions for not protesting

Evictions of women for calling 911

Crimes

Missing money and donations

Bus tickets with held

Donated. Orca cards taken away from homeless that were donated for homeless.

Lisa Herbold has decades old friendship

With SHARE/nicklesville Scott morrow.

Seattle tenants union is known to CONTACT her if homeless or LIHI tenants call city to complain.

2009-2010. 2 brave women wrote Seattle civil rights complaints.

Desiree Krautkremer wrote a 4 page email

Lisa herbold contacted Scott morrow who then evicted Desiree for writing city on a Sunday night. She was booted on a Sunday night from Kirkland's Holy Spirit church and walked to the beach where she sat and prayed and cried. And thought dark thoughts. Thank goodness she did nothing more as she said it crossed her mind.

Dominque Trudel was living at the bunkhouse SEATTLE PAYS \$600,00.00 to SHARE and KC gives \$625,000.00, a van, waived land use permits and \$50,000.00 for SHARE through CCS.

Dominque was being sexually harassed by a convicted rapist. KC sex offender hired to be the SITE MANAGER of a women's shelter.

She reached out to Seattle police and was evicted.

Filed Seattle civil rights complaint

Was harassed and ended up at Swedish hospital

Brenda deaf and special needs raped. Ray K

When she told she was beaten and taken to harbor view.

Women April 2013 raped at nicklesville

Seattle police case when Seattle police Officer larry Langley arrived THE SHOW OF FORCE security team was chasing her with tools used as weapons.

UW tent city 3 stay. Security is a man Clint wade crowley who beats a woman Bonnie Harvey.

She gets KC protection order.

This man was on SHARE board. Security at college campus. STATE OF WASHINGTON medical lake hospital deemed him a danger to society. Long time criminal. News articles from tri cities court cases.

He's using cash donations to take homeless women who feel they have no choice to hotel rooms. Paid by charity gifts to tent city.

Young ladies sold back page ads.

I took the photos I WAS GIVEN by a concerned volunteer and homeless man. I took them to Olympia.

My Husband told Larry gossett.

I took all this to Rod debowski.

8 of us asked Rod debowski to meet with us in 2013. He refused.

I went to shoreline town meeting.

Sheriff John urquart wasn't interested made reference that homeless women don't report rapes. WOW. wonder why. Beaten or evicted

Rod debowski admired my passion he said

Rod DID when shown evidence about evictions for calling 911 say this is against state law.

Said it can't happen in unincorporated KC.

It's still happening all over KC.

IVE BEEN TALKING since 2012.

7 years later. NOTHING has changed except it's gotten worse.

I'm sure you can find my past emails.

Sanctuary county may be a haven for criminals.

OVERVIEW

The Kirkland Police Department Mental and Emotional Health Response Improvement Team charter was designed to accomplish six primary goals:

1. Maintain service to individuals experiencing a mental or emotional health crisis
2. Streamline the process for dispatch, response, and reporting
3. Reduce the number of calls
4. Reduce repeat offenders
5. Reduce duplication of response and reporting
6. Increase officer unallocated time

During their three-day intensive kaizen session, fourteen recommendations were developed to meet these objectives, provide a clear career path for the approved mental health professional, and establish performance measures to ensure the city is providing value-added services to this population.

METHODOLOGY

The team, led by a facilitator from the Change and Innovation Agency, used system mapping and process analysis tools to represent the work as it is done today and to begin identifying potential areas for improvement. These ideas were then further explored and we relied on both existing data, as well as the expertise of the team to estimate work time for each process and call volume, to help evaluate potential solutions. The discussion surrounding mapping and analysis resulted in a number of potential ideas that were researched to validate their feasibility and potential impact. Those ideas with both high feasibility and impact became the team's final recommendations, which are documented in this report.

FINDINGS

Calls to NORCOM, even from the most common sources, can be nearly impossible to fully diagnose over the phone and often require a police officer to investigate further. The time between a dispatched call and a response can vary, but in general, most are seen within an hour, and the safeguard of having NORCOM contact a supervisor for pending calls that have been holding for an hour seems to be effective in ensuring a prompt response. Depending on the shift, the group estimated anywhere between 15% to 45% of calls fall into the non-emergency category with 30% of those mental health-related calls, sometimes associated with a suicidality. Despite the fact that many calls turn out to be non-emergency and non-law enforcement, for the safety of the caller, the subject, and any third parties who may be involved or become involved, the team felt strongly that all calls should continue to be dispatched.

Each mental/emotional contact made by a police officer typically results in at least one of the following:

- Field Investigation Report (FIR): Often completed for routine contacts, this documentation takes anywhere from five to 15 minutes to complete in the system and is usually entered just after the contact with the subject concludes.
- Full Report: Required for more severe contacts, these reports take between 30 and 60 minutes to complete, and may not be immediately available until after a supervisory review, which can take up to one day.

- Behavioral Health Report/Crisis Template: The documentation takes approximately five minutes and is currently emailed to supervisors to be forwarded to the MHP coordinator.
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1. Before the call: What steps could be taken by the city and police department to limit the volume of mental and emotional response calls?
2. At the call: What information and steps could be taken during an initial call to help the contact go more smoothly?
3. At the contact: What could be done during a mental and emotional response to both ensure safety and provide quality services to the subject?
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RECOMMENDATIONS

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A second NRO/CIT Officer would also increase the effectiveness and ease of implementing these recommendations; however, the team recognizes the lag between hiring and when such a position can be in place and contributing.

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This effort could easily fit into a Community Policing Model

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response. There were, however, several issues identified with the implementation of this recommendation:

- Safety and liability issues must be addressed, as well as training for when an MHP must defer to an officer.
- As a new position, policies, call signs, and expectations must all be developed.
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Overall, if these challenges can be proactively addressed, this idea should have an immediate impact on helping deal with these calls that will only increase as the trust between the MHP and officers grow.

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In an effort to collect reliable data and assist in the building of response plans, new clearing codes need to be developed to identify calls with a mental and emotional health component. Dual codes may be required to capture calls with more than one outcome. (For example, a call resulting in transportation for an involuntary mental health evaluation involves a mental/emotional health component and a report). One of the issues identified by this team is the lack of data surrounding the volume and response times for these calls. This is due to a multitude of call types having a mental/emotional component. Therefore, it is not possible to track the quantity of calls accurately by type alone. In order to better track and analyze this data, and communicate it to city council and other stakeholders, these codes need to replace (or supplement; dual code option is feasible) the more generic clearing codes used today. This data is also vital to future grants and resource allocation.

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Recommendation 13 – Develop a Community Court and Resource Model: A Community Court is an alternative problem-solving court. It differs from traditional court in that it seeks to identify and address the underlying challenges of court participants that may contribute to further criminal activity. Its goal is to build stronger and safer neighborhoods and reduce recidivism. A Community Resource Center is an integral component of a Community Court. This Resource Center will consist of community partners who provide a wide array of services. The Community Resource Center will be available to all members of the public in addition to the Community Court participants. A structured avenue for routing people to services with some judicial authority should improve services and eventually reduce repeat calls. While success in surrounding areas has been difficult to measure, the impact is generally perceived as positive. This idea should reduce the use of jail, recidivism, and crime for these subjects. By addressing the root cause of these issues, those impacted may integrate back into the community more positively, and the community may have a better attitude toward the process. Judicial buy-in is necessary and logistical concerns such as timing, funding, location, space needed, and staffing will need to be worked out.

The team recommends passing this idea to Kirkland judicial officials to partner with them to consider what is being done in surrounding areas (e.g., Redmond Community Court).

Recommendation 14 – MHP to Follow Up: The new MHP will provide follow up to referrals and work with individuals to reduce repeat calls by attempting to ensure services are being used. The main goal is to ensure our community members who routinely struggle with mental and emotional health get the help they need and avoid unnecessary interactions with law enforcement. By having an MHP follow up on service referrals, subjects not only get better help, but officers are freed up to respond to calls that require law enforcement. This extra time includes the anticipated reduction in call volume and the alleviated time needed for officers to get subpoenaed to ITA court. Knowing this is a time-consuming task, there are many issues surrounding implementation including:

- Building MHP capacity to accurately follow up and follow all HIPPA rules
- Determining implications for policy, procedures, and data storage to be HIPAA-compliant
- A mechanism for sharing information with officers and response plans
- General policies and guidelines on how MHPs will handle this commitment

CONCLUSION

Due to the unique nature of the mental and emotional health calls and the lack of historical data, it is difficult to quantify these recommendations in order to predict savings. However, the team agreed that by formalizing portions of the process and taking the steps outlined in this report, progress can be made and information can start being collected to help future efforts more accurately measure impact. The table that follows documents the team's feedback on how each recommendation will impact the desired charter outcomes.

	Maintain Services	Streamline Process	Reduce Calls	Reduce Repeat Offenders	Reduce Duplication of Response and Reporting	Increase Officer Unallocated Time
Recommendation 1: Business Outreach			X			X
Recommendation 2: Community Outreach			X	X		X
Recommendation 3: Officer Training	X	X	X	X	X	X
Recommendation 4: Proactively Check on Repeat Callers	X		X	X		X
Recommendation 5: Strengthen Relationship with Evergreen			X	X		
Recommendation 6: NORCOM Improvements at Intake	X	X			X	
Recommendation 7: Curb Nuisance 911 Calls			X			
Recommendation 8: Design Field Cards for Officers	X	X		X		
Recommendation 9: MHP Respond at Location Once Secure	X	X	X	X		X
Recommendation 10: MHP Designs Response Plans	X	X	X	X		
Recommendation 11: Develop New Clearing Code					X	
Recommendation 12: Develop New Reporting Guidelines					X	
Recommendation 13: Develop a Community Court Model	X		X	X		X
Recommendation 14: MHP to Follow Up	X		X	X		X

We suggest that leadership carefully review the recommendations that the team has developed and consider the feasibility and impact of each. Once a determination has been made about which recommendations will move forward, the team can reconvene to begin developing a roadmap and timeline to implement the changes. If after review leadership determines that changes or additional investigation is needed on a particular recommendation, the team can meet to discuss and present this information.

ACTION PLAN

Recommendation Action Item	Deliverable	Point of Contact	Due Date
THE MHP POSITION			
Hire a full-time MHP not dependent on grant or temporary funding	Full-time person on board	Services LT	?
MHP Respond at Location Once Secure (Recommendation 9)			
Policy developed for when an MHP should respond	Policy	Professional Standards	Ongoing
Training for the MHP	Lesson plan	Professional Standards	4 weeks from hire
Training for officers on when to use an MHP	Lesson plan	Professional Standards	4 weeks from hire
Equipment assigned	Sign out	Quartermaster	4 weeks from hire
MHP Designs Response Plans (Recommendation 10)			
Build template for plans	Template	MHP/CIT	8 weeks from hire
Identify regular callers	List of people to have plans for	MHP/CIT	8 weeks from hire
MHP to Follow Up (Recommendation 14)			
Develop policy for follow up	Policy	Professional Standards	Ongoing after approval – 6 weeks
Develop procedure for officers to communicate follow up needs to MHP	Procedural guidance	Supervisors	6 weeks in conjunction with policy
Develop a contact list for follow up	First follow-up call conducted under new policy	MHP/CIT	1 week from procedures developed
BEFORE THE CALL			
Business Outreach (Recommendation 1)			
Determine which businesses would benefit most from this outreach and recruit them for an event	List of businesses	NRO/Economic Development	2 weeks
Develop curriculum	Lesson plan	NRO	2 weeks

Kirkland Police Department Mental and Emotional Health Response Improvement Team

Conduct meetings	First meeting	NRO/Community Outreach	4 weeks
Community Outreach (Recommendation 2)			
Identify associations to educate	List of community groups	NRO/Neighborhood Services	1 week
Develop curriculum	Lesson plan	NRO	2 weeks
Conduct meetings	First meeting	NRO	Dependent on association schedule
Officer Training (Recommendation 3)			
Develop curriculum	Lesson plan	Christian Hemion/Loraine Rohrbach	2 weeks
Conduct training	Training	Training Unit to schedule	4 weeks
Proactively Check on Repeat Callers (Recommendation 4)			
Develop policy with a complete liability and legal review to ensure staff are aware of any issues to implementation	Policy	Professional Standards	8 weeks from MHP hired
Identify who will conduct proactive calls and how often they should occur (MHP/CIT)	Job descriptions	MHP Coordinator	8 weeks from MHP hired
Training on proactive calling	Lesson plan	MHP/CIT	12 weeks from MHP hired
Identify who we should contact	System that tracks proactive calls	MHP/CIT	12 weeks from MHP hired
Strengthen Relationship with Evergreen (Recommendation 5)			
High-level discussions on the goals of strengthening relationships and reducing the amount of disagreements when an officer brings someone in	Agreement to develop what a successful transfer looks like	Bosses	4 weeks
Conduct focus groups with Evergreen and other partners to determine the successful attributes of a transaction	Focus group report	Change Agents	6 weeks from agreement
Change procedures to ensure successful transactions when applicable	Procedural changes	Training Unit	8 weeks from agreement
AT THE CALL			
NORCOM Improvements at Intake (Recommendation 6)			
Bosses meet to discuss the need for NORCOM changes	Agreement on changes	Chief	4 weeks
Adjust policy at NORCOM	New information entered	NORCOM	12 weeks

Curb Nuisance 911 Calls (Recommendation 7)			
Develop ordinance for nuisance calls	New ordinance	City Manager	?
AT THE CONTACT			
Design Field Cards for Officers (Recommendation 8)			
Update services contact list	Updated list	Loraine Rohrback/Human Services Coordinator	4 weeks
Distribute to officers	New list	Supervisors	1 week after updated list complete
AFTER THE CONTACT			
Develop New Clearing Code (Recommendation 11)			
Work with NORCOM and other partners to agree to designate and use H	Agreement	Chief/Executive Board	4 weeks
Add clearing code to mobile		IT	?
Adjust policy to clear with H	Policy	Professional Standards	?
Train officers	Training	Supervisors	1 week from policy and IT complete
Develop New Reporting Guidelines (Recommendation 12)			
Approval to begin and training	Officers attaching report in LERMS	Supervisors	1 week from approval
Develop a Community Court Model (Recommendation 13)			
Agreement with judges to build a community court	Decision	All the Bosses	?
Develop and move to the new model	First case trial in the new model	Courts	?

#

OVERVIEW

The Kirkland Police Department Mental and Emotional Health Response Improvement Team charter was designed to accomplish six primary goals:

1. Maintain service to individuals experiencing a mental or emotional health crisis
2. Streamline the process for dispatch, response, and reporting
3. Reduce the number of calls
4. Reduce repeat offenders
5. Reduce duplication of response and reporting
6. Increase officer unallocated time

During their three-day intensive kaizen session, fourteen recommendations were developed to meet these objectives, provide a clear career path for the approved mental health professional, and establish performance measures to ensure the city is providing value-added services to this population.

METHODOLOGY

The team, led by a facilitator from the Change and Innovation Agency, used system mapping and process analysis tools to represent the work as it is done today and to begin identifying potential areas for improvement. These ideas were then further explored and we relied on both existing data, as well as the expertise of the team to estimate work time for each process and call volume, to help evaluate potential solutions. The discussion surrounding mapping and analysis resulted in a number of potential ideas that were researched to validate their feasibility and potential impact. Those ideas with both high feasibility and impact became the team's final recommendations, which are documented in this report.

FINDINGS

Calls to NORCOM, even from the most common sources, can be nearly impossible to fully diagnose over the phone and often require a police officer to investigate further. The time between a dispatched call and a response can vary, but in general, most are seen within an hour, and the safeguard of having NORCOM contact a supervisor for pending calls that have been holding for an hour seems to be effective in ensuring a prompt response. Depending on the shift, the group estimated anywhere between 15% to 45% of calls fall into the non-emergency category with 30% of those mental health-related calls, sometimes associated with a suicidality. Despite the fact that many calls turn out to be non-emergency and non-law enforcement, for the safety of the caller, the subject, and any third parties who may be involved or become involved, the team felt strongly that all calls should continue to be dispatched.

Each mental/emotional contact made by a police officer typically results in at least one of the following:

- Field Investigation Report (FIR): Often completed for routine contacts, this documentation takes anywhere from five to 15 minutes to complete in the system and is usually entered just after the contact with the subject concludes.
- Full Report: Required for more severe contacts, these reports take between 30 and 60 minutes to complete, and may not be immediately available until after a supervisory review, which can take up to one day.

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quickly give officers a look at history. A more focused format will save time for officers and allow for easier review while providing the information needed by MHP and local hospitals. Going forward, Recommendation 5 information should be collected first to ensure involuntary mental health evaluation reports include criteria established from external customer feedback (from Evergreen and other providers).

On crisis intervention calls, if officers take a case report, or there is a master case report, they should upload the Behavioral Health Report/Crisis Template to the documents tab in LERMS. If they don't take a case report, they should upload the form to the incident jacket in LERMS. NORCOM or the officer must enter the name of the subject as a person in the incident (see Recommendation 6; this is the only way the name will be associated with the incident).

Recommendation 13 – Develop a Community Court and Resource Model: A Community Court is an alternative problem-solving court. It differs from traditional court in that it seeks to identify and address the underlying challenges of court participants that may contribute to further criminal activity. Its goal is to build stronger and safer neighborhoods and reduce recidivism. A Community Resource Center is an integral component of a Community Court. This Resource Center will consist of community partners who provide a wide array of services. The Community Resource Center will be available to all members of the public in addition to the Community Court participants. A structured avenue for routing people to services with some judicial authority should improve services and eventually reduce repeat calls. While success in surrounding areas has been difficult to measure, the impact is generally perceived as positive. This idea should reduce the use of jail, recidivism, and crime for these subjects. By addressing the root cause of these issues, those impacted may integrate back into the community more positively, and the community may have a better attitude toward the process. Judicial buy-in is necessary and logistical concerns such as timing, funding, location, space needed, and staffing will need to be worked out.

The team recommends passing this idea to Kirkland judicial officials to partner with them to consider what is being done in surrounding areas (e.g., Redmond Community Court).

Recommendation 14 – MHP to Follow Up: The new MHP will provide follow up to referrals and work with individuals to reduce repeat calls by attempting to ensure services are being used. The main goal is to ensure our community members who routinely struggle with mental and emotional health get the help they need and avoid unnecessary interactions with law enforcement. By having an MHP follow up on service referrals, subjects not only get better help, but officers are freed up to respond to calls that require law enforcement. This extra time includes the anticipated reduction in call volume and the alleviated time needed for officers to get subpoenaed to ITA court. Knowing this is a time-consuming task, there are many issues surrounding implementation including:

- Building MHP capacity to accurately follow up and follow all HIPPA rules
- Determining implications for policy, procedures, and data storage to be HIPAA-compliant
- A mechanism for sharing information with officers and response plans
- General policies and guidelines on how MHPs will handle this commitment

CONCLUSION

Due to the unique nature of the mental and emotional health calls and the lack of historical data, it is difficult to quantify these recommendations in order to predict savings. However, the team agreed that by formalizing portions of the process and taking the steps outlined in this report, progress can be made and information can start being collected to help future efforts more accurately measure impact. The table that follows documents the team's feedback on how each recommendation will impact the desired charter outcomes.

	Maintain Services	Streamline Process	Reduce Calls	Reduce Repeat Offenders	Reduce Duplication of Response and Reporting	Increase Officer Unallocated Time
Recommendation 1: Business Outreach			X			X
Recommendation 2: Community Outreach			X	X		X
Recommendation 3: Officer Training	X	X	X	X	X	X
Recommendation 4: Proactively Check on Repeat Callers	X		X	X		X
Recommendation 5: Strengthen Relationship with Evergreen			X	X		
Recommendation 6: NORCOM Improvements at Intake	X	X			X	
Recommendation 7: Curb Nuisance 911 Calls			X			
Recommendation 8: Design Field Cards for Officers	X	X		X		
Recommendation 9: MHP Respond at Location Once Secure	X	X	X	X		X
Recommendation 10: MHP Designs Response Plans	X	X	X	X		
Recommendation 11: Develop New Clearing Code					X	
Recommendation 12: Develop New Reporting Guidelines					X	
Recommendation 13: Develop a Community Court Model	X		X	X		X
Recommendation 14: MHP to Follow Up	X		X	X		X

We suggest that leadership carefully review the recommendations that the team has developed and consider the feasibility and impact of each. Once a determination has been made about which recommendations will move forward, the team can reconvene to begin developing a roadmap and timeline to implement the changes. If after review leadership determines that changes or additional investigation is needed on a particular recommendation, the team can meet to discuss and present this information.

ACTION PLAN

Recommendation Action Item	Deliverable	Point of Contact	Due Date
THE MHP POSITION			
Hire a full-time MHP not dependent on grant or temporary funding	Full-time person on board	Services LT	?
MHP Respond at Location Once Secure (Recommendation 9)			
Policy developed for when an MHP should respond	Policy	Professional Standards	Ongoing
Training for the MHP	Lesson plan	Professional Standards	4 weeks from hire
Training for officers on when to use an MHP	Lesson plan	Professional Standards	4 weeks from hire
Equipment assigned	Sign out	Quartermaster	4 weeks from hire
MHP Designs Response Plans (Recommendation 10)			
Build template for plans	Template	MHP/CIT	8 weeks from hire
Identify regular callers	List of people to have plans for	MHP/CIT	8 weeks from hire
MHP to Follow Up (Recommendation 14)			
Develop policy for follow up	Policy	Professional Standards	Ongoing after approval – 6 weeks
Develop procedure for officers to communicate follow up needs to MHP	Procedural guidance	Supervisors	6 weeks in conjunction with policy
Develop a contact list for follow up	First follow-up call conducted under new policy	MHP/CIT	1 week from procedures developed
BEFORE THE CALL			
Business Outreach (Recommendation 1)			
Determine which businesses would benefit most from this outreach and recruit them for an event	List of businesses	NRO/Economic Development	2 weeks
Develop curriculum	Lesson plan	NRO	2 weeks

Conduct meetings	First meeting	NRO/Community Outreach	4 weeks
Community Outreach (Recommendation 2)			
Identify associations to educate	List of community groups	NRO/Neighborhood Services	1 week
Develop curriculum	Lesson plan	NRO	2 weeks
Conduct meetings	First meeting	NRO	Dependent on association schedule
Officer Training (Recommendation 3)			
Develop curriculum	Lesson plan	Christian Hemion/Loraine Rohrbach	2 weeks
Conduct training	Training	Training Unit to schedule	4 weeks
Proactively Check on Repeat Callers (Recommendation 4)			
Develop policy with a complete liability and legal review to ensure staff are aware of any issues to implementation	Policy	Professional Standards	8 weeks from MHP hired
Identify who will conduct proactive calls and how often they should occur (MHP/CIT)	Job descriptions	MHP Coordinator	8 weeks from MHP hired
Training on proactive calling	Lesson plan	MHP/CIT	12 weeks from MHP hired
Identify who we should contact	System that tracks proactive calls	MHP/CIT	12 weeks from MHP hired
Strengthen Relationship with Evergreen (Recommendation 5)			
High-level discussions on the goals of strengthening relationships and reducing the amount of disagreements when an officer brings someone in	Agreement to develop what a successful transfer looks like	Bosses	4 weeks
Conduct focus groups with Evergreen and other partners to determine the successful attributes of a transaction	Focus group report	Change Agents	6 weeks from agreement
Change procedures to ensure successful transactions when applicable	Procedural changes	Training Unit	8 weeks from agreement
AT THE CALL			
NORCOM Improvements at Intake (Recommendation 6)			
Bosses meet to discuss the need for NORCOM changes	Agreement on changes	Chief	4 weeks
Adjust policy at NORCOM	New information entered	NORCOM	12 weeks

Curb Nuisance 911 Calls (Recommendation 7)			
Develop ordinance for nuisance calls	New ordinance	City Manager	?
AT THE CONTACT			
Design Field Cards for Officers (Recommendation 8)			
Update services contact list	Updated list	Loraine Rohrback/Human Services Coordinator	4 weeks
Distribute to officers	New list	Supervisors	1 week after updated list complete
AFTER THE CONTACT			
Develop New Clearing Code (Recommendation 11)			
Work with NORCOM and other partners to agree to designate and use H	Agreement	Chief/Executive Board	4 weeks
Add clearing code to mobile		IT	?
Adjust policy to clear with H	Policy	Professional Standards	?
Train officers	Training	Supervisors	1 week from policy and IT complete
Develop New Reporting Guidelines (Recommendation 12)			
Approval to begin and training	Officers attaching report in LERMS	Supervisors	1 week from approval
Develop a Community Court Model (Recommendation 13)			
Agreement with judges to build a community court	Decision	All the Bosses	?
Develop and move to the new model	First case trial in the new model	Courts	?



CITY OF KIRKLAND

Police Department

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MEMORANDUM

To: Kurt Triplett, City Manager

From: Cherie Harris, Chief of Police

Date: June 25, 2020

Subject: Kirkland Police Department – Use of Force Review and Update on Body-Worn Cameras

Recommendation:

City Council receives a briefing on the Department's policy and procedures regarding the use of force and an update on body-worn cameras.

Background:

The Kirkland Police Department (Department) recognizes the need to continuously adapt to the needs of the community, and that change is necessary to maintain the public's trust through policies, procedures and training that are centered on the principle of the sanctity of human life. Across the country, there are discussions focused on police reform. These discussions provide an opportunity for strengthening relationships with stakeholders, and specifically with Black people. The Department has received a number of comments, questions and recommendations regarding use of force policies. To ensure policies and procedures are in line with best practices, Staff have consulted the recommendations contained in the following publications:

- President Obama's Task Force on 21st Century Policing
- Washington Association of Sheriffs and Police Chief's Principles of Public Trust
- Police Executive Research Forum Guiding Principles on Use of Force
- Campaign Zero Police Use of Force Policy Analysis/ 8 Can't Wait
- Public Safety Policy Training - Lexipol

The "use of force" by a police officer is governed by both federal and state laws as well as the decisions of the US Supreme Court, the US Court of Appeals for the 9th Circuit and the Washington State Supreme Court. The Revised Code of Washington (RCW) addresses the criminal elements of lawful use of force in RCW 9A.16.020 and when deadly force is justifiable by a police officer in RCW 9A.16.040. Definitions of "necessary" and "deadly force" are provided in RCW 9A.16.010:

(1) *"Necessary" means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended.*

(2) *"Deadly force" means the intentional application of force through the use of firearms or any other means reasonably likely to cause death or serious physical injury.*

In addition to state law, there are two landmark US Supreme Court decisions that generally address the constitutional limits of force by police officers. In *Tennessee vs Garner*, the Supreme Court restricted the use of deadly force against a fleeing suspect, unless the use of such force is reasonably believed necessary to prevent the suspect's escape and there is probable cause to believe that the suspect presents a serious threat of death or serious physical injury to the officer or others. In *Graham vs Connor*, the US Supreme Court established the standard for evaluating all police use of force, holding that it must be judged by an "objective reasonableness standard" in light of the "facts and circumstances confronting them" (not 20/20 hindsight) and recognizing the tense, uncertain and rapidly evolving decision making that occurs during these incidents. The Court held that the reasonableness of an officer's actions will be assessed in light of several factors, including severity of the crime at issue, the extent to which the suspect can reasonably be seen as an immediate threat to officers or others, and whether the suspect is resisting arrest or attempting to flee.

The Department's policies and procedures on the use of force are firmly anchored by these laws and court decisions. In 2015, the Department implemented the "Lexipol" policy manual, a nationally known (3500 agencies in 35 states) law enforcement, corrections and Fire/EMS manual that includes ongoing daily training bulletins and an electronic policy management platform. The Lexipol manual is the gold standard in the industry, and represents the cutting edge of national police practices. The City has made the financial commitment to pay an annual fee to Lexipol, which in turn provides ongoing updates to ensure the Department's policies continue to align with state and federal laws that are researched and written by subject matter experts and vetted by attorneys. Utilizing the Lexipol policy manual, the Department ensures that its police officers are provided the best practices in the industry. Updates are completed on an ongoing basis, as changes are made based on court decisions (case law) or as the legislature passes new laws. Our officers are required to read and confirm that they understand each change to every policy. Lexipol provides Daily Training Bulletins (DTBs) that present scenarios to help officers understand and apply policies and include a test question.

The entire policy manual is public record, and was posted to the Department's website after receiving a number of questions and concerns from community members about use of force policies and procedures. In addition, after receiving inquiries about compliance with the Campaign Zero - "8Can'twait" - the Department created a Frequently Asked Questions (FAQ) to provide an overview of what use of force techniques are used by officers in Kirkland. The Department has submitted additional answers and explanations to each of the categories and is waiting for a response from the Campaign Zero staff on their review of Kirkland's use of force policies. The following narrative provides a summary of the Department's submission in *italics* with additional considerations:

Does your Use of Force Policy allow for chokeholds and strangleholds? NO

Neck restraints are considered deadly force and may be used in circumstances outlined in the Deadly Force Applications section of this manual: Any individual who has had a Neck Restraint

applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until examined by paramedics or other appropriate medical personnel. The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to a Neck Restraint and whether the subject lost consciousness as a result.

Any officer attempting or applying a Neck Restraint shall promptly notify a supervisor of the use or attempted use of such hold. All Neck Restraint applications shall be thoroughly documented and reviewed in accordance with section 300.5 of this policy.

All Neck Restraint applications that result in the death of, or serious injury to, another person will be thoroughly investigated using the Officer-Involved Critical Incident policy.

"Chokeholds" and "strangleholds" are, by their very definition, designed to restrict airflow. Because of the obvious danger, these types of holds were eliminated from the Department's use of force policy years ago. Prior to June 16, 2020, we had allowed officers, if they had been trained, to utilize a carotid control hold. This is substantially different from a chokehold in that it does **NOT** restrict airflow. Officers had to go through an initial 8-hour certification in this technique, also known as a vascular neck restraint, and then were required to recertify annually with another 4-hour training class in which they had to pass a written and physical skills test. A properly applied neck restraint by a certified officer was not considered lethal force. However, law enforcement was recently directed by the President's Executive Order on "Safe Policing for Safe Communities" to prohibit the use of all choke holds. As this is an area of use of force that the community has clearly stated they do not support, the Department changed the policy to say that neck restraints are now considered deadly force.

Does your Use of Force Policy require de-escalation? YES

Department policy provides clear guidance to officers to utilize de-escalation tactics when practical. Policy section 300.1.1 has the following definition:

De-escalation- Taking action to stabilize the situation and reduce the immediacy of the threat so that more time, options and resources are available to resolve the situation. The goal of de-escalation is to gain voluntary compliance of subjects, when feasible, and thereby reduce or eliminate the necessity to use physical force.

Policy section 300.3.1 states:

- *"When safe, under the totality of the circumstances, and when time and circumstances permit, officers should use de-escalation tactics in order to reduce the need for force."*

Use of Force Policy 300 provides the following language:

- *The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties."*
- *Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.*
- *The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to*

protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

Additional instruction is provided to officers within the Crisis Intervention Incidents Policy 431. Policy section 431.5 states that an officer responding to a call involving a person in crisis should, amongst several other items;

- Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.*

Policy section 431.6 is labeled DE-ESCALATION and states:

- Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.*
- Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:*
 - Evaluate safety conditions.*
 - Introduce themselves and attempt to obtain the person's name.*
 - Be patient, polite, calm, courteous and avoid overreacting.*
 - Speak and move slowly and in a non-threatening manner.*
 - Moderate the level of direct eye contact.*
 - Remove distractions or disruptive people from the area.*
 - Demonstrate active listening skills (e.g., summarize the person's verbal communication).*
 - Provide for sufficient avenues of retreat or escape should the situation become volatile.*
- Responding officers generally should not:*
 - Use stances or tactics that can be interpreted as aggressive.*
 - Allow others to interrupt or engage the person.*
 - Corner a person who is not believed to be armed, violent or suicidal.*
 - Argue, speak with a raised voice or use threats to obtain compliance.*

In addition to these Kirkland-specific policies, it should be noted that following the passage of I-940 in November of 2018, a new statute was signed into law in February of 2019 (RCW 43.101.455). Under the statute, the WA Criminal Justice Training Commission, which is responsible for training of all new and lateral officers in Washington State, created comprehensive requirements for de-escalation training for all new and current police officers statewide. These requirements (found in WAC 139-11-020) include at least 200 hours of training in "violence de-escalation and mental health" for all new Academy recruits. Existing officers must receive at least 40 hours of ongoing refresher training on these issues every three years. The WAC provides an extensive list of specific elements of this training, including "methods that de-escalate situations when appropriate to reduce the likelihood of injury to all parties involved, avoid unnecessarily escalating situations that may lead to violence, and avoid unnecessarily placing officers in situations that require or lead to deadly force[.]" See WAC 139-11-020.

Does your Use of Force Policy require a warning before shooting? YES

Policy 300.4 (b) addresses verbal warnings with respect to all deadly force encounters – not just shootings:

- *An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.*

This language is taken nearly verbatim from the Supreme Court holding in *Tennessee v. Garner*. Under the current Lexipol manual, warnings are also covered in policies covering the use of a Taser or other control devices.

Does your Use of Force Policy require officers to exhaust all alternatives before shooting? *This question cannot be answered with a YES or NO answer. If an Officer is suddenly faced with an armed subject who is actively attempting to murder an innocent person, there may be no other reasonable alternative to the use of a firearm. The entire use of force policy is based on the concept that force, when applied by an Officer, must be **reasonable** and **necessary** which is consistent with current case law as decided by the US Supreme Court. The policy specifically states the ultimate objective of every law enforcement encounter is to avoid or minimize injury. The question has been asked, how does an officer determine what is reasonable? Department policy provides a significant list of different factors for Officers to consider when determining if force is necessary. For examples:*

- *what is the subject's mental state or capacity?*
- *what is the proximity of weapons or dangerous improvised devices?*
- *what is the subject's age or size?*
- *are there other options available?*

All of these factors are detailed in policy section 300.3.2, and are used by officers to determine if force is both necessary and reasonable. And again, each of these factors are based on the well-established Supreme Court case law regarding use of force by police officers.

Does your Use of Force Policy ban shooting at moving vehicles? NO

Policy 300.4.1 states:

- *Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.*

This policy is consistent with current case law that officers should not place themselves in the path of a moving vehicle in which the driver is simply trying to flee. The policy recognizes that there could be a legitimate risk of serious physical injury or death created by the driver of a vehicle in certain circumstances, however, such as driving down a crowded sidewalk.

Does your Use of Force Policy include a duty to intervene provision? YES

Policy 300.2.1 states:

- *Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.*

Does your Use of Force Policy require a “use of force continuum?” NO

The Department policy 300.3 achieves that same outcome without using the term “use of force continuum” and specifically states the ultimate objective of every law enforcement encounter is to avoid or minimize injury. The entire use of force policy is based on the concept that force, when applied by an officer, must be both reasonable and necessary. The specific term “use of force continuum” refers to an outdated use of force model that is no longer considered a best practice. As a state-accredited agency, the Department’s use of force policy is grounded in this federal case law, and is consistent with the current standards in the industry.

Does your policy require comprehensive reporting? YES

Policy 300.5 states:

- *Any use of force by a member of this department shall be documented promptly, completely and accurately in both an incident report and a use of force entry. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.*

The Department continues to review policies and procedures with the City Attorney’s Office and the Washington Cities Insurance Authority Attorneys, and will adapt the answers to these use of force questions even further as necessary. In addition to the “8Can’twait” campaign responses, the Department included these additional answers to frequently asked questions:

Do your officers wear body cameras? NO

Currently, our officers are not equipped with body worn cameras. The Department does not currently deploy body cameras and as such, we do not have a specific policy as it relates to this piece of equipment. We have looked into this on several occasions over the past few years, but it is a complicated issue. There is significant cost to the program, between the purchase of the equipment and then the digital storage cost of the videos to meet public disclosure/retention requirements. There is also a cost involved in adding additional staff to handle the public disclosure requests for the videos and the required redaction that goes along with these requests.

We would like you to know that our council has recently asked the department to research a body camera program, to include cost, staff time, vendors, storage and policies. This research will be presented to the council in the coming months.

How do I file a complaint against a police officer for excessive use of force?

A form is available for anyone wishing to file a complaint against a police officer. In the case that you are not satisfied with the result of your complaint investigation, the City Ombud program is another resource you can utilize. The Ombud has the authority to evaluate the situation,

document what occurred, and describe whether the situation fits into City policies, other applicable regulations, or expectations for constituent service. The Ombud has access to the City Attorney as well as any outside legal resources or other professional services required to fully investigate and evaluate the complaint. The role of Ombud is currently performed by either the Assistant City Manager or the Communications Program Manager.

Links are included to the complaint form and the City Ombud program that are embedded in this response.

Is the Kirkland Police Department a State Accredited Agency? YES

We have been an accredited police department for many years. What does this mean? Being an accredited police department means we are operating under industry best practices and standards to include areas such as code of conduct, internal affairs, prisoner security, hiring, retention, training, discipline, de-escalation and use of force policies and procedures.

We re-accredited in 2016 and are up for re-accreditation every four years, so we will submit for re-accreditation in 2020. As part of the process we have to demonstrate that we meet 137 different standards to show we are in compliance with best practices and industry standards, which are confirmed by outside agency assessors. We are one of 56 other agencies who are designated as an accredited agency in the State of Washington and I encourage you to learn more about the accreditation process by reviewing the [Washington Association of Sheriffs & Police Chiefs \(WASPC\) website \(www.waspc.org\)](http://www.waspc.org).

The State accrediting agency (WASPC) requires the written recording of force used by an officer that is capable of causing injury. The Department utilizes a modern computer tracking system to ensure use of force events go through a robust review process to ensure compliance with our policy and the state standard. Higher levels of force are even further scrutinized; sometimes via a formal *Board of Review* process, or if necessary, through an investigation by the Professional Standards Division. In certain cases, such as an officer involved shooting or other deadly force incidents, we require an independent agency to conduct an independent investigation of the incident, which is consistent with the Law Enforcement Training and Community Safety Act (LETCA) that was created after I-940 was passed in November 2018. The LETCA created additional de-escalation training and independent investigative team rules for law enforcement.

Accreditation involves satisfying standards in 18 major law enforcement areas with specific standards for use of force that are "mandatory" to include:

- The agency has policies directing personnel to only utilize the amount of force which is necessary to affect lawful objectives, to include any amount of force up to and including deadly force
- The agency has a policy governing warning shots
- The agency has a policy governing the use of non-lethal weapons
- The agency has a policy requiring appropriate medical aid after the use of force, when an injury is known, suspect, or is alleged
- The agency has a policy requiring personnel to submit a use of force report when they:
 - Discharge a firearm (other than in training or for recreational purposes)
 - Take any action that is capable of injuring a person

- The agency has an officer involved shooting/deadly force response policy that includes steps for first responders and includes a comprehensive independent investigation and review of the event
- The agency has a policy that requires only authorized weapons and ammunition shall be carried and/or used on-duty.
- The agency has a policy that requires an annual management review and analysis, with final review approved by the chief executive officer of the following incidents:
 - Vehicle pursuits
 - Use of force events
 - Internal investigations
 - Biased based profiling incidents

The Department is compliant with all standards and collects “proofs of compliance” annually for inspection by WASPC Accreditation assessors every four years. The Department review of use of force for the last three years is summarized below:

Year	Calls for Service	Use of Force	Percentage	Arrests
2017	45,564	95	0.2%	2040
2018	49,418	90	0.18%	1790
2019	48,029	99	0.2%	1786

In addition to complying with State standards on the review of use of force, the King County Prosecuting Attorney reviews all deadly force incidents for criminal charging and the King County Executive’s Office conducts Inquest Hearings to determine what actions occurred and whether the law enforcement officer complied with training and policy.

Body-Worn Cameras

As indicated above, the Department is currently researching the feasibility of a body-worn camera program. A National Institute of Justice Study on the Las Vegas Metropolitan Police Department published in December 2017, found that officers with body-worn cameras generated fewer use-of-force reports and complaints from citizens compared to officers without body-worn cameras. Although there were few differences between body-worn camera officers and those not wearing cameras in terms of responses to dispatched calls, officer-initiated stops, or response to crime incidents, officers with body-worn cameras issued slightly more citations and made slightly more arrests compared to officers without body-worn cameras.

The Police Executive Research Forum (PERF) published “Implementing a Body-Worn Camera Project-Recommendations and Lessons Learned” in 2012. It provides a solid framework for developing and implementing a BWC program. Among the major considerations are:

Perceived Benefits of Body-Worn Cameras:

- *Accountability, transparency, legitimacy* – body-worn cameras may result in better transparency and accountability and thus may improve law enforcement legitimacy.
- *Public perception and increased civility* - body-worn cameras may also result in higher rates of citizen compliance to officer commands during encounters and fewer complaints lodged against law enforcement.

- *Reducing complaints and resolving officer-involved issues* – may lead to faster resolution of citizen complaints and lawsuits that allege excessive force and other forms of officer misconduct.
- *Corroborating evidence and quicker resolution to incidents* – footage captured may also be used as evidence in arrests or prosecutions, as well as defense.
- *Training* - The use of body-worn cameras also offers potential opportunities to advance policing through training. Law enforcement trainers and executives can assess officer activities and behavior captured by body-worn cameras — either through self-initiated investigations or those that result from calls for service — to advance professionalism among officers and recruits

Considerations for Implementation:

- Privacy considerations, consent
- Collective bargaining agreements
- Technology, equipment and staffing costs must be determined
 - Additional Public Disclosure Analyst for redaction
 - IT/Evidence support
 - Maintenance and replacement costs

Policy Development Topic Recommendations

- Basic usage-when to turn on/off
- Who is assigned to wear them?
- Placement on body
- Who is responsible for charging and maintenance, documentation of malfunctions?
- Recording protocols - when to activate, when to turn off, types of circumstances when recording is required, allowed or prohibited
- Download process, when it must be downloaded, where data is stored, safeguards against data tampering or deletion. Chain of custody documentation.
- Records retention requirements
- Process for accessing and reviewing recordings-officers, supervisors

The Department will provide additional information on body worn cameras at the July 7, 2020 City Council study session to include a preliminary cost analysis.



CITY OF KIRKLAND

City Manager's Office

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MEMORANDUM

To: Kurt Triplett, City Manager

From: Cherie Harris, Chief of Police
James Lopez, Assistant City Manager
David Wolbrecht, Neighborhood Services Outreach Coordinator

Date: June 24, 2020

Subject: SCHOOL RESOURCE OFFICER TASK FORCE FINAL REPORT

RECOMMENDATION:

City Council receives a briefing on the attached School Resource Officer Task Force Report (Attachment A).

BACKGROUND:

The City of Kirkland has assigned School Resource Officers (SRO) in the two public Lake Washington School District high schools in Kirkland for many years. The position of SRO is considered a five-year specialty assignment within the Kirkland Police Department (KPD). Officers must have at least two years as a commissioned police officer in order to apply and selection is a rigorous competitive process. In Kirkland, SRO's are fully commissioned, certified police officers who have successfully graduated from a Basic Law Enforcement Academy. Washington's academy is 720 hours in length.

Each of Kirkland's SROs must also complete advanced training specific to working with students that includes, but is not limited to:

- National & State School Resource Officer Basic and Advanced courses
- Crisis Intervention Training
- Child Interview and Interrogation
- Active Shooter Response Training
- Missing Children and Child Abuse Investigation
- Domestic Violence Investigations
- Verbal de-escalation Training
- Implicit Bias Training

ORIGINS OF THE SRO TASK FORCE

The City has engaged the Kirkland community in a variety of outreach efforts related to community policing and safety. Following is a summary of some of those efforts and their contribution to the origins of the SRO Task Force.

Gun Safety and School Safety

The issues of gun safety and school safety have been around for decades, but the tragic killing of 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on February 14, 2018, reignited the debate in communities around the nation, including in Kirkland. On March 14, 2018, the City Council welcomed over 70 parents from various Kirkland schools to City Hall to discuss potential actions that could be taken to keep students safe from gun violence. On March 21, 2018, the District and the City hosted a community discussion about school safety and community action at Lake Washington High School Theater. At the City Council meeting on April 17, 2018, and in response to public comment, the Council requested that staff draft a resolution to engage the community for input on possible actions the City might take related to gun safety and community safety. Staff returned to the May 1, 2018, Council meeting with such a resolution, Resolution R-5312, for review and possible adoption. Council adopted Resolution R-5312 at its May 1 Council meeting.

Community Engagement on Gun Safety and Community Safety

As directed in Resolution R-5312, City staff sought a wide range of perspectives from the community on the topic of gun safety and community safety. The City Council hosted a Town Hall on June 20, 2018. At the Town Hall some audience members asked why Redmond schools has middle school SROs but Sammamish and Kirkland did not. Redmond has previously passed a ballot measure that included funding for middle school SROs. Staff also conducted nine focus groups between June 11 and June 28, 2018. Additionally, staff conducted numerous individual or group interviews during the month of June, as well as collecting written public comment. Staff compiled the results of the community engagement on gun safety and community safety and presented the results at the July 17, 2018 Council meeting. At that same meeting, Council also received the results of the EMC Research survey on a potential public safety and community safety sales tax measure, which indicated that the majority of Kirkland residents would support such a measure.

School Resource Officers in Kirkland Middle Schools

The Lake Washington School District Board of Directors had also taken a series of actions to improve school safety in response to feedback from parents, students, and staff. The policy commitment of the District was outlined in a Board Proclamation unanimously adopted on March 19, 2018. As one of many safety investments following that Proclamation, the District provided additional funding for fifty percent of SROs in each middle school in the District. Each city within the District would need to provide the other fifty percent of the funding to secure the SROs. The "fifty percent funding split" is how SROs in the high schools are currently provided.

Enhanced Police Services and Community Safety Ballot Measure – Proposition 1

As informed by the July 17, 2018, report to Council on the gun safety and community safety community outreach findings, as well as the results of the EMC survey on a potential public safety and community safety sales tax measure, Council adopted Resolution R-5324 at their August 6, 2018, Special meeting. Resolution R-5324 referred to the ballot a proposition authorizing the increase to the sales and use tax in Kirkland of one-tenth of one percent (0.1%) to fund enhanced police services and community safety (Proposition 1).

In response to the District's action, one element of Proposition 1 provided Kirkland's fifty percent funding share of four new SROs for each of Kirkland's middle schools: Finn Hill Middle School, Kamiakin Middle School, Kirkland Middle School, and International Community School and Emerson K-12 (one SRO half-time at each). Although the City has successfully partnered with the District to provide an SRO in each of Kirkland's high schools for several years, SROs have not previously been assigned to Kirkland middle schools.

Commitment to Additional Community Engagement on the SRO Program

One theme that emerged from the community engagement on the topic of gun safety and community safety was the role of the SRO program in supporting school safety. Some focus group attendees, as well as other members in the community, expressed an interest in exploring the role of SROs in the schools. Although Kirkland's SRO program has a record of excellence, the Kirkland Human Services Commission and some members of the community provided testimony that Kirkland and the District should ensure that the SRO program would not create unintended negative impacts on students based on race, religion, immigration status, gender, sexual orientation, ability, or income. These concerned community members were interested in the City and the District proactively assessing the SRO program, comparing the program to national best practices, and seeking recommendations for improvements based on a community conversation.

Resolution R-5339 - Establishing the SRO Task Force

As a result, the City Council adopted Resolution R-5339 (Attachment B) at its October 16, 2018 meeting. The resolution WHEREAS sections contain a great deal of background. The Resolution affirmed that the City intends that the SRO program helps keep students physically, socially and emotionally safe, builds positive relationships between Police agencies and students of all races, religions, immigration status, gender, sexual orientation, ability, and incomes, and that it helps students receive needed services and diverts at-risk students from the criminal justice system.

Additionally, the resolution authorized the City to work with the District to engage members of the community in a conversation about the SRO program in 2019. This civic conversation would include, among other elements, convening a task force of interested and relevant stakeholders to become educated on national best practices, review the current SRO program, and make any recommendations for improvements to the program to the City and the District. As described in the Resolution, the City Manager was requested to reach out to the District Superintendent to collaborate on a community engagement plan, including actions, timelines, and potential task force membership, and report back on these efforts to Council.

Passage of Proposition 1 and the Formation of the SRO Task Force

At the November 2018 election, 57% of Kirkland voters approved Proposition 1, the Enhanced Police Services and Community Safety Ballot Measure. Once Proposition 1 passed, and as directed by Resolution R-5339, the City Manager and District Superintendent convened a roster of potential SRO task force members that consisted of community members and City and District staff. The report contains the final roster of active task force members which included:

- Community members
 - Eastside Refugee and Immigrant Coalition Executive Director
 - Lake Washington School District Equity Team members (4 total task force members)

- Kirkland Human Services Commission representative
- Kirkland Youth Council representative
- Indivisible Kirkland representative
- PTSA Council President
- Staff members
 - City Manager, City of Kirkland (co-chair)
 - Superintendent, LWSD (co-chair)
 - Chief of Police, KPD
 - Associate Superintendent, Student and Community Services, LWSD
 - Risk & Safety Manager, LWSD
 - Security Manager, LWSD
 - Director of Opportunity, Equity and Inclusion, LWSD
 - School Resource Officer, KPD

New RCW 28A.320.124 – School resource officer programs

Between the authorization of the task force in October 2018 and the first task force meeting in June 2019, State legislation codified RCW 28A.320.124 (Attachment C). This new RCW, with a required compliance date of September 2020, includes several key SRO training requirements, SRO program community review, and clear roles and responsibilities for school discipline.

Specifically, RCW 28A.320.124 states that SRO training must include:

- a) Constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools;
- b) Child and adolescent development;
- c) Trauma-informed approaches to working with youth;
- d) Recognizing and responding to youth mental health issues;
- e) Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities;
- f) Collateral consequences of arrest, referral for prosecution, and court involvement;
- g) Resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement;
- h) Local and national disparities in the use of force and arrests of children;
- i) De-escalation techniques when working with youth or groups of youth;
- j) State law regarding restraint and isolation in schools, including RCW 28A.600.485;
- k) Bias free policing and cultural competency, including best practices for interacting with students from particular backgrounds, including English learners, LGBTQ, and immigrants; and
- l) The federal family educational rights and privacy act (20 U.S.C. Sec. 1232g) requirements including limits on access to and dissemination of student records for noneducational purposes.

Additionally, RCW 28A.320.124 defines needed elements of the contract between the City and the District. Such an agreement must be reviewed and adopted annually in a process that includes parents, students, and community members. Elements of the agreement must include, at a minimum:

- a) A clear statement regarding school resource officer duties and responsibilities related to student behavior and discipline that:
 - a) Prohibits a school resource officer from becoming involved in formal school discipline situations that are the responsibility of school administrators;

- b) Acknowledges the role of a school resource officer as a teacher, informal counselor, and law enforcement officer; and
- c) Recognizes that a trained school resource officer knows when to informally interact with students to reinforce school rules and when to enforce the law;
- d) School district policy and procedure for teachers that clarify the circumstances under which teachers and school administrators may ask an officer to intervene with a student;
- e) Annual collection and reporting of data regarding calls for law enforcement service and the outcome of each call, including student arrest and referral for prosecution, disaggregated by school, offense type, race, gender, age, and students who have an individualized education program or plan developed under section 504 of the federal rehabilitation act of 1973;
- f) A process for families to file complaints with the school and local law enforcement agency related to school resource officers and a process for investigating and responding to complaints; and
- g) Confirmation that the school resource officers have received the training required under subsection (1) of this section.

In its deliberations, the task force recognized that RCW 28A.320.124 will address many of the initial concerns explored by the task force that are not already incorporated in the SRO program. Additional recommendations beyond the scope of RCW 28A.320.124 are included in the Task Force's Report of Recommendations.

The two highest priority recommendations for immediate improvement are described in this excerpt from the report's introduction:

"Through the task force's conversations, research, and review, the group identified several recommendations to help address concerns in the community, including two immediate improvements. First, the process for data collection and reporting of student contacts should be more robust to ensure that the SRO program is using best practices and is not causing unintended negative consequences, particularly for students of color, LGBTQ+ students, and students with disabilities. Second, there needs to be continuous re-introduction of the SRO program to parents, students, and the school community in order to communicate the program's purpose, the role of the SROs, their responsibilities in the schools, and students' rights. Included as an attachment to the report is a list of additional references that the task force hopes the City and District will refer to as the SRO program continues to improve and evolve over time.

The task force also developed this statement of purpose for the SRO program:

The Kirkland School Resource Officer program is a partnership between the City of Kirkland and the Lake Washington School District. The primary purposes of the School Resource Officer (SRO) Program are to:

- *Help keep students physically, socially and emotionally safe at school.*
- *Provide for positive interactions between the SROs and students, families, and community members in order to make the Police Department more accessible and approachable.*
- *Connect students with supportive services.*
- *Help keep students out of the criminal justice system.*

Hiring of School Resource Officers for Kirkland's Middle Schools

Testing and selection for the new SRO positions occurred in 2019, and three officers were appointed as SROs. Training occurred during the summer and fall 2019, and all began working in their schools as of January 6, 2020. The Department assigned a Sergeant for supervision of the SROs, and the Sergeant has attended the SRO Basic course and works with the International School and Emerson.

While schools were not in session during the COVID-19 pandemic, the SROs supported the Patrol Division to facilitate training of recent KPD graduates from the Basic Law Enforcement Academy.

STUDY SESSION:

The full SRO Task Force findings and recommendations are attached to this memo. The recommendations include a list of action steps and responsible agencies and staff. The Co-Chairs of the Task Force also offered to include any additional individual recommendations or comments from any member of the Task Force to ensure no concerns were excluded from the final report. No individual comments were submitted. Staff will be providing a summary of the report and recommendations at the study session and respond to any questions. No formal action from the Council is required.

Attachment A: Kirkland School Resource Officer Task Force Report of Recommendations

Attachment B: Resolution R-5339 - Establishing the SRO Task Force

Attachment C: RCW 28A.320.124: School resource officer programs

Kirkland School Resource Officer Task Force

Report of Recommendations to
Kirkland City Council and Lake Washington School District Board of Directors

Final – March 2020



Kirkland City Council
123 5th Ave
Kirkland, Washington 98033

Lake Washington School District Board of
Directors
16250 NE 74th Street
Redmond, Washington 98052

Dear Kirkland City Council and Lake Washington School District Board of Directors,

The Kirkland School Resource Officer (SRO) Task Force is pleased to convey its recommendations in response to its charge in Resolution R-5339 to:

- become educated on the current SRO program,
- compare the current SRO program to national best practices, and
- make recommendations on improvements to the program to the City and the District.

The decision to bring SROs to middle schools in Kirkland was made prior to the convening of the task force.

The task force consisted of community members representing various organizations and perspectives, as well as leadership staff from the City and District. The City contracted with an external consultant to help plan and facilitate task force meetings, and the group met seven times between June 2019 and January 2020.

The task force was convened in response to concerns from the Kirkland Human Service Commission and other Kirkland residents about possible unintended consequences of a police presence on middle school campuses, specifically regarding potential disproportionate impacts on students of color and students with disabilities, as have been documented in other communities. Generally, the task force found that the Kirkland SRO program uses best practices for officer training, does not involve officers in school discipline, and employs experienced officers.

The task force was impressed at the experience and training that the current Kirkland SROs had received, their approach to interacting with students, and the openness of executive leadership of the City and District to hear and discuss our concerns.

The attached report reflects the task force's process of review and articulates additional recommendations and resources to further explore in order to improve Kirkland's SRO program. The task force's program review process was intended to be high level and did not include in-depth review of the effectiveness of various SRO program best practices.

Through the task force's conversations, research, and review, the group identified several recommendations to help address concerns in the community, including two immediate improvements. First, the process for data collection and reporting of student contacts should be more robust to ensure that the SRO program is using best practices and is not causing unintended negative consequences, particularly for students of color, LGBTQ+ students, and students with disabilities. Second, there needs to be continuous re-introduction of the SRO program to parents, students, and the school community in order to communicate the program's purpose, the role of the SROs, their responsibilities in the schools, and students' rights. Included as an attachment to the report is a list of additional references that the task force hopes the City and District will refer to as the SRO program continues to improve and evolve over time.

Additionally, the task force identified the need for a consistent statement of purpose for the SRO program to be used in the various authorizing documents that govern the program. The task force developed and recommends the following statement:

The Kirkland School Resource Officer program is a partnership between the City of Kirkland and the Lake Washington School District. The primary purposes of the School Resource Officer (SRO) Program are to:

- Help keep students physically, socially and emotionally safe at school.
- Provide for positive interactions between the SROs and students, families, and community members in order to make the Police Department more accessible and approachable.
- Connect students with supportive services.
- Help keep students out of the criminal justice system.

The task force was pleased that some of its recommendation for community introductions was immediately implemented, including an introduction of the SROs at the PTSA Council meeting on December 5, various in-person meet-and-greets at the schools during the week of December 16, and a video published on December 19 introducing the SROs to the community. We appreciate the responsiveness of City and District staff for this recommendation, and we look forward to the review and implementation of our other recommendations by the City Council, School Board, and City and District leadership.

Finally, it is worth noting that between the authorization of the task force in October 2018 and the first task force meeting in June 2019, State legislation codified RCW 28A.320.124, which was made available in October 2019. This new RCW has a required compliance date of September 2020 and includes several key requirements related to the SRO program, which the task force incorporated into its report.

Thank you for being open to community feedback about the SRO program and for the opportunity to serve on the task force. Task force members would be pleased to answer questions or provide further information as you consider our recommendations.

Respectfully,
The Kirkland School Resource Officer Task Force

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Scott Emry, Manager, Risk Health, and Safety Management, LWSD
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Gloria Henderson, Director, Opportunity, Equity, & Inclusion, LWSD
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METHODOLOGY

Task Force Meetings - Overview

The task force first met on June 25, 2019. The purpose of the first meeting was to orient the task force members to the current School Resource Officer (SRO) program and to begin to identify interests and concerns about Kirkland's SRO program, as well as SRO programs in general. The meeting primarily consisted of short presentations by various subject matter experts, including SROs from Kirkland, Redmond, and Sammamish. The task force was also joined by the Chief of Police from the Sammamish Police Department and the Community Engagement Division Sergeant from the Redmond Police Department, as well as school principals from Kirkland Middle School, Lake Washington High School, and Redmond Middle School, who provided additional insight about the SRO program across the District.

At that meeting, task force members raised concerns about the lack of representation by students and parents of color on the task force. Additionally, there were questions related to how the District employs discipline and how the incidence of discipline impacted students of color and students with intellectual and developmental disabilities. Based on that feedback, the City Manager and Superintendent placed the task force on hold during the summer to determine how to best address those concerns.

When school began again in September, the District invited several community members from its District Equity Team to ensure greater representation of the community on the task force. With additional members identified, the task force next met on October 23. This meeting provided for the introduction of new members to the work of the group, additional presentations on District discipline data and SRO training, and further identification of concerns related to SRO programs generally.

Between the authorization of the task force in October 2018 and the first task force meeting in June 2019, State legislation codified [RCW 28A.320.124](#), which was made available in October 2019. This new legislation, with a required compliance date of September 2020, includes several key requirements related to SRO training, SRO program review involving the community, clear roles and responsibilities as it relates to school discipline, collection and reporting of data to guard against disparities in impact, and a clear process for collecting and investigating complaints against SROs.

Specifically, RCW 28A.320.124 states that SRO training must include:

- a) Constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools;
- b) Child and adolescent development;
- c) Trauma-informed approaches to working with youth;
- d) Recognizing and responding to youth mental health issues;
- e) Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities;
- f) Collateral consequences of arrest, referral for prosecution, and court involvement;
- g) Resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement;

- h) Local and national disparities in the use of force and arrests of children;
- i) De-escalation techniques when working with youth or groups of youth;
- j) State law regarding restraint and isolation in schools, including RCW 28A.600.485;
- k) Bias free policing and cultural competency, including best practices for interacting with students from particular backgrounds, including English learners, LGBTQ, and immigrants; and
- l) The federal family educational rights and privacy act (20 U.S.C. Sec. 1232g) requirements including limits on access to and dissemination of student records for noneducational purposes.

Additionally, RCW 28A.320.124 defines needed elements of the contract between the City and the District. Such an agreement must be reviewed and adopted annually in a process that includes parents, students, and community members. Elements of the agreement must include, at a minimum:

- a) A clear statement regarding school resource officer duties and responsibilities related to student behavior and discipline that:
 - a) Prohibits a school resource officer from becoming involved in formal school discipline situations that are the responsibility of school administrators;
 - b) Acknowledges the role of a school resource officer as a teacher, informal counselor, and law enforcement officer; and
 - c) Recognizes that a trained school resource officer knows when to informally interact with students to reinforce school rules and when to enforce the law;
- b) School district policy and procedure for teachers that clarify the circumstances under which teachers and school administrators may ask an officer to intervene with a student;
- c) Annual collection and reporting of data regarding calls for law enforcement service and the outcome of each call, including student arrest and referral for prosecution, disaggregated by school, offense type, race, gender, age, and students who have an individualized education program or plan developed under section 504 of the federal rehabilitation act of 1973;
- d) A process for families to file complaints with the school and local law enforcement agency related to school resource officers and a process for investigating and responding to complaints; and
- e) Confirmation that the school resource officers have received the training required under subsection (1) of this section.

In its deliberations, the task force recognized that RCW 28A.320.124 will address many of the initial concerns explored by the task force that are not already incorporated in the SRO program.

Based on the concerns expressed at the meetings up to this point and the additional background materials including the new RCW section, City staff and task force members created three working documents that would help facilitate the work of the task force:

- Best practices for the SRO program in general;
- Best practices for SRO experience and training; and
- Comparing authorizing documents for the SRO program.

Process Used for Review of Best Practices

To generate the first draft of the working documents, City staff referenced all materials provided by task force members and compiled a list of best practices that pertained to SRO programs. Some materials provided best practices that did not pertain directly to an SRO program, such as providing additional funding to counselor resources or not having SROs in the first place. Such best practices were not included in the first draft of the working documents, as those best practices involved policy decisions outside the scope of the task force's work. It should also be noted that the best practices identified and compiled in the working documents do not consist of all best practices possibly applicable to SRO programs. Although not a comprehensive list of all the resources used by individual task force members throughout the task force process, the task force as a group referred to several sources, including:

- American Civil Liberties Union;
- Dignity in Schools Campaign;
- International Association of Chiefs of Police;
- Kirkland Police Department Policy 302 – Handcuffing and Restraints;
- Kirkland Police Department Policy 435 – School Resource Officer Program;
- Kirkland Youth Council webpage on student rights;
- Lake Washington School District Administrative Policy: JFBG – Interviews and Interrogations of Students by Outside Agencies on School Premises;
- Lake Washington School District Administrative Policy: JFBG-R – Interviews and Interrogations of Students by Outside Agencies on School Premises;
- Lake Washington School District Administrative Policy: JFCB – Threats of Violence or Harm;
- Lake Washington School District Administrative Policy: JFCB-R – Threats of Violence or Harm;
- Letter to Kirkland City Council from the City of Kirkland Human Services Commission;
- National Association of School Resource Officers (NASRO);
- RCW 28A.320.124 – School resource officer programs;
- RCW 28A.600.485 – Restraint of students;
- Resolution R-5339;
- School Resource Officer Program Contract;
- U.S. Department of Justice – Community Oriented Policing Services; and
- Washington Mass Shootings Work Group - Washington Association of Sheriffs and Police Chiefs

The three working documents were structured to identify gaps between associated best practice(s) and Kirkland's current status and provided a space for the task force's recommendation(s) for addressing those gaps. The three spreadsheets became helpful tools for the subsequent work of the task force, and the task force referenced and edited them as part of its work. Throughout the task force process, the group received a variety of District and City documents as well as articles for reference, including the City/District SRO contract, the SRO job description, various Kirkland Police Department policies, and articles and reports regarding best practices.

The group next met on November 14. This meeting primarily consisted of small group discussions that used the three working spreadsheets described above. These discussions led to the initial drafting of task force recommendations related to each best practice. At the group's fourth meeting on December 5, the task force again met in small groups to further refine its recommendations.

In addition to the discussions of SRO program concerns and recommendations at the task force meetings, City staff solicited task force members for groups or individuals to reach out to for additional feedback. City staff reached out to all groups or individuals suggested by task force members including ACLU of Washington, Washington Autism Alliance and Advocacy, and Seattle King County NAACP. Washington Autism Alliance and Advocacy was the only organization that has responded to the City's request for more information or point of contact as of March 2020. City staff conducted three interviews with parents of District students, including one who is the Special Needs PTSA Chair for a District school, and one interview with the President/CEO of Washington Autism Alliance and Advocacy. The purpose of the interviews was to ensure that voices beyond those of the task force were being heard and that perspectives not covered by the task force were included in the process.

Based on the feedback collected at all the meetings and direction provided by the task force, City staff drafted an initial letter that would comprise the task force's recommendations to City Council and the School District Board of Directors.

The task force met on December 16 to review and provide edits to the draft letter, the final recommendations charts, and provide any changes. At that meeting, task force members inquired as to the next steps for the recommendations as well as any additional involvement of task force members in the implementation of the recommendations. The task force recognized that it needed more time to further refine its recommendations and to identify how task force members could continue to be involved. The task force met two additional times on January 8 and 28, 2020, to continue discussions and finalize the recommendations of the task force.

RECOMMENDATIONS

The task force drew from the personal experience and expertise of its membership and on research conducted on national best practices to develop recommendations for the City and District. The below recommendations are split into three categories related to the SRO program's authorizing documents, the program in general, and experience and training requirements for SROs.

Recommendations related to the SRO program's various authorizing documents

Recommendation 1.1: Define a clear statement of purpose for the SRO program that includes "help keep students out of the criminal justice system" as one key purpose of the SRO program.

The task force reviewed various documents related to the SRO program, including the City/District contract for SRO services, KPD Policy 435, the SRO job description, and Resolution R-5339, which authorized the creation of the task force. It was clear that the documents had been written at various points in time, as certain elements or concepts that were present in some documents were not present in others. Unifying these documents with a consistent statement of purpose will bring clarity to the intent of the SRO program.

Nationally, one of the most serious concerns about police in schools is that some SRO programs have increased the likelihood of students, especially students of color, becoming involved in the criminal justice system. This often occurs when SROs are made responsible for school discipline, which can result in children's misbehavior being treated as criminal activity rather than a teaching moment.

In the Lake Washington School District, SROs are not involved in the enforcement of the District's discipline policies. And, in practice, Kirkland SROs choose intervention techniques that rarely include the arrest of a student. Rather, they focus on recognizing when students exhibit at-risk behaviors and work with parents and the District to ensure students are directed to the proper resources for counseling and support. The task force supports this approach and believes that it should be a clearly-stated goal of the program.

The task force developed the following purpose statement for the SRO program, which should be used to inform the documents listed above and any other documents related to the SRO program:

The Kirkland School Resource Officer program is a partnership between the City of Kirkland and the Lake Washington School District. The primary purposes of the School Resource Officer (SRO) Program are to:

- Help keep students physically, socially and emotionally safe at school.
- Provide for positive interactions between the SROs and students, families, and community members in order to make the Police Department more accessible and approachable.
- Connect students with supportive services.
- Help keep students out of the criminal justice system.

Recommendation 1.2: Align authorization documents related to the SRO program to use a consistent purpose statement and roles and responsibilities.

In addition to Recommendation 1.1, the various authorizing documents that relate to the SRO program should be unified with program roles and responsibility. This will bring clarity to the intent of the SRO program, SROs' roles and responsibilities, and District administration roles and responsibilities, as well as align with newly adopted state law RCW 28A.320.124. For example, any documents should clearly articulate, to the extent possible, that the responsibility of discipline lies with the District and is not within the scope of the SRO program.

Recommendation 1.3: Include future documents currently being developed by the State Superintendent's Office to update relevant authorizing documents, such as the City-District contract, KPD policies, and SRO job description.

In January 2020, the State Superintendent Office was drafting model policies and contracts consistent with the RCW provisions described above. The City and District should use these resources to update and inform the authorizing documents that govern the SRO program, and policies and practices should be consistently written and applied between schools while utilizing, to the extent possible, the SRO program purpose statement listed in Recommendation 1.1.

Recommendations related to the SRO program in general

Recommendation 2.1: Create proactive communication materials to better introduce the SRO program to the school community, including potentially-impacted community members.

As articulated by several task force members, generally the community may not be fully aware of the specifics of Kirkland's SRO program, including the experience level of the officers, SRO training requirements, their roles and responsibilities, student rights, and recourse for concerns about an SRO from community members. This can lead to concerns or questions about the program, particularly for students of color, LGBTQ+ students, students with disabilities, and immigrants as well as families of those students. Options for communication tools include:

- Dedicated webpage about the SRO program, including a Frequently Asked Questions (FAQ) section. One element of an FAQ could be to develop a general list of actions or behaviors that will *not* be referred to SROs (with appropriate caveats). For example, cell phones in class are against the rules as is carrying a sharpie, but these will generally not involve an SRO referral. The Dignity in Schools campaign has a good example of such a list in their document "Avoiding Criminalization in School Discipline: Law Enforcement." Other elements of an FAQ could include information on student rights regarding SROs, as well as detailing the scenarios where use of force likely would or would not be required. Clear information on the process to file a complaint or provide other feedback should also be included.
- Video series that introduces the SROs to the community and explains best practices used by the program. This series can be a good resource for continued community education, and the series could be used as a District-wide resource.
- In-person meetings to introduce the SROs to the community through a variety of means, including at PTSA Council and individual PTSA meetings, meet-and-greet opportunities at the schools, and meetings with affinity groups.
- Revise School District information (e.g. Student Handbook and/or Parent Handbook) to include updated information about the SRO program, including its purpose and activities, student rights, and clear grievance procedures.

Such informational materials should be provided to various groups in the community prior to direct engagement with the SRO. Additionally, introductions of the SRO program should occur every year to ensure that students and families that are new to the middle and high schools are oriented to the program.

Recommendation 2.2: SROs should meet with affinity groups, which are groups formed around a shared interest or common goal, to learn about the varied perspectives and experiences of students and families.

Understanding the specific interests and perspectives of affinity groups will help SROs better serve the school community. For a variety of reasons, there are students, families, and other community members that may feel uncomfortable with having armed officers in schools. It is

important to recognize this and to build relationships and rapport with such affinity groups and other communities. Understanding the perspectives of various community groups will help inform how such relationship-building activities can be done most effectively. Learning from affinity groups will help SROs and other staff develop cultural competencies and reduce implicit bias.

Outreach should include regular communication with those in the community potentially impacted - perhaps once or twice a year - to see how community members view the program. As articulated earlier in this report, potentially-impacted community members include, but is not limited to, students of color, LGBTQ+ students, students with disabilities, students new to the country, and their families. This dialogue should seek out diverse perspectives, instead of only relying on people coming forward, with an emphasis on understanding the first-hand perspectives of community members. Additionally, such outreach should include ways to communicate to an intersectional population, especially those with invisible disabilities such as autism.

Recommendation 2.3: Formalize the community feedback requirement of RCW 28A.320.124, with a particular focus on proactive outreach to potentially-impacted community members.

Since the District spans four jurisdictions (the cities of Kirkland, Redmond, and Sammamish, and King County), the process for community feedback should be responsive to the needs of specific communities within the District, while also providing for consistent outcomes to the SRO programs in the various jurisdictions. The feedback collection should include qualitative and quantitative data, and could include the use of surveys, focus groups, community meetings, or other feedback collection techniques. For qualitative feedback, metrics should be used to ensure that student perspectives are considered. Also, as required by state law, a process should be established by which concerns about an SRO can be registered and evaluated, and such concerns should be conveyed to the District and the City.

Recommendation 2.4: Explore ways for SROs to be provided information on student behavior-intervention plans for use in emergency response situations, so SROs are best prepared to interact with students who may have specific needs.

Students with Behavioral Intervention Plans (BIP) and emergency response protocols may engage in undesirable behaviors which school staff are trained to respond to. Their BIP is very specific about how school staff should respond to specific behaviors.

SROs are not and should not be involved in the administration of behavior plans. However, it could in some cases be valuable for SROs to know that behavior plans exist, so that if an SRO encounters a student exhibiting an undesirable behavior, the SRO knows how best to respond.

This issue is complex and will require further research and evaluation. This recommendation will require compliance with all relevant privacy regulations, including parental or student authorization for that knowledge to be given.

Recommendation 2.5: Explore ways to regularly collect and report relevant data that indicates whether disparate negative impacts are occurring for particular groups of students, including students of color, LGBTQ+ students, and students with disabilities.

Accurate data collection is required to understand whether the SRO program is having disparate negative impacts. The District and/or City should develop a system for data analysis for referrals and arrests. This data should only be publicly disclosed in a manner that will avoid identifying individuals when presented.

At least annually, and in accordance with [RCW 28A.320.124](#), the District and City should meet to review the data collected and determine whether changes to the SRO program, as expressed in the SRO program contract, are warranted in order to address any possible negative impacts, particularly disparate impacts as described above.

Recommendation 2.6: Evaluate additional mechanisms for feedback, such as 360 or other similar evaluation tools, that includes students, staff, and families to help inform existing evaluation protocols.

In addition to the formal community feedback process referenced in Recommendation 2.4, additional feedback opportunities should be explored. Develop performance measures that articulate what success looks like for the program and individual SROs, including the goals the program aims to achieve and how successful it is in achieving those goals can be measured. Such feedback opportunities should be for both the SRO program and individual SROs.

Recommendations related to SRO experience and training

Recommendation 3.1: Update training requirements and offerings for SROs to meet or exceed expectations for RCW 28A.320.124.

This includes requiring reality-based training so that potential SROs have practical experience working with kids in school settings prior to becoming an SRO, such as on-site shadowing, internships, or similar experiences.

Recommendation 3.2: Maintain the current expectation of NASRO training for all SROs.

All Kirkland SROs are required to attend training from NASRO prior to the beginning of their SRO assignment. In addition, ongoing education is available through NASRO as well as training made available on a state-wide or local level. The task force believes that the initial training from NASRO should be supplemented with more advanced training to keep SROs current with trends and best practices.

Recommendation 3.3: Ensure SROs receive training on referring students to counseling or other services.

This recommendation supports the SRO purpose of helping keep students out of the criminal justice system by identifying services and supports that can address the underlying causes of at-risk behaviors. Additionally, SROs should be trained on how to provide proactive referrals to support services outside of a criminal behavior context.

Recommendation 3.4: Maintain the current hiring requirement of a minimum of two years of experience as a commissioned police officer. Additionally, in the SRO job description, pursuant to bargaining with the Police Guild, consider replacing “willingness and desire” with “demonstrated ability” with respect to interactions with youth.

The Kirkland Police Department promotes from within the department for the special assignment of SRO. The Department does consider the applicants’ experience in working with youth populations, including working with special needs populations. The task force believes that it is important to continue this practice and to specifically include it in the Department policy.

Recommendation 3.5: Continue emphasizing retention of SROs through the current five-year SRO assignment commitment.

SROs are intended to be a resource to the students, their families, and to District staff. However, for a variety of reasons, some students and parents have strong concerns about a police presence in schools. The five-year assignment of SROs provides continuity as well as an opportunity for SROs to become acquainted with students and their families. Creating and supporting relationships takes time, and student's familiarity with individual SROs can help relieve some of the apprehension related to uniformed officers in the schools. Continuity in the assignment of officers can help build trust.

NEXT STEPS

Evaluating and implementing the above recommendations is a process involving multiple authorizing entities, including the City Council, the School District Board of Directors, the Kirkland Chief of Police, the Police Guild, and others. In some cases, further involvement of community member stakeholders should be sought to inform the operationalizing of the recommendations. Although some recommendations may be actionable relatively quickly, others will take time to implement. Finally, some recommendations will be required under the new RCW 28A.320.124

The following table provides an overview of the recommendations and associated authorizing entity or entities.

Table 1. SRO Task Force Recommendations

Recommendation	Authorizing Entity(-ies)
Recommendation 1.1: Define a clear statement of purpose for the SRO program that includes “help keep students out of the criminal justice system” as one key purpose of the SRO program.	Kirkland City Council LWSD Board Kirkland City Manager LWSD Superintendent Kirkland Police Chief Kirkland Police Guild
Recommendation 1.2: Align authorization documents related to the SRO program to use a consistent purpose statement and roles and responsibilities.	Kirkland City Council LWSD Board Kirkland City Manager LWSD Superintendent Kirkland Police Chief Kirkland Police Guild
Recommendation 1.3: Include future documents currently being developed by the State Superintendent’s Office to update relevant authorizing documents, such as the City-District contract, KPD policies, and SRO job description.	Kirkland City Manager Kirkland Police Chief Kirkland Police Guild
Recommendation 2.1: Create proactive communication materials to better introduce the SRO program to the school community, including potentially-impacted community members.	Kirkland City Manager’s Office LWSD Office of the Superintendent
Recommendation 2.2: SROs should meet with affinity groups to learn about the varied experiences of students and families.	Kirkland Police Chief Kirkland SROs LWSD Office of the Superintendent
Recommendation 2.3: Formalize the community feedback requirement of RCW 28A.320.124, with a particular focus on proactive outreach to potentially-impacted community members.	Kirkland City Manager’s Office LWSD Office of the Superintendent
Recommendation 2.4: Explore ways for SROs to be provided information on student behavior-intervention plans for use in emergency response situations, so SROs are best prepared to interact with students who may have specific needs.	LWSD Office of the Superintendent

Recommendation 2.5: Explore ways to collect data on student interactions (contacts), specifically in such a way that helps understand whether disparate impacts are occurring for students of color, LGBTQ+ students, and students with disabilities.	Kirkland Police Chief Kirkland SROs LWSD Office of the Superintendent
Recommendation 2.6: Evaluate additional mechanisms for feedback, such as 360 or other similar evaluation tools, that includes students, staff, and families to help inform existing evaluation protocols.	Kirkland Police Chief Kirkland SROs LWSD Office of the Superintendent
Recommendation 3.1: Update training requirements and offerings for SROs to meet or exceed expectations for RCW 28A.320.124.	Kirkland City Manager Kirkland Police Chief Kirkland Police Guild
Recommendation 3.2: Maintain the current expectation of NASRO training for all SROs.	Kirkland City Manager Kirkland Police Chief Kirkland Police Guild
Recommendation 3.3: Ensure SROs receive training on referring students to counseling or other services.	Kirkland Police Chief
Recommendation 3.4: Maintain the current hiring requirement of a minimum of two years of experience as a commissioned police officer. Additionally, in the SRO job description, pursuant to bargaining with the Police Guild, consider replacing "willingness and desire" with "demonstrated ability" with respect to interactions with youth.	Kirkland City Council LWSD Board Kirkland City Manager LWSD Superintendent Kirkland Police Chief Kirkland Police Guild
Recommendation 3.5: Continue emphasizing retention of SROs through the current five-year SRO assignment commitment.	Kirkland City Manager Kirkland Police Chief Kirkland Police Guild

Attachment A – Additional References

- American Civil Liberties Union
 - Know Your Rights – Students’ Rights:
<https://www.aclu.org/know-your-rights/students-rights/>
 - ACLU of WA SRO Report:
<https://www.aclu-wa.org/docs/students-not-suspects-need-reform-school-policing-washington-state>
- Advancement Project – We Came to Learn:
<https://advancementproject.org/wecametolearn/>
- Department of Education
 - Letter on SROs:
<https://www2.ed.gov/policy/elsec/guid/secletter/160907.html>
 - Local Implementation Rubric:
<https://www2.ed.gov/policy/gen/guid/school-discipline/files/sro-local-implementation-rubric.pdf>
 - Policy Rubric:
<https://www.doe.in.gov/sites/default/files/safety/usdoe-sro-state-and-local-policy-rubric.pdf>
- Dignity in Schools Campaign
 - Counselors Not Cops:
<https://dignityinschools.org/take-action/counselors-not-cops/>
 - Law Enforcement:
https://dignityinschools.org/wp-content/uploads/2018/10/AvoidingCriminalization_LawEnforcement.pdf
 - Model Code:
<https://dignityinschools.org/take-action/model-school-code/>
- Georgetown Law – Be Her Resource, A Toolkit About SROs and Girls of Color:
https://www.law.georgetown.edu/poverty-inequality-center/wp-content/uploads/sites/14/2018/05/17_SRO-final-_Acc.pdf
- Leadership for Educational Equity – Emerging Models for Police Presence in Schools:
https://educationalequity.org/sites/default/files/documents/emerging_models_for_school_resource_offices_final.pdf
- U.S. Commission on Civil Rights – Beyond Suspensions:
<https://www.usccr.gov/pubs/2019/07-23-Beyond-Suspensions.pdf>
- U.S. Department of Justice – Assigning Police Officers to Schools:
https://rem.s.ed.gov/docs/DOJ_AssigningPoliceOfficers.pdf
 - Community Oriented Policing Services
- Washington Mass Shootings Work Group - Washington Association of Sheriffs and Police Chiefs:
[https://waspc.memberclicks.net/assets/docs/Mass%20Shootings%20Work%20Group%20Report%20\(Co%20mpressed%20File\).pdf](https://waspc.memberclicks.net/assets/docs/Mass%20Shootings%20Work%20Group%20Report%20(Co%20mpressed%20File).pdf)

RESOLUTION R-5339

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING THE PURPOSE AND RESPONSIBILITIES OF KIRKLAND SCHOOL RESOURCE OFFICERS WITHIN THE LAKE WASHINGTON SCHOOL DISTRICT AND IMPLEMENTING A COMMUNITY CONVERSATION TO ENSURE THAT THE SCHOOL RESOURCE OFFICER PROGRAM FOLLOWS NATIONAL BEST PRACTICES AND IS AMONG THE BEST IN THE COUNTRY

1 WHEREAS, the Lake Washington School District ("District") and
2 the local jurisdictions within the District, including the cities of Kirkland,
3 Redmond, Sammamish and unincorporated King County, have had a
4 long and positive partnership of providing School Resource Officers
5 ("SROs") in the high schools within the District; and
6

7 WHEREAS, the purpose of providing SROs within the high
8 schools in the District is to help provide student safety and social
9 emotional wellness at school, and to establish partnerships and positive
10 relationships between the Police agencies, students, teachers and
11 school administrators; and
12

13 WHEREAS, in response to recent school shootings and other
14 safety concerns, some students, parents and community members have
15 asked both the District, and the local jurisdictions within the District, to
16 expand the SRO program to all the middle schools in the District; and
17

18 WHEREAS, the District has responded to these community
19 requests by including funding for fifty percent of the compensation cost
20 of SROs in each middle school in the District in the District budget; and
21

22 WHEREAS, the City of Kirkland ("City") has included match
23 funding for SROs in Kirkland middle schools in a community safety ballot
24 measure that has been placed before the voters of Kirkland on
25 November 6, 2018; and
26

27 WHEREAS, the possible expansion of the SRO program into
28 middle schools in Kirkland provides an important opportunity for all
29 members of the communities within the District to be educated on the
30 current SRO program and compare the program to national best
31 practices; and
32

33 WHEREAS, the responsibilities of SROs are articulated through a
34 contractual agreement between the District and the City; and
35

36 WHEREAS, under the contract, the City is required to provide
37 state certified law enforcement SROs who present a positive image of

the police agency and who have the high-caliber education, background, communication skills and interest to provide effective teaching services; and

WHEREAS, to provide experienced, effective SROs who meet the needs of the students and the District, the City has adopted policies for the SRO program, a rigorous hiring process for SROs that includes identifying officers that demonstrate the ability to create positive relationships with students, and requires that any officer who is selected as an SRO must first complete specific, nationally certified school resource officer training, as well as crisis intervention and de-escalation training prior to being assigned to a school; and

WHEREAS, under the contract, SROs must have the ability to deal effectively with diverse populations, provide quality law enforcement educational services, and demonstrate the desire and ability to work cooperatively with school staff; and

WHEREAS, some of the key duties of the SROs under the contract include: providing law enforcement input into school-based security; reviewing security training and systems; teaching classes on criminal justice-related topics and other topics mutually agreed to by the City and the District; acting as a resource for law enforcement education; providing guidance to students while maintaining peace on District property; referring students to social agencies as appropriate; providing Police guidance counseling when requested by the administration and mutually agreed to by all parties; and provide law enforcement services to the District as needed; and

WHEREAS, the contract requires that SROs produce a quarterly report regarding SRO activities required by the District and the City that is provided to the District and the Kirkland Police Chief; and

WHEREAS, it is the intention of the City and the District that the SRO program builds positive relationships between police agencies and students, regardless of race, religion, color, national origin, sex, age, income or economic status, political affiliation, military status, sexual orientation, or physical, mental or sensory ability, that the SROs provide social emotional support along with District staff, and that SROs are a resource for troubled students that results in more students receiving needed services and diversion of students from the criminal justice system; and

WHEREAS, during deliberations regarding the elements of the community safety ballot measure, the Kirkland Human Services Commission and other Kirkland residents highlighted that SROs in middle schools would be new to Kirkland, and that the program would

benefit from a community conversation about how the SRO program should incorporate national best practices to be successful; and

WHEREAS, the District and the City recognize that a program as important as the SRO program must maintain the highest levels of community trust, transparency and accountability, and encourage community input and feedback on how to keep the SRO program among the best in the nation.

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

Section 1. The City Council affirms it is the City's intent that the SRO program helps keep students physically, socially and emotionally safe; that the SRO program builds positive relationships between police agencies and students, regardless of race, religion, color, national origin, sex, age, income or economic status, political affiliation, military status, sexual orientation, or physical, mental or sensory ability; and that the SRO program helps students receive needed services and diverts at-risk students from the criminal justice system.

Section 2. The City shall encourage the District and the other jurisdictions within the District to engage members of the District community in a conversation about the SRO program in 2019. This community engagement should include convening a Task Force of stakeholders to become educated on the current SRO program, compare the SRO program with national best practices, and make recommendations for improvements to the program to the City and the District.

Section 3. The City Manager is directed to reach out to the District Superintendent to collaborate on a community engagement plan. The plan may start with Kirkland as a pilot, or may include all local jurisdictions within the District. The plan should include actions, timelines and potential Task Force membership. The City Manager shall report back on these efforts at one of the Council meetings in January of 2019.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of October, 2018.

Signed in authentication thereof this 16th day of October, 2018.


Amy Walen, Mayor

Attest:


Kathi Anderson, City Clerk

RCW 28A.320.124**School resource officer programs.**

(1) If a school district chooses to have a school resource officer program, the school district must confirm that every school resource officer has received training on the following topics:

- (a) Constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools;
- (b) Child and adolescent development;
- (c) Trauma-informed approaches to working with youth;
- (d) Recognizing and responding to youth mental health issues;
- (e) Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities;
- (f) Collateral consequences of arrest, referral for prosecution, and court involvement;
- (g) Resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement;
- (h) Local and national disparities in the use of force and arrests of children;
- (i) De-escalation techniques when working with youth or groups of youth;
- (j) State law regarding restraint and isolation in schools, including RCW 28A.600.485;
- (k) Bias free policing and cultural competency, including best practices for interacting with students from particular backgrounds, including English learners, LGBTQ, and immigrants; and
- (l) The federal family educational rights and privacy act (20 U.S.C. Sec. 1232g) requirements including limits on access to and dissemination of student records for noneducational purposes.

(2) School districts that have a school resource officer program must annually review and adopt an agreement with the local law enforcement agency using a process that involves parents, students, and community members. At a minimum, the agreement must incorporate the following elements:

- (a) A clear statement regarding school resource officer duties and responsibilities related to student behavior and discipline that:
 - (i) Prohibits a school resource officer from becoming involved in formal school discipline situations that are the responsibility of school administrators;
 - (ii) Acknowledges the role of a school resource officer as a teacher, informal counselor, and law enforcement officer; and
 - (iii) Recognizes that a trained school resource officer knows when to informally interact with students to reinforce school rules and when to enforce the law;
- (b) School district policy and procedure for teachers that clarify the circumstances under which teachers and school administrators may ask an officer to intervene with a student;
- (c) Annual collection and reporting of data regarding calls for law enforcement service and the outcome of each call, including student arrest and referral for prosecution, disaggregated by school, offense type, race, gender, age, and students who have an individualized education program or plan developed under section 504 of the federal rehabilitation act of 1973;
- (d) A process for families to file complaints with the school and local law enforcement agency related to school resource officers and a process for investigating and responding to complaints; and
- (e) Confirmation that the school resource officers have received the training required under subsection (1) of this section.

(3) School districts that choose to have a school resource officer program must comply with the requirements in subsection (2) of this section by the beginning of the 2020-21 school year.

(4) For the purposes of this section, "school resource officer" means a commissioned law enforcement officer in the state of Washington with sworn authority to make arrests, deployed in community-oriented policing, and assigned by the employing police department or sheriff's office to work in schools to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around K-12 schools. School resource officers should focus on keeping students out of the criminal

justice system when possible and should not be used to attempt to impose criminal sanctions in matters that are more appropriately handled within the educational system.

[**2019 c 333 § 12.**]

NOTES:

Intent—2019 c 333: "It is not the intent of the legislature to require school resource officers to work in schools. If a school district chooses to have a school resource officer program, it is the intent of the legislature to create statewide consistency for the minimum training requirements that school resource officers must receive and ensure that there is a clear agreement between the school district and local law enforcement agency in order to help establish effective partnerships that protect the health and safety of all students." [**2019 c 333 § 11.**]

Findings—Intent—2019 c 333: See note following RCW **28A.300.630.**



CITY OF KIRKLAND
Department of Finance & Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
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MEMORANDUM

To: City Council

From: Kurt Triplett, City Manager

Date: June 24, 2020

Subject: SAFE, INCLUSIVE AND WELCOMING FRAMEWORK

Recommendation

City Council holds a public hearing on draft Resolution R-5434, affirming that Black Lives Matter and establishing a framework to becoming a safe, inclusive and welcoming community. The public hearing will follow a study session that includes presentations on the Police Strategic Plan, police use of force, the School Resource Officer Task Force report, and how the 2018 Proposition 1 is investing in community policing, behavioral health, domestic violence, suicide prevention, and gun safety education.

This framework resolution is proposed in response to renewed and significant community interest in addressing issues of structural racism and creating a Kirkland where the lived experience of Black people is that they are safe and respected. The Council should receive public comment on potential changes and improvements to the draft resolution and then provide direction for staff to return with a final resolution and funding at a future Council meeting.

Background

Since the tragic killing of George Floyd by a police officer on May 25, 2020 in Minneapolis, Minnesota there have been dozens of protests, marches and rallies in Kirkland calling for an end to structural racism and for the City to demonstrate that Black Lives Matter. At the June 16, 2020 Council meeting, Mayor Penny Sweet read a statement (Attachment A) on behalf of the Council directing the City Manager to develop a framework for the City's response to the community. The relevant excerpts from the statement regarding the framework resolution are included below:

"We have asked the City Manager to provide us a framework for a citywide response to the issues of bias and racism towards our Black and brown community members. That framework will be presented to the Council at our July 7th Council meeting."

"We also asked the City Manager to bring to us on July 7th a request for necessary resources for early implementation actions and community-wide conversations on these critical topics."

Both requests from the Council are reflected in the draft resolution.

Guiding Principles

There are several guiding principles that shaped the draft resolution which are summarized below and then described in more detail:

- Build on previous City work to become safe, inclusive and welcoming.
- Listen, learn and partner with the Black community and People of Color on actions and outcomes.
- Create broad community engagement to identify actions to increase the safety of Black residents and visitors and reduce structural racism.
- Create policy and program outcomes that are specific, measurable, timely and funded.

Build on previous City work to become safe, inclusive and welcoming

On February 21, 2017 the City Council adopted Resolution R-5240 declaring Kirkland a Safe, Inclusive and Welcoming Community for all people. Following adoption of that resolution the City has taken many budgetary and policy actions over to make progress towards this goal. Some of these actions are highlighted below:

- Adopted **Ordinance O-4558** on February 21, 2017 adding a new Chapter 3.18 to the Kirkland Municipal Code prohibiting City of Kirkland officers and employees from inquiring into immigration status or collecting information regarding religious affiliation.
- Created the **Inclusion Network** in 2017, an informal group of representatives from non-profit and faith-based organizations, civic and community-based organizations, service provider agencies, and other governmental agencies. Staff convenes this group for meetings every other month.
- Funded the creation of the **KirklandTalks** framework, which was used for the 2020 "Kirkland Talks About Racism" community learning component of the Welcoming Kirkland Initiative (see below).
- Hosted three major civic **City Hall for All** engagement / welcoming events, in 2017, 2018 and 2019.
- Conducting themed resident engagement on **Community Policing**, identifying actions to foster better relationships between police and the Kirkland community.
- Regular staff participation in the **Governing for Regional Equity and Inclusion** bi-monthly meetings, a group convened by King County and consisting of staff from various cities, County departments, and the Port of Seattle.
- City staff have been members of the **Eastside Race and Leadership Coalition**, including regularly participating in monthly meetings. The City was a partner organization in ERLC's 2018 and 2019 annual summit, including staff helping to plan and facilitate the 2019 summit.

- Conducted themed resident engagement on the City's **Americans with Disabilities Act** priorities, resulting in, among other outcomes, the development of an **equity impact assessment tool** and associated staff training.
- Supported hard-to-count outreach for the **2020 Census**, including contributing to the Regional Census Fund and staff participating in the grant selection process for fund dispersal to community-based organizations.
- On-going participation as a member city in **Welcoming America** and **Cities for Citizenship**.

The City's commitment to being safe, inclusive and welcoming was severely tested by an incident that occurred on November 7, 2018 at the Menchie's Yogurt Shop in Totem Lake. The owner of the shop made an "unwanted person" 911 call and requested police to have Byron Ragland, a Black man, leave the yogurt shop. As a result of these events, Kirkland police reviewed and changed department protocols around responding to "unwanted person" calls. Now police will not ask someone to leave a public or private establishment unless the person is violating the law. In 2019, the City Council and the City Manager also invested in implicit bias training for all Kirkland police and all other City employees, including all Councilmembers, City prosecutors and the Municipal Court Judge. Around 90% of the workforce received in-person training in 2019, including close to 100% of the Kirkland Police Department. All new hires will continue to be required to complete online training in Diversity, Bias, Discrimination, and Harassment. In December of 2019, Kirkland's Human Resources Director provided a summary of the City's actions to the Council. The memorandum and attachments from that presentation are included as Attachment B. As detailed in the memorandum, the City has also begun other important initiatives related to race, bias and inclusion.

One significant highlight was the City partnering with Leadership Eastside to create the **Welcoming Kirkland Initiative**, a community engagement effort developed in response to expressed concerns that People of Color in general, and Black people in particular, have lived experiences of an unwelcoming and inequitable community in contrast to the City's stated goal to be safe, inclusive and welcoming for all. Interrupted by the coronavirus pandemic, this process included a review and recommendations for business and police protocols, together with town hall events and a community learning series envisioned and supported by Eastside for All entitled "**Kirkland Talks About Racism**."

The framework resolution is intended to build on all this previous City work.

Listen, learn and partner with the Black community and People of Color on all actions

Shortly after the death of Mr. Floyd, City leaders and staff called upon the relationships that had been built following the Menchie's incident to get guidance on how the City could be part of the solution to injustice and structural racism. The City received important feedback that it was critical to first listen and learn, especially from members of the Black community, prior to action.

At the same time, notable Black members from the Eastside Race and Leadership Coalition formed a new group called the "Right to Breathe Committee," with the goal of ensuring safety and respect for Black people in Kirkland. The Right to Breathe Committee includes Kalika Curry, Anne Morisseau, Shomari Jones, Paul Lwali and James Whitfield. They reached out to the City

Manager, the Assistant City Manager and Police Chief to partner with the City to create sustainable, structural change in the areas of local government, law enforcement, school districts, employers, retailers and other public accommodations, and community education and communication. The group has met three times so far to exchange interests and identify shared desired outcomes.

The Right to Breathe Committee shared three core principles for the policy discussions:

- Abolishing systemic Anti-Blackness to ensure equal justice;
- Oversight and accountability through equitable, shared decision-making – “nothing about us without us;” and
- De-escalation of encounters with people enforcing laws and rules against Black people.

The framework resolution before the Council is structured to keep City actions limited and focused so that goals and outcomes may be developed in partnership with Black community members from the Eastside. City staff believe this is important both as a matter of good policymaking, but also as a matter of trust-building and accountability to the Black community, who the resolution must ultimately serve.

Create broad community engagement to identify actions to increase the safety of Black residents and visitors and reduce structural racism.

The City Council and staff have also received outreach from other Black community members, Black youth, other communities of color, religious leaders, neighborhood leaders and interested stakeholders, all of whom desire to be part of creating overdue societal change. Staff may also identify additional non-profits, community-based organizations and expert advisors who can contribute. The framework resolution provides funding and authorization for City staff to develop a comprehensive community engagement plan that may include town halls, further public hearings, social media campaigns, small group discussions, training, mailings, surveys and more.

Create policy and program outcomes that are specific, measurable, timely, and funded.

The dialogue with the Black community, non-profits, community-based organizations, experts and other community members will be used to inform the Council’s budget deliberations in the fall of 2020 as the Council considers specific policies and programs to be funded as part of the 2021-2022 Biennial Budget. The community engagement will also highlight potential legislative actions that could be taken by the Council or the state legislature.

The draft Resolution articulates the initial strategies to becoming a Safe, Welcoming and Inclusive Community:

- Transparency strategies:
 - a. Develop police use of force dashboard
 - b. Implement Body Camera pilot
 - c. Develop Human Resources dashboard
 - d. Develop Human Services dashboard
 - e. Other strategies identified by the community and the Council

- Accountability strategies:
 - a. "8 Can't Wait" police use of force policy review
 - b. Contracted third party policy use of force review
 - c. Use of force data evaluation and analysis
 - d. Council use of force policy discussion
 - e. Police body camera pilot
 - f. Staff review of national best practices for alternatives to police for serving those experiencing homelessness, behavioral health issues, drug addiction and other community challenges
 - g. Contracted organizational "equity assessment" to identify gaps in diversity, inclusion and proposed action steps to address gaps
 - h. Other strategies identified by the community and the Council
- Community Engagement strategies:
 - a. Community engagement process centered around Black people
 - b. Targeted stakeholder engagement
 - c. Town Halls, virtual meetings and small group discussion
 - d. Surveys, graphics, mailers and social media campaigns,
 - e. Council retreat
 - f. Other strategies identified by the community and the Council
- Funding strategies:
 - a. Fund outside review of police use of force
 - b. Fund body camera pilot
 - c. Fund community engagement strategies
 - d. Reserve funding to implement ideas from community engagement, national best practice review, and equity assessment
 - e. Meet other funding needs identified by the community and the Council

Funding estimates, including staff and consultant support for these elements, are still being developed and will be presented to the Council on July 7th.

The draft resolution is presented as a starting point for very important, complex and difficult community discussions about police, structural racism, and actions the City can take to be a leader for change on these issues. The public hearing is intended to solicit comments from any member of the community on these challenging topics or on changes to the resolution itself. The public hearing is scheduled for one hour on the Council agenda, with no restriction on the number of speakers during that timeframe. Comments from individuals will be limited to three

minutes. If many people wish to speak, the time limit may be adjusted to two minutes to accommodate as many speakers as possible.

Following the public hearing, staff will be seeking Council input and direction on any changes to the resolution. A final resolution and funding options will be brought back for discussion and action at the July 21 or August 4 Council meeting.



News Release

From the City of Kirkland, Washington

123 5th Avenue

Kirkland, Washington 98033-6189

www.kirklandwa.gov • <https://twitter.com/kirkland.gov> •

<https://www.facebook.com/kirklandwa.gov/>

FOR IMMEDIATE RELEASE: June 17, 2020

Council Statement Regarding Citywide Response to Issues of Bias and Racism

In the 22 days since George Floyd was killed on May 25 in Minneapolis, there have been 10 marches in Kirkland and near-daily gatherings throughout the City to protest his death and the deaths of all other black and brown people killed by law enforcement. The message of these protests is clear. Now is the time for change. Black lives matter.

Thank you to every protester, stakeholder, and community member who has reached out to us to share concerns and peacefully demonstrate in our City for change in our nation. We want to assure every member of the Kirkland community that the City Council understands the significance of this moment.

The entire nation is facing difficult conversations about structural racism, the constitutional rights to speech and assembly, the right to bear arms, and the role of police. The enormity and complexity of these issues can seem daunting. But Kirkland intends to embrace these challenges and be part of the solution. The Council, the City Manager and our Police Chief are committed to taking positive and sustainable action. We have reached out to Black leaders, religious leaders, community-based organizations, and other key stakeholders to listen and to learn. Our City Manager, Police Chief and Assistant City Manager met with representatives of the Eastside Race and Leadership Coalition to identify how Kirkland can be a city where we will never hear any black man or woman say, "I can't breathe."

Chief Harris has engaged her entire department in these conversations and is reviewing our policies in the context of recent events. To increase transparency and accountability, we have posted on our website a new Frequently Asked Question section on the Kirkland police use of force policies. The FAQ also includes links to the KPD policy manual and our contract with the Police Guild.

We have asked the City Manager to provide us a framework for a citywide response to the issues of bias and racism towards our Black and Brown community members. That framework will be presented to the Council at our July 7th Council meeting. That meeting will include presentations on police use of force, and the School Resource Officer Task Force report. It will include an update on our Police Strategic Plan and how 2018's Proposition 1 is investing in community policing, behavioral health, domestic violence, suicide prevention, gun safety education and more. Finally, it will include an initial discussion of police body cameras for Kirkland. We also asked the City Manager to bring to us on July 7th a request for necessary resources for early implementation actions and community-wide conversations on these critical topics.

To the women and men of the Kirkland Police Department, we say thank you for your exceptional service supporting the rights of our protesters and keeping them safe. Thank you for protecting our residents and our businesses. Thank you for demonstrating courage, understanding and empathy. You have embodied

what it means to protect and to serve. We know that the participation of our officers in these necessary conversations on race and justice will make us just as proud.

This Council knows we have a great deal of work ahead of us. We pledge that Kirkland and the Kirkland Police Department will be at the thoughtful forefront of solutions. We pledge that we will listen, learn and reflect. We pledge that Kirkland and the Kirkland Police Department will then act. Together, we will create a better future for all members of our community. Please join us on July 7th.

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**CITY OF KIRKLAND****Human Resources**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3210

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Chris Thomas, Human Resources Director
Jim Lopez, Assistant City Manager
David Wolbrecht, Neighborhood Services Outreach Coordinator

Date: November 27, 2019

Subject: 2019 IMPLICIT BIAS TRAINING PROGRAM

RECOMMENDATION:

City Council receives an update on the 2019 Implicit Bias Training and other actions the City has taken in 2019 as part of the City's continual improvement following an incident stemming from a police dispatch call that involved the Totem Lake Menchie's frozen yogurt shop.

BACKGROUND DISCUSSION:

The City has taken a number of steps in 2019 to reinforce its commitment to be a safe, inclusive, and welcoming place for all people.

Implicit Bias and Diversity Training

In November 2018, the Council and City Manager asked that Diversity and Implicit Bias training be given to the City workforce by the end of 2019. We have reached that goal. Twenty-two training sessions of 4 hours each were provided throughout the year. Despite unavoidable employee absences and movement in and out of the workforce, that meant that 90% of the total workforce and very close to 100% of the Police Department participated in live training sessions. Additionally, new hires were also and will continue to be required to engage in online training in Diversity, Bias, Discrimination, and Harassment. Training was extended to our Council members, our Court system, City Leaders, our Police Department, our Fire Department, and our contracted City Prosecutors. The goal of this training was to uphold and strengthen Kirkland's commitment to its vision statement that Kirkland is a welcoming place to live, work, and play, and a place where diversity is highly valued.

The City of Kirkland workforce received excellent training from both of our trainers, Dr. Bryant Marks, a nationally recognized trainer who specializes in training for Public Safety Officers, and Chanin Kelly-Re, a well-known local trainer who has experience working with employees in large organizations. In the Human Resources Department, staff has had the opportunity to observe firsthand how the training has given employees the ability to question situations that have made them uncomfortable and led to a more responsive and supportive culture.

The trainings have stayed within the budget, costing slightly over \$50,000. Along the way, Ms. Kelly-Re, our local trainer, made herself available to the City to consult on situations that have arisen that call for expertise in this field. After the training was completed, Ms. Kelly-Re met with City staff to discuss plans for moving forward on this front for the City. She will continue to

share relevant materials with staff in the coming year. She would like to help the City strengthen and empower our employee Diversity Committee and has shared her ideas on how to do that. She suggested a Diversity Committee retreat to come up with our direction for 2020 and has generously agreed to provide us with her time for the retreat. There, we plan to come up with a focus for the year and will also have “train the trainer” sessions so that department members can share materials and facilitate conversations in their own departments. Live trainings from HR will be incorporated on the subject to new managers and possibly at Department Staff meetings. City staff will revisit the plan a year from now to see where we may need a refresher. This work will put us in a good place for integrating and enhancing employee training on race, culture, and bias into our diversity plans for 2020 and beyond. Attachment A includes our progress in 2019 and our plans for 2020.

Welcoming Kirkland Initiative

The Council and City Manager also wanted to reach out to provide resources and opportunities for engagement around these issues for the greater Kirkland community. In April of 2019, the City contracted with Leadership Eastside (LE) to design, coordinate, and implement a comprehensive community engagement project, called Welcoming Kirkland. The purpose of this effort is to engage Kirkland residents, businesses, nonprofits, and City staff on how we function together for the health of the overall community. LE’s statement of work, project timeline, and project deliverables documents describing the Welcoming Kirkland initiative are included as Attachment B.

The Welcoming Kirkland project is organized around the creation of three core groups: a planning group and two working groups. The planning group is made up of Kirkland community members with diverse perspectives who will guide the overall project. Kirkland’s Assistant City Manager and Police Chief are part of this group. The Planning Group has been meeting on a monthly basis since April 2019. One of the principle roles of the planning group is to help identify members of the two working groups who will invite input from the broader community as they conduct their work.

One working group will develop and deliver a series of community learning sessions focused on race and equity. The second working group will collectively review and recommend updates to business and police policies and protocols (taking into account the police’s updated protocols) related to the removal of people from a business location. This working group will present its progress for feedback via town hall meetings and deliver proposed updated city and business protocols and best practices, if deemed necessary.

The Planning Group is currently in the final stages of identifying members of the two working groups. LE will staff each of these working groups. In October 2019, the City and LE supplemented staffing levels by adding the Kirkland Talks program (Debbie Lacy) to help recruit, coordinate, and facilitate nine community events as part of the community learning work group. Each of the working groups are scheduled to begin engaging the community in January 2020, with an estimated project completion date of May 2020. The updated timeline with Leadership Eastside is attached (Attachment C).

Community Policing

At the same time the Welcoming Kirkland initiative’s planning group had been meeting in the spring and summer of 2019, the City Manager’s Office partnered with the Kirkland Police Department to engage the community to better understand the community’s expectations on community policing, which is the law enforcement philosophy that emphasizes relationships between the police and community members. The City collected feedback through a variety of

civic engagement activities, including neighborhood association meetings, focus groups, and a survey. Although not directly related to the implicit bias training, this input will help inform the on-going relationship building between the Police Department and the Kirkland community. The full report of the outreach findings can be found on page nine of the September 3, 2019, Performance Management Activities report:

https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/090319/9h4_OtherItemsofBusiness.pdf

Inclusive Economy Webpage

In dialogue with business leaders at the City's quarterly Business Roundtable meetings, the City Manager's Office developed and published an online toolkit of resources for Kirkland's business community. The City is intentional about creating and supporting a community and economy that are inclusive and welcoming, and the resources provided on the webpage are offered in the spirit of this commitment. The directory is intended as a dynamic resource, one that will be regularly updated and amended to reflect community input, feedback, and changing circumstances. The Inclusive Economy webpage can be found on the City's website:

https://www.kirklandwa.gov/Business/Economic_Development/An_Inclusive_Economy.htm

NEXT STEPS:

The City is committed to be a safe, inclusive, and welcoming place for all people. As part of that commitment, the City will continue to encourage an organizational culture of reflection and continuous improvement for all staff related to implicit bias, and the City will further engage in this important conversation with our community to listen, learn, and implement necessary changes.

Attachment A: Implicit Bias Timeline and Data

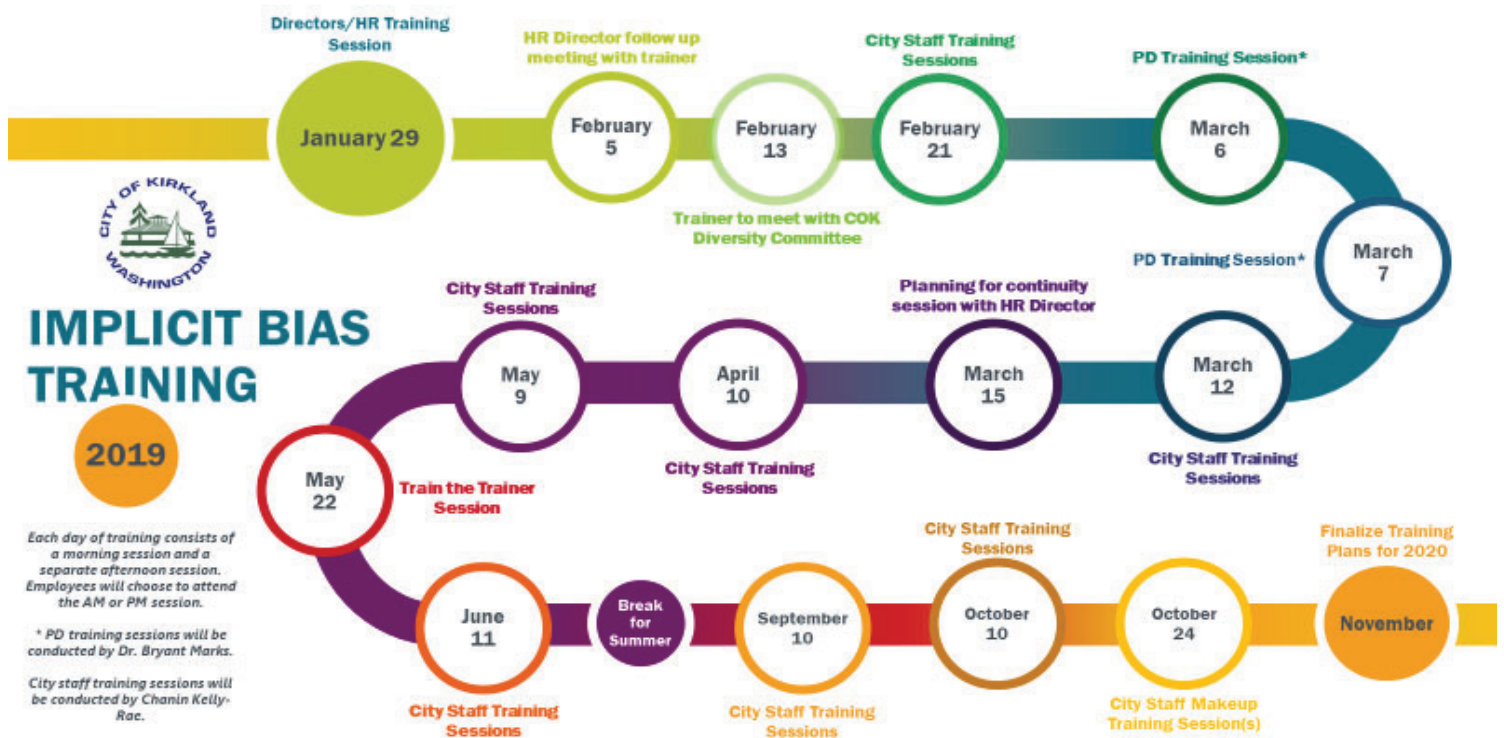
Attachment B: Statement of Work for Leadership Eastside Welcoming Kirkland Initiative

Attachment C: Updated Timeline for Leadership Eastside Welcoming Kirkland Initiative

Attachment A

Implicit Bias & Diversity Training Goals

2019



2020

- Train the Trainer
- Create tool kits and resources and make them accessible through our intranet and internet
- Incorporate Management Bias Training in the Managing to Excellence Program
- Strengthen and Build our Diversity and Inclusion Committee. Explore an Advisory/Executive team that serves to connect Committee ideas with management action
- Incorporate additional LMS training/refreshers for ongoing Implicit Bias training

2 Trainers/23 Sessions:

Dr. Bryant Marks – hired to train law enforcement (initially 4 sessions. 2 more sessions added later)

- 3/6/19 am and pm total: 60 (Police only)
- 3/7/19 am and pm total: 59 (Police and some Fire)
- 6/20/19 am and pm approximate total: 30 (some Police, Fire, **Directors**, Council, Judge, **HR**)

Chanin Kelly-Rae – hired to train remaining City employees (17 sessions)

- 1/29/19 one pm session: 24 (**Directors** and **HR**)
- 2/21/19 am and pm total: 60
- 3/12/19 am and pm total: 72
- 4/10/19 am and pm total: 51
- 5/9/19 am and pm total: 43
- 6/11/19 am and pm total: 47
- 9/10/19 am and pm total: 33
- 10/10/19 am and pm total: 47
- 10/24/19 am and pm total: 65

Attendance:

- approximately 125 Police, some Fire, Directors, HR, Council, and the Municipal Court Judge, have attended Dr. Mark's Implicit Bias & Diversity Training.
- approximately 450 City employees have attended Chanin-Kelly Rae's Implicit Bias & Diversity Training
- Most Directors and HR have attended 2 trainings: 1 from each trainer

Reasons why some employees did not attend Training:

- Employee turnover
- Unexpected absence
- Unable to attend due to scheduling problems
- Separated before session came up
- Late-in-the-year new hires who couldn't sign up because sessions were full

Statement of Work**March 29, 2019**

Leadership Eastside (LE) proposes to design, coordinate, and implement a comprehensive community engagement project, *Welcoming Kirkland*, to engage Kirkland residents, businesses, nonprofits, and the city - including police – on how we function together for the health of the overall community.

Specifically, LE will identify and facilitate a Planning Group made up of Kirkland community members with diverse perspectives who will guide the overall project. The Planning Group will help identify members of two Working Groups who will invite input from the broader community as they conduct their work. LE will staff each of these working groups. One Working Group will develop and deliver a series of Community Learning Sessions focused on race and equity. The second Working Group will collectively review current business and police policies and protocols related to removal of people from a business location. This working group will present its progress for feedback via town hall meetings and deliver suggested updates to the City (including police) protocols and business policies, if determined necessary. Throughout the project, community members will be invited to participate and provide input/feedback via online and other written means.



Project Plan Timeline

	April	April - continued	May	June
Project Leadership	<ul style="list-style-type: none"> Finalize contract with City. Assign LE Project Team. Finalize Co-Facilitator job descriptions. Contract Co-Facilitators. 	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Progress Report to City. 	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Progress Report to City. 	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Progress Report to City.
Planning Group	<ul style="list-style-type: none"> Validate and finalize role descriptions. Stakeholder input re: potential Planning Group members. Identify and invite 6-8 participants. Kick-off meeting(s). 	<i>3-4 Planning Group meetings</i> <ul style="list-style-type: none"> Develop and adopt Charter. Stakeholder input re: potential Working Group members. Identify and invite 10-12 participants to Community Learning Working Group. Identify and invite 10-12 participants to Business & Police Working Group. 	<i>2 Planning Group meetings</i> <ul style="list-style-type: none"> Oversight of Working Groups, including Charter. Input/feedback to Working Groups. Attend Community Learning Session. 	<i>2 Planning Group meetings</i> <ul style="list-style-type: none"> Debrief Community Learning Session. Oversight of Working Groups, including Charter. Input/feedback to Working Groups. Attend at least one Town Hall.
Community Learning	<ul style="list-style-type: none"> Stakeholder input re: potential Working Group members. 	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Develop and adopt Charter based on Planning Group. Research and stakeholder outreach. 	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Co-design Community Learning Session. Community Learning Session - open to the public. 	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Debrief Community Learning Session. Research and stakeholder outreach. Attend at least one Town Hall.
Business & Police Protocols	<ul style="list-style-type: none"> Stakeholder input re: potential Working Group members. 	<i>2-3 Working Group meetings</i> <ul style="list-style-type: none"> Develop and adopt Charter based on Planning Group. Research, stakeholder outreach, and developing shared situational understanding. 	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Attend Community Learning Session Research, stakeholder outreach, and developing shared situational understanding. 	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> 2 Town Hall Meetings – Open to the Public. Provide progress report and collect feedback.
Ongoing Input	<ul style="list-style-type: none"> Selection of online portal Develop feedback survey/questions 	<ul style="list-style-type: none"> Deploy online portal and City Hall suggestion box. 	<ul style="list-style-type: none"> Collect and distribute input/feedback from online portal and suggestion box. 	<ul style="list-style-type: none"> Collect and distribute input/feedback from online portal and suggestion box.



Project Plan Timeline

	July	August	September	October
Project Leadership	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Progress Report to City. 	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Progress Report to City. 	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Progress Report to City. 	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Progress Report to City.
Planning Group	<i>1 Planning Group meeting</i> <ul style="list-style-type: none"> Debrief Town Halls. Oversight of Working Groups, including Charter. Input/feedback to Working Groups. 	<i>1 Planning Group meeting</i> <ul style="list-style-type: none"> Oversight of Working Groups, including Charter. Input/feedback to Working Groups. 	<i>2 Planning Group meetings</i> <ul style="list-style-type: none"> Oversight of Working Groups, including Charter. Input/feedback to Working Groups. Attend Community Learning Session. 	<i>2 Planning Group meetings</i> <ul style="list-style-type: none"> Debrief Community Learning Session. Oversight of Working Groups, including Charter. Input/feedback to Working Groups. Attend Community Learning Session.
Community Learning	<i>1 Working Group meeting</i> <ul style="list-style-type: none"> Debrief Town Halls. 	<i>1 Working Group meeting</i> <ul style="list-style-type: none"> Research and stakeholder outreach. Co-design Community Learning sessions. 	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Co-design Community Learning sessions. Community Learning Session – open to the public. 	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Debrief Community Learning Session. Research and stakeholder outreach.
Business & Police Protocols	<i>1 Working Group meeting</i> <ul style="list-style-type: none"> Debrief Town Halls. 	<i>1 Working Group meeting</i> <ul style="list-style-type: none"> Research, stakeholder outreach, and developing shared situational understanding. 	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Attend Community Learning Session. Prototype draft of protocols for stakeholder feedback. 	<i>1 Working Group meeting</i> <ul style="list-style-type: none"> Prototype draft of protocols for stakeholder feedback. 2 Town Hall Meetings – Open to the Public. Provide progress report and collect feedback.
Ongoing Input	<ul style="list-style-type: none"> Collect and distribute input/feedback from online portal and suggestion box. 	<ul style="list-style-type: none"> Collect and distribute input/feedback from online portal and suggestion box. 	<ul style="list-style-type: none"> Collect and distribute input/feedback from online portal and suggestion box. 	<ul style="list-style-type: none"> Collect and distribute input/feedback from online portal and suggestion box.

Project Plan Timeline

	November	December
Project Leadership	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Progress Report to City. 	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Final Report to City.
Planning Group	<i>1 Planning Group meeting</i> <ul style="list-style-type: none"> Debrief Town Halls. Oversight of Working Groups, including Charter. Input/feedback to Working Groups. 	<i>1 Planning Group meeting</i> <ul style="list-style-type: none"> Debrief Community Learning Session. Debrief Town Halls Final meeting.
Community Learning	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Co-design Community Learning sessions. Community Learning Session - open to the public. 	<i>1 Working Group meetings</i> <ul style="list-style-type: none"> Debrief Community Learning Session. Final meeting.
Business & Police Protocols	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Debrief Community Learning Sessions. Prototype draft of protocols for stakeholder feedback. 	<i>1 Working Group meeting</i> <ul style="list-style-type: none"> 2 Town Hall Meetings – Open to the Public. Final consensus recommendations and implementation plan. Final meeting.
Ongoing Input	<ul style="list-style-type: none"> Collect and distribute input/feedback from online portal and suggestion box. 	

Project Plan Deliverables

- LE Project Team
 - Team members will lead, facilitate, guide, and coach group members through the various activities and deliverables.
- Planning Group
 - Steering committee that designs, guides, and oversees the project as a whole.
 - Activities

Protocols

- Two Working Groups – One for Race and Equity Community Learning, One for Business and Police
 - LE will collaborate with the Planning Group to develop the scope, agenda, and protocols for the Working Group meetings and decision-making processes. LE will facilitate all Working Group meetings.
- Design and Implement Online Feedback mechanisms
 - Design and implement social media and/or a web page to collect community feedback data as input to the progress reports and group decisions.
 - Provide an off-line (i.e. suggestion box at City Hall) process available to those community members who do not have access to the internet or social media.
- Progress Reports for the City Council
 - LE will provide monthly progress reports on the *Welcoming Kirkland* initiative for the duration of the project.
 - Will provide a final progress report and presentation to City Council as the project concludes.

Fee Proposal

Because LE is proposing an organizational, rather than individual, approach to this consulting, we propose billing on a project basis deliverable rather than by hour. The work program (calendar of deliverables) supporting the schedule of payments is listed below. By avoiding an hourly billing approach, we hope to avoid creating any disincentives for the Planning Group or the City to access additional input and support. LE will also provide coaching and conference calls to the City and Planning group as needed to support deliverable success.

Work	Scope	Cost
Project Leadership <ul style="list-style-type: none"> LE CEO James Whitfield Co-Lead Facilitator Administrative/communications support Meeting scheduling and meeting logistics Planning Group recruitment, design, and facilitation Town Hall design and facilitation Deploy and monitor ongoing input process 	<ul style="list-style-type: none"> Projected up to 16 Planning Group Meetings Monthly reporting to The City Collect and distribute input/feedback from online portal and suggestion box. 	\$50,000 <ul style="list-style-type: none"> \$30,000 start-up cost: <ul style="list-style-type: none"> Contract Co-facilitator Contract Project Manager Recruit Planning Team members Secure on-line portal Subject to invoice of costs incurred \$20,000 apportioned monthly approx. May 1 through December 31, 2019
Working Group Leadership for Race and Equity Community Learning <ul style="list-style-type: none"> Working Group Co-Facilitator Working Group Co-Facilitator 	<ul style="list-style-type: none"> Projected up to 13 Working Group Meetings Facilitate/Emcee Community Learning Sessions, if necessary. 	\$10,000 apportioned monthly approx. May 1 through December 31, 2019
Community Learning Sessions Training <ul style="list-style-type: none"> Budget for additional trainers and/or facilitators (i.e., Inclusive Dialogue) as selected by the Working Group 	3 Community Learning Sessions	\$9,000 apportioned monthly approx. May 1 through December 31, 2019
Working Group Leadership for Business and Police Protocols <ul style="list-style-type: none"> Working Group Co-Facilitator (Equity/Policing Lead) Working Group Co-Facilitator (Adaptive Community Leadership Lead) 	<ul style="list-style-type: none"> Projected up to 15 Working Group Meetings 	\$15,000 apportioned monthly approx. May 1 through December 31, 2019
Maximum Engagement Cost	\$84,000 <ul style="list-style-type: none"> \$30,000 start-up cost: \$54,000 ongoing project costs 	

LE looks forward to working with the city and community of Kirkland to facilitate a productive *Welcoming Kirkland initiative* that engages Kirkland residents, businesses, nonprofits, and the city - including police – on how we function together for the health of the overall community.

We are available to start work on this effort immediately upon project approval.



Attachment C

"Welcoming Kirkland"
Updated Timeline (9.29.19)

Project Plan Timeline

	April	May (Contract Begins)	June	July
Project Leadership	<ul style="list-style-type: none"> Finalize contract with City. Assign LE Project Team. Finalize Co-Facilitator job descriptions. Contract Co-Facilitators. 	<ul style="list-style-type: none"> Project planning and coordination Administration and scheduling Co-Facilitator prep, monitoring, and QA. Meet with Planning Group Members 	<ul style="list-style-type: none"> Project planning and coordination Administration and scheduling Co-Facilitator prep, monitoring, and QA. Meet with existing Planning Group Members Meet with potential Planning Group Members 	<ul style="list-style-type: none"> Project planning and coordination Administration and scheduling Co-Facilitator prep, monitoring, and QA. Meet with existing Planning Group Members Meet with potential Planning Group Members
Planning Group	<ul style="list-style-type: none"> Validate and finalize role descriptions. Stakeholder input re: potential Planning Group members. Identify and invite 6-8 participants. Kick-off meeting(s). Stakeholder input re: potential Working Group members. 	<i>Kick-off Planning Group meeting</i> <ul style="list-style-type: none"> Orientation and training re: equity Begin identification of participants of Community Learning Working Group. Begin identification of participants to Business & Police Working Group. 	<i>Planning Group meeting</i> <ul style="list-style-type: none"> Training re: Equity Develop and adopt Charter. Begin identification of additional People of Color to add to Planning Group. 	<i>Planning Group meeting</i> <ul style="list-style-type: none"> Training re: Equity DETERMINATION: Re-constitute Planning group to "Center People of Color". Requires updating Charter to feature re-imagined principles and practices and ID, invite additional People of Color (especially Black People) to participate.
Ongoing Input	<ul style="list-style-type: none"> Communicate with community groups. 	<ul style="list-style-type: none"> Communicate with community groups. 	<ul style="list-style-type: none"> Communicate with community groups. 	<ul style="list-style-type: none"> Communicate with community groups.



"Welcoming Kirkland"
Updated Timeline (9.29.19)

Project Plan Timeline

	August	September	October	November
Project Leadership	<ul style="list-style-type: none"> Project planning and coordination Administration and scheduling Co-Facilitator prep, monitoring, and QA. Meet with existing Planning Group Members Meet with potential Planning Group Members 	<ul style="list-style-type: none"> Project planning and coordination Administration and scheduling Co-Facilitator prep, monitoring, and QA. Meet with existing Planning Group Members Meet with potential Planning Group Members Progress Report to City. 	<ul style="list-style-type: none"> Project planning and coordination Administration and scheduling Co-Facilitator prep, monitoring, and QA. Meet with existing Planning Group Members Meet with potential Planning Group Members Progress Report to City. 	<ul style="list-style-type: none"> Project planning and coordination Administration and scheduling Co-Facilitator prep, monitoring, and QA. Meet with existing Planning Group Members Meet with potential Planning Group Members Progress Report to City.
Planning Group	<i>Planning Group meeting</i> <ul style="list-style-type: none"> Training re: Equity Re-visit Charter to center People of Color Identify additional People of Color to participate in Planning Group 	<i>Planning Group meeting</i> <ul style="list-style-type: none"> Training re: Equity Re-visit Charter to center People of Color Orientation for additional People of Color to participate in Planning Group 	<i>2 Planning Group meetings</i> <ul style="list-style-type: none"> Integration meeting – Kick-off including additional People of Color. Charter Meeting: Revise and adopt Charter to Center People of Color 	<i>Planning Group meeting</i> <ul style="list-style-type: none"> Oversight of Work Groups, including Charter. Input/feedback to Working Groups. Training Re: Equity.
Community Learning	<ul style="list-style-type: none"> Prep and Planning 	<ul style="list-style-type: none"> Prep and Planning 	<i>2 Working Group meetings</i> <ul style="list-style-type: none"> Orientation, adopt charter. Input on initial Community Learning sessions options Research and stakeholder outreach. 	<i>Working Group meeting</i> <ul style="list-style-type: none"> Co-design Community Learning sessions. Input on initial Community Learning sessions options Community Learning Session - open to the public.
Ongoing Input	<ul style="list-style-type: none"> Communicate with community groups. 	<ul style="list-style-type: none"> Communicate with community groups. 	<ul style="list-style-type: none"> Selection of online portal, and establish suggestion box. Collect and distribute input/feedback from online portal and suggestion box. 	<ul style="list-style-type: none"> Collect and distribute input/feedback from online portal and suggestion box.



"Welcoming Kirkland"
Updated Timeline (9.29.19)

	December	January	February	March
Project Leadership	<ul style="list-style-type: none"> • Project planning and coordination • Administration and scheduling • Co-Facilitator prep, monitoring, and QA. • Progress Report to City. 	<ul style="list-style-type: none"> • Project planning and coordination • Administration and scheduling • Co-Facilitator prep, monitoring, and QA. • Progress Report to City. 	<ul style="list-style-type: none"> • Project planning and coordination • Administration and scheduling • Co-Facilitator prep, monitoring, and QA. • Progress Report to City. 	<ul style="list-style-type: none"> • Project planning and coordination • Administration and scheduling • Co-Facilitator prep, monitoring, and QA. • Progress Report to City.
Planning Group	<i>Planning Group meeting</i> <ul style="list-style-type: none"> • Oversight of Work Groups, including Charter. • Input/feedback to Working Groups. • Training Re: Equity. 	<i>Planning Group meeting</i> <ul style="list-style-type: none"> • Oversight of Work Groups, including Charter. • Input/feedback to Working Groups. • Training Re: Equity. 	<i>Planning Group meeting</i> <ul style="list-style-type: none"> • Oversight of Work Groups, including Charter. • Input/feedback to Working Groups. • Training Re: Equity. 	<i>Planning Group meeting</i> <ul style="list-style-type: none"> • Oversight of Work Groups, including Charter. • Input/feedback to Working Groups. • Training Re: Equity.
Community Learning	<ul style="list-style-type: none"> • Debrief Community Learning Session. • Co-design Community Learning sessions. 	<i>Working Group meetings</i> <ul style="list-style-type: none"> • Co-design Community Learning sessions. • Community Learning Session - open to the public. 	<ul style="list-style-type: none"> • Debrief/Co-Design Community Learning Session. • Community Learning Session - open to the public. 	<ul style="list-style-type: none"> • Debrief Community Learning Sessions • Prepare recommendations for ongoing Community Learning
Business & Police Protocols	<ul style="list-style-type: none"> • 2 Town Hall Meetings – Open to the Public. Provide progress report and collect feedback. 	<ul style="list-style-type: none"> • Prototype draft of protocols for stakeholder feedback. 	<i>Working Group meetings</i> <ul style="list-style-type: none"> • Debrief Community Learning Sessions. • Prototype draft of protocols for stakeholder feedback. 	<ul style="list-style-type: none"> • 2 Town Hall Meetings – Open to the Public. Final consensus recommendations and implementation plan.



"Welcoming Kirkland"
Updated Timeline (9.29.19)

Project Plan Timeline

	April	May
Project Leadership	<ul style="list-style-type: none"> Co-Facilitator prep, monitoring, and QA. Final Report to City. 	<ul style="list-style-type: none"> Monitor implementation plans and recommendations.
Planning Group	<i>Planning Group meeting</i> <ul style="list-style-type: none"> Oversight of Work Groups, including Charter. Input/feedback to Working Groups. Training Re: Equity. 	<ul style="list-style-type: none"> Individual Planning Group members follow-up/monitor adoption of recommendations
Community Learning	<i>Working Group meeting</i> <ul style="list-style-type: none"> Confer recommendations for ongoing Community Learning Final meeting. 	<ul style="list-style-type: none"> Individual Work Group members follow-up/monitor adoption of recommendations.
Business & Police Protocols	<i>1 Working Group meeting</i> <ul style="list-style-type: none"> Debrief Town Hall Meetings. Final Work Group meeting. 	<ul style="list-style-type: none"> Individual Work Group members follow-up/monitor adoption of recommendations.
<ul style="list-style-type: none"> Ongoing Input 	<ul style="list-style-type: none"> Collect and distribute input/feedback from online portal and suggestion box. Communicate final report via online portal and paper copies at suggestion box. 	<ul style="list-style-type: none"> Community groups follow-up/monitor adoption of recommendations.

RESOLUTION R-5434

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING BLACK LIVES MATTER AND APPROVING THE FRAMEWORK FOR KIRKLAND TO BECOME A SAFE, INCLUSIVE AND WELCOMING COMMUNITY THROUGH ACTIONS TO IMPROVE THE SAFETY AND RESPECT OF BLACK PEOPLE IN KIRKLAND AND END STRUCTURAL RACISM BY PARTNERING WITH THOSE MOST AFFECTED

1 WHEREAS, On February 21, 2017 the City Council adopted
2 Resolution R-5240 declaring Kirkland a Safe, Inclusive and
3 Welcoming Community for all people; and
4

5 WHEREAS, following adoption of Resolution R-5340, the
6 City has taken many budgetary and policy actions to make
7 progress towards this goal but recognizes there is still much more
8 to be done to achieve equity, justice and inclusion for everyone;
9 and
10

11 WHEREAS, since the tragic killing of George Floyd by a
12 police officer on May 25, 2020 in Minneapolis, Minnesota, there
13 have been dozens of protests, marches and rallies in Kirkland
14 calling for an end to structural racism and for the City to
15 demonstrate that Black Lives Matter; and
16

17 WHEREAS, at the June 16, 2020 City Council meeting, the
18 Council issued a formal statement to the community on issues of
19 structural racism and injustice and requesting that the City
20 Manager develop "a framework for a citywide response to the
21 issues of bias and racism towards our Black and brown community
22 members" to be presented at the July 7, 2020 Council meeting;
23 and
24

25 WHEREAS, the June 16 statement also asked the City
26 Manager to bring to the July 7, 2020 Council meeting "a request
27 for necessary resources for early implementation actions and
28 community-wide conversations on these critical topics."
29

30 WHEREAS, the Eastside Race and Leadership Coalition
31 has for several years brought together local stakeholders from
32 across the community in pursuit of a vision in which the diversity
33 of leaders in local government, social service and non-profit
34 organizations, commerce and education sectors reflect those
35 living in the communities, and the decisions they make respect

the cultural and social differences of those living, working, learning and growing in these communities and eliminate barriers that would keep them from achieving their fullest potential; and

WHEREAS, several notable Black leaders from the Eastside Race and Leadership Coalition formed a group called the Right to Breathe Committee, and since June 12th have been engaging the City in discussions and have called upon the City to abolish systemic Anti-Blackness to ensure equal justice, provide oversight and accountability through equitable shared decision-making that embodies the phrase “nothing about us without us”, and de-escalate encounters involving people enforcing laws and rules against Black people; and

WHEREAS, for all the reasons stated above;

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

Section 1. The City Manager is hereby directed to develop Transparency strategies to allow the community and the Council to understand how the City as an organization is performing. These strategies shall include but are not limited to:

- a. Developing a police “use of force” public dashboard;
- b. Developing a Human Resources public dashboard;
- c. Developing a Human Services public dashboard; and
- d. Other strategies identified by the community and the Council.

Section 2. The City Manager is further directed to develop Accountability strategies to allow the community and the Council to understand the City’s current police use of force policies and identify possible changes to such policies. These strategies shall include but are not limited to:

- a. “8 Can’t Wait” police use of force policy review;
- b. Contracting for third party policy use of force review and use of force data evaluation and analysis;
- c. Structured Council use of force policy and data deliberations;
- d. Developing a police body camera pilot program;
- e. Review of national best practices for alternatives to police for serving those experiencing homelessness, behavioral health issues, drug addiction and other community challenges;
- f. Contracting for a City organizational “equity assessment” to identify gaps in diversity, inclusion and proposed action steps to address the gaps; and
- g. Other strategies identified by the community and the Council.

Section 3. The City Manager is further directed to develop Community Engagement strategies to facilitate citywide conversations about structural racism and policy and program solutions. These strategies shall include but are not limited to:

- a. Community engagement process centered around Black people;
- b. Targeted additional stakeholder engagement;
- c. Town Halls, virtual meetings and small group discussion;
- d. Surveys, mailers and social media campaigns;
- e. Council retreat and public hearings; and
- f. Other strategies identified by the community and the Council.

Section 4. The City Manager is further directed to develop Funding strategies to implement the entire framework set forth in this resolution. These strategies shall include but are not limited to:

- a. Funding an outside review of police use of force;
- b. Funding a body camera pilot project;
- c. Funding community engagement strategies;
- d. Reserving additional funding to implement ideas from community engagement, a national best practices review, and the equity assessment; and
- e. Meeting other funding needs identified by the community and the Council

Section 5. The City Manager is hereby directed to return to the Council by August 4, 2020 with funding recommendations for Council authorization to implement the elements of the framework resolution.

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



KIRKLAND CITY COUNCIL MEETING MINUTES June 16, 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. 2021-2026 Preliminary Capital Improvement Program

Financial Planning Supervisor Kyle Butler presented an overview of the 2021-2026 Preliminary Capital Improvement Program prioritization framework and proposed projects. Joining the Council for the discussion were City Manager Kurt Triplett, Deputy City Manager Tracey Dunlap, Director of Finance and Administration Michael Olson, Parks and Community Services Director Lynn Zwaagstra, Information Technology Director Smitha Krishnan, Interim Public Works Director Julie Underwood, and Capital Projects Manager Rod Steitzer.

City Manager Kurt Triplett raised a point for the good of the order concerning the Council's protocol for this evening's public comment received via email, voice mail, and over zoom.

4. HONORS AND PROCLAMATIONS

a. Mayor's statement

Mayor Sweet read a short statement regarding the recent Black Lives Matter protests in Kirkland.

b. Juneteenth Proclamation

Mayor Sweet asked Councilmember Neal Black to read the proclamation.

5. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Bea Nahon
Angela Rozmyn
Max Reisman
Brad Weed
Karen Story
Kirstin Larson
Terry Danysh
Gary Bleeker
Bonnie McLeod
Taylor Bonny
Tina Oiness
Alice Dobry
Heather Hendrix-McAdams
Bob McConnell
Ingrid Degginger
Maureen Kelly
Jason Henderson
Debbie Lamont
Ahmed Moustafa

c. Petitions

6. PUBLIC HEARINGS

a. Authorizing Allocation of the Community Development Block Grant – COVID19

Mayor Sweet described the parameters and opened the public hearing. Human Services Supervisor Leslie Miller provided an overview of the proposed distribution of the Community Development Block Grant COVID-19 funds. No public testimony was offered, and the Mayor closed the hearing.

(1) Resolution R-5428, Allocating the City's Portion of Community Development Block Grant (CDBG) COVID-19 Funds

Motion to Approve Resolution R-5428, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ALLOCATING THE CITY'S PORTION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COVID-19 FUNDS."

Moved by Councilmember Kelli Curtis, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

7. SPECIAL PRESENTATIONS

- a. COVID-19 Update
- b. 2018 CAFR Award and Bond Ratings

Deputy City Manager Tracey Dunlap reported that the City of Kirkland received the Government Finance Officers Association (GFOA) Certificate of Achievement for Financial Reporting for the City's 2018 Comprehensive Annual Financial Report (CAFR) and the recent credit ratings assigned to the 2010 Build America Bonds refunding.

8. CONSENT CALENDAR

- a. Approval of Minutes
 - (1) May 28, 2020
 - (2) May 29, 2020
 - (3) June 2, 2020
- b. Audit of Accounts and Payment of Bills and Payroll

Payroll: \$3,104,813.81
Bills: \$4,053,134.35
CA60320 checks #712958-713053 Wire # 193
CA61020 checks #713054-713174 Wire # 194

- c. General Correspondence
- d. Claims
 - (1) Claims for Damages

Claims received from Vicky LaRock, Alberto Ortega, and Ryan Wilson were acknowledged via approval of the consent calendar.

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

- (1) Resolution R-5429, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN

AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE COMMUNITY COLLEGES OF SPOKANE AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND."

The resolution was approved via approval of the consent calendar.

- (2) Resolution R-5430, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND AND THE WASHINGTON STATE WATER/WASTEWATER AGENCY RESPONSE NETWORK FOR THE PROVIDING OF MUTUAL AID AND ASSISTANCE; AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND."

The resolution was approved via approval of the consent calendar.

- (3) Designating Voting Delegate for Association of Washington Cities 2020 Annual Meeting

Deputy Mayor Jay Arnold, Councilmember Toby Nixon and Councilmember Amy Falcone were designated as the City Council's three voting delegates to represent the City of Kirkland at the Association of Washington Cities 2020 online Annual Business meeting via approval of the consent calendar.

- (4) April 2020 Financial Dashboard Report

Council acknowledged the report via approval of the consent calendar.

- (5) Procurement Report

Council acknowledged the report via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Jon Pascal, seconded by Councilmember Neal Black

Vote: Motion carried 7-0

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

9. BUSINESS

- a. Admissions Tax Rebate - Nonprofit and Performing Arts

Deputy Mayor Arnold recused himself from the discussion for the appearance of fairness stating that his wife is a member of the Board of Directors for an organization that is impacted by the proposed ordinance.

- (1) Ordinance O-4726, Amending Chapter 5.12 of the Kirkland Municipal Code Relating to Admissions Tax and Nonprofit Tax Exempt Performing Arts Organizations; Providing for Severability; and Establishing an Effective Date

Motion to Approve Ordinance O-4726 and its summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND, AMENDING CHAPTER 5.12 OF THE KIRKLAND MUNICIPAL CODE RELATING TO ADMISSIONS TAX AND NONPROFIT TAX EXEMPT PERFORMING ARTS ORGANIZATIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE."

Moved by Councilmember Amy Falcone, seconded by Councilmember Toby Nixon

Vote: Motion carried 6-0

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

b. Market Street Dental Clinic Variance Appeal

This item was postponed to the July 7, 2020 regular meeting with the agreement of all parties.

- (1) Resolution R-5431, Affirming the Hearing Examiner Decision Approving the Market Street Dental Clinic Variance in Department of Planning and Building File No. VAR18-00070

c. COVID-19 Emergency Directive Extension

City Manager Kurt Triplett provided a brief overview of the resolution.

- (1) Resolution R-5432, Ratifying City Manager Extended Emergency Directive Related to a Moratorium on Small Business Tenant Evictions and the COVID-19 Virus

Motion to Approve Resolution R-5432, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RATIFYING CITY MANAGER EXTENDED EMERGENCY DIRECTIVE RELATED TO MORATORIUM ON SMALL BUSINESS TENANT EVICTIONS AND THE COVID-19 VIRUS."

Moved by Councilmember Kelli Curtis, seconded by Councilmember Neal Black

Vote: Motion carried 6-1

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

No: Councilmember Toby Nixon.

Council recessed for a short break.

d. Proposed CARES Act Funds Spending Plan

Assistant City Manager James Lopez presented an overview of the proposed funding plan, responded to questions, and received Council direction.

- (1) Resolution R-5433, Approving the City Manager's Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") Funding Plan and Authorizing the City Manager to Implement Strategies, Actions, and Programs Consistent with That Plan

Motion to Approve Resolution R-5433, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE CITY MANAGER'S CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT ("CARES ACT") FUNDING PLAN AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT STRATEGIES, ACTIONS, AND PROGRAMS CONSISTENT WITH THAT PLAN" as amended.

Moved by Councilmember Jon Pascal, seconded by Councilmember Toby Nixon

Vote: Motion carried 7-0

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

Motion to Amend Resolution R-5433,

In Section 2, line 89, strike everything after the word "initiatives" and replace with the following: "recommended in the City staff report dated June 9, 2020, including redirecting existing staff work plans consistent with such recommendations."

In Section 3, line 95, strike everything after the word "support" and replace with the following: "such recommendations."

In Section 4, line 99, strike everything after the words "outlined in" and replace with the following: "such recommendations to support City operations, Human Services needs and Small Business assistance."

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Neal Black

Vote: Motion carried 7-0

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

e. 2019-2020 Mid-Year Budget Adjustment

Financial Planning Supervisor Kyle Butler provided an overview of the budget adjustments in the ordinance.

- (1) Ordinance O-4730, Amending the Biennial Budget for 2019-2020

Motion to Approve Ordinance O-4730 and its summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2019-2020."

Moved by Councilmember Toby Nixon, seconded by Councilmember Jon Pascal

Vote: Motion carried 7-0

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

Council recessed for a short break.

f. Fire and Emergency Medical Services Ballot Measure Options

Management Analyst Andreana Campbell presented an overview of the different draft ordinance options, the ballot title language and the final recommendation review team update. Also responding to questions was Bond Counsel Deanna Gregory of Pacifica Law Group.

- (1) Ordinance O-4728, Providing for the Form of the Ballot Proposition and Specifying Certain Other Details Concerning Submission to the Qualified Electors of the City at a Special Election to be Held Therein on November 3, 2020, of a Proposition for the Issuance of its General Obligation Bonds in the Aggregate Principal Amount of Not to Exceed \$56,000,000, or so Much Thereof as May be Issued Under the Laws Governing the Indebtedness of Cities for the Purpose of Providing Funds to Finance the Construction of a New Fire Station, Modernizing and Renovations to Existing Fire Stations, and Other Public Health and Safety Improvement, and Levy Excess Property Taxes to Pay the Bonds
- (2) Ordinance O-4729, Providing for the Form of the Ballot Proposition and Specifying Certain other Details Concerning Submission to the Qualified Electors of the City at a Special Election to be Held Therein on November 3, 2020, of a Proposition Authorizing the City to Lift the Levy Limit Established in RCW 84.55.010 in Order to Provide Funds to Pay the Costs of Improving City Fire and Emergency Medical Services
- (3) Ordinance O-4731, Providing for the Form of the Ballot Proposition and Specifying Certain other Details Concerning Submission to the Qualified Electors of the City at a Special Election to be Held Therein on November 3, 2020, of a Proposition Authorizing the City to Lift the Levy Limit Established in RCW 84.55.010 in Order to Provide Funds to Pay the Costs of Improving City Fire and Emergency Medical Services
- (4) Authorization to Recruit for Potential Ballot Measure Voter Pamphlet Statement Pro/Con Committees

Motion to Direct the City Clerk to recruit citizens to serve on committees charged with writing pro and con voter pamphlet statements for the potential fire and emergency medical services ballot measure.

Moved by Councilmember Jon Pascal, seconded by Councilmember Neal Black

Vote: Motion carried 7-0

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

Motion to Move forward with Ballot Option #2, the "combined" measure option where only one combined measure would be placed on the ballot and would be a permanent levy to fund both capital and operating investments.

Moved by Councilmember Jon Pascal, seconded by Councilmember Kelli Curtis

Vote: Motion carried 7-0

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

Motion to Include the RCW 84.36.381 Property Tax Exemption language in the ballot language.

Moved by Councilmember Toby Nixon, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

g. Proposed Zoning Code Amendments - Rooftop Amenities and Appurtenances

Senior Planner Allison Zike presented a briefing on the proposed ordinance and received feedback from Council for further options to bring back for Council action at a future meeting.

- (1) Ordinance O-4720, Relating to Zoning and Land Use and Amending the City of Kirkland Zoning Code, Ordinance 3719 as Amended, Including Chapters 5, 50, and 115 Regarding Development Standards for Rooftop Appurtenances and Rooftop Amenities, and Related Definitions, and Approving a Summary for Publication, File No. CAM19-00502

10. REPORTS

a. City Council Regional and Committee Reports

Given the lateness of the hour, Councilmembers decided to write up their reports and exchange them later over email. Councilmember Nixon suggested creating an ad hoc committee of three councilmembers to meet with staff and review the issue of public comment in virtual meetings and moving forward; the ad hoc committee was formed with Councilmembers Black, Falcone and Nixon. Mayor

Sweet announced the virtual 4th of July activities for the City which will be live streamed on You Tube and the City's Facebook page.

b. City Manager Reports

(1) Calendar Update

City Manager Kurt Triplett reported that as the July 7th study session will now be allocated to issues related to the Police department, the NE 85th Street Station Area Plan and the Joint Meeting with the Planning Commission will be held on Tuesday, July 21. The Council also agreed to move the August council meeting from Wednesday August 5th, to Tuesday, August 4th and directed staff to bring back the appropriate action item to the next council meeting.

11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of June 16 adjourned at 11:49 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: July 7, 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) Michael Britt
910 6th PL South
Kirkland, WA 98033

Amount: Undetermined

Nature of Claim: Claimant states damages occurred to their residential fence and landscape plantings resulting from a fallen branch from a cottonwood tree located in adjacent Everest Park.

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: George Minassian, P.E., Sr. Project Engineer
Rod Steitzer, P.E., Capital Projects Manager
Julie Underwood, Interim Public Works Director

Date: June 25, 2020

Subject: ANNUAL STREET PRESERVATION PROGRAM
2020 STREET OVERLAY PROJECT—AWARD CONTRACT

RECOMMENDATION:

City Council to award a construction contract for the Annual Street Preservation Program (SPP), 2020 Street Overlay Project (Project), to Lakeside Industries of Issaquah, Washington, in the amount of \$1,543,365.15.

By taking action on this item under the Consent Calendar, the City Council is awarding a construction contract for the subject project.

BACKGROUND DISCUSSION:

The City uses a Pavement Management System to manage and prioritize preservation treatments throughout the City's street network. The Pavement Management System considers all City streets in terms of existing pavement conditions (Pavement Condition Index, or PCI), prior maintenance history, the City's annual budget for street preservation, and other factors to determine the most cost-effective treatment. Once selected for treatment, candidate streets are then reviewed for potential conflicts with other construction projects (e.g., other CIP projects, private development, Washington State Department of Transportation projects, and private utility work). High priority street segments that do not have construction conflicts are added to the current year's program list. For the 2020 Street Overlay Project, the highest-ranking streets will receive subgrade preparation and repair, pavement milling, and the application of a new wearing surface layer of asphalt.

For several years, the Annual Street Preservation Program included three construction phases, concrete and ADA ramp repairs, the overlay, and an annual Slurry Seal project. This year, SPP consists of the 2020 Street Overlay Project. The concrete work needed for 2020 overlay program was completed in advance as part of the 2018 Program and the federally funded Lake Front Project. The 2020 program will not include a Slurry Seal phase, as the amount of slurry seal street candidates was not big enough to make it economically viable to justify a project.

As such, there is only one phase in this year's program, but staff anticipates that the 2021 Street Preservation Program will resume having three phases of work.

This year's Project originally included 4 streets:

- NE 132nd Street from Juanita Dr to 80th Avenue NE,
- 84th Ave NE from NE 132nd Street to NE 124th Street,
- Market Street from 16th Ave to Central Way, and
- 3rd Street from Central Way to 7th Ave.

However, the construction progress of the developer at 312 Central Way (old Wendy's location) is behind schedule due to delays caused by COVID-19, and as such, 3rd Street will not be ready to be resurfaced as part of this year's program and it will be added to next year's program.

This year's project was bid with three schedules of work for a total of 5.4 lane miles (see Attachment A, "Project Vicinity Map").

With an engineer's estimate of \$1,858,821 for construction of all schedules, the Project was first advertised on May 7, 2020. Three bids were received on May 21, 2020, with Lakeside Industries, being the lowest responsive bidder. The bid results are as follows:

Table 1 – 2020 Street Overlay Bid Results

Contractor	Total Bid
Lakeside Industries	\$1,543,365.15
Cadman Materials, Inc.	\$1,582,523.15
<i>Engineer's Estimate</i>	<i>\$1,858,181.50</i>
Watson Asphalt	\$1,873,237.56

Staff checked the references of the lowest bidder Lakeside Industries and they were very satisfactory.

A comparison of the unit prices shows that the average cost of asphalt for overlay in 2020 decreased to \$82.50/ton from \$95.58/ton in 2019 (Attachment B).

Funding

The total budget for the Annual Street Preservation Program (SPP) for 2020 is a combination of two revenue sources (Attachment C), including base CIP funding and Proposition 1 Levy funds:

Table 2– Street Preservation Program (SPP) Funding (2020 only)

Funding Source	City
2020 Street Preservation CIP Funding	\$1,432,400
2020 Street Preservation Prop 1 Levy	\$1,870,200
Total 2020 SPP	\$3,302,600

As shown above on Table 2, the subject project award has an available budget of \$3,302,600. Based on the available funding and staff's recommendation for a contract award for the 2020

Street Overlay Project, the anticipated expenses for the Annual Street Preservation Program for 2020 are shown on Table 3 below:

Table 3 – 2020 Street Preservation Project Funding vs. Expenses

Items	Funding
Available Funding for 2020 SPP	\$3,302,600
	Estimated Expenses
Design/Insp./CM/Staff	(\$750,000)
Construction Overlay (this memo)	(\$1,543,365)
Contingency	(\$231,505)
ESTIMATED TOTAL EXPENSES	(\$2,524,870)
Estimated Funding Balance	\$777,730

Conclusion

The Project will start this summer and is estimated to be complete this fall. With City Council's approval of award of the construction contract at its July 7 meeting, staff will begin the pre-construction public outreach process by notifying adjacent property owners with an informational mailer describing the Annual Street Preservation Program. This information, along with a regularly updated construction schedule, will also be posted on the [City's website](#). Construction notice signs will be installed on higher volume streets in advance of the overlay. Door hangers describing the work will also be distributed to all adjacent homes and businesses at least 24 hours prior to construction.

Attachment A: Project Vicinity Map

Attachment B: Kirkland Annual Street Overlay Program: Cost Comparison

Attachment C: Project Budget Report

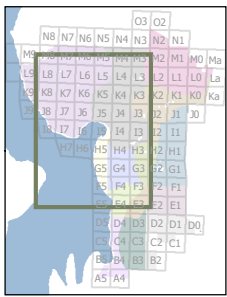
2020 Street Overlay Project**ATTACHMENT A**

**Schedule C:
84th Ave NE
&
NE 132nd St**

Street	from	to
84th Ave NE	NE 124th St	NE 132nd St
NE 132nd St	80th Ave NE	Juanita Dr
Market St	Central Way	16th Ave

**Schedule A
includes
project-wide bid**

- Overlay Street
- Parks / Open Spaces
- Schools
- Cross Kirkland Corridor
- Regional Rail Corridor
- City Limits



0 2,040
Feet
0 0.4
Miles



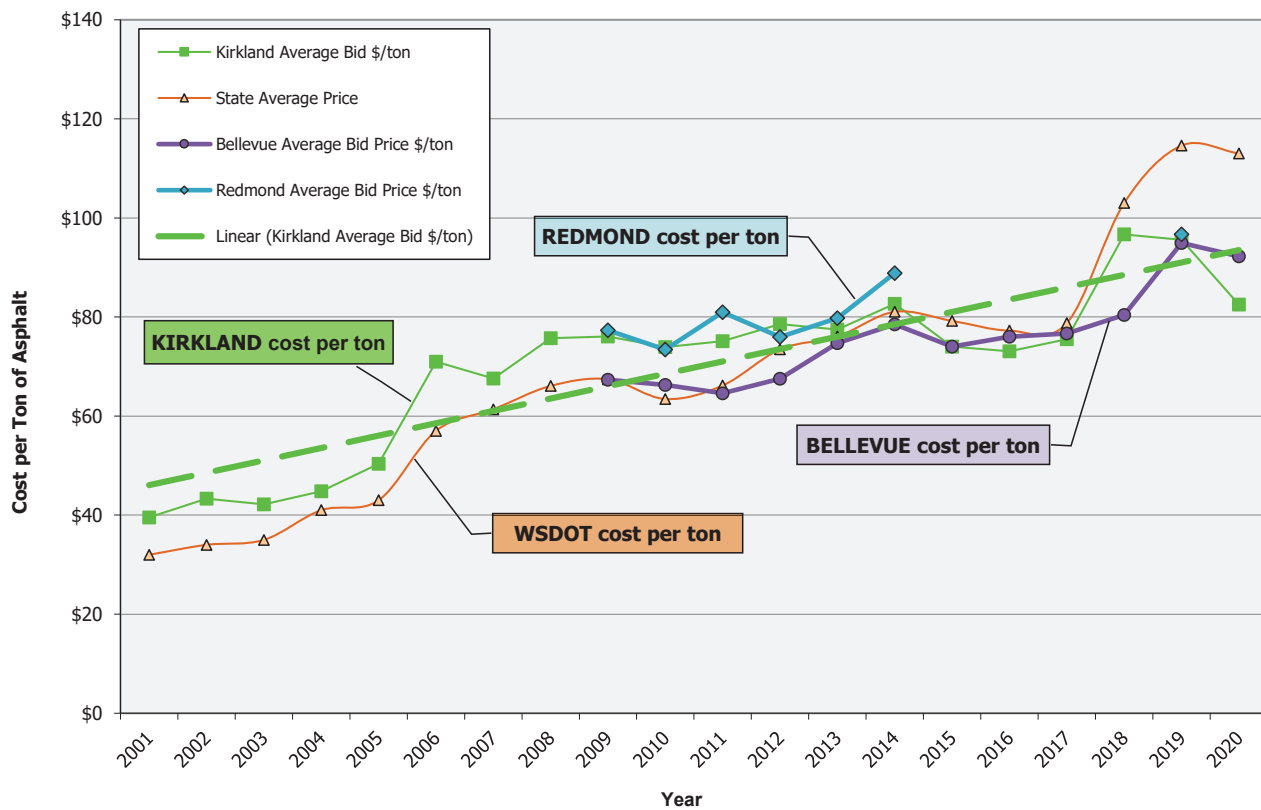
Author: Name In Map Doc Properties
Name: 2020 Overlay Streets
Date Saved: 6/3/2020 12:28:21 PM

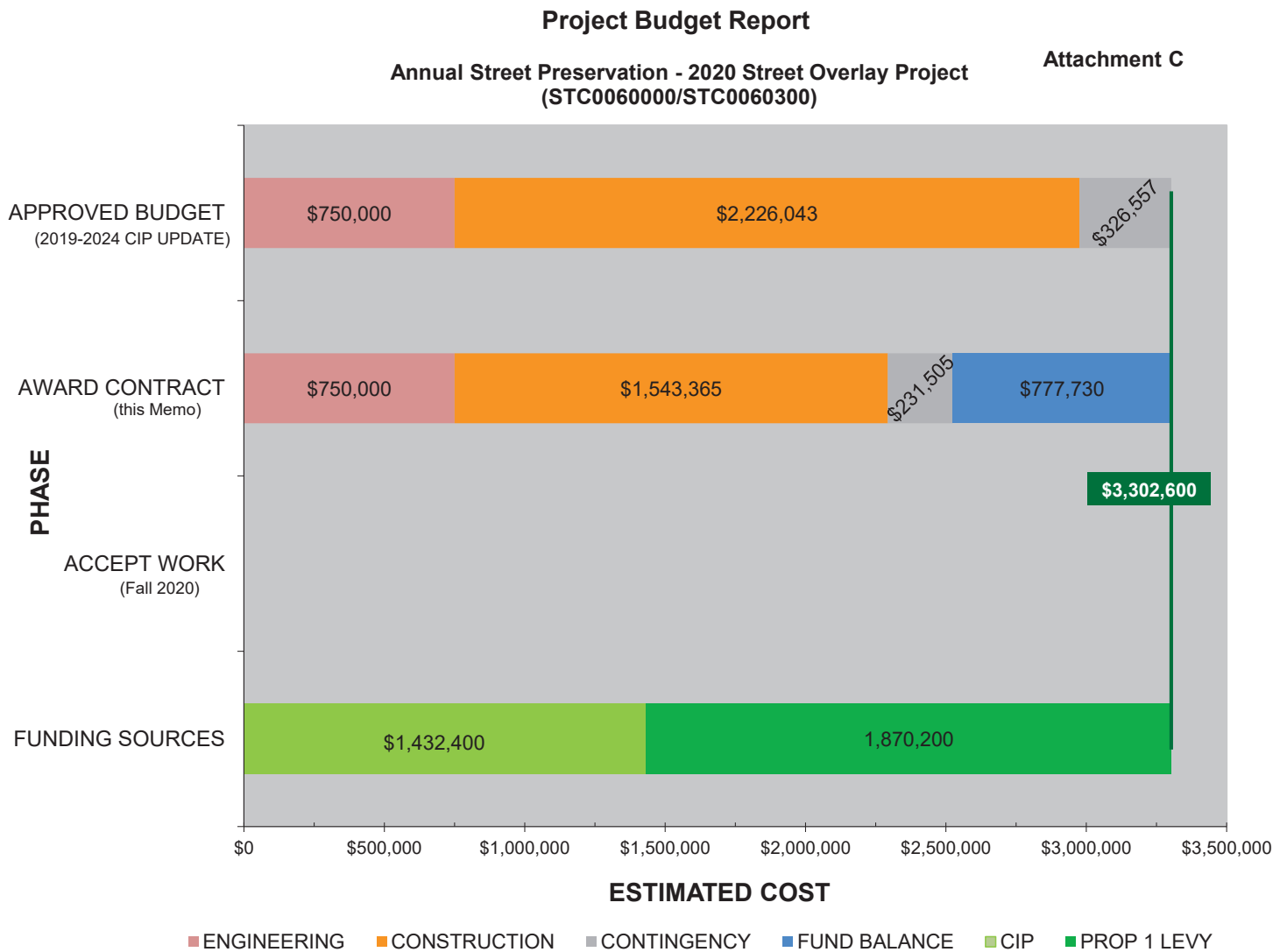
**Schedule B:
Market St**

Project Vicinity Map

Kirkland Annual Street Overlay Program Cost Comparison

ATTACHMENT B







CITY OF KIRKLAND

Police Department

11750 NE 118th Street, Kirkland, WA 98034-7114 425.587.3400

www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Cherie Harris, Chief of Police
Mike St. Jean, Deputy Chief
Robby Perkins-High, Budget Analyst

Date: June 2, 2020

Subject: SCHOOL SAFETY ZONE CAMERA PROGRAM UPDATE

Recommendation:

City Council receives an update on the implementation of the School Safety Zone Camera program.

Background:

On March 5, 2019 the City Council approved Ordinance O-4681 authorizing the use of photo enforcement cameras in school zones, Resolution R-5359 (as amended) establishing fines for photo-enforced school zone violations and Resolution R-5360 authorizing the City Manager to enter into an agreement with American Traffic Solutions Inc. (ATS) to install and monitor traffic safety cameras in two school zones in Kirkland.

On June 4, 2019 the City Council received an update on the status of the School Safety Zone Camera program. During the discussion, Council was informed that new school zone signage, to include flashing beacons, had been installed and that an additional speed study had been conducted on May 13 following this installation. This will allow staff to utilize this baseline to compare future speed studies to determine the impact of signage alone on speed to the camera program.

On September 3, 2019 the City Council received an update on the status of the School Safety Zone Camera program workplan items. As part of this update, Council was informed of the community outreach that had occurred with the Lake Washington School District, neighborhood association meetings and the Kirkland Alliance of Neighborhoods. In addition, Council was informed that all required signage, to include notice that drivers are entering a zone where traffic laws are enforced by an automated traffic safety camera, were installed.

On February 4, 2020 the City Council received an update of the School Safety Zone Camera program being live for the first three months of the program, September 3 – December 31,

2019. This update provided citation data, analysis of the data, court impacts, revenue information as well as expenditures to date.

Following is a report on the second 2.5 months of the School Safety Zone Camera program, January 1 – March 12, 2020. The program was suspended on March 12, 2020 as school was cancelled due to the COVID-19 pandemic.

January 1 – March 12, 2020:

Between the period of January 1 – March 12, 2020, 3,705 total citations have been issued, which includes all four school zones. There were 44 school days within this time frame, which means we are issuing approximately 84.2 citations per day. Comparing this data to the first three months of the school year (111 citations per day) shows that the average number of citations per day continues to decrease. As the chart below shows, southbound 132nd Ave NE continues to be the busiest zone of the four.

Location	Number of Citations Issued
NB 132 nd Ave NE	846
SB 132 nd Ave NE	1912
EB NE 80 th St	559
WB NE 80 th St	388

Citation Data:

- 2,796 citations (75%) were issued to drivers traveling between 26-30 mph and were issued \$136 fines
- 909 citations (25%) were issued to drivers traveling 31 mph and faster and were issued \$250 fines
 - 53 mph is the fastest speed that has been recorded
- The average citations issued per zone, per day, has increased in each of the past three months but continues to be lower than the first three months of the program (as shown below).
 - October: 35.57 average citations per zone per day
 - November: 29.93
 - December: 24.85
 - January: 18.63
 - February: 22.90
 - March: 23.47
- Those vehicles registered to a 98033 or 98034 zip code accounted for 26% of the issued citations.
 - The city outside of Kirkland with the most issued citations to residents is Woodinville with 14% of the total issued citations.

- Recidivism Rate:
 - 93.5% one citations
 - 5.8% two citations
 - 0.7% have received three or more citations
- Afternoon school zone enforcement accounted for 49% of the citations issued, with the morning hours accounting for 40% of the citations issued.
 - 11% of the citations issued occurred between the hours of 10:00 am and 2:00 pm due to conference week and the school district's early release schedule on Wednesdays

Mitigations and Hearings:

Between January 1 and March 16, 274 people receiving citations have requested mitigation hearings (7.3% of total) and 139 people have requested contested hearings (3.7% of total). Currently, there are two half-day court calendars scheduled to handle the hearing requests. The court is planning on adding a third half-day calendar to handle the high volume of hearings when the cameras are again activated.

In addition to the hearing requests, 188 people receiving citations have submitted affidavits (5.1% of total citations). The Court closed to the public due to COVID-19 at noon on March 16th. All court calendars were rescheduled. The only hearings the court was handling was the daily in-custody cases and people with a bench warrant stemming from a serious charge. On May 18th the Court began Virtual Zoom Hearings to handle misdemeanor type cases.

The court is not hearing any in-person mitigation or contested hearings until a date after August 1st. All infraction, parking and school zone hearings continue to be handled by written statement. To make this process more efficient and easier for the public, the Court worked with the IT department and the court's website now offers the ability to submit a written statement and any attachments to the judge electronically or they can still file their hearing request form by mail or drop-box

Expenditures:

Expenditures	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	TOTAL
Construction	\$ 27,319							\$ 27,319
ATS Contract		\$ 9,871	\$ 17,000				\$ 6,631	\$ 33,502
Utilities	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 980
Police Staffing	\$ 12,571	\$ 12,571	\$ 12,571	\$ 12,571	\$ 12,571	\$ 12,571	\$ 12,571	\$ 87,997
Court Staffing	\$ 2,289	\$ 5,673	\$ 5,673	\$ 5,673	\$ 5,901	\$ 1,964	\$ 1,494	\$ 28,667

**Costs continue to be updated with actual expenses as they are incurred, which is why expenditures from prior months may differ from memo to memo.*

Construction costs:

- The total construction expenditures for the project were \$27,319, which is in line with what was expected in initial program analysis.

Ongoing costs:

- The City pays an ongoing contract fee of \$17,000 for monitoring of the cameras.
- Due to a billing error by the vendor, the City received a credit that offset the expense for several months.
- The City received a prorated charge in March due to the early school closures.
- Utility costs are estimated to be \$140 per month.

Police staffing costs:

- As planned, the program has been supported by existing Traffic Officers to review photo images of the citations. Police estimate a staffing impact of .38 FTE for citation review (40 hours per month) and administrative burden (25 hours per month).
- Since Police Officers are not hired in part-time increments, City Council approved the addition of 1.0 FTE on 7/16/19, to be hired to restore the traffic unit to the field after the successful implementation of the program.
- A new officer has been hired and the police staffing line was updated from an estimate to the actual cost of a current traffic officer.

Court staffing costs:

- City Council approved the hiring of a .75 FTE JSA II whose primary duties are handling school zone infractions to include handling all incoming documents, correspondence, affidavits, hearing by mail requests, setting hearings and clerking court hearings, who began work in mid-September. This staff member took time off in February and March, and the workload was absorbed by current staff in the interim. The cost of this position is \$5,673 per month.
- Due to a mutual decision from the staff person and the City, this position will be reduced to .5 FTE for an estimated period of five months, resulting in a savings of \$1,565 per month.
- Additionally, staffing costs from the Court come from professional services charges for court commissioner hours.
- While there has been an increased workload in several other positions at the Court, that workload has been absorbed by current staff thus far.

Revenues:

Revenues	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	TOTAL
Citations	\$ 10,816	\$171,032	\$ 219,036	\$ 172,686	\$ 182,294	\$ 185,783	\$ 941,646

The City has received \$941,646 in school zone speeding revenues through 3/31/20. Excluding the partial month of October, the average monthly revenue is \$186,166.

Cash Flow Analysis:

	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20
Expenditures							
Construction	\$ 27,319						
ATS Contract		\$ 9,871	\$ 17,000				\$ 6,611
Utilities	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140	\$ 140
Police Staffing	\$ 12,571	\$ 12,571	\$ 12,571	\$ 12,571	\$ 12,571	\$ 12,571	\$ 12,571
Court Staffing	\$ 2,289	\$ 5,673	\$ 5,673	\$ 5,673	\$ 5,901	\$ 1,964	\$ 1,494
<i>Total Expenditures</i>	<i>\$ 42,319</i>	<i>\$ 28,255</i>	<i>\$ 35,384</i>	<i>\$ 18,384</i>	<i>\$ 18,612</i>	<i>\$ 14,675</i>	<i>\$ 20,816</i>
Revenues							
Citations		\$ 10,816	\$ 171,032	\$ 219,036	\$ 172,686	\$ 182,294	\$ 185,783
<i>Total Revenues</i>		<i>\$ 10,816</i>	<i>\$ 171,032</i>	<i>\$ 219,036</i>	<i>\$ 172,686</i>	<i>\$ 182,294</i>	<i>\$ 185,783</i>
Council Appropriations							
3/5 - NMC00620						\$ 123,157	
Program Balance	\$ (42,319)	\$ (59,758)	\$ 75,889	\$ 276,541	\$ 430,615	\$ 475,077	\$ 640,044

The estimated program balance as of 3/31/20 is \$640,044. While this is well above original program projections, the City will only receive one more partial month of revenue until school is scheduled to begin again. While some expenditures will decrease during this time period, staffing costs will continue, which will decrease the program balance over time.

Communication:

Staff has continued to maintain a FAQ with updated information for community members as well as responding to constituents with questions about the program.

Next steps:

The safety camera report was intended to become an annual report following each school year. Unless the Council elects a different schedule, the next update for Council would occur in July or August of 2021, once the 2020-2021 school year is complete and data can be gathered. This 2021 report will include the results from the rescheduled speed study that is scheduled for May of 2021* and that was requested by Council at the June 4, 2019 council meeting.

* Due to the school closures that resulted from the COVID-19 pandemic, the speed studies planned at both school zone safety camera locations were not conducted as scheduled in May 2020. The May 2021 speed study results will be compared to the results of the speed studies that were previously collected in May 2018 and May 2019 to help evaluate the impact the school zone safety cameras are having on driver behavior.



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: Kathi Anderson, City Clerk/Public Records Officer
Michael Olson, Director of Finance and Administration

Date: June 18, 2020

Subject: August 2020 City Council Calendar Adjustment

RECOMMENDATION:

That the City Council returns the date of their first meeting in August to August 4, 2020 instead of the current special meeting date of August 5, 2020. By approving the consent calendar, the Council is authorizing this change to their meeting calendar.

BACKGROUND DISCUSSION:

Council's past practice has been to move the first meeting in August to Wednesday of the same week in order to allow for Councilmember participation in National Night Out, which they did at their January 21st regular meeting this year. However, due to the COVID-19 pandemic, that event will not be held on it's previously scheduled date; therefore, in the absence of conflict, moving the meeting to a special date is no longer needed and the meeting can return to it's regularly scheduled day. Council requested that staff adjust the meeting calendar to return the meeting to Tuesday, August 4.

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

To: Kurt Triplett, City Manager

From: Michael Olson, Director of Finance & Administration
Robby Perkins-High, Senior Financial Analyst
Andrea Peterman, Budget Analyst

Date: June 18, 2020

Subject: May Sales Tax Revenue

May results reflect sales activity in March, due to the two-month lag in reporting sales tax data. Significant sales tax impacts from COVID-19 are evident in this report. Monthly sales tax revenue was **18.6% percent lower** than May 2019. However, if an anticipated adjustment in June (see next section) is included, monthly sales tax revenue for May will be **29.9 percent lower** than May 2019. Sectors showing growth included Services and Communications, while there were large declines in the Auto/Gas Retail, Retail Eating/Drinking, and Miscellaneous sectors. The following sections discuss the highlights by business sector of the month-over-month analysis and year-to-date revenue as well as key economic variables that impact sales tax.

Corrections to Sales Tax Revenue Received

On June 17th, the Washington Department of Revenue (DOR) informed the City that it had received amendments to sales taxes paid in prior periods from a taxpayer who paid the wrong amounts in January and March of 2020. The taxpayer errors resulted in the City being remitted more in sales tax revenue than it should have received. The overpayments will be adjusted by reducing the amount remitted to the City in June. The total amount to be corrected is estimated at \$499,202. These two payments currently are shown in the March and May memos. The monthly and yearly tables do not reflect this change, as the amount is still estimated. They will be accurately updated in the June Sales Tax memo after the adjustment is received.

Comparing May 2020 to May 2019**2020 Sales Tax Receipts by Business Sector-Monthly Actuals**

Business Sector Group	May		Dollar Change	Percent Change	Percent of Total	
	2019	2020			2019	2020
Services	303,067	519,779	216,712	71.5%	13.1%	27.7%
Contracting	597,070	523,484	(73,586)	-12.3%	25.9%	27.9%
Communications	35,897	41,414	5,517	15.4%	1.6%	2.2%
Retail:						
Auto/Gas Retail	491,125	80,820	(410,305)	-83.5%	21.3%	4.3%
Gen Merch/Misc Retail	204,778	211,619	6,841	3.3%	8.9%	11.3%
Retail Eating/Drinking	169,002	72,291	(96,711)	-57.2%	7.3%	3.9%
Other Retail	258,226	247,276	(10,950)	-4.2%	11.2%	13.2%
Wholesale	111,898	87,508	(24,390)	-21.8%	4.9%	4.7%
Miscellaneous	134,439	93,135	(41,304)	-30.7%	5.8%	5.0%
Total	2,305,501	1,877,326	(428,176)	-18.6%	100%	100%

Comparing collections from the month of May this year to last year provides better insight into business sector performance, controlling for seasonal cycles in sales, as well as occasional adjustments.

May sales tax collections this year are **\$428,176 (18.6 percent)** lower than May 2019. **Services** showed the largest growth, exceeding 2019 revenues by **\$216,712 (71.5 percent)**. This was driven almost entirely by gains in the Internet Publishing, Broadcasting, and Web Search category, as well as Administrative and Support services. As noted earlier, this amount will be adjusted down significantly by approximately \$500,000 in the June memo. **Communications** showed an increase of **\$5,517 (15.4 percent)** and **General Merchandise Retail** grew by **\$6,841 (3.3 percent)**.

There was contraction across multiple sectors, with the Retail sector showing the largest decline. The **Auto/Gas Retail** sector fell **\$410,305 (83.5 percent)**, due primarily to a \$404,891 decrease in revenues from motor vehicle sales. **Retail Eating/Drinking** was down **\$96,711 (57.2 percent)** and **Other Retail** was down **\$10,950 (4.2 percent)**, driven by decreases in the categories of furniture, clothing, and sporting goods.

Miscellaneous fell by **\$41,304 (30.7 percent)**, driven by decreases in Manufacturing, Finance & Insurance, and Real Estate. Revenues from the **Wholesale** sector were down **\$24,390 (21.8 percent)** while **Contracting** fell **\$73,585 (12.3 percent)**.

Year-to-Date Review

City of Kirkland Actual Sales Tax Receipts

Business Sector Group	YTD		Dollar Change	Percent Change	Percent of Total	
	2019	2020			2019	2020
Services	1,322,605	1,933,705	611,100	46.2%	12.4%	18.4%
Contracting	2,472,523	2,623,235	150,712	6.1%	23.2%	24.9%
Communications	216,454	217,662	1,208	0.6%	2.0%	2.1%
Retail:						
Auto/Gas Retail	2,208,308	1,629,124	(579,184)	-26.2%	20.8%	15.5%
Gen Merch/Misc Retail	1,098,955	1,169,022	70,067	6.4%	10.3%	11.1%
Retail Eating/Drinking	723,378	611,861	(111,518)	-15.4%	6.8%	5.8%
Other Retail	1,265,864	1,372,939	107,075	8.5%	11.9%	13.0%
Wholesale	462,603	442,527	(20,076)	-4.3%	4.3%	4.2%
Miscellaneous	866,311	533,554	(332,758)	-38.4%	8.1%	5.1%
Total	10,637,002	10,533,629	(103,373)	-1.0%	100%	100%

Year-to-date sales tax revenues are **\$103,373 (1.0 percent)** lower compared to 2019. Including the estimated adjustment in June, year-to-date revenues would be **\$602,575 (5.7 percent)** lower. **Retail** losses make up the largest part of that decrease. **Auto/Gas Retail** tax revenues continue their downward trend, decreasing **\$579,184 (26.2 percent)** due to a steep decline in auto sales. **Retail Eating/Drinking** also continues to decline, showing losses of **\$111,518 (15.4 percent)**. **Wholesale** tax revenue turned negative in May with a decline of **\$20,076 (4.3 percent)**. The significant decrease in **Miscellaneous** is due to a large back tax payment made by a business in 2019.

Services continues to show year-to-date growth with an increase of **\$611,100 (46.2 percent)** over 2019, driven by gains in Information Services. **Contracting** accounts for a quarter of total sales tax revenue in 2020 and continues to show growth with an increase of **\$150,712 (6.1 percent)**. Some retail sectors are also showing gains over 2019. **Other Retail** shows an increase of **\$107,075 (6.4 percent)**, led by

Building & Garden retail sales, and **General Merchandise/Retail** shows a revenue increase of **\$70,647 (6.4 percent)**.

Comparing Sales Tax Revenue to Forecasts

At the May 29th Council Retreat staff shared two versions of the General Fund forecast reflecting the impact of the pandemic on all General Fund revenues. The two versions were labeled, "V-Shaped" and "Big-V". The "V-Shaped" forecast assumed a shallower and longer-lasting economic contraction while the "Big-V" assumed a deeper recession of a shorter duration. The actual sales tax revenue of \$1,877,326 for May, is higher than the amount forecasted for May (\$1,773,059) using the "V-Shaped" model but it is lower than the amount expected in the 2020 Budget. The following table compares the actual revenues for March, April, and May with the 2020 Budget and the two forecasts.

City of Kirkland Actual Sales Tax Receipt Compared to Budget and Forecasts

	March	April	May
2020 Budget	2,005,385	1,686,479	1,957,576
V-Shaped Forecast	1,430,366	1,454,072	1,773,059
Big-V Forecast	798,201	963,120	875,919
Actual	2,188,671	1,683,954	1,877,327

The following table shows the year-to-date totals compared to budget and forecasts, including the estimated adjustment that will be applied in June. The 2020 Budget assumes the modified two-year sales tax lag. In a "normal" year, sales tax receipts are anticipated to be higher than the adopted budget by fiscal policy.

City of Kirkland Actual Sales Tax Receipt with Correction

	Year to Date through May 2020
2020 Budget	8,726,175
V-Shaped Forecast	8,521,094
Big-V Forecast	6,111,872
Actual	10,533,629
Estimated Correction in June for Prior Period Overpayment	(499,202)
Revised Actual	10,034,427

National and Regional Economic Context

Information about wider trends in the economy provides a mechanism to help understand current results in Kirkland and to predict future performance. The combination of consumer confidence, unemployment levels, housing data, inflation, and auto sales provides a broader economic context for key factors in sales tax revenues. Since the sales tax figures reported above are from two months prior, some of the figures in the table below can function as leading indicators for where sales taxes may go in future reports.

2020 Wider Economic Indicators

Indicator	Most Recent Month of Data	Unit	Month			Yearly Average	
			Current	Previous	Change	2020	2019
Consumer Confidence							
Consumer Confidence Index	May	Index	86.6	85.7	0.9	117.2	128.1
Unemployment Rate							
National	May	%	13.3	14.7	(1.4)	6.6	3.7
Washington State	March	%	5.4	4.2	1.2	4.7	4.5
King County	March	%	5.6	2.4	3.2	2.6	3.0
Kirkland	March	%	5.3	2.2	3.1	2.4	2.9
Housing							
New House Permits	March	Thousands	44.5	50.8	(6.3)	49.8	48.7
Seattle Area Home Prices	March	Index	266.2	259.6	6.6	257.9	252.2
Inflation (CPI-W)							
National	May	% Change	(0.1)	0.1	(0.2)	1.6	1.7
Seattle	April	% Change	1.5	2.6	(1.1)	2.1	2.1
Car Sales							
New Vehicle Registrations	April	Thousands	7.8	21.5	(13.7)	19.2	23.7

The Conference Board **Consumer Confidence Index** held steady in May at 86.6, after a sharp decline in April. The 2020 average thus far sits 10.9 points below the 2019 average.

The national **Unemployment Rate** dropped slightly from 14.7 percent in April to 13.3 percent in May. From February to March, Washington State unemployment increased 1.2 percentage points to 5.4 percent. King County and Kirkland also showed increases, with the county moving from 2.4 to 5.6 percent and Kirkland from 2.2 to 5.3 percent. Preliminary data for April (not included in the above table) indicates that unemployment rates will likely rise to double digits at the state, county, and city levels.

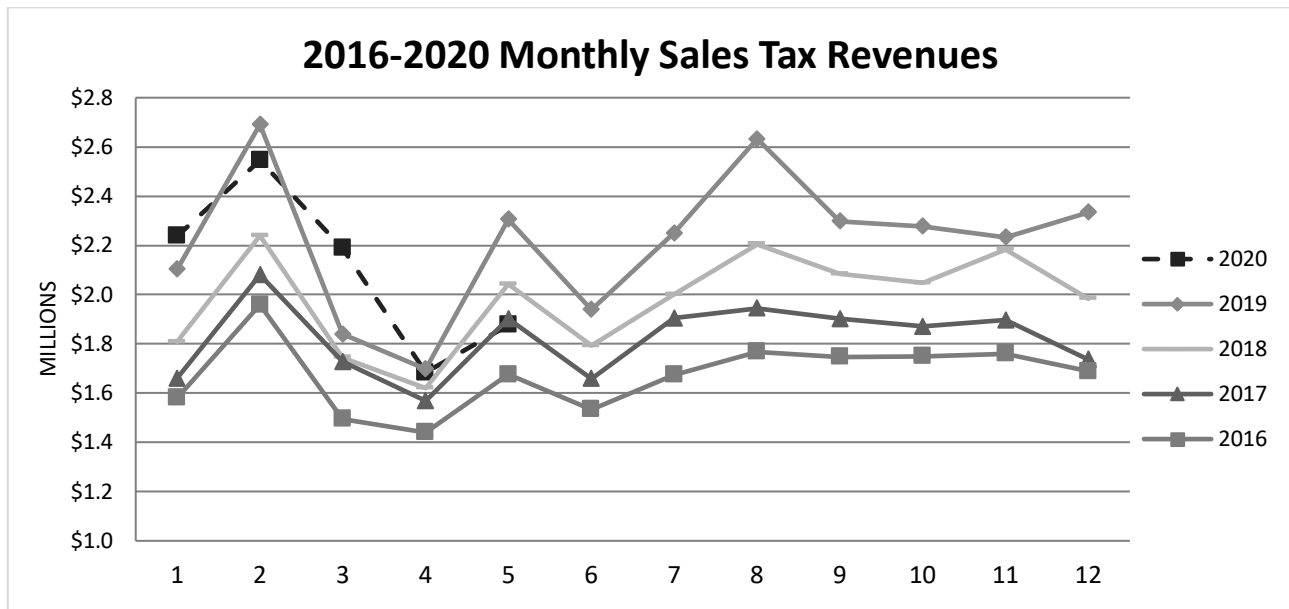
New Housing Permits decreased by 6,300 from February to March. The **Case-Shiller Home Price Index** saw an increase of 6.6 points, and currently sits above the 2019 average.

Inflation for Seattle-Tacoma-Bellevue, as measured by the CPI-W, fell from 2.6 percent to 1.5 percent between February and May. On the national level, inflation turned negative, dropping 0.2 percentage points to -0.1 percent.

New Vehicle Registrations decreased by 13,700 from March to April.

Conclusion

The chart below shows Kirkland's monthly sales tax revenues through May 2020 compared to the four prior years.



Services and Contracting are the primary drivers in growth thus far in 2020. The Retail sector, primarily the Auto/Gas and Eating/Drinking sectors, have driven negative growth this year.

Looking at all sectors combined, 2020 year-to-date revenues are **1.0 percent below** those seen at the same time last year. If the Miscellaneous sector were to be removed from the calculation (controlling for the impact of the large back tax payment in 2019), sales tax revenues would be **2.3 percent above** the previous year-to-date total.

This report has highlighted the significant sales tax impacts from COVID-19. Finance will monitor the evolving economic conditions and update city revenues affected by the pandemic to inform policy decisions.

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

To: Kurt Triplett, City Manager

From: Greg Piland, Financial Operations Manager

Date: June 18, 2020

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF July 7, 2020.

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

The City's major procurement activities initiated since the last report dated June 3, 2020 are as follows:

	Project/Purchase	Process	Estimate/Price	Status
1.	CKC to RCC project construction inspection services	Request for Qualifications	\$291,208.00	Amended contract awarded to KPG, Inc. of Seattle, WA based on qualifications per RCW 39.80.
2.	Workers' compensation claims services	Professional Services Hire	\$52,941.42	Contract awarded to Association of Washington Cities of Olympia, WA.
3.	Parking lot lease agreement	Lease Agreement	\$68,000.00	Lease agreement awarded to Kirkland Congregational Church of Kirkland, WA.
4.	Natural gas line alteration for fire station 24	Cooperative Purchase	\$60,714.38	Contract awarded to Puget Sound Energy of Bellevue, WA.
5.	Design services for fire station 24	Request for Qualifications	\$103,233.00	Amended contract awarded to TCA Architecture Planning of Seattle, WA.

Please contact Greg Piland if you have any questions regarding this report.

**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 of Parks & Community Services
Leslie R. Miller, Human Services Supervisor

Date: July 1, 2020

Subject: WA STATE DEPARTMENT OF COMMERCE SHELTER GRANT

RECOMMENDATION

It is recommended that the City Council authorize the City Manager to sign a letter of support and participation in the King County consolidated application for Washington State Department of Commerce dollars to develop or expand shelter programs.

BACKGROUND DISCUSSION

On June 19th the Department of Commerce released an application for jurisdictions throughout the state to apply for funds to support the development or expansion of shelter programs with operating funds available through June 2023. For each new bed provided, \$10,000 is available for one-time startup expenses and \$56 dollars per night for ongoing program and operational costs. The State is prioritizing low barrier shelter that provides equitable services that get people off the streets and then into housing as quickly as possible. The full program overview is **Attachment A**.

Funds have been set aside for jurisdictions over 25,000 in population, but the State is offering a premium for coordinated community applications. If all King County jurisdictions agreed to support a single application, we would be able to apply for over \$11.8 million dollars to support shelter projects. A table with the amount of money available for each King County jurisdiction is at the end of this memo.

City and County staff are in the process of exploring potential shelter development and expansion projects on the Eastside, in Shoreline and in South King County. The City of Seattle is signing onto the joint application to support projects outside of its city. The quick turnaround time to submit the application is limiting the number of viable projects. The application is due on July 17th and programs must be providing shelter no later than December of this year. Depending upon the size of each project, the funding could likely support three or four shelters. At the time of the creation of this memo, plans to expand shelter in Snoqualmie Valley and Shoreline are furthest along in concept. We are looking at motel and large outdoor tent or shelter pallet options in the vicinity of Kirkland, Redmond and Bellevue.

City staff recommend that the Council support this regional approach to shelter expansion and development.

	Stand Alone Funding	Coordinated Community Funding
Kirkland	\$414,504	\$518,131
Auburn (part)	\$334,344	\$417,930
Bellevue	\$677,170	\$846,462
Bothell (part)	\$133,150	\$166,438
Burien	\$242,346	\$302,932
Des Moines	\$147,178	\$183,973
Federal Way	\$ 455,983	\$569,979
Issaquah	\$175,188	\$218,985
Kent	\$604,932	\$756,165
Maple Valley	\$122,012	\$152,515
Redmond	\$306,940	\$383,675
Renton	\$487,954	\$609,942
Sammamish	\$300,183	\$375,228
SeaTac	\$135,993	\$169,992
Seattle	\$3,482,788	\$4,353,485
Shoreline	\$262,712	\$328,390
Unincorporated	\$1,157,084	\$1,446,356
TOTAL	\$9,440,461	\$11,800,578

Attachment A
Attachment B

WA State Department of Commerce Shelter Program Overview
 Resolution



Shelter Program Overview

The Department of Commerce (Commerce) intends for communities to use equitable and creative approaches to develop or expand shelter programs and bring people inside with a goal of exiting participants to permanent housing quickly.

Funds will be awarded for a three-year period: August 2020 to June 2023.

Program Requirements

1. Shelter program will enact strategies to ensure racially equitable access and racially equitable outcomes at exit.
2. Shelter rules and policies do not include pre-conditions for receiving shelter, and are narrowly focused on maintaining a safe environment for residents and the community and avoiding exits to unsheltered homelessness.
3. Shelter staff are trained on LGBTQ+ competency, racial equity and how to implement trauma informed care.
4. Shelter program provides outreach to unsheltered individuals.
5. Shelter program provides residents with housing stability focused services, including diversion and problem solving. Shelter programs connect shelter residents to mainstream services including behavioral health, chemical dependency, education or workforce training, employment services and permanent supportive housing.
6. Shelter must be available for occupancy by December 2020. In special circumstances, Commerce will consider approval of later occupancy dates. Commerce intends to recapture and redistribute funds for shelters not available for occupancy by the December deadline.
7. Shelter program is consistent with county local homeless housing plans.
8. Direct service providers must enter client data into the Homeless Management Information System.

Eligible Types of Shelter

For the purpose of this grant, shelter facilities are defined as:

- **Emergency Shelter Facility:** a building locally permitted to provide emergency shelter for people experiencing homelessness. Examples include: re-use of existing buildings and new buildings. This designation requires a certificate of occupancy issued by the local jurisdiction.
- **Temporary Shelter Site:** structure(s) or location locally permitted to provide temporary shelter for people experiencing homelessness. Tents or "tent cities" are an example of a temporary shelter. This designation requires use approval, as required by local jurisdiction. This could be conditional or temporary use permits, or a zoning letter stating approvals required.

Hotels, motels, dormitories and efficiency dwelling units or apartments are allowable types of shelter facilities. If an emergency shelter hotel/motel voucher model is used, programs must be able to ensure access to a set number of hotel/motel beds 365 days a year.

Given the context of COVID-19, traditional models of congregate shelter services may not be appropriate. For not only this reason, sites utilizing temporary shelter structures referred to as "tiny shelters" or "tiny homes" are allowable, in addition to other models that meet minimum standards of safety and dignity.

All shelters must implement applicable COVID-19 Washington State Department of Health recommendations and Centers for Disease Control and Prevention COVID-19 [Guidance](#) for Shared of Congregate Housing. Shelter facilities must obtain approval by the relevant local public health jurisdiction, Public Health Officer, County Medical Director or Department of Public Health Director prior to occupancy of shelter.

Eligible Costs

Commerce will reimburse for new beds¹ created on and after January 1, 2020.

Commerce will reimburse up to \$56 per day per net additional person sheltered above the baseline of shelter occupancy prior to the award of funding.

Eligible uses of funds include:

- Shelter operations including housing case management, navigation to other services, outreach related to bringing unsheltered individuals inside and efforts to address potential impacts of shelter on surrounding neighborhoods
 - Supporting shelter residents with move-in costs and other flexible funds are allowable costs, if those costs directly help participants exit homelessness and obtain housing. Flexible funds will be reimbursed as part of the \$56 per day reimbursement rate paid for people while in shelter.
- Shelter maintenance
- Capital improvements and construction
- Shelter rent and loan repayment

¹ Examples of new beds include tents converted to tiny shelters/homes, seasonal or temporary beds converted to permanent beds or nightly drop-in beds converted to 24-hour beds.

Commerce will reimburse up to \$10,000 per shelter bed prior to occupancy for costs associated with creating additional shelter capacity or improving existing shelters to improve occupancy rates and positive outcomes.

Eligible costs prior to occupancy include:

- Acquisition and construction
- Equipment
- Staff costs
- Other costs directly related to creating additional shelter capacity

Service Provision

Rules and Policies

Shelter programs must have realistic and clear expectations. Rules and policies must be narrowly focused on maintaining a safe environment for residents and the community and avoiding exits to homelessness. Shelter programs must have flexible intake schedules and require minimal documentation. At the minimum, people must not be screened out based on the following criteria²:

- Having little or no income
- Having poor credit or financial history
- Having poor or lack of rental history
- Having involvement with criminal justice system
- Having active or a history of alcohol and/or substance use*
- Having a history of victimization
- The type or extent of disability-related services or supports that are needed
- Lacking identification or proof of U.S. Residency Status
- Other behaviors that are perceived as indicating a lack of "housing readiness," including resistance to receiving services

Shelters must be oriented toward exiting to people to permanent housing, and may not have stay limits. Residents must not be exited to homelessness solely due to the number of days spent residing at shelter.

Shelter programs must not require participants to pay a share of rent.

Participants must not be terminated from the program for the following reasons:

- Failure to participate in supportive services or treatment programs
- Failure to make progress on a housing stability plan
- Alcohol and/or substance abuse in and of itself is not considered a reason for termination (does not apply to sobriety/recovery focused shelter)*

*Each county should provide access to shelter that is realistically accessible to the diversity of people experiencing unsheltered homelessness. For many people, sobriety-based shelter is appropriate as they work to address dependence. Research is clear that some people will not be able to maintain sobriety, even with the threat of becoming unsheltered, and as a result would be ejected into unsheltered homelessness if sobriety-based shelter is the only option. As a condition of receiving this funding, jurisdictions will be required to

² Shelter programs serving minors will follow guidance on shelter rules and policies from the Office of Homeless Youth.

provide shelter options that do not require sobriety as a condition of program enrollment proportionate to the requests for such placements.

Housing Stability Focused Services and Case Management

Housing case management is driven by the needs of the resident, is flexible, uses a strengths-based approach and is focused on obtaining housing.

Diversion and Problem-Solving

Diversion is a creative problem-solving approach to help people resolve their housing crisis, ideally before entering the crisis response system. Diversion uses exploratory conversations to help people identify realistic housing options based on their own resources. Diversion is often accompanied with short-term services including one-time financial assistance.

Diversion approaches will be utilized prior to program entry and throughout a resident's shelter stay.

Racially Equitable Access and Outcomes

Shelter programs must develop and implement strategies to prevent racial inequities in who is served and program outcomes. Strategies must include policies and procedures that promote:

- Hiring and promoting both frontline and management staff who reflect the racial, cultural and language demographics of the population being served
- Implementing inclusive programming by intentionally seeking and utilizing input from the population being served
- Working with HAU staff to develop measures of equitable outcomes and address disparities

Program Contact:

- Megan Kendig
- Email: megan.kendig@commerce.wa.gov

Program webpage:

<https://www.commerce.wa.gov/serving-communities/homelessness/office-of-family-and-adult-homelessness/shelter-program/>

RESOLUTION R-5435

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SUPPORTING THE KING COUNTY JOINT APPLICATION FOR WASHINGTON STATE DEPARTMENT OF COMMERCE 2020 SHELTER GRANT FUNDING.

1 WHEREAS, the Washington State Department of
2 Commerce released an application for jurisdictions throughout the
3 state to apply for funds to support the development or expansion
4 of shelter programs; and

5
6 WHEREAS, funds have been set aside for jurisdictions over
7 25,000 in population; and

8
9 WHEREAS, the State is offering a premium for coordinated
10 community applications; and

11
12 WHEREAS, King County and jurisdictions within the county
13 intend to submit such a coordinated community application; and

14
15 WHEREAS, the City of Kirkland wishes to support and
16 participate in this single application.

17
18 NOW, THEREFORE, be it resolved by the City Council of the
19 City of Kirkland as follows:

20
21 Section 1. The City Manager is hereby authorized and
22 directed to sign on behalf of the City of Kirkland a letter of support
23 and participation in the King County consolidated application for
24 Washington State Department of Commerce 2020 Shelter Grant
25 Program funding.

26
27 Passed by majority vote of the Kirkland City Council in open
28 meeting this ____ day of _____, 2020.

29
30 Signed in authentication thereof this ____ day of
31 _____, 2020.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

**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: Tony Leavitt, Senior Planner
Adam Weinstein, Planning and Building Director

Date: June 2, 2020

Subject: Market Street Dental Clinic (1009 Market Street) Variance Appeal, File No. VAR18-00070

RECOMMENDATION

This appeal was deferred from the June 16 Council meeting to provide the appellant the opportunity to present in person at the Council Chambers on July 7 if the state Open Public Meetings Act (OPMA) COVID-19 restrictions are lifted. If the OPMA restrictions are extended, the appellant will participate via Zoom. The memo and attachments are the same ones from the June 16 Council packet. The Council should consider the appeal of the Hearing Examiner's approval of a variance for the Market Street Dental Clinic located at 1009 Market Street and take one of the following actions:

1. Direct Staff to return to the Council on July 21, 2020 with a final resolution to:
 - Affirm the decision of the Hearing Examiner;
 - Reverse the decision of the Hearing Examiner; or
 - Modify the decision of the Hearing Examiner.
2. In the alternative, direct that the application be considered at a rehearing before the Hearing Examiner and specify the issues to be considered at the rehearing.

In lieu of a decision on July 21, the City Council may, by a vote of at least five members, suspend the rule to vote on the matter at the next meeting and instead vote on the appeal at the July 7, 2020 meeting. A resolution affirming the Hearing Examiner decision is enclosed. Staff recommends that Council affirm the Hearing Examiner decision.

Rules for City Council Consideration

The City Council must consider the appeal based on the decision of the Hearing Examiner. The appeal will be a closed record appeal, meaning that the scope of the appeal is limited to the specific factual findings and conclusions disputed in the letter of appeal, and City Council may only consider arguments on these factual findings and conclusions. The appeal will be considered only on the record developed in the hearing before the Hearing Examiner and no new evidence may be presented.

Only those persons entitled to appeal the decision under Kirkland Zoning Code (KZC) 150.80(1) who file an appeal under KZC 150.80(2) may participate in the appeal. The applicant may also submit a written response to an appeal filed by an appellant, regardless of whether the applicant filed an appeal.

The person filing the appeal has the responsibility of convincing the City Council that the Hearing Examiner made an incorrect decision because of erroneous findings of fact or conclusions.

The City Council may continue their consideration if, for any reason, they are unable to receive all of the comments on the appeal or if City Council determines that they need more information within the scope of the appeal. If, during City Council's consideration, the time and place of the next consideration of the matter is announced, no further notice of that consideration need be given.

BACKGROUND DISCUSSION

Project Proposal

At 1009 Market Street, the applicant is proposing to construct an approximately 5,000-square-foot dental office building with two floors of parking below (see Enclosure 1). The subject property is triangular and is bordered on all three sides by a City street, each of which requires a 20-foot front yard setback (pursuant to KZC 51.10.030). The proposal includes a variance request to allow the reduction of the three required front yard setbacks. The 3rd Street West setback would be reduced to 7.5 feet, the 10th Avenue West setback would be reduced to 15 feet, and the Market Street setback would be reduced to 0 feet.

Public Hearing

The Hearing Examiner held a public hearing for the variance application on January 30, 2020. City Staff, the applicant, and multiple neighbors testified during the hearing. Neighbors brought up concerns about impacts to traffic, vehicular sight distance, neighborhood character, and parking. All of the neighbors that testified requested that the variance be denied. In order for the City to properly address sight distance issues, the Hearing Examiner held the record open until February 13 to allow for a staff response and additional public comments. The Hearing Minutes are included as Enclosure 2. An audio recording of the hearing can be accessed here:

http://www.kirklandwa.gov/depart/planning/Boards_and_Commissions/Hearing_Examiner_Meeting_Information/hem.htm

Variance Criteria

KZC Section 120.20 states that a variance can be granted only if:

1. The variance will not be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as a whole; and
2. The variance is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of a preexisting improvement on the subject property that conformed to the Zoning Code in effect when the improvement was constructed; and
3. The variance will not constitute a grant of special privilege to the subject property which is inconsistent with the general rights that this code allows to other property in the same area and zone as the subject property.

Hearing Examiner Decision

On February 21, 2020, the Hearing Examiner approved the application subject to the conditions outlined in the report (see Enclosure 3). The Hearing Examiner concluded the following:

- With the required landscaping, buffering, Design Review, and improved pedestrian circulation, there is no material detriment to the property or area improvements, or to the City more generally.
- The variance is necessary due to the site's unique triangular shape, constrained size, and the code treatment of such a site, which requires not one, but three front yard setbacks.
- Granting a variance would not result in a grant of special privilege.

Appeal of Hearing Examiner's Decision

On March 11, 2020, Nicole MacKenzie, Kenneth MacKenzie, Mark Fosdale, Lisa James, Melissa Thirloway, Barbara Loomis, and Paul Quincoses (all Parties of Record) filed a timely appeal of the Hearing Examiner's Approval Decision (see Enclosure 4).

The appellants make the following claims in their appeal:

- The City Transportation Engineer's analysis did not adequately account for the angle of the intersection, and was not consistent with the City's written Policy R-13.
- A viable commercial use may be feasible without a zero-foot setback along Market Street, and that any evidence presented to support the staff conclusion that it would be difficult to develop the site without reduced setbacks was insufficient.
- Eliminating the Market Street setback would be out of character with the area.

- The project is not consistent with the Market Street Corridor Plan.
- There is material detriment to the property or area improvements, or to the City more generally, that all three variances are not necessary and the design for this commercial building utilizes a minimum deviation from the code.

Additional Written Arguments

KZC Section 150.90.1 allows the applicant and appellants to submit written arguments to the City Council prior to the commencement of the City Council's consideration of the appeal. On June 3, Nicole and Kenneth MacKenzie (Appellant) and Craig Chaney (Applicant) submitted written arguments for the City Council's consideration. The letters are included as Enclosure 5 (Appellant Letter) and Enclosure 6 (Applicant Letter).

Staff Analysis of Appeal

KZC 150.100 requires that staff prepare an analysis of the specific factual findings and conclusions disputed in the letter of appeal. Staff provides the appeal items as presented in the appeal letter (Enclosure 4) and an analysis of those items below.

Appellant's Challenge to Finding of Fact 1.6 [Transportation Analysis]

Appellant Claim: "The Hearing Examiner finds that the City's Transportation Engineer's supplemental sight line analysis accounted for "the angle of the Market Street/10th Avenue West intersection" and that the "measurements were made consistent with how Public Works measures sight distance for other projects." The Hearing Examiner quotes the City Transportation Engineer's analysis and states "that analysis credibly details how the project sight lines were reviewed consistent with City Public Works traffic policy."

We [appellants] dispute that the City Transportation Engineer's analysis accounted for the angle of the intersection or was properly applied or was consistent with the City's written Policy R-13."

Staff Analysis: During the Public Hearing, the appellants brought up vehicular sight distance around the project as a safety concern. In response to the issues brought up during the hearing, Thang Nguyen (Transportation Engineer) provided a response and additional analysis (see Enclosure 3, Exhibit K). The Hearing Examiner reviewed the response memo and concluded the project does not have an impact on sight distance.

Mr. Nguyen has reviewed the appellants' claims and provides the following analysis:

Appellants contend the City should have used the sight distance adjustment provided for in the City code for "skewed intersections." But an adjustment of the sight distance triangle length for a skewed intersection only applies to an intersection that does not have a stop sign control and where the travel path is increased by more than 12 feet due to the skewed angle of the intersection. In regard to the Market Street and 10th Avenue West intersection, the travel path is increased by less than 2 feet due to the

skewed angle of the intersection and 10th Avenue West has a stop sign control at Market street. As a result, the adjustment for a skewed intersection does not apply to this intersection and Staff's analysis of the sight distance is consistent with the City's intersection sight distance policy.

Appellant's Challenge to Finding of Fact 1.9 [Feasibility of Development]

Appellant Claim: "The Hearing Examiner quotes the Staff Report, which made the claim that the small triangular lot and the height restrictions "makes the development of a viable commercial property within the standard setbacks unfeasible" and that "the owner has determined that they require 5000 sf office space for development of this site to be viable." The Hearing Examiner finds that "variances are a necessity for a viable commercial use," citing the Applicant's statement regarding Variance Criteria which claimed that without the zero foot setback on Market Street, "the lot remains unbuildable due to the inequitable cost per square foot, as has been demonstrated by the past several failed attempts at developing the subject property."

We [appellants] dispute that a viable commercial use is not feasible without a zero foot setback on Market Street. We further dispute that any evidence was presented to support a finding that the past prior approved developments failed."

Staff Analysis: The Hearing Examiner concluded that the front setbacks along the three adjacent rights-of-way make the development of a viable commercial property unfeasible and that the variances are necessary. While the word "feasible" is not included in the City's variance requirements, we believe this relates to the second criterion for approving a variance, which states that the variance is "necessary because of special circumstances regarding the size, shape, topography, or location of the subject property[.]" Here, this unusual property suffers from unusual restrictions due to its size, shape and location – all of which result in it being required to have front yard setbacks on all three of its triangular sides.

The applicant testified during the hearing that a 5,000 square foot building is needed on the site to make the project viable as a commercial dental building. To accommodate this size of structure on the site, front yard setback variances are required along all three property lines. The project has been designed to minimize impacts on neighboring residential properties by orienting the building towards Market Street and maintaining a 15-foot setback along 10th Avenue West and a 7.5-foot setback along 3rd Street West with landscape buffers.

The applicant testified and provided a written statement (see Enclosure 3, Exhibit A, Attachment 9) that the past project proposals for the property contained insufficient building space. The lack of building space did not justify the cost of development and prevented the completion of several past development attempts. A variance was approved for the site back in 2003 and the property has been owned by 3 different property owners in the past 17 years. The fact that the site has not been developed during that time supports a finding that previously approved developments were unable to move forward because of limitations imposed by the development regulations that applied to the site.

Appellant's Challenge to Finding of Fact 1.12 [Impacts on Character]

The Hearing Examiner found that eliminating the Market Street setback would not be out of character with the area. Again, the evidence does not support such a finding. As the only property on Market Street outside of the Historic Downtown district between 5th Ave. W and 7th Ave. W with a zero foot setback, it would necessarily be out of character with the surrounding areas.

Staff Analysis: The Hearing Examiner found that eliminating the Market Street setback would not be out character with this area, which is intended for pedestrian oriented commercial uses. As part of the Staff Advisory Report, Staff noted that the City's Design Guidelines for Pedestrian-Oriented Business Districts apply to the Market Street Corridor. The guidelines require that all building fronts along sidewalks have pedestrian-friendly features including transparent or decorative windows, public entrances, and treatment of blank walls. The applicant's current design is a result of working with Staff to address design regulations applicable to the project. The current design includes pedestrian oriented spaces, blank wall treatments, and parking garage screening treatments. Staff will conduct a full Administrative Design Review (ADR) as part of the Building Permit application, which would ensure a high-quality design. The applicant has not applied for or received ADR approval at this time because the applicant wishes to establish the potential building envelop through the variance process first.

As noted in the record by the applicant (as part of Enclosure 3, Exhibit A, Attachment 9) and by Staff in the Staff Advisory Report (Enclosure 3, Exhibit A and Exhibit C), the building is similar in size to two neighboring office projects and the zero foot setback from Market Street is consistent with several buildings south of the subject property along Market Street (around 8th Avenue) that have zero foot setbacks. These buildings, due to their high-quality design, are compatible with the greater Market Neighborhood even with no setbacks from Market Street. In walkable, commercial-oriented neighborhoods, small or no setbacks are desirable to promote street-level interest and a sense of enclosure.

The subject property is surrounded on all three sides by rights-of-way and none of the adjacent residential properties share a common property line with the property. This results in 60 feet of separation between the subject property and the low density uses located to the northwest and southwest. East of the subject property is Market Street, an 80-foot wide right-of-way. As a result, the unique triangular shaped site will continue to provide significant openness around the perimeter with the significant public rights-of-way on all three sides in addition to the setbacks that will be maintained along the northwest and southwest property lines. Therefore, the variances would not compromise the character of the Market neighborhood.

Appellant's Challenge to Finding of Fact 1.14 [Appropriate Design]

Appellant Claim: "The Hearing Examiner observed that the property is within a mixed commercial/residential corridor as described in the Market Street Corridor Plan. She found that the project "has been reviewed for traffic impacts and is designed consistent

with Plan policies which support addressing sight distance and pedestrian safety, to ensure efficient and safe traffic flow” and the project is “consistent with the Plan and responds appropriately to the site and surrounding community.”

“We [appellants] dispute that the evidence supports these findings.”

Staff Analysis: In their appeal letter, the appellants do not provide specific examples or evidence supporting their claim, making it difficult for Staff to provide a specific analysis. However, as part of the Staff Advisory Report, Staff concluded that the Market Street Corridor goals and policies in the City’s Comprehensive Plan emphasize the importance of minimizing impacts from higher intensity development adjacent to single family development (Enclosure 3, Exhibit A). The Hearing Examiner explicitly found that the Comprehensive Plan (i.e., the Market Street Corridor Plan) supports a mix of higher intensity uses while minimizing impacts on adjacent residential neighborhoods. The project is oriented towards Market Street to minimize impacts on neighboring residential properties and will be reviewed to comply with applicable design requirements. The proposed landscape buffers and subsequent Administrative Design Review will additionally help mitigate building design impacts from the office use on the adjacent single family uses.

Public Works concluded that the project complies with all traffic, sight distance and pedestrian safety requirements and the Hearing Examiner agreed. As noted previously, Public Works Staff provided a memo that summarized the City’s review of these issues.

Appellant’s Challenge to Conclusion of Law 2.1 [Detriment to Surroundings]

Appellant Claim: “The Hearing Examiner concludes “there is no material detriment to the property or area improvements, or to the City more generally.” We [appellants] dispute this conclusion.

The Hearing Examiner further concludes “the variance is necessary due to the site’s unique triangular shape, constrained size, and the code treatment of such a site, which requires not one, but three front yard setbacks.” (Emphasis added.) We [appellants] dispute the conclusion that the Applicant sought a single variance (implied in the statement “the variance”) and the conclusion that all three variances are necessary.

Additionally, the Hearing Examiner concludes “the design for this commercial building is the minimum necessary, given the landscape buffer, setback, and parking requirements imposed.” We [appellants] dispute this conclusion.”

Staff Analysis: The Hearing Examiner concludes the following in Conclusion of Law, section 2.1 to support the finding that the variance would not have adverse effects on the surroundings of the project site:

- *With the required landscaping, buffering, Design Review, and improved pedestrian circulation, there is no material detriment to the property or area improvements, or to the City more generally. While the Market Street setback is eliminated, the commercial building is oriented toward Market Street, will provide*

a better transition than the current vacant lot, and the building has been designed to facilitate pedestrian activity. The landscaped buffers on the other two sides address use change and provide for compatibility between the uses.

- The variance is necessary due to the site's unique triangular shape, constrained size, and the code treatment of such a site, which requires not one, but three front yard setbacks. This is due to the three rights-of-way on all sides, resulting in 20-foot setbacks on all sides. On a more standard site, side yards would be closer to five feet. As one of only three similarly situated sites within the City, one of which is a park, these do constitute special and unique circumstances.*
- Granting a variance would not result in a grant of special privilege. As the Department documented, two neighboring sites which are less constrained, and developed for office use, have greater development intensities and cover a higher percentage of the lot. With gross floor area for office use limited to 5,000 square feet, this is a minimally sized office building. As detailed in the findings, the design for this commercial building is the minimum necessary, given the landscape buffer, setback, and parking requirements imposed.*

The appeal letter disputes the Hearing Examiner's conclusion that the project is not materially detrimental. But the appeal letter fails to provide any specific impact(s) that will be materially detrimental to the surrounding neighborhood or City. After review of the extensive record including Staff's response to public comments and concerns, the Hearing Examiner concluded that there was no evidence to support a conclusion that the project would be materially detrimental to neighbors or the City.

The Hearing Examiner is very clear in her decision that the zoning permit application is for three setback variances (see Findings of Fact Section 1.1). As noted in her conclusion, she is responding to the specific variance criteria as established in KZC Section 120.20.

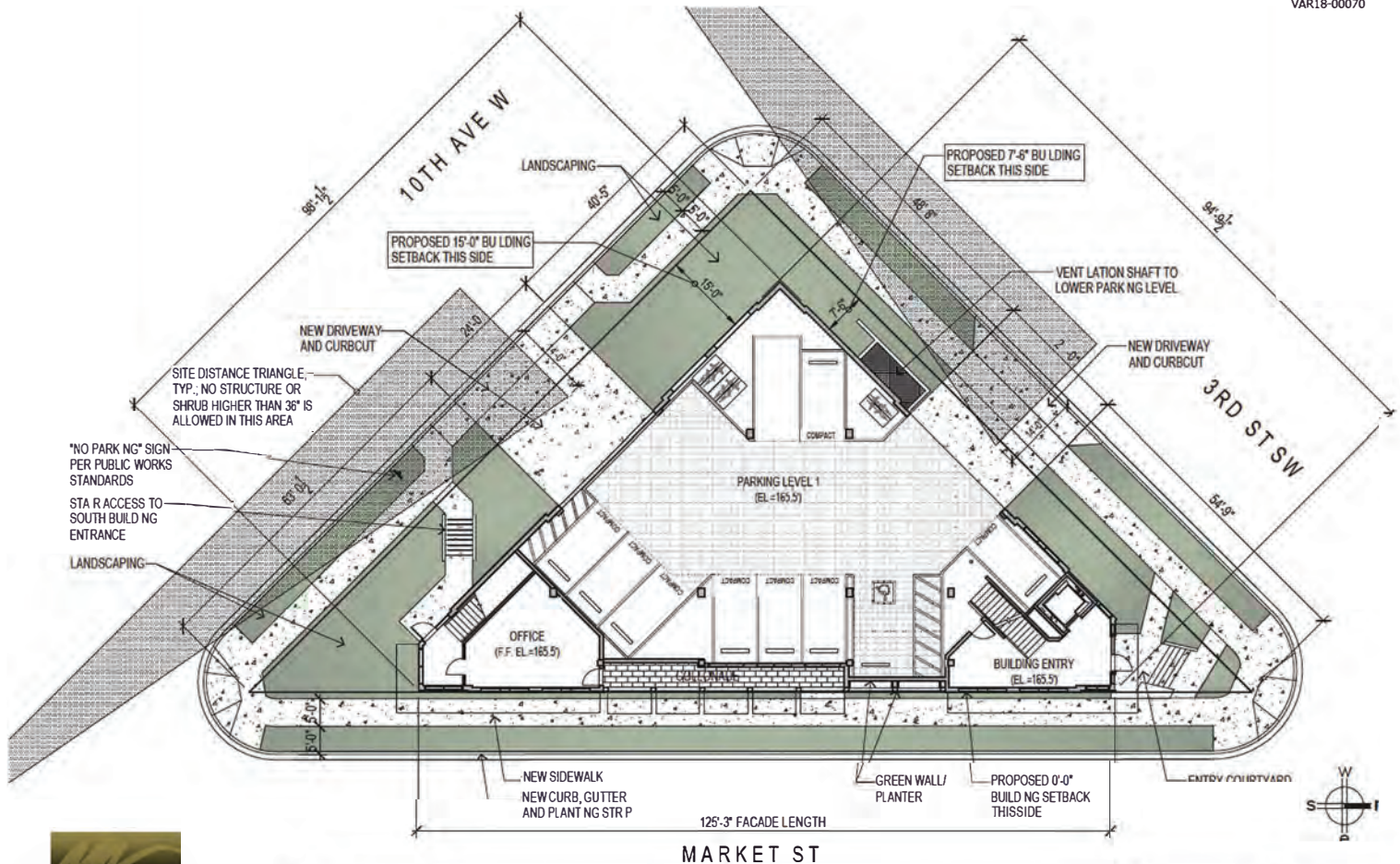
As stated previously, the applicant testified that the design was the minimum necessary to make the project viable. The appellants provide insufficient evidence to counter this argument and do not propose any modification that would make the project smaller and still viable. While the appellants express displeasure with this project, they do not provide sufficient testimony or evidence to support their claims that it does not meet the City's variance criteria and all other applicable aspects of the City's codes.

ENCLOSURES

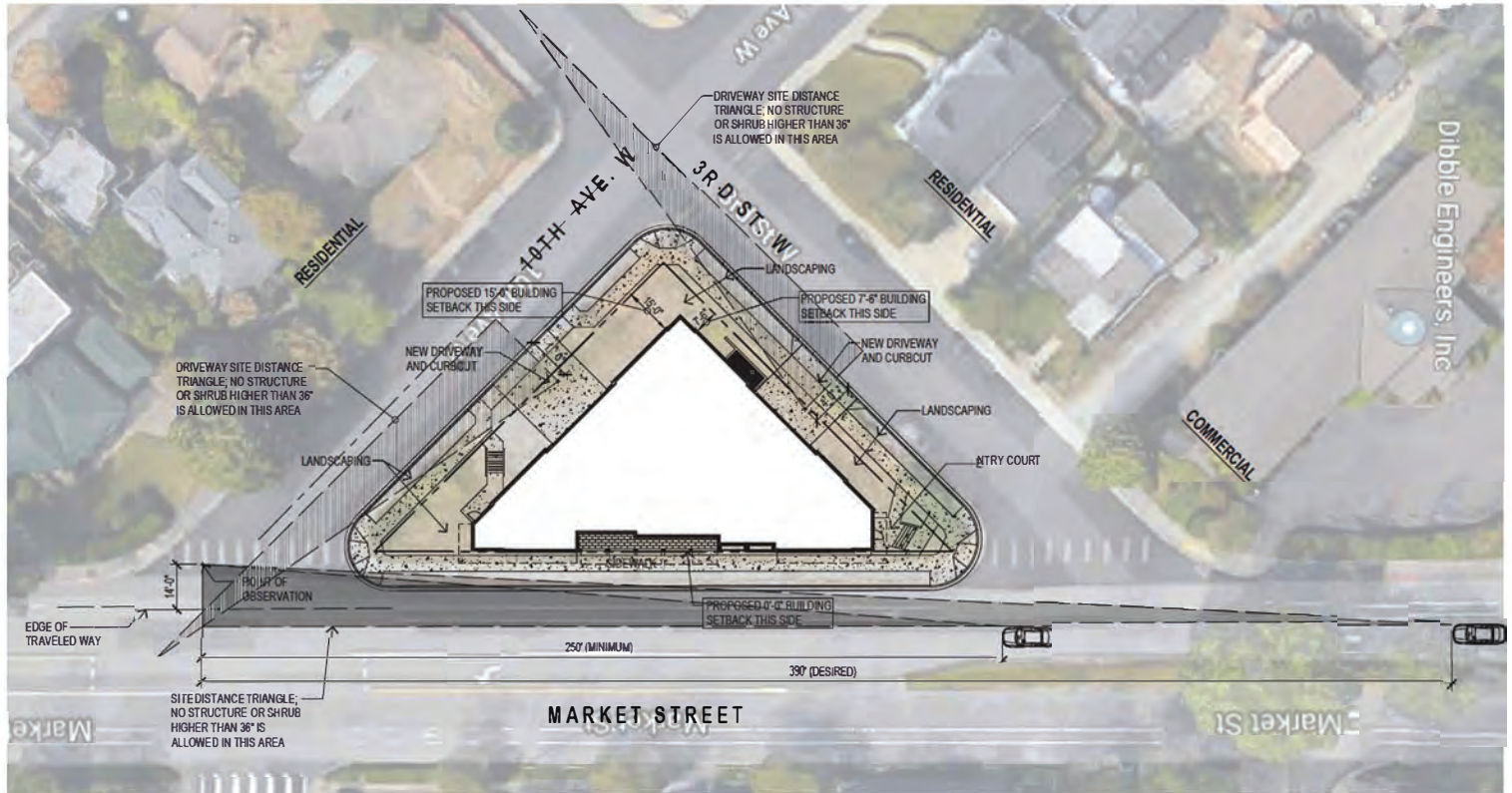
1. Development Plans
2. Hearing Minutes from January 30, 2020
3. Hearing Examiner Decision and Exhibits
4. Appeal Letter
5. Written Arguments from Nicole and Kenneth MacKenzie, Appellant
6. Written Arguments from Craig Chaney, Applicant

Enclosure 1

VAR18-00070



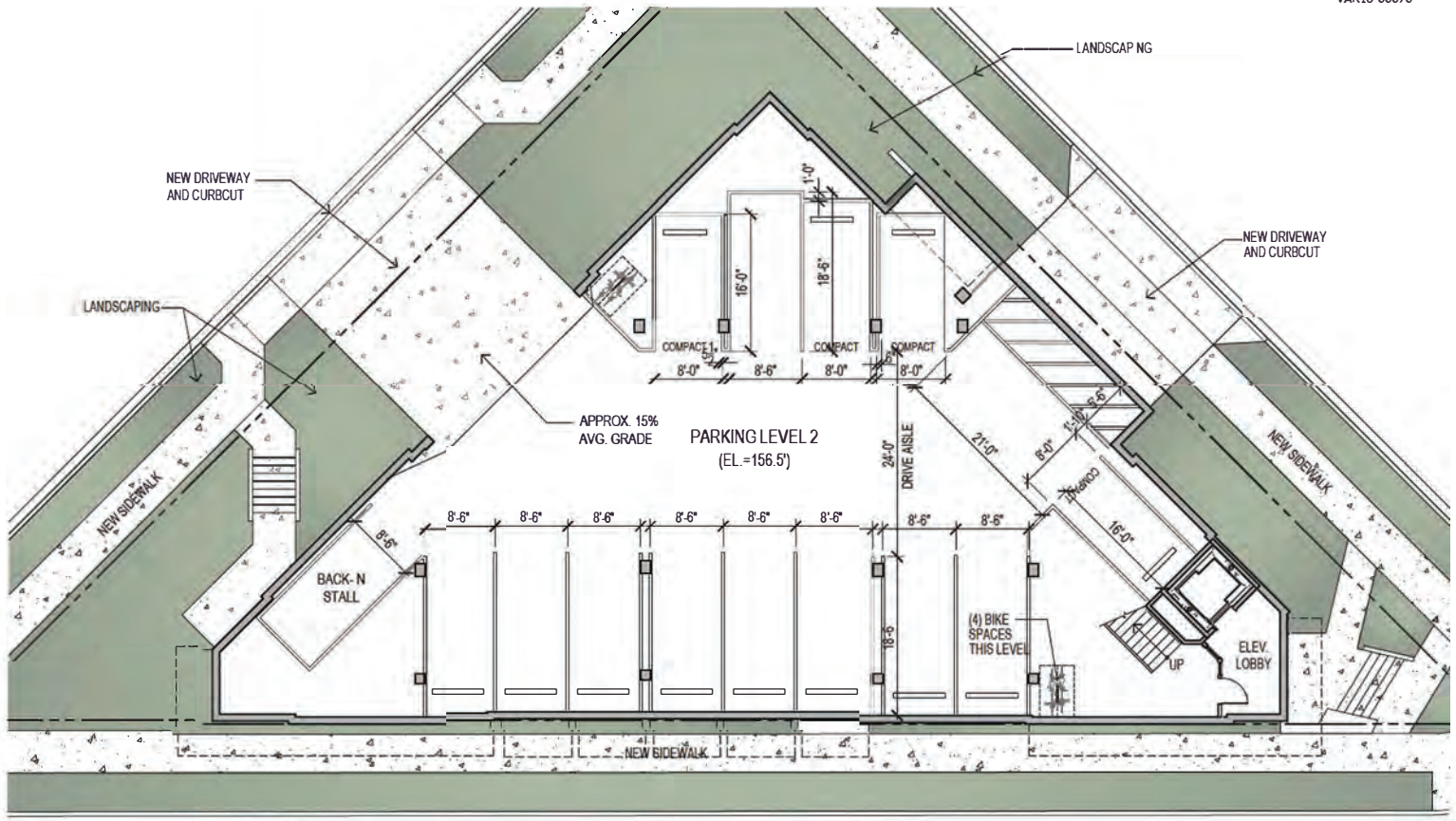
VAR18-00070



Note: Sight Distance Diagram based on City of Kirkland Policy R-13 - Intersection Sight Distance



VAR18-00070



MERRICK LENTZ ARCHITECT
 ARCHITECTURE - PLANNING
 12815 NE 126th Place · Kirkland, WA · 98034

Project Name:

Market Street Dental Clinic Variance - Rev 2.1

Description:

Plan - Parking Level 2

Date:

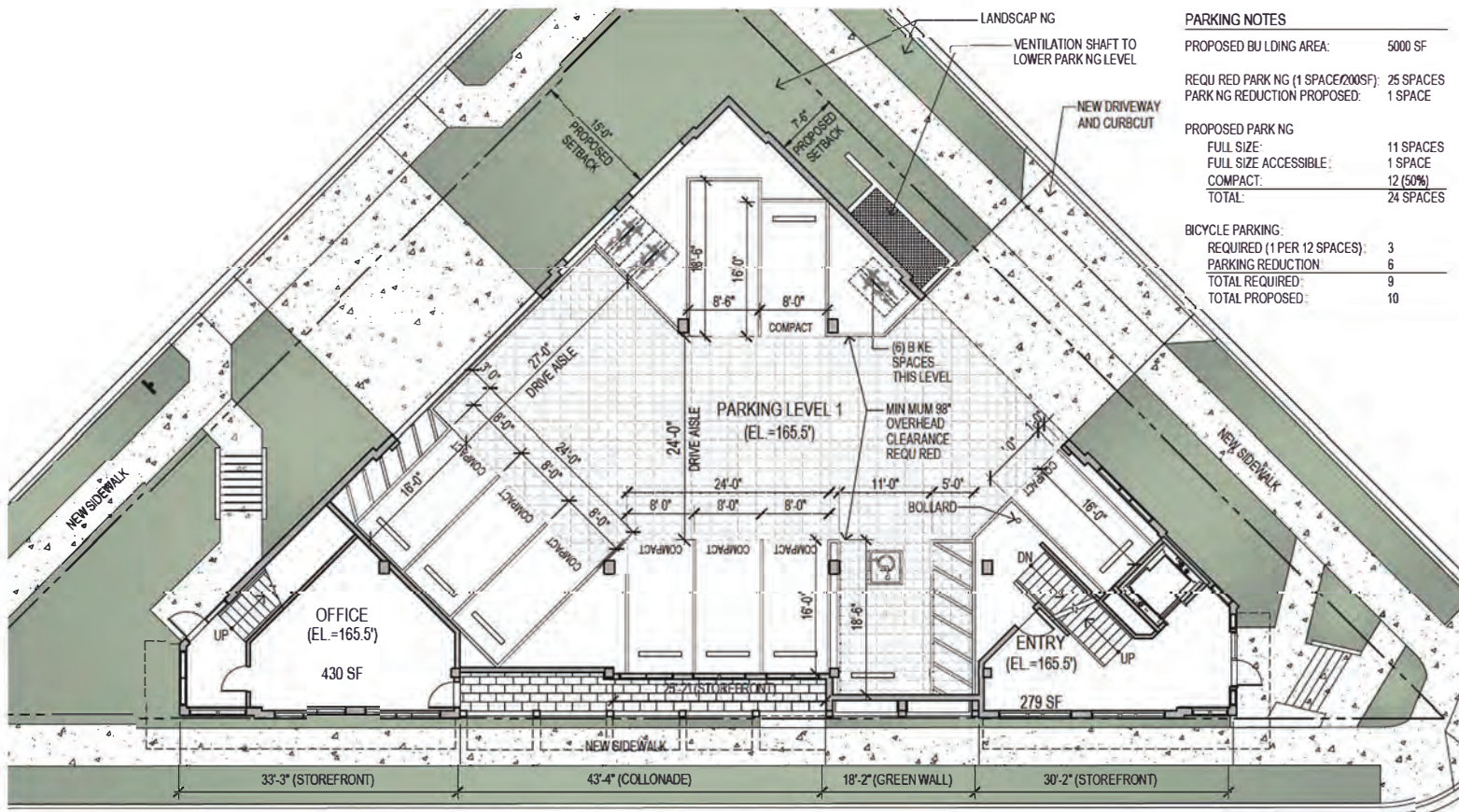
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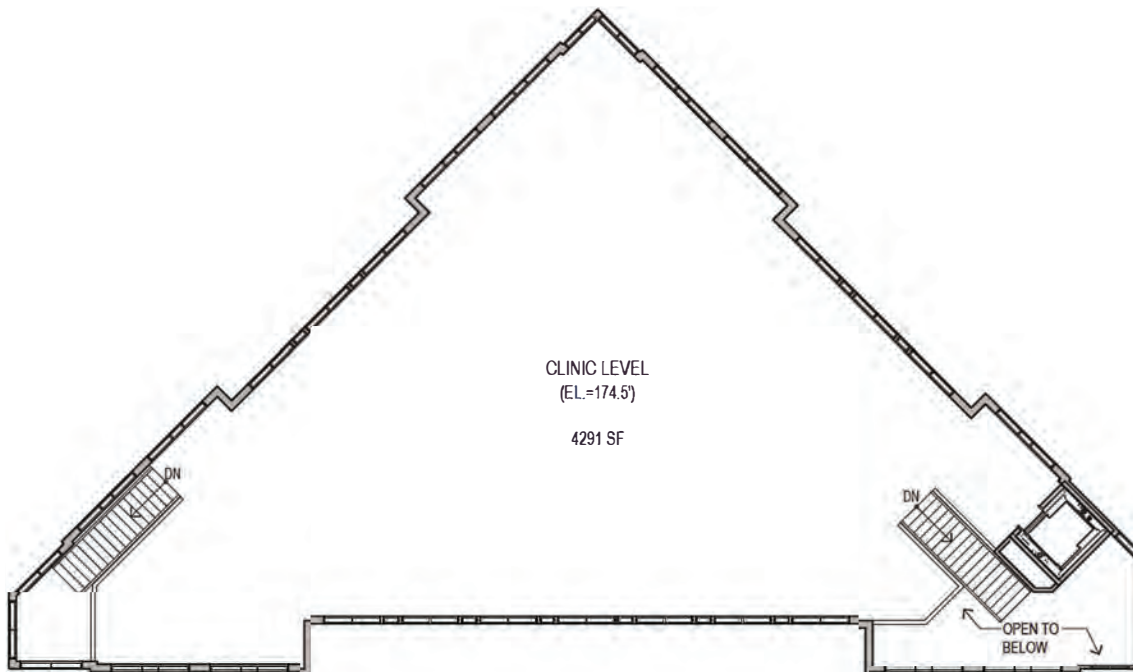
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Drawing Number:

VAR2.1



VAR18-00070



Project Name:

Market Street Dental Clinic Variance - Rev 2.1

Describe on:

Plan - Clinic Level

Date:

12/2/19

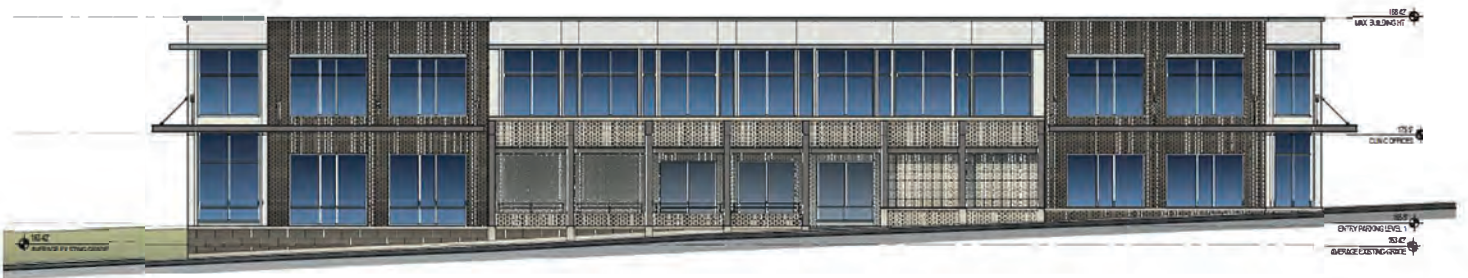
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Drawing Number:

VAR2.3

VAR18-00070

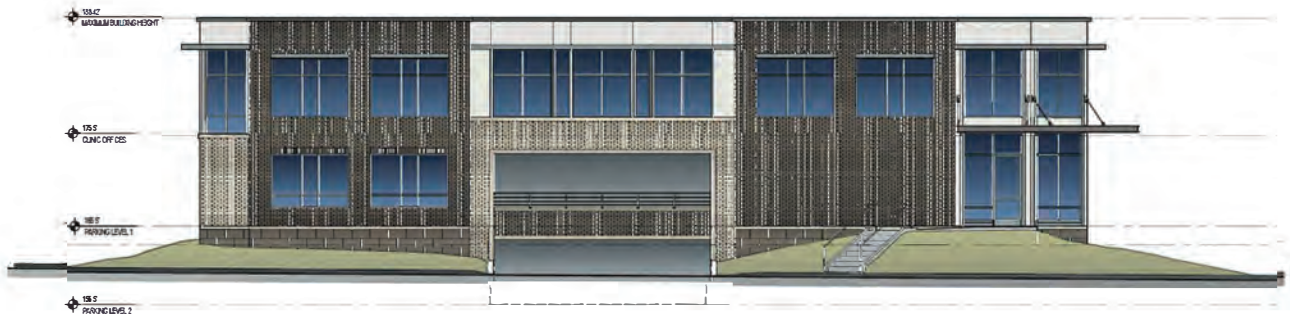


Market Street Elevation



Third Street Elevation

VAR18-00070



Tenth Avenue Elevation

Project Name:

Market Street Dental Clinic Variance - Rev 2.1

Description:

Schematic Building Elevation

Date:

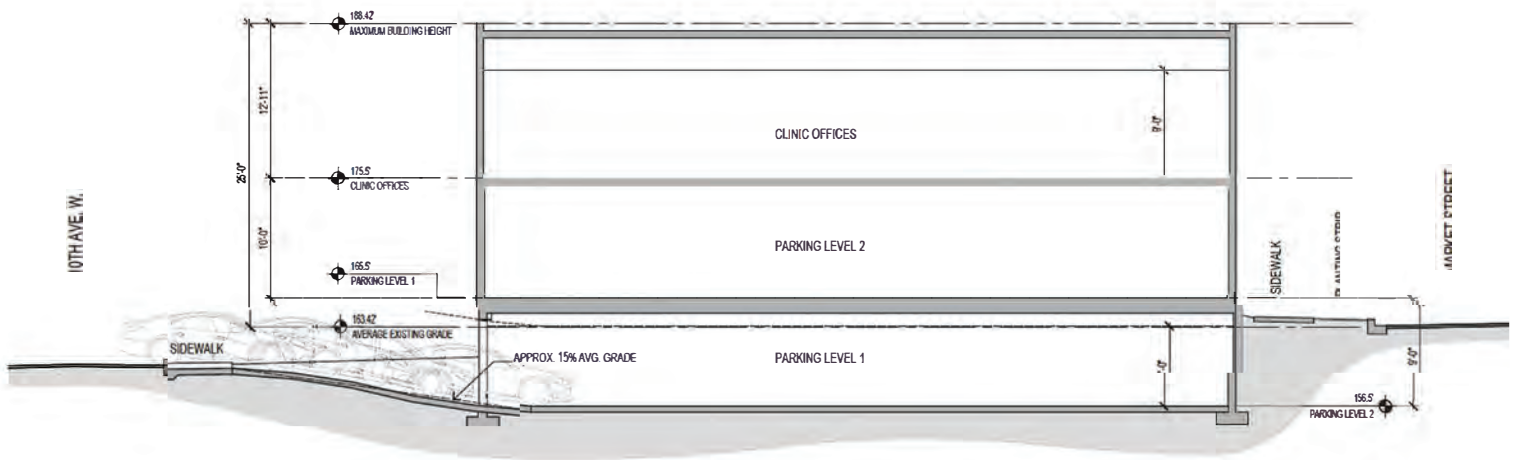
12/2/19

Scale:

3/32" = 1'-0"

Drawing Number:

VAR3.2



Project Name:

Description:

Date: 12/2/19

Scale: $1/8" = 1'-0"$

Drawing Number:

VAR4.1

VAR18-00070





MERRICK LENTZ ARCHITECT
ARCHITECTURE · PLANNING
12815 NE 126th Place · Kirkland, WA · 98034

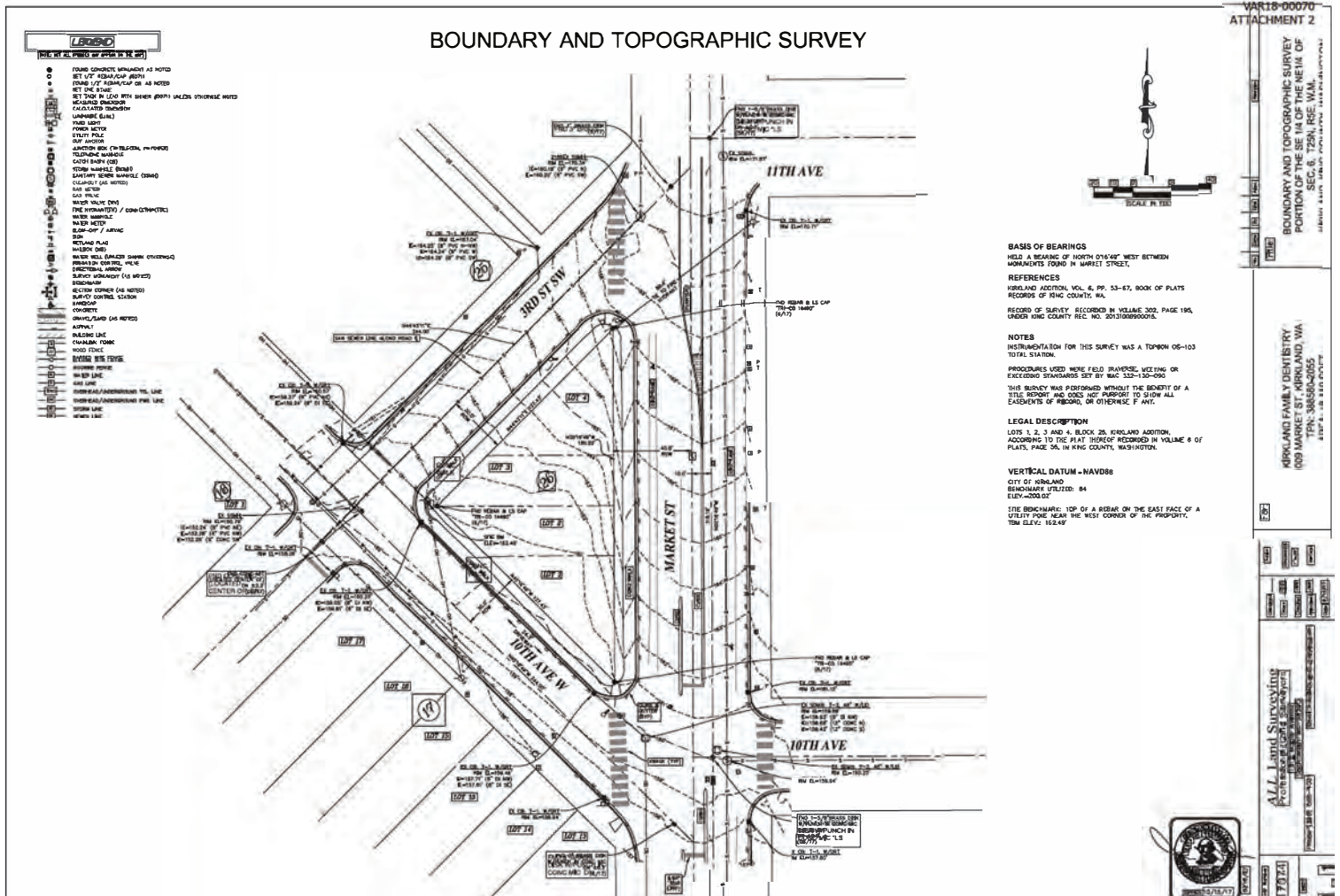
Project Name:	Description:	Date:	Drawing Number:
Market Street Dental Clinic Variance - Rev 2.1	Renderings	12/2/19	VAR5.1
		Scale: 3/32" = 1'-0"	

VAR18-00070



VAR18-00070







KIRKLAND HEARING EXAMINER
January 30, 2020

1. CALL TO ORDER (7:00 PM)

Members Present: Susan Drummond - Pro Tem Hearing Examiner.

Members Absent: None.

Staff Present: Jon Regala - Planning Supervisor, Tony Leavitt - Senior Planner, and Jeannie Dines - Recording Secretary.

2. PUBLIC HEARINGS (7:00 PM)

A. 1009 Market Street Variance

Hearing Examiner Pro Tem Susan Drummond opened the hearing at 7:00 PM. She provided the file number, VAR18-00070 and address, 1009 Market Street. She entered the Staff Report with Attachments 1-9 as Exhibit A.

She referred to a request on January 20 from Richard Aramburu, who represents Nicole and Kenneth MacKenzie, to delay the hearing and her response that hearing dates are established by staff due to noticing requirements.

Ms. Drummond advised that Mr. Aramburu and she are opposing counsel in another jurisdiction on a long term planning matter that likely will not be in litigation for a couple years. That did not affect her ability to hear this matter.

Ms. Drummond described the hearing procedures and established presentation times. There were no other procedural questions.

Ms. Drummond swore in Senior Planner Tony Leavitt. Mr. Leavitt submitted public comments received since drafting of the staff report and a copy of his PowerPoint presentation which Ms. Drummond entered as Exhibits B and C respectively.

Mr. Leavitt reviewed the proposal; proposed site plan; history of the site; public comment regarding driveway and intersection sight distance, traffic and parking impacts on neighboring streets, and building impacts on neighboring residential uses; environmental (SEPA) and traffic concurrency reviews; and zoning requirements.

Mr. Leavitt reviewed the variance request; variance criterion 1, 2, 3 and staff conclusions;

Process IIA permit criteria and staff conclusions. Staff recommends approval of the setback variance with conditions:

- Compliance with zoning permit plans
- Recording of landscape buffer agreement
- Parking restriction along 10th Ave W
- Landscape restriction in sight distance triangles

Applicant

Ms. Drummond swore in Craig Chaney, Merritt Lenz Architect. Mr. Chaney reviewed the proposed project, site conditions, site setbacks and proposed setbacks, proposed site plan, parking plan, elevations, building section, building exterior study, Market Street frontage, site access and circulation, Market Street sight distance, and variance criteria.

Mr. Cheney responded to Ms. Drummond's questions. She requested the name and address of the property owner. Mr. Cheney provided his PowerPoint which Ms. Drummond entered as Exhibit D.

Public Comment

Ms. Drummond swore in each speaker before they provided testimony.

1. Barb Loomis, Kirkland, strongly objected to the request for three variances. She submitted written comment that Ms. Drummond entered as Exhibit E.
2. Ms. Loomis read a letter from Mark Fosdal, Kirkland (included in Exhibit B), objecting to the proposed project.
3. Nicole MacKenzie, Kirkland, objected to this proposal and described several concerns with the project. She requested the variances be denied. Ms. Drummond entered Ms. McKenzie's PowerPoint as Exhibit F.
4. Ken MacKenzie, Kirkland, provided a printout from the King County Assessor's website with a timeline of the property purchases and the building permits which Ms. Drummond entered as Exhibit G. Mr. MacKenzie described his objections to the proposed project.
5. Lisa James, Kirkland, was opposed to the requested variances.
6. Melissa Thirloway, Kirkland, echoed the comments opposing the variances. She submitted written comments which were entered as Exhibit H.
7. Kathryn Grindeland, Kirkland, was opposed to the variances.
8. Jeff Thirloway, Kirkland, was opposed to the variances.
9. Paul Quincoses, Kirkland, was opposed to granting the variances.

Mr. MacKenzie requested the section of the Comp Plan that addresses the Market Street Corridor be included in the record. Ms. Drummond entered it as Exhibit I.

Ms. Loomis recommended the City purchase the property and create a pocket park.

Mr. Chaney responded to the public comments and Ms. Drummond's questions.

Mr. Leavitt addressed the public comments. He recommended the record remain open for two weeks to allow the traffic engineer to address issues raised regarding sight distances and the traffic barriers on 3rd Street.

Ms. Drummond swore in Planning Supervisor Jon Regala. Mr. Regala responded to public comment.

Ms. Drummond advised the record will remain open until 5:00 PM on February 13, 2020. She will issue a decision within eight calendar days from the close of record.

3. ADJOURNMENT (8:31 PM)

**CITY OF KIRKLAND HEARING EXAMINER
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION**

**Market Street Dental Clinic Variance
VAR 18-00070**

February 21, 2020

1. FINDINGS OF FACT

1.1 Proposal. The project is a 25-foot tall building with one floor of medical/office space and two parking levels, one below ground. The building is proposed on a graveled, vacant lot. Originally developed with a single family home, the house was demolished, and the site has been vacant for years.

The site is unusual. The lot is an 8,120 square foot triangle, with City streets on all three sides. When setbacks are applied, 22% of the site, or about 1,749 square feet, is left.¹ This is due to the adjacent City streets. All are treated as front yards, requiring 20-foot setbacks from all lot lines. This contrasts with the typical lot, with a single front yard setback, and two side yard setbacks.² Due to the lot's irregular shape, constrained size, and limited buildable area, the Applicant requested a zero-lot line along Market Street and setback reductions from 20 feet to 7.5 feet on 3rd St. W., and to 15 feet on 10th Ave. W.

1.2 Applicant and Location.

Applicant: Craig Chaney, Merrick Lentz Architect
12815 NE 126th Place, Kirkland, WA
Site Address: 1009 Market Street, Kirkland, WA

1.3 Hearing. A hearing was held on January 30.³ The City of Kirkland Planning and Building Department summarized the proposal. The Department summary was followed by an Applicant presentation and public comment. Public comment is summarized below. The record was kept open through February 13, at Department request, and to allow for additional citizen input.

1.4 Exhibits. The Examiner admitted these exhibits without objection:

- Exhibit A: Staff Report, with Attachments 1-9
- Exhibit B: Public Comments (Mr. Aramburu, Mr. Fosdal, Mr. and Ms. Harris, Ms. Hunt, Mr. Nickerson)

¹ The Planning Department calculated 1,753; the Applicant, 1,749. Exhibits C, D. Either way, the percentage left is 22%.

² Here, five foot minimums, but totaling 15 feet together.

³ Before the hearing, a neighbor, through counsel, requested hearing rescheduling based on counsel availability. The Examiner explained that while she may continue a hearing once convened, or keep the record open, the Department schedules hearing dates on permit matters. Exhibit B (Correspondence from counsel for Mr. and Ms. MacKenzie, January 20, 2020); Examiner's e-mail response on January 22 and 23, 2020.

- Exhibit C: Power Point, Planning Department
- Exhibit D: Power Point, Applicant
- Exhibit E: Comment, Ms. Loomis (January 30, 2020)
- Exhibit F: Power Point, Mr. and Ms. MacKenzie
- Exhibit G: King County Dept. of Assessments, Data
- Exhibit H: Comment, Mr. and Ms. Thirloway (January 30, 2020)
- Exhibit I: Comprehensive Plan, Market Street Corridor Section
- Exhibit J: Comment, Mr. and Ms. Thirloway (February 4, 2020)
- Exhibit K: Department Traffic Engineer Analysis (February 13, 2020)
- Exhibit L: Comment, Mr. and Ms. MacKenzie, Enc. 1-7 (February 11, 2020)
- Exhibit M: Comment, Ms. Loomis (February 13, 2020)

1.5 Hearing Testimony, Summary.

1.5.1 Citizen Comment.

Ms. Loomis strongly objected. She stated the proposal is for an oversized office building on a small lot, which would change the neighborhood character. She expressed concern about view corridor loss, and project inconsistency with other buildings, excepting the historic buildings with zero lot lines, all but one built in 1891. The proposal is dangerous for pedestrians, bikers, and cars. The left hand turn to go north on Market is impossible, except at very low volume times (early Sunday morning). She was concerned parking will be on street. This is based on her discussions and experience with a similar use, the Dibble building. Project design, mass, and scale is not consistent with the residential neighborhood. A Process IIA application must be consistent with development regulations and Comprehensive Plan (if there are not applicable development regulations), and with the public health, safety and welfare. The project is not. It may meet the goal of infill office development, but the project does not minimize impacts on adjacent neighbors, so should be denied.

Ms. Loomis then read a letter from Mr. Fosdal, at 1010 3rd Street W., at his request, as he could not be present. He had been approached by a couple gentleman and recalls signing a paper on January 3, 2017.⁴ After settling in and getting to the know the area, he now has reservations about the project. His experience with the Dibble building illustrates the parking issues. While his signature is notarized, he does not remember a notary being present.

Ms. MacKenzie supports parcel development, as long as it is consistent with the zoning code. This project is not, and presents materially detrimental impacts. She provided a power point presentation, which her presentation followed. She noted that the question of zero lot lines along Market Street was the subject of a public survey. The majority of those responding opposed the approach. The Market Street vision is consistent with the survey results. It provides for a leafy, comfortable, spacious mixed-use setting. Also, there are traffic safety issues with the proposal. This is a particular concern with rush hour traffic, and on days with reduced vision (due to light and weather), which exacerbate problems with judging distance and seeing bicyclists. Errors she identified included:

⁴ This was the consent to the requested variance. Exhibit A (Staff Report), p. 204 of packet.

- Errors in the sight line analysis, which measured sight lines from the wrong location, and inconsistent with City Policy R-13.
- Given the 5% grade, there should have been an adjustment to the sight lines, per R-13. That did not happen.
- There is a concern with the awning and landscaping encroaching into the required sight line.
- This is a “skewed” intersection (meaning one not at 90 degrees), yet no adjustment or allowance was made for that.
- There was an incomplete analysis of the 3rd Street driveway situation. The 35 MPH speed limit/45 degree turn causes danger to a car waiting to turn into the driveway.

She addressed project history from 2003 and previous variances granted. A Market Street front yard variance was not requested, just variances for the other two street setbacks. She then referenced a 2007 proposal.⁵ She stated that this prior permitting demonstrates a project could occur without a Market Street variance. Also, the recently developed Dibble building is set back, which better fits with the area vision.

Mr. MacKenzie provided information from the King County Assessor’s Office website on the property (Exhibit G). He emphasized that this is not a “commercial” area. The Market Street Corridor encourages a mix of uses, including residential. Within the Corridor, there are existing and planned uses which include multi-family, and some townhouse. The property was originally residential and is perfectly suitable for same, or mixed use. The property owner would have known about the setback constraints when the property was bought.

Ms. James stated she is against the variances as presented. She feels it would be detrimental to properties in the area. She has seen many negative impacts from the Dibble building due to its size. Parking is a key detrimental impact. She sees people parking on streets who are not local residents. Parking spaces are small in the Dibble building, so many customers park on the street. She noticed in this plan there are a lot of compact spaces, which would create a similar issue here. There is a significant road safety hazard on 3rd Street. There is a traffic barrier on 3rd to prohibit left turns. Yet, she sees people driving on the wrong side of the road onto the alley to access the Dibble parking lot. With that use, more delivery trucks come to the area; this will happen with this building. The other issue is noise. The larger a building, the louder an HVAC system. This has been a huge issue with the Dibble building. Also, 24-7 lighting comes from the building, creating light pollution. She would much rather see a single family home, like there once was, on this site.

Ms. Thirloway noted the many construction trucks which have used the vacant project sight as staging over the last 15 years. She expressed her respect for the earlier comments, which she supports. She does not have a lot to add, but has particular concern about 10th Avenue West, which will no longer be residential in nature. Parking along one side of the street will be gone. A spot on her side of the street is not available due to a fire hydrant, so with the project, space will be even more limited. She recalled that with the 2003 variance, there was a setback on 10th

⁵ Department staff later clarified that this was the same project, but at the building permit stage.

Avenue West, which specified that certain trees/bushes were required. She saw nothing in this presentation on that.⁶

Ms. Grindeland faces a similar situation to Mr. Fosdal. She relocated to the Market Neighborhood in August of 2016, and in 2017 was approached by property owners about consenting to the setback variance. She did not appreciate the impacts at the time. She is a single parent with young children, so is concerned about safety. With non-residents parking in the neighborhood, there is not sufficient space. She definitely oppose the variance.

Mr. Thirloway, a 40-year resident, has seen adverse change since the house came down. He has seen the variance go through twice. Construction crews prepared the site, and then stopped. Dirt was removed, and then put back due to sidewalk buckling. There have been three major protracted construction projects. There have been people at 6:30 AM with diesel engines idling and huge trucks parked on side streets. He is concerned about a “25 foot monolith” right in front of his home. The site has not been properly managed.

Mr. Quincoses has lived in the neighborhood for 14 years and has witnessed all these construction problems on the vacant lot. He is very concerned about the traffic patterns. There will be more employees and customers, and as seen with other buildings, then tend not to park in the parking garage. He would like to see adequate planning for how people really behave. He is also concerned about significant visual impacts, lighting impacts, and noise (as an example, the Dibble HVAC load has significant noise issues). His concerns are similar to other neighbors, and he hopes they will be addressed.

Mr. MacKenzie requested that the Kirkland Comprehensive Plan section addressing the Market Street Corridor be added to the record. It was added as Exhibit I.

Ms. Loomis had one follow up comment. She feels the City owes the neighborhood after putting an industrial use on the property for 2 ½ years, with all the trucks and the noise. She feels the City should buy the property and turn it into a pocket park.

1.5.2 Applicant Response to Citizen Comment. Mr. Chaney addressed the comments, many of which relate to traffic impacts and parking. He stated the proponent wants to be a good neighbor and is sensitive to community needs. The Dibble building was referred to a lot. That building is more than twice as large as the project. And, parking requirements for that space are about 40% lower. This project has to have almost twice as much. The Dibble building was required to have one space per 350 square feet. This project must have one space per 200 square feet. So, it provides significantly more parking per square foot. In the record and Staff Report there are reports from the traffic engineer and Applicant's traffic study determining the access points do not pose a significant conflict or safety concern. The left turn from 10th Avenue is not an easy turn, but the building is located so that it will not exacerbate the situation. Mr. Chaney detailed the various distances, and concluded that the building should not encroach into the sight triangle. Also, the analysis, including the diagram submitted by the transportation engineer, should be consistent with the City's R-13 Policy referenced in comment.

⁶ The Planning Department provided supplemental information on these requirements, consistent with the earlier Staff Report analysis.

1.5.3 Planning Department Clarifications. Mr. Leavitt provided background on the earlier permitting processes. The Hearing Examiner approved a variance in 2003, with building permit applications submitted in 2007. Typically, a zoning permit has a five year period of validity, and the 2007 permitting processes were implementing the earlier variance approval. Then, that building permit expired.

As for landscape buffers, what is being proposed is the same as what was outlined in 2003. Typically, the 15 foot buffer requires trees planted 20 feet on center and landscaping to fill that in. While not shown in plans, code compliant landscaping is required as a part of the building permit review.

During Ms. MacKenzie's presentation, she raised questions on how site distance was measured. As the City traffic engineer was not present, Mr. Leavitt asked for the opportunity for the engineer to review the material submitted and provide a memo. He requested that the record be kept open for two weeks to allow for that review.

Mr. Regala, the City of Kirkland Planning Supervisor, addressed the Dibble project. He stated that on noise, HVAC must meet certain decibel levels, so if there are concerns, citizens should feel free to submit an online complaint and the City can investigate and determine if baffling or other measures are needed. Lighting is the same because the City has adopted code requirements limiting lighting and glare. Regarding this project, these impacts will be reviewed during the building permit stage for code consistency.

1.6 Supplemental Sight Line Analysis. To address public comment on sight lines, the City's Transportation Engineer prepared supplemental analysis, which addressed project entry and exit (Exhibit K). The analysis accounted for Market Street grade (5%), the angle of the Market Street/10th Avenue West intersection (found to not affect sight distance looking north on Market Street), and the building awning (found to not obstruct sight distance as the sight distance triangle is outside the property line). The measurements were made consistent with how Public Works measures sight distance for other projects. The analysis concluded the variance will:

[H]ave no impact on the sight distance for vehicles entering Market Street from 10th Avenue West and that the proposed project driveways on 3rd Street West and 10th Avenue West have adequate site distance. ... The proposed building will have no impacts on existing sight distance conditions and will not create safety issues for vehicles accessing the site and driving on adjacent streets⁷

The analysis concluded that the measured sight distance on the Market Street/10th Avenue West intersection is over 500 feet, which exceeds the 275 foot minimum.⁸ The required stopping sight distance for a driver turning onto 3rd Street West from Market Street was also found to be exceeded, and to provide greater protection than the earlier (2002/2003) project. The measurements taken were illustrated through several figures, with the approach being consistent

⁷ Exhibit K (Supplemental Transportation Engineer Analysis), Cover Memo, p. 1.

⁸ Exhibit K (Supplemental Transportation Engineer Analysis), p. 3 ("Realistically, there is approximately another eight feet from the point of measurement for a driver to move forward to increase the sight distance without encroaching into the travel lane.").

with Public Works' standard practices. That analysis credibly details how the project sight lines were reviewed consistent with City Public Works traffic policy. The Department's analysis was prepared by a traffic engineer, with expertise in applying the City's adopted policies, including Policy R-13, which was attached to the engineer's memo. Technical analysis was also submitted from Mr. and Ms. MacKenzie, prepared by a transportation planning consultant.

The planning consultant took a different view. His position was that the site distance at 10th Ave. W./Market Street should be 412 feet, based on the need for turning traffic to cross two lanes (through lane and center left-turn lane) and should be measured 14 feet back from the traveled way. He added:

With no setback on Market Street, the proposed building comes right up to and may even interfere with the driver's line of sight. A more definitive determination requires more precise drawings than have been provided to date.⁹

These more precise plans will be submitted at the building permit stage. At that point, the Department will have the opportunity to compare its analysis against those plans, including confirming building plan consistency with Policy R-13. This should be added as a condition, to confirm this process will occur. The consultant also raised concerns about the "skewed intersection" and potential obstacles from the parking and landscaping.

While the city's "Design Guidelines for Pedestrian Oriented Business Districts" indicates that street trees should be considered for the west side of Market Street, the street slope and the planting strip's location within the sight triangle suggest that street trees would not be appropriate on this frontage since they could restrict sight-distance. These two factors compound the difficulty of all drivers obtaining a clear line of sight from the intersection's skewed angle. It would be prudent to prohibit parking along the project's frontage and to limit the height of landscaping to no more than 36" above grade.¹⁰

As was noted in hearing testimony from the Applicant's architect, Mr. Chaney, street tree location could change during final building permit review. However, language should be added to the above noted condition to ensure these considerations are accounted for in that review. And, while there are already parking restrictions in place, if anything additional is appropriate, added restrictions could be imposed at that juncture.

With respect to the 3rd St. W. driveway, the consultant recommended, "right-in/right-out only traffic flow," be considered as a condition. The stated rationale is that the driveway falls short of the 75-foot spacing from the adjacent intersection at Market Street. He added:

While analysis has shown sight-distance to be adequate at this driveway, the case of multiple arriving vehicles does not appear to have been tested. This problem

⁹ Exhibit L (Comment, Mr. and Ms. MacKenzie), Enc. 1, p. 1.

¹⁰ Exhibit L (Comment, Mr. and Ms. MacKenzie), Enc. 1, p. 2.

could be avoided by restricting the driveway's movements so that vehicles would not be pausing on 3rd Street after turning off of Market Street.¹¹

As the City's engineering analysis found adequate site-distance, this should not be imposed as a required condition. However, during building permit review, the Planning and Building Department should consider this concern, and may elect to impose such a requirement, or to reserve the option of imposing same, at a later date, if necessary. This should be clarified in the condition addressing these sight distance concerns. The new condition is probably not necessary, given the credibility of the City traffic engineer's analysis. However, the building permit submittals will have added detail, and it is reasonable to ensure that the City's analysis, as well as the identified concerns, are considered against those building plans.

1.7 SEPA. The project is exempt from SEPA and traffic concurrency reviews.¹²

1.8 Zoning: Site and Surrounding Area. The vacant, relatively flat lot is within the Market Neighborhood, and zoned Market Street Corridor, MSC 1, which provides for commercial use, and allows dental and medical offices outright. As a multi-story project, Administrative Design Review is required. Surrounding zoning and uses are:

- North: MSC 1 and RS 7.2 (multi-story office building and single family homes)
- West: RS 7.2 (single family homes)
- South: RS 7.2 (single family homes)
- East: MSC (office and multi-family)

1.9 Impact of Setback Requirements and Relationship with Market Street. If the 20-foot setbacks were applied on all three sides, that would leave a 1,749 square foot triangle, with the remaining 6,371 square feet unbuildable due to the setbacks.

This very small pad – with acute angles at 2 of the 3 corners – and the 25' height limit makes the development of a viable commercial property within the standard setbacks unfeasible. Further, the code places strong restrictions on parking in required yards, so the provision of parking in support of a commercial building further impacts the building limits. The owner has determined that they require 5000 sf of office space for development on this site to be viable, and has proposed modified buffers that provide just enough buildable area for that requirement. Even with the proposed setback adjustments limited to provide this buildable area the project will still require two floors of under-building parking to meet the City's parking requirements for the 5000 sf clinic.¹³

Given these restraints, variances are a necessity for a viable commercial use. The project has been designed to provide a transitions from Market Street to the residential area, while also allowing for reasonable use.

¹¹ Exhibit L (Comment, Mr. and Ms. MacKenzie), Enc. 1, p. 2.

¹² KMC 24.02.065; KMC 25.08.010; Exhibit C (Department Power Point), p. 7; Testimony, Mr. Leavitt.

¹³ Exhibit A (Staff Report), Attachment 6, p. 189 (Applicant Response to Public Comment, prepared by Mr. Chaney, the project architect).

Without this 0 foot setback on Market Street, the lot remains unbuildable due to the inequitable cost per square foot, as has been demonstrated by the past several failed attempts at developing the subject property. In its undeveloped state, the lot currently provides no buffer to neighboring residences from the noise and automobile headlights caused by traffic along Market Street. The requested variances, including the 0 foot request at Market St, would improve the residential buffer and protection from these elements, enhancing the transition from the commercial activity of Market Street to adjoining residential homes. ... As Policy MS-6.3 states, "commercial development which is oriented toward Market Street will have less impact on the adjacent low-density residential areas in the surrounding neighborhoods." A 0 foot setback on Market Street allows for an equitable development while limiting the setback variance needed along 10th Ave W that is adjacent to low density residential areas and where the neighbors prefer to keep the 15 foot landscape buffer.¹⁴

1.10 Landscape Buffer. A 15-foot wide landscape buffer is required along 10th Ave. W. and 3rd St. W., but not along Market Street, due to its principal arterial designation.¹⁵ The project includes the 15-foot buffer on 10th Ave. W, and a 7.5 foot buffer along 3rd St. W. This reduction is allowed administratively in various circumstances, including where there is neighboring property owner consent.¹⁶ With the setbacks/buffers, the structure would be 67.5 feet from properties along 3rd St. W, with the structures on those properties set back 18 and 13 feet. As authorized by code, the Department concluded that the landscape buffer along 3rd Street West is consistent with KZC Section 95.46.1 because the adjoining owners agreed in writing to the modification in and the "distance of development from the neighboring property decreases or eliminates the need for buffering."¹⁷

1.11 Written Public Comment. The initial public comment period ran for about a month in May/June of 2018. The Department addressed comments, which focused on three primary concerns, driveway and intersection sight distance; traffic and parking impacts; and, impacts on neighboring residential uses.

1.11.1 Site Distance and Driveway Access. The City's Transportation Engineer required a driveway variance to allow two access driveways (from 10th Ave. W. and 3rd St. W.) and to allow the driveways to be less than 75 feet from the adjacent intersections. Public Works approved the two driveways with conditions, including an on-street parking restriction on a portion of 10th Ave. W., and a limitation on structure and landscaping height to preserve sight angles. Public Works determined that as conditioned, the approach was consistent with Public Works Pre-Approved Plan Policy R-13, addressing sight distance for driveways and intersections.

¹⁴ Exhibit A (Staff Report), Attachment 9 (Application), p. 1 of Application, p. 209 of packet.

¹⁵ KZC 95.42 (Landscape Category C required in MSC 1 zone); Exhibit A (Staff Report), p. 6 of packet.

¹⁶ KZC 95.46.1; Exhibit A (Staff Report), p. 7 and Attachment 8.

¹⁷ Exhibit A (Staff Report), p. 7 of packet.

The Applicant also addressed public comments, including those on sight distance on Market Street to the north from the 10th Avenue stop sign. The Applicant noted a construction fence had been erected on the property. The fence was installed around the perimeter on the sidewalk's back side, and within Kirkland right-of-way, and is not consistent with where the building will be. The property line is 4'6" behind the back of the sidewalk along Market Street. The building's south end will be about 38' north of the back side of the sidewalk at the south intersection. The Applicant prepared a site distance analysis diagram based on Policy R-13 - Intersection Site Distance. The analysis showed "that the sight distance from the stopping area at 10th Avenue for Market Street traffic coming from the north not only exceeds the City's required minimum distance for a 35 mph street but exceeds the desired minimum distance as well, by several hundred feet."¹⁸

1.11.2 Traffic. The use is estimated to generate 19 trips during the PM peak hour. With two levels of parking served by separate driveways, each would generate less than ten trips during the PM peak hour when adjacent street traffic volume is highest. PM peak hour counts on 10th Ave. W. and 3rd St. W., are less than 30 trips for each street. The City's Transportation Engineer determined the traffic flow impact would not be significant.

1.11.3 Parking. The project will provide one stall per 200 square feet of gross floor area, with one space substituted for bike facilities, as allowed by code. 5,000 gross square (clinic level is 4,291 SF) would require 25 parking stalls. With secured bicycle storage, a 5% or 1.25 stall reduction is allowed.¹⁹ With 24 stalls, preliminary plans show compliance. Parking adequacy will be confirmed during building permit review.

1.11.4 Neighboring Residences. Along 3rd Street W., the setback would be reduced to 7.5 feet, with the adjacent neighbors previously agreeing to the approach. The setback on 10th Ave. W. would be 15 feet, with a landscape buffer of the same dimensions. While treated as a front yard, if viewed as a side yard, the setbacks would be closer to five-feet. The buffer areas will be landscaped, with trees planted at one per 20 linear feet, with deciduous trees of 2.5" caliper, and/or eight-foot coniferous trees installed. Shrubs are planted to attain 60% coverage within two years, and coupled with living ground cover, meeting code requirements.²⁰

The structure must also meet the City's Design Guidelines for Pedestrian-Oriented Business Districts. The Guidelines require that all building fronts along sidewalks have pedestrian-friendly features including transparent or decorative windows, public entrances, and treatment of blank walls. The design includes pedestrian oriented spaces, blank wall treatments, and parking garage screening treatments. Administrative Design Review will occur as part of the building permit application. Also, the triangular shaped site will continue to provide openness around the perimeter, given the public rights-of-way on all sides.

While subject to Design Review, the project architect, Mr. Chaney, further described the architectural features expected to ensure the building is compatible with the surrounding area and

¹⁸ Exhibit A (Staff Report), Applicant's Response to Public Comments, p. 190 of packet.

¹⁹ KZC 105.34.

²⁰ KZC 51.10 (Landscape Category C required in MSC-1 zone); KZC 95.42 (landscaping requirements).

supports pedestrian activity. This includes using building materials such as brick and steel, which would be modulated to add interest. This would be coupled with a green wall or landscape trellis wall, and stucco/glass, to activate the building front. Similar facades would be carried around the building. Steel awnings would be placed along the façade. The windows behind would have reduced visual transmittance, to reduce sight lines into the garage, but would not be reduced so much as to become a mirror. These measures would bring the scale of the building down and orient it toward the pedestrian.

1.12 Comparison with Other Projects. The site is one of three triangular shaped parcels with rights-of-way on all three sides within the City. The other two are developed with an office and a park (1715 Market and near 1300 Block of Market). The office is a legal nonconforming structure with a staircase and awning extending into the front yard setback, though on a much larger parcel with greater buildable area.

The office project is similar in size to two neighboring office projects developed on more standard lots. Neither project required a code variance, though with one, during design review, the front yard setbacks were reduced by four to six feet.²¹

Project	Gross Floor Area	Property Size	Prop. Size Percent
Project	5,000	8,120	61.58
1029 Market Office	11,931	15,001	79.54
312 11th Avenue	5,687	8,880	64.04

The Department mapped other buildings along Market Street, to illustrate the structures to the south directly fronting it.²² Eliminating the Market Street setback would not be out of character with this area, which is intended for pedestrian oriented commercial uses. Overall, the project would improve transitioning between the Market Street Corridor and residential areas.

1.13 Development Background. In 2003, a variance was granted for an office building which would have reduced setbacks to five feet and ten feet, with the Market Street setback maintained at 20-feet. The variances would have allowed a 4,200 square foot office building, but with only 14 parking stalls.²³ Building permits were applied for, but the project was never built.²⁴ Following these events, in 2017, the property owner secured consent from two neighboring residents, both on 3rd Street West, at 925 and 1010. The consent stated:

As neighbors to the undeveloped lot at 1009 Market Street, we would like to voice our approval of the proposed new building for Kirkland Family Dentistry. We have reviewed the architectural renderings and understand the proposed landscape barriers / setback variances to be 7.5ft at 3rd St W, 7.5ft at 10th Ave W, and 0ft at Market Street.

²¹ Exhibit A (Staff Report), pp. 10-11 of packet.

²² Exhibit C (Power Point, Department), p. 14.

²³ See earlier Decision at Exhibit A (Staff Report), Attachment 4, pp. 1 and 4 of Decision, pp. 37 and 40 of packet.

²⁴ Testimony, Mr. Leavitt.

We have growing concern over the noise and automobile headlight pollution in our neighborhood, and accordingly we support a 0ft setback at Market Street to provide a buffer from these problems

Due to the triangular shape of the lot and proposal of a parking structure that will inhibit the need for street parking, we encourage the aforementioned setback variances that are necessary to obtain the proper square footage for an equitable, owner-occupied dental office site.²⁵

1.14 Comprehensive Plan. The Plan supports a mix of higher intensity uses along the Market Street Corridor while minimizing impacts on adjacent residential neighborhoods.²⁶

The Market Street Corridor is an attractive, economically healthy area that accommodates neighborhood-oriented businesses, office uses and multifamily housing. The commercial uses provide convenient shopping and services for residents of both the Market and Norkirk Neighborhoods. The corridor is bounded by single-family residential neighborhoods to the north, east and west and a vibrant Central Business District to the south. Design of new development along the corridor incorporates landscaped buffers, site design and architectural treatments that complement and protect the adjacent residential neighborhoods.²⁷

The site is within this mixed commercial/residential corridor area. The site is designated for office-multifamily uses. Commercial development is encouraged to orient towards Market Street to reduce impacts on adjacent low-density residential areas. The project includes this orientation, and is coupled with Design Review, modulation, landscaping, sidewalk improvements, and other mitigation. It has been reviewed for traffic impacts, and is designed consistent with Plan policies which support addressing sight distance and pedestrian safety, to ensure efficient and safe traffic flow. With the Public Works review, and forthcoming Design Review, the project is consistent with the Plan and responds appropriately to the site and surrounding community.

1.15 Conditions/Staff Report. The Applicant did not object to the Staff Report's propose conditions, which should be included to ensure project consistency with code requirements, the Applicant's submittals, and these findings. Except as modified, that Staff Report is incorporated. As addressed above, a condition addressing the line of sight concerns should be added (Condition 5).

2. CONCLUSIONS OF LAW

2.1 The Hearing Examiner is authorized to review the requested variance.²⁸ The Applicant has the burden of proof.²⁹ To grant a variance, these criteria must be met.

²⁵ Exhibit A (Staff Report), pp. 202-207.

²⁶ Exhibit A (Staff Report), pp. 11-12; Plan Goal MS-2 and Policy MS-6.3.

²⁷ Exhibit I (Comprehensive Plan, Market Street Corridor), p. 1.

²⁸ KZC 120.10.

²⁹ KZC 150.45.

1. The variance will not be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as a whole; and
2. The variance is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of a preexisting improvement on the subject property that conformed to the Zoning Code in effect when the improvement was constructed; and
3. The variance will not constitute a grant of special privilege to the subject property which is inconsistent with the general rights that this code allows to other property in the same area and zone as the subject property.³⁰

With the required landscaping, buffering, Design Review, and improved pedestrian circulation, there is no material detriment to the property or area improvements, or to the City more generally. While the Market Street setback is eliminated, the commercial building is oriented toward Market Street, will provide a better transition than the current vacant lot, and the building has been designed to facilitate pedestrian activity. The landscaped buffers on the other two sides address use change and provide for compatibility between the uses.

The variance is necessary due to the site's unique triangular shape, constrained size, and the code treatment of such a site, which requires not one, but three front yard setbacks. This is due to the three right-of-ways on all sides, resulting in 20-foot setbacks on all sides. On a more standard site, side yards would be closer to five feet. As one of only three similarly situated sites within the City, one of which is a park, these do constitute special and unique circumstances.

Granting a variance would not result in a grant of special privilege. As the Department documented, two neighboring sites which are less constrained, and developed for office use, have greater development intensities and cover a higher percentage of the lot. With gross floor area for office use limited to 5,000 square feet, this is a minimally sized office building. As detailed in the findings, the design for this commercial building is the minimum necessary, given the landscape buffer, setback, and parking requirements imposed.

2.2 General Zoning Criteria. Given the review process being used, the City Code also requires that these criteria be met:

- a. It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
- b. It is consistent with the public health, safety and welfare.³¹

³⁰ KZC 120.20.

³¹ KZC 150.65.3.

City regulations, which fully regulate the proposal, are complied with. Even if applicable, as the findings articulate, the approval is consistent with the Comprehensive Plan, including the Market Street Corridor section; and, redevelopment of the site is consistent with the public health, safety, and welfare.

DECISION

The Hearing Examiner, pursuant to the above Findings of Fact and Conclusions of Law, approves the requested variance, subject to these conditions.

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Exhibit A, Staff Report, Attachment 3, Development Standards, was provided to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.

2. As part of the application for a building permit, the applicant shall submit the construction plans demonstrating compliance with the approved zoning permit plans (*see* Exhibit A, Staff Report, Conclusion II.F.5).

3. Prior to issuance of the building permit, the applicant shall submit a signed agreement for the modification of the required landscape buffer as provided by the City (*see* Exhibit A, Staff Report, II.E.4).

4. Public Works Staff has reviewed the request for a driveway variance and approved the project driveways with the following conditions (*see* Exhibit A, Staff Report, Conclusion II.E.5):

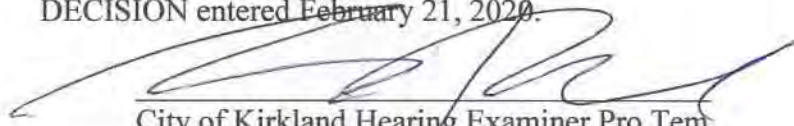
a. Paint the curb east of the project driveway red to restrict on-street parking east of the project driveway on 10th Avenue West.

b. All landscaping and structures within the sight triangles for both driveways must be no higher than three feet measured from the grade of the driveway located 14 feet back from the back of the sidewalk.

5. The Planning and Building Department shall review its traffic engineering sight line analysis against building permit plans, once submitted. As part of this review, the placement of street trees, vegetation height, and any need for parking restrictions along project frontage shall be considered. With respect to the project's 3rd Street W. driveway, the Planning and Building Department will consider whether a further restriction, such as a "right-in/right-out only traffic flow" is needed or appropriate, or whether the authority to impose such as condition should be reserved. *See* technical analysis in Exhibits K and L.

Unless timely appealed, this Decision is final.³²

DECISION entered February 21, 2020.

A handwritten signature in blue ink, appearing to read 'SED', is written over a horizontal line.

City of Kirkland Hearing Examiner Pro Tem
Susan Elizabeth Drummond

³² See KZC 150.80, which allows for appeal to the City Council, if a written appeal is properly made per code requirements within 14 days. The Staff Report (Exhibit A), at p. 12 of the packet, also notes these procedures.

Hearing Examiner Decision

Exhibit A, Staff Advisory Report and Attachments

<https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Hearing+Examiner/1009+Market+Street+Variance+HE+Packet+01302020+--+VAR18-00070.pdf>

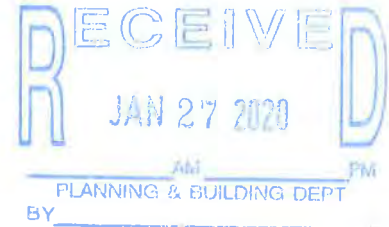
LAW OFFICES OF J. RICHARD ARAMBURU PLLC

705 Second Avenue, Suite 1300
Seattle, WA 98104-1797
Telephone 206.625.9515
Facsimile 206.682.1376

www.aramburulaw.com
www.aramburu-eustis.com

January 20, 2020

City of Kirkland Hearing Examiner
Planning & Building Department
123 5th Avenue
Kirkland WA 98033



Re: Market Street Dental Clinic Variance, File Number VAR18-00070
Hearing Scheduled for January 30, 2020

Dear Hearing Examiner:

This office has been contacted by Nicole and Kenneth MacKenzie, who reside at 236 7th Avenue West in Kirkland, regarding the above referenced variance request. The MacKenzies reside near the subject property and provided a detailed comment on this application on June 12, 2018, shortly after receiving the Notice of Application.

On January 16, 2020, the MacKenzies received a notice that the hearing on the variance request is scheduled for January 30, 2020; they have contacted me to represent them at this hearing. However, during the week of January 27, 2020 I will be relocating my office which will require a substantial effort, not allowing sufficient time for me to prepare for this hearing. Indeed, the short notice also severely limits preparation time for the MacKenzies, especially with an intervening holiday (Martin Luther King Day). Accordingly, my clients request the hearing on File No. VAR18-00070 be continued a brief time to allow adequate time to prepare for the hearing. Setting the hearing for February 20, 2010, a delay of only 21 days, would allow sufficient preparation time. This matter has been pending for more than a year and a half and allowing a brief continuance to allow an impacted community member to participate in the hearing does not appear to create substantial prejudice to the applicant.

Thank you in advance for your consideration of this request.

Sincerely,

J. Richard Aramburu

JRA:cc

cc: Nicole & Kenneth MacKenzie
Kurt Triplett, City Manager, ktriplett@kirklandwa.gov
Dawn Nelson, Planning Manager, dnelson@kirklandwa.gov
Susan Drummond, susan@susandrummond.com

Tony Leavitt

From: Mark Fosdal <mark.fosdal@gmail.com>
Sent: Thursday, January 30, 2020 1:56 PM
To: Tony Leavitt
Subject: Case Number VAR18-00070

Tony,

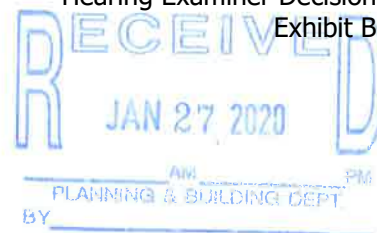
In regards to the notice of hearing on Jan 30th to Case Number VAR18-00070, I would like to verbalize my concerns about this project. After I recently moved to the residence of 1010 3rd St W in Kirkland, I was approach by a couple gentlemen that explained the project and recall signing a paper on Jan 3rd, 2017. After settling in and getting to know the area, I have reservations about the building project in the lot across my street regarding the new expansion of the building as well as the lack of parking this will provide for both its customers and the employees. The access cars on our streets (with the Dibble Engineering buliding recently finished) and the the street parking has was not a factored in when I had the initial discussion on Jan 3rd. I would ask this project not move forward with the present plans in place.

I will be away tonight on a business trip so I cannot attend the meeting but can certainly stop by for a more formal discussion if needed. Thank you again for your time and effort with this project.

Regards,

Mark Fosdal

January 21, 2020



Kirkland Hearing Examiner
123 5th Avenue
Kirkland, WA 98033

Subject: Case Number VAR18-00070, 1009 Market Street

We live at 526 10th Avenue West, Kirkland. My wife and I access Market Street at the intersection of 10th Avenue West and Market Street daily. With extremely heavy traffic starting as early as 6 AM and extending well past 6 PM, entering Market Street requires patience, luck and drivers willing to "let you in to traffic".

In 2019, The City of Kirkland allowed the property at 1009 Market Street to be used as a construction staging area for an extended period. During this time, construction vehicles parked on Market Street, blocking views of Market traffic, looking to the north. The City also allowed the contractor to install eight-foot-high construction fencing at the edges of the property, further blocking vision of on-coming vehicles. Even in ideal circumstances, drivers have an extremely short period to identify traffic flow and speeds and then merge in to the traffic from 10th Avenue West on to Market Street. This gave us a clear idea of what it would be like to have a zero set-back on Market Street.

We are adamantly against reducing the set back on Market Street from 20 feet to 0 feet. By allowing this, the City of Kirkland will be creating a driving hazard and a dangerous condition to all drivers exiting 10th Avenue West on to Market. The City is under no obligation to maximize the property owner/builders building footprint to allow for greater square footage.

As the Kirkland Hearing Examiner, we request that you require the original 20-foot set-back as per the original zoning.

Sincerely,

A handwritten signature in black ink that reads "Patrick & Shannon Harris".

Patrick and Shannon Harris

526 10th Avenue West

Kirkland, WA 98033

PGHarris58@aol.com

425-822-2478

Tony Leavitt

From: Liz Hunt <liz@starwhite.net>
Sent: Wednesday, January 29, 2020 12:30 PM
To: Adam Weinstein; Tony Leavitt
Cc: Liz Hunt
Subject: VAR18-00070 - MARKET STREET DENTAL CLINIC VARIANCE

To: Tony Leavitt, Senior Planner
To: Adam Weinstein, Director of Planning and Building
To: Kirkland Hearing Examiner

<NOTE: PLEASE FORWARD TO THE HEARING EXAMINER; I AM UNABLE TO FIND AN EMAIL ADDRESS FOR THAT ROLE.>

I have a question concerning the variance for the property at 1009 Market St:

Will the owner of the property compensate the City (and the neighborhood?) for the increase in value to the property if the requested setback reductions are allowed?

Thank you.

Liz Hunt
Resident
1704 8th St W
Kirkland, WA 98033

Tony Leavitt

From: Mark Nickerson <markni@outlook.com>
Sent: Wednesday, January 29, 2020 3:58 PM
To: Tony Leavitt
Subject: RE: January 30, 2020 Hearing Examiner Meeting

Mr. Leavitt:

Including parking studies, neighborhood comments, etc. from 2002 is not relevant, that's 17-18 years ago. The Hearing Examiner has to wade through 165 pages before she gets current commentary from the neighborhood. Your information packet is definitely misleading.

Please forward this e-mail to the Hearing Examiner.

Thank you,
Mark

From: [Tony Leavitt](#)
Sent: Wednesday, January 29, 2020 3:46 PM
To: [Mark Nickerson](#)
Subject: RE: January 30, 2020 Hearing Examiner Meeting

Mark,
The staff report includes information from the 2002 for reference (pages 37-165). The project did not require a traffic review since the project is exempt from SEPA.

The Hearing Examiner will base her decision on the decisional criteria after reviewing the packet and comments presented at tomorrow's meeting.

Tony Leavitt, Senior Planner

City of Kirkland Planning and Building Department
123 5th Avenue; Kirkland, WA 98033
Phone: 425.587.3253
Fax: 425.587.3232
tlevitt@kirklandwa.gov

Work Hours:

M-F: 7am to 3:30pm

“Kirkland Maps” makes property information searches fast and easy.

GIS mapping system now available to public at <http://maps.kirklandwa.gov>

From: Mark Nickerson <markni@outlook.com>
Sent: Friday, January 24, 2020 8:52 AM
To: Tony Leavitt <TLeavitt@kirklandwa.gov>
Cc: Shailene Dahl <SDahl@kirklandwa.gov>
Subject: FW: January 30, 2020 Hearing Examiner Meeting

Thank you. I think my e-mail of 2/7/2019 proposes a good compromise. I'm concerned that no one is watching out for the best interests of the entire neighborhood.

From: [Tony Leavitt](#)
Sent: Friday, January 24, 2020 7:29 AM
To: [Mark Nickerson](#)
Cc: [Shailene Dahl](#)
Subject: RE: January 30, 2020 Hearing Examiner Meeting

Mr. Nickerson,
Your initial comments are included (see Pages 169 thru 171 of the packet). I did just find an email that you sent on 2/7/19 that I will enter into the record and forward to the Hearing Examiner for her review before the hearing. You can also submit additional comments up until the close of the hearing or testify at the hearing. Thanks.

Tony Leavitt, Senior Planner

City of Kirkland Planning and Building Department
123 5th Avenue; Kirkland, WA 98033
Phone: 425.587.3253
Fax: 425.587.3232

tleavitt@kirklandwa.gov

Work Hours:

M-F: 7am to 3:30pm

“Kirkland Maps” makes property information searches fast and easy.

GIS mapping system now available to public at <http://maps.kirklandwa.gov>

From: Mark Nickerson <markni@outlook.com>
Sent: Thursday, January 23, 2020 6:01 PM
To: Shailene Dahl <SDahl@kirklandwa.gov>
Cc: Tony Leavitt <TLeavitt@kirklandwa.gov>
Subject: Re: January 30, 2020 Hearing Examiner Meeting

I submitted several e-mails objecting to the variances. I don't see that my objections have been registered and noted in your report. I think you need to amend your report and postpone the hearing making sure your report is inclusive.

Thank you,
Mark E. Nickerson
307 10th Ave West, Kirkland

From: Shailene Dahl <SDahl@kirklandwa.gov>
Sent: Thursday, January 23, 2020 2:21:17 PM
Cc: Tony Leavitt <TLeavitt@kirklandwa.gov>
Subject: January 30, 2020 Hearing Examiner Meeting

Attached for your information are the agenda and meeting packet for the January 30, 2020 Hearing Examiner Meeting regarding the 1009 Market Street Variance, File Number VAR18-00070.

If you have any questions, please contact **Senior Planner, Tony Leavitt at 425-587-3253 or tleavitt@kirklandwa.gov**.

Thank you,

Shailene Dahl 

Office Specialist
Planning & Building Department
City of Kirkland
425-587-3238

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

Tony Leavitt

From: Mark Nickerson <markni@outlook.com>
Sent: Thursday, February 07, 2019 8:12 AM
To: Tony Leavitt
Subject: RE: Market Street Variance

Dear Mr. Leavitt:

I didn't receive the report that you mentioned in your e-mail of January 25th and I unfortunately, I won't be able to attend tonight's hearing. Please accept this e-mail has my position to be read into the record at tonight's hearing.

Adverse impact on values of surrounding residences: I purchased my home relying on the zoning restrictions and setback requirements of the City of Kirkland. In turn, the purchaser of 1009 Market Street was fully aware of those restrictions and requirements at the time of his purchase. For the City to now grant substantial variances to setback requirements such that a massive office building could be built is wrong. The City would be prioritizing the value of the 1009 Market Street over the surrounding residences. The City needs to act in the interest of the entire neighborhood.

I understand that in September 2002, the City granted limited setback variances to the then owner of the property such that a 4,200 SQF office building could be built. I think that is a good compromise and the City should not grant the current application for variances on all three sides such that a 5,400 SQF office building could be built.

Increased traffic: There is substantial traffic and speeding at the intersection of 3rd West Street and 10th Avenue West. I have called this issue to attention of the City a number of times. Granting the application for a large building means more traffic. Once again, this is not in the best interest of the entire community.

Illegal uses of the property: The current owner of the property has been cited for zoning infractions on his property. Most recently, in October 2018, he used his property as a waste transfer station. (The Code Enforcement group of the City can provide you with the details.) For me, this sets the tone for any representation of the owner or his architect that he concerned about the neighborhood. He is merely trying to maximize the value of this property. The City acting for the entire neighborhood should just tell him "No" to his application.

Please let me know if you have any questions.

Thank you,
Mark E. Nickerson
307 10th Avenue West

Market Street Dental Clinic Variance
Permit No VAR18-0070
1009 Market Street

I want to express my opposition to the proposed setback variances for the above property. I live on 10th AVE West and am concerned that the proposed setbacks will reduce sightlines critical for cars entering safely onto Market St. Additionally, I am concerned that the proposed parking for a building that size would not be adequate and the overflow cars would park on our street, which is already congested.

Sincerely,

A handwritten signature in cursive script that reads "Sandy Roberts". The signature is written in dark ink and includes a stylized star-like flourish at the end of the name.

Sandy Roberts
315 10th AVE W
Kirkland WA 98033
Roberts.family@frontier.com

Market Street Dental Clinic Variance

Public Hearing
January 30, 2020
File No. VAR18-00070



Proposal

- Variance to allow the reduction of the three required front yard setbacks.
 - 3rd Street West setback reduced from 20 feet to 7.5 feet
 - 10th Avenue West setback reduced from 20 feet to 15 feet
 - Market Street setback reduced from 20 feet to 0 feet
- Proposed office structure would be 5,000 square feet plus two levels of parking below.
- Parking garage entrances from 3rd and 10th needed to access each parking level.
- Landscape Buffer Reduction along 3rd Street West



VAR18-00070
ATTACHMENT 2



Schematic Site Plan

Date: 12/2/19

Scale: 1/16" = 1'-0"

Drawing Number:
VAR1.1

History of Site

- Variance Approved in 2003
 - Reduced 3rd Street West setback to 5 feet
 - Reduced 10th Avenue West setback to 10 feet
 - No reduction of Market Street Setback but had a below grade parking garage extending to the property line
- Lapse of Approval Expired before Construction
- Included as Attachment 4 for reference



Public Comments

- Driveway and Intersection Sight Distance Issues



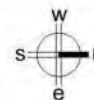
Note: Sight Distance Diagram based on City of Kirkland Policy R-13 - Intersection Sight Distance

MERRICK LENTZ ARCHITECT
ARCHITECTURE - PLANNING
12815 NE 126th PLACE, KIRKLAND, WA 98034

Project Name:
Market Street Dental Clinic Variance - Rev 2.1

Description:
Site Plan - Sight Distance Diagram

Date:
12/2/19
Scale:
1/16" = 1'-0"



Drawing Number:
VAR1.2



Public Comments

- Traffic and Parking Impacts on Neighboring Streets
 - The City's Transportation Engineer Review concluded that the additional trips created by the project would not significantly impact the traffic flow on neighboring streets.
 - The project will need to provide onsite parking as required by the Zoning Code.
- Building Impacts on Neighboring Residential Uses
 - Siting of the building closer to Market Street, required landscape buffers, and adjacent rights-of-way help to reduce impacts on neighboring residential uses.
 - Design Regulations, reviewed with ADR, will help to reduce bulk and scale of the building



Environmental (SEPA) and Traffic Concurrency Reviews

- KMC Section 24.02.065 exempts the following projects from SEPA review:
 - The construction of an office building with twelve thousand or fewer square feet of gross floor area, and with associated parking facilities designed for forty or fewer automobiles.
- KMC Section 25.08.010 exempts any project that Section 24.02.065 exempts from Traffic Concurrency.
- As a result of these exemptions, a traffic report was not required for the project.



Zoning Requirements

- Building Height
 - Project limited to 25 feet in height
- Parking
 - 1 stall per 200 square feet for Office Use or 25 stalls
 - Per KZC Section 105.34, 1 stall reduction for Onsite Covered and Secured Bicycle Storage
 - 24 stalls being provided onsite
 - Staff will confirm compliance with Building Permit



Zoning Requirements

- Driveway Modification
 - Needed to approve two driveways to serve the site and for distance from intersection (less than 75 feet)
 - Multiple driveways needed to accommodate two parking levels
 - Administrative Approval by Public Works Department
- Administrative Design Review
 - Review will be done prior to or as part of the Building Permit Review
 - Final Design of the Building could change as a result of this review



Variance Request

- Zoning Code Chapter 120 sets forth the mechanism whereby a provision of the Code may be varied on a case-by-case basis if the application of the provision would result in an unusual and unreasonable hardship.
- Zoning Code section 120.20 establishes three decisional criteria with which a variance request must comply in order to be granted.
- Applicant addresses the criteria in Attachment 6 and 9 of the Staff Report



Variance Criterion 1

- The variance will not be materially detrimental to the property or improvements in the area of the subject property or to the City, in part or as a whole.
- Potential Impacts
 - Loss of perceived openness of the street corridors
 - Impacts to Market Street pedestrian experience
 - Traffic impacts on neighboring streets



Variance Criterion 1

- **Staff Conclusions:**
 - Reduction of the 3rd Street West setback is offset by adjacent right-of-way. Additionally neighbors along this street have agreed to a landscape buffer modification.
 - Reduction of 10th Avenue West setback is offset by 15 foot landscape buffer and right-of-way separation.
 - Reduction of the Market Street setback results in a “pedestrian friendly” building front as required by design guidelines for the neighborhood.
 - Pedestrian friendly building fronts include transparent or decorative windows, public entrances, murals, display windows, seating, and treatment of blank walls.



Variance Criterion 1

- **Staff Conclusions:**
 - The City's Transportation Engineer Review concluded that the additional trips created by the project would not significantly impact the traffic flow on neighboring streets.
 - The proposed building, with a footprint of approximately 5000 sf and limited in height to under 25 feet, is consistent in scale with other office buildings in the immediate area.
 - While a majority of the buildings in the area have the standard street setback, on the west side of Market Street zero setback buildings are located one long block to the south.





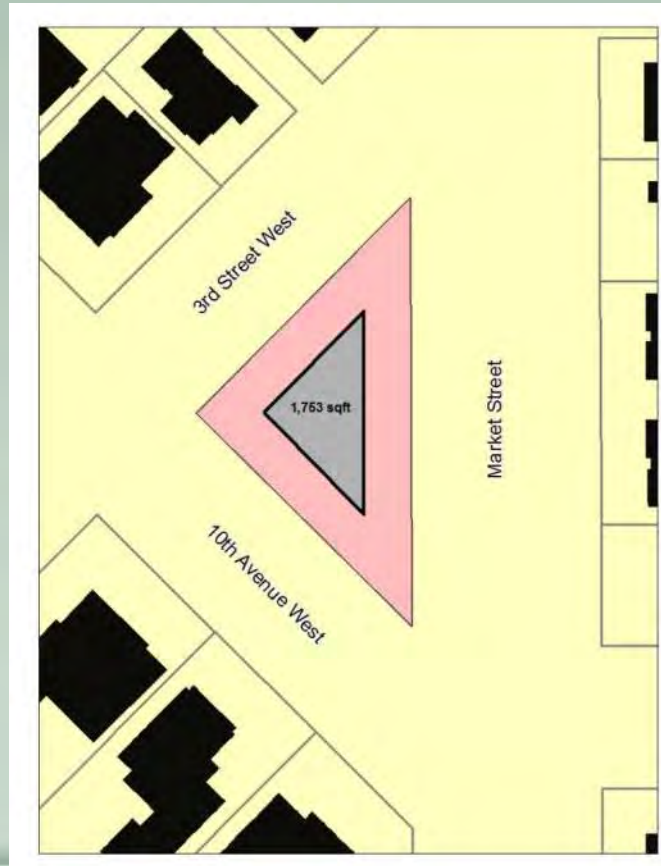
Variance Criterion 2

- The variance is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of preexisting improvements on the subject property that conformed to the Zoning Code in effect when the improvement was constructed.
- Staff Conclusions:
 - Required setbacks result in the subject property having a total area of approximately 1,753 square feet or 21.6% of the total lot area, referred to as “buildable area”, that is not located within a required setback yard.



Variance Criterion 2

- Staff Conclusions:
 - A variance is necessary due to special circumstances due to location, size, and shape of the subject property.



Variance Criterion 3

- The variance would not constitute a grant of special privilege to the subject property which is inconsistent with the general rights that this Code allows for other properties in the same area and zone as the subject property.
- Staff Conclusions:
 - The subject property is highly unique for the City of Kirkland. It is one of three triangular shaped parcels with rights-of-way on all three sides that are within the City of Kirkland.



Variance Criterion 3

- Staff Conclusions:
 - The proposed office building would be similar in size to two neighboring office projects at 1029 Market Street and 312 11th Avenue West

Project	Gross Floor Area	Property Size	GSF/ Prop. Size %
1009 Market Office	5,000	8,120	61.58
1029 Market Office	11,931	15,001	79.54
312 11th Avenue Office	5,687	8,880	64.04



Process IIA Permit Criteria

- Zoning Code section 150.65.3 states that a Process IIA application may be approved if:
 - It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
 - It is consistent with the public health, safety, and welfare.



Process IIA Permit Criteria

- Staff Conclusions:
 - Consistent with Development Regulations and Comprehensive Plan
 - The proposed development will create infill office development while meeting the goals of the Comprehensive Plan for the Market Neighborhood.
 - The project will not significantly impact the traffic flow on neighboring streets.



Staff Recommendation

- Approval of Setback Variance with Conditions
- Conditions Outlined in Staff Report
 - Compliance with Zoning Permit Plans
 - Recording of Landscape Buffer Agreement
 - Parking Restriction along 10th Avenue West
 - Landscape restriction in sight distance triangles



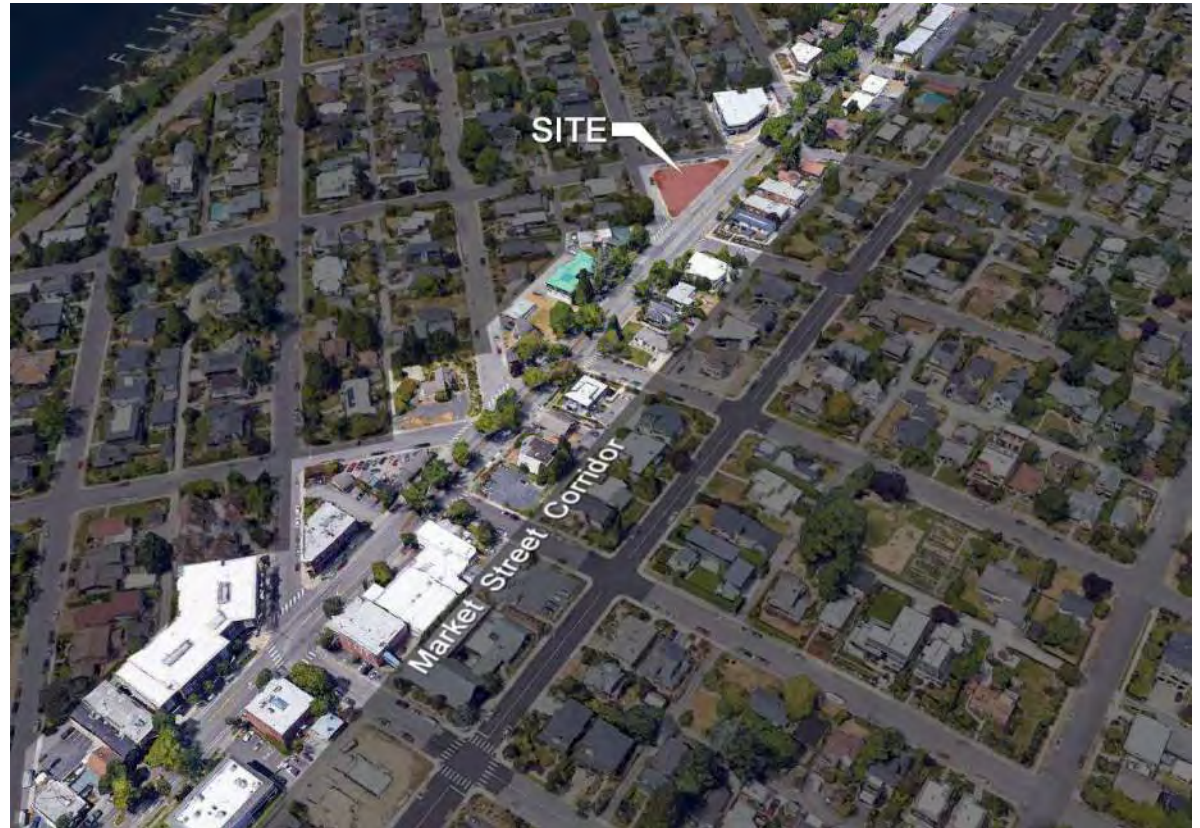
Market Street Clinic

Address:
1009 Market Street

Zoning:
MSC1 (Market Street Corridor)

Site Area:
8120 sf (0.186 ac)

Proposed Use:
A new 5000 sf dental clinic with 24 parking spaces on two levels, on a vacant lot.



Market Street Clinic



Site Context

Market Street Clinic



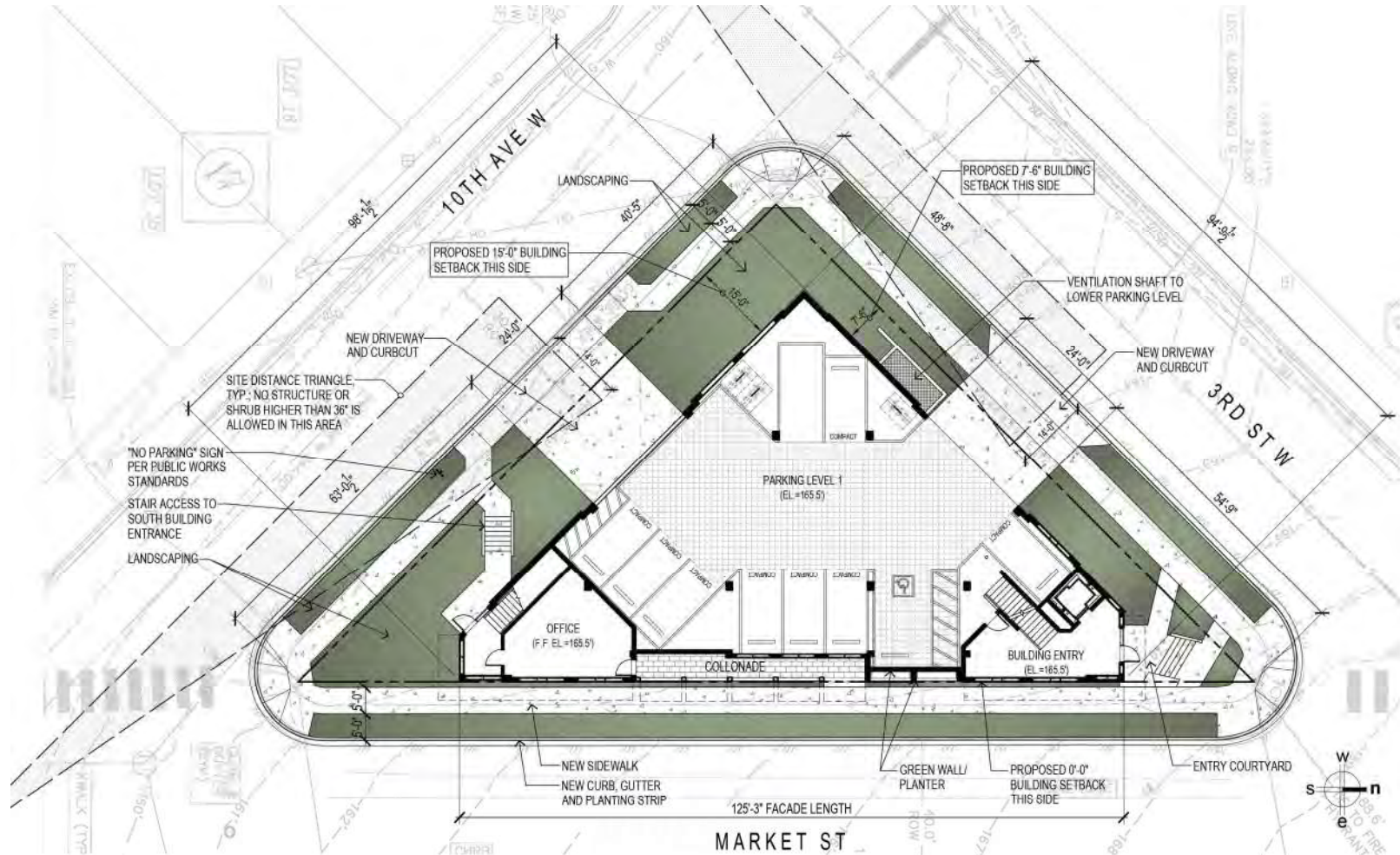
Site Setbacks

Market Street Clinic



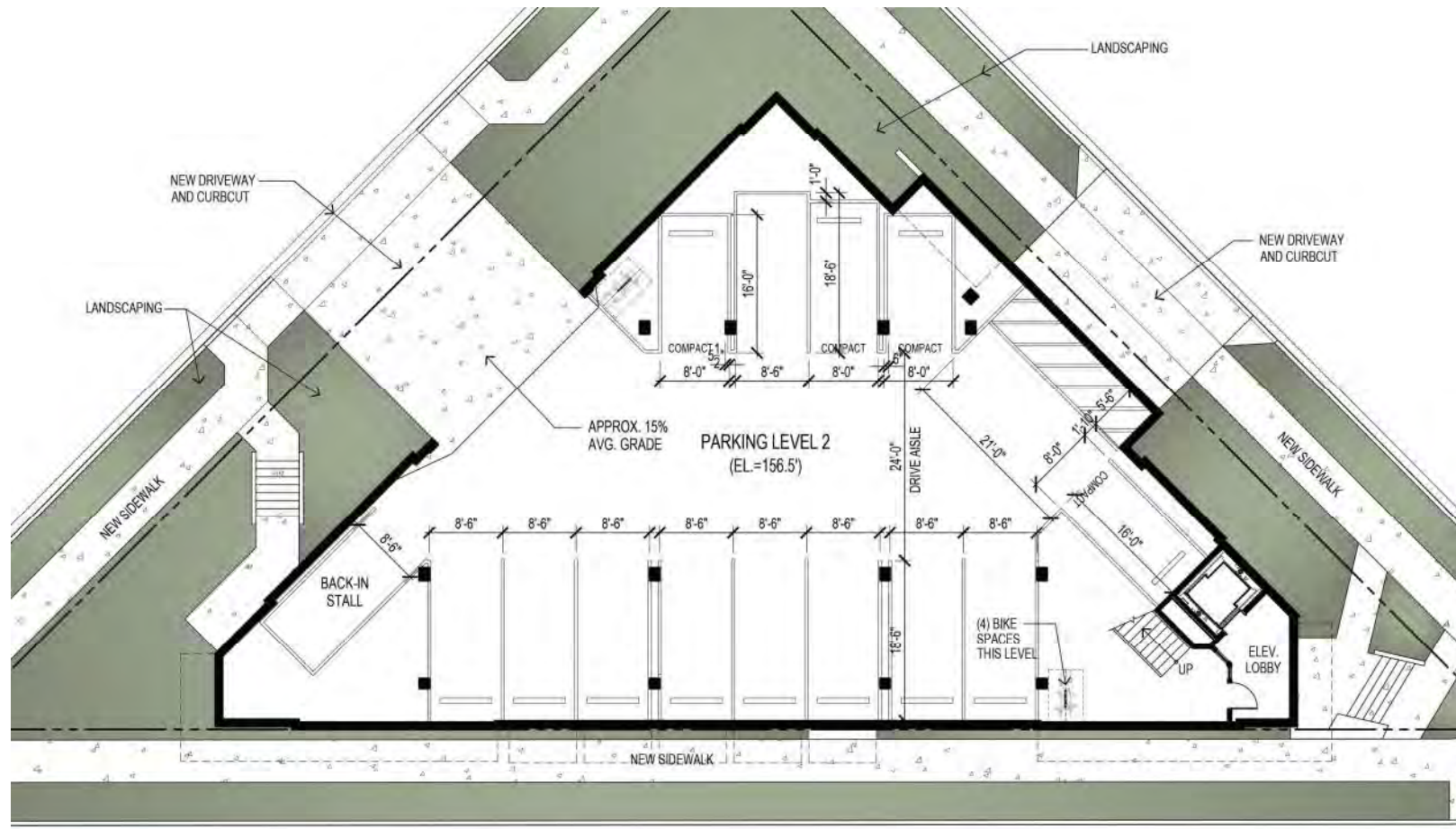
Proposed Setbacks

Market Street Clinic



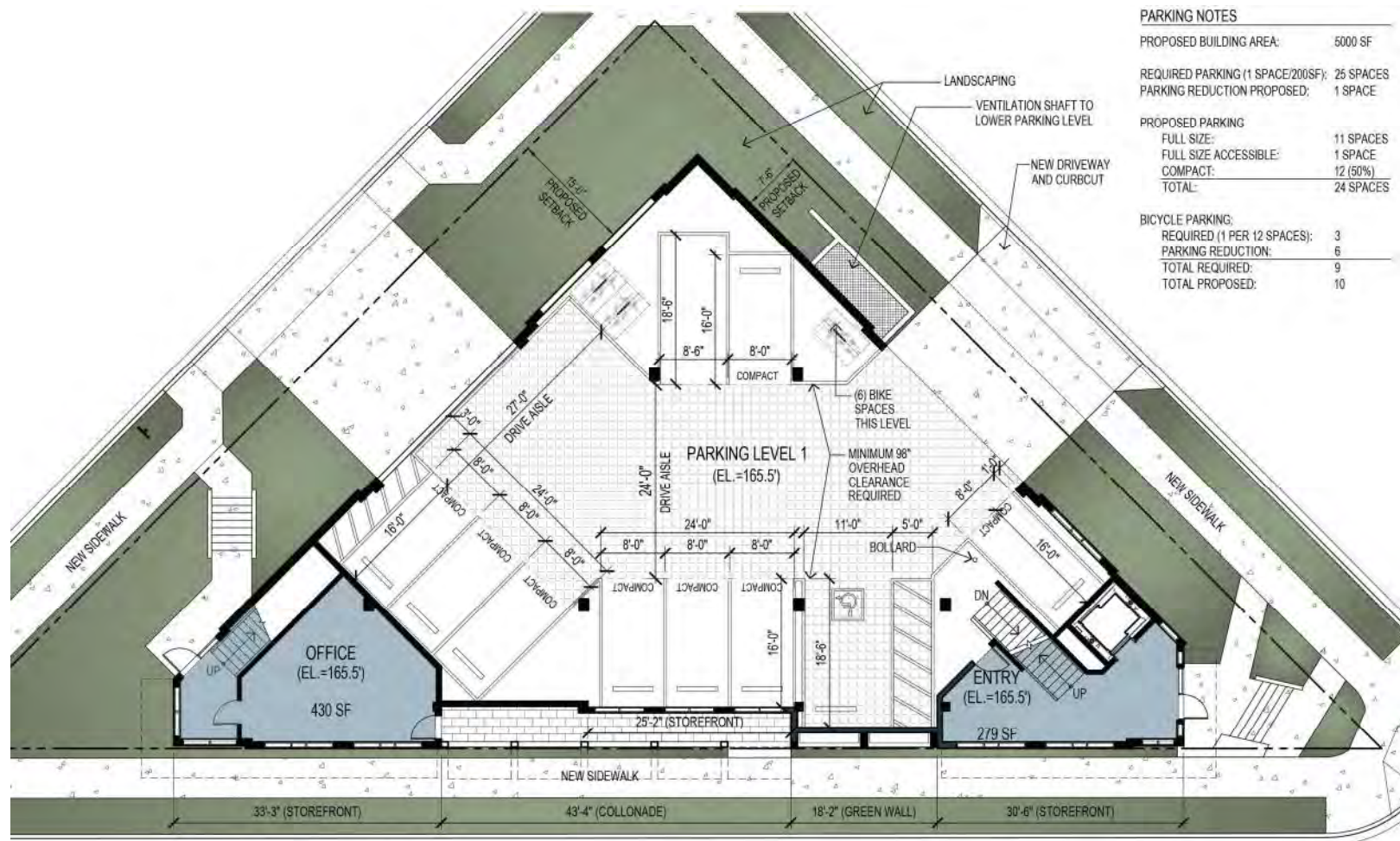
Proposed Site Plan

Market Street Clinic



Proposed Lower Parking Plan

Market Street Clinic



Proposed Main Level Plan

Market Street Clinic

Market Street Clinic



Market Street Elevation



Perspective - Market Street Looking South

Proposed Elevations

Market Street Clinic



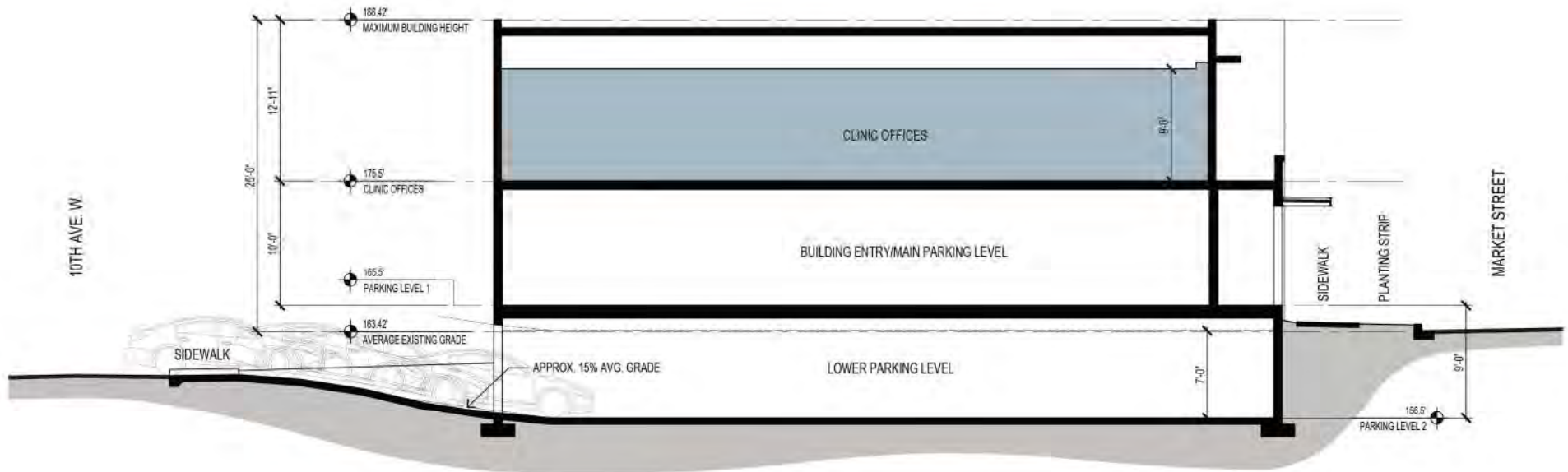
Third Street Elevation



Tenth Avenue Elevation

Proposed Elevations

Market Street Clinic



Proposed Building Section

Market Street Clinic



Aerial View



View from Market Street

Building Exterior Study

Market Street Clinic



Aerial View from West



View from South

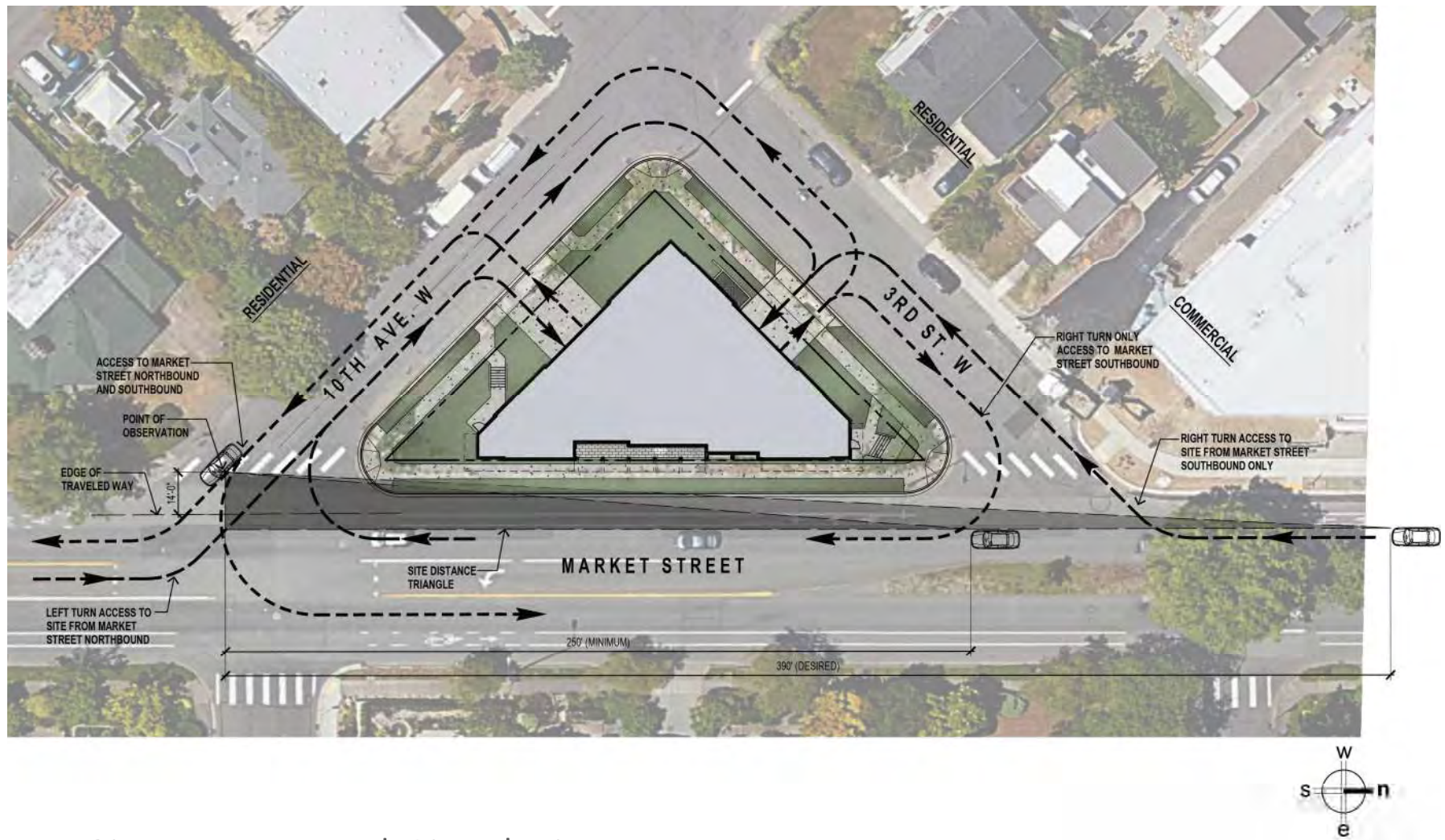
Building Exterior Study

Market Street Clinic



Proposed Market Street Frontage

Market Street Clinic



Site Access and Circulation

Market Street Clinic



Note: Sight Distance Diagram based on City of Kirkland Policy R-13 - Intersection Sight Distance

Market Street Sight Distance

Market Street Clinic

Variance Criteria

Per Kirkland Zoning Code Section 120.20 the City may grant a variance only if it finds that:

1. The variance will not be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as a whole; and
2. The variance is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of a preexisting improvement on the subject property that conformed to the Zoning Code in effect when the improvement was constructed; and
3. The variance will not constitute a grant of special privilege to the subject property which is inconsistent with the general rights that this code allows to other property in the same area and zone as the subject property.

Barbara Loomis
304 8th Ave. W.
Kirkland, WA 98033

January 30, 2020

City of Kirkland
Tony Leavitt, Senior Planner
Planning and Building Department
Kirkland, WA 98033

Re: Market Street Dental Clinic Variance
Case Number: VAR18-00070

Dear Mr. Leavitt,

I strongly object to the application for three variances for the property at 1009 Market Street. To put an oversized office building on that small triangular lot will forever change the character of our residential neighborhood and is also a public safety issue because of the sightlines that will be blocked.

The applied for variances are inconsistent with the rest of the residential neighborhood. One of the Kirkland's principles is to provide view corridors of Lake Washington and Seattle. A 20 foot setback on 3rd Street West maintains that corridor and is consistent with the neighborhood setbacks.

The 20 foot setback on Market Street is consistent with the rest of Market Street except where the historic buildings are. Those buildings were built in 1891 (except one) and were supposed to be the center of the town with no setbacks. And, not all the traffic we now have. A zero setback on Market Street is dangerous for pedestrians, bikers, and cars. If cars and trucks are parked on Market Street it's very hard to see the traffic coming down the hill – and, forget about making a left turn to go North on Market or to go straight across.

The Dibble building has already created a parking problem in our residential neighborhood. We don't need another building that would compound the issue further.

I went to Dr. Green's dental office about 1.5 years ago. I asked staff how many people worked there – twenty plus something. I also asked where they all parked – the reply was on the street. Even with 24 parking places in this proposed project there are clients who must park. Personally – I don't care to park in garages – especially underground

ones. (I've quit going to the QFC because of that!) That leaves parking in the street. A couple days ago I went to Green's current office building. I spoke with a gentleman who lives in the neighborhood. He says parking is a problem – that they always park on the street. I went there again today. There were some empty places in the garage and there were also about 13 cars parked on the street. It really isn't fair or right to take up all the street parking in a residential neighborhood because of an office use that shouldn't even be there.

The Comprehensive Plan states in Policy MS-6.3 that commercial development which is oriented toward Market Street will have less impact on the adjacent low-density residential areas in the surrounding neighborhoods. I contend that is not true in this case. Granted the front door is on Market Street but the two driveways to the parking garages are both on residential streets. And, the design, mass and scale of the building impacts the neighborhood and is inconsistent with a residential neighborhood.

Zoning Code section 150.65.3 states that a Process IIA application may be approved if:

- (1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
- (2) It is consistent with the public health, safety, and welfare.

I Conclude that the proposal is NOT CONSISTENT with the Comprehensive Plan nor is it consistent with the public health, safety, and welfare because of the potential danger to pedestrians, bikers, and cars. It may meet the goal of the infill office development but it CERTAINLY DOES NOT meet the goals of the Comp Plan to minimize impacts on the adjacent residential Market neighborhood. Therefore this project should be denied for all setback variances.

Thank you,
Barbara Loomis

Market Street Dental Clinic Hearing

Nicole and Ken MacKenzie

January 30, 2020

We Support Development of this Parcel

- Within the thoughtfully-enacted and time-tested MSC-1 zoning code
- Consistent with the surrounding residential neighborhood

The Variance Would be Materially Detrimental to the City and Surrounding Area

The City's Spring 2019 Neighborhood Survey

- Conducted in preparation for an update cycle for three City Neighborhood Plans
 - Market
 - Market Street Corridor
 - Highlands
 - Norkirk
- Asked about locating buildings closer to the curb along Market Street
 - 72% (210 of 290 responses) objected to buildings closer to the Market Street sidewalk
 - 14% responded that it's OK to build closer to the sidewalk
 - 14% responded that they weren't concerned

The Variance Would be Materially Detrimental to the City and Surrounding Area

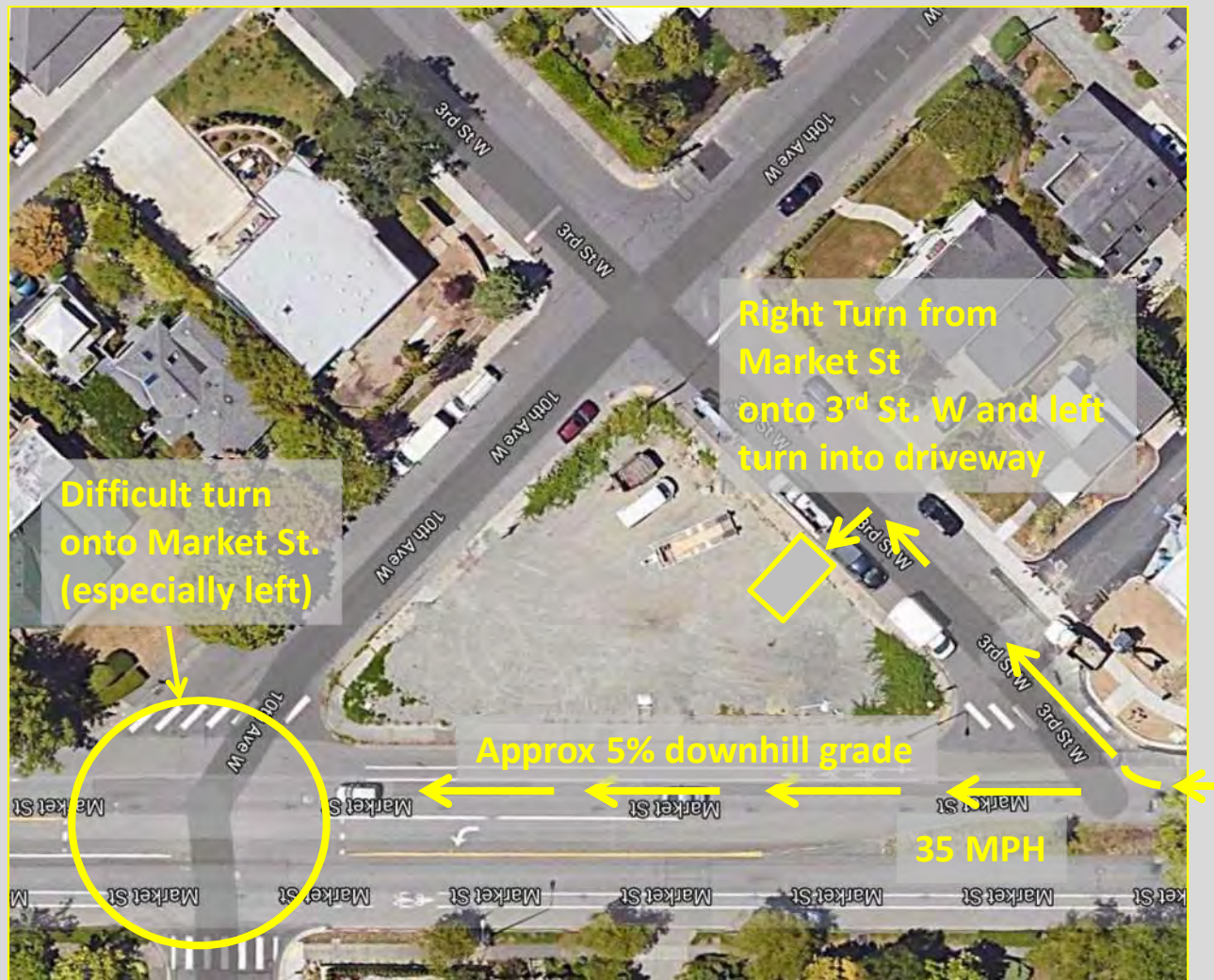
The Market Street Corridor Neighborhood Plan

- Update is now available in draft form and scheduled for Planning Commission review in April
- Developed jointly by citizens and City staff
- Favors mixed Commercial/Residential land use
- Clarifies that Market Street is not an urban area (except the 7th Ave historic district)
- Re-emphasizes neighborhood blend and building spacing that is consistent with surrounding low density residential neighborhoods
 - A zero front yard setback on Market Street is inappropriate
 - The Market Street Corridor vision is leafy, comfortable, spacious, and mixed use.

The Variance Would be Materially Detrimental to the City and Surrounding Area

1. The intersection of Market Street and 10th Ave S is made unsafe if the variance for a zero setback on Market Street is granted
2. The driveway onto 3rd Street W is unsafe

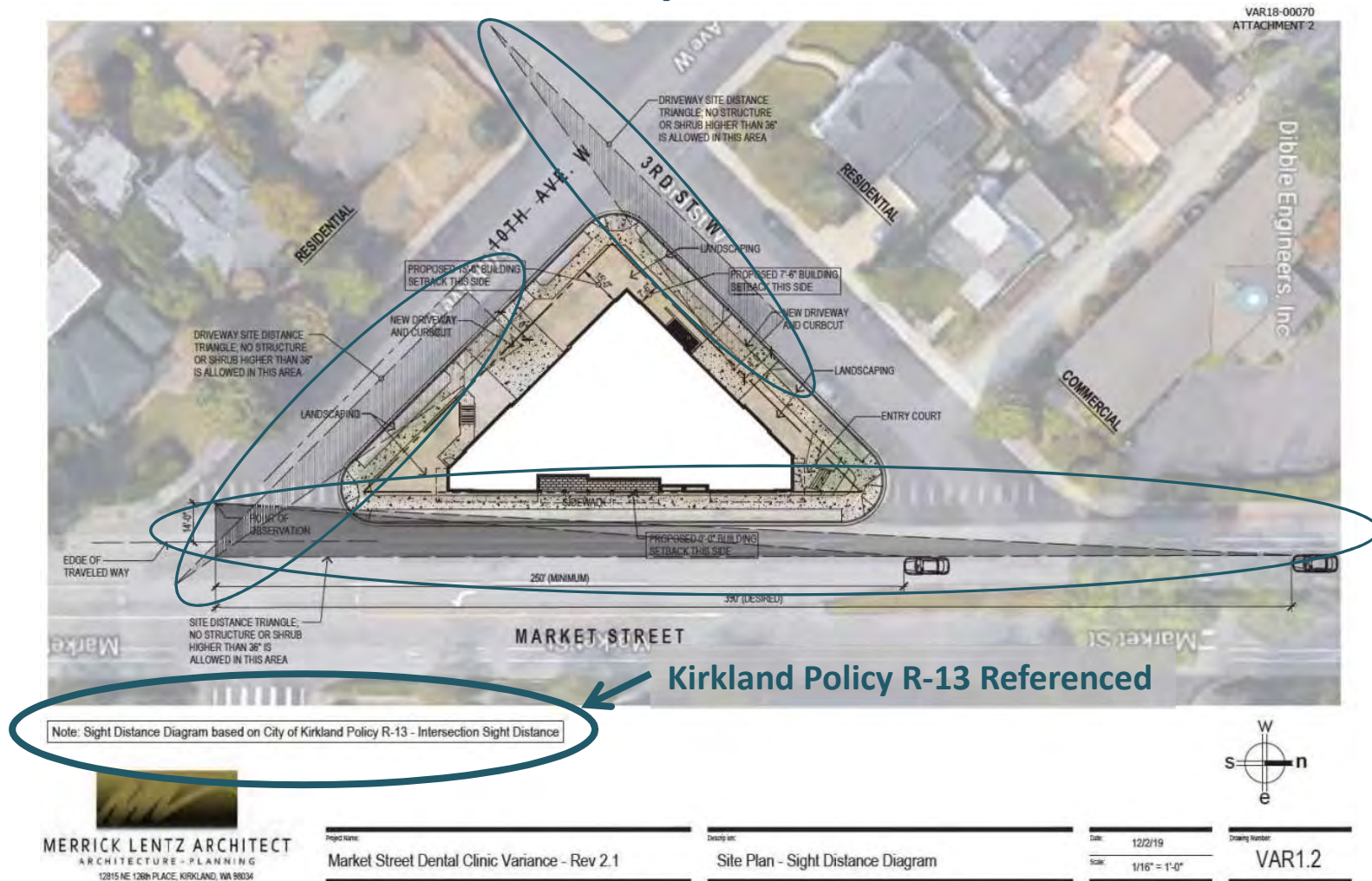
Intersection Challenges



Intersection Challenges

1. Steady Market Street rush hour traffic with rare gaps suitable for crossing or turning
2. Dense: 35 MPH slowing to 25 MPH a few blocks downhill
 - Compression of space between cars
 - Makes judging speed truly difficult
 - On dark or rainy days, just see headlights
 - Bike riders nearly invisible in front of the auto headlight parade
- Cited as a safety problem in multiple public comment letters

Applicant Submitted Sight Distance Triangles Purportedly Pursuant to City Policy R-13



Policy R-13 Defines “Edge of Major Road’s Traveled Way”

Type B – Stop Controlled Intersections

Type B intersections are those at which the minor street approaches are controlled by stop signs. Sight distance triangle to the left is the shaded area bounded by segments A-B, B-C2 and A-C2; whereas sight distance triangle to the right is the shaded area bounded by the A-B, B-C1 and A-C1 segments as shown in Figure 2 below. Point A, or decision point, is located in the center of the minor street approach lane, 14 ft. from the edge of the major road’s traveled way. **The traveled way is the portion of the road intended for the movement of vehicles and bicycles, exclusive of shoulders and turning lanes.** Point B is located on the center of the through lane on the major street (or in the center of the major street approach if more than one lane exists), a specific distance left and right from Points C1 and C2. The distance C1-B (same as C2 –B) is the required sight distance, which can be found in Table 2 on page 2.

Although it is not typical to do so, if a parking lane exists on the major street, it may be excluded from the traveled way in special cases. Usually these are cases where volumes and speeds are low and therefore the overall safety risk at the intersection is considered low.

Incorrect “Edge of Travelled Way”



Note: Sight Distance Diagram based on City of Kirkland Policy R-13 - Intersection Sight Distance

MERRICK LENTZ ARCHITECT
ARCHITECTURE - PLANNING
12815 NE 128th PLACE, KIRKLAND, WA 98034

Project Name:
Market Street Dental Clinic Variance - Rev 2.1

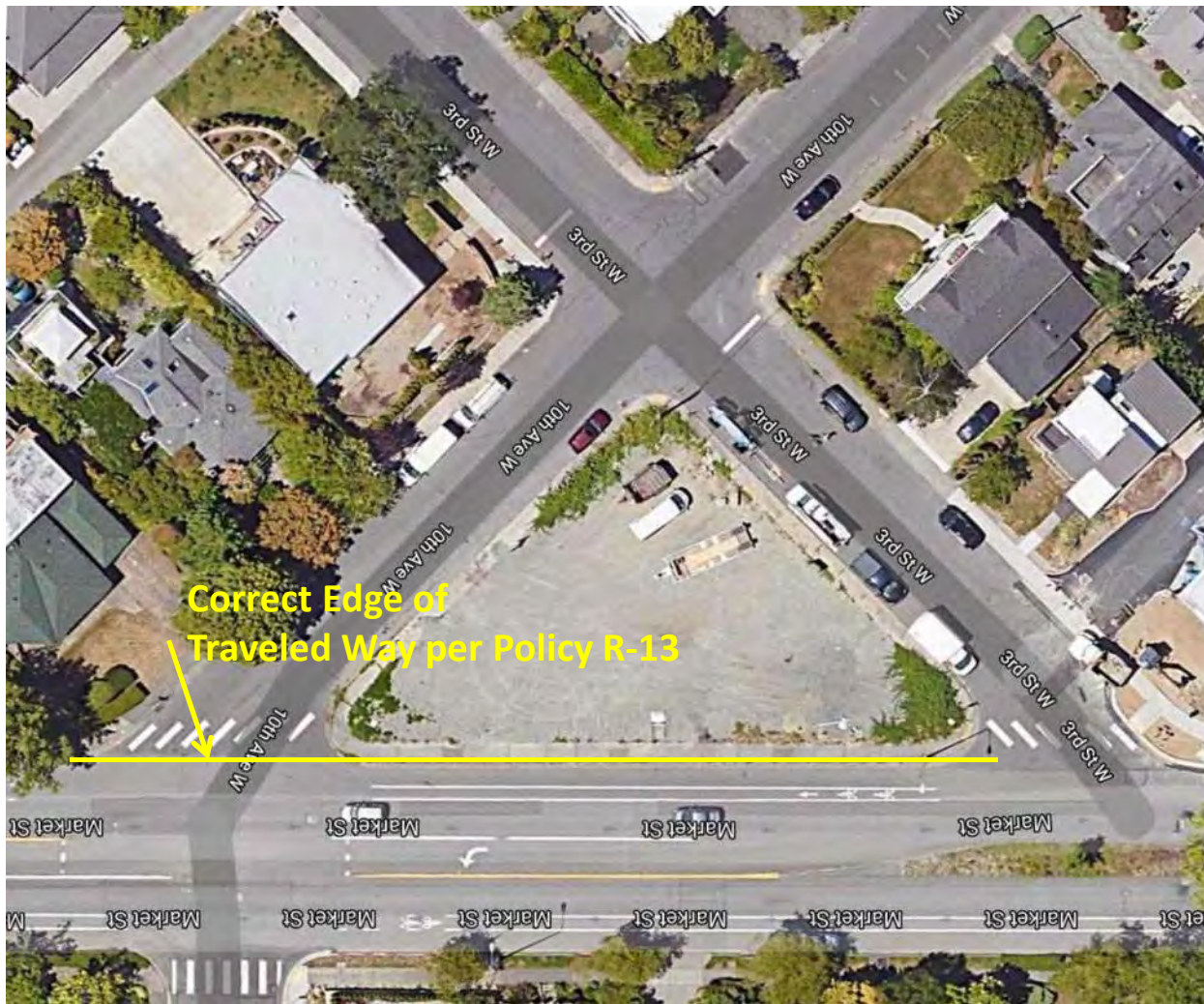
Design by:
Site Plan - Sight Distance Diagram

Date:
12/2/19
Scale:
1/16" = 1'-0"

Drawing Number:
VAR1.2



Correct “Edge of Travelled Way”



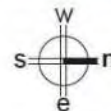
Policy R-13 Defines “Decision Point”

Type B – Stop Controlled Intersections

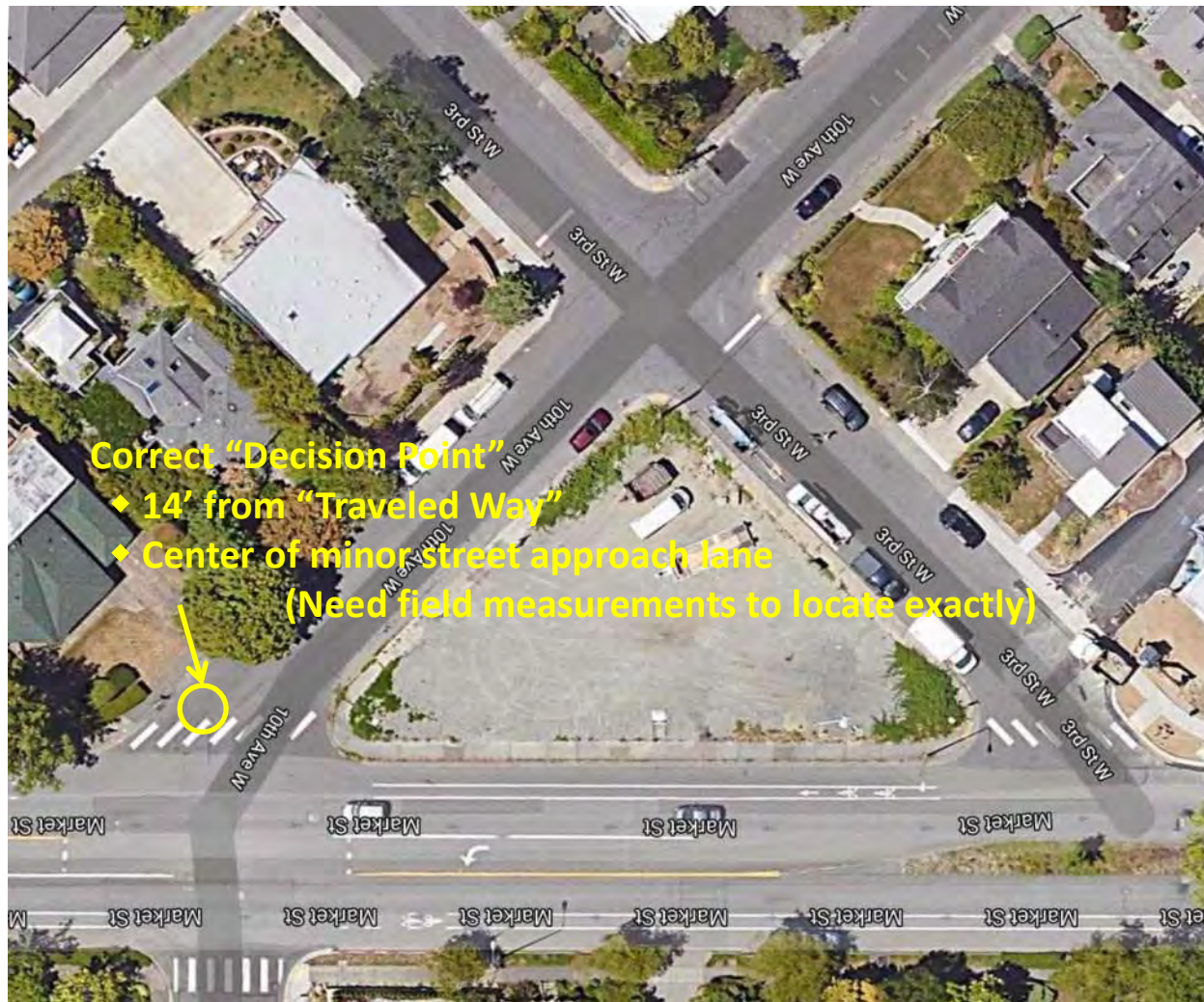
Type B intersections are those at which the minor street approaches are controlled by stop signs. Sight distance triangle to the left is the shaded area bounded by segments A-B, B-C2 and A-C2; whereas sight distance triangle to the right is the shaded area bounded by the A-B, B-C1 and A-C1 segments as shown in Figure 2 below. Point A, or **decision point**, is located in the center of the minor street approach lane, 14 ft. from the edge of the major road’s traveled way. **The traveled way is the portion of the road intended for the movement of vehicles and bicycles, exclusive of shoulders and turning lanes.** Point B is located on the center of the through lane on the major street (or in the center of the major street approach if more than one lane exists), a specific distance left and right from Points C1 and C2. The distance C1-B (same as C2 –B) is the required sight distance, which can be found in Table 2 on page 2.

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Incorrect “Decision Point”



Correct “Decision Point”



Policy R-13 Defines “Sight Distance Triangle”

Critical Footnote

TABLE 2: Sight Distance Triangle Guidelines

Type of Intersection or Driveways	Distance from Edge of Traveled Way (ft)	Major Street (Street Entered Upon)			
		Average Daily Traffic	Speed Limit (MPH)	Sight Distance Value (ft) (a)	
				Recommended (Desirable)	Minimum (Required) (d)
A – Uncontrolled (See Figure 1)	115 (b)	<1000	25	115	115
B - Stop Control on Minor Street (See Figure 2)	14	Any	25	280	150
			30	335	200
			35	390	250
C - Yield Sign On Minor Street					
C-1: Four-Legged Intersection (See Figure 3.a)	130 (c)	<1000	25	295	295
			30	355	355
			35	415	415
C-2: T- Intersection (See Figure 3.b)	80 (c)	<1000	25	295	295
			30	355	355
			35	415	415
D – Signalized Intersection (See Figure 2)	14	Any	25	240	150
			30	290	200
			35	335	250
E1 – E4 Driveways (See Figure 2)					

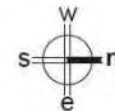
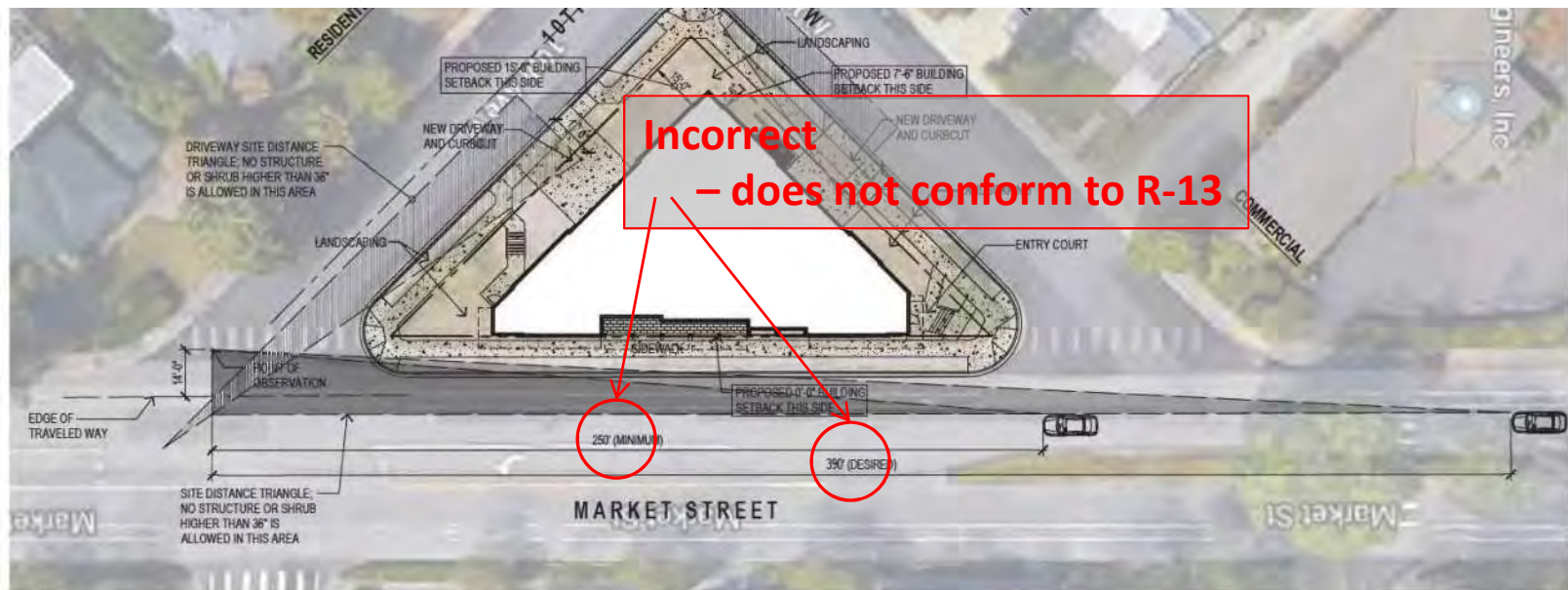
Policy R-13 Footnotes to Table 2

Footnotes:

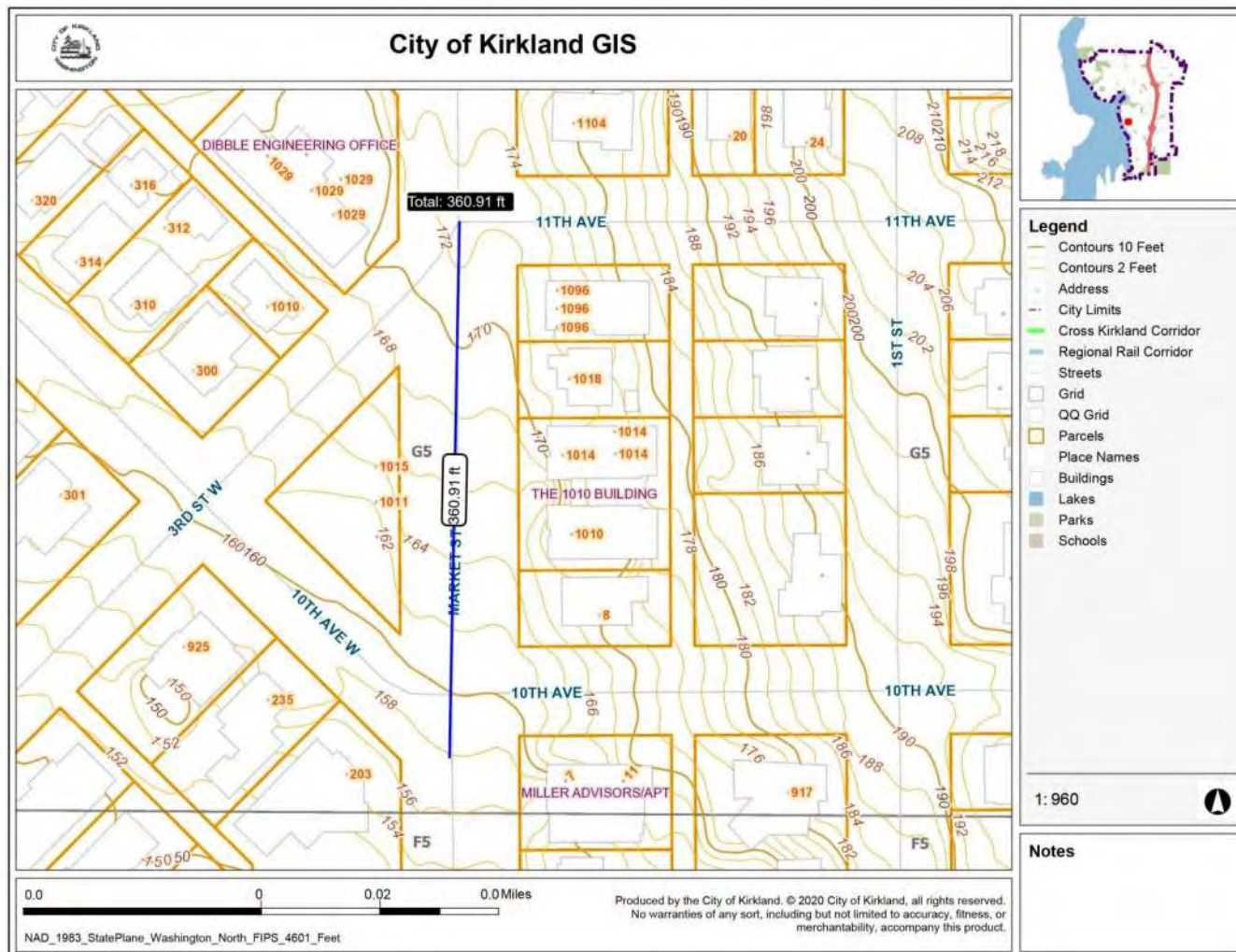
- (a) These values should be adjusted for grades with slopes of a magnitude of grade greater than 3%, number of lanes greater than two, for skewed intersections or for design vehicles other than passenger cars, using the intersection sight distance procedures in Chapter 9 of a Policy on Geometric Design, AASHTO, 4th Edition
- (b) Distance back from center of intersection.
- (c) Distance back from point C1 or C2 for types C-1 and C-2 intersections.
- (d) Minimum (Required) only permitted if Recommended (Desired) is not possible (see page 3 for further explanation).
- (e) Distance from back of the sidewalk.
- (f) Distance parallel to the sidewalk from the center of the driveway.

Incorrect “Sight Distance Triangle”

- Slope not shown for Market Street
- No Sight Distance allowance for slope



Neighborhood Topographical Map



Market Street Slope

- Market Street slope down to 10th Ave W appears to be about 5% - perhaps a 14' rise from 10th Ave W to 3rd St W
- The adjustment requirements of footnote (a) to Table 2 are triggered but not included in the analysis
- Believed to add at least 21 feet to required sight distance
- Presence of slope indicates need for additional study of building features that overhang above sidewalk and landscaping which may interfere with the sight triangle

Building Front Awning/Overhang



Project Name:

Market Street Dental Clinic Variance - Rev 2.1

Description:

Renderings

Date:

12/2/19

Scale:

3/32" = 1'-0"

Drawing Number:

VAR5.3

27

Overhang likely interferes with sight triangle due to

- Zero setback along Market St
- Slope of Market St

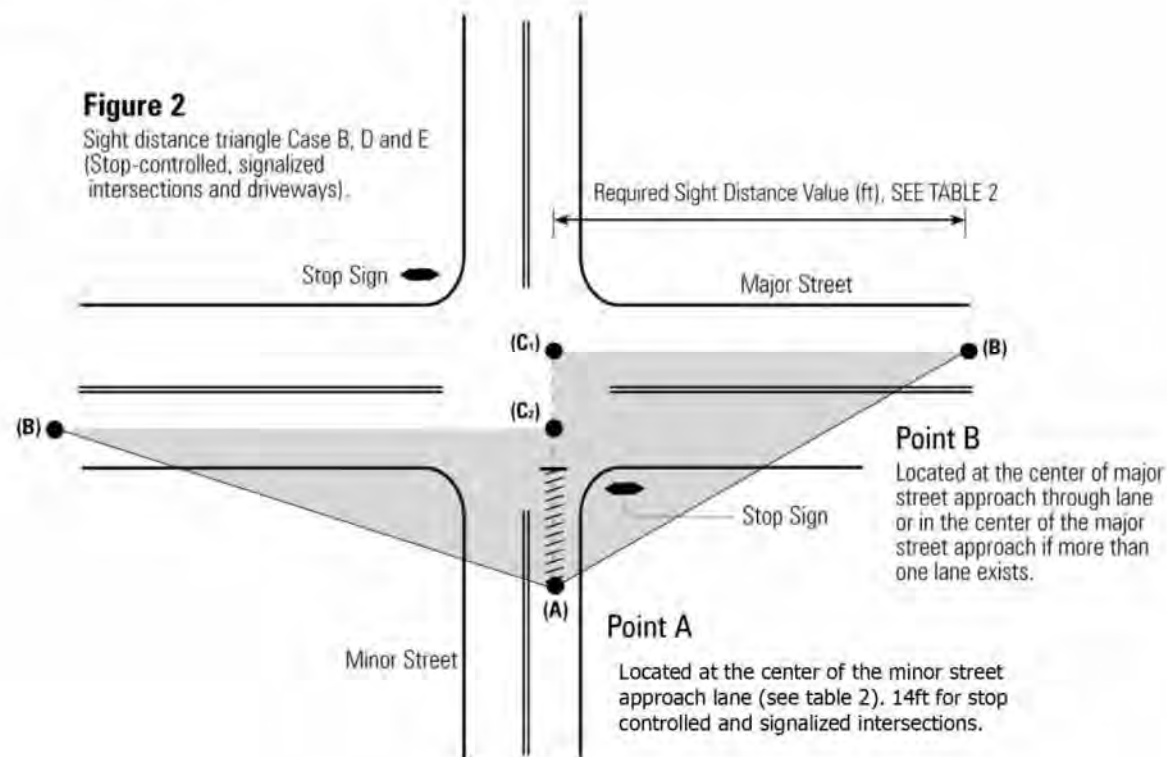
Proposed Landscaping/Barrier Interferes with Sight Triangle

VAR18-00070
ATTACHMENT 2



Policy R-13 Drawing Shows a Right Angle Intersection

Pre-Approved Plans, Policy R-13
January 2020



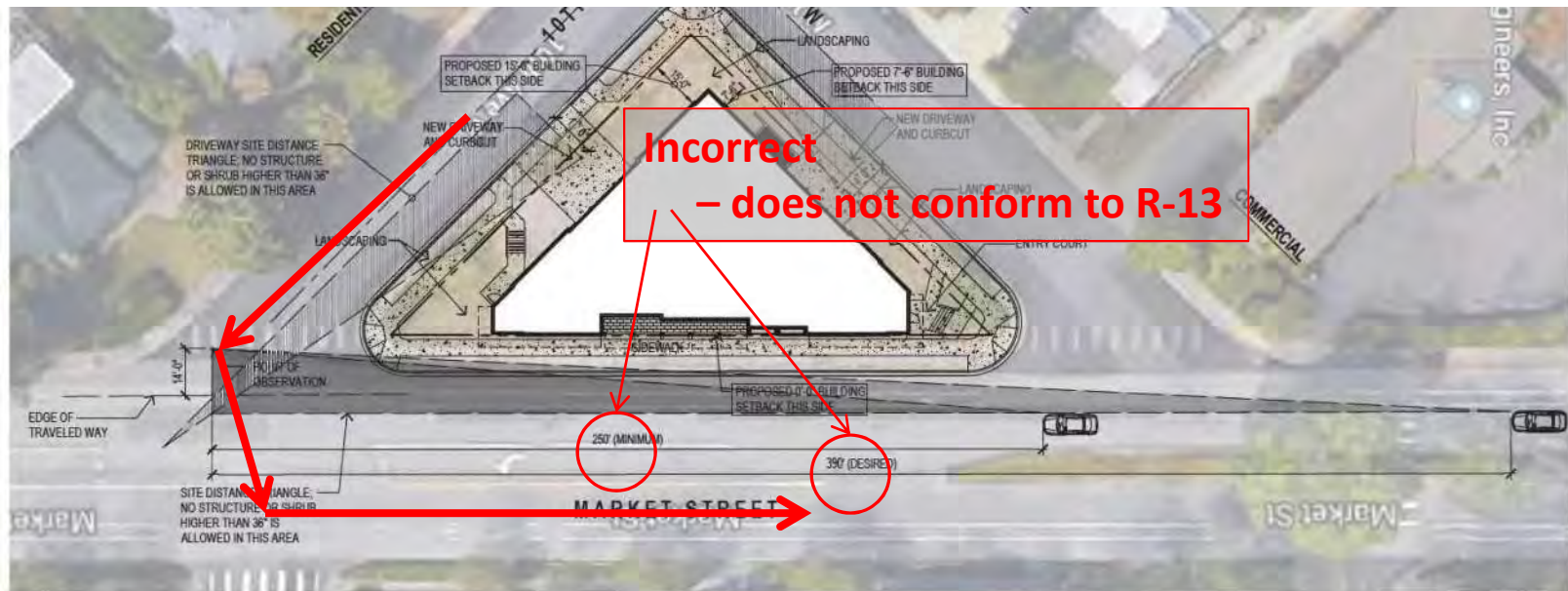
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Footnotes:

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- (f) Distance parallel to the sidewalk from the center of the driveway.

Incorrect “Sight Distance Triangle”

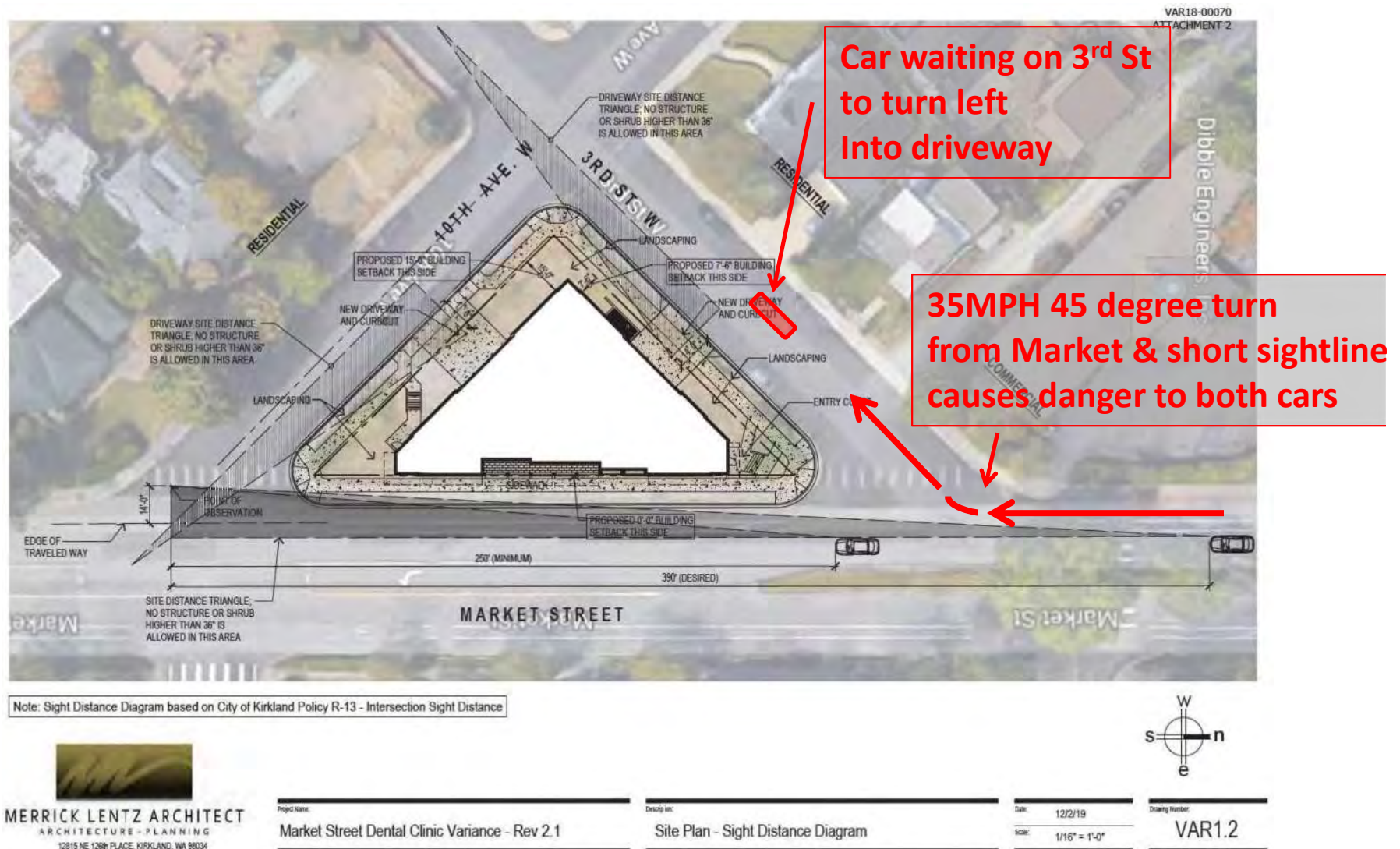
- No sight distance allowance/increase for this “skewed intersection”
- Note especially complicated left turn to northbound Market St



Note: Sight Distance Diagram based on City of Kirkland Policy R-13 - Intersection Sight Distance



Incomplete Analysis of 3rd Street Driveway Situation



3rd Street Driveway Approach Safety Study & Remediation Needed

Reference Hearing Packet Page 115, 10/31/02
Memorandum from Thang Nguyen, Transportation Engineer, to Tony Leavitt

Driveway Operation & Safety

It is forecasted that the project driveways will operate with good level of service. Sight distances at the driveways meet minimum requirements. The traffic report recommended that on-street parking on the north side of 10th Avenue West between the project driveway and Market Street be removed to maintain sight distance. Similarly, it was recommended that on-street parking on the east side of 3rd Street West between the project driveway and Market Street be removed to maintain sight distance.

The location of the project driveway on 3rd Street West is close to Market Street. There is not enough sight distance for vehicles heading south and turning right from Market Street onto 3rd Street West to see a vehicle stopping on 3rd Street West to make a left-turn into the disable parking stall. Although this is not a desirable situation, the traffic volume on 3rd Street West is low and the likelihood of this happening is rare. However, the City may require C-curd in the future to eliminate left-turn into the site if it becomes a problem.

3rd Street Driveway Approach Safety Study & Remediation Needed

- Traffic on Market is considerably more congested now than in 2002 and will get worse in the future.
- The left turn from the alley across 3rd Street is now prohibited due to traffic safety issues studied during the approval cycle for the Dibble Engineering Building.
- As stated in the 2002 memo, this driveway is unsafe for traffic turning right from southbound Market St onto 3rd St W when a car is stopped or slowed to turn left into the driveway.

Variance For Market Street Setback Is Not Necessary

1. Single family residence existed on site from 1949 to 2007
2. Variances to setbacks **only** on 3rd Street W and 10th Ave. W granted in 2003
3. Building Permit issued with no apparent variances in 2007

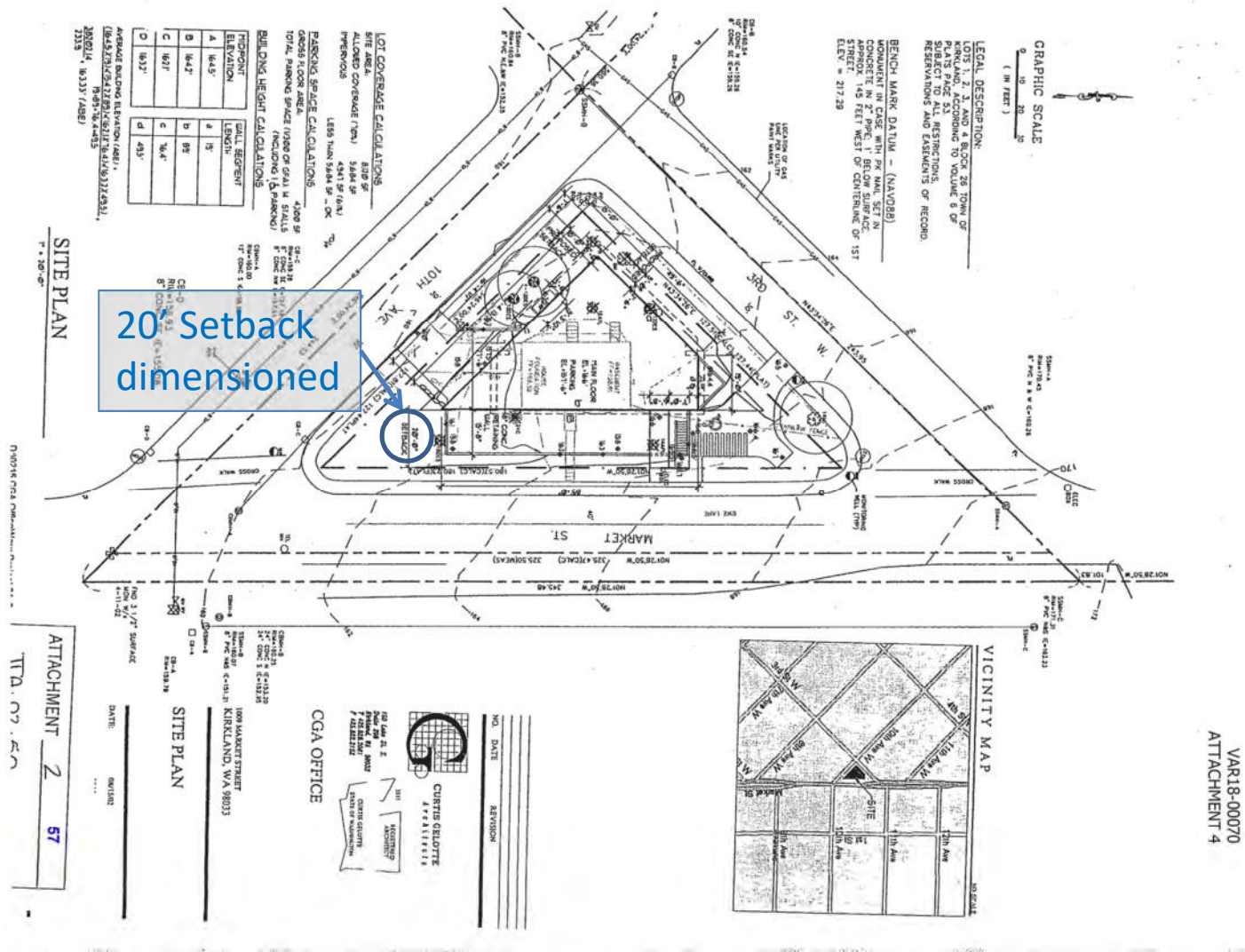
2003 Project

- Variance Requested at Hearing on February 6, 2003 (per page 45 of this hearing packet)

“Applicant is requesting a Variance to allow the **reduction of two of the three required front yard setbacks** (see Attachment 2). The 3rd Street required front yard setback would be reduced from the required 20 feet to 5 feet and the 10th Avenue required front yard setback would be reduced from the required 20 feet to 10 feet. The subject property currently contains one single-family residence. The existing residence is proposed to be demolished and replaced with a 4,200 square foot office building. Parking for the office building will be located in an underground garage (13 stalls) and one stall will be above ground. Access to the garage will be from a driveway off 10th Avenue West.”

- **No setback variance is requested on the Market Street front yard**
 - 3rd Street W setback request is 5 feet (from 20 feet)
 - 10th Ave W setback request is 10 feet (from 20 feet)
- Parking Access via a driveway off 10th Avenue West

2003 Project



2007 Project

- Permit BLD07-00107
Type: Building Non Residential - BNR, Class: New

To build a mixed use building with 13 car garage below, 1st floor 2,700sq. ft. shell for 1 office , and 2nd floor 2,700 sq. ft for 1 residential unit.

PROJECT: IIA-02-50

- No evidence of any zoning variance has been found specific to this building proposal

Denial of the Front Yard Market Street Variance is Requested

- Kirkland policy R-13 has been erroneously and incompletely applied
- There is no development hardship - parcel history demonstrates that development is possible with no Market Street setback variance
- Market St is not an urban area (except the 7th Ave historic district)
- The current Market Street Corridor Neighborhood Plan draft emphasizes neighborhood blend and building spacing that is consistent with surrounding low density residential
 - A zero front yard setback on Market Street is inappropriate
 - The Market Street Corridor vision is leafy, comfortable, spacious, and mixed use.
- The recently developed Dibble Engineering building across 3rd Street West is nicely setback from Market Street with some variance (granted by the Design Review Board) and complements its neighborhood



Department of Assessments

500 Fourth Avenue, Suite ADM-AS-0708, Seattle, WA 98104

Office Hours:
Mon - Fri
8:30 a.m. to 4:30 p.m.

TEL: 206-296-7300
FAX: 206-296-5107
TTY: 206-296-7888

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[Washington State Board of Tax Appeals \(External link\)](#)

[Board of Appeals/Equalization](#)

[Districts Report](#)

[iMap](#)

[Recorder's Office](#)

[Scanned images of surveys and other map documents](#)

[Scanned images of plats](#)

Notice mailing date: 07/04/2019

ADVERTISEMENT

PARCEL DATA			
Parcel	388580-2055	Jurisdiction	KIRKLAND
Name	KIRKLAND FAMILY DENTISTRY	Levy Code	1701
Site Address	1009 MARKET ST	Property Type	C
Geo Area	85-65	Plat Block / Building Number	26
Spec Area		Plat Lot / Unit Number	1-2-3-4
Property Name	VACANT SITE	Quarter-Section-Township-Range	NE-6-25-5
Legal Description KIRKLAND ADD Plat Block: 26 Plat Lot: 1-2-3-4			

LAND DATA

Click the camera to see more pictures.

Highest & Best Use As If Vacant	MULTI-FAMILY DWELLING	Percentage Unusable	
Highest & Best Use As Improved	OTHER	Unbuildable	NO
Present Use	Vacant(Multi-family)	Restrictive Size Shape	NO
Land SqFt	6,120	Zoning	MSC 1
Acres	0.19	Water	WATER DISTRICT
		Sewer/Septic	PUBLIC
		Road Access	PUBLIC
		Parking	ADEQUATE
		Street Surface	PAVED
Views		Waterfront	
Rainier		Waterfront Location	
Territorial		Waterfront Footage	0
Olympics		Lot Depth Factor	0
Cascades		Waterfront Bank	
Seattle Skyline		Tide/Shore	
Puget Sound		Waterfront Restricted Access	
Lake Washington		Waterfront Access Rights	NO
Lake Sammamish		Poor Quality	NO
Lake/River/Creek		Proximity Influence	NO
Other View			
Designations		Nuisances	
Historic Site		Topography	
Current Use	(none)	Traffic Noise	HIGH
Nbr Bldg Sites		Airport Noise	
Adjacent to Golf Fairway	NO	Power Lines	NO
Adjacent to Greenbelt	NO	Other Nuisances	NO
Other Designation	NO	Problems	
Deed Restrictions	NO	Water Problems	NO
Development Rights Purchased	NO	Transportation Concurrence	NO
Easements	NO	Other Problems	
Native Growth Protection Easement	NO	Environmental	
DNR Lease	NO	Environmental	NO

BUILDING

TAX ROLL HISTORY

Account	Valued Year	Tax Year	Omit Year	Lavv Code	Appraised Land Value (\$)	Appraised Imps Value (\$)	Appraised Total Value (\$)	New Dollars (\$)	Taxable Land Value (\$)	Taxable Imps Value (\$)	Taxable Total Value (\$)	Tax Value Reason
388580205507	2019	2020		1701	812,000	0	812,000	0	812,000	0	812,000	
388580205507	2018	2019		1701	890,200	0	890,200	0	890,200	0	890,200	
388580205507	2017	2018		1701	841,400	0	841,400	0	841,400	0	841,400	
388580205507	2018	2017		1700	592,700	0	592,700	0	592,700	0	592,700	
388580205507	2015	2018		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2014	2015		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2013	2014		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2012	2013		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2011	2012		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2010	2011		1700	608,000	0	608,000	0	608,000	0	608,000	
388580205507	2009	2010		1700	608,000	0	608,000	0	608,000	0	608,000	
388580205507	2008	2009		1700	592,700	0	592,700	0	592,700	0	592,700	
388580205507	2007	2008		1700	349,000	33,000	382,000	0	349,000	33,000	382,000	
388580205507	2008	2007		1700	291,000	34,000	325,000	0	291,000	34,000	325,000	
388580205507	2005	2008		1700	243,000	58,000	301,000	0	243,000	58,000	301,000	
388580205507	2004	2005		1700	221,000	49,000	270,000	0	221,000	49,000	270,000	
388580205507	2003	2004		1700	201,000	57,000	258,000	0	201,000	57,000	258,000	
388580205507	2002	2003		1700	183,000	62,000	245,000	0	183,000	62,000	245,000	
388580205507	2001	2002		1700	170,000	68,000	238,000	0	170,000	68,000	238,000	
388580205507	2000	2001		1700	150,000	112,000	262,000	0	85,000	65,800	150,800	FS
388580205507	1999	2000		1700	134,000	92,000	226,000	0	85,000	65,800	150,800	FS
388580205507	1998	1999		1700	125,000	71,000	196,000	0	85,000	65,800	150,800	FS
388580205507	1997	1998		1700	0	0	0	0	85,000	65,800	150,800	
388580205507	1996	1997		1700	0	0	0	0	85,000	65,800	150,800	
388580205507	1994	1995		1700	0	0	0	0	85,000	65,800	150,800	
388580205507	1992	1993		1700	0	0	0	0	82,800	88,200	150,800	
388580205507	1990	1991		1700	0	0	0	0	78,700	88,200	148,900	
388580205507	1988	1989		1700	0	0	0	0	25,400	42,500	87,900	
388580205507	1986	1987		1700	0	0	0	0	22,500	37,400	59,900	
388580205507	1984	1985		1700	0	0	0	0	21,500	33,200	54,700	
388580205507	1982	1983		1700	0	0	0	0	18,700	34,800	53,300	

SALES HISTORY

Exclude Number	Recording Number	Document Date	Sale Price	Seller Name	Buyer Name	Instrument	Sale Reason
2284512	20070515001655	5/4/2007	\$1,035,000.00	GHORBANIAN ABRAHAM+SOLTANI ZAHRA	GREENE BENJAMIN J	Statutory Warranty Deed	None
2228087	20060508002562	8/7/2006	\$850,000.00	COFFEEHOUSE BUILDING LLC	GHORBANIAN ABRAHAM+SOLTANI ZAHRA	Statutory Warranty Deed	None
2119231	20050429001001	4/28/2005	\$750,000.00	MCGEOUGH BREFFNI J+HOLLY A	COFFEEHOUSE BUILDING LLC	Statutory Warranty Deed	None
2007979	20031215001617	12/12/2003	\$525,000.00	1009 MARKET STREET DEVELOPMENT LLC	MCGEOUGH BREFFNI J+HOLLY A	Statutory Warranty Deed	None
1957582	20030509002758	10/16/2002	\$0.00	GELOTTE CURTIS E	1009 MARKET STREET DEVELOPMENT LLC	Quit Claim Deed	Other
1898396	20020718000530	7/12/2002	\$400,000.00	PHILLIPS THERESA T	GELOTTE CURTIS	Statutory Warranty Deed	None

REVIEW HISTORY

PERMIT HISTORY

Permit Number	Permit Description	Type	Issue Date	Permit Value	Issuing Jurisdiction	Reviewed Date
BLD07-00192	Build a mixed use bldg. with 13 car garage below, 1st floor 2,700 sq. ft. shell for 1 office & 2nd floor 2,700 sq. ft. for 1 residential unit	Building, New	10/9/2007	\$834,000	KIRKLAND	8/17/2010
BLD07-00756	Demolish SFR	Demolition	8/15/2007	\$0	KIRKLAND	12/13/2007

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January 30, 2020

Tony Leavitt, Project Planner
City of Kirkland
Planning and Building Department
123 Fifth Avenue
Kirkland, Washington 98033

Re: Case # VAR18-00070

Dear Mr. Leavitt,

Jeff and I have resided at 235 10th Ave West since 1980. When we first moved in, there was a residence located at 1009 Market Street and our neighborhood flourished. Sadly, when that family moved out and that property sold to architect Curtis Gelotte, our sense of residential community began to suffer, and has continued to suffer for some 20 years. When Ben Green purchased the property, he also purchased the plan with variances Gelotte had had approved by the City of Kirkland, but Dr. Green was unable to bring that building to fruition. For many years, it has been used as a staging area for heavy machinery, often staging building or utility projects for the city. The noise, dirt, inconvenience and intrusion into our lives -- sometimes it appeared semi-trucks with trailers were going to drive right up our pathway and into our front door -- has been interminable. Literally.

We favor a permanent building over continuing construction projects, as long as that building does not impact the residential quality of our lives. We are primarily concerned about parking, traffic, and a sense of barrier between the dental building and the neighborhood's homes. We have these questions related to those concerns:

- How will traffic be routed into the parking area?
 - Will it be routed through the neighborhood streets (3 St. W. and 10th Ave. W.)?
 - How many cars per day does this mean?
- How many parking places will be available under this building?
 - How many dental patients will be seen per day at this building?
 - How many employees will work in this building?
 - How many of those employees will park in those parking spaces?
 - Where will dental patients and employees park if not under the building?

- How will street parking be impacted?
 - Will employees be parking on the street? Will they be encouraged by their employer to do so? If so, does that become part of the scope of the project to be approved?
 - How much of the curb around the dental building will be reddened out? How does that affect the number of parking spaces available on the block surrounding the building, and how far into the neighborhood will the parking extend?
 - We believe there is a sight issue looking northward on southbound Market from the intersection of 10th Ave W and Market St. Will there be reddened curb going north on Market and will it be substantial enough to see oncoming cars – often it is quite difficult to merge into traffic going south on Market, and we need good visibility to make good judgments.
- Regarding the zero setback on Market, how will this impact the look-and-feel of the neighborhood? I notice that the building on the southwest corner of Market and 7th Ave. W. has indentations in the building façade facing Market to include planters, which mitigates a full on frontal assault on Market. Will this be considered as part of this plan?
- Regarding the setback on 3rd St. W., how will a setback of only 7.5 feet be mitigated to prevent the commercial building from impacting the residences along that street, the adjacent streets, and into the neighborhood?
- Regarding the setback on 10th Ave. W., the original variance for Gelotte included a landscaping barrier. This might in some way mitigate the impact of this building on the residential buildings along 10th Ave. W. With no landscape barrier required, it would be a stark contrast to the homes currently there. We very much hope that a landscaping barrier will be required.
 - If a landscape barrier is required, how will it be designated and how will it be monitored for compliance? For example, with the Gelotte variance, there were trees specified to remain as part of the barrier, but the owner did not care for the trees and in fact cut into their roots to such an extent that they became unviable and were never replaced. If the landscape barrier is required, we hope it will include some form of explicit guarantees that it will be honored.

We suspect that answers to the questions above will show that the impact of this building to the surrounding residential neighborhood in fact harms them, in these ways:

- Street parking on 3rd St. W. and 10th Ave. W. and into the surrounding neighborhood will be adversely impacted by employees and clients of the building
- Traffic will spike on 10th Ave. W. with access to the parking lot located on 10th Ave. W.
- Visibility to Market to merge onto southbound Market will be impacted and cause safety concerns, particularly during heavy traffic times

- There will be no way to mitigate the impact of this large, commercial building on the bordering residential community. And even if landscaping barriers are required, there is an open question of whether the design of such barriers are adequate and how they will be enforced over time.

Given that we anticipate a strongly negative impact of allowing the variances requested in this case, we propose the city purchase this land and use it as a public park. We feel that Kirkland's reputation for its parks and recreational areas is a source of city pride and encourages tourism. We believe turning this lot into a park is a benefit to the city.

Sincerely,

A handwritten signature in blue ink that reads "Melissa Thirloway". The signature is fluid and cursive, with a horizontal line above the name.

Melissa and Jeff Thirloway
235 10th Ave. W.
Kirkland, WA 98033
thirloway@gmail.com

XV.L. Market Street Corridor

1. Overview

The [Market Street Corridor](#) is centered on Market Street. It includes properties along the eastern border of the [Market Neighborhood](#) and the western border of the [Norkirk Neighborhood](#). The [Market Street Corridor](#) extends from 19th Avenue on the north to the Central Business District on the south. Market Street has a development pattern that includes a mix of commercial and residential uses and it is recognized as a transportation link serving both regional and local users.

2. Vision Statement

The [Market Street Corridor](#) is an attractive, economically healthy area that accommodates neighborhood-oriented businesses, office uses and multifamily housing. The commercial uses provide convenient shopping and services for residents of both the Market and [Norkirk Neighborhoods](#). The corridor is bounded by single-family residential neighborhoods to the north, east and west and a vibrant Central Business District to the south. Design of new development along the corridor incorporates landscaped buffers, site design and architectural treatments that complement and protect the adjacent residential neighborhoods.



Market Street Corridor

Market Street provides efficient access to both the Market and [Norkirk Neighborhoods](#), while continuing to function as a principal north/south arterial for local and regional traffic. Bicyclists and pedestrians use the [Market Street Corridor](#) as a connection between the Market and [Norkirk Neighborhoods](#), and to the Central Business District and the region as a whole.

The historic 1890s buildings at the intersection of Market Street and 7th Avenue represent the original town center and are still a focal point for Kirkland's history. This historic district reflects the City's past through both its old and new buildings and its streetscape, including street trees, public seating and street lights.



Sears Building at 701 Market Street

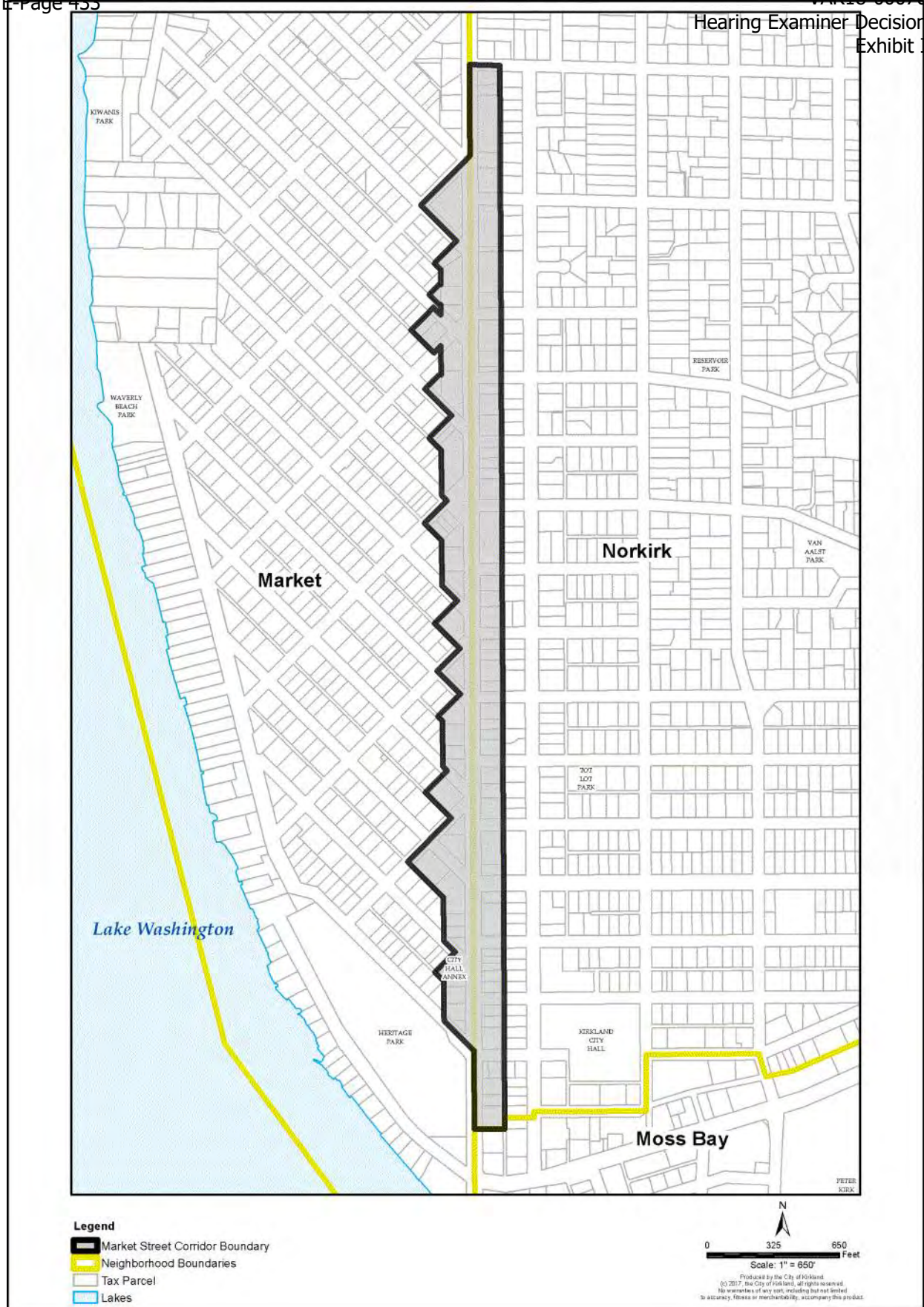


Figure MS-1: Market Street Corridor Boundary

3. Historic Context

Between 1888 and 1890, Peter Kirk's Kirkland Land and Improvement Company purchased much of the land that had been homesteaded in the 1870s to begin the proposed new city. This new city was to support the construction of the steel mill on Rose Hill near Forbes Lake. The new town center was at the intersection of Market Street and Piccadilly, which is now 7th Avenue. This intersection, with four remaining 1891 brick buildings, three of which are on the National Register of Historic Places, is one of the most historically significant in Kirkland. An alternative street plan was also developed which included a large square at this intersection and a hotel on what is now Heritage Park at the corner of Market and Waverly Way. The cluster of historic properties at the intersection of Market Street and 7th Avenue form an important historical link and entrance to both the Market and [Norkirk Neighborhoods](#).

Goal MS-1: Encourage preservation of structures and locations that reflect Kirkland's heritage.

Policy MS-1.1: Provide incentives to encourage retention of identified buildings of historic significance.

The City should include incentives in the Zoning and Building Codes for maintenance of the historic buildings at the 7th Avenue and Market Street Historic District. These incentives can help to make the maintenance of the historic structures more economically viable.



The Peter Kirk Building

620 Market Street

Policy MS-1.2: Provide markers and interpretive information for the historic sites located in the historic district at 7th Avenue and Market Street.

Providing this information will identify these important sites and enable future residents to have a link with the history of this significant area of Kirkland.

4. Land Use

Goal MS-2: Support a mix of higher intensity uses along the Market Street Corridor while

minimizing impacts on adjacent residential neighborhoods.

Policy MS-2.1: Encourage a mix of uses within the Market Street Corridor that include multifamily and office development as well as neighborhood oriented shops and services.

The majority of the corridor is developed with a mixture of small-scale multifamily residences at a density of 12 units/acre and office development. It is also appropriate to have other neighborhood businesses interspersed throughout. This scale and pattern of development for the corridor fits well with the adjoining neighborhoods.



Neighborhood Shopping Area

The area south of 6th Avenue and 5th Avenue West acts as a connection between the City's historic district and the Central Business District (CBD). Small-scale multifamily and office development are also allowed here, but some of the area is at a higher density than the 12 units/acre allowed north of the historic district. On the east side of Market Street, multifamily density can go up to 24 units/acre. This helps the area to make a better transition into the CBD.



Office Development on Market Street

There is also a node of neighborhood-oriented businesses located on the west side of Market Street, north of 14th Avenue West. This small shopping area provides convenient shopping and services for residents in the area. If redevelopment of this site occurs, the buildings and site should be designed so that their appearance blends with the character of the adjoining single-family neighborhood. The landscaping can be used to soften and separate the commercial uses on-site from the adjoining residential uses.

Policy MS-2.2: Designate the historic district between 8th Avenue/2nd Street West and 6th Avenue/5th Avenue West as a special planning area of the corridor.

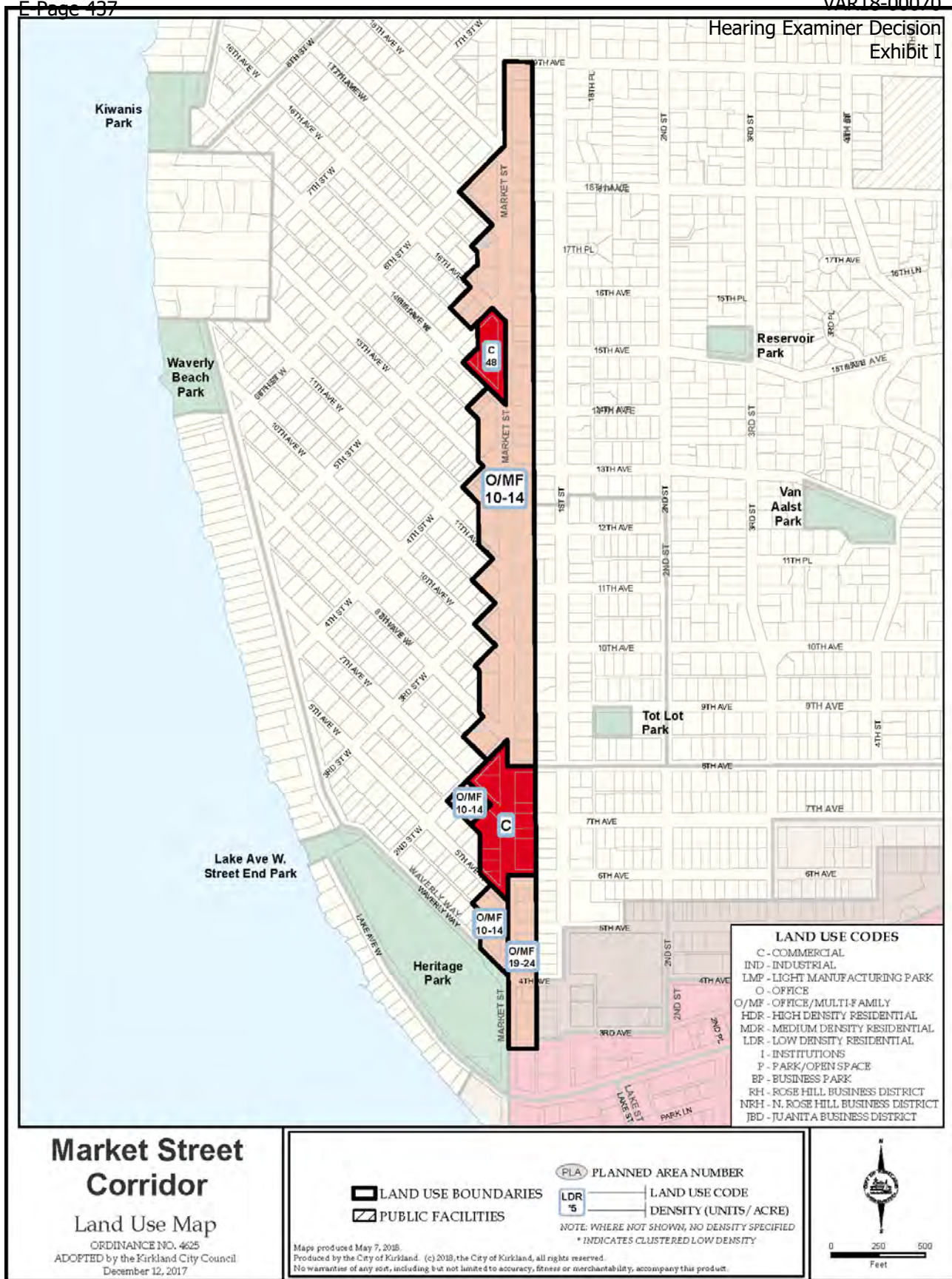
This area should remain a business commercial zone allowing residential, office and retail uses, and should include special regulations that reinforce the historic nature of the intersection at 7th Avenue and Market Street.

VAR18-00070
Hearing Examiner Decision
ES-18-0001

Policy MS-2.3: Restrict the development of new commercial and multifamily structures to locations within the limited boundaries designated for the Market Street Corridor.



Multifamily and commercial development should remain in designated areas within the [Market Street Corridor](#) and not extend into the single-family residential core of the Market and [Norkirk Neighborhoods](#) or beyond 19th Avenue to the north. The slope and alley parallel to the east side of Market Street provide a break between the corridor and the residential core of the [Norkirk Neighborhood](#). The break is not as well defined on the west side of the street between the corridor and the [Market Neighborhood](#) residential core; however it is generally located adjacent to properties that directly abut Market Street.



5. Transportation

Market Street is a principal arterial that is the most traveled route into and along the borders of both the Market and [Norkirk Neighborhoods](#). It also plays an important Citywide role since it is the only principal arterial west of Interstate 405 between NE 85th Street and NE 116th Street. Most of Market Street is fully improved with one lane in each direction, and a series of left turn pockets. The street is fully developed with curbs, gutters, sidewalks, a landscape strip and bike lanes. A landscape median provides additional green space while controlling left-turn movements. A center turn lane north of the 7th Street West intersection extends to Forbes Creek Drive.

Goal MS-3: Maintain Market Street as a transportation corridor with a balance among transportation modes.

Policy MS-3.1: Promote transportation improvements that adequately support the existing and planned land uses in the Market Street Corridor and the adjoining neighborhoods.

Transportation improvements should maintain vehicular capacity on Market Street; minimize traffic delays; enhance connectivity between the Market and [Norkirk Neighborhoods](#); and discourage shortcuts through the neighborhoods.

Policy MS-3.2: Improve local access to Market Street from the Norkirk and Market Neighborhood residential areas.

Initial research indicates that such issues as pedestrian safety, sight distance problems, short acceleration lanes, speeding, lack of gaps for entry traffic, and transition to a 25 mph zone near the downtown all contribute to general traffic flow problems, particularly during peak hours. Possible solutions include: simplifying intersections; creating gaps in the traffic; and calming or slowing traffic on Market Street. Ongoing observation and study will be necessary to ensure that Market Street will continue to function as a principal arterial while providing efficient access to adjacent neighborhoods.



Pedestrian amenities

Policy MS-3.3: Encourage the use of nonmotorized transportation modes by providing facilities for pedestrians and bicyclists throughout the subarea.

Pedestrian improvements, including adequate pedestrian crossings between the Market and [Norkirk Neighborhoods](#), should be installed at appropriate locations to improve pedestrian safety and enhance the pedestrian environment. The installation of these improvements should be funded by the City and, when appropriate, also required as new development occurs.

Transit service is an important element of the City's transportation system. Metro Transit serves the Market and [Norkirk Neighborhoods](#) with routes along Market Street that provide service to the Kirkland Transit Center, Downtown Seattle, Totem Lake, Bellevue and other surrounding areas. As automobile traffic increases, alternative modes of transportation become more necessary. The [Market Street Corridor](#) is one of the main north/south connections through the City and is also a main transit route.



Bus shelter on Market Street

6. Urban Design

Goal MS-4: Identify and enhance the distinct characteristics of the different sections of the Market Street Corridor.

Policy MS-4.1: Maintain and enhance the character of the historic intersection at 7th Avenue and Market Street.



Intersection at 7th Avenue and Market Street

Existing historic resources should be considered when adjacent structures are being rebuilt or remodeled. The scale and design features of the historic buildings at the intersection of Market Street and 7th Avenue should be taken into account when development in that area occurs.

Policy MS-4.2: Utilize design review to administer building and site design standards in appropriate sections of the Market Street Corridor.

Design review is appropriate for the area surrounding the Market Street and 7th Avenue intersection (see Figure MS-3). It can also be a practical tool for other multifamily and commercial development along the corridor. The design review process can be used to review site and building design issues such as building placement, landscaping, and building details, as well as public improvements including sidewalk width and street furniture.



Goal MS-5: Provide streetscape, gateway and public art improvements that contribute to a sense of identity and enhanced visual quality.

Policy MS-5.1: Provide streetscape improvements that tie together the various sections of the Market Street Corridor.

Historic street lights, a consistent street tree plan, and pedestrian seating can all be used to add character and reflect the feeling of the corridor. The landscape strip on the east side of Market Street adds interest and provides

a more secure pedestrian environment. Additional street trees should be considered on the west side of Market Street. The City should also consider funding historic street lights within the historic district and possibly other areas of the corridor.

Policy MS-5.2: Construct and improve gateway features at the locations identified in the Market and Norkirk Neighborhood Plan Urban Design Sections.

Desired gateway feature locations are indicated on Figure MS-3. Improvements such as landscaping, signs, public art, and other features that identify the neighborhood can be included if they are appropriate for a location. Public investment will be necessary in most instances, but the City can also pursue opportunities to work with private property owners to install gateway features as part of future development.

Goal MS-6: Provide transitions between low-density residential uses within the neighborhoods and the commercial and multifamily residential uses along Market Street.

Policy MS-6.1: Promote development regulations that address transitions and protect neighborhood character.

The building mass and/or height of the higher density structures should not overwhelm adjoining low-density uses. Landscape buffers should be used to soften and separate uses by creating a transition zone. Some of the existing buildings may also need enhanced landscaping in order to prevent commercial structures from having a negative impact on adjoining residential uses.

Policy MS-6.2: Establish multifamily building and site design standards that enhance neighborhood compatibility.

Building and site design standards should address issues such as building placement on the site; site access and on-site circulation by vehicles and pedestrians; building scale; site lighting; landscaping (including that for parking lots); signs; preservation of existing vegetation; and buffers between multifamily developments and single-family housing.

Policy MS-6.3: Orient commercial uses toward Market Street.

Commercial development which is oriented toward Market Street will have less impact on the adjacent low-density residential areas in the surrounding neighborhoods.





Figure MS-3: Market Street Corridor Urban Design Features

The Kirkland Municipal Code is current through Ordinance 4713, passed December 10, 2019.

Disclaimer: The City Clerk's Office has the official version of the Kirkland Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.kirklandwa.gov/> (<http://www.kirklandwa.gov/>)

City Telephone: (425) 587-3000

Code Publishing Company (<https://www.codepublishing.com/>)

Tony Leavitt

From: Melissa Thirloway <Thirloway@msn.com>
Sent: Tuesday, February 04, 2020 7:44 PM
To: Tony Leavitt
Cc: thirloway; Jeff Thirloway
Subject: Additional comments, Case # VAR18-00070

Tony Leavitt, Project Planner
City of Kirkland
Planning and Building Department
123 Fifth Avenue
Kirkland, Washington 98033

Re: Case # VAR18-00070

Dear Mr. Leavitt,

Since the hearing examiner allowed two weeks for additional remarks, we'd like to submit these follow-up remarks to hearing of this case on January 30th, 2020.

During the hearing on 1/30/20, traffic problems were discounted as an impediment to granting the requested variances. However, traffic patterns were presented as if in a neutral environment and not with real-world consequences. While there may be more, we anticipate at least two such consequences in addition to those presented on 1/30/20:

- During evening rush hour when Market Street northbound is moving at a crawl (it has taken ten minutes to drive one block at this time of night), the employees of the dental building will be ending their day and going home. This means at this peak time, clients' and employees' cars will be leaving the neighborhood and the garage and may be attempting to turn left from 10th Ave. W. onto northbound Market. The often relentless onslaught of northbound traffic will prohibit them from doing so, and traffic will build up at the stop sign on 10th Ave. W., and sit idling for long periods of time in front of the houses on 10th Ave. W. This will add to noise and air pollution for those homes along 10th Ave. W.
- It has been our experience that drivers, eager to turn left onto Market St. from 10th Ave. W., wait at the stop sign while their car has crossed over the unlined mid-point of 10th Ave. W. This hinders cars turning left from northbound Market onto 10th Ave. W., creating a driving hazard.

More history on the 2003 and 2007 building proposals:

- There was also some discussion at the 1/30/20 hearing about the history of variances on this site. One was granted to Curtis Gelotte in 2003, which allowed for a five-year option to build as approved. In 2007, an agent for Ben Green approached us and wanted to negotiate building a different building on this site, which required different set-backs. In exchange for our agreement to reduce the 15 foot

variance-approved set-back on 10th Ave. W., they were going to pay to move the fire hydrant then (as it is currently) located at 235 10th Ave. W. to 1009 Market St., freeing up another parking space on the 200 block of 10th Ave. W. The city had knowledge of this agreement and documents were prepared. However, we had reason to doubt the motives and sincerity of the builders, and never signed this agreement. Excavation for this new building was begun anyway.

- We do not remember a new variance request, or a hearing for such, or other any public notification in 2007. This omission prohibited other interested parties from becoming aware of the change of plans, or presenting any testimony on the change of plans and subsequent approval of a change of variance.

As a way to discount and deflect our concerns about the impact of this building on our neighborhood, during his rebuttal testimony on 1/30/20, the architect presenting the variance request stated that Dr. Green wants to be a good neighbor. Here are several examples of why we question this statement:

- After years of objections, Dr. Green has not demonstrated substantive concern about the objections of those of us who live in the neighborhood and have first-hand experience of the flow of traffic, the parking issues, and an interest in maintaining the character of the neighborhood. Since purchasing the Gelotte plan with approved variances, which we assumed he planned to build, he has only increased the size and impact to the neighborhood of each of the successive buildings he has proposed building.
- He doesn't proactively care about the safety of his neighbors – he repeatedly has allowed weeds and grass to grow to dangerous heights during the fire season. This has prompted neighbors to go to the city to make sure he cuts them down, particularly before the 4th of July when random fireworks present a dangerous possibility of starting a fire on his lot, threatening our homes.
- He did not conform to the language of the original variance, which required existing trees to be incorporated into the landscape barrier required by the variance. Instead, he neglected them, and even excavated so close to their root balls that they died. Since landscape barriers offer a major mitigation of the impact to the character of the bordering residential neighborhood, Dr. Green's commitment to following the decisions of this process remain a huge concern.
- He has destroyed the character of the neighborhood by placing huge temporary signs on this site advertising his business north on Market. I have no idea if these signs met code, or were approved by the city. They did not stay up long so I'm assuming they did not.

About the landscaping barrier along 10th Ave. W.:

- After almost 20 years of talking about what developing this property would mean, oddly it never occurred to us until now that a driveway cannot be landscaped – we just envisioned landscaping would separate this building from our home and reduce its impact. This project's driveway on 10th Ave. W. is directly opposite our front door. The way this building will look to us is a 25-foot-high wall stretching the entire north-south length of the lot, with a two-car-wide driveway pointed right at us. Since you can't plant concrete, there would have to be significant landscaping plans to hide or obscure the driveway to make it fit into a residential neighborhood. If a variance is allowed, landscaping design to mitigate the impact of the driveway should be specifically stated, as well as a process for redress if not carried out and maintained.

- Another solution would be to move the driveway access to 1009 Market from its current location on 10th Ave. W. to a spot further north on 10th Ave. W. The home on the corner of 10th Ave. W. and 3rd St. W. (facing onto 3rd St. W.) has its own landscaping barrier along their property on 10th Ave. W. and the negative visual impact to them would be less.

Additional concerns raised by testimony on 1/30/20:

- After hearing about the impact of light and noise from the Dibble Building, we, too, would be concerned that light, noise, and detritus (dust, odors, chemical fumes) from the dental building would flood nearby homes.

Again, given that we anticipate a strongly negative impact of allowing the variances requested in this case, we propose the city purchase this land and use it as a public park. We feel that Kirkland's reputation for its parks and recreational areas is a source of city pride and encourages tourism. We believe turning this lot into a park is a benefit to the city.

Sincerely,

Melissa and Jeff Thirloway

Melissa and Jeff Thirloway
235 10th Ave. W.
Kirkland, WA 98033
thirloway@gmail.com; jlthirloway@msn.com

Sent from [Mail](#) for Windows 10



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

MEMORANDUM

To: Susan Drummond, Kirkland Hearing Examiner Pro Tem

From: Tony Leavitt, Senior Planner

Date: February 13, 2020

Subject: **MARKET STREET DENTAL CLINIC VARIANCE, VAR18-00070**

At the Public Hearing on January 30th, the Hearing Examiner requested that the record remain open until 5pm on February 13th in order to allow the Public Works Transportation Engineer time to review and respond to the presentation that Nicole and Ken MacKenzie gave during the public hearing. Additionally, the record was kept open for any additional public comments.

Attached is a memorandum from Thang Nguyen (City of Kirkland Transportation Engineer) that concludes that the proposed building, with a setback of zero feet from the front property line, will have no impact on the sight distance for vehicles entering Market Street from 10th Avenue West and that the proposed project driveways on 3rd Street West and 10th Avenue West have adequate sight distance.

As noted in the Staff Advisory Report dated January 23rd, the project must comply with the Process IIA Zoning Permit Approval Criteria which states that an application may be approved if it:

- (1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
- (2) It is consistent with the public health, safety, and welfare.

Based on the sight distance review memorandum provided by the Public Works Department, Planning Staff concludes that the proposed application complies with these criteria and should be approved with conditions as outlined in the Staff Advisory Report. The proposed building will have no impacts on the existing sight distance conditions and will not create safety issues for vehicles accessing the site and driving on adjacent streets. The project is not required to mitigate any existing traffic conditions. Neighbors may contact the City's Neighborhood Traffic Coordinator to resolve any traffic concerns that they may have.

Enclosures

1. Public Works Memo with Attachment



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

MEMORANDUM

To: Tony Leavitt, Senior Planner

From: Thang Nguyen, Transportation Engineer

Date: February 10, 2020

Subject: Market Street Clinic Sight Distance

The purpose of this memo is to clarify the sight distance measurement requirements for the proposed project and to respond to the presentation made at the public hearing by Nicole and Kenneth MacKenzie. Staff also reviewed the information provided in a letter from Ross Tilghman.

Staff Summary

- The applicant is not required to mitigate the sight distance at an existing intersection (Market Street/10th Avenue West).
- The location to measure sight distance at Market Street/10th Avenue West is 14 feet from the edge of the bike lane closest to the curb.
- Stopping sight distance (minimum sight distance) is the requirement for the project.
- Accounting for the grade on Market Street, the measured stopping sight distance at Market Street/10th Avenue West exceeds the requirement.
- The building's awning will not block the required stopping sight distance.
- There is adequate sight distance for the project driveways.
- There is no correlation between increase traffic volumes and traffic crashes when there is adequate sight distance.

Sight Distance Measurements

The applicant is required to provide adequate sight distance at the project driveways. The applicant is not required to provide or mitigate the sight distance at an existing public intersection, but any new structures or landscaping may not obstruct the sight distance

The intersection of Market Street and 10th Avenue West is required to meet sight distance for a Type-B intersection (see Attachment 1). For an existing intersection that is not a high accident location, the sight distance required is the "minimum" stopping sight distance listed in Table 2 of Policy R-13 of the Public Works Pre-Approved Plans. The required stopping sight distance for a 35 miles per hour street with up to 3% grade is 250 feet and for grades from 3% to 6% it is 275 feet (based on 2018 AASHTO Green Book 7th Edition). The grade on Market Street is approximately 5%. The sight distance looking north on Market Street is not affected by the skewed angle of the intersection of

Market Street and 10th Avenue West, therefore the adjustment for a skewed angle intersection is not applicable.

The location of the sight distance triangle is measured 14 feet back from the closest edge of the travel lane. If there is no on-street parking, it is 14 feet back from the face of curb. If there is on-street parking and bike lane, it is measured 14 feet from the edge between the bicycle travel lane and the parking lane. Figure 1 illustrates the locations where the sight triangle is measured from relative to the right-of-way lane configurations. Market Street has a 7-foot wide parking lane and a 5-foot wide bicycle lane. The intersection of Market Street and 10th Avenue West is a low accident intersection; therefore, it is appropriate to exclude the parking area from the travel way for the sight distance measurement.

Figure 1. Example of Sight Distance Measurements

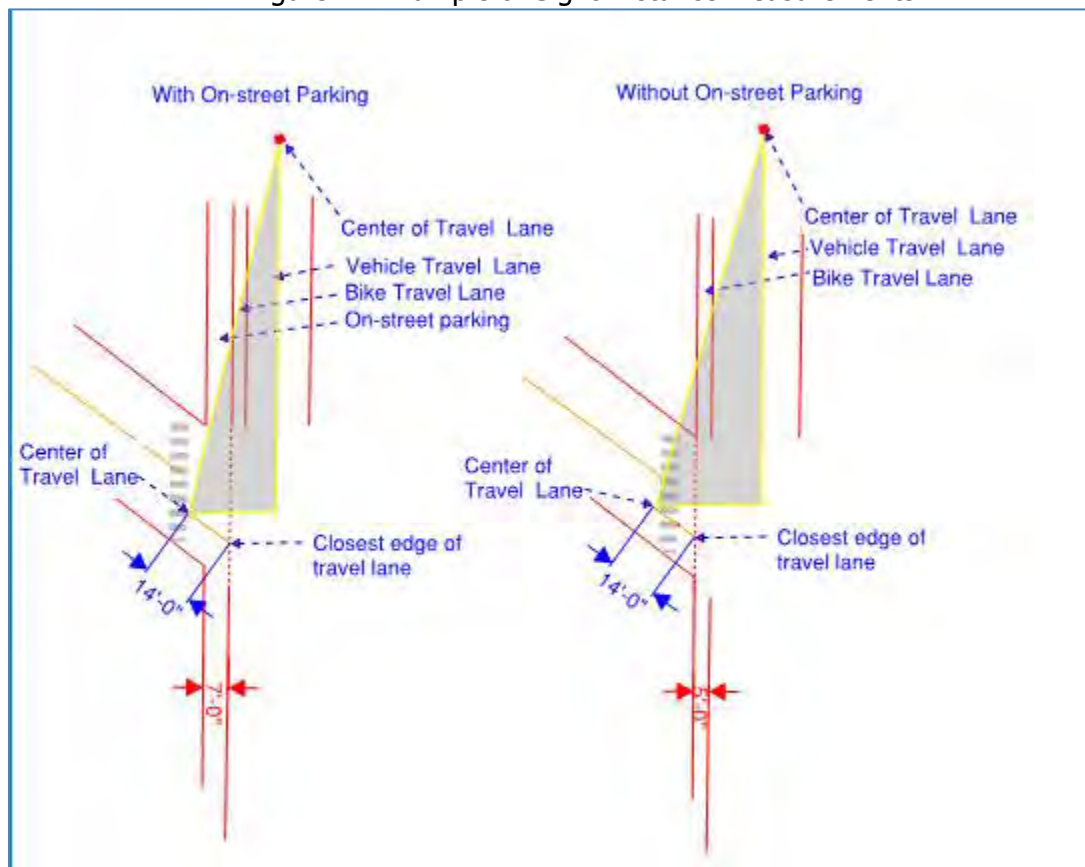
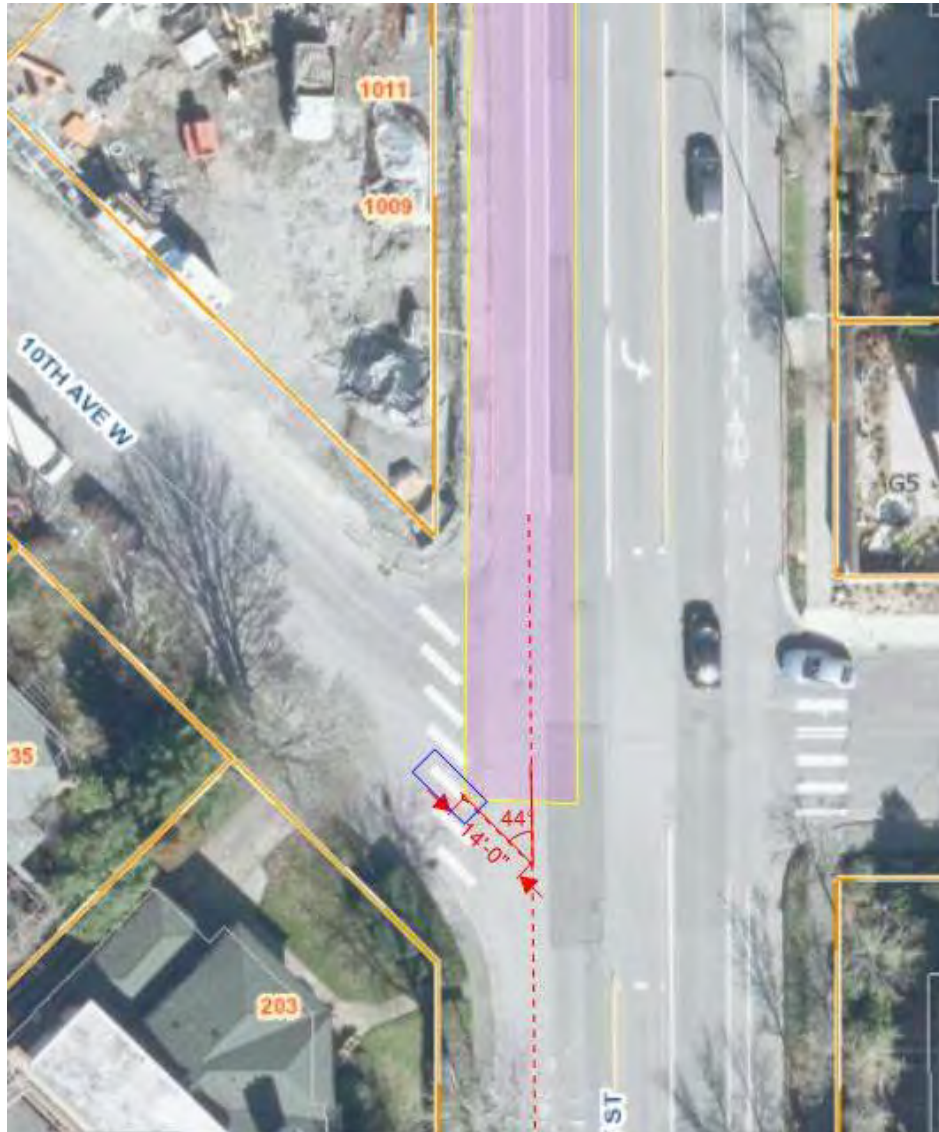


Figure 2 illustrates the point where the sight distance is to be measured. This approach is consistent with the approvals for other developments along Market Street. The MacKenzie's assertion that the measurement should be taken 14 feet from the face of curb is not consistent with how Public Works staff measures sight distance.

Figure 2. Point of Sight Distance Measurement



The measured sight distance at this intersection of Market Street/10th Avenue West is over 500 feet, which exceeds the required minimum sight distance of 275 feet. Realistically, there is approximately another eight feet from the point of measurement for a driver to move forward to increase the sight distance without encroaching into the travel lane.

As shown in Figure 2, the sight distance triangle is outside of the property line. Therefore, the awning of the proposed building will not obstruct the sight distance at the intersection of Market Street/10th Avenue West. Furthermore, on-street parking on Market Street is prohibited within 70 feet of the intersection of Market and 10th Avenue

West. This will provide a clearer view of vehicles approaching 10th Avenue West from the north.

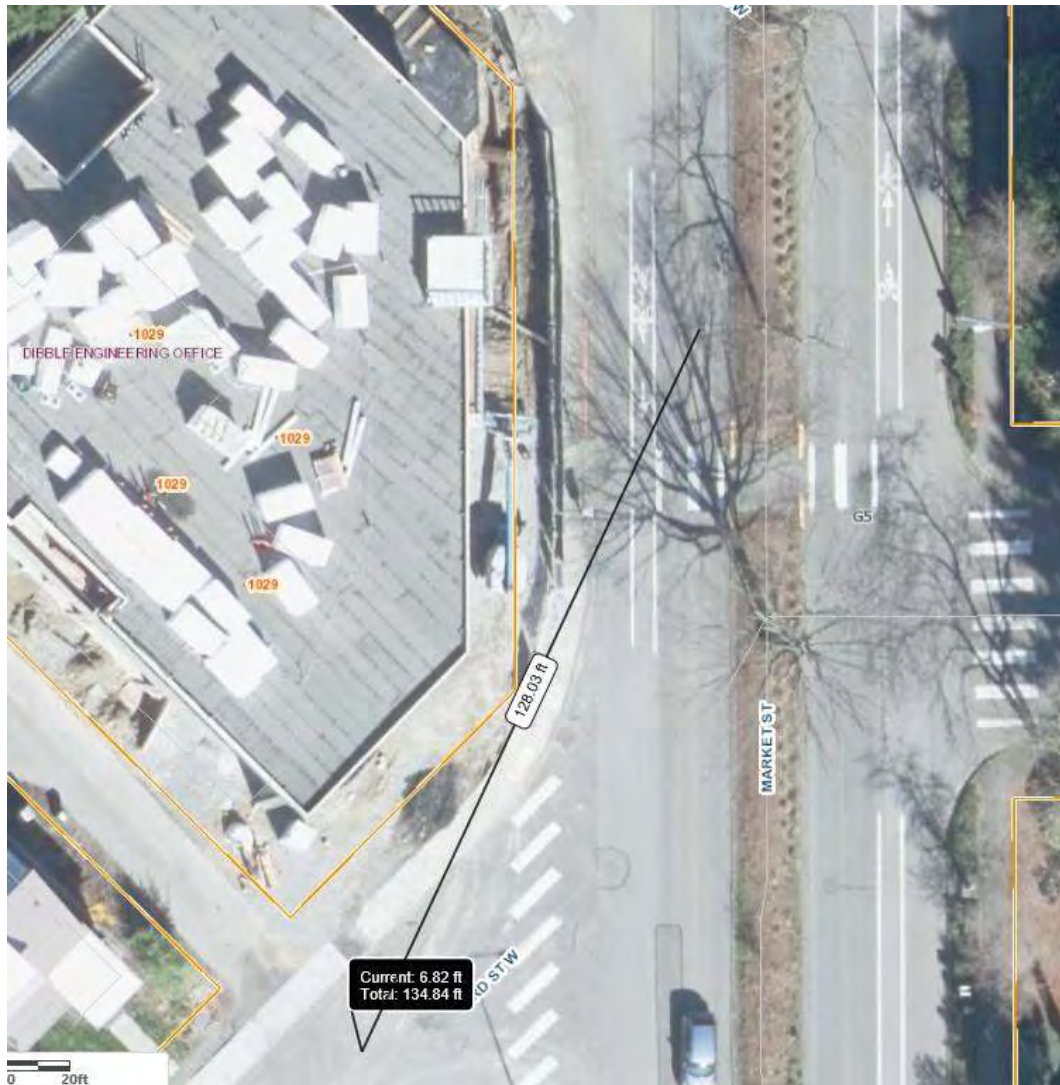
The required stopping sight distance for a driver turning onto 3rd Street West from Market Street is approximately 127 feet, adjusted for the grade on Market Street (based on 2018 AASHTO Green Book 7th Edition). As shown in Figure 3, with a vehicle waiting on 3rd Street West to turn into the project site, the measured site distance is approximately 167 feet.

Figure 3. Stopping Sight Distance for The Driveway on 3rd Street West



Figure 4 shows the sight distance needed for two vehicles stopping on 3rd Street West. The stopping sight distance is 128 feet, which meets the required stopping sight distance for the 3rd Street West.

Figure 4. Sight Distance



There is no evidence to suggest that increased traffic on Market Street will increase vehicle crashes when adequate sight distance is provided at the intersections in question.

The 2002 development proposal proposed a driveway on 3rd Street West that was much closer to Market Street and did not have adequate stopping sight distance and it was conditioned that it may have required a c-curb to eliminate left turns into the site. The current proposed driveway meets the safe sight distance requirements and would not require a c-curb. It should be noted that a c-curb has been installed with a neighboring office development.

Attachments:

1. Public Works Pre-Approved Plans Policy R13

CITY OF KIRKLAND

123 FIFTH AVENUE • KIRKLAND, WASHINGTON 98033-6189 • (425) 587-3800

**DEPARTMENT OF PUBLIC WORKS
PRE-APPROVED PLANS POLICY****Policy R-13: INTERSECTION SIGHT DISTANCE****Sight Distance at Intersections**

1. General – These guidelines establish the sight distance triangle that must be kept clear of sight obstructions for all intersections and driveways pertaining to new developments. They are also applicable to the investigation of sight-distance complaints at existing intersections and driveways. The sight distance triangle depends primarily on the required visibility for drivers and pedestrians at intersections and driveways. It is determined by the type of intersection control (stop or yield sign, traffic signal or no control) and the speed limit on the major road or street entered upon. In the following sub-sections, the sight distance requirements used to properly establish sight distances triangles at various types of intersections and driveways are presented. Table 2 on page 2 lists recommended (desirable) and minimum (required) sight distances values and Figures 1, 2, 3a, 3b and 4 on pages 5 through 8 show corresponding sight distance triangles.
2. Types of Intersections and Driveways. – Table 1 below summarizes the characteristics of various types of intersections and driveways.

TABLE 1: Types of Intersections and Driveways. Use this table to determine type (A through F)

All cases except driveways			
Type	Average Daily Traffic (ADT) on Major Street or Street Entered Upon.	Control Type	Speed Limit (MPH) on Major Street or street entered upon.
A	< 1000	None	25
B	Any	Stop sign	Any
C1	< 1000	Yield (four-legged intersection)	25
C2	< 1000	Yield (T intersection)	25
D	Any	Signal	any
F	Cases not covered by Types A through D		
Driveways (includes vehicular access easements and tracts)			
Type	Driveway PM Peak Volume	Major Street Average Daily Traffic	
E1	<10	<6000	
E2	10 ≥ and < 50	Any	
E3	50 ≥ and ≤ 200	Any	
E4	> 200	Any	
F	Cases not covered by Types E1 through E4		

3. How to Establish Sight Distance Triangles– Sight distance triangles for various types of intersections and driveways are shown in **Figures 1, 2, 3a and 3b** on pages 5 through 7. In these figures, the sight distance triangles are represented by the shaded areas. Point A, or driver's decision point, represents the location of the driver; Point B is located on the major road at a specific distance (to the right and to the left) from the driver. This distance, referred to as the required sight distance, represents how far (on the major road) the driver should be able to see so as to safely exit a minor road or driveway or to make a right turn on red at a signalized intersection. In Figure 4 on page 8 the driver/pedestrian sight distance triangle also referred to as "pedestrian/driver inter-visibility area" is represented by the shaded area. This is the area that must be kept free of obstructions thus drivers exiting a driveway can see approaching pedestrians on the sidewalk and vice versa. Figure 4 does not apply to entrance to buildings and/or parking lots located inside buildings. **Table 2** on page 2 shows (in the right most columns) the sight distances values that need to be used to determine the sight distance triangle at various types of intersections and driveways.

For **uncontrolled intersections** (no traffic light, stop sign or yield sign described in **Type A/Figure 1**) or a **yield-controlled intersection** described in **Type C/Figure 3a**, contact **Iris Cabrera**, City Transportation Engineer, at **425-587-3866** to have the Public Works Department determine the required sight distance triangle.

TABLE 2: Sight Distance Triangle Guidelines

Type of Intersection or Driveways	Distance from Edge of Traveled Way (ft)	Major Street (Street Entered Upon)			
		Average Daily Traffic	Speed Limit (MPH)	Sight Distance Value (ft) (a) (B-C1) and (B-C2)	
				Recommended (Desirable)	Minimum (Required) (d)
A – Uncontrolled (See Figure 1)	115 (b)	<1000	25	115	115
B - Stop Control on Minor Street (See Figure 2)	14	Any	25	280	150
			30	335	200
			35	390	250
C - Yield Sign On Minor Street					
C-1: Four-Legged Intersection (See Figure 3.a)	130 (c)	<1000	25	295	295
			30	355	355
			35	415	415
C-2: T- Intersection (See Figure 3.b)	80 (c)	<1000	25	295	295
			30	355	355
			35	415	415
D – Signalized Intersection (See Figure 2)	14	Any	25	240	150
			30	290	200
			35	335	250
E1 – E4 Driveways (See Figure 2)					

E1 (<10 Peak Hour Trips)	10	<6000	25	150	150
			30	200	200
E2 (10-49 Peak Hour Trips)	14	<6000	25	150	150
			30	200	200
			35	250	250
		>6000	25	280	150
			30	335	200
			35	390	250
E3 (50-200 Peak Hour Trips)	14	<6000	25	150	150
			30	200	200
	14	>6000	25	280	150
			30	335	200
			35	390	250
			35	390	250
E4 (>200 Peak Hour Trips)	14	<6000	25	280	150
			30	335	200
	14	>6000	25	280	150
			30	335	200
			35	390	250
			35	390	250
E1-E4 (See Figure 4)	80 (e)	NA	NA	22 (f)	NA

Footnotes:

- (a) These values should be adjusted for grades with slopes of a magnitude of grade greater than 3%, number of lanes greater than two, for skewed intersections or for design vehicles other than passenger cars, using the intersection sight distance procedures in Chapter 9 of a Policy on Geometric Design, AASHTO, 4th Edition
- (b) Distance back from center of intersection.
- (c) Distance back from point C1 or C2 for types C-1 and C-2 intersections.
- (d) Minimum (Required) only permitted if Recommended (Desired) is not possible (see page 3 for further explanation).
- (e) Distance from back of the sidewalk.
- (f) Distance parallel to the sidewalk from the center of the driveway.

- a. The values in **Table 2** on page 2, referred to as **Recommended (Desirable)** sight distance are based on the intersection sight distance procedures in Chapter 9 of A policy on Geometric Design, AASHTO, 4th Edition.
- b. The values on **Table 2 on** page 2, referred to as **Minimum (Required)** sight distance are based on the stopping sight distance values in Chapter 3 of A policy on Geometric Design, AASHTO, 4th Edition.
- c. The **Recommended** values are required. If the **Recommended** values cannot be reasonably obtained due to the presence of fixed structures that cannot be removed or roadway features such as horizontal and vertical curves then the driveway shall be relocated or designed to maximize sight distance, but in no way can the sight distance be less than the **Minimum** value. The **Minimum** values may be permitted, on a case-by-case basis, on streets that allow angle parking and have 25 MPH speed limit.

- d. To determine the **Average Daily Traffic for Intersections A, B, C, C-1, C-2 and D**, see the Traffic Count Summary attached to the instructions (see Attachment 2), or the "Sight Distance Procedures" section in the Public Works home page on the City's web site at www.kirkland.wa.gov go to City Departments (blue tabs on left side), Public Works (listing on right side), Transportation and Streets (blue tabs on left side), Streets, Sight Distance Procedures.
- e. To determine the **Average Daily Traffic for Driveways E1 through E4**, use the PM Peak Trips Calculation Spreadsheet under the "Sight Distance Procedures" section in the Public Works home page on the City's web site at www.kirkland.wa.gov (go to City Departments (blue tabs on left side), Public Works (listing on right side), Transportation and Streets (blue tabs on left side), Streets, Sight Distance Procedures). Using the spreadsheet, insert the size of the project and the formula will calculate the average daily trips for the use(s) on the subject property.

4. Permissible Intrusion in the Area To Be Kept Clear of Sight Obstruction

a. General – Except as stated in subsection (4)(b) of this section or unless specifically approved by the Public Works Director, no structure, improvement, vegetation or other objects may be within the area to be kept clear of sight obstructions between three (3) feet and eight (8) feet above the elevations of the pavement edge of each intersecting street, private driveway, or vehicular access easement or tract where that street, driveway or vehicular access easement or tract meets the points of the triangle that form this area furthest away from the intersection.

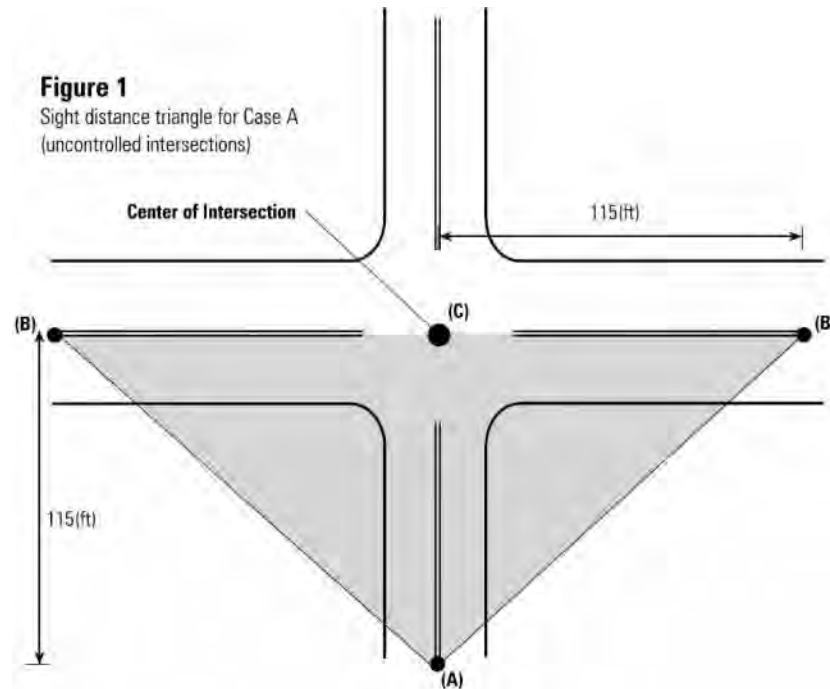
b. Exceptions – The following are permitted to be within the area that must be clear of sight obstructions:

Natural and fabricated objects and natural topography of the ground if the Public Works Director determines that adequate visual access is available. However, to fulfill the intent of this section, the Public Works Director may require land surface modification as part of any development activity on the subject property.

Type A – Uncontrolled Intersections

Uncontrolled intersections are not controlled by either stop or yield signs.

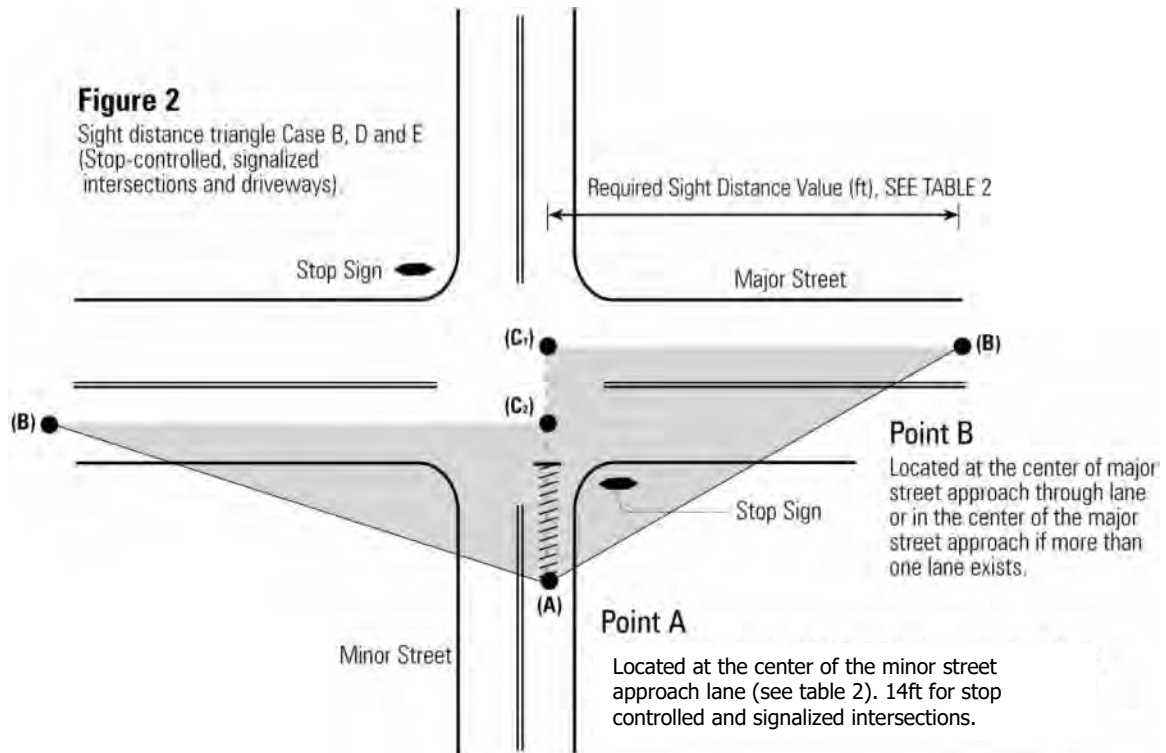
They are usually located on streets that carry very low volumes and have a 25 MPH speed limit. Figure 1 below shows the sight distance triangle for this type of intersection. In this Figure, Point A and point B are each located on the center of the intersecting street approaches, 115 ft from Point C, which is located at the center of the intersection. The sight distance triangle area that must be kept free of sight obstructions is the shaded area limited by segments AC, BC and AB.



Type B – Stop Controlled Intersections

Type B intersections are those at which the minor street approaches are controlled by stop signs. Sight distance triangle to the left is the shaded area bounded by segments A-B, B-C2 and A-C2; whereas sight distance triangle to the right is the shaded area bounded by the A-B, B-C1 and A-C1 segments as shown in Figure 2 below. Point A, or decision point, is located in the center of the minor street approach lane, 14 ft. from the edge of the major road's traveled way. **The traveled way is the portion of the road intended for the movement of vehicles and bicycles, exclusive of shoulders and turning lanes.** Point B is located on the center of the through lane on the major street (or in the center of the major street approach if more than one lane exists), a specific distance left and right from Points C1 and C2. The distance C1-B (same as C2 -B) is the required sight distance, which can be found in Table 2 on page 2.

Although it is not typical to do so, if a parking lane exists on the major street, it may be excluded from the traveled way in special cases. Usually these are cases where volumes and speeds are low and therefore the overall safety risk at the intersection is considered low.



Type C – Yield Controlled Intersections

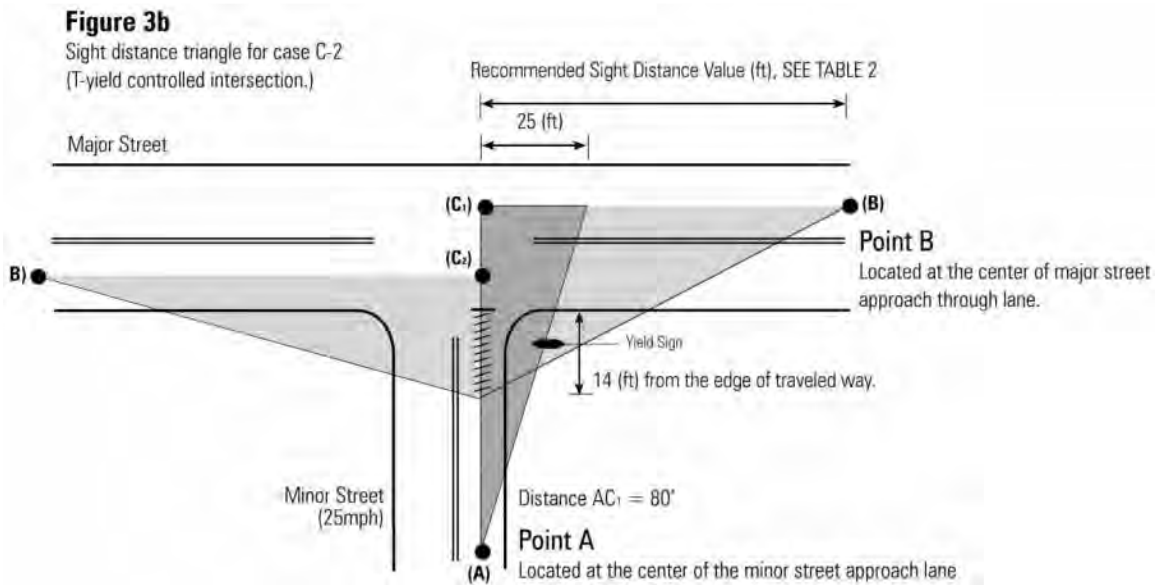
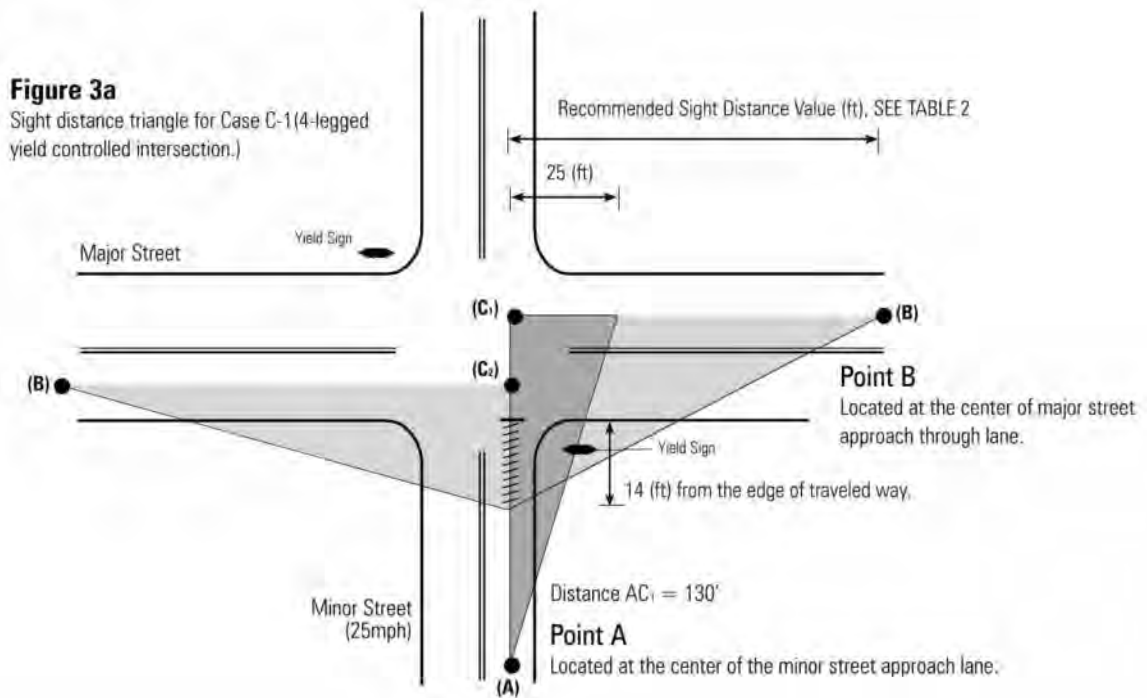
Two sight distance triangles need to be considered for Yield-controlled intersections: approach and departure sight distance triangles. **The approach sight distance triangle is the area that must be free of obstructions that may block an approaching vehicle's view of potentially conflicting vehicles. The departure sight distance triangle is the area that must be clear of obstructions that may block the view of a stopped vehicle.** These sight distance triangles are shown in Figures 3a and 3b on page 7 respectively for Types C-1, Yield-controlled Four Legged and C-2, Yield-controlled T intersections.

Figure 3a shows the approach sight distance triangles in dark shade and the departure triangle in light shade. Within the approaching sight distance triangle Point A is located in the center of the minor street approach lane, 130 ft from Point C1, which is located at the center of the major street approach lane. The driver should be able to clearly see from Point A, a distance equal to 25 ft from C1. At Yield –controlled T intersections (shown in Figure3b) on page 4, the recommended distance from Point A to C1 is 80 ft.

The departure sight distance triangle (shown as the light shaded area) at both types of yield controlled intersection is similar to the sight distance triangle at stop controlled intersections (Type B above on page 3) The driver's decision point or Point A is located in the center of the minor street approach lane, 14 ft. from the edge of the major road's traveled way. The **traveled way is the portion of the road intended for the movement of vehicles and bicycles, exclusive of shoulders and turning lanes.** Point B is located on the center of the major street approach through lane (or at the center of the major street approach if more than one lane exists), a specific distance to

the left and to the right of Points C1 and C2. This distance is the recommended sight distance, which can be found in Table 2 on page 2.

Although it is not typical to do so, if a parking lane exists on the major street it may be excluded from the traveled way in special cases. Usually these are cases where volumes and speeds are low and therefore the overall safety risk at the intersection is considered low.



Type D- Signalized Intersections and Signalized Driveways

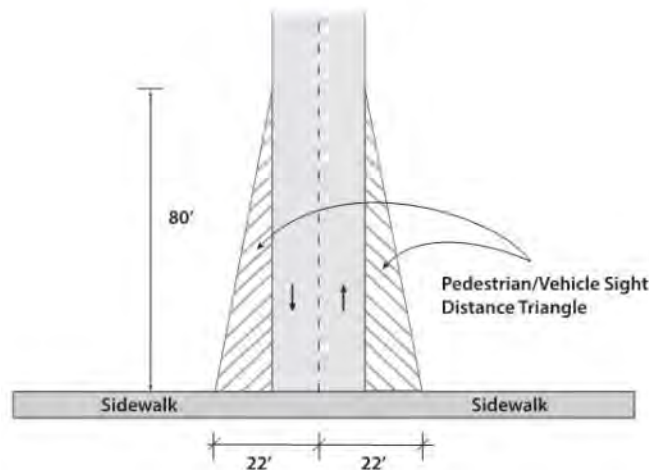
At signalized intersections and signalized driveways, in order to turn right on red, drivers should be able to clearly see vehicles approaching from the left; the applicable sight distance triangle is the shaded area bounded by the A-B, B-C1, and A-C1 setback lines shown in Figure 2 on page 6. Sight distance (B-C1) values are summarized in Table 2 on page 2.

Type E1 through E4 – Driveways not Controlled by Traffic Signals

Driveways not controlled by traffic signals operate as Type B, Stop-Controlled Intersections; therefore, the applicable sight distance triangles are shown in Figure 2 on page 6. For driveways Type E1, Point A is located 10 ft from the edge of the major route's traveled way. For driveway Types E2 through E4, Point A is located 14 ft from the edge of the major route's traveled way. Sight distances values (B-C1, B-C2) are summarized in Table 2 on page 2.

Additionally, drivers emerging from driveways must be able to see approaching pedestrians on the sidewalk and vice versa. In Figure 4 the shaded areas on each side of the driveway show the pedestrian/vehicle sight distance triangle or pedestrian/vehicle inter-visibility area which must be kept free of obstructions per Section 4 of these guidelines. The driver's point of view is located at the center of the driveway 80 feet from the back of the sidewalk. 80 feet is the stopping sight distance for a vehicle traveling at 10 MPH. The required sight distance is measured parallel to the sidewalk 22 feet from the center of the driveway. This distance is based on the driver's effective field of vision.

Figure 4
Pedestrian/Vehicle Sight Distance
Triangle at Driveways



Type F- Intersections and Driveways not Covered in Types A-E.

The sight distance triangle for intersections and driveways that do not fit any of the types previously described are to be analyzed on a case by case basis.

Nicole and Kenneth MacKenzie
kirklandcity@screamforicecream.net
236 7th Ave W
Kirkland, WA 98033

February 11, 2020

Tony Leavitt, Senior Planner - tleavitt@kirklandwa.gov
City of Kirkland Planning and Building Department
123 5th Avenue
Kirkland, WA 98033

Ref: File Number VAR18-00070 – 1/30/2020 Hearing before the Kirkland Hearing Examiner
Regarding Market Street Dental Clinic Variance at 1009 Market St

Dear Mr. Leavitt,

We submit this letter and the attachments to the public record of the above-referenced matter in further support of the points we and others made during the January 30th hearing – the request for a setback variance on the Market St. front yard of this development does not meet the required criteria and should be denied.

Specifically, the variance request is contrary to all three variance criteria.

Criteria 1: Would granting the variance be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as a whole?

See attached letter report of traffic engineer Ross Tilghman.

Criteria 2: Is the Variance necessary because of special circumstances regarding the size, shape, topography, or location of the subject property; or the location of a pre-existing improvement on the subject property that conformed to the Zoning Code in effect when the improvement was constructed?

A variance on Market St is unnecessary as there are no special circumstances that require it. Yes, the property is oddly shaped and offers challenges to some kinds of development. However, the history of the parcel reveals that development is possible:

Date	Event	Description	Source
1946	Single family house constructed	From available photos, it appears to be a classic "Kirkland Rambler"	Attachments 2 & 3
2/14/2003	Setback variance granted by Hearing Examiner	4,200 square foot office building with underground parking for 13 cars proposed with driveway onto 10 th Ave W <ul style="list-style-type: none"> 3rd St W setback reduced to 5' 10th Ave W setback reduced to 10' Market St setback unchanged at 20' 	January 30, 2020 Hearing Examiner Packet pages 37 & 46.
2/7/2007	Application for Building Permit BLD07-00107 submitted	"To build a mixed use bldg. with 13 car garage below; 1 st floor 2,700 sq. ft. shell for 1 office & 2nd floor 2,700 sq. ft. for 1 residential unit" (Total 5,400 sq. ft.)	Attachment 2
5/14/2007	Statutory Warranty Deed recorded	Transfer property to Benjamin J Green	Attachment 3

8/15/2007	BLD07- 00756 Issued	Demolish single family residence	Attachment 3
10/9/2007	BLD07-00107 Issued	5,400 sq. ft. mixed use building referenced above	Attachments 2 & 3
12/20/2007	LSM07-00055_P Issued	Land Surface Modification permit issued for application that included a site plan showing no Market St setback variance.	Attachment 4
12/16/2009	Request to cancel BLD07-00107	Letter from Dr. Benjamin Green to City of Kirkland Building Division referring to “my building permit”.	Attachment 5

This trail of requests and approvals documents clearly that a useful building can be constructed on this parcel while maintaining the required 20 foot front yard setback on Market St. – neither the 4,200 square foot office building contemplated in the 2003 variance request nor the 5,400 square foot mixed office and residential building which was the subject of the 2007 permit application required a Market St. setback variance. Mr. Green purchased the property while the building permit application for the 5,400 square foot building was pending. More than 2 years elapsed from the time the building permit was issued to Mr. Green and his request to cancel it. Nine years later, Mr. Green submitted an application for three variances, including for the Market St. setback, in order to build a 5,387 square foot dental clinic – a building smaller than that of the 2007 building permit.

The point here is not to debate whys and wherefores about the building size and configuration. The history of the parcel and the various development requests made and granted by the City clearly and definitively defeat the conjecture that the geometry, layout, or circumstances of the parcel require a Market St setback variance. Indeed, the applicant may want a variance for some reason, but that is not part of the criteria. Nor do the criteria ask if a variance is necessary to accommodate a specific use – such as a medical office building – but whether one is necessary in order to accommodate *any* approved use for the designated Zone.

The applicant has clearly not met and cannot meet the requirements of variance request criteria 2.

Criteria 3: How would the Variance not constitute a grant of special privilege to the subject property which is inconsistent with the general rights that this Code allows to other property in the same area and zone as the subject property?

This property is part of the MSC-1 zone which applies to most all of the Market Street Corridor. MSC-2, MSC-3, and MSC-4 are small scattered zones along Market St where different rules apply for historical or land use reasons. Contrary to the applicant’s statement supporting the variance application and available on MyBuildingPermits.com (attachment 6), no buildings in MSC-1 have a zero front yard setback along Market St.

Granting the requested variance along Market St would create a visual and land use discontinuity along the Market Street Corridor that would be at odds with the “Market Street Corridor Neighborhood Plan” vision and specification. This plan is part of chapter 15 of the City’s “Comprehensive Plan.”

The most recent nearby development in MSC-1 is the Dibble Engineering Building which is located on Market St. just across 3rd St W from the subject property. On February 6, 2017, the Design Review Board approved what it termed “a minor variation to allow reduced front yard setbacks on Market ST, 3rd ST W and 11th Ave W” (see attachment 7). The approved setback for most of the parcel along Market St. is 14’, the approved setback along 11th Ave. W is a constant 15’ 6”, and the approved setback along 3rd St. W is a constant 16’.

Conclusion

Since the burden of proof that a variance request is appropriate lies with the applicant and since the applicant has clearly failed to demonstrate compliance with any of the three requirements for granting a variance, the variance for a 0' front yard setback on Market Street must be denied.

Regards,



Nicole MacKenzie



Kenneth E. MacKenzie

Attachments:

1. Letter from Ross Tilghman of the Tilghman Group reporting traffic safety issues at the intersection of Market St and 10th Ave W related to the proposed development.
2. Application for building permit BLD07-00107 with associated information about the existing single family house and proposed site plan.
3. Print out of a "Property Detail" report for 1009 Market St created on January 17, 2020 using the King County Department of Assessments web.
4. Site plan for Land Surface Modification permit LSM07-00055_P submitted to the City on 12/19/2007 and approved on 12/20/2007 (see page 2) showing the outline of the proposed building with 20' Market St front yard setback.
5. Letter from Dr. Green (owner of the subject property and ultimate applicant for the setback variance request) dated December 16, 2009 to the City of Kirkland Building Division requesting cancellation of building permit BLD07-00107.
6. Kirkland Land Use Application # 517552 for "Market Street Clinic" and associated "Supplemental" information regarding "Variance Criteria".
7. Design Review Board Decision 1029 Market ST, DRV16-03090.



10 February 2020

Hearing Examiner
 City of Kirkland
 Kirkland, WA

re: VAR18-00070 – 1009 Market Street Dental Clinic Variance

Dear Hearing Examiner:

I am writing on behalf of Ken and Nicole MacKenzie, neighbors of the proposed project, to express safety concerns about the project's effect on intersection sight distance at 10th Avenue W and Market Street, and the location of the project's 3rd Street W driveway. In making these comments, I have visited the site, measured sight distance and have reviewed the site plan and documents submitted for the January 30th hearing.

10th Ave W/Market Street

1. **The sight-distance requirement at this intersection is 412 feet, following Kirkland's Pre-Approved Plans Policy R-13: Intersection Sight Distance.** This is greater than the applicant's assumption of 390 feet. The difference is due to the fact that traffic turning left from 10th Avenue W to Market Street must cross two lanes (the through lane plus the center left-turn lane) for which drivers need additional time. Per Policy R-13, specific adjustments for the number of lanes are found in *A Policy on Geometric Design of Highways and Streets*, AASHTO, 7th ed., 9-44 and 9-45. Applying those adjustments yields a sight-distance of 412 feet. Additionally, the correct point of measurement for sight-distance is 14 feet back of the traveled way – effectively the edge of the road since the parking lane is rarely excluded from the traveled way. This, too, differs from the applicant's previous sight-distance diagram. Consequently, the sight triangle covers virtually all of the project's sidewalk and planting strip along Market Street.
2. **The requested setback variance puts the building too close to a driver's line of sight to see traffic on Market Street safely.** As shown on Figure 1, when measured from the correct point on 10th Avenue W, per Policy R-13, the driver's line of sight to the left (uphill on Market) crosses over the subject property. With no setback on Market Street, the proposed building comes right up to and may even interfere with the driver's line of sight. A more definitive determination requires more precise drawings than have been provided to date. Any limitation or interference in this sight triangle would violate Policy R-13's requirement "that no structure, improvement, vegetation or other objects may be within the area to be kept clear of sight obstructions between 3 feet and 8 feet above the elevations of the pavement edge of each intersecting street..."

Tilghman Group
 4618 44th Ave South
 Seattle, Washington 98118
 Voice: 206-577-6953 email: ross@tilghmangroup.com



Figure 1.

3. **The skewed intersection creates additional complications for obtaining unobstructed sight-distance.** 10th Avenue W intersects Market Street at a sharp 45-degree angle. This angle results from the intersection of divergent street grids in Kirkland many decades ago and greatly exceeds design guidance for intersections that encourage intersecting angles of 75-degrees or more (see *A Policy on Geometric Design of Highways and Streets*, AASHTO, 7th ed., 9-33). Drivers must therefore crane their necks to see on-coming traffic to the left. Not all drivers possess such good range of motion so the look over the shoulder can be difficult. The sharp angle indicates that additional caution is prudent when considering the adequacy of sight-distance at this intersection.
4. **The parking lane and landscaping present obstacles to maintaining clear sight-distance.** Vehicles parked along the project's Market Street frontage would block a driver's sightline to on-coming traffic since the parking lane falls in the middle of the required sight-triangle. Wider and taller vehicles such as large SUV's, vans, or RV's would exacerbate the blockage. Landscaping taller than a low shrub would also fall within the sight-triangle and potentially obstruct a driver's sightline, particularly given the slope of the street in which drivers must literally look up the hill. While the city's "Design Guidelines for Pedestrian Oriented Business Districts" indicates that street trees should be considered for the west side of Market Street, the street's slope and the planting strip's location within the sight triangle suggest that street trees would not be appropriate on this frontage since they could restrict sight-distance. These two factors compound the difficulty of all drivers obtaining a clear line of sight from the intersection's skewed angle. It would be prudent to prohibit parking along the project's frontage and to limit the height of landscaping to no more than 36" above grade.

3rd Street W Driveway

1. **The project's driveway on 3rd Street should be considered for right-in/right-out only traffic flow.**
The argument for this restriction is that the driveway falls far short of the required 75-foot spacing from the adjacent intersection at Market Street, leaving little room for traffic turning from Market to stop for a vehicle that might be waiting to enter the driveway. While analysis has shown sight-distance to be adequate at this driveway, the case of multiple arriving vehicles does not appear to have been tested. This problem could be avoided by restricting the driveway's movements so that vehicles would not be pausing on 3rd Street after turning off of Market Street.

Thank you for your consideration of this important safety matter

Sincerely,



Ross Tilghman

Ross Tilghman is a transportation planning consultant with his own firm, the **Tilghman Group**. He has 35 years of experience in analyzing transportation demands for a wide variety of land uses and in developing solutions to meet transportation needs. A full member of the Urban Land Institute, Mr. Tilghman is a frequent participant in ULI Advisory Service Panels working in communities around the country and has been active in developing ULI's Building Healthy Communities initiative. He currently serves on ULI's Suburban Development and Redevelopment Council. Tilghman recently completed five years as a Commissioner on the Seattle Design Commission, including a year as Chair.

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CITY OF KIRKLAND BUILDING PERMIT APPLICATION Permit # BLD07-00107
Hearing Examiner Decision Exhibit I

☒ **NEW COMMERCIAL/INDUSTRIAL/MULTIFAMILY** ☐ **COMMERCIAL ADDITIONS/ALTERATIONS**
☐ **MULTIFAMILY ADDITIONS/ ALTERATIONS** ☐ **NEW SITE-BUILT STRUCTURE**

#1 Site Address: 1009 + 1011 MARKET ST Project Name: G HORBANIAN COMMERCIAL SITE
Property Owner ABRAHAM GHORBANIAN Phone 425-450-5008
Property Owner's Address 22106 SE 51ST PLACE City, Zip Code ISSAQUAH, WA 98029
Describe Job to be Done 13 CAR GARAGE BELOW 2,000 # OFFICE BELOW 2,000 # RES.

#2 Contractor's Name TBD Contractor's Reg. # _____
(Company Name) Expiration Date _____
Contractor's Address _____ State UBI # _____
City, Zip Code _____ Phone _____
OR
I have read Chapter 18.27.010 relating to definitions of general contractors and specialty contractors and Chapter 18.27.110, which prohibits issuing permits without proof of registration.
OWNER/CONTRACTOR SIGNATURE: _____

#3 Contact Person GREG SETTER DR. Ben Greene Daytime Phone 425-822-0245
Address 710 2ND AVE. SUITE 1260 Alt. Phone 206-660-0803
City SEATTLE State WA ZIP 98104 Fax 206-287-1531
Email GLSC@SIENNAARCHITECTURE.COM

#4 Sewer District KIRKLAND Septic: Yes ☐ No ☒ Water District _____

#5 Total Estimated Project Cost \$400K Existing Building Valuation _____
Lender OWNER CASH
Address _____ Phone _____

#6 Property Tax Account Number (Parcel #) 388590-2055
Legal Description LOTS 1, 2, 3 AND 4 BLOCK 26 TOWN OF KIRKLAND, ACCORDING TO VOLUME 6 OF PLATS PAGE 53.
Please submit 3 separate 8 1/2 x 11 copies of the legal description with this application if it will not fit in space provided above.

#7 Type of Work:
☐ New Commercial Building - Total Building Square footage: _____ ☐ Commercial Addition - Sq ft. added: _____
☐ Commercial Alteration: Scope of work - _____
☒ New Mixed-Use Building (No. of Units 2) - Total Retail/Commercial Square footage: 2,134 #
☐ New Multi-Family Building (No. of Units _____) ☐ Multi-Family Addition ☐ Multi-Family Alteration
☐ Other _____
(Detention vault, Shoring, Rockeries, New Cellular facility, Comm/Multi-family Swimming pool, etc.)

#8 ☐ Will any structures be demolished as part of this permit? YES ☒ NO _____ How many structures? ONE
Describe structures to be demolished: 800 # 1 SINGLE FAMILY HOME
Show structures to be demolished on site plan. Attach the completed Demolition checklist (included in this application), and supporting required documents. **You must contact the Puget Sound Clean Air Organization regarding Asbestos requirements:**
by phone 1-800-552-3565 - or online: <http://www.pscleanair.org/asbestos/asbe-cont-info.shtml> for full details and to obtain asbestos forms, instructions, regulations or other questions. Failure to comply with asbestos requirements may result in penalties.
DEMO BLD07-00108
NOTE: : ANY DEMOLITION PERMITS OBTAINED SEPARATELY FOR THIS PARCEL MUST BE FINALED PRIOR TO ISSUANCE OF A BUILDING PERMIT

NOTE: The City of Kirkland is responsible for providing all Electrical permits. If electrical service is needed, please advise your Electrical Contractor to obtain an electrical permit prior to doing any work. If located in an RH zone in the Rose Hill Business District please refer to the RHBD Exterior Lighting Requirements for (KZS section 115.85) Questions? Call the Planning Department 425-587-3225.

MECHANICAL INCLUDED IN PROJECT? ☐ Yes ☒ No
NOTE: IF MECHANICAL WORK WILL BE DONE, AND IS NOT INCLUDED IN THIS APPLICATION, A SEPARATE PERMIT IS REQUIRED.

PLUMBING INCLUDED IN PROJECT? ☐ Yes ☒ No
NOTE: IF PLUMBING WORK WILL BE DONE, AND IS NOT INCLUDED IN THIS APPLICATION, A SEPARATE PERMIT IS REQUIRED.

#9 Number of Mechanical Appliances:
 (G = Natural Gas, E = Electric, OT = Other)

New	Move	Existing	
			Furnace
			Thermostat Wiring _____ LF
8		X	Unit Heater/Wall Heater
8		X	Vent Fans
			AC Units _____ tons
			Boilers/Compressors
			Air Handlers, _____ CFM
			Commercial Hoods
			Woodstoves/Fireplaces
2		X	Clothes Dryers
2			Ranges
			Log Lighters/BBQ's
			Gas Piping - _____ feet
			Gas Fireplace Insert
			Other

Fuel type
Size (BTU/kW)

E 10
E

E
E

#10 Number of Plumbing Fixtures (including rough-ins):
 New Move Existing

4			Bar Sink
			Bathtub or Combo Bath/Shower
2			Bidet
2			Clothes washer, Domestic
			Dishwasher, Domestic
			Hose Bibb, First
			Hose Bibb, Each Additional
2			Kitchen Sink, Domestic
			Laundry Sink
6			Lavatory (Bathroom Sinks)
			Lawn Sprinkler, Each Head
			Shower (Stand Alone)
6			Water Closet, (Toilet)
			Medical Gas System (Inlets/Outlets)
			Traps (Other than above items)
3			Water Heater
			Other- Describe _____
			TOTAL FIXTURES: 25

Estimated cost, mechanical portion only (excluding fire protection and plumbing) \$ _____

#11 Water Department Service
 (proposed) Meter Size _____

#12 Sewer Service

Side Sewer Contractor _____

Contractor's Address _____

City, Zip _____

Phone _____

#13 Street Use

Contractor's License No. _____ Work to be done: _____

#14 Will significant trees be removed as part of this project? How many? FIVE 4 copies of the Site Plan are required with this application. The Site Plan must show all of the significant trees, and you may be required to provide a certified arborist report. See the 2006 Tree Regulations (attached) for Tree plan II for new Commercial/Industrial, commercial Tenant Improvement, and Multi-Family construction, or contact the Planning Department (425-587-3225) for further guidance regarding tree retention regulations.

#15 If you THINK that this Construction project MAY take more than one year: you must provide a Construction Schedule prior to permit issuance. The schedule is subject to approval by the Building Official. Ref. KMC 21.06.255.

Will you be submitting a Construction Schedule? YES NO X

#16 ➤ By signing this application, I authorize employees/agents of the City of Kirkland to enter onto the property which is the subject of this application during regular business hours. The sole purpose of entry is to make any examination of the property which is necessary to process this application.
 ➤ By signing this application, I acknowledge that I understand and will comply with the Puget Sound Clean Air Organization's requirements regarding Asbestos Abatement.

I certify under penalty of perjury that the information furnished by me is true and correct to the best of my knowledge and, further, that I am authorized by the owner of the above premises to perform the work for which permit application is made. I further agree to save harmless the City of Kirkland as to any claim (including costs, expenses, and attorney's fees incurred in investigation and defense of such claim), which may be made by any person, including the undersigned, and filed against the City of Kirkland, but only where such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information supplied to the City as a part of this application.

OWNER/AGENT: _____

DATE: 2-1-07

NOTE: Permit Applications requiring plan review are accepted Monday-Tuesday-Thursday-Friday 8-4:00, Wednesday 10:30-4:00

City of Kirkland 123 5th Avenue Kirkland WA 98033 Phone: 425-587-3600 FAX: 425-587-3651
 CITY WEB SITE: www.ci.kirkland.wa.us PERMIT INFORMATION: www.kirklandpermits.net ONLINE PERMITS: www.MyBuildingPermit.com

E-Page 469

VAR18-00070

Please complete #17 if adding plumbing fixtures (including rough-ins)

Hearing Examiner Decision

Exhibit L

#17 Water Supply Piping

- A. Fixture Units: Number of Fixtures x Fixture Unit multiplier = Total Fixture Units (Public or Private)
- B. Distance from meter to most remote outlet: 60 feet.
- C. Difference in elevation between meter and highest fixture: 10 feet above meter or _____ feet below meter.
- D. Pressure in street main: _____ psi. (Measure with pressure gauge or check with water district).

Plumbing Fixtures	Public		Private – Multi-Family 3 Dwelling Units or more	Total Fixture Units
	Heavy Use Assembly	General Use	Total dwelling unit counts	
Bar Sink		_____ x 2.0	_____ x 1.0	
Bathtub or Combination Bath/Shower - 1/2" Branch		_____ x 4.0	<u>4</u> x 4.0	<u>16</u>
Bathtub or Combination Bath/Shower - 3/4" Branch		_____ x 10.0	_____ x 10.0	
Bidet		_____ x 1.0	_____ x 1.0	
Clinic Sink		_____ x *		
Clotheswasher, Domestic		_____ x 4.0	<u>2</u> x 4.0	
Dental Unit, Cuspidor		_____ x 1.0		
Dishwasher, Domestic		_____ x 1.5	<u>2</u> x 1.5	<u>3</u>
Drinking Fountain or Water Cooler	_____ x 0.75	<u>2</u> x 0.5	_____ x 0.5	<u>1</u>
Hose Bibb, First		_____ x 2.5	_____ x 2.5	
Hose Bibb, Each Additional		_____ x 1.0	_____ x 1.0	
Kitchen Sink, Domestic		_____ x 1.5	_____ x 1.5	
Laundry Sink		_____ x 2.0	_____ x 1.5	
Lavatory (Bathroom Sink)	_____ x 1.0	<u>2</u> x 1.0	<u>4</u> x 1.0	<u>6</u>
Service Sink or Mop Basin		_____ x 3.0	_____ x 1.5	
Shower (List Each Head)		_____ x 2.0	_____ x 2.0	
Urinal, 1.0 GPF Flushometer - See 610.10	_____ x 5.0	_____ x 4.0		
Urinal, Flush Tank	_____ x *	_____ x 2.0	_____ x 2.0	
Wash Fountain, Circular Spray		_____ x 4.0		
Washup Sink, Each Set of Faucets		_____ x 2.0		
Water Closet, 1.6 GPF Gravity Tank	_____ x 3.5	<u>2</u> x 2.5	<u>4</u> x 2.5	<u>10</u>
Water Closet, 1.6 GPF Flushometer Valve - 1/2" Branch	_____ x *	2 x *	2 x *	
Water Closet, 1.6 GPF Flushometer Valve 1" Branch -see 610.10	_____ x *	_____ x *	_____ x *	
• Refer to Table 6-4, 2003 UPC			Total Fixture Units:	<u>36</u>
<input type="checkbox"/> Hydraulic Analysis attached			Total if Using Table L-1:	

Plumbing Appendix L Table L-1 may be used for Multifamily 3 or more dwelling units instead of the multiplier above (L-1 worksheet next page)

Number of plumbing fixtures must be entered in table above on all applications – you do not have to complete the multiplier when using Table L-1.

OFFICE USE ONLY (PLEASE DO NOT WRITE BELOW THIS LINE)

MINIMUM METER SIZE: _____ **INCHES** **MINIMUM BUILDING SUPPLY:** _____ **INCHES** **PRV. NEEDED?** YES _____ NO _____



CITY OF KIRKLAND

UNIFORM PLUMBING CODE – WATER SUPPLY FIXTURE UNITS

ALTERNATE PLUMBING SYSTEMS – TABLE L-1

Serving 3 or more Dwelling Units

Bathroom Groups having 1.6 GPF Gravity or Pressure Tank Water Closets	Number	Total Units
Half-Bath or Powder Room	_____ x	2.5 _____
1 Bathroom Group	_____ x	3.5 _____
1 ½ Bathrooms	_____ x	6.0 _____
2 Bathrooms	_____ x	7.0 _____
2 ½ Bathrooms	_____ x	8.0 _____
3 Bathrooms	_____ x	9.0 _____
Each additional ½ Bath	_____ x	0.5 _____
Each additional Bathroom Group	_____ x	1.0 _____
Bath Group (1.6 GPF Flushometer Valve)	_____ x	4.0 _____
Kitchen Group (Sink and Dishwasher)	_____ x	1.5 _____
Laundry Group (Sink and Clothes Washer)	_____ x	3.0 _____
Additional units not on Table L-1		
Bidet	_____ x	1.0 _____
Bar sink	_____ x	1.0 _____
Hose Bib, First	_____ x	2.5 _____
Hose Bib, Each Additional	_____ x	1.0 _____
Additional Units not listed, use table 6-4 for fixture count	_____ x	_____
Total Fixture Units		_____

Notes:

1. A bathroom group, for the purpose of this table, consists of one water closet, up to two lavatories, and either one bathtub or one shower.
2. A half-bath or powder room, for the purposes of this table, consists of one water closet and one lavatory.
3. See Appendix L for scope and application of alternate plumbing systems.

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By law this information may not be used for commercial purposes.

Assessor Real Property Records:

Taxpayer	KIRKLAND FAMILY DENTISTRY	Parcel Number	3885802055
		Account Number	388580205507
Tax Year	2007	Levy Code	1700
Tax Status	TAXABLE	Taxable Value Reason	NONE OR UNKNOWN
Appraised Land Value	\$291,000	Taxable Land Value	\$291,000
Appraised Improvement Value	\$34,000	Taxable Improvement Value	\$34,000

Taxpayer	KIRKLAND FAMILY DENTISTRY	Parcel Number	3885802055
		Account Number	388580205507
Tax Year	2008	Levy Code	1700
Tax Status	TAXABLE	Taxable Value Reason	NONE OR UNKNOWN
Appraised Land Value	\$349,000	Taxable Land Value	\$349,000
Appraised Improvement Value	\$33,000	Taxable Improvement Value	\$33,000

Assessor Property Sales Records:

Tip: Use the [Recorders Office: Excise Tax Affidavits Report](#)
to see more sales records details

Sale Date	5/4/2007	Sale Price	\$1,035,000
Seller Name	GHOEBANIAN ABRAHAM+SOLTANI ZAHRA		
Buyer Name	GREENE BENJAMIN J		
Sale Date	8/7/2006	Sale Price	\$850,000
Seller Name	COFFEEHOUSE BUILDING LLC		
Buyer Name	GHOEBANIAN ABRAHAM+SOLTANI ZAHRA		
Sale Date	4/26/2005	Sale Price	\$750,000
Seller Name	MCGEOUGH BREFFNI J+HOLLY A		
Buyer Name	COFFEEHOUSE BUILDING LLC		
Sale Date	12/12/2003	Sale Price	\$525,000
Seller Name	1009 MARKET STREET DEVELOPMENT LLC		
Buyer Name	MCGEOUGH BREFFNI J+HOLLY A		
Sale Date	10/16/2002	Sale Price	\$0
Seller Name	GELOTTE CURTIS E		

Buyer Name	1009 MARKET STREET DEVELOPMENT LLC		
Sale Date	7/12/2002	Sale Price	\$400,000
Seller Name	PHILLIPS THERESA T		
Buyer Name	GELOTTE CURTIS		

Assessor Parcel Records:

District Name	KIRKLAND		
Property Name		Property Type	RESIDENTIAL
Plat Name	KIRKLAND ADD	Present Use	Single Family (Res Use/Zone)
Plat Block	26	Water System	WATER DISTRICT
Plat Lot	1-2-3-4	Sewer System	PUBLIC
Lot Area	8,120 SqFt (0.19 acres)	Access	PUBLIC
Section/Township/Range	NE 6 25 5	Street Surface	PAVED

Assessor Legal Description Records:

Legal Description	KIRKLAND ADD
-------------------	---------------------

Assessor Residential Building Records:

Address	1009 MARKET ST 98033		
Building Grade	Low Average	Building number	1
Condition	Average	Bedrooms	3
Year Built	1949	Baths	1
Year Renovated	0	1/2 Baths	0
Total Living SqFt	1590	3/4 Baths	0
1st Floor SqFt	910	Stories	1
Half Floor SqFt	0	Single Story Fireplace	0
2nd Floor SqFt	0	Multi Story Fireplace	1
Upper Floor SqFt	0	Free Standing Fireplace	0
Total Basement SqFt	910	Basement Garage SqFt	230
Total Finished Basement SqFt	680	Attached Garage SqFt	0
Finished Basement Grade	Fair	Open Porch SqFt	0
Daylight Basement	Y	Enclosed Porch SqFt	0
Heat System	Forced Air	Deck SqFt	0

Hearing Examiner Decision

File: VAR18-000701009
Exhibit 1

Market Street Dental Clinic Variance

MacKenzie Comments 2/11/2020

Attachment 2

Heat Source	Oil	Percent Brick Stone	0
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This report was generated: 11/19/2007 8:42:33 AM

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King County Assessor: Submit a request to correct this information
DDES: Permit Applications Report
King County: Districts and Development Conditions Report
King County Assessor: eReal Property Report (PDF format requires Acrobat)
King County Assessor: Quarter Section Map Report (PDF format requires Acrobat)
King County Treasury Operations: Property Tax Information
Recorders Office: Excise Tax Affidavits Report
Recorders Office: Scanned images of plats, surveys, and other map documents

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July 25, 2007

Sienna Architecture
Gregory Seiler
710 – 2nd Avenue Suite 1260
Seattle, WA 98104

Re: Kirkland Marketplace Tree Retention Evaluation and Report (Tree Plan II)

Dear Mr. Seiler:

The Jay Group, Inc has been retained for the purpose of conducting an evaluation and assessment of the eight significant trees located at the proposed project site. The project site is one triangular-shaped parcel (Tax ID: 3885802055) located at the intersection of Market Street, 3rd Street W. and 10th Avenue W. in the City of Kirkland, WA. The site visit and tree assessment were performed on July 24, 2007.

Project Description

The proposed project is a multi-use development consisting of commercial and residential space, parking, utilities, vehicle and pedestrian access. The existing single family home will be removed under the current site plan. New sidewalks and streetscapes are proposed on all sides of the development.

The area of study for this evaluation was limited to the eight existing significant trees (Trees T-1 through T-8 for the purposes of this report) growing throughout the subject parcel. The City of Kirkland defines a significant tree as a tree that is at least 6" in diameter at breast height (DBH), 4.5' above ground level. The eight trees were evaluated with the purpose of determining which trees would be suitable for retention on the site following development, in relation to the locations of roadways, pedestrian access, utility corridors, proposed building footprints, and overall site grading. Trees which are located in areas that physically allow retention can be retained if 1) the tree is of suitable health and lacks specific hazard features which would pose an unreasonable hazard to life and property; and 2) tree retention guidelines for construction and development can be followed.

For the purposes of this assessment, the above ground portions of each tree surveyed were evaluated, including the occasional use of an increment borer to determine the presence and extent of crown rot where such conditions were suspected. No inspection below the root crown was performed, and no excavations were done to assess root health. The visual assessment of the above ground portions of the trees focused on specific hazard indicators such as the degree of lean, co-dominant leaders, dead wood and/or breakage in the crown or trunk, and the overall health and vigor of the tree.

In order for a tree to present a potential hazard, two things must be present: 1) there must be a target within range of the tree; and 2) there must be some indication that the tree(s) in question have a significant risk of failure. Given the existing structures and proposed development plans for the site, all eight trees evaluated will have targets within range, imparting great importance to the condition evaluation with respect to potential tree failure. This hazard tree assessment follows the methodology outlined in *Evaluation of Hazard Trees in Urban Areas* (Matheny and Clark, 1994).

An additional assessment was performed with respect to the site development plans, to evaluate potential impacts associated with grading for roads and structures, as well as site contouring in general. Cuts and fills associated with these grading activities can result in damage to below-ground portions of trees, causing eventual decline and death (with associated hazards to human health and safety) if certain precautions and construction techniques are not adhered to during development.

The result of the evaluation of the eight trees is summarized below.

Tree Retention Evaluation

Eight trees meeting the City's definition of significant were identified during the field investigation (see Table 1 for tree details). Seven of the trees either have physiological or structural defects that render them unsuitable for retention, or are located in areas of the site where structures or grading are proposed that would render the trees unsafe following the completion of construction.

Four of the trees would currently be considered hazardous, with significant structural or health issues contributing to a high short-term likelihood of failure. The only suitable candidate for retention, based on the construction activities and building footprint proposed, is the Crimson King maple, identified on the plan and in the table as T-5. This tree is currently healthy and structurally sound, and located in an area that will be between the proposed building and new sidewalk location. Whether or not this tree will actually be able to be retained will not be ascertainable until construction is in progress, and it can be determined what the impacts will be to the existing root system. It also appears, based on the dripline width, that there will be some interference with the exterior wall of the proposed building. Some pruning to minimize this is acceptable, but again the exact impact cannot be determined until construction is in progress. Generally, loss of more than a third of the canopy of an existing tree is undesirable, and removal is preferable. It is recommended that an arborist visit the site during construction to inspect

the actual impacts to the tree before a final recommendation for removal or retention is made, if the tree is proposed for retention.

Tree ID Number	Tree Species	Tree Diameter (inches)	Tree Condition	Retention Recommendation
T-1	Black walnut (<i>Juglans nigra</i>)	16.5	90% dead, unsuitable for retention	Yes
T-2	Lawson false cypress (<i>Chamaecyparis lawsoniana</i>)	18	Located within proposed footprint, unable to be retained	No
T-3	Apple (<i>Malus</i> sp.)	16	Located within proposed footprint, unable to be retained	No
T-4	Sugar maple (<i>Acer saccharum</i>)	19	Significant structural defect, large fissure, unsuitable for retention	Yes
T-5	Norway maple (<i>Acer platanoides</i> 'Crimson King')	14	Outside development footprint, suitable for retention	No
T-6	Apple (<i>Malus</i> sp.)	10	Located within proposed footprint, unable to be retained	No
T-7	Mountain ash (<i>Sorbus aucuparia</i>)	24	Extensive fungal infection, 50% dead, unsuitable for retention	Yes
T-8	Mountain ash (<i>Sorbus aucuparia</i>)	11	Likely fungal infection, unsuitable for retention	Yes

Tree Retention and Protection Guidelines

These guidelines pertain to any trees retained near any of the proposed clearing, grading and excavation limits. Extensive clearing and grading to any depth (within the dripline) is considered a disturbance and may be detrimental to the health of trees.

Stakes delineating the clearing and grading limits will be set in the field before any clearing and grading activities occur. After the stakes are placed, the consulting arborist will make a final determination of the trees that will be preserved depending on the construction limits and expected impacts to major roots. Clearing limits may be adjusted in the field by the consulting arborist if such adjustments are warranted for proper protection of the tree(s) roots.

A tree protection barrier shall be installed in the field as directed by the consulting arborist. The barrier shall be constructed of orange construction fencing attached to firmly placed stakes or supports. The consulting arborist, together with the contractor,

Kirkland Marketplace Tree Evaluation

shall determine the extent and method of clearing near retained trees. No parking, storage, dumping, or burning of materials is permitted within 15 feet of the tree protection barrier, and no signage shall be attached to any live trees.

Where vehicular or equipment access is required within the protected area of any preserved tree, the soil (and tree roots) shall be protected from compaction with at least 10-inches of wood chips placed over the path of the vehicle, and removed when access is no longer needed. Any landscaping within 1.5 times the maximum dripline extent of each retained tree shall be done with care. Precautions shall be taken to ensure that all roots, trunks and branches of any retained trees shall not be damaged. This may necessitate the use of hand, as opposed to mechanized, labor in these areas. The area consisting of 1.5 times the maximum dripline is necessary to adequately protect the shallower feeder roots of retained trees. This area is referred to as the root protection zone.

Any roots of retained trees damaged during site grading shall be re-cut with a hand pruning saw following excavation so as to provide a cleanly cut surface, which will promote faster and more successful healing of these wounds. Unwanted vegetation within the root protection zone will be removed by hand, and will be indicated as such to the contractor by the consulting arborist. Stumps of trees to be removed within the root protection zone of preserved trees will be ground down to below ground surface and not excavated, but preferably left in place. The consulting arborist will determine to what extent backfilling is allowed within the root protection zone of a retained tree on a case-by-case basis.

All recommended tree maintenance, including deadwood and low limb removal, cabling and bracing, and any other arboricultural procedures shall be completed after clearing and before landscaping. An ISA Certified Arborist shall be preferred as the contractor for performing all arboricultural procedures. ANSI A300 American Standards for Pruning shall be followed, unless other standards are required by the local jurisdiction. The usage of preservation measures such as tree wells, rockeries, or aeration piping in areas of fill will be determined at the time of inspection of the clearing and grading limits. The trees proposed for retention on this project should have a high probability of survival and future landscape value if the above listed retention recommendations are followed.

Use and Limitations of this Report

This Tree Evaluation and Retention Report has been prepared for the applicant, as a means of determining, to the most thorough extent practicable, conditions of the existing trees on the subject property and recommending a course of action relative to these trees through the development and construction process. This report is based primarily on readily observable and ascertainable conditions, with limited use of invasive means to evaluate tree condition.

There are several conditions that can affect a tree's health that may be pre-existing and unable to be ascertained with a surficial analysis. These conditions include root and stem

Kirkland Marketplace Tree Evaluation

rot, internal cracks, structural flaws or construction damage to roots, which may be hidden beneath the soil. Additionally, post-construction circumstances can cause a relatively rapid deterioration of a tree's condition. This report has been prepared as an assessment of the current condition of trees on the project site, and may not be valid during or after construction. Every reasonable means has been used to examine the trees on the site, however, this report is a professional opinion and no expressed or implied guarantee is made of tree conditions on the site. No attempt has been made to determine the presence of hidden or concealed conditions which may contribute to the hazard or failure potential of trees on the site. The work for this report conforms to the standard of care employed by ISA Certified Arborists. No other representation or warranty is made concerning the work or this report and any implied representation or warranty is disclaimed.

Respectfully submitted,



Kevin Karlson
ISA Certified Arborist #PN-2649A
Attachments: Site photos



Figure 1: Black walnut (T-1); extensive canopy death



Figure 2: T-2, Lawson cypress, within proposed new building footprint

Kirkland Marketplace Tree Evaluation



Figure 3: T-3, apple within proposed new building footprint



Figure 4: T-4, sugar maple with significant structural flaw (trunk fissure)

Kirkland Marketplace Tree Evaluation



Figure 5: T-5, Crimson King maple possibly suitable for retention



Figure 6: T-6, apple within proposed new building footprint

Kirkland Marketplace Tree Evaluation



Figure 7: T-7, mountain ash with significant fungal infection and dead wood, unsuitable for retention



Figure 8: T-8, mountain ash within site grading area, unsuitable for retention

LOTS 1,2,3 AND 4 BLOCK 26 TOWN OF KIRKLAND,
ACCORDING TO VOL. 6 OF PLATS PAGE 53 TAX #388580-2055

EXISTING CONDITIONS

- (5) Trees, located within the perimeter of the developed areas, to be removed.
- (4) Existing Significant Trees, within open space, to remain

Tree Replacement Calculations

8,167 Total SF
8,167 SF/43,560 SF=187x30=5.62 Trees
Required Tree Credits=6 Trees
Quantity of Trees, located within perimeter of the developed areas, to be removed = 7 Trees
Quantity of Significant Trees retained within open space landscaping = 1 Trees
Retained Trees Credits=8 Trees
(1) 8" DBH= 1 Tree Credit +
=1 Retained Tree Credits
Required Replacement Trees = 5
1 Retained Tree Credits-6 Required Tree Credits
Quantity of New Trees Required: 5 Trees
Quantity of New Trees Provided: Total = 36
Conifers = 20
Deciduous = 16

Note: See Sheet L-2 For Species, Size, Quantity, Placement, and Condition.

TREE PROTECTION REQUIREMENTS

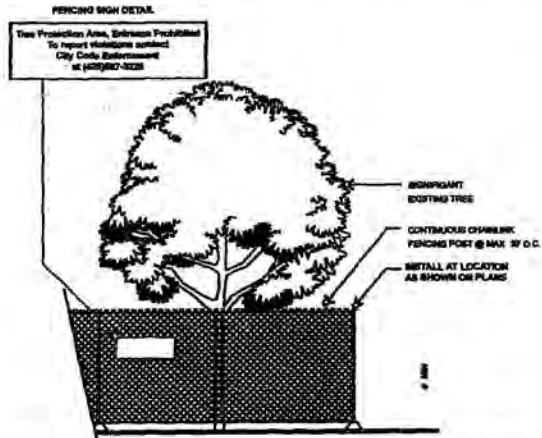
ALL VEHICLE TRAFFIC SHALL BE ROUTED AWAY FROM SIGNIFICANT TREES DURING CONSTRUCTION TO AVOID EXCESSIVE SOIL COMPACTION. WHERE VEHICULAR TRAFFIC IS REQUIRED THE SOIL SHALL BE PROTECTED WITH A 10" LAYER OF WOODCHIPS AND/OR PLYWOOD PLACED OVER THE PATH OF THE VEHICLE. THE WOODCHIPS MAY BE REMOVED WHEN NO LONGER NEEDED.

ALL SIGNIFICANT TREES TO BE SAVED AND/OR RETAINED SHALL BE PROTECTED WITH A 5' HIGH CHAINLINK OR PLASTIC NET FENCING PLACED 5' BEYOND TREE DRIP LINES DURING CONSTRUCTION. THE FENCING SHALL NOT BE REMOVED WITHOUT THE AUTHORIZATION OF THE CONSULTING ARBORIST OR SITE SUPERVISOR.

TRENCHING WITHIN TREE DRIP LINES SHALL BE AVOIDED. TUNNELING AROUND PRIMARY TREE ROOTS IS PERMITTED WHEN DISTURBANCE WITHIN DRIP LINES IS NECESSARY.

STUMP PULLING OF ALL TREES TO BE REMOVED IN THE VICINITY OF SIGNIFICANT TREES TO BE RETAINED SHALL BE AVOIDED. STUMP GRINDING IS PERMITTED AS NECESSARY.

IT MAY BE NECESSARY TO PROVIDE SUPPLEMENTAL IRRIGATION DURING DRY PERIODS WITHIN THE CONSTRUCTION PROCESS, AND MULCHING OVER THE ROOTS OF ANY OR ALL PRESERVED TREES.

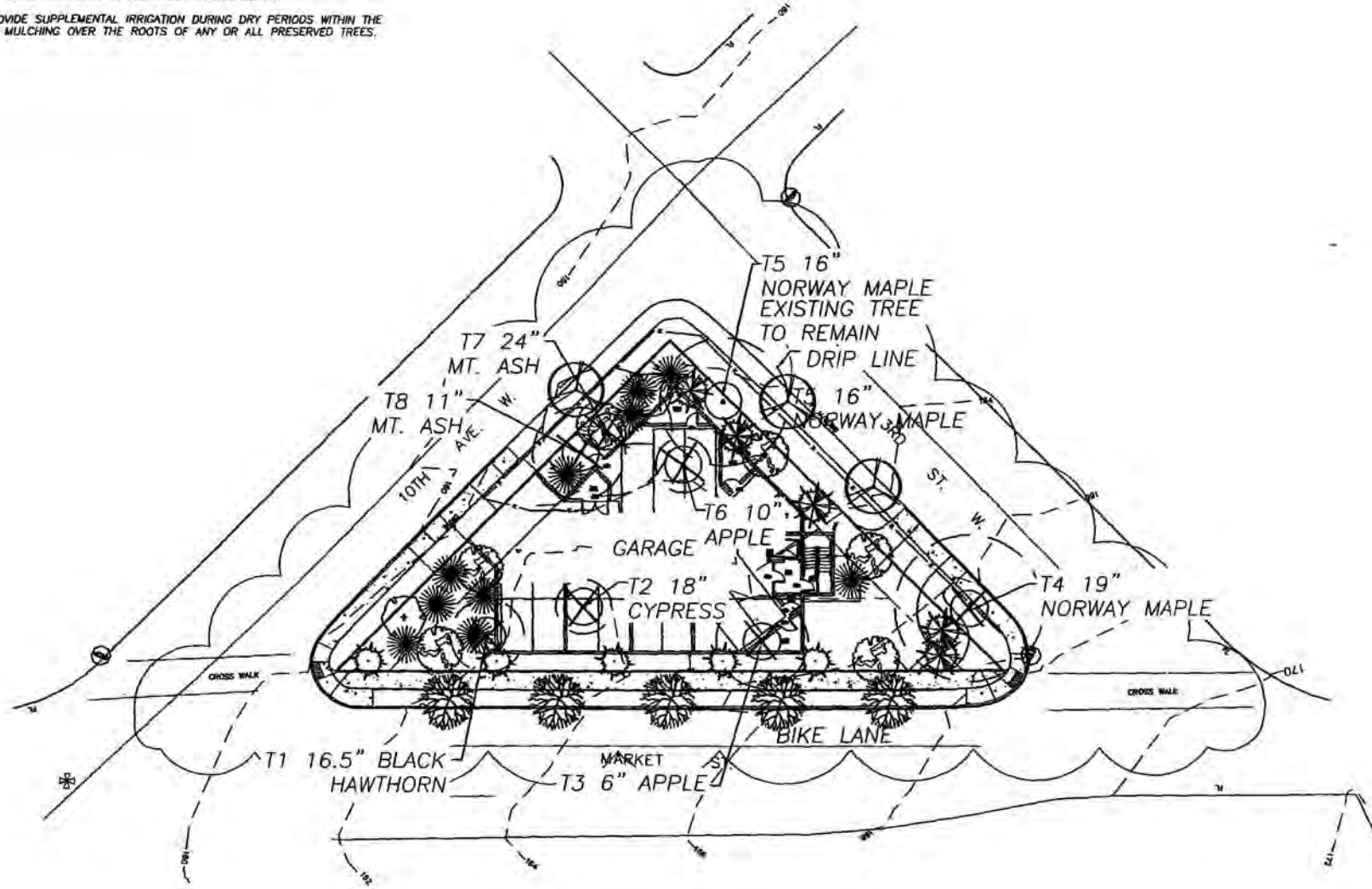


- MINIMUM FOUR (4) FOOT HIGH TEMPORARY CHAINLINK FENCE SHALL BE PLACED AT THE CRITICAL ROOT ZONE OR DESIGNATED LIMIT OF DISTURBANCE OF THE TREE TO BE SAVED. FENCE SHALL COMPLETELY ENCLOSE TREE (S). INSTALL FENCE POSTS USING PIER BLOCK ONLY. AVOID POST OR STAKES INTO MAJOR ROOTS. MODIFICATIONS TO FENCING MATERIAL AND LOCATION MUST BE APPROVED BY PLANNING OFFICIAL.
- TREATMENT OF ROOTS EXPOSED DURING CONSTRUCTION: FOR ROOTS OVER ONE (1) INCH DIAMETER DAMAGED DURING CONSTRUCTION, MAKE A CLEAN STRAIGHT CUT TO REMOVE DAMAGED PORTION OF ROOT. ALL EXPOSED ROOTS SHALL BE TEMPORARILY COVERED WITH DAMP BURLAP TO PREVENT DRYING, AND COVERED WITH SOIL AS SOON AS POSSIBLE.
- NO STOCKPILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE OF EQUIPMENT OR MACHINERY SHALL BE ALLOWED WITHIN THE LIMIT OF THE FENCING. FENCING SHALL NOT BE MOVED OR REMOVED UNLESS APPROVED BY THE CITY PLANNING OFFICIAL. WORK WITHIN PROTECTION FENCE SHALL BE DONE MANUALLY UNDER THE SUPERVISION OF THE ON-SITE ARBORIST AND WITH PRIOR APPROVAL BY THE CITY PLANNING OFFICIAL.
- FENCING SIGNAGE AS DETAILED ABOVE MUST BE POSTED EVERY FIFTEEN (15) FEET ALONG THE FENCE.

 **TREE PROTECTION FENCING DETAIL**
(For public & private trees)

2 **TREE PROTECTION FENCING DETAIL**
3 SCALE: NTS

1 **TREE RETENTION PLAN**
1 SCALE: 1"=20'





THE JAY GROUP INC.
LAND USE CONSULTANTS

P 360.658.8158
F 360.651.7252
1827 5TH STREET
WASHVILLE, TN 37075
WWW.JAYGROUPINC.COM



State of
Washington
registered
Landscape Architect

Paul Jay
certificate no. 566

**KIRKLAND
MARKETPLACE**

APPLICANT/CONTACT

SEEMA ARCHITECTURE / GREGORY SELLER
710 2ND AVE, STE. 1200
SEATTLE, WA 98104 206.278.1512

CITY OF KIRKLAND
PLANNING AND DEVELOPMENT SERVICES
APPROVED FOR CONSTRUCTION

BY _____
R/W PERMIT NO. _____

SCALE 1"=20' TAG JOB# 07-0662
DATE 1-25-07 DRAWN BY GK

TAG FILENAME:
S:\2006\Landscape
PLANS\07_0662_LP.dwg

REVISIONS

REV#	DESCRIPTION	BY	DATE
1	CITY COMMENTS	KMG	7-25-07

**TREE
RETENTION PLAN**

SHEET

L-3
OF 5

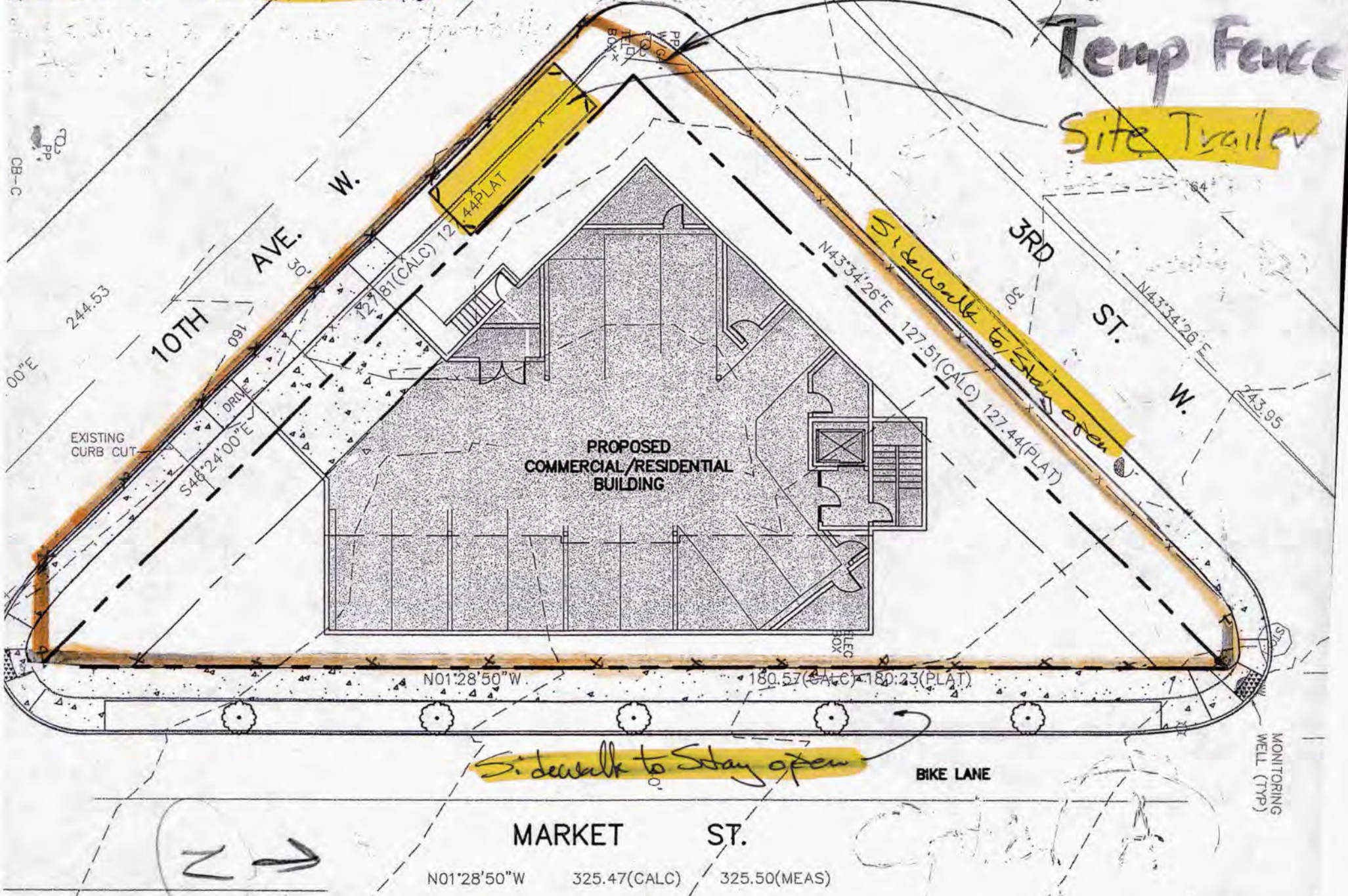
PTM

Notes: Temp fence to sit outside of the exist sidewalk at the 10th

E-Page 484

File: VAR18-000701009
Market Street Dental Clinic Variance
MacKenzie Comments 2/11/2020
Attachment 2

VAR18-00070
Hearing Examiner Decision
Exhibit L



King County

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King County Department of Assessments
 Fair, Equitable, and Understandable Property Valuations

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Department of Assessments
 500 Fourth Avenue, Suite ADM-AS-0706, Seattle, WA 98104
 Office Hours: Mon - Fri 8:30 a.m. to 4:30 p.m.
 TEL: 206-296-7300
 FAX: 206-296-5107
 TTY: 206-296-7888
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PARCEL DATA	
Parcel	388680-2055
Name	KIRKLAND FAMILY DENTISTRY
Site Address	1009 MARKET ST
Geo Area	85-65
Spec Area	
Property Name	VACANT SITE
Legal Description KIRKLAND ADD Plat Block: 26 Plat Lot: 1-2-3-4	

Jurisdiction	KIRKLAND
Levy Code	1701
Property Type	C
Plat Block / Building Number	26
Plat Lot / Unit Number	1-2-3-4
Quarter-Section-Township-Range	N1E-6-2S-5

Click the camera to see more pictures.

LAND DATA

Highest & Best Use As If Vacant	MULTI-FAMILY DWELLING
Highest & Best Use As Improved	OTHER
Present Use	Vacant(Multi-family)
Land SqFt	8,120
Acres	0.19

Percentage Unusable	
Unbuildable	NO
Restrictive Size Shape	NO
Zoning	MSC 1
Water	WATER DISTRICT
Sewer/Septic	PUBLIC
Road Access	PUBLIC
Parking	ADEQUATE
Street Surface	PAVED

Views	
Rainier	
Territorial	
Olympics	
Cascades	
Seattle Skyline	
Puget Sound	
Lake Washington	
Lake Sammamish	
Lake/River/Creek	
Other View	

Waterfront	
Waterfront Location	
Waterfront Footage	0
Lot Depth Factor	0
Waterfront Bank	
Tide/Shore	
Waterfront Restricted Access	
Waterfront Access Rights	NO
Poor Quality	NO
Proximity Influence	NO

Designations	
Historic Site	
Current Use	(none)
Nbr Bldg Sites	
Adjacent to Golf Fairway	NO
Adjacent to Greenbelt	NO
Other Designation	NO
Deed Restrictions	NO
Development Rights Purchased	NO
Easements	NO
Native Growth Protection Easement	NO
DNR Lease	NO

Nuisances	
Topography	
Traffic Noise	HIGH
Airport Noise	
Power Lines	NO
Other Nuisances	NO

Problems	
Water Problems	NO
Transportation Concurrency	NO
Other Problems	NO

Environmental	
Environmental	NO

BUILDING

TAX ROLL HISTORY

Reference Links:
[King County Tax Links](#)
[Property Tax Advisor](#)
[Washington State Department of Revenue \(External link\)](#)
[Washington State Board of Tax Appeals \(External link\)](#)
[Board of Appeals/Equalization](#)
[Districts Report](#)
[iMap](#)
[Recorder's Office](#)
[Scanned images of surveys and other map documents](#)
[Scanned images of plats](#)
Notice mailing date:
 07/04/2019

Account	Valued Year	Tax Year	Omit Year	Levy Code	Appraised Land Value (\$)	Appraised Imps Value (\$)	Appraised Total Value (\$)	New Dollars (\$)	Taxable Land Value (\$)	Taxable Imps Value (\$)	Taxable Total Value (\$)	Tax Value Reason
388580205507	2019	2020		1701	812,000	0	812,000	0	812,000	0	812,000	
388580205507	2018	2019		1701	690,200	0	690,200	0	690,200	0	690,200	
388580205507	2017	2018		1701	641,400	0	641,400	0	641,400	0	641,400	
388580205507	2016	2017		1700	592,700	0	592,700	0	592,700	0	592,700	
388580205507	2015	2016		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2014	2015		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2013	2014		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2012	2013		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2011	2012		1700	552,100	0	552,100	0	552,100	0	552,100	
388580205507	2010	2011		1700	609,000	0	609,000	0	609,000	0	609,000	
388580205507	2009	2010		1700	609,000	0	609,000	0	609,000	0	609,000	
388580205507	2008	2009		1700	592,700	0	592,700	0	592,700	0	592,700	
388580205507	2007	2008		1700	348,000	33,000	382,000	0	349,000	33,000	382,000	
388580205507	2006	2007		1700	291,000	34,000	325,000	0	291,000	34,000	325,000	
388580205507	2005	2006		1700	243,000	58,000	301,000	0	243,000	58,000	301,000	
388580205507	2004	2005		1700	221,000	49,000	270,000	0	221,000	49,000	270,000	
388580205507	2003	2004		1700	201,000	57,000	258,000	0	201,000	57,000	258,000	
388580205507	2002	2003		1700	183,000	62,000	245,000	0	183,000	62,000	245,000	
388580205507	2001	2002		1700	170,000	58,000	228,000	0	170,000	58,000	228,000	
388580205507	2000	2001		1700	150,000	112,000	262,000	0	85,000	65,800	150,800	FS
388580205507	1999	2000		1700	134,000	92,000	226,000	0	85,000	65,800	150,800	FS
388580205507	1998	1999		1700	125,000	71,000	196,000	0	85,000	65,800	150,800	FS
388580205507	1997	1998		1700	0	0	0	0	85,000	65,800	150,800	
388580205507	1996	1997		1700	0	0	0	0	85,000	65,800	150,800	
388580205507	1994	1995		1700	0	0	0	0	85,000	65,800	150,800	
388580205507	1992	1993		1700	0	0	0	0	82,800	68,200	150,800	
388580205507	1990	1991		1700	0	0	0	0	78,700	68,200	146,900	
388580205507	1988	1989		1700	0	0	0	0	25,400	42,500	67,900	
388580205507	1986	1987		1700	0	0	0	0	22,500	37,400	59,900	
388580205507	1984	1985		1700	0	0	0	0	21,500	33,200	54,700	
388580205507	1982	1983		1700	0	0	0	0	16,700	34,500	53,300	

SALES HISTORY

Excise Number	Recording Number	Document Date	Sale Price	Seller Name	Buyer Name	Instrument	Sale Reason
2284512	20070516001655	5/4/2007	\$1,035,000.00	GHORBANIAN ABRAHAM+SOLTANI ZAHRA	GREENE BENJAMIN J	Statutory Warranty Deed	None
2228087	20080808002552	8/7/2006	\$850,000.00	COFFEEHOUSE BUILDING LLC	GHORBANIAN ABRAHAM+SOLTANI ZAHRA	Statutory Warranty Deed	None
2119231	20050428001001	4/26/2005	\$750,000.00	MCGEDUGH BREFFNI J+HOLLY A	COFFEEHOUSE BUILDING LLC	Statutory Warranty Deed	None
2007979	20031215001617	12/12/2003	\$525,000.00	1009 MARKET STREET DEVELOPMENT LLC	MCGEDUGH BREFFNI J+HOLLY A	Statutory Warranty Deed	None
1957582	20030508002756	10/16/2002	\$0.00	GELOTTE CURTIS E	1009 MARKET STREET DEVELOPMENT LLC	Quit Claim Deed	Other
1688386	20020718000530	7/12/2002	\$400,000.00	PHILLIPS THERESA T	GELOTTE CURTIS	Statutory Warranty Deed	None

REVIEW HISTORY

PERMIT HISTORY

Permit Number	Permit Description	Type	Issue Date	Permit Value	Issuing Jurisdiction	Reviewed Date
BLD07-00107	Build a mixed use bldg. with 13 car garage below, 1st floor 2,700 sq. ft. shell for 1 office & 2nd floor 2,700 sq. ft. for 1 residential unit	Building, New	10/9/2007	\$624,000	KIRKLAND	8/17/2010
BLD07-00756	Demolish SFR	Demolition	8/15/2007	\$0	KIRKLAND	12/13/2007

HOME IMPROVEMENT EXEMPTION

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- [\[icon\]](#)

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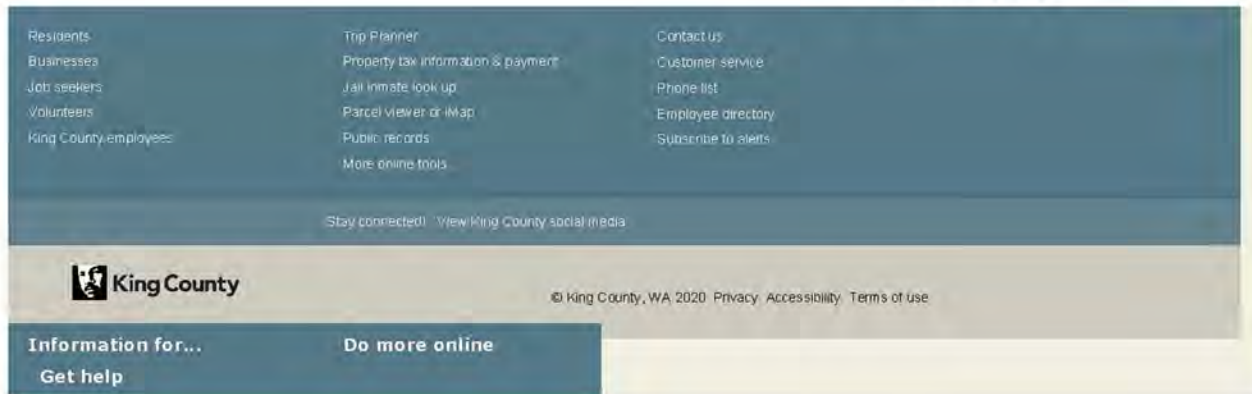
Updated Jan 29, 2019

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Get help



SE IE=159.26

kca
Kirk Callison Architects, PC

3621 90th Avenue NE
Bellevue, WA 98004
T (425) 453-1778
F (425) 453-0625
C (206) 510-9114

Kirkland, Washington

Project Team

BTL
ENGINEERING P.S.
1700 N. 30th AVE., SUITE 200
WICKLIFFE, OH 44091-1000
PHONE: 440.933.1000 FAX: 440.933.2000

Permit Re-submittal #2



Date	Project Number
April 1, 2007	07004.00
Revision	
6-1-07	Schematic Progress Set
6-12-07	Schematic Progress Set
7-24-07	Permit Re-submittal / Bid Set
9-10-07	Progress Set
9-14-07	Permit Re-submittal #2

Drawn By	Checked By
kc, ab	kc, sh

SITE PLAN & DETAILS

Scale
AS NOTED

Sheet Number

A-1.00

CITY OF KIRKLAND APPROVED FOR SUBMITTAL	
	Type of Review
Building	<input checked="" type="checkbox"/> <i>OTC</i>
Planning	<input type="checkbox"/> <i>LSM permit</i>
Public works	<input type="checkbox"/>

File: VAR18-000701009
Market Street Dental Clinic Variance
MacKenzie Comments 2/11/2020
Attachment 4

Build Copy

CITY OF KIRKLAND BUILDING DEPARTMENT	
PERMIT #	LSM07-00001
ADDRESS	1017 MARKET ST
PLANS FOR LAND DEVELOPMENT ASSOCIATION	
PROJECT	GREENUP
OWNER	THE GREENUP
DATE SUBMITTED	12/20/19
DATE APPROVED	12/20/19
APPROVED BY	<i>[Signature]</i>

*to Rachel
Re. Excavation
See Attached
Conditions*

1715 Market Street, Suite 104
Kirkland, WA 98033

December 16, 2009

Steve Lybeck, Permit Technician Supervisor
City of Kirkland Building Division
123 5th Avenue
Kirkland, WA 98033

Dear Steve,

I wish to cancel my permit number BLD07-00107 and would like a refund of all refundable fees, associated with the project.

Sincerely,



Benjamin J. Greene
D.D.S., P.S.

RECEIVED
DEC 16 2009
BUILDING



CITY OF KIRKLAND

File: VAR18-000701009
 Market Street Dental Clinic Variance
 MacKenzie Comments 2/11/2020
 Attachment 6 Hearing Examiner Decision
 Exhibit L
 MyBuildingPermit.com

Land Use Application #517552 - Market Street Clinic

Applicant

First Name		Last Name		Company Name	
Craig		Chaney		Merrick Lentz Architect	
Number	Street		Apartment or Suite Number		E-mail Address
12815	NE 126th Place				craigc@mlarch.com
City	State	Zip		Phone Number	Extension
Kirkland	WA	98034		4257473177	

Contractor

Company Name					
Number	Street		Apartment or Suite Number		
City	State	Zip		Phone Number	Extension
State License Number		License Expiration Date		UBI #	E-mail Address

Project Location

Number	Street		Floor Number	Suite or Room Number	
1009	MARKET ST				
City	Zip Code		County Parcel Number		
KIRKLAND	98033		3885802055		
Associated Building Permit Number			Tenant Name		
Additional Information (i.e. equipment location or special instructions):					
Work Location					

Property Owner

First Name		Last Name or Company Name			
Family Dentistry		Kirkland			
Number	Street		Apartment or Suite Number		
1715	MARKET ST		104		
City	State	Zip			
KIRKLAND	WA	98033			

Certification Statement - The applicant states:

I certify that I am the owner of this property or the owner's authorized agent. If acting as an authorized agent, I further certify that I have full power and authority to file this application and to perform, on behalf of the owner, all acts required to enable the jurisdiction to process and review such application. I have furnished true and correct information. I will comply with all provisions of law and ordinance governing this type of application. If the scope of work requires a licensed contractor to perform the work, the information will be provided prior to permit issuance.

Date Submitted: 1/31/2018 Submitted By: Craig Chaney



CITY OF KIRKLAND

File: VAR18-000701009
 Market Street Dental Clinic Variance
 Mackenzie Comments 2/11/2020
 Attachment 6 Hearing Examiner Decision
 Exhibit L
 MyBuildingPermit.com

Land Use Application #517552 - Market Street Clinic

Project Contact

Company Name: Merrick Lentz Architect

Name: Craig Chaney **Email:** craigc@mlarch.com

Address: 12815 NE 126th Place **Phone #:** 4257473177
 Kirkland WA 98034

Project Type	Activity Type	Scope of Work
Any Project Type	Deviations, Modifications, Variances, or Waivers	Variance - Process IIA

Project Name: Market Street Clinic

Description of Work: Variances are requested to the required Building and Landscape Setbacks for this MSC-1 zoned property, for the future construction of an approximately 5387 sf dental clinic building with 2 floors of parking below.

Project Details**Project Information**

Sign company name for public notice signs. Market Street Clinic

Quantity and Size Specifications

Gross floor area of new nonresidential	5387
Number of proposed new residential units	0
Property size in square feet	8120

Additional Project Information

Date preapplication meeting was held. 7/19/2016



Jurisdiction: Kirkland
Project Name: Market Street Clinic
Application ID: 517552

Supplemental Name: Variance Criteria

An answer to each of the following questions must be submitted with any application:

1. How would the Variance not be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as a whole?

Since the property is completely isolated and bordered on all sides by city streets, no adjacent property shares a property line nor directly borders the subject property. This unique and unusual situation creates 60 feet of space between the subject property and the closest neighboring properties. In addition, proposed landscape buffers and building setbacks of 15 feet on 10th Ave W and 7.5 feet on 3rd St W will further soften the transition from the proposed building to the neighboring properties. This space will ensure that the proposed structure does not overwhelm adjoining low-density uses as described in MS-6.1.

2. How is the Variance necessary because of special circumstances regarding the size, shape, topography, or location of the subject property; or the location of a pre-existing improvement on the subject property that conformed to the Zoning Code in effect when the improvement was constructed?

The subject property, zoned MSC-1, is irregular and highly unique for the City of Kirkland. It is one of just two privately owned triangular shaped parcels with right-of-ways on all three sides. Each of the three property lines currently requires a 20 foot front yard setback. The other privately owned triangular property, located at 1715 Market St, is developed with an office building. The lot at 1715 Market St is 25,853 Ft² and is not proportionally as affected by the 20 foot front yard setbacks on all three sides as the subject lot, which is less than one third the size of the property at 1715 Market Street. Consequently, the current zoning requirements prevent the construction of an equitable project on this 8,120 ft² lot, as these landscape buffers and setbacks remove a much higher proportion of buildable square footage than for other lots along the Market Street Corridor. Insufficient buildable space to justify the cost of development has prevented the completion of the past several development attempts on the irregularly shaped subject property. In order to achieve an equitable square footage, we are requesting variances that enable development of a 5,387 ft² long-term home for Kirkland Family Dentistry. A dental office building this size does not exceed the 70% lot coverage allowed by MSC-1 zoning. This can be achieved in a combination of ways by granting variances on any of the 3 sides of the irregularly shaped lot. With the requested landscape strips and setbacks of 7.5 feet on 3rd St W and 15 feet on 10th Ave W, we are requesting a 0 foot landscape buffer and setback on Market Street to achieve the necessary square footage to develop the property. Without this 0 foot setback on Market Street, the lot remains unbuildable due to the inequitable cost per square foot, as has been demonstrated by the past several failed attempts at developing the subject property. In its undeveloped state, the lot currently provides no buffer to neighboring residences from the noise and automobile headlights caused by traffic along Market Street. The requested variances, including the 0 foot request at Market St, would improve the residential buffer and protection from these elements, enhancing the transition from the commercial activity of Market Street to adjoining residential homes. The neighbors adjacent to the subject property on 3rd St W have supported in a notarized document the reduction of the 20 foot front setback and 15 foot landscape strip to each be reduced to the 7.5 feet as proposed on 3rd St W. The neighbors adjacent to the subject property on 10th Ave W prefer to maintain the 15 foot landscape buffer. Therefore, the required 15 foot landscape buffer will be maintained as part of this proposal, though the 20 foot front setback would be reduced to 15 feet as proposed on 10th Ave W. Not reducing the landscape buffer on the 10th Ave W side of the building necessitates a 0 foot setback and 0 foot landscape buffer on Market Street to attain the equitable square footage needed for development. As Policy MS-6.3 states, "commercial development which is oriented toward Market Street will have less impact on the adjacent low-density residential areas in the surrounding neighborhoods." A 0 foot setback on Market Street allows for an equitable development while limiting the setback variance needed along 10th Ave W that is adjacent to low density residential areas and where the neighbors prefer to keep the 15 foot landscape buffer. The City of Kirkland has already approved setback variances for this lot in the past. The City approved a 5 foot setback with 7.5 foot landscape strip at 3rd St W, as well as a 10 foot setback at 10th Ave W. The setback variances previously approved at 3rd St W and 10th Ave W each allowed a building to have closer proximity to the lot lines than the proposed variances would on these respective streets. We are requesting lesser variances for the building setbacks on these two streets in conjunction with a 0 foot Market Street setback. This combination of variances would allow for a building with equitable square footage on the subject lot, and is also in line with the aforementioned Policy MS-6.3; "commercial development which is oriented toward Market Street will have less impact on the adjacent low-density residential areas in the surrounding neighborhoods."

3. How would the Variance not constitute a grant of special privilege to the subject property which is inconsistent with the general rights that this Code allows to other property in the same area and zone as the subject property?

The proposed variances would not constitute special privilege based on the wording in the KZC 120.05 which states, "the provisions of this code can be varied on a case-by-case basis if the application of these provisions would result in an unreasonable and unusual hardship." This is applicable as can be seen by several failed development attempts on the subject property in the past. Therefore, without variances to allow an equitable square footage for the subject property, "provisions would result in an unreasonable and unusual hardship." Due to the irregular, triangular shape of the subject property, MSC-1 zoning that requires 20 foot front yard setbacks on all three property lines removes a disproportionate amount of buildable square footage compared to all properties along the Market Street Corridor. A 0 foot landscape strip and setback along the Market St property line has been allowed in the past for several buildings along the Market Street Corridor. As the only undeveloped and smallest privately owned triangular lot along the Market St Corridor, granting a 0 foot setback would not set precedent for other properties which are more regular in shape, have existing structures, and do not have front yard setbacks on all sides. Granting a 0 foot setback and 0 foot landscape buffer along Market Street would enable the cost effective development of a dental office building within the 70% lot coverage allowed by current MSC-1 zoning.

Supplemental Name: Right to Enter Property/Hold Harmless Agreement

AUTHORITY TO ENTER PROPERTY/HOLD HARMLESS AGREEMENT -- READ CAREFULLY BEFORE CLICKING AGREE AND



Jurisdiction: Kirkland
Project Name: Market Street Clinic
Application ID: 517552

ENTERING NAME BELOW

I/we acknowledge that by clicking Agree below and submitting this application I/we are authorizing employees or agents of the City of Kirkland to enter onto the property which is the subject of this application during the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday, for the sole purpose of making any inspection of the limited area of the property which is necessary to process this application. In the event the City determines that such an inspection is necessary during a different time or day, the applicant(s) further agrees that City employees or agents may enter the property during such other times and days as necessary for such inspection upon 24 hours notice to applicant(s), which notice will be deemed received when given either verbally or in writing.

I/we acknowledge that by clicking agree below and submitting this application I/we certify under penalty of perjury, the truth and/or accuracy of all statements, designs, plans and/or specifications submitted with said application and hereby agrees to defend, pay, and save harmless the City of Kirkland, its officers, employees, and agents from any and all claims, including costs, expenses and attorney's fees incurred in investigation and defense of said claims whether real or imaginary which may be hereafter made by any person including the undersigned, his successors, assigns, employees, and agents, and arising out of reliance by the City of Kirkland, its officers, employees and agents upon any maps, designs, drawings, plans or specifications, or any factual statements, including the reasonable inferences to be drawn therefrom contained in said application or submitted along with said application.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Agree

Enter Full Name of Person(s) Agreeing with Statements Above:

Jonathan Everett



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

DESIGN REVIEW BOARD DECISION

DATE: February 13, 2017
FILE NUMBER: DRV16-03090
PROJECT NAME: 1029 Market ST Office
APPLICANT: Chris Amonson, Freiheit and Ho Architects
PROJECT PLANNER: Janice Coogan, Senior Planner

I. SUMMARY OF DECISION

On February 6, 2017, the Design Review Board (DRB) voted to approve the plans to construct a new two story, 11,931 sq. ft. office building with associated parking for 40 stalls at 1029 Market ST. Freiheit and Ho Architects are the applicants on behalf of Robb Dibble. The Board approved a minor variation to allow reduced front yard setbacks on Market ST, 3rd ST W and 11th Ave W (See Attachment 2, Plans).

The application includes a modification to Public Works Department policies for the driveway location distance to intersections (see Attachment 1, Development Standards). The original application included a request to reduce the number of parking stalls on site and utilize on street parking, however, this is no longer proposed. A height variance to calculate the average building elevation using historical grade rather than existing grades is being processed under a separate Process IIA zoning permit. After holding a public hearing, the Hearing Examiner will make a final decision on the variance.

The project as shown on the plans dated February 6, 2017 is subject to the following conditions and Attachment 1, Development Standards:

- A. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 1, Development Standards, intended to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations.
- B. As part of the application for a building permit the applicant shall submit the following:
 - 1. Construction plans demonstrating compliance with the project plans approved by the DRB including:
 - a. Building and plaza materials, paint colors and lighting fixtures called out on plans.
 - b. Reduced front yard setbacks along the following streets:

Market ST: 6 ft. encroachment for most of facade (14 ft. setback from the property line) and 9 ft. 4 inch encroachment for the elevator (12 ft. wide) (11 ft. 4 inches setback from the property line).

11th Ave West: 5 ft. 6 inches encroachment for facade (15 ft. 6 inches setback from the property line).

3rd ST West: 4 ft. encroachment (16 ft. setback from property line).

- c. Signed agreements from three adjoining property owners agreeing to any landscape buffer modification.
 2. Parking calculations.
 3. Detailed plans and materials for the garbage/recycling enclosure and rooftop appurtenance screening for staff review. For the rooftop screening enclosure, revise plans to show a material and color as directed by the DRB (lighter in material and structure, of a matt finish to reduce glare and a color that blends in with the roof or facade color).
 4. Cornerstone or plaque that meets the requirements of KZC 92.92.35.7.
- C. Prior to final inspection of a building permit by the Planning Official, the project architect shall submit a letter stating that they have evaluated the project to ensure it is consistent with the plans approved through Design Board Review and no modifications have been made that were not previously approved by the City.

II. DESIGN RESPONSE CONFERENCE MEETINGS

A. Background Summary

Below is a summary of the Board's discussions at the two Design Response Conferences held on January 23, 2017 and February 6, 2017. Staff reports for each meeting can be found online at the following web address:

http://www.kirklandwa.gov/depart/planning/Boards_and_Commissions/DRB_Meeting_Information.htm

January 23, 2017 conference: The Design Review Board reviewed the plans submitted by Freiheit and Ho Architects dated January 23, 2017. Staff provided an overview of the Zoning Code for the MSC 1 zone and the key design issues for the project. Staff's memo dated January 11, 2017 provides an analysis of project consistency with the Zoning regulations, and Design Guidelines for Pedestrian Oriented Districts and unique to the Market Street Corridor.

After receiving public comment on the project and deliberating, the Board discussed the request for reduced front yard setback and the need for the project to show that the request results in superior design, especially at the front entrance. The Board requested the project show less of an encroachment on 11th Ave West to be compatible with the openness of the single family residential on 11th Ave West. The Board requested the applicant to return for a second meeting to respond to the following DRB comments regarding:

- Decorative sidewalk details
- Sunshade design and material
- Other building elevations including along alley
- Building materials and paint color details
- HVAC screening design and materials

- Window glazing
- Sidewalk details
- Garage openings and door details
- ADA access at front entrance and potential design changes
- Landscape plan details. Check to be sure landscaping meets sight distance requirements. Verify street tree variety.

February 6, 2017 conference: The Architects presented how the revised plans dated February 6, 2017 had changed to respond to the Board's comments at the previous meeting. The Board discussed the following design changes:

- Main entrance revisions including canopy, distressed corten panels around elevator and door, plaza elimination of stairs, stamped concrete plaza, bench materials and color and sculpture
- Elevations on each side of building
- Building material details and colors
- Window colors
- Sunshade material details
- Roof membrane color, rooftop screening enclosure material
- Sculpture materials and color
- Landscape plan showed the revised street tree and low growing vegetation for landscape strip to meet sight distance triangle requirements at driveway entrances

The Board discussed the changes and at the conclusion of the meeting voted to approve the project with conditions. See Section III below for more information regarding the Board's discussion and conclusions.

B. Public Comment

All public comment letters and e-mails received related to the Design Response Conference meetings were forwarded to the Board for consideration. Oral comments from the public were given at the meetings. All comments are contained in the City's official file. Below is a summary of the general public comment themes that emerged through the design review process:

- Transportation and access issues
 - Locations of driveways on 11th Ave West and alley/3rd ST West rather than a preferred driveway on Market ST
 - Use of alley and lower parking garage entrance on 3rd ST West potential conflicts with drivers on 3rd ST West
 - Potential sight distance issues from cars exiting out of alley onto 3rd ST W because of on-site landscaping and design of extended curb on 3rd ST W.
- Potential safety conflicts with increased number of vehicles from the office building traveling north on alley and kids playing in the alley.
- Precedence setting decision of approving reduced front yard setbacks with future requests from properties along Market ST.
- Building too large for size of lot.
- Parking modification to reduce number of parking stalls on-site and use of street parking for employees.

Staff Comments: Throughout the design review process the property owner/applicant reached out personally to many of the property owners surrounding the subject property to discuss their

concerns. Letters of both support and concern were received. The project was reduced in size so that all required parking will be provided on site and below the threshold for SEPA review.

Many of the concerns were transportation related and not within the authority of the Design Review Board. The applicant did submit a traffic impact analysis to show compliance with City Public Works transportation, driveway, circulation and sight distance policies. The City's transportation engineer did review the applicant's traffic engineer reports for compliance with City regulations and policies and did make recommendations for conditions related to the approval of the project described in Attachment 1. The building permit application will need to show compliance with those conditions.

III. DESIGN REVIEW BOARD DISCUSSION AND CONCLUSIONS

The Design Review Board reviews projects for consistency with Design Guidelines for Pedestrian-Oriented districts as adopted in the Kirkland Municipal Code Chapter 3.30. There are a few guidelines unique to the Market Street Corridor regarding minimizing impacts to low density uses, streetscape design, increased street trees along Market ST. With recommended conditions of approval, the DRB concludes that the proposed project is consistent with applicable design guidelines.

Below is a summary of the key issues and conclusions reached by the Design Review Board during the design review process. For more background on these issues and evaluation of how the project meets the Zoning Code and Design Guidelines see staff advisory reports from the design response conferences contained in File DRV16-03090.

A. MINOR VARIATION TO REDUCE FRONT YARD SETBACKS

Zoning Code MSC 1 zone requires structures provide a minimum 20' front yard setback from the property line on all three streets (Market, 3rd ST West and 11th Ave West). As part of design review, KZC Section 142.37.1.a allows an applicant to request minor variations to the minimum required setbacks in the MSC 1 zone. The DRB may grant a minor variation only if it finds that the following criteria are met (KZC Section 142.37.4):

- 1. The request results in superior design and fulfills the policy basis for the applicable design regulations and design guidelines;*
- 2. The departure will not have any substantial detrimental effect on nearby properties and the City or the neighborhood.*

The approved plans dated February 6, 2017 show the following encroachments and reduced front yard setbacks:

Market ST: 6 ft. encroachment for most of facade (14 ft. setback from the property line) and 9 ft. 4 inch encroachment for the elevator (12 ft. wide).
11th Ave West: 5 ft. 6 inches encroachment for facade (14 ft. 6 inches setback from the property line).
3rd ST West: 4 ft. encroachment (16 ft. setback from property line).

The applicant's response to the criteria is contained in Attachment 3.

DRB Discussion: The applicant revised the plans from the Conceptual Design Conference in response to the Board's request to provide a greater setback on 11th Ave W to be more

consistent with the single family zoned residential street. The DRB discussed how the applicant's plans meet the criteria and implications of approving reduced front yard setbacks.

DRB conclusions: The DRB concluded that the project meets the criteria. The Board was more comfortable supporting reduced setbacks rather than total elimination of front yard setbacks. The Board discussed the importance of keeping wider setbacks to keep the openness along the single family residential streets. The Board concluded the project as designed provides superior design for a greater public benefit and will not have any substantial impacts on nearby properties, City or neighborhood. The Board concluded that the following elements provide a superior design to justify the reduced front yard setbacks:

Market Street facade: The building's main entrance and elevator tower shows use of quality materials with different textures. The entrance contains a pedestrian oriented plaza with decorative scored concrete pavement connects to provide a wider sidewalk in the right of way, concrete benches, planters with landscaping on either side of entrance and art sculpture. The additional protrusions of the elevator and entry canopy help break up the façade along Market Street to provide superior architectural and pedestrian scale.

Market, 3rd ST West and 11th Ave West Streets: Superior landscaping is provided between the building frontage and property line on all three streets. The landscape strips along all three streets go beyond what code requires by providing low growing vegetation and street trees.

B. BUILDING HEIGHT, ARCHITECTURAL AND HUMAN SCALE

MSC 1 allows a maximum height of 25 feet measured above the existing average grade. General Regulation for MSC 1, 51.08.3 and KZC 115.136 establishes that within 30 feet of a low density zone, any portion of structure greater than 15 feet in height shall be no greater than 50 feet in length. The property adjoins low density zones to the northwest and southwest, and therefore the maximum building height is 25 feet and the maximum building façade length requirement of 50 ft. applies to the west and southwest facades.

Rooftop appurtenances and screening may exceed the height limit by a maximum of four feet if the area of all appurtenances and screening does not exceed 10 percent of the total area of the building footprint.

The applicant is proposing solar panels on the roof. Solar panels on flat roof forms may exceed height limits by a maximum of 20 inches.

Under a separate review process, the applicant is requesting to use the historical grade of the property to measure the average building elevation and maximum height. The difference between the existing and historical grades which would be a difference of approximately 1 ft. 8.16 inches. The Hearing Examiner will review the height variance request through a Process IIA zoning permit.

DRB Discussion: The Board's discussion focused on the design of the roof, rooftop appurtenances, and lower level of the building entrance as it meets the Market ST.

DRB Conclusions: The design complies with the maximum horizontal façade requirements adjacent to a low density use. With submittal of the most recent plans, the DRB concluded the project was consistent with the guidelines and regulations related to architectural and human scale. The Hearing Examiner will make a final decision on the height variance after holding a public hearing on the request. The applicant will need to show compliance with the maximum building height, maximum height of rooftop appurtenance, solar panels and screening requirements with the building permit application.

C. VEHICULAR AND PEDESTRIAN ACCESS

Location for the vehicular access driveways are constrained by the shape of the corner lot, volume of traffic along Market ST, and close proximity to the Market ST intersection. The applicant's transportation consultant evaluated the project's turning movements and circulation within the neighborhood, distance to intersections, sight distance compliance and other issues. The location of the driveway distances to the intersections needed a variance from city policies and review by the City's Transportation Division. The driveway access along the alley to the lower garage was redesigned to an angled position to encourage use of 3rd ST West and discourage vehicles to travel north on the alley through the residential area. Transportation related conditions are described in Attachment 1. Pedestrian access is available at the main entrance, rear entrance along the alley and within the garage. A canopy provides overhead weather protection at the main entrance.

DRB discussion: At the first meeting, the DRB noticed that that plans needed to show ADA accessibility to the main entrance. Revised plans eliminated the main entrance stairs to allow for ADA wheelchair access.

DRB conclusions: Transportation impact analysis is beyond the Board's decisional authority. As part of the building permit application the plans with need to show compliance with Building Code ADA requirements and compliance with the recommendations from the Transportation Engineer in Attachment 1.

D. SIDEWALK AND LANDSCAPE STRIP

There is an existing 5' wide sidewalk located next to the curb and trees along the property line. Market Street Corridor Design Guidelines encourage a well-designed streetscape with wider sidewalks and new street trees. To provide greater protection for the pedestrian from Market ST, the new landscape strip with street trees is shown to be located next to the curb as recommended by staff. A minimum 5 ft. wide sidewalk is required, however, a wider sidewalk is shown along Market ST tapering to 5 ft. along 3rd ST and 11th Ave W. A wider landscape strip on 3rd ST West was recommended as a mitigation measure to slow vehicles turning west from Market ST onto 3rd West (see Attachment 1). The proposed landscape plan shows low growing landscaping in addition to new street trees.

DRB discussion: The DRB discussed the proposed landscape plan and street trees. The variety of street tree was changed to provide higher start of the canopy and lower vegetation in the landscape strip to meet sight distance requirements.

DRB conclusions: The DRB approved the proposed sidewalk and landscape plan.

E. BUILDING MATERIALS, COLOR AND DETAIL

Below is a summary of the approved plans building materials shown on Attachment 2, pages 8, 9 and 14:

- Building: Precast concrete in brown for lower panels and light grey for upper panels.
- Main Entrance/Elevator tower: Stained cedar underneath metal black steel canopy, horizontal weathered steel Corten with vertical metal panel for elevator tower.
- Roof: grey roof membrane
- Windows: blue tint glazing with spandrel and clear at entrance

- Accents: aluminum light shelf, sunshade periodically placed along building; not on north facade
- Patio: two toned stamped concrete with border. Concrete bench (2).
- HVAC: Per DRB, revise the corrugated steel panel to a different pattern, matt finish and color to blend in with the roof parapet surround color
- Garage entrances: lower garage secured mesh gate; upper open.

DRB discussion: The DRB discussed the proposed building materials, color and detail for the building. The proposal includes the following building materials:

DRB conclusions: The Board agreed with the proposed building materials and colors as compliant with the Design Guidelines.

F. LANDSCAPING

KZC 95 requires a 15 ft. landscape buffer along the west and northwest property lines. The landscape plan shown on Attachment 2, page L-1 and 2 shows supplemental plantings to the existing trees on the northwest property line. Along the alley, the applicant requested a modification to reduce the buffer to 10 ft. Three property owners submitted agreements approving the reduced width. The Planning Official may approve a landscape buffer modification if criteria in KZC 95 are met. The proposed landscape buffer meets the modification criteria and adjacent property owners have agreed to the reduced buffer. The agreements will need to be recorded with King County prior to issuance of the building permit. The proposed landscape plan was reviewed to be sure it met sight distance from the driveway policies and it does.

DRB discussion: The DRB had very little discussion about the proposed landscape plan.

DRB conclusions: The DRB agree with the planned landscaping plan.

IV. **DEVELOPMENT REVIEW COMMITTEE**

Comments and requirements placed on the project by City departments are found on the Development Standards, Attachment 1.

V. **SUBSEQUENT MODIFICATIONS**

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification in KZC 142.50.

VI. **APPEALS OF DESIGN REVIEW BOARD DECISIONS AND LAPSE OF APPROVAL**

Appeals

Section 142.40 of the Zoning Code allows the Design Review Board's decision to be appealed to the Hearing Examiner by the applicant or any person who submitted

written or oral comments to the Design Review Board. The appeal must be in the form of a letter of appeal and must be delivered, along with a fee (\$219.00) to the Planning and Building Department by 5:00 p.m., 3/3/17, fourteen (14) calendar days following the postmarked date of distribution of the Design Review Board's decision. The letter of appeal must contain a clear reference to the matter being appealed and a statement of the specific elements of the Design Review Board decision disputed by the person filing the appeal.

Only those issues under the authority of the Design Review Board as established by Kirkland Zoning Code 142.35(3) and (4) are subject to appeal.

Lapse of Approval (KZC 142.55)

The applicant must begin construction or submit to the City a complete building permit application for the development activity, use of land or other actions approved under this chapter within five (5) years after the final approval of the City of Kirkland on the matter, or the decision becomes void.

The applicant must substantially complete construction for the development activity, use of land or other actions approved under this chapter and complete the applicable conditions listed on the notice of decision within seven (7) years after the final approval on the matter or the decision becomes void.

VII. ATTACHMENTS

1. Development Standards
2. Approved Plans dated February 6, 2017
3. Applicant response to minor variation criteria

VIII. PARTIES

The parties of record list of people who have submitted written or oral comment to the DRB is contained in the official file.

IX. APPROVAL



Chair, Design Review Board
Date: 2/14/17

CC: Parties of Record List in DRV16-03090

Barbara Loomis
304 8th Ave. West
Kirkland, WA 98033
bloomis304@gmail.com

February 13, 2020

Tony Leavitt, Senior Planner
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City of Kirkland Planning and Building Department
123 5th Avenue
Kirkland, WA 98033

Ref: File Number VAR1800070 – 1/30/2020
Hearing before the Kirkland Hearing Examiner
Regarding Market Street Dental Clinic Variance at 1009 Market St

Dear Mr. Leavitt,

I just wanted to comment on some of the testimony at the hearing January 30, 2020. The applicant DOES NOT have any neighborhood support contrary to what the architect said at the hearing. There were three notarized letters in the file from a previous application that were signed by some of the neighbors in 2017. The letters being written by a couple dentists stating that the neighbors supported modifications to the required landscape buffer. This application (VAR1800070) is different from the one submitted in 2017 when the letters were signed.

A lot can happen in three years! I've talked to the residences of those properties and all of them are now opposed to this application: VAR18-00070 and this building. Kathryn Keegan Grindeland at 925 3rd Street West is opposed and testified to that effect the night of the hearing. Mark Fosdale at 1010 3rd Street West is also opposed and sent an email that I read into the record. Julie Muller at 300 10th Ave. West told me she has just signed a five year lease and is opposed to the project. The owners of her house have moved out of the country. Both Kathryn and Mark said they didn't really understand what the project entailed.

And, NO ONE – all neighbors, who testified at the public hearing, were in support of this project including myself.

For about 2.5 years those of us who live in this residential neighborhood had to put up with an industrial use on this piece of property. It was a staging area for a City project to put in sewers on 1st Street across Market Street in the Norkirk Neighborhood. Dibble Engineers were denied use of this property to do their staging for their new building. They were told that an industrial use was not allowed on this property. But the City of Kirkland allowed the contractor that they hired to use the property for staging of a City project!!

This application should be denied! It will be a health and welfare detriment to the neighbors in both the Market Neighborhood and the Norkirk Neighborhood. And to the bikers, walkers, and cars who heavily utilize Market Street every day. The City of Kirkland should buy this property and turn it into a small neighborhood park – they owe us that much after violating their own codes for 2.5 years.

Respectfully submitted,
Barbara Loomis

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March 10, 2020

Tony Leavitt, Senior Planner - tleavitt@kirklandwa.gov
City of Kirkland Planning and Building Department
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Kirkland, WA 98033

Ref: VAR18-00070 – 2/21/2020 Findings of Fact, Conclusions of Law, and Decision of Kirkland
Hearing Examiner Regarding Market Street Dental Clinic Variance at 1009 Market St

Dear Mr. Leavitt,

We submit this letter of appeal to the City of Kirkland Hearing Examiner's February 21, 2020 Findings of Fact, Conclusions of Law, and Decision regarding VAR-18-00070 for Market Street Dental Clinic Variance at 1009 Market Street.

RECEIVED
12:50 pm
MAR 11 2020
City of Kirkland
Planning & Building Dept.
MC

Specifically, this appeal disputes the following Findings of Fact and Conclusions of Law of the Hearing Examiner:

Finding of Fact 1.6

The Hearing Examiner finds that the City's Transportation Engineer's supplemental sight line analysis accounted for "the angle of the Market Street/10th Avenue West intersection" and that the "measurements were made consistent with how Public Works measures sight distance for other projects." The Hearing Examiner quotes from the City Transportation Engineer's analysis and states "that analysis credibly details how the project sight lines were reviewed consistent with City Public Works traffic policy." We dispute that the City Transportation Engineer's analysis accounted for the angle of the intersection or properly applied or was consistent with the City's written Policy R-13.

Finding of Fact 1.9

The Hearing Examiner quotes the Staff Report, which made the claim that the small triangular lot and the height restrictions "makes the development of a viable commercial property within the standard setbacks unfeasible" and that "the owner has determined that they require 5000 sf office space for development of this site to be viable." The Hearing Examiner finds that "variances are a necessity for a viable commercial use," citing the Applicant's statement regarding Variance Criteria which claimed that without the zero foot setback on Market Street, "the lot remains unbuildable due to the inequitable cost per square foot, as has been demonstrated by the past several failed attempts at developing the subject property." We dispute that a viable commercial use is not feasible without a zero foot setback on Market Street. We further dispute that any evidence was presented to support a finding that the past prior approved developments failed.

Finding of Fact 1.12

The Hearing Examiner found that eliminating the Market Street setback would not be out of character with the area. Again, the evidence does not support such a finding. As the only property on Market Street outside of the Historic Downtown district between 5th Ave. W and 7th Ave. W with a zero foot setback, it would necessarily be out of character with the surrounding areas.

Finding of Fact 1.14

The Hearing Examiner observed that the property is within a mixed commercial/residential corridor as described in the Market Street Corridor Plan. She found that the project "has been reviewed for traffic impacts, and is designed consistent with Plan policies which support addressing sight distance and pedestrian safety, to ensure efficient and safe traffic flow" and the project is "consistent with the Plan and responds appropriately to the site and surrounding community." We dispute that the evidence supports these findings.

Conclusion of Law 2.1

The Hearing Examiner concludes "there is no material detriment to the property or area improvements, or to the City more generally." We dispute this conclusion.

The Hearing Examiner further concludes "*the* variance is necessary due to the site's unique triangular shape, constrained size, and the code treatment of such a site, which requires not one, but three front yard setbacks." (Emphasis added.) We dispute the conclusion that the Applicant sought a single variance (implied in the statement "the variance") and the conclusion that all three variances are necessary.

Additionally, the Hearing Examiner concludes "the design for this commercial building is the minimum necessary, given the landscape buffer, setback, and parking requirements imposed." We dispute this conclusion.

This letter is only intended to meet the requirements of Kirkland Zoning Code Section 150.80 Appeals. We specifically reserve our right under Kirkland Zoning Code Section 150.90 Participation in the Appeal to submit written arguments in support of our position to the City Council prior to the commencement of the City Council's consideration of the appeal and to appear in person at the City Council's consideration of the appeal and provide oral and/or written arguments directly to the City Council.

Regards,



Nicole R. MacKenzie



Kenneth E. MacKenzie



Mark Fosdale



Kathryn Grindeland



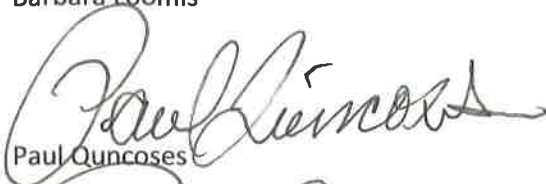
Lisa James



Melissa & Jeff Thirloway



Barbara Loomis



Paul Quncoses



Nicole and Kenneth MacKenzie
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Kirkland, WA 98033

June 3, 2020

Kirkland Mayor Sweet
Kirkland Deputy Mayor Arnold
Kirkland City Councilmembers
123 5th Avenue
Kirkland, WA 98033

Ref: VAR18-00070 – 2/21/2020 Findings of Fact, Conclusions of Law, and Decision of Kirkland
Hearing Examiner Regarding Market Street Dental Clinic Variance at 1009 Market St

Dear Mayor Sweet, Deputy Mayor Arnold, and Councilmembers,

We submit these written arguments in support of our letter of appeal to the City of Kirkland Hearing Examiner's February 21, 2020 Findings of Fact, Conclusions of Law, and Decision regarding VAR-18-00070 for Market Street Dental Clinic Variance at 1009 Market Street.

Kirkland Zoning Code §120.20 governs the criteria for granting a variance and specifies that the City may grant a variance only if all three of the following criteria are met.

1. The variance will not be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as a whole; and
2. The variance is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of a preexisting improvement on the subject property that conformed to the Zoning Code in effect when the improvement was constructed; and
3. The variance will not constitute a grant of special privilege to the subject property which is inconsistent with the general rights that this code allows to other property in the same area and zone as the subject property.

For the reasons set forth herein, none of the three criteria have been met and the Hearing Examiner's decision should be reversed entirely or modified as supported by the correct Findings of Fact and Conclusions of Law.

I. The variances sought will be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as a whole.

The Hearing Examiner makes several incorrect Findings of Fact with respect to the first required criterion which much be met.

First, in Finding of Fact 1.6, the Hearing Examiner finds that the City's Transportation Engineer's supplemental sight line analysis accounted for "the angle of the Market Street/10th Avenue West intersection" and that the "measurements were made consistent with how Public Works measures sight distance for other projects" and the variance would "have no impact on the sight distance for vehicles entering Market Street from 10th Avenue W." The Hearing Examiner quotes from the City Transportation

Engineer's analysis and states "that analysis credibly details how the project sight lines were reviewed consistent with City Public Works traffic policy."

The City Department of Public Works Pre-Approved Plans Policy R-13, which may be found at https://www.kirklandwa.gov/depart/Public_Works/DevelopmentServices/Pre-Approved_Plans/Roadway.htm, governs intersection sight distances. Policy R-13, **the only publicly published written policy on sight distances**, "establish[es] the sight distance triangle that must be kept clear of sight obstructions for all intersections and driveways pertaining to new developments." Policy R-13 section 1 (emphasis added.) Policy R-13 sets forth clear rules for establishing sight distance triangles for the various types of intersections and driveways. The required sight distance is defined to be "how far (on the major road) the driver should be able to see so as to **safely** exit a minor road or driveway...." R-13 section 3 (emphasis added.) Table 2 in the Policy shows the sight distance values that need to be used to determine the sight distance triangle at various types of intersections and driveways.

TABLE 2: Sight Distance Triangle Guidelines*

Type of Intersection or Driveways	Distance from Edge of Traveled Way (ft)	Major Street (Street Entered Upon)			
		Average Daily Traffic	Speed Limit (MPH)	Sight Distance Value (ft) (a) (B-C1) and (B-C2)	
				Recommended (Desirable)	Minimum (Required) (d)
A – Uncontrolled (See Figure 1)	115 (b)	<1000	25	115	115
B - Stop Control on Minor Street (See Figure 2)	14	Any	25	280	150
			30	335	200
			35	390	250

*Table truncated here for space.

Footnotes:

(a) These values should be adjusted for grades with slopes of a magnitude of grade greater than 3%, number of lanes greater than two, for skewed intersections or for design vehicles other than passenger cars, using the intersection sight distance procedures in Chapter 9 of a Policy on Geometric Design, AASHTO, 4th Edition

(b) Distance back from center of intersection.

(c) Distance back from point C1 or C2 for types C-1 and C-2 intersections.

(d) Minimum (Required) only permitted if Recommended (Desired) is not possible (see page 3 for further explanation).

(e) Distance from back of the sidewalk.

(f) Distance parallel to the sidewalk from the center of the driveway.

The intersection of 10th Avenue W and Market Street is a stop controlled intersection on the minor street and therefore is a Type B Intersection. Since the speed limit on Market Street at that point is 35 mph, the recommended site distance is 390 feet. Per Footnote (d), the minimum required distance of 250 feet is permitted **only if** the recommended site distance is not possible, as clarified by R-13 section 3.c. R-13 section 3.c. specifies that "[t]he **Recommended** values are **required**" and only if they cannot be reasonably obtained due to the presence of fixed structures that cannot be removed or roadway features shall the driveway be relocated or designed to **maximize** sight distance and in no case shall it be less than the minimum value. Further, Footnote (a) requires that the values be adjusted for grades with slopes of a magnitude greater than 3% and for skewed intersections.

City Staff and specifically the City Transportation Engineer acknowledges that the grade on Market Street up from the intersection with 10th Avenue. W is approximately 5%. (See City Memorandum dated February 13, 2020 with attached Public Works Memo dated February 10, 2020.) The engineer further acknowledges that the **minimum** required site distance for a 35 mph street with grades from 3% to 6% is 275 feet based on the 2018 AASHTO Green Book, 7th Edition. *Id.* However, applying the adjustments in

2018 AASHTO, 7th Ed., 9-44 and 9-45, the **Recommended**, and therefore per Policy R-13, the required distance is **412 feet**. (See Tilghman Group report dated 2/10/2020 which is Attachment 1 to MacKenzie Comment Letter dated 2/11/2020.) The engineer's analysis did *not* properly account for the Market Street grade since it did not reference the Recommended, i.e. **required**, 412 feet sight line distance.

Additionally, acknowledges that the intersection angle at 10th Avenue W and Market Street is skewed, but dismisses it saying, without any supporting evidence or authority, that *sight distance* looking north on Market Street is not affected by the skewed angle and therefore adjustment for a skewed angle intersection is not applicable. In fact, per Public Works' own published policy, the required sight distance values *necessarily must be adjusted for skewed intersections*. The Tilghman Group report notes that 10th Avenue W intersects with Market Street at a sharp 45 degree angle which greatly exceeds the design guidance for intersections that encourage intersecting angles of 75 degrees or greater. (Citing to *A Policy on Geometric Design of Highways and Streets*, AASHTO, 7th Ed., 9-33.)

Drivers on 10th Avenue W at the intersection must severely crane their necks to see on-coming traffic to the north of the intersection. Clearly a driver's sight line and sight distance are significantly impacted by the skewed intersection such that *if* that were the criteria for determining whether the adjustments for a skewed angle intersection are applicable, the answer is a resounding yes. They would be further negatively impacted by the presence of a permanent structure with no setback on Market Street encroaching in the sight distance triangle. Thus, the Hearing Examiner's finding that the City's Transportation Engineer's supplemental sight line analysis accounted for "the angle of the Market Street/10th Avenue West intersection" is incorrect on its face.

Policy R-13 section 4 states "no structure, improvement, vegetation or other objects may be within the area to be kept clear of sight obstructions between three (3) feet and eight (8) feet above the elevations of the pavement edge of each intersecting street ... where that street ... meets the points of the triangle that form this area furthest away from the intersection." One of the clear purposes of front yard setbacks and policy R-13 is to make certain, long before plans are drawn and building permits are requested, that the perimeter of every new structure is set safely and does not create a traffic hazard by obstructing any line of sight.

For a Type B controlled intersection, it specifies that the "decision point" is located at the center of the minor street approach lane at a distance of 14 feet from the edge of the traveled way. Traveled way is defined as "the portion of the road intended for the movement of vehicles and bicycles, exclusive of shoulders and turning lanes." Notably, Policy R-13 provides the following additional clarification.

Although it is not typical to do so, if a parking lane exists on the major street, it *may be excluded* from the traveled way in special cases. ***Usually*** these are cases ***where volumes and speeds are low and*** therefore the ***overall safety risk*** at the intersection is considered ***low***.

There is both a bicycle lane and a parking lane on Market Street. As noted previously, the speed limit on Market Street at the subject intersection is 35 mph and the City has acknowledged in many different contexts, including the recently updated Market Street Corridor Plan, that Market Street is a transportation link serving both regional and local users and that traffic volume on the Corridor is high. Thus, this intersection does not fall within the circumstances that allow for the rare exclusion of the parking lane from the traveled way.

It is also abundantly clear that the increasing traffic loads, together with the ever-increasing need to provide efficient transit service on Market Street will likely result in the existing parking lane being repurposed for a bus-only lane or another regular traffic lane (see e.g. southbound Market Street at Forbes Creek Drive). Any analysis concerning the safety of this intersection and the location of a new permanent structure would be short-sighted and inappropriate if it ignored this obvious likely occurrence.

The safety of bicyclists, bus passengers, and auto passengers on southbound Market Street at this intersection requires that the City's policy be faithfully and wisely applied.

Despite the fact that the practice of excluding parking lanes from the traveled way is clearly disfavored by the Public Works' own published policy, the traffic engineer claims that it is appropriate to exclude on-street parking lanes from the traveled way and measure the decision point from the edge between the bicycle travel lane and the parking lane if both on-street parking and a bike lane exist. In failing to follow Public Works' written published policy with respect to determining the applicable required sight distance and the location of the decision point, the City's Transportation Engineer reached incorrect and improper conclusions about whether the requested variances, including specifically for a zero foot setback along Market Street, result in the proposed improvement encroaching the sight distance triangle.

Contrary to the Hearing Examiner's findings, the City's Transportation Engineer's measurements and analysis were not made consistent with written published City Public Works traffic policy. The 412 foot site line distance from the correct decision point **required** by proper application of City policy R-13 to this particular intersection is clearly and obviously not possible should a building be located according to the requested Market Street front yard zero foot setback variance.

Second, in Finding of Fact 1.10, the Hearing Examiner finds that the 7.5 foot landscape buffer along 3rd Street W is "consistent with KZC Section 95.46.1 because the adjoining owners agreed in writing to the modification in and the 'distance of development from the neighboring property decreases or eliminates the need for buffering.'" As noted in Section 1.5.1 of the Hearing Examiner's Findings of Fact, Conclusions of Law, and Decision, the neighbors who had initially consented to the modification did not fully appreciate at the time what was being proposed and have now expressed in writing and on the oral record opposition to the proposed modification. Therefore, even by the Hearing Examiner's own account, the adjoining owners *do not agree* to the modification or that the need for buffering is decreased or eliminated.

Third, in Finding of Fact 1.12 the Hearing Examiner found that eliminating the Market Street setback would not be out of character with the area. Again, the evidence does not support such a finding. The property is part of the MSC-1 zone which applies to most all of the Market Street Corridor. MSC-2, MSC-3, and MSC-4 are small zones scattered along Market Street where different rules apply for historical or land use reasons. Contrary to the applicant's statement supporting the variance application and available on MyBuildingPermits.com, no buildings in MSC-1 have a zero front yard setback along Market Street. (See also MacKenzie letter dated 6/12/2018 at pp. 172-180 of the 1009 Market Street Variance HE Packet 01302020 – VAR18-00070 and MacKenzie letter dated 2/11/2020.) As the only property on Market Street outside of the Historic Downtown district between 5th Avenue W and 7th Avenue W with a zero foot setback, it would necessarily be out of character with the surrounding areas.

The Hearing Examiner, in Finding of Fact 1.14, observed that the property is within a mixed commercial/residential corridor as described in the Market Street Corridor Plan. She found that the project "has been reviewed for traffic impacts, and is designed consistent with Plan policies which support addressing sight distance and pedestrian safety, to ensure efficient and safe traffic flow" and the project is "consistent with the Plan and responds appropriately to the site and surrounding community."

However, Policy MS-3.2 of the Market Street Corridor Plan (Exhibit I to the 1009 Market Street Variance HE Packet 01302020 – VAR18-00070) notes that there are general traffic flow problems on Market Street that are impacted by sight distance problems, short acceleration lanes, speeding, lack of gaps for entry traffic, and transition to a 25 mph zone near the downtown.

Though not specifically discussed in Policy MS-3.2, the previously noted increased traffic volume and importance of the Corridor to mass transit offerings and the resulting safety implications are among the issues contemplated by the Policy. Possible solutions identified in the Policy include simplifying intersections, creating gaps in the traffic, and calming or slowing traffic on Market Street. Allowing

variances that make already challenging intersections even more difficult to navigate (see discussion above) is in direct conflict with the Plan and Policy MS-3.2.

Likewise, the Plan calls 1) for promotion of development regulations that address transitions and protect neighborhood character, noting that building mass of higher density structures should not overwhelm adjoining low-density uses and landscape buffers should be used to soften and separate uses (MS-6.1); and 2) for establishing multifamily building and site design standards that enhance neighborhood compatibility by addressing issues such as building placement on the site, site access and on-site circulation by vehicles and pedestrians, building scale, landscaping, and buffers between multifamily developments and single-family housing (MS-6.2). The three variances requested are not consistent with Plan Policies MS-3.2, MS-6.1, or MS-6.2.

Since the Hearing Examiner's Findings of Fact 1.6, 1.10, 1.12, and 1.14 are incorrect as discussed fully above, her Conclusion of Law 2.1 that "there is no material detriment to the property or area improvements, or to the City more generally" is not supported by the evidence or correct Findings of Fact.

II. The variances are not necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of a preexisting improvement on the subject property that conformed to the Zoning Code in effect when the improvement was constructed.

The Hearing Examiner, in Finding of Fact 1.9, quotes the Staff Report, which made the claim that the small triangular lot and the height restrictions "makes the development of a viable commercial property within the standard setbacks unfeasible" and that "the owner has determined that they require 5000 sf office space for development of this site to be viable." The Hearing Examiner finds that "variances are a necessity for a viable commercial use," citing the Applicant's statement regarding Variance Criteria which claimed that without the zero foot setback on Market Street, "the lot remains unbuildable due to the inequitable cost per square foot, as has been demonstrated by the past several failed attempts at developing the subject property."

Disregard for the requisites established by ordinance for the granting of a variance justifies a conclusion the decision-maker acted in an arbitrary and capricious fashion. *Cooper-George Co. v. City of Spokane*, 3 Wn.App. 416, 418, 475 P.2d 568, (Div. 3 1970). KZC §120.20 requires that the requested variance(s) be "necessary" due to special circumstances. The City's choice of the word "necessary" is a more restrictive standard than other standards customarily applied to variances by other jurisdictions, such as "practical difficulty," or "undue hardship," or "unnecessary hardship." *Cooper-George Co.* at 418. Here, there is no substantial evidence to support the Applicant's claim or the Hearing Examiner's finding that 5000 square feet of office space must be provided for the Applicant's dental office to be economically viable. No evidence is provided as to whether prevailing rental rates in the community would be sufficient to amortize costs for a conforming structure, residential or commercial.

Furthermore, the criteria is whether the variance(s) is necessary for any development allowable under the applicable zoning, not whether it is necessary for the property owner's desired development.

"Necessary" is related only to the condition of the property, not to the wishes of an individual property owner. The standard is objective, not subjective. *St. Clair v. Skagit County*, 43 Wn.App. 122, 127, 715 P.2d 165, (Div. 1 1986). A nontechnical statutory term is typically given its dictionary meaning. In this case, the dictionary defines the term "necessary" to mean "indispensable" or "[a]bsolutely required" or "[n]eeded to bring about a certain effect or result." *Cooper Point Ass'n v. Thurston County*, 108 Wn.App. 429, 440, 31 P.3d 28 (2001)(quoting WEBSTER'S II NEW COLLEGE DICTIONARY 731 (1999)). *Thurston County v. Cooper Point Ass'n*, 148 Wn.2d 1, 17, 57 P.3d 1156, (2002). The record indicates that the front yard variance on Market Street is not "indispensable" because a building permit for proposal has been issued that did not include a front yard variance on Market Street.

“Necessary” should be construed to assure regulations do not deprive the owner of “all or substantially all economic use of the land.” *Estate of Friedman v. Pierce County*, 112 Wn.2d 68, 78, 768 P.2d 462, (1989). The history of the parcel reveals that economic uses exist given the expense and effort of preparing the necessary materials.

Date	Event	Description	Source
1946	Single family house constructed	From available photos, it appears to be a classic “Kirkland Rambler”	Attachments 2 & 3 to MacKenzie Comment Letter of 2/11/2020
2/14/2003	Setback variance granted by Hearing Examiner	4,200 square foot office building with underground parking for 13 cars proposed with driveway onto 10th Ave W <ul style="list-style-type: none"> • 3rd St W setback reduced to 5’ • 10th Ave W setback reduced to 10’ • Market St setback unchanged at 20’ 	January 30, 2020 Hearing Examiner Packet pages 37 & 46.
2/7/2007	Application for Building Permit BLD07-00107 submitted	“To build a mixed use bldg. with 13 car garage below; 1st floor 2,700 sq. ft. shell for 1 office & 2nd floor 2,700 sq. ft. for 1 residential unit” (Total 5,400	Attachment 2 to MacKenzie Comment Letter of 2/11/2020
5/14/2007	Statutory Warranty Deed recorded	Transfer property to Benjamin J Green	Attachment 3 to MacKenzie Comment Letter of 2/11/2020
8/15/2007	BLD07- 00756 Issued	Demolish single family residence	Attachment 3 to MacKenzie Comment Letter of 2/11/2020
10/9/2007	BLD07-00107 Issued	5,400 sq. ft. mixed use building referenced above	Attachments 2 & 3 to MacKenzie Comment Letter of 2/11/2020
12/20/2007	LSM07-00055_P Issued	Land Surface Modification permit issued for application that included a site plan showing no Market St setback variance.	Attachment 4 to MacKenzie Comment Letter of 2/11/2020
12/16/2009	Request to cancel BLD07-00107	Letter from Dr. Benjamin Green to City of Kirkland Building Division referring to “my building permit”.	Attachment 5 to MacKenzie Comment Letter of 2/11/2020

This trail of requests and approvals documents clearly that a useful building can be constructed on this parcel while maintaining the required 20 foot front yard setback on Market St. – neither the 4,200 square foot office building contemplated in the 2003 variance request nor the 5,400 square foot mixed office and residential building which was the subject of the 2007 permit application required a Market St. setback variance.

Mr. Green purchased the property while the building permit application for the 5,400 square foot building was pending. He should have known what the applicable setbacks were for the property and what variances had been granted that would apply to the then pending proposed development when he purchased the property. More than 2 years elapsed from the time the building permit was issued to Mr. Green and his request to cancel it. Nine years later, Mr. Green submitted the **current application for three variances**¹, including for the Market Street setback, in order to build a 5,387 square foot dental clinic – a building smaller than that of the 2007 building permit.

¹ The Applicant and City Staff treated the requests as seeking a single variance in addressing whether each of the three criteria for granting variances are met. By treating the three requests as one, they were able to argue that no commercial development is viable without “the” variance. Each variance requested should properly be evaluated separately to whether each meets all three of the required criteria for granting each one.

There is no evidence in the record as to why the prior owners decided to seek a building permit for a 5,400 square foot mixed use building rather than moving forward with construction of the 4,200 square foot office building. Nor is there any evidence in the record as to why Mr. Green decided not to pursue construction of the already approved 5,400 square foot building.

The history of the parcel and the various development requests granted by the City clearly and definitively defeat any argument that the geometry, layout, or circumstances of the parcel require a Market Street setback variance. Denial of the Market Street setback variance does not deprive Mr. Green of "all or substantially all economic use of the land" (*Estate of Friedman* at 78, *supra*), nor is the variance indispensable to development of the parcel.

While it is possible that the combination of setback requirements and parking requirements may preclude certain kinds of development of this property, there are other conceivable uses and developments and therefore there is no requirement that all *three front yard setback variances* be granted. The Hearing Examiner's Conclusion of Law 2.1 that "*the variance is necessary due to the site's unique triangular shape, constrained size, and the code treatment of such a site, which requires not one, but three front yard setbacks*" is an indication that the Examiner likewise treated the application as seeking a single variance and failed to evaluate each requested variance individually against the three criteria. As such, the conclusion is unsupported by the evidence and must be overturned.

III. The variance will constitute a grant of special privilege to the subject property which is inconsistent with the general rights that this code allows to other property in the same area and zone as the subject property.

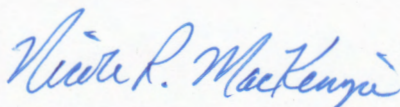
As noted above, Finding of Fact 1.12 asserted that eliminating the Market Street setback would not be out of character with the area. As previously discussed, the property is part of the MSC-1 zone which applies to most all of the Market Street Corridor and *no* buildings in MSC-1 have a zero front yard setback along Market Street. As the only property on Market Street outside of the Historic Downtown district between 5th Avenue W and 7th Avenue W with a zero foot setback, the Market Street setback variance would necessarily be out of character with the area and constitute a grant of special privilege that is inconsistent with the general rights the City's Codes allow to other properties in the same area and zone.

Conclusion

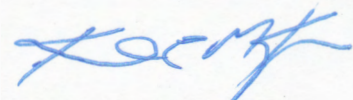
As demonstrated in great detail, the Hearing Examiner's Findings of Fact 1.6, 1.9, 1.10, 1.12, and 1.14 and Conclusion of Law 2.1 are not supported by the evidence in the record and must therefore be reversed or modified to conform to the evidence. Further, since KZC §120.20 requires that all three of the stated criteria must be met in order for a variance to be granted and the Market Street setback variance fails to meet any of the criteria, the variance for a zero foot front yard setback on Market Street must be denied.

We specifically reserve our right under Kirkland Zoning Code Section 150.90 to submit additional written arguments to the City Council prior to the hearing and to appear in person at the hearing and provide oral and/or written arguments directly to the City Council.

Regards,



Nicole R. MacKenzie



Kenneth E. MacKenzie



MERRICK LENTZ ARCHITECT
ARCHITECTURE - PLANNING

June 3, 2020

Mr. Tony Leavitt, Senior Planner
City of Kirkland Planning and Building Department
123 5th Avenue
Kirkland, WA 98033

RE: Applicant Response to Letter of Appeal
VAR18-00070
Market Street Clinic, 1009 Market Street

Dear Mr. Leavitt,

The owners to the above-named project are pursuing a variance for the property at 1009 Market Street to allow the construction of a 5000 square foot dental office building. The site is a small triangular lot on Market Street, fronted on all three sides by streets, and has been vacant since 2007. The site is located in the Market Street Corridor zone (MSC-1), in which development of multi-family or office buildings along Market Street is encouraged. With the front yard setbacks applied on all sides the total buildable area of the site without variance is 1749 square feet, about 22% of the 8120 square foot property. The variance requests a reduction of the standard front yard setback on all three sides as required to create a building footprint large enough to provide for the proposed 5000 square foot building. The variance hearing was held on January 30, 2020 and the record held open until February 13, 2020. The City of Kirkland Hearing Examiner issued the Findings of Fact, Conclusions of Law and Decision for Variance VAR180-00070 on February 21, 2020 approving the requested variance with conditions. Seven neighboring residents have appealed the decision and provided the City a Letter of Appeal, dated March 10, 2020, as required by KZC Section 150.80, indicating the specific findings that are being disputed by the appellants.

The appellants have disputed 4 Findings of Fact and 1 section of the Conclusions of Law. The disputed Sections are included in the discussion that follows, along with the Applicant's response to the disputed determination.

Finding of Fact 1.6

From the appeal letter: *The Hearing Examiner finds that the City's Transportation Engineer's supplemental sight line analysis accounted for "the angle of the Market Street/10th Avenue West*

intersection" and that the "measurements were made consistent with how Public Works measures sight distance for other projects." The Hearing Examiner quotes from the City Transportation Engineer's analysis and states "that analysis credibly details how the project sight lines were reviewed consistent with City Public Works traffic policy." We dispute that the City Transportation Engineer's analysis accounted for the angle of the intersection or properly applied or was consistent with the City's written Policy R-13.

Applicant response: The appellants provide no basis for their assertion that the City Transportation Engineer was in error in analyzing the sight lines at the intersection of Market Street and 10th Avenue West. The Examiner left the record open to specifically address this issue and permit the City Transportation Engineer to prepare supplemental analysis of the sight lines. Per the decision the engineer's analysis "credibly details how the project sight lines were reviewed consistent with City Public Works traffic policy. The Department's analysis was prepared by a traffic engineer, with expertise in applying the City's adopted policies, including Policy R-13, which was attached to the engineer's memo." The City Transportation Engineer, in analyzing the Market Street grade, intersection configuration, and building and awning location and configuration determined that the measured sight distance from the Market Street/10th Avenue West intersection exceeds 500', far exceeding the required 275 foot minimum. Further he asserted that granting the Variance would have "no impact on the sight distance for vehicles entering Market Street from 10th Avenue West and that the proposed project driveways on 3rd Street West and 10th Avenue West have adequate site distance. ... The proposed building will have no impacts on existing sight distance conditions and will not create safety issues for vehicles accessing the site and driving on adjacent streets." As discussed in the meeting a great deal of care will be required during permitting to ensure that street trees and landscaping do not block lines of sight from the intersection, but as clearly demonstrated by the applicant and confirmed by the Transportation Engineer the building will not impact sight lines and create a safety problem at this intersection.

Finding of Fact 1.9

From the appeal letter: *The Hearing Examiner quotes the Staff Report, which made the claim that the small triangular lot and the height restrictions "makes the development of a viable commercial property within the standard setbacks unfeasible" and that "the owner has determined that they require 5000 sf office space for development of this site to be viable." The Hearing Examiner finds that "variances are a necessity for a viable commercial use," citing the Applicant's statement regarding Variance Criteria which claimed that without the zero foot setback on Market Street, "the lot remains unbuildable due to the inequitable cost per square foot, as has been demonstrated by the past several failed attempts at developing the subject property." We dispute that a viable commercial use is not feasible without a zero foot setback on Market Street. We further dispute that any evidence was presented to support a finding that the past prior approved developments failed.*

As noted above and in testimony at the variance hearing, the small, triangular site has a very small buildable area, 1749 sf (square feet), within the standard front yard setbacks on all sides. As testified, without a variance granted the building and all surface parking improvements would

by code be required to be within this 1749 sf footprint. The applicant testified to the property owner's determination that 5000 square feet of building would be required to make this a viable commercial project at this site. Given the medical use the parking requirements are significant, and two under-building parking levels are necessary to provide the required parking. As noted in the hearing a smaller building does not provide the revenue sufficient to support the expensive construction of multiple levels of parking. Also as testified, the applicant proposed reduced buffers that provided just enough buildable property for the 5000sf office building. The decision was made to reduce the setbacks on the residential sides as little as possible in deference to the neighbors, and request the largest setback reduction along Market Street, given that the MSC zone is designed to encourage orientation to pedestrian activity along Market Street, there are zero setback properties one long block to the south, and a reduced setback at the office building immediately to the north. As indicated in the Examiner's report, "A 0 foot setback on Market Street allows for an equitable development while limiting the setback variance needed along 10th Ave W that is adjacent to low density residential areas and where the neighbors prefer to keep the 15 foot landscape buffer."

The appellants have offered only an unsubstantiated assertion and no evidentiary testimony that the project is commercially viable without setback modifications. The owner has testified to the negative impacts the undeveloped property has on the adjacent properties, and the appellants agreed with their testimony. The vacant site supports the finding that prior attempts to develop the property commercially have not succeeded.

Finding of Fact 1.12

From the appeal letter: *The Hearing Examiner found that eliminating the Market Street setback would not be out of character with the area. Again, the evidence does not support such a finding. As the only property on Market Street outside of the Historic Downtown district between 5th Ave. W and 7th Ave. W with a zero foot setback, it would necessarily be out of character with the surrounding areas.*

As testified, the proposed project is located in the Market Street Corridor zone, in an area designated for commercial uses. It will be less than half the size of the office building immediately to the north, and smaller than the nearby office at 312 11th Avenue. Additionally, the City Planner testified that the percent of lot coverage is less than both of those referenced buildings. The applicant testified that the building would use high quality materials consistent with development in the area, and would use modulation of form and material to lessen the impacts of the proposed reduced setbacks. As noted in the Examiner's finding "(e)liminating the Market Street setback would not be out of character with this area, which is intended for pedestrian oriented commercial uses." Additionally, the applicant and the City Planner testified that there are zero setback properties in the surrounding area.

Finding of Fact 1.14

From the appeal letter: *The Hearing Examiner observed that the property is within a mixed commercial/residential corridor as described in the Market Street Corridor Plan. She found that the project "has been reviewed for traffic impacts, and is designed consistent with Plan policies*

which support addressing sight distance and pedestrian safety, to ensure efficient and safe traffic flow" and the project is "consistent with the Plan and responds appropriately to the site and surrounding community." We dispute that the evidence supports these findings.

The Planning Department staff report testifies to the purpose of the Market Street Corridor, to support "a mix of higher intensity uses along the Market Street Corridor while minimizing impacts on adjacent residential neighborhoods." The site is located within this mixed commercial/residential corridor area, and the zone is specifically intended to encourage developments of this kind. As indicated in the Examiner's report, the proposed building is oriented toward Market Street, will undergo Design Review, and includes "modulation, landscaping, sidewalk improvements, and other mitigation." The applicant has prepared a traffic study to ensure safe movement to and from the property vehicular access points. The transportation engineer has reviewed the study, and performed additional sight line analysis during the open record period after the hearing, as discussed previously. The Examiner concludes the project "responds appropriately to the site and surrounding community", and the appellants provided no testimony or evidence to substantiate the assertion that this project is not consistent with the Comprehensive Plan.

Conclusion of Law 2.1

From the appeal letter: *The Hearing Examiner concludes "there is no material detriment to the property or area improvements, or to the City more generally." We dispute this conclusion.*

The Hearing Examiner further concludes "the variance is necessary due to the site's unique triangular shape, constrained size, and the code treatment of such a site, which requires not one, but three front yard setbacks." (Emphasis added.) We dispute the conclusion that the Applicant sought a single variance (implied in the statement "the variance") and the conclusion that all three variances are necessary.

Additionally, the Hearing Examiner concludes "the design for this commercial building is the minimum necessary, given the landscape buffer, setback, and parking requirements imposed." We dispute this conclusion.

The appellants offer no evidence to support the assertion that the application fails to meet burden of proof criteria number 1, "The variance will not be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as a whole;" As noted by the Examiner, the City staff report and Applicant demonstrated that "(w)ith the required landscaping, buffering, Design Review, and improved pedestrian circulation, there is no material detriment to the property or area improvements, or to the City more generally. While the Market Street setback is eliminated, the commercial building is oriented toward Market Street, will provide a better transition than the current vacant lot, and the building has been designed to facilitate pedestrian activity. The landscaped buffers on the other two sides address use change and provide for compatibility between the uses."

Regarding burden of proof criteria 2, the appellant appears to argue that the variance request is not one variance action, but three variance actions. First, this is not an argument that was put forward during the hearing, and we've seen no evidence it was made during the open period

following the hearing, and therefore should not be considered as an argument in support of the appeal. Per KZC 150.95 “The appeal will be considered only on the record developed in the hearing before the Hearing Examiner. No new evidence may be presented.” This assertion should be struck from the appeal as an attempt to introduce new evidence. Additionally, the City has accepted this as a single Variance action, addressing the setbacks on each frontage of the property.

Second, the City staff report and the Applicant clearly demonstrated that the variance is necessary because of special circumstances regarding the size and shape of the property. As summarized by the Examiner, “(t)he variance is necessary due to the site's unique triangular shape, constrained size, and the code treatment of such a site, which requires not one, but three front yard setbacks... As one of only three similarly situated sites within the City, one of which is a park, these do constitute special and unique circumstances.”

Addressing burden of proof criteria 3, the City staff report and applicant have clearly demonstrated that the granting of the Variance does not constitute a grant of special privilege to the subject property which is inconsistent with the general rights this code allows to other property in the same area and zone at the subject property. As was testified, this is a modestly sized office building, scaled appropriately with the property size, and consistent with nearby commercial buildings. The Examiner concluded that “(a)s detailed in the findings, the design for this commercial building is the minimum necessary, given the landscape buffer, setback, and parking requirements imposed. The appellants have offered no evidence in support of their assertions to the contrary.

For the reasons noted above we believe the decision of the Hearing Examiner is clearly and demonstrably correct and should be upheld by City Council.

As a final note, the appellants Letter of Appeal is a general document disputing 5 findings of fact by the Hearing Examiner, but it does not provide any substantive supporting arguments for claiming the Examiner’s findings are in error. The letter has the form of a place-holder, by the appellants’ own admission:


“This letter is only intended to meet the requirements of Kirkland Zoning Code Section 150.80 Appeals. We specifically reserve our right under Kirkland Zoning Code Section 150.90 Participation in the Appeal to submit written arguments in support of our position to the City Council prior to the commencement of the City Council's consideration of the appeal and to appear in person at the City Council's consideration of the appeal”

Section 150.90 provides the applicant the right to submit a written response to the appeal as indicated: “Only those [persons](#) entitled to appeal the decision under KZC [150.80](#)(1) who file an appeal under KZC [150.80](#)(2) may participate in the appeal; *provided, that the applicant may submit a written response to an appeal filed by an appellant...*” (Emphasis added.)

To date, no additional written arguments supporting their position have been submitted and it appears that the appellants will not do so prior to the Applicant’s deadline for providing their response to the appeal. Given the general nature of their appeal letter, lacking evidence and arguments supporting their assertions, it appears this may be a strategy to deny the applicants the

opportunity to exercise their right under Section 150.90 to file a considered, written response to the appellants' arguments. To date the appellant has failed to provide any evidence from the meeting record and arguments presented that the Hearing Examiner's determination was in error, beyond their assertion to that effect. The Applicant would like to reserve the right provided for in KZC 150.90 to provide a written response to any additional arguments submitted by the appellants.

Respectfully Submitted on behalf of the property owners,

A handwritten signature in black ink, appearing to read 'Craig Chaney', with a stylized, cursive script.

MERRICK LENTZ ARCHITECT
Craig Chaney

RESOLUTION R-5431

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING THE HEARING EXAMINER DECISION APPROVING THE MARKET STREET DENTAL CLINIC VARIANCE IN DEPARTMENT OF PLANNING AND BUILDING FILE NO. VAR18-00070.

1 WHEREAS, Craig Chaney filed an application with the
2 Department of Planning and Building for approval, through Process IIA
3 review, of a variance located within a Market Street Corridor (MSC) 1
4 zone; and

5
6 WHEREAS, the Hearing Examiner held an open record public
7 hearing on January 30, 2020, and issued her decision to approve the
8 application for the variance on February 21, 2020; and

9
10 WHEREAS, Nicole MacKenzie, Kenneth MacKenzie, Mark
11 Fosdale, Lisa James, Melissa Thirloway, Barbara Loomis, and Paul
12 Quincoses filed a timely appeal with the City Council of the Hearing
13 Examiner's decision to approve the application for the variance on March
14 11, 2020; and

15
16 WHEREAS, the City Council, in a closed record appeal hearing
17 held during the July 7, 2020 meeting, carefully considered the appeal,
18 the staff report on the appeal, and any oral and written arguments of
19 the persons entitled to participate in the appeal hearing, and have
20 determined the variance request to be consistent with relevant criteria
21 in the Kirkland Zoning Code and consistent with relevant policies in the
22 City's Comprehensive Plan.

23
24 NOW, THEREFORE, be it resolved by the City Council of the City
25 of Kirkland as follows:

26
27 Section 1. The Hearing Examiner's decision approving the
28 Market Street Dental Clinic Variance entered on February 21, 2020 and
29 filed in the Department of Planning and Building File No. VAR18-00070
30 is affirmed by the City Council.

31
32 Passed by majority vote of the Kirkland City Council in open
33 meeting this _ day of July, 2020.

34
35 Signed in authentication thereof this _ day of July, 2020.
36

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

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

Date: June 22, 2020

Subject: DRAFT FIRE AND EMERGENCY MEDICAL SERVICES BALLOT MEASURE ORDINANCE

RECOMMENDATION

City Council reviews and comments on the ballot title and ordinance language in the draft ordinance. The ordinance authorizes placement of a permanent levy lid lift on the November 2020 ballot to fund fire and Emergency Medical Services (EMS) capital and operating costs. The final ordinance will be presented for Council action at the July 21, 2020 meeting, which is the last meeting where the Council may place the measure on the ballot in November.

BACKGROUND

At their June 16 Council meeting, Council received a final update on the ComSAG capital project and staffing estimates from the Recommendation Review Team (RRT) and reviewed two potential ballot measure ordinances. Council also authorized the recruitment of the ballot measure pro and con committees. With the final update from the RRT increasing estimates beyond the ComSAG's original recommendation of \$0.225/\$1,000AV, the Council chose to defer the training building located next to new Fire Station 24, the purchase of the second ladder truck, and the hiring of four firefighter/EMTs to staff an 12-Hour EMS transport aid car.

Staff presented Council with two ballot measure ordinance options. The first was the "bond and levy" ballot option of a 30-year capital bond and a permanent operating levy. The second was a "combined measure", single permanent "pay as you go" levy option to fund both capital and operating costs. Of the two ballot measure options presented, Council chose the second option, a single permanent levy lid lift. The option approved by Council for further evaluation includes a tax rate of \$.22513/\$1000 AV and would generate \$7 million dollars annually; \$3.4 million dollars per year for capital expenses, and \$3.6 million dollars a year for operating expenses, with an annual median home impact of \$164. Details are shown in the chart below.

REPRIORITIZATION AND FINAL ESTIMATES				
	Cost	Annual Revenue	Tax Rate	Median Home
Capital	\$55,800,000	\$3,400,000	\$0.10948	\$79.91
Operating	\$3,600,000	\$3,600,000	\$0.11565	\$84.42
Total		\$7,000,000	\$0.22513	\$164.33

The “combined measure” option is set equal to the ComSAG original recommended estimate of \$0.225/\$1,000AV and \$164.33 annually for a median home. The combined measure dedicates \$0.11565/\$1,000AV to hiring 20 firefighter/EMTs and ongoing operations and maintenance. The measure dedicates the remaining \$0.01262 to capital to help address the financing challenges under state law with bonding for capital facilities with a permanent levy requiring only 50% voter approval. Every dollar will count to accomplish the top facility priorities of building new Fire Station 27 and the seismic renovation of Fire Station 22 by the 2023 target year.

At the conclusion of the June 16 Council presentation, Council provided the following direction:

- Incorporate RCW 84.36.381, which exempts seniors, disabled veterans, and other qualified households from the property tax into the draft ballot measure ordinance.
- Provide specificity in the ballot title language of intended staffing and facility investments funded with the generated revenue
- Provide flexibility in the ordinance should some investments prove infeasible or circumstances arise in the future that required alternative investments.
- Create an annual accountability report like the 2012 Street levy and 2012 Parks levy accountability reports
- Defer the training building, second ladder truck, and four firefighter/EMTs.
- Begin recruiting for the pro and con committees.

BALLOT TITLE AND ORDINANCE LANGUAGE

Attachment A is the updated ballot measure ordinance which incorporates the first and second bullet points above. For the July 7 Council meeting, staff is looking for feedback from Council on the ballot title and body of the ordinance. A final revised ordinance will be brought to the July 21 Council meeting, the deadline for the Council to approve placing the measure on the November 3, 2020 ballot.

The ordinance authorizes the ballot measure and adopts the actual language that will appear on the ballot. The initial language is included below for Council review and edits. Under state law, the ballot title language is limited to 75 words starting with “This proposition” as the first two words. The current draft is exactly 75 words. Staff will present this language on the screen at the meeting for Council consideration.

CITY OF KIRKLAND PROPOSITION NO. 1 LEVY LID LIFT FOR FIRE AND EMERGENCY MEDICAL SERVICES AND FACILITIES

The City Council of the City of Kirkland adopted Ordinance O-4731 concerning funding for fire and emergency medical services and facilities. This proposition funds stockpiling pandemic personal protective equipment, constructing a new fire station, seismically renovating existing stations, acquiring equipment, and hiring new firefighters/EMTs to improve response times by increasing the City’s regular property tax by \$0.22513/\$1,000 to a maximum rate of \$1.21951/\$1,000 of assessed valuation for collection in 2021. The 2021 levy amount will be the basis to calculate subsequent levies, consistent with RCW 84.55. Seniors, disabled veterans, and individuals qualifying under RCW 84.36 are exempted.

Pro and con committee applications are still being accepted through this week, with the deadline set for June 30 at 4:30pm. A separate memo regarding appointing the committees is also part of the Council packet. Depending on the applications received, Council can choose to appoint up to three members for each committee at the July 7 meeting.

NEXT STEPS:

At the March 17 meeting, Council received a preliminary update on the ComSAG's recommendation. At the April 7 meeting, Council received the full report along with the final fire and EMS community survey questions incorporating Council's feedback. At the April 21 meeting, Council accepted the ComSAG report by adopting Resolution R-5413. On May 19 staff received Council's feedback and direction after being presented the survey results from both EMC Research and the City's online version of the survey.

At the June 16 meeting, staff presented draft ordinances and draft ballot title language for the Council's consideration. For the July 7 meeting, staff has worked with the City Attorney's Office and Bond Counsel to refine the next iteration of the ordinance authorizing the combined measure and ballot title. Pro and con committee members will also be appointed at the July 7 Council meeting.

The July 21st meeting marks the last day for Council to take final action to place the measure on the November ballot. On July 21st staff will bring the final revised ordinance.

Calendar	Item
March 17	Staff Presented Preliminary Update on ComSAG Recommendation to Council
April 7	Staff presented Final ComSAG Recommendation to Council
April 21	Council Adopted Resolution R-5413 Accepting Final ComSAG Report
April 22	EMC Research to Begin the Fire/EMS Community Survey
May	Staff to Receive Top Line Results from Survey
May 19	Council Received Survey Responses
June 16	Staff to Bring Draft Ordinance(s) and Draft Ballot Title Language to Council
June 16	Authorize Recruitment for Ballot Measure Voter Pamphlet Statement Pro/Con Committees
June 30	Deadline for Statements of Interest for Pro/Con Committee appointment
July 7	Staff to Bring Second Draft Ordinance and Ballot Title Language to Council for review
July 7	Appointment of Ballot Measure Voter Pamphlet Statement Pro/Con Committees
July 21	Last Council Meeting to Adopt Ballot Measure Ordinance
August 4	Pro/Con Committee notice of appt due to King County Elections
August 4	Ballot Measure Filing due to King County Elections
August 7	Explanatory Statement due to King County Elections
August 11	Pro/Con Statements due to King County Elections
November 3	General Election

ORDINANCE NO. O-4731

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KIRKLAND, WASHINGTON, PROVIDING FOR THE FORM OF THE BALLOT PROPOSITION AND SPECIFYING CERTAIN OTHER DETAILS CONCERNING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT A SPECIAL ELECTION TO BE HELD THEREIN ON NOVEMBER 3, 2020, OF A PROPOSITION AUTHORIZING THE CITY TO LIFT THE LEVY LIMIT ESTABLISHED IN RCW 84.55.010 IN ORDER TO FUND FIRE AND EMERGENCY MEDICAL SERVICES, AND TO ACQUIRE, CONSTRUCT, IMPROVE, EQUIP AND/OR RENOVATE CITY FIRE FACILITIES.

1 WHEREAS, in 2011, the City Council (the "Council") of the City
2 of Kirkland (the "City") engaged the services of Emergency Services
3 Consulting International ("ESCI") to conduct an organizational review of
4 the City Fire Department; and
5

6 WHEREAS, since 2012, Fire Department staff has worked with
7 other City departments and the City Manager's Office to implement
8 certain ESCI recommendations, including through the budget process;
9 and
10

11 WHEREAS, the Council completed a Fire Strategic Plan in 2012
12 to identify needed investments in staffing, equipment and technology to
13 provide for better response times for fire and Emergency Medical
14 Services ("EMS"); and
15

16 WHEREAS, on February 21, 2017, the Council approved
17 Resolution R-5239 adopting the City's 2017-2018 Work Program to
18 "explore potential ballot measures for fire station modernization and
19 public safety operations to further the goals of Public Safety,
20 Dependable Infrastructure, and Financial Stability"; and
21

22 WHEREAS, on December 12, 2017, the Council adopted
23 Resolution R-5290, revising the 2017-2018 City Work Program to defer
24 exploration of a fire facilities and operations ballot measure to at least
25 2020 due to public concerns about the cumulative financial impact of
26 property tax increases due to state and regional legislation; and
27

28 WHEREAS, the Council subsequently implemented a two-phased
29 approach to addressing public safety needs; and

30
31 WHEREAS, phase one included a sales and use tax for enhanced
32 police and public safety services, which was approved by the voters at
33 an election held in November 2018, and phase two includes a bond
34 and/or levy lid lift for fire station seismic renovation, capacity expansion,
35 and additional firefighter/emergency medical technician ("EMT")
36 staffing; and

37
38 WHEREAS, on February 19, 2019, the Council adopted the 2019-
39 2020 City Work Program which ranked "exploring a potential ballot
40 measure in 2020 to fund Fire Station modernization and enhanced
41 operations to further the goal of Public Safety" as its number one
42 priority; and

43
44 WHEREAS, the City continues to experience unprecedented
45 growth and development, with new types of commercial and residential
46 structures that need fire/EMS services; and

47
48 WHEREAS, providing fire/EMS services that match this economic
49 growth and redevelopment are challenged by the expiration of the
50 annexation sales tax credit in 2021, resulting in the loss of nearly \$4
51 million annually from the City's general fund; and

52
53 WHEREAS, further, Washington State law limits the annual
54 increase of a city's regular property tax levy to 1% plus an allowance
55 for new construction, unless the voters of a city approve a levy lid lift
56 permitting the collection of regular property taxes in a greater amount;
57 and

58
59 WHEREAS, to sustainably fund these potential fire/EMS
60 investments, the City must either identify new revenues or significantly
61 reprioritize existing general fund programs such as parks maintenance
62 and street maintenance that also rank as high priorities with City
63 residents; and

64
65 WHEREAS, in 2019, the Council convened the Community Safety
66 Advisory Group ("ComSAG") to review options to improve response
67 times, keep Fire/EMS stations seismically sound, and improve firefighter
68 health and safety; and

69
70 WHEREAS, in February 2020, ComSAG recommended hiring 24
71 new firefighter/EMTs to provide a dedicated aid car at Fire Station 22 in
72 Houghton, fully staff Fire Station 24 in north Juanita, provide daily 12
73 hour dedicated patient transport during peak hours, and fund five new
74 firefighter/EMTs to improve response times throughout the City; and

75
76 WHEREAS, to improve response times and protect firefighter
77 health and safety, the ComSAG also recommended construction of a

new Fire Station 27 in Totem Lake, and the seismic renovation of Fire Station 22 in Houghton, Fire Station 26 in Rose Hill and Fire Station 21 at the border of Juanita and Norkirk; and

WHEREAS, since the ComSAG completed its recommendation in February 2020, the City proclaimed an emergency to combat the COVID-19 pandemic and has been grappling with the escalating social and economic impact of the virus and related public health and safety orders on the community; and

WHEREAS, the capital and operating elements in the proposed ComSAG recommendation would have significantly improved the City's response to COVID-19, and the budget challenges created by the economic impacts of the outbreak curtails the City's ability to fund any of these additional public safety investments without a voter approved revenue source; and

WHEREAS, at the May 19, 2020 Council meeting, the Council directed staff to reprioritize the capital and operating elements funded within the ballot measure(s) to be no more than the ComSAG's recommendation of \$0.22513 per \$1,000 of assessed valuation which required a deferral of some staffing and facility elements to future years; and

WHEREAS, it is deemed necessary that the City increase its regular property tax levy rate to \$0.22513 per \$1,000 of assessed value for collection in 2021 and thereafter to use the resulting levy amount as the basis for computing the limitations for subsequent levies as allowed by chapter 84.55 RCW; and

WHEREAS, the Council deems it necessary to submit to the voters of the City the proposition of whether or not the City shall levy regular property taxes for collection in 2021 in excess of the limit factor provided for in chapter 84.55 RCW;

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

Section 1. Findings. The Council hereby finds that the best interests of the residents of the City require the City to fund fire and emergency medical services and facilities, including but not limited to the following ("Fire and EMS Services"):

- Acquire pandemic response equipment, including stockpiling personal protective equipment;
- Acquire, construct, improve and equip a new Fire Station in Totem Lake, including the acquisition of land;

- Modernize, improve, expand, and/or renovate existing Fire Stations, including Fire Station 21 in Juanita, Fire Station 22 in Houghton and Fire Station 26 in Rose Hill;
- Facility seismic renovations and capacity expansion;
- Hire approximately 20 additional full-time equivalent firefighter/emergency medical technicians (EMTs) and staff;
- Modernize and upgrade technology and public safety facilities and equipment;
- Fund additional operating, maintenance, vehicle and capital expenses to provide enhanced public safety services; and
- Other public safety operations, maintenance, improvements, equipment and services as determined by the Council should anticipated investments become infeasible or City public safety needs significantly change.

The City Council shall determine the timing, order and manner of funding the Fire and EMS Services and other uses of levy proceeds. The cost of all compensation, benefits, training, support services, equipment, vehicles, infrastructure, facilities, real property, and/or administrative expenses and other costs incurred in connection with the Fire and EMS Services shall be deemed a part of the costs of such Fire and EMS Services. The Council may alter, make substitutions to, and amend such components as it determines are in the best interests of the City and consistent with the general public safety descriptions provided herein. The proper officials at the City shall produce an annual accountability report documenting actions and program status of the Fire and EMS Services and other uses of levy proceeds.

Section 2. Calling of Election Regarding the Levy of Additional Regular Property Taxes. It is hereby found and declared the best interests of the City require the submission to the qualified electors of the City of the proposition whether the City shall levy regular property taxes above the levy limitations established in RCW 84.55.005 and RCW 84.55.010 for their ratification or rejection at an election to be held on November 3, 2020. For the purpose of providing funds to pay the costs of the Fire and EMS Services, the King County Director of Records and Elections (the "Director"), as *ex officio* supervisor of elections in King County, Washington, is hereby requested to call and conduct such election to be held on such day and to submit to the qualified electors of the City for their approval or rejection a proposition to increase the City's regular property tax levy by up to \$0.22513 per \$1,000 of assessed valuation (to a total rate not to exceed \$1.21951 per \$1,000 of assessed valuation) for collection in 2021, as allowed by chapter 84.55 RCW. The 2021 levy amount will be used as the basis to calculate subsequent levy limits.

Upon approval of the voters of the proposition hereinafter set forth, the City may use proceeds of such levy to pay the costs of the Fire and EMS Services as more particularly described in this ordinance.

Section 3. Election. The City Clerk is hereby authorized and directed to certify the following proposition to the Director, in substantially the following form. Such election shall be conducted by mail unless otherwise determined by the Director.

CITY OF KIRKLAND PROPOSITION NO. 1
LEVY LID LIFT FOR
FIRE AND EMERGENCY MEDICAL SERVICES AND FACILITIES

The City Council of the City of Kirkland adopted Ordinance No. O-4731 concerning funding for fire and emergency medical services and facilities. This proposition would fund public safety, including stockpiling pandemic personal protective equipment, constructing a new fire station, seismically renovating existing stations, acquiring equipment, and hiring new firefighters/EMTs to improve response times by increasing the City's regular property tax by \$0.22513/\$1,000 to a maximum rate of \$1.21951/\$1,000 assessed valuation for collection in 2021. The 2021 levy amount will be the basis to calculate subsequent levies, per RCW 84.55. Qualifying seniors, veterans, and others would be exempt, per RCW 84.36.

Should this proposition be approved:

YES? ☐

NO? ☐

For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the City Council hereby designates: (a) the City Clerk and (b) the City Attorney, as the individuals to whom such notice should be provided. The City Attorney and City Clerk are each authorized individually to approve changes to the ballot title, if any, deemed necessary by the Director.

The City Clerk is authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction

218 of scrivener's or clerical errors, references, numbering,
219 section/subsection numbers, and any reference thereto.

220
221 The proper City officials are authorized to perform such duties
222 as are necessary or required by law to submit the question of whether
223 the regular property tax shall be increased, as provided in this
224 ordinance, to the electors at the November 3, 2020 election.

225
226 Section 4. Exemption. If the ballot proposition set forth herein
227 is approved by the voters, as authorized by RCW 84.36.381, senior
228 citizens, disabled veterans, and other people with disabilities (as defined
229 in RCW 84.36.381) shall be exempt from the tax increase resulting from
230 such levy lid lift.

231
232 Section 5. Voters' Pamphlet. The preparation and distribution
233 of a local voters' pamphlet providing information on the foregoing ballot
234 measure is hereby authorized. The pamphlet shall include an
235 explanatory statement and arguments advocating approval and
236 disapproval of the ballot measure, if any. In accordance with RCW
237 29A.32.280, the arguments advocating approval and rejection of the
238 ballot measure shall be prepared by committees appointed by the City
239 Council. Each committee shall be composed of not more than three
240 persons; however, a committee may seek the advice of any person or
241 persons. The committee advocating approval shall be composed of
242 persons known to favor the ballot measure, and the committee
243 advocating rejection shall be composed of persons known to oppose the
244 ballot measure.

245
246 Section 6. Severability; Ratification. If any provisions in this
247 ordinance shall be declared by any court of competent jurisdiction to be
248 contrary to law, then such provision shall be null and void and shall be
249 deemed separable from the remaining provisions of this ordinance and
250 shall in no way affect the validity of the other provisions of this
251 ordinance or of the levy or collection of the taxes authorized by this
252 proposition. Any act consistent with the authority and prior to the
253 effective date of this ordinance is hereby ratified and confirmed.

254 Section 7. Effective Date. This ordinance shall be in full force
255 and effect five days from and after its passage by the Kirkland City
256 Council and publication of a summary of this ordinance in accordance
257 with Kirkland Municipal Code 1.08.017.

258
259 Passed by majority vote of the Kirkland City Council in open
260 meeting this ____ day of _____, 2020.

261
262 Signed in authentication thereof this ____ day of _____,
263 2020.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Pacifica Law Group LLP, Bond Counsel

CERTIFICATE

I, the undersigned, City Clerk of the City of Kirkland, Washington, and keeper of the records of the City Council, DO HEREBY CERTIFY:

1. That the attached Ordinance is a true and correct copy of Ordinance No. 4731 of the City (the "Ordinance"), as finally adopted at a regular meeting of the City Council held on _____, 2020, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that quorum of the City Council was present throughout the meeting and a legally sufficient number of members of the City Council voted in the proper manner for the adoption of said Ordinance; that all other requirements and proceedings incident to the proper adoption or passage of said Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

Dated this ____ day of _____, 2020.

CITY OF KIRKLAND, WASHINGTON

City Clerk

PUBLICATION SUMMARY
OF ORDINANCE NO. 4731

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KIRKLAND, WASHINGTON, PROVIDING FOR THE FORM OF THE BALLOT PROPOSITION AND SPECIFYING CERTAIN OTHER DETAILS CONCERNING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY AT A SPECIAL ELECTION TO BE HELD THEREIN ON NOVEMBER 3, 2020, OF A PROPOSITION AUTHORIZING THE CITY TO LIFT THE LEVY LIMIT ESTABLISHED IN RCW 84.55.010 IN ORDER TO FUND FIRE AND EMERGENCY MEDICAL SERVICES, AND TO ACQUIRE, CONSTRUCT, IMPROVE, EQUIP AND/OR RENOVATE CITY FIRE FACILITIES.

Section 1. Sets forth findings of the Council, and authorizes the City to fund fire and emergency medical services and facilities, including but not limited to those operating and capital services set forth therein (the "Fire and EMS Services").

Section 2. Calls for the submission to the qualified electors of the City of the proposition whether the City shall levy regular property taxes above the levy limitations established in RCW 84.55.005 and RCW 84.55.010 for their ratification or rejection at an election to be held on November 3, 2020 for the purpose of providing funds for Fire and EMS Services.

Section 3. Sets forth the form of ballot proposition authorizing a levy lid lift for fire and emergency medical services and facilities.

Section 4. Provides for an exemption for qualified senior citizens, disabled veterans and other persons with disabilities from the regular property tax increase resulting from the levy lid lift.

Section 5. Authorizes the preparation and distribution of a local voters' pamphlet providing information on the levy lid lift ballot proposition.

Section 6. Provides for the severability of the Ordinance and ratifies prior actions taken in furtherance of the purposes of the Ordinance.

Section 7. States the effective date of the Ordinance.

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 No. 4731 approved by the Kirkland City Council for summary publication.

Kathi Anderson, City Clerk



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

MEMORANDUM

To: Kurt Triplett, City Manager

From: Kathi Anderson, City Clerk
Michael Olson, Director of Finance and Administration

Date: June 18, 2020

Subject: Potential Ballot Measure Pro/Con Committees Appointments

RECOMMENDATION:

That the City Council appoint members to the "pro" and "con" committees for a proposed ballot measure relating to a potential Fire and Emergency Medical Services ballot measure.

BACKGROUND DISCUSSION:

As part of the ballot measure information in the voter pamphlet, the Council must appoint individuals to write statements in favor of, and in opposition to, any potential ballot measure, if one is approved for the November 3, 2020 general election. At its June 16, 2020 meeting, the Council directed the City Clerk to proceed to advertise for applicants for these committees. On June 18th, a press release was issued for individuals to volunteer for the committees, with a deadline of June 30, 2020. Applications will be forwarded to Council under separate cover following the deadline.

King County Elections' Jurisdiction Manual states the committees shall have no more than three members. However, a committee may seek the advice of any person or persons. Members shall be appointed from persons known to favor or oppose the measures as appropriate. The committees should each select a spokesperson for that committee. If the jurisdiction is unable to identify persons to serve on any of the committees, the Council must notify King County Elections, detailing efforts made to establish the committees, and they will publish a statement to that effect in the pamphlet.

The committee appointment forms must be submitted to King County no later than August 4, 2020. The committees' statements are due on August 11, 2020. The purpose of the July appointment is to allow the committees ample time to meet and to construct their arguments. If the Council is not satisfied with any of the submitted names, there is time to extend the recruitment for additional interest and delay the appointments to the Council's July 21st meeting. If desired, the Council may choose to interview the applicants prior to appointment.

Applications will be forwarded to Council following the deadline of 4:00 p.m. on Tuesday, June 30th. Council may make a motion to appoint up to three of the applicants to each committee at their July 7th meeting, or continue their deliberations or selection process to the subsequent July 21st meeting. Following appointments, the City Clerk will then prepare the appointment form for submittal to King County and contact the individuals to provide them with the information they will need to complete their tasks.