



# 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 SPECIAL MEETING

#### City Council Chamber

#### Wednesday, August 4, 2021

#### 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](http://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.

**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.

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

#### 1. CALL TO ORDER

#### 2. ROLL CALL

#### 3. STUDY SESSION

- a. 2021-2026 Capital Improvement Program Preliminary Update
- b. Kirkland Avenue/Lake Street Improvements – Northbound to Eastbound Turn
- c. Juanita Drive Multi-Modal Improvements – NE 132<sup>nd</sup> Street Connection Concepts

#### 4. HONORS AND PROCLAMATIONS

#### 5. COMMUNICATIONS

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

#### 6. PUBLIC HEARINGS

#### 7. SPECIAL PRESENTATIONS

- a. COVID-19 Update

**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.

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

b. Resolution R-5434 Update

**8. CONSENT CALENDAR**

a. *Approval of Minutes*

(1) July 20, 2021

b. *Audit of Accounts*

c. *General Correspondence*

d. *Claims*

(1) Claims for Damage

e. *Award of Bids*

(1) 2020 Neighborhood Safety Program

f. *Acceptance of Public Improvements and Establishing Lien Period*

(1) NE 124<sup>th</sup> Street/100<sup>th</sup> Avenue NE Intersection Improvements

g. *Approval of Agreements*

h. *Other Items of Business*

(1) Public Disclosure Semi-Annual Performance Report

(2) Resignation and Appointment of Transportation Commission Member

(3) Staff and Legislative Workgroup Report

(4) IT Stabilization Implementation Update

(5) Declaration of Surplus Vehicles and Equipment

(6) June 2021 Sales Tax Report

(7) Procurement Report

**9. BUSINESS**

a. 2021-2022 Budget Adjustment: Capital Fund Beginning Balances and Departmental Position Additions

(1) Ordinance O-4764, Amending the Biennial Budget for 2021-2022

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

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

b. Rental Protections and Rental Assistance Program Updates

**10. REPORTS**

a. *City Council Regional and Committee Reports*

b. *City Manager Reports*

(1) Department of Ecology Nutrient Removal General Permit Comment Letter

(2) Calendar Update

**11. ITEMS FROM THE AUDIENCE**

**12. EXECUTIVE SESSION**

**13. ADJOURNMENT**

**ITEMS FROM THE AUDIENCE**

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

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



**CITY OF KIRKLAND**  
**Department of Finance & Administration**  
**123 Fifth Avenue, Kirkland, WA 98033**  
**425-587-3000**

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Michael Olson, Director of Finance and Administration  
George Dugdale, Financial Planning Manager  
Robby Perkins-High, Financial Planning Supervisor  
Veronica Hill, Senior Financial Analyst  
Andrea Peterman, Budget Analyst  
Kevin Pelstring, Budget Analyst

**Date:** July 23, 2021

**Subject:** **PRELIMINARY UPDATE OF THE 2021-2026 CAPITAL IMPROVEMENT PROGRAM**

## **RECOMMENDATION**

City Council reviews the proposed updates to the 2021-2026 Capital Improvement Program (CIP) and related emerging issues and provides direction regarding the proposed changes for Council adoption in December 2021.

## **BACKGROUND DISCUSSION**

The purpose of this CIP review is to acknowledge changes made since the 2021-2026 CIP was adopted on December 8, 2020 and to identify any further changes needed to bring the CIP up-to-date. The proposed changes are primarily related to the following categories:

- Updates and potential changes related to work program items,
- Updates to project timing and cost for prior Council approvals, and
- Recognizing any major changes in funding sources (new, increases, decreases).

Revised CIP Summary Tables (**Attachment A**), listed by category, include projects that were previously funded but do not require any funding modifications in the current 6-year CIP. Changes including new projects, modifications, and changes in funding status are identified using the key shown below each table.

## **ADMINISTRATIVE UPDATES**

As discussed at the Council's retreat on May 28 and again at the July 20 study session, staff in Public Works and Finance have been working to improve processes, fully utilize the tools provided by the City's new financial system, and audit all projects in the system to ensure their accuracy.

Many of the results of this audit were included in the 2021-22 Budget Amendment approved by Council at the June 15, 2021 meeting, including project closures, funding transfers, and other



administrative changes. The final elements of these updates to the 2021-22 Budget will be presented to City Council for approval at the August 4 Council meeting. The August Budget Amendment presented to Council will recognize the correct 2020 year-end balance in the City's capital funds. Passage of this ordinance will represent the final step of this financial audit, providing assurance that the improvements to the City's CIP process, which were presented at the July 20 study session, can proceed from a verified financial starting point.

### **CAPITAL FUNDING SOURCES UPDATE**

The following table summarizes key funding sources for Transportation, Parks, and Utility projects. The projected available balance, the recommended uses for this update, and the projected remaining balances as of the end of budget year 2022 are shown. The policy reserves shown at the end of the table are held according to policy for unexpected changes in economic conditions and are not immediately available for use in capital projects without Council action.

Revenue Type	Projected Available Balance	Recommended Uses in Aug. 2021 Update*	2022 Year End Projected Remaining Balance
Parks Impact Fees	1,104,048	502,450	601,598
Transporation Impact Fees	3,004,949	2,221,775	783,174
REET 1	6,032,114	3,132,645	2,899,469
REET 2	2,414,652	-	2,414,652
General Fund Capital Reserves**	1,053,747	-	1,053,747
Water/Sewer Capital Reserve	15,735,533	5,202,695	10,532,838
Surface Water Capital Reserve	7,945,328	511,824	7,433,504
<b>CIP Policy Reserves</b>			
REET 1	1,000,000	-	1,000,000
REET 2	1,000,000	-	1,000,000
Water/Sewer Capital Contingency	4,541,700	-	4,541,700
Surface Water Capital Contingency	1,788,060	-	1,788,060

*\*Recommended uses include fiscal notes previously approved by Council in 2021.*

*\*\*\$877,011 in 310 fund, \$176,736 in 320 fund*

Kirkland has seen very strong capital revenues in 2021, particularly with Real Estate Excise Taxes (REET). The estimates for REET and impact fees, noted above, include actuals through the month of June, with the remainder of the year projected using budgeted numbers. This represents a very conservative estimate. While REET is coming in significantly over budget, there are several major projects in progress that will likely have financial need. Because of this, staff recommends retaining most of this REET in reserves to address these budget needs.

As presented at the Council Retreat on May 28, 2021, impacts of COVID-19 have created significant cost increases in delivery of current funded CIP projects. In addition to high inflation, there is immense variability in construction material availability and cost. Recognizing the goal of completing projects that are already underway, an emphasis of this update is to keep revenues available to address needs that will arise for these current projects.

## **SINKING FUND UPDATES**

As described in the [May Council retreat memo](#), the City's reserve policies state that 50% of year end General Fund balance be put towards reserve replenishment. The remaining 50% is to be used on several priorities, first of which is to "*fund liabilities related to sinking funds for public safety and information technology equipment*". Sinking funds receive a set annual contribution in order to even out the impacts of significant equipment purchases that occur on a regular, but not annual, basis. Kirkland is a principal member of the Eastside Public Safety Communications Agency (EPSCA). EPSCA has significant reserves that will be divided among the five EPSCA partner cities once the new countywide Puget Sound Emergency Radio Network (PSERN) is activated. The reserve disbursement may reduce the revenues needed for Police and Fire sinking funds related to emergency radios. Final EPSCA allocations have not been decided by the EPSCA Board and won't be known until 2022 or 2023.

### **Police Sinking Fund**

- The Police sinking fund includes weapons, protective equipment, radios, AEDs, and other miscellaneous equipment.
- The current sinking fund model is projected to be negative in 2032, which is the projected year for city funded radio replacements.
- A one-time contribution of \$1.8M would keep the fund solvent through 2039.
- Due to uncertainties around technology and other available funding, there is no immediate action needed.
- Council could consider a one-time contribution to help mitigate the future challenge of the radio purchase in 2032.

### **Fire Sinking Fund**

- The Fire sinking fund includes Self Contained Breathing Apparatus (SCBA), PPE, disaster storage units, hoses, radios, physical fitness equipment, body armor, and dive rescue equipment.
- The current sinking fund model (not including firefighters hired as part of Prop 1) is projected to remain solvent through 2039.
- Staff is analyzing the contribution needed for equipment related to the 20 additional firefighters added through Fire Prop 1.
- The current estimate is that an annual increase of \$125,000 will be necessary starting in 2023, funded with Fire Prop 1 revenues. As new firefighters are hired across the 2021-2022 budget cycle, this estimate will be refined and the increase will be included in the 2023 - 2028 CIP process, which takes place during 2022.

### **Information Technology Sinking Fund**

- The IT sinking fund includes network server replacements, network infrastructure, phone systems, network security, GIS, and copier replacements.
- The current sinking fund model is projected to go negative in 2024.
- Staff are pursuing funding options from currently funded CIP projects and excess computer replacement rates before General Fund balance is used.
- A one-time contribution of \$100,000 would keep the model solvent through 2039.
- Analysis of current projects and replacement rates will be brought to the CIP study session in November.

## **PROJECT UPDATE HIGHLIGHTS**

The following section highlights recommended changes (i.e. cost increases or decreases, project title changes, scope changes) to the Adopted 2021-2026 CIP.

### **Inflation-Only Budget Adjustments**

With the prevalence of project cost increases in recent years, staff monitor market cost trends in the Seattle area to better identify funding needs for the capital improvement program. Staff then evaluated projects in the CIP and adjusted the cost estimates to help mitigate for inflation for the 2021-2022 period. Incorporating these inflation changes better informs the prioritization of capital projects within the funding availability. A list of projects that received an inflation-only adjustment is included as **Attachment B**.

### **Key Project Updates**

Each CIP category below includes a "Key project updates" section. These are projects that staff expect a budget, scope, timing, or other significant update on before the end of 2021. At this point in the year there is not enough information for accurate budget updates, so they have not been included in the changes proposed in this memo and corresponding tables, but are provided as information for what is likely to happen in the second half of 2021. Updates for these projects will be presented at the November 3 Council meeting.

#### *TRANSPORTATION*

### **New projects**

- **NE 124<sup>th</sup> & 100<sup>th</sup> Ave Intersection** (TRC 14000) – Total project cost of \$135,000 funded with \$125,000 in King County Metro Regional Mobility grant and \$10,000 in local funding from the Citywide Transit Study project. Approved via fiscal note on 2/16/21.
- **132<sup>nd</sup> Ave NE & NE 72<sup>nd</sup> St Intersection Repairs** (TRC 14100) – Preliminary project estimate of \$250,000. Roadway damage from uninsured driver accident. Due to liability regulations, design & scope are already underway.
- **124<sup>th</sup> Ave NE Sidewalk Completion** (NMC 13000) – Preliminary project estimate of \$280,000. Proposed funding from REET 1 Reserves in 2022.

### **Modified projects**

- **Totem Lake Blvd & 120th Ave NE Preservation** (STC 00609) – Project cost increased \$525,005. Approved via fiscal note on 6/1/21. Funded with a transfer of funding from Street Preservation projects.
- **Juanita Drive Intersection & Safety Improvements** (STC 08900) – Project cost increased \$239,775 for inflation. Additionally, this project had \$1,982,000 previously planned to be funded via debt that needs to be replaced. Per council approval in December 2020, this debt was moved to fund 124<sup>th</sup> Ave NE Roadway Improvements to replace an unsecured TIB grant, with the expectation of adjusting the STC 08900

budget during the CIP Update process. This funding shift does not include updated project estimates, which will be available by the November 3 Council meeting. Additional funding proposed from Impact Fees (\$371,775) and REET 2 (\$1,850,000 made available from ST 05913).

- **124<sup>th</sup> Ave NE Roadway Improvements (North) ROW** (STC 05912) – Project cost increase of \$500,000. Acquisition process began with estimated costs and are being updated to reflect actual negotiated costs to date. Additional funding proposed from REET 1 Reserves.
- **124<sup>th</sup> Ave NE Roadway Improvements (North) Construction** (STC 05913) - \$1,850,000 moved to STC 08900, replaced with Impact Fees.
- **Neighborhood Traffic Control Program** (TRC 11703) – Project cost increase of \$135,000 due to completion of other traffic control projects and increased construction costs. Approved via fiscal note on 7/6/21. Funded with School Zone Safety Camera revenues.
- **Kirkland Ave/Lake St Intersection** (TRC 13700) – Project cost increase of \$595,000. Approved via fiscal note on 4/18/21. Funded with \$555,000 in REET 1 reserves, \$40,000 in a transfer from TRC 12000.
- **2021 Neighborhood Safety Program** (NMC 00621) – Project cost increase of \$200,000 increase. Approved via fiscal note on 5/4/21. Funded with School Zone Safety Camera revenues.
- **Willows Rd/Redmond Central Connector** (NMC 08100) – Project cost increase of \$160,802 due to an MOA with King County. Approved via the 6/15/21 budget adjustments.
- **NE 131<sup>st</sup> Way/90<sup>th</sup> Ave NE Design** (NMC 08720) – Project budget increase of \$515,000 due to secured State Appropriation Award. Approved via the 6/15/21 budget adjustments. This project is a top candidate for 2021 TIB Complete Streets competition. Applications are due in August, with award notifications in November.
- **CKC Lighting 120<sup>th</sup> Ave NE to NE 124<sup>th</sup> St** (NMC 12500) – Project cost increase of \$250,000 due to construction estimate and administrative fees related to Department of Commerce grants. Grant award is \$56,000 lower than budgeted, needs to be replaced with local funds. Proposed funding from REET 1 Reserves (\$306,000).
- **School & Transit Connector Sidewalk 120<sup>th</sup> Ave NE** (NMC 12600) – Project cost increase of \$10,000 due to Department of Commerce grant administrative fees. Proposed funding from REET 1 Reserves (\$10,000).

### Unfunded projects

- **Juanita Drive & 79<sup>th</sup> Way NE** (NMC 12700) – This project will be moving from the funded to unfunded CIP after \$650,000 in Commerce funding was not secured. Council could choose to fund this project with local funds in the CIP Update or in the 2023 – 2028 CIP. The primary Juanita Drive project can progress and accommodate this project for future construction.

### Key project updates

- **108<sup>th</sup> Ave NE Transit Queue Jumps** (PTC 00400 & 00500) – This project currently is budgeted with a \$1.5M grant, and recently secured \$1M in additional funding. However, the addition of the \$1M still leaves \$8,015,400 in unsecured funding. There is a significant possibility the overall cost of the project would be greater than the \$10,515,400 currently budgeted. This project is scheduled for funding in 2023 to 2025, and will be revisited with the 2023-2028 CIP in 2022.
- **116<sup>th</sup> Ave NE/NE 12<sup>th</sup> St Intersection** (TRC 12400) – Funding changes will be coming with upcoming award memo, currently estimated at \$300,000. There have been changes with a NUD interlocal agreement, fee-in-lieu revenue, and increased funding need due to lighting and fiber. A specific funding addition and source will be added as the CIP Update process progresses.
- **100<sup>th</sup> Ave NE Roadway Improvements Projects** (STC 08313, STC 08314, TRC 13500, TRC 13600) – Ongoing issues around NEPA requirements are preventing the use of federal funds and the development of the project. There is currently \$2.62M in federal funds. If the Council chooses to return the federal funding, it could be replaced with a combination of REET and Impact Fees.
- **124<sup>th</sup> Ave NE Roadway Improvements** – Current project cost changes relate to inflation only. Due to the scale of this project and the volatility of the market the project could need a significant budget change depending on ROW negotiations. An update will be brought to Council in November when more data is available.

### *WATER/SEWER UTILITY*

### New projects

- **122<sup>nd</sup> Ave at NE 85<sup>th</sup> St Waterline Improvement** (WAC 17000) – Preliminary project scope estimated at \$1 million in 2022 funding from Water Reserves but is still in pre-design and is likely to change substantially as scope develops. Working with private developers and Kirkland maintenance for scope and cost. There is the possibility that the City will pay developers to improve utility assets within ROW.

### Modified projects

- **5th Avenue S / 8th Street S Watermain Replacement** (WAC 13400) – Project cost estimate increase from scope shift into better pipe/main path for maintenance and asset management (\$1.05 million increase in 2022 from Water Reserves). Potential additional seismic upgrade once modeling is complete (not included in current estimate). Current total funding is \$2.8 million; recent rescoping and new estimates confirm project need of \$2.5-2.8 million.

### Unfunded projects

- No changes to unfunded program.

## Key project updates

- **South Reservoir Seismic & Recoating Construction** (WAC 12900) – \$2.7 million Federal FEMA/BRIC grant was not awarded to the City. This will have no impact on the project budget, as the project was fully funded without the FEMA/BRIC grant.
- **NE 85<sup>th</sup> St and I-405 Watermain Relocation** (WAC 16900) – Given the proximity to the 85<sup>th</sup>/I-405 Station Area, staff will identify if ongoing modeling suggests additional capacity is needed for this project and consider if scope is adequate. An update will be provided at the November 3 Council meeting.

## *SURFACE WATER*

### New projects

- No new funded projects.

### Modified projects

- **Annual Replacement of Aging/Failing Infrastructure** (SDC 04700) – Additional \$185,000 in secured external funding from KCFD grant award to cover the additional costs of ROW improvements on 132<sup>nd</sup> St near Fire Station 27. Included in June 2021 Budget Adjustments
- **132<sup>nd</sup> Sq Park Surface Water Improvements** (SDC 10700) – Project ineligible grant costs (inhouse overhead) total \$262,044 as of 6/1/21. Included in June 2021 Budget Adjustments.

### Unfunded projects

Each project on the unfunded list requires some design component; for example, rerouting water into a newly constructed line, or needing to upsize the system to alleviate capacity issues. Any project to be replaced with the same size and location infrastructure (i.e., no additional design) is funded as part of the **Annual Replacement of Aging/Failing Infrastructure** (SDC 04700) and is not listed here.

- **14<sup>th</sup> Ave W Capacity Issues** (SDC 15000) – \$210,000 estimate to alleviate capacity issues along public road and private driveways by rerouting and installing approximately 210 lineal feet of storm line to the northwest.
- **83<sup>rd</sup> Ave NE and NE 110<sup>th</sup> PI Intersection Pipe Replacement** (SDC 15100) – \$550,000 estimate for a ditch along the northeast corner of this intersection which currently floods roadway and adjacent property. Project will alleviate capacity issues within the public intersection at 83<sup>rd</sup> Ave NE and NE 110<sup>th</sup> PI Intersection and down 83<sup>rd</sup> Ave NE to Juanita Drive.
- **Highlands Neighborhood (116<sup>th</sup> Ave NE and 115<sup>th</sup> PI) Pipe Replacement** (SDC 15200) – \$280,000 estimate. Pipe system out of the detention tank is failing. Project to evaluate, design and reroute storm line to the public ROW and tie to public conveyance system to the east on 116<sup>th</sup> Ave NE.

- **NE 138<sup>th</sup> St to 97<sup>th</sup> Ave NE Pipe Replacement** (SDC 15300) – \$245,000 estimate to design storm system within easement and evaluate options to create one pipe run rather than multiple structures.
- **Stream Restoration at 128<sup>th</sup> Lane NE** (SDC 15400) – \$300,000 estimate to evaluate options and design a solution to prevent overtopping of stream channel onto private property on 128th Lane NE.
- **NE 141<sup>st</sup> St Pipe Installation** (SDC 15500) – \$530,000 estimate to evaluate options of rerouting storm out of private property to the west. Project is expected to install approximately 530 feet of new 12" polyvinyl chloride (PVC) storm pipe.
- **Holmes Point Dr NE Pipe Installation** (SDC 15600) – \$530,000 estimate to design and construct stormwater system to alleviate ponding issues on the south side of Holmes Point Drive NE near NE 129<sup>th</sup> St.
- **6<sup>th</sup> Street Everest Creek Obstruction** (SDC 15700) – \$70,000 estimate to design and construct a system to alleviate the structure (asset 8065) from clogging. When the system clogs, all the water goes north in the pipe along 6th Street and the stream downstream of this structure dries up.
- **Outlet to CKC at 110<sup>th</sup> Pl NE** (SDC 15800) – \$100,000 estimate. Storm system upstream of 9400 block of 110th Place NE backwaters as a result of a plugged downstream outfall, located within a wetland/stream and its buffer. Project will design and construct outfall near wetland and stream to drain the upstream storm system.
- **108<sup>th</sup> Ave NE Pipe Installation** (SDC 15900) – \$250,000 estimate to design and construct outfall to a storm system and alleviate ponding issues. Currently the storm system within 108th has no outlet.
- **5<sup>th</sup> Ave S Pipe Installation** (SDC 16000) – \$300,000 estimate to design and construct a new storm line in 5th Ave S between 6th St and 8th St with the water line to replace deteriorating pipe.
- **NE 141<sup>st</sup> St and 12<sup>th</sup> Pl NE Pipe Repair** (SDC 16100) – \$650,000 estimate to evaluate alternative routes of storm line to see if there are opportunities to reroute out of private property and into public ROW. Project includes design and construction.
- **141<sup>st</sup> St Flow Control and Conveyance System** (SDC 16200) – \$1,500,000 estimate to evaluate, design and construct a flow control and conveyance system to handle the flows from the right of way that drain onto private property.
- **Bridleview Estates Drainage Evaluation** (SDC 16300) – \$100,000 estimate to evaluate drainage concerns raised by the homeowner's association at Bridleview Estates and provide alternatives for potential solutions.

### Key project updates

- **Holmes Point Drive Pipe Replacement – Phase 2 Outfall** (SDC 10900) – Considering additional funding after design completion due to complexities with shoreline and easements. Currently funded at \$320,000, rough potential need for double or triple that figure. Public Works will refine this figure and it could change substantially.

## *PARKS*

### **New projects**

- **Rental Houses** (PKC 17200) – Project to maintain the City's three rental houses, which are now being operated by Parks. Seed funding of \$120,000 from the General Fund comes from balance already reserved for the projects. Included in June 2021 budget adjustments.

### **Modified projects**

- **Dock & Shoreline Renovations – David Brink Park** (PKC 13310) – Project funding increased by \$500,000 with a Washington Recreation & Conservation Office grant.
- **132nd Square Park** (PKC 13400) – Project funding increased by \$919,800 (\$502,450 from Park Impact Fees and \$417,350 from REET 1 Reserves).

### **Unfunded projects**

- There were no changes to the unfunded projects list.

### **Key project updates**

- **Lee Johnson Field Artificial Turf Installation** (unfunded project PKC 11600) – Pursuing Federal appropriation funding, which would add \$1.92 million in 2022 and \$4.48 million in 2023, for a total of \$6.4 million. A 20% match will likely be needed. Because funding is unsecured, the project has not been programmed in the 2021-2026 CIP update and remains on the unfunded projects list. It is possible that it will be funded, but not likely.
- **Marina Dock** (unfunded project PKC 16900) – The Marina is a central and visible element in the Kirkland community and the department is determining how to move this project to the funded list. Cost estimates are being developed to determine options for City Council to proceed with repair or replacement in the 2023 – 2028 CIP. Funding options will also be presented at the November 3 Council meeting.

## *PUBLIC SAFETY – FIRE*

### **New projects**

As adopted at the 3/16/21 Council meeting, several Fire Station projects were moved from the unfunded to funded list as a result of the Fire Prop 1 Levy and a debt issuance. While this was already approved by Council, it is not yet reflected in the CIP.

- **Fire Station 21 Expansion & Remodel** (PS 30040) – Total project cost of \$6,023,000
- **Fire Station 22 Expansion & Remodel** (PS 30050) – Total project cost of \$9,617,300
- **Fire Station 26 Expansion & Remodel** (PS 30060) – Total project cost of \$8,437,000
- **Fire Station 27 Replacement** (PS 30070) – Total project cost of \$28,521,821
- **Temporary Station** (PS 30080) – Total project cost of \$3,205,909. This project will be transferred out of the capital fund into the Facilities fund during the update, as the revised plan for temporary stations is based on several leases which is an operating cost, not a capital cost.



**Unfunded projects**

- The above projects were removed from the unfunded projects list, resulting in a decrease of \$55,800,000.

*PUBLIC SAFETY – POLICE*

There were no changes to the Police CIP.

*GENERAL GOVERNMENT – TECHNOLOGY***New projects**

- No new projects.

**Modified projects**

- No project timing or funding changes.
- The names of the following funded projects have been changed:
  - **Network Server and Storage Replacements** (ITC 10000) - previously Network Server Replacements
  - **Network Refresh** (ITC 11000) - previously Network Infrastructure

**Unfunded projects**

- There were no changes to the unfunded projects list.

*GENERAL GOVERNMENT – FACILITIES***New projects**

- **PKCC Roof & Emergency Generators** (GGC 04500) – Proposed budget of \$773,000 awarded from legislative grants. To be used at the Peter Kirk Community Center for roof replacement and emergency generators. The strategy for renovation of the PKCC is still highly variable, so significant changes to this project could come during the update process.
- **Parking Garage Opportunity Fund** (GGC 04600) – Initial budget of \$250,000 for future repairs and renovations of the parking garage. Proposed funding with REET 1 Reserves.
- **Village Plaza of Kirkland Purchase** (GGC 04700) – Purchase of 6-unit apartment complex to be used for affordable housing, transitional workforce housing, emergency housing, or other city initiatives. Further project updates will be provided at the November 3 meeting. Proposed funding for the initial purchase will be from an interfund loan, up to \$2,375,000. Permanent funding strategy is currently being identified.

**Modified projects**

- **Electrical, Energy Management, and Lighting Systems** (GGC 00800) – Additional costs of \$35,000 for a door being added in the Kirkland Justice Center for improvements in the jail. Proposed funding from ARPA (if eligible).

- **Mechanical/HVAC Systems Replacement** (GGC 00900) – Additional costs of \$370,000 for HVAC upgrades in City Hall & the Kirkland Justice Center to add ionization in response to COVID-19 needs. Proposed funding from ARPA (if eligible).
- **Roofing, Gutter, Siding, and Deck Replacements** (GGC 01100) – Increase of \$52,245 for the Fire Station 27 roof. Approved via fiscal note on 1/5/21. Funded with GEMT revenues.
- **City Hall Vehicle Charging Stations** (GGC 03516) - \$150,193 project cost increase. Approved via fiscal note on 2/16/21. Funding with Development Services revenues, Fleet reserves, and Facilities reserves.

### Unfunded projects

- There were no changes to the Facilities unfunded projects list.

### Key project updates

- **Eductor Truck Bay Expansion** (GGC 04300) – Originally funded in 2019, this project has been deemed infeasible due to high costs. Funding will be returned to Surface Water Construction Reserves (\$167,500) and Water/Sewer Construction Reserves (\$82,500) in the December 2021 budget adjustments.

### 2021-2026 CIP Summary by Program

The table that follows summarizes the updated 2021-2026 CIP. Compared to the 2021-2026 CIP that was adopted in December 2020, the funded total has increased by \$66,093,983 and the unfunded total has decreased by \$60,020,000. As described, this change is largely due to the addition of the Fire Station projects to the funded projects list.

August 4th Update						
2021-2026 Capital Improvement Program						
Area	Funded CIP			Unfunded CIP		
	Adopted	Aug. Update	Change	Adopted	Aug. Update	Change
Transportation	90,230,925	94,604,400	4,373,475	386,558,300	376,723,300	(9,835,000)
Parks	17,758,400	19,298,200	1,539,800	170,514,800	170,514,800	-
General Government						
Facilities	5,194,800	9,200,958	4,006,158	-	-	-
Technology	2,106,700	2,106,700	-	405,000	405,000	-
Public Safety	2,913,300	58,718,331	55,805,031	55,800,000	-	(55,800,000)
Water/Sewer Utility	45,417,000	48,244,695	2,827,695	49,033,000	49,033,000	-
Surface Water	17,880,600	18,577,424	696,824	20,422,000	26,037,000	5,615,000
<b>Total</b>	<b>181,501,725</b>	<b>250,750,708</b>	<b>69,248,983</b>	<b>682,733,100</b>	<b>622,713,100</b>	<b>(60,020,000)</b>

### NEXT STEPS:

Based on Council direction after their review of the 2021-2026 CIP update on August 4, staff will make changes and bring back a revised 2021-2026 CIP update for Council's further consideration on November 3, if needed.

Staff will bring the 2021-2026 Revised CIP back to the Council for formal adoption on December 14 with the adoption of the 2021-2022 Mid-biennial budget adjustments.

### **Attachment A: 2021-26 CIP Revised Summaries**

### **Attachment B: Inflation Only Project List**

**City of Kirkland**  
**2021-2026 Capital Improvement Program**

**TRANSPORTATION PROJECTS**

**Funded Projects:**

Project Number	Project Title	Prior Year(s)	2021	2022	2023	2024	2025	2026	2021-2026 Total	Funding Sources							
										Current Revenue	Street Levy	Impact Fees	Reserve	Debt	Secured External	Unsecured External	
STC 00600	Annual Street Preservation Program		950,000	1,700,000	1,700,000	1,700,000	1,700,000	1,700,000	9,450,000	9,450,000							
STC 00603	Street Levy Street Preservation		1,683,000	2,460,000	2,488,000	2,516,000	2,516,000	2,516,000	14,179,000		14,179,000						
STC 00604	Central Way Preservation Construction	242,700	2,025,000						2,025,000	750,000	750,000		525,000				
STC 00608	Local Road Maintenance		50,000	50,000	50,000	50,000	50,000	50,000	300,000	300,000							
STC 00609	Totem Lake Boulevard & 120th Avenue NE Preservation		1,080,005						1,080,005	555,000							
STC 05912	124th Ave NE Roadway Improvements (North Section) ROW	1,414,700	1,302,000						1,302,000						802,000		
STC 05913	124th Ave NE Roadway Improvements (North Section) Construction			8,465,000	1,405,000				9,870,000	541,000		2,835,000	620,000	1,982,000	3,892,000		
STC 08000	Annual Striping Program		500,000	500,000	500,000	500,000	500,000	500,000	3,000,000	3,000,000							
STC 08313	100th Avenue NE Roadway Improvements (North Section)	3,730,500	1,527,000	290,445					1,817,445	272,300		203,900	1,341,245				
STC 08314	100th Avenue NE Roadway Improvements (Mid-North Section)	5,569,300	2,584,000	129,200					2,713,200			564,100	2,149,100				
STC 08900	Juanita Drive Intersection and Safety Improvements	3,547,580		980,000	1,891,000	2,577,775			5,448,775	981,400		2,597,375	1,870,000				
STC 10700	NE 85th Street Ped/Bike Connection 114th Ave NE to 6th St		870,000	2,450,000	3,580,000				6,900,000						6,900,000		
STC 10800	NE 85th St and 6th St Westbound Transit Queue Jump			1,300,000					1,300,000						1,300,000		
STC 10900	NE 85th Street Eastbound Third Lane 120th Ave NE to 122nd Ave NE				2,700,000				2,700,000						2,700,000		
STC 99990	Regional Inter-Agency Coordination			82,000	82,000	82,000	82,000	82,000	410,000	410,000							
NMC 00620	Street Levy - Pedestrian Safety		150,000	150,000	150,000	150,000	150,000	150,000	900,000		900,000						
NMC 00621+	Neighborhood Safety Program Improvements		200,000						200,000				200,000				
NMC 05700	Annual Sidewalk Maintenance Program		100,000	100,000	100,000	100,000	100,000	100,000	600,000	600,000							
NMC 08100	Willows Rd/Redmond Central Connector		160,900						160,900						160,900		
NMC 08700	Safer Routes to School Action Plans Implementation		499,000	550,000	550,000	550,000	550,000	550,000	3,249,000	2,349,000	900,000						
NMC 08720	NE 131st Way/90th Ave NE Nontransit Impr. (97th Ave NE to NE 134th St) Scope & Design		954,000						954,000				439,000		515,000		
NMC 11010	Citywide Accessibility Improvements			50,000	100,000	50,000	100,000	100,000	300,000	300,000							
NMC 11300	Citywide Greenways Networks			450,000	1,950,000				2,400,000	315,000		135,000	350,000		1,600,000		
NMC 12500	CKC Lighting 120th Avenue NE to NE 124th Street		930,000						930,000				336,000		594,000		
NMC 12600	School & Transit Connector Sidewalk on 120th Avenue NE		140,000						140,000				20,000		120,000		
NMC 12800	CKC/Eastrail Crossing Study at 132nd Ave NE		100,000						100,000						100,000		
NMC 12900	Pedestrian Safety Improvements (Downtown & NE 124th Street)		1,748,250						1,748,250	51,000			83,250		1,614,000		
NMC 13000	124th Ave NE Sidewalk Completion			280,000					280,000				280,000				
TRC 09800	NE 132nd St/116th Way NE (I-405) Intersection Improvements	300,000	202,125						202,125						202,125		
TRC 11600	Annual Signal Maintenance Program		100,000	100,000	100,000	100,000	100,000	100,000	600,000	500,000			100,000				
TRC 11700	Citywide Traffic Management Safety Improvements			100,000	100,000		100,000		200,000	200,000							
TRC 11702	Vision Zero Safety Improvement			50,000	50,000	50,000	50,000	50,000	250,000	250,000							
TRC 11703	Neighborhood Traffic Control		135,000	50,000		50,000			285,000	150,000			135,000				
TRC 12000	Kirkland Intelligent Transportation System Phase 3	246,800			244,100	455,900		1,710,000	2,410,000	704,000						1,706,000	
TRC 12400	116th Avenue NE/NE 124th Street Intersection Improvements	1,758,000	565,000						565,000				273,000		292,000		
TRC 13500	100th Avenue NE/Simonds Road Intersection Improvements	1,254,400	611,100						611,100			127,000	484,100				
TRC 13600	100th Avenue NE/NE 145th St Intersection Improvements	1,293,500	452,700	150,000					602,700	13,700		78,900	510,100				
TRC 13700	Kirkland Ave/Lake St Intersection	1,677,500	595,000						595,000				595,000				
TRC 13800	NE 100th Street/132nd Avenue NE Intersection Improvements							2,558,000	2,558,000	1,279,000						1,279,000	
TRC 13900	85th St/132nd Ave NE Dual Left Turn Lanes - Design			367,500					367,500	350,000			17,500				
TRC 14000	NE 124th & 100th Ave Intersection		135,000						135,000				10,000		125,000		
TRC 14100	132nd Ave NE & NE 72nd St Intersection Repairs		250,000						250,000				250,000				
PTC 00400	108th Avenue NE Transit Queue Jump - Phase I				1,717,000	1,898,300	1,260,000		4,875,300						750,000	4,125,300	
PTC 00500	108th Avenue NE Transit Queue Jump - Phase II				1,893,200	2,437,900	1,309,000		5,640,100						750,000	4,890,100	
Total Funded Transportation Projects			21,034,980	21,579,080	21,115,145	20,487,075	12,690,100	8,517,000	10,216,000	94,604,400	23,321,400	16,729,000	6,541,275	11,613,300	1,982,000	22,417,025	12,000,400

Notes

*Italics = Modification in timing and/or cost (see Project Modification/Deletion Schedule for more detail)*

**Bold = New projects**

+ = Moved from unfunded status to funded status

TRANSPORTATION PROJECTS

Unfunded Projects in the Capital Facilities Plan Years 7-20

Project Number	Project Title	Total
STC 06300	120th Avenue NE Roadway Improvements	4,500,000
STC 07200	NE 120th Street Roadway Improvements (West Section)	15,780,600
STC 07700	NE 132nd St Rdwy Imprv-Phase I (West Section)	1,739,000
STC 07800	NE 132nd St Rdwy Imprv-Phase II (Mid Section)	408,000
STC 07900	NE 132nd St Rdwy Imprv-Phase III (East Section)	1,444,000
STC 08100	Totem Lake Area Development Opportunity Program	500,000
STC 08315	100th Avenue NE Roadway Improvements (Mid-South Section)	5,530,000
STC 08316	100th Avenue NE Roadway Improvements (South Section)	3,619,000
STC 09400	Holmes Point Dr NE Road Embankment Stabilization Location 1	246,000
STC 09500	Holmes Point Dr NE Road Embankment Stabilization Location 2	412,000
STC 09600	Holmes Point Dr NE Road Embankment Stabilization Location 3	503,000
STC 09700	Holmes Point Dr NE Road Embankment Stabilization Location 4	551,000
STC 09800	Holmes Point Dr NE Road Embankment Stabilization Location 5	232,000
STC 09900	Champagne Pl Road NE Embankment Stabilization	563,000
STC 10000	62nd Ave NE Road Embankment Stabilization	823,000
STC 10100	114th Ave NE Road Reconstruction	1,900,000
STC 10200	90th Ave NE Road Surface Water Drainage Repair	420,000
NMC 01299	Crosswalk Upgrade Program	4,100,000
NMC 08630	CKC Roadway Crossings	3,370,100
NMC 09011	Juanita Drive Bicycle and Pedestrian Improvements	10,650,000
NMC 11100	108th Avenue NE Bicycle Lanes Upgrade	845,000
NMC 11399	Citywide Greenway Network	4,450,000
NMC 11700	On-Street Bicycle Network Phase I	1,120,000
NMC 12700*	Juanita Drive Nonmotorized Improvements 79th Way NE to NE 120th St	680,000
NMC 88881	On-street Bicycle Network	3,280,000
NMC 99991	Sidewalk Completion Program	6,096,800
PTC 00200	Public Transit Speed and Reliability Improvements	500,000
PTC 00300	Public Transit Passenger Environment Improvements	0
PTC 00400	108th Avenue NE Transit Queue Jump - Phase I	0
PTC 00500	108th Avenue NE Transit Queue Jump - Phase II	0
TRC 09500	NE 132nd St/Fire Stn Access Dr Intersect'n Imp	480,000
TRC 09600	NE 132nd St/124th Ave NE Intersect'n Imp	7,400,000
TRC 09700	NE 132nd St/132nd Ave NE Intersect'n Imp	1,150,000
TRC 12500	Kirkland ITS Implementation Phase 4	2,620,000
TRC 12800	6th Street S/5th Place/CKC Transit Signal Priority	2,600,000
TRC 12900	NE 53rd Street Intersection Improvements	4,345,000
TRC 13000	NE 145th Street/Juanita-Woodinville Way Intersection Imps	2,100,000
TRC 13100	NE 80th Street/120th Avenue NE Intersection Improvements	1,700,000
TRC 13200	100th Avenue NE/132nd Street Intersection Improvements	1,647,000
TRC 13300	100th Avenue NE/Juanita-Woodinville Way Intersection Imps	2,161,000
TRC 13400	100th Avenue NE/137th Street Intersection Improvements	1,475,000
TRC 13800	NE 100th Street/132nd Ave NE Intersection Improvements	1,743,000
Capacity Projects Subtotal		104,183,500
STC 00600	Annual Street Preservation Program	22,750,000
STC 00603	Street Levy Street Preservation	31,107,000
STC 08000	Annual Striping Program	500,000
STC 99990	Regional Inter-Agency Coordination	820,000
NMC 00621	Neighborhood Safety Program Improvements	3,000,000
NMC 05700	Annual Sidewalk Maintenance Program	2,600,000
TRC 11600	Annual Signal Maintenance Program	2,600,000
TRC 11700	Citywide Traffic Management Safety Improvements	1,400,000
TRC 11702	Vision Zero Safety Improvement	650,000
TRC 11703	Neighborhood Traffic Control	325,000
Non-Capacity Projects Subtotal		65,752,000
Total Transportation Master Plan Projects Yrs 7-20		169,935,500

Unfunded Projects in the Capital Facilities Plan Years 7-20 and Transportation Improvement Plan

NMC 02412	Cross Kirkland Corridor Opportunity Fund	500,000
NMC 03100	Crestwoods Park/CKC Corridor Ped/Bike Facility	2,505,000
NMC 08000	Juanita-Kingsgate Pedestrian Bridge at I-405	4,500,000
NMC 10600	Citywide CKC Connection	360,000
NMC 10700	CKC to Downtown Surface Connection	2,000,000
Capital Facilities Projects Not in TMP Subtotal		9,865,000
Total Capital Facilities Plan Projects Yrs 7-20		179,800,500

Unfunded Transportation Improvement Plan/External Funding Candidates

Project Number	Project Title	Total
STC 05600	132nd Avenue NE Roadway Improvements	25,170,000
STC 06100	119th Avenue NE Roadway Extension	5,640,000
STC 06200	NE 130th Street Roadway Improvements	10,000,000
STC 06400	124th Avenue NE Roadway Extension	30,349,000
STC 07300	120th Avenue NE Roadway Extension	16,392,000
STC 08600	Finn Hill Emergency Vehicle Access Connection	900,000
NMC 03000	NE 90th Street/I-405 Pedestrian/Bicycle Overpass	3,740,700
NMC 03100	Crestwoods Park/CKC Corridor Ped/Bike Facility	2,505,000
NMC 03200	93rd Avenue Sidewalk	1,047,900
NMC 04300	NE 126th St Nonmotorized Facilities	4,277,200
NMC 04600	18th Avenue SW Sidewalk	2,255,000
NMC 05000	NE 80th Street Sidewalk	859,700
NMC 05400	13th Avenue Sidewalk	446,700
NMC 05500	122nd Ave NE Sidewalk	866,700
NMC 05800	111th Avenue Non-Motorized/Emergency Access Connection	2,000,000
NMC 06200	19th Avenue Sidewalk	814,200
NMC 07400	90th Ave NE Sidewalk	353,400
NMC 08000	Juanita-Kingsgate Pedestrian Bridge at I405	4,500,000
NMC 08600	Cross Kirkland Corridor Non-motorized Improvements	65,742,000
NMC 087xx	19th Ave NE/4th St Sidewalks and Crossing of Market Street	2,443,500
NMC 087xx	Reflective Flashing Beacon at 106th Ave NE Crossing NE 68th St	134,800
NMC 087xx	NE 124th Street Sidewalk	462,000
NMC 10600	Citywide CKC Connections	360,000
NMC 10700	CKC to Downtown Surface Connection	2,000,000
TRC 06700	Kirkland Way/CKC Bridge Abutment/Intersection Imprv	6,917,000
TRC 11400	Slater Avenue NE Traffic Calming - Phase I	247,000
TRC 11704	NE 68th Street Intersection Improvements/Access Management	4,375,000
TRC 12300	Slater Avenue NE (132nd Avenue NE)/NE 124th Street	2,124,000
Subtotal Unfunded Transportation Improvement Plan/External Funding Candidates		196,922,800

Grand Total Unfunded Transportation Projects 376,723,300

Notes

- Italics* = Modification in timing and/or cost  
**Bold** = New projects  
+ = Moved from unfunded status to funded status  
" = Moved from funded status to unfunded status  
# = Projects to be funded with development-related revenues  
^ = Future, unfunded portion of projects funded in years 1-6  
~ = Annual Programs with Candidate projects

Potential Non-Motorized Projects Under Placeholders; Not Included in Totals

Project Number	Project Title	Total
NMC 88882 On-Street Bicycle Network Candidate Projects:		
NMC 00100	116th Ave NE (So. Sect.) Non-Motorz'd Facil-Phase II	3,378,000
NMC 03600	NE 100th Street Bike lane	1,644,300
NMC 99992 Sidewalk Completion Program Candidate Projects:		
NMC 02600	NE 90th Street Sidewalk (Phase II)	706,200
NMC 03700	130th Avenue NE Sidewalk	833,600
NMC 04500	NE 95th Street Sidewalk (Highlands)	571,500
NMC 04700	116th Avenue NE Sidewalk (South Rose Hill)	840,000
NMC 04800	NE 60th Street Sidewalk	500,000
NMC 04900	112th Ave NE Sidewalk	527,600
NMC 06100	NE 104th Street Sidewalk	1,085,000
NMC 06300	Kirkland Way Sidewalk	414,500
NMC 07200	NE 132nd Street Sidewalk at Finn Hill Middle School	840,000
NMC 07500	84th Ave NE Sidewalk	4,052,800
NMC 07600	NE 140th St Sidewalk - Muir Elem Walk Rt Enhanc. Phase 1	1,131,000
NMC 07700	NE 140th St Sidewalk - Keller Elem Walk Rt Enhanc. - N	1,185,000
NMC 07800	NE 140th St Sidewalk - Muir Elem Walk Rt Enhanc. - S	747,000
NMC 07900	NE 140th St Sidewalk - Muir Elem Walk Rt Enhanc. Phase 2	648,000
NMC 08800	NE 124th Street Sidewalk	376,000
NMC 09700	132nd NE Sidewalk	732,000
NMC 10100	7th Avenue Sidewalk	208,000
NMC 10300	120th Avenue NE Sidewalk	556,000
NMC 10400	NE 122nd Place/NE 123rd Street Sidewalk	1,294,000
NMC 10500	120th Avenue NE Sidewalk	812,000
NMC 13000	NE 134th St Sidewalk (South Side between 88th Pl & 87th Ave NE)	300,000

**City of Kirkland**  
**2021-2026 Capital Improvement Program**

**WATER/SEWER UTILITY PROJECTS**

Funded Projects:

Project Number	Project Title	Prior Year(s)	2021	2022	2023	2024	2025	2026	2021-2026 Total	Funding Source		
										Current Revenue	Reserve	Secured External
WAC 05200	108th Avenue NE Watermain Replacement	2,120,775	809,600						809,600	507,600	302,000	
WAC 05700	116th Ave NE Watermain Replacement						400,000	2,700,000	3,100,000	3,100,000		
WAC 12900	South Reservoir Seismic & Recoating Construction		1,200,000	3,000,000					4,200,000	2,288,000	200,000	1,712,000
WAC 13400	5th Avenue S / 8th Street S Watermain Replacement		565,400	2,234,600					2,800,000	1,750,000	1,050,000	
WAC 13700	NE 73rd Street Watermain Replacement				1,440,900	1,659,100			3,100,000	2,450,000	650,000	
WAC 14900	Lake Washington Blvd Watermain Replacement						500,000	1,317,600	1,817,600	1,817,600		
WAC 15700	8th Avenue W Watermain Improvement	421,800		554,400	627,795				1,182,195	571,500	610,695	
WAC 16000	126th Avenue NE Watermain Improvement	272,000		1,575,000					1,575,000	845,000	730,000	
WAC 16400	NE 116th Place Watermain Replacement							233,400	233,400	233,400		
WAC 16700	11th Avenue Watermain Replacement							460,000	460,000	460,000		
WAC 16800	11th Place Watermain Replacement							650,000	650,000	650,000		
WAC 16900	NE 85th St and I-405 Watermain Relocation		4,855,000	1,980,500					6,835,500	5,110,000	1,725,500	
WAC 17000	122nd Ave at NE 85th St Waterline Improvement			1,000,000					1,000,000	0	1,000,000	
SSC 06200	NE 108th Street Sewermain Replacement					2,243,400	4,145,100	1,354,000	7,742,500	7,742,500		
SSC 07710	West of Market Sewermain Replacement Phase I				4,317,600	2,812,500	3,069,900		10,200,000	7,400,000	2,800,000	
SSC 08600	8th Avenue W Sewermain Improvement			495,900	1,518,000				2,013,900	1,918,000	95,900	
SSC 08700	West of Market Sewermain Replacement Predesign			525,000					525,000	500,000	25,000	
<b>Total Funded Water/Sewer Utility Projects</b>		<b>2,814,575</b>	<b>7,430,000</b>	<b>11,365,400</b>	<b>7,904,295</b>	<b>6,715,000</b>	<b>8,115,000</b>	<b>6,715,000</b>	<b>48,244,695</b>	<b>37,343,600</b>	<b>9,189,095</b>	<b>1,712,000</b>

Notes

*Italics = Modification in timing and/or cost (see Project Modification/Deletion Schedule for more detail)*

**Bold = New projects**

+ = Moved from unfunded status to funded status

**WATER/SEWER UTILITY PROJECTS****Unfunded Projects:**

<b>Project Number</b>	<b>Project Title</b>	<b>Total</b>
WAC 06700	North Reservoir Pump Replacement	644,000
WAC 09600	NE 83rd Street Watermain Replacement	477,000
WAC 09800	126th Ave NE/NE 83rd & 84th St/128th Ave NE Watermain Replacement	1,261,000
WAC 10300	NE 113th Place/106th Ave NE Watermain Replacement	885,000
WAC 10400	111th Ave NE/NE 62nd St-NE 64th St Watermain Replacement	1,571,000
WAC 10800	109th Ave NE/NE 58th St Watermain Replacement	532,000
WAC 10900	112th Ave NE Watermain Replacement	1,242,000
WAC 11100	NE 45th St And 110th/111th Ave NE Watermain Replacement	1,371,000
WAC 11300	116th Ave NE/NE 70th-NE 80th St Watermain Replacement	2,336,000
WAC 11800	112th-114th Avenue NE/NE 67th-68th Street Watermain Replacement	3,531,000
WAC 11900	109th Ave NE/111th Way NE Watermain Replacement	2,421,000
WAC 12000	111th Avenue Watermain Replacement	195,000
WAC 12200	116th Avenue NE/NE 100th Street Watermain Replacement	1,584,000
WAC 12300	NE 91st Street Watermain Replacement	479,000
WAC 12400	NE 97th Street Watermain Replacement	722,000
WAC 12600	North Reservoir Outlet Meter Addition	80,000
WAC 12700	650 Booster Pump Station	1,686,000
WAC 12800	106th Ave NE-110th Ave NE/NE 116th St-NE 120th St Watermain Replacement	2,422,000
WAC 13000	11th Place Watermain Replacement	359,000
WAC 13100	Supply Station #1 Improvements	68,000
WAC 13200	7th Avenue/Central Avenue Watermain Replacement	955,000
WAC 13500	NE 75th Street Watermain Replacement	750,000
WAC 13600	NE 74th Street Watermain Replacement	206,000
WAC 13800	NE 72nd St/130th Ave NE Watermain Replacement	1,553,000
WAC 14500	6th Street South Watermain Replacement	618,000
WAC 14600	6th Street/Kirkland Way Watermain Replacement	731,000
WAC 14700	106th Avenue NE Watermain Replacement	697,000
WAC 16500	3rd Street Watermain Replacement - Phase 2	541,000
SSC 06800	124th Avenue NE Sewermain Replacement	1,384,000
SSC 07799	West Of Market Sewermain Replacement Phase 2	10,861,000
SSC 08000	20th Avenue Sewermain Replacement	855,000
SSC 08300	111th Avenue NE Sewer Main Rehabilitation	764,000
SSC 08400	Reclaimed Water (Purple Pipe) Opportunity Fund	5,252,000
<b>Subtotal Unfunded Water/Sewer Utility Projects</b>		<b>49,033,000</b>

**Notes***Italics = Modification in timing and/or cost***Bold = New projects**

" = Moved from funded status to unfunded status

## City of Kirkland

## 2021-2026 Capital Improvement Program

SURFACE WATER MANAGEMENT UTILITY PROJECTS

## Funded Projects:

Project Number	Project Title	Prior Year(s)	2021	2022	2023	2024	2025	2026	2021-2026 Total	Funding Source		
										Current Revenue	Reserve	Secured External
SDC 04700	<i>Annual Replacement of Aging/Failing Infrastructure</i>		685,000	500,000	500,000	500,000	500,000	500,000	3,185,000	3,000,000		185,000
SDC 04900	Forbes Creek/108th Avenue NE Fish Passage Improvements						395,100	1,128,000	1,523,100	1,523,100		
SDC 05300	Forbes Creek/Coors Pond Channel Grade Controls	260,200					200,000	1,040,000	1,240,000	1,240,000		
SDC 06300	Everest Creek - Slater Avenue at Alexander Street				430,000	620,000			1,050,000	1,050,000		
SDC 08100	Neighborhood Drainage Assistance Program (NDA)	177,800	50,000		50,000		50,000		150,000	150,000		
SDC 09000	<i>Goat Hill Drainage Ditch Conveyance &amp; Channel Stabilization</i>		459,000	1,202,205					1,661,205	1,482,100	179,105	
SDC 09200	Juanita Creek Culvert at NE 137th Street	685,100	169,500		1,080,000	350,000			1,599,500	1,599,500		
SDC 10000	Brookhaven Pond Modifications						200,000	500,000	700,000	700,000		
SDC 10500	Property Acquisition Opportunity Fund	464,631	50,000	50,000	50,000	50,000	50,000	50,000	300,000		300,000	
SDC 10700	<i>132nd Sq Park Surface Water Improvements</i>	3,577,257	262,044						262,044		262,044	
SDC 10800	Maintenance Center Storm Water Pollution Prevention	1,040,000	350,000						350,000	350,000		
SDC 10900	Holmes Point Drive Pipe Replacement - Phase 2 Outfall	151,000	169,000						169,000	169,000		
SDC 12500	NE 120th Street Water Quality Treatment	738,000	65,000						65,000	65,000		
SDC 12700	Storm Rehabilitation at Rose Point Lift Station							487,900	487,900	487,900		
SDC 12800	NE 85th Street/122nd Avenue NE Stormwater Improvements				165,000	210,000			375,000	375,000		
SDC 12900	NE Juanita Drive Storm Failure Near 86th Avenue NE				225,000				225,000	225,000		
SDC 13200	<i>Water Quality Treatment and Infiltration at NE 111th Pl/127th Pl NE</i>		300,000	1,184,175					1,484,175	353,400	70,675	1,060,100
SDC 13300	Bioretention, Water Quality Treatment, and Storage at 126th Ave NE		200,000						200,000	113,500		86,500
SDC 13900	122nd Avenue NE Storm Replacement					488,500	504,000		992,500	992,500		
SDC 14000	Holiday Drive Conveyance Improvement Study				350,000				350,000	350,000		
SDC 14100	Storm Line Rehabilitation on NE 136th Street					569,500	480,500		1,050,000	1,050,000		
SDC 14200	93rd Avenue NE Hillside Improvements						308,400	849,600	1,158,000	1,158,000		
<b>Total Funded Surface Water Management Utility Projects</b>		<b>7,093,988</b>	<b>2,759,544</b>	<b>2,936,380</b>	<b>2,850,000</b>	<b>2,788,000</b>	<b>2,688,000</b>	<b>4,555,500</b>	<b>18,577,424</b>	<b>16,434,000</b>	<b>811,824</b>	<b>1,331,600</b>

Notes*Italics = Modification in timing and/or cost (see Project Modification/Deletion Schedule for more detail)***Bold = New projects**

**SURFACE WATER MANAGEMENT UTILITY PROJECTS****Unfunded Projects:**

<b>Project Number</b>	<b>Project Title</b>	<b>Total</b>
SDC 04500	Carillon Woods Erosion Control Measures	600,000
SDC 05100	Forbes Creek/King County Metro Access Road Culvert Enhancement	1,400,000
SDC 06100	Everest Park Stream Channel/Riparian Enhancements	1,200,000
SDC 08501	Cross Kirkland Corridor Water Quality Retrofit	1,000,000
SDC 09400	NE 114th Place Stormline Replacement	405,000
SDC 09700	Champagne Creek Stabilization	890,000
SDC 10100	Holmes Point Pipe Replacement at Champagne Creek Basin	260,000
SDC 10200	Juanita Drive Culvert Replacement	750,000
SDC 10300	Lakeview Drive Conveyance Modification	2,800,000
SDC 11200	112th Avenue NE Pipe Repair	60,000
SDC 11300	113th Avenue NE Pipe Repair	120,000
SDC 11400	124th Avenue NE Pipe Repair	160,000
SDC 11500	Weaver's Pond Pipe Replacement	180,000
SDC 11600	NE 140th Street Pipe Replacement	100,000
SDC 11700	111th Avenue NE Pipe Repair	400,000
SDC 11800	Champagne Point Drive NE Pipe Repair	270,000
SDC 11900	NE 58th Street Pipe Repair	280,000
SDC 12000	Kingsgate Park Pipe Outfall Improvements	80,000
SDC 13000	Bioretention, Water Quality Treatment & Storage at 126th Ave NE	4,260,000
SDC 13100	NE 107th Pl Retention Pond Retrofit	1,187,000
SDC 13800	Outlet Path at 101st Pl NE	150,000
SDC 14300	Retrofit Planning within City Limits	900,000
SDC 14400	116th Ave Storm Facility	1,000,000
SDC 14500	NE 61st St Storm Facility Relocation	150,000
SDC 14600	126th Ave NE Storm Pipe Replacement	330,000
SDC 14700	131st Ave NE Storm Improvements	800,000
SDC 14800	105th Pl NE Pipe Replacement	240,000
SDC 14900	NE 119th Ct Storm System Improv. (near Juanita Village Plaza & East Ridge Condos)	450,000
<b>SDC 15000</b>	<b>14th Ave W Capacity Issues</b>	<b>210,000</b>
SDC 15100	83rd Ave NE and NE 110th Pl Intersection Pipe Replacement	550,000
SDC 15200	Highlands Neighborhood (116th Ave NE and 115th Pl) Pipe Replacement	280,000
SDC 15300	NE 138th St to 97th Ave NE Pipe Replacement	245,000
SDC 15400	Stream Restoration at 128th Lane NE	300,000
SDC 15500	NE 141st St Pipe Installation	530,000
SDC 15600	Holmes Point Drive NE Pipe Installation	530,000
SDC 15700	6th Street Everest Creek Obstruction	70,000
SDC 15800	Outlet to CKC at 110th Pl NE	100,000
SDC 15900	108th Ave NE Pipe Installation	250,000
SDC 16000	5th Ave S Pipe Installation	300,000
SDC 16100	NE 141st St and 12th Pl NE Pipe Repair	650,000
SDC 16200	141st St Flow Control and Conveyance System	1,500,000
SDC 16300	Bridleview Estates Drainage Evaluation	100,000
<b>Total Unfunded Surface Water Management Utility Projects</b>		<b>26,037,000</b>
<b>Funding Available from Annual Programs for Candidate Projects</b>		<b>3,185,000</b>
<b>Net Unfunded Surface Water Management Utility Projects</b>		<b>22,852,000</b>

**Notes**

*Italics = Modification in timing and/or cost (see Project Modification/Deletion Schedule for more detail)*

**Bold = New projects**

" = Moved from funded status to unfunded status



**City of Kirkland**  
**2021-2026 Capital Improvement Program**

**PARK PROJECTS**

**Funded Projects:**

Project Number	Project Title	Prior Year(s)	2021	2022	2023	2024	2025	2026	2021-2026 Total	Funding Source						External Sources	Reserves
										Current Revenue							
										Real Estate Excise Tax	Kirkland Parks Levy	Parks Fac. Sinking Fund	Impact Fees	King County Parks Levy			
PKC 04900	Open Space, Park Land & Trail Acq Grant Match Program		100,000						100,000	-	-	-	-	-	-	100,000	
PKC 06600	Parks, Play Areas & Accessibility Enhancements		150,000	140,000	160,000	150,000	370,000	400,000	1,370,000	270,000	1,100,000	-	-	-	-	-	
PKC 13310	Dock & Shoreline Renovations	1,629,400	1,000,000	525,000	300,000	300,000			2,125,000	109,000	210,000	-	-	1,306,000	500,000	-	
PKC 13320	City School Playfield Partnership (Kamiakan)	1,838,600			200,000	100,000		100,000	400,000	400,000	-	-	-	-	-	-	
PKC 13330	Neighborhood Park Land Acquisition		1,050,000	1,200,000	1,200,000	600,000	730,000	400,000	5,180,000	-	-	-	5,180,000	-	-	-	
PKC 13400	132nd Square Park	5,672,200	919,800						919,800	-	-	-	502,450	-	-	417,350	
PKC 15100	Park Facilities Life Cycle Projects		162,000	169,000	146,000	160,400	150,200	243,200	1,030,800	-	-	1,030,800	-	-	-	-	
PKC 15200	O.O. Denny Park Improvements - Picnic Shelter	175,000	275,000						275,000	125,000	-	-	150,000	-	-	-	
PKC 15400	Indoor Recreation & Aquatic Facility Study				160,000				160,000	-	-	-	-	-	160,000	-	
PKC 15500	Green Loop Master Plan & Acquisition			160,000	560,000	560,000	560,000	560,000	2,400,000	-	-	-	-	-	2,400,000	-	
PKC 15600	Park Restrooms Renovation/Replacement Program				791,500				1,583,000	1,477,000	-	-	-	106,000	-	-	
PKC 15700	Neighborhood Park Development Program						300,000		300,000	300,000	-	-	-	-	-	-	
PKC 15900	Off Leash Dog Areas					609,600	460,000	800,000	1,869,600	-	-	-	1,869,600	-	-	-	
PKC 16100	McAuliffe Park Sanitary Sewer						325,000		325,000	272,000	-	-	-	53,000	-	-	
PKC 16200	Wayfinding and Park Signage Program Plan				150,000		300,000	250,000	700,000	150,000	-	-	-	550,000	-	-	
PKC 16300	Trail Upgrades				120,000			200,000	320,000	127,000	90,000	-	-	103,000	-	-	
PKC 17000	ADA Compliance Upgrades					120,000			120,000	20,000	100,000	-	-	-	-	-	
PKC 17200	Rental Houses		120,000						120,000	-	-	-	-	-	-	120,000	
Total Funded Park Projects		9,315,200	3,776,800	2,194,000	3,787,500	3,391,500	3,195,200	2,953,200	19,298,200	3,250,000	1,500,000	1,030,800	7,702,050	2,118,000	3,060,000	637,350	

**Notes**

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**Bold = New projects**

+ = Moved from unfunded status to funded status

**PARK PROJECTS****Unfunded Projects:**

<b>Project Number</b>	<b>Project Title</b>	<b>Total</b>
PKC 05610	Forbes Lake Park Trail Improvements Phase II	7,680,000
PKC 09510	Heritage Park Development - Phase III & IV	5,120,000
PKC 09700	Reservoir Park Renovation Plan	150,000
PKC 10800	McAuliffe Park Development	9,000,000
PKC 11300	Spinney Homestead Park Renovation Plan	120,000
PKC 11400	Mark Twain Park Renovation Plan	96,000
PKC 11500	Terrace Park Renovation Plan	75,000
PKC 11600	Lee Johnson Field Artificial Turf Installation	6,400,000
PKC 11902	Juanita Beach Park Development Phase II	12,800,000
PKC 12210	Community Recreation Facility Construction	96,000,000
PKC 12400	Snyder's Corner Park Site Master Plan	128,000
PKC 12600	Watershed Park Master Plan	128,000
PKC 12700	Kiwanis Park Master Plan	96,000
PKC 12800	Yarrow Bay Wetlands Master Plan	256,000
PKC 12900	Heronfield Wetlands Master Planning & Development	160,000
PKC 13100	Park & Open Space Acquisition Program	12,800,000
PKC 13510	Juanita Heights Park Master Plan	125,000
PKC 13600	Kingsgate Park Master Planning and Park Development	192,000
PKC 13800	Everest Park Restroom/Storage Building Replacement	2,304,000
PKC 13903	Totem Lake Park Phase II: South Side CKC Enhancements	5,120,000
PKC 13904	Totem Lake Park Phase III: East Side Trail and Wetland Enhancements	3,840,000
PKC 14100	South Norway Hill Park Site Master Plan	125,000
PKC 14300	Marsh Park Restroom Replacement	108,800
PKC 14400	Cedar View Park Improvement Plan	76,000
PKC 14500	Environmental Education Center	750,000
PKC 14800	Forbes House Renovation & Historic Preservation Plan	86,000
PKC 14900	Taylor Playfields-Former Houghton Landfill Site Master Plan	384,000
PKC 15000	North Kirkland Community Center Renovation & Expansion Plan	130,000
<b>PKC 16400</b>	<b>Peter Kirk Park - Fencing and Drainage Improvements</b>	<b>250,000</b>
<b>PKC 16500</b>	<b>Skate Park Upgrades</b>	<b>500,000</b>
<b>PKC 16600</b>	<b>Brink Park Gun Mount Renovation</b>	<b>100,000</b>
<b>PKC 16700</b>	<b>O.O. Denny Park Improvements - Sand Volleyball</b>	<b>75,000</b>
<b>PKC 16800</b>	<b>Spray Park</b>	<b>1,500,000</b>
<b>PKC 16900</b>	<b>Marina Park Dock and Shoreline Renovations</b>	<b>3,840,000</b>
<b>Total Unfunded Parks Projects</b>		<b>170,514,800</b>

Notes*Italics = Modification in timing and/or cost***Bold = New projects**

" = Moved from funded status to unfunded status

~ = Partially funded project

**City of Kirkland**  
**2021-2026 Capital Improvement Program**

**PUBLIC SAFETY PROJECTS**

**Funded Projects:**

Project Number	Project Title	Prior Year(s)	2021	2022	2023	2024	2025	2026	2021-2026 Total	Funding Source				
										Current Revenue	Reserve	Debt	External Source	
FIRE														
PSC 06300	Air Fill Station Replacement					86,200			86,200		86,200			
PSC 07100	Self Contained Breathing Apparatus (SCBA)			767,100	115,100			35,800	918,000		918,000			
PSC 07600	Personal Protective Equipment		6,800	6,900	7,100	678,500	7,300	7,500	714,100		714,100			
PSC 20000	Fire Equipment Replacement		43,000	8,300	28,600	27,000	29,800	77,100	213,800		213,800			
POLICE														
PSC 10000	Police Equipment Replacement		122,700	110,700	160,300	160,300	266,300	160,900	981,200		981,200			
FACILITIES														
PSC 30040+	Fire Station 21 Expansion & Remodel		-	-	252,086	559,256	5,211,658	-	6,023,000	465,044		5,557,956		
PSC 30050+	Fire Station 22 Expansion & Remodel		834,067	6,644,830	2,138,404	-	-	-	9,617,301	664,265		8,953,036		
PSC 30060+	Fire Station 26 Expansion & Remodel		-	343,133	746,385	7,347,482	-	-	8,437,000			8,437,000		
PSC 30070+	Fire Station 27 Replacement		5,250,613	18,230,643	5,040,565	-	-	-	28,521,821	5,903,095		22,618,726		
PSC 30080+	Temporary Fire Station		387,249	2,818,660	-	-	-	-	3,205,909	3,205,909				
Total Funded Public Safety Projects		-	6,644,429	28,163,166	9,140,540	8,973,838	5,515,058	281,300	58,718,331	10,238,313	2,913,300	45,566,718	-	

**Notes**

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**Bold = New projects**

+ = Moved from unfunded status to funded status

**City of Kirkland**  
**2021-2026 Capital Improvement Program**

**GENERAL GOVERNMENT PROJECTS - Technology**

**Funded Projects:**

Project Number	Project Title	Prior Year Funding	2021	2022	2023	2024	2025	2026	2021-2026 Total	Funding Source	
										Reserves	Utility Funds
ITC 10000	Network Server and Storage Replacements					410,900			410,900	380,600	30,300
ITC 11000	Network Infrastructure		40,500	40,500	40,500	40,500	95,400	83,400	340,800	230,000	110,800
ITC 13000	Network Phone Systems		82,000	290,000	12,000	12,000	12,000	12,000	420,000	383,100	36,900
ITC 14000	Network Security		75,000	30,000	75,000	30,000	75,000	30,000	315,000	238,100	76,900
ITC 20000	Geographic Information Systems		70,000	100,000	70,000	135,000	70,000	100,000	545,000	381,500	163,500
ITC 50000	Copier Replacements		15,000	15,000	15,000	10,000	10,000	10,000	75,000	75,000	-
<b>Total Funded General Government Projects - Technology</b>			<b>282,500</b>	<b>475,500</b>	<b>212,500</b>	<b>638,400</b>	<b>262,400</b>	<b>235,400</b>	<b>2,106,700</b>	<b>1,688,300</b>	<b>418,400</b>

Notes

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**Technology Unfunded Projects:**

<b>Project Number</b>	<b>Project Title</b>	<b>Total</b>
ITC 00906	Television Media Equipment Upgrade	210,000
ITC 01301	Parking Improvement Solutions Support	75,000
<b>ITC 01600</b>	<b>Parking Ticketing System Replacement</b>	<b>120,000</b>
<b>Total Unfunded General Government Projects - Technology</b>		<b>405,000</b>

Notes*Italics = Modification in timing and/or cost***Bold= New projects**

**City of Kirkland  
2021-2026 Capital Improvement Program**

**GENERAL GOVERNMENT PROJECTS - Facilities**

**Funded Projects:**

Facilities Sinking Fund											Funding Source			
Project Number	Project Title	Prior Year(s)	2021	2022	2023	2024	2025	2026	2021-2026 Total		Current Revenue	Reserve	Debt	External Source
GGC 00800	<i>Electrical, Energy Management &amp; Lighting Systems</i>		62,200	96,400	28,400	152,600	23,400	170,000	533,000			498,000		35,000
GGC 00900	<i>Mechanical/HVAC Systems Replacements</i>		384,600	12,000	406,800	299,400	141,700	51,000	1,295,500			925,500		370,000
GGC 01000	<i>Painting, Ceilings, Partition &amp; Window Replacements</i>		59,900	13,500	140,800	292,200	57,000	178,900	742,300			742,300		
GGC 01100	<i>Roofing, Gutter, Siding and Deck Replacements</i>		1,022,345		337,100	20,200	8,000	7,400	1,395,045			1,395,045		
GGC 01200	<i>Flooring Replacements</i>		172,500	28,400	22,700	157,900	154,700	150,000	686,200			686,200		
<b>Total Funded General Government Projects - Facilities Sinking Fund</b>			<b>-</b>	<b>1,701,545</b>	<b>150,300</b>	<b>935,800</b>	<b>922,300</b>	<b>384,800</b>	<b>557,300</b>	<b>4,652,045</b>	<b>-</b>	<b>4,247,045</b>	<b>-</b>	<b>405,000</b>

Other Projects											Funding Source			
Project Number	Project Title	Prior Year(s)	2021	2022	2023	2024	2025	2026	2021-2026 Total		Current Revenue	Reserve	Debt	External Source
GGC 03516	<i>City Hall Vehicle Charging Stations</i>	540,000	150,913	-	-	-	-	-	150,913			150,913		
GGC 04400	<i>Virtual Services Center</i>	1,000,000	1,000,000	-	-	-	-	-	1,000,000			1,000,000		
GGC 04500	<b>PKCC Roof &amp; Generators</b>		773,000	-	-	-	-	-	773,000			-		773,000
GGC 04600	<b>Parking Garage Opportunity Fund</b>		-	250,000	-	-	-	-	250,000			250,000		
GGC 04700	<b>Village Plaza of Kirkland Purchase</b>		2,375,000	-	-	-	-	-	2,375,000			2,375,000		
<b>Subtotal Funded General Government - Other Projects</b>			<b>1,540,000</b>	<b>4,298,913</b>	<b>250,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,548,913</b>	<b>-</b>	<b>-</b>	<b>3,775,913</b>	<b>-</b>	<b>773,000</b>

<b>Total Funded General Government Projects - Facilities</b>			<b>1,540,000</b>	<b>6,000,458</b>	<b>400,300</b>	<b>935,800</b>	<b>922,300</b>	<b>384,800</b>	<b>557,300</b>	<b>9,200,958</b>	<b>-</b>	<b>8,022,958</b>	<b>-</b>	<b>1,178,000</b>
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Notes

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**Bold = New projects**

+ = Moved from unfunded status to funded status

" = Moved from funded status to unfunded status

**Note: No Unfunded Facilities Projects**

## 2021 - 2026 CIP Update

## Projects With Inflation-Only Increases

Project Number	Project Title	Inflation Amount
<b>TRANSPORTATION</b>		
STC 05913	124th Ave NE Roadway Improvements (North Section) Construction	470,000
STC 08313	100th Avenue NE Roadway Improvements (North Section)	86,545
STC 08314	100th Avenue NE Roadway Improvements (Mid-North Section)	129,200
NMC 12900	Pedestrian Safety Improvements (Downtown & NE 124th Street)	83,250
TRC 13500	100th Avenue NE/Simonds Road Intersection Improvements	29,100
TRC 13600	100th Avenue NE/NE 145th St Intersection Improvements	28,700
TRC 13900	85th St/132nd Ave NE Dual Left Turn Lanes - Design	17,500
<b>Transportation Total</b>		<b>844,295</b>
<b>WATER/SEWER</b>		
WAC 12900	South Reservoir Seismic & Recoating Construction	200,000
WAC 15700	8th Avenue W Watermain Improvement	56,295
WAC 16000	126th Avenue NE Watermain Improvement	75,000
WAC 16900	NE 85th St and I-405 Watermain Relocation	325,500
SSC 08600	8th Avenue W Sewermain Improvement	95,900
SSC 08700	West of Market Sewermain Replacement Predesign	25,000
<b>Water/Sewer Utility Total</b>		<b>777,695</b>
<b>SURFACE WATER</b>		
SDC 09000	Goat Hill Drainage Ditch Conveyance & Channel Stabilization	179,105
SDC 13200	Water Quality Treatment and Infiltration at NE 111th Pl/127th Pl NE	70,675
<b>Surface Water Utility Total</b>		<b>249,780</b>



**CITY OF KIRKLAND**  
**Department of Public Works**  
**123 Fifth Avenue, Kirkland, WA 98033 425.587.3800**  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Laura Drake, P.E, Senior Project Engineer  
Rod Steitzer, P.E., Capital Projects Manager  
Julie Underwood, Director of Public Works

**Date:** July 22, 2021

**Subject:** KIRKLAND AVENUE/LAKE STREET INTERSECTION IMPROVEMENTS—  
NORTHBOUND TO EASTBOUND TURN

### **RECOMMENDATION:**

It is recommended that the City Council provide direction about the potential repurposing of the northbound-to-eastbound right turn lane at the Kirkland Avenue/Lake Street intersection as part of the project scope.

### **BACKGROUND DISCUSSION:**

The intersection of Kirkland Avenue and Lake Street is at the heart of downtown (see Attachment A, Vicinity and Area Map) and has a high level of pedestrian activity. Presently, pedestrians experience long delays waiting to cross the intersection, and curb ramps are not ADA compliant. There is a history of pedestrian/vehicular collisions at this intersection attributable in part to permissive turning movements for vehicles that occur when pedestrians are crossing the street.

To improve safety, reduce crossing times, and increase sight distance, the current project scope is to build a raised intersection, replace the ADA ramps, add curb bulbs, and modify the signal system to implement a "pedestrian scramble phase," during which all vehicles will be stopped but pedestrians will be able to utilize any crosswalk in any direction. For the northbound traffic at the intersection, these changes will reduce vehicle peak-hour level of service from the 2019 level of "B" to the projected 2035 level of "E," but the project will improve pedestrian safety and accessibility. Additionally, the project will enhance the storm water system to accommodate the roadway improvements, handle surface water flow volumes, and treat surface water runoff.

On May 4, 2021, staff presented the Council with the two options. One was to amend the project scope to address a series of traffic signal and surface water infrastructure issues that could be addressed most efficiently at the time the intersection was being reconstructed. The second option was to explore possible enhancements to the project by including an array of urban design features. On May 18, 2021, the Council authorized staff to amend the scope to address the signal and surface water issues, and also authorized staff to develop urban design concepts further for future Council review and discussion. The Council amended the project's budget on May 18 to fund those scope amendments.



**Northbound Right Turn Lane**

At the May 4, 2021 meeting, as part of its deliberations, the Council also requested staff to investigate the feasibility of repurposing the existing northbound-to-eastbound right turn lane at the intersection. Utilizing that turn pocket would allow for some additional pedestrian space to be created on the southeast corner and reduce crossing distances incrementally. A traffic analysis has determined that during most times of the day the impacts to vehicles would be minimal. However, there would be a greater impact for northbound drivers travelling during the afternoon peak/commute period than if the right turn were not removed. Northbound p.m. peak drivers would experience increased delays and queuing, as shown in Table 1, below.

**Table 1: Impacts to Northbound Vehicles During PM Peak**

	Level of Service	Queue Length (ft)
2019 (Existing)	B (19 seconds)	1,050
2035 (No Project)	C (21 seconds)	1,480
2035 With Scramble	E (55 seconds)	2,550
2035 With Scramble and Removal of NB RT Lane	E (63 seconds)	2,960

There are marginal benefits and impacts on either side of this question.

With regard to safety, the greatest benefit to pedestrians is whether the scramble is installed at all. When the signals turn red for the scramble, there are to be no vehicles in the intersection and pedestrians can make their crossings safely. The potential safety benefits of repurposing the northbound-to-eastbound turn lane may be for those cases when pedestrians attempt to cross when vehicular movements are permitted. Further, with the redevelopment of the southeast corner of the intersection several years ago, there is now additional plaza space (albeit largely privately-owned rather than public right-of-way) for pedestrians to stand and wait for a safe crossing; the bulb would add even more space and an incremental increase in safety. This contrasts with the northwest corner, where currently there is very little sidewalk space for pedestrians to stand and wait and where today a free right from southbound-to-westbound is allowed. Adding a bulb to the northwest corner, which is included in the design that is being engineered now, should improve pedestrian safety.

Repurposing the turn lane and adding a bulb on the southeast corner may reduce east/west crossing time by several seconds, but for an all-way scramble intersection the technical measurement is the longest crossing, which would be the diagonals. The geometry of the proposed bulb on the southeast corner would not reduce the distance between southeast-to-northwest materially and would have no impact on southwest-to-northeast crossings.

That being said, Kirkland has a long history of implementing policies and making capital improvements that enhance the walkability and pedestrian appeal of its downtown, so the proposed removal of the right turn lane would further support those policies and previous actions. The *Intelligent Transportation System Plan*, for instance, calls for increased benefits to pedestrian accessibility over vehicular throughput.

For drivers, as shown in Table 1, above, the elimination of the turn lane would add an estimated 8 seconds of delay by the year 2035 and would increase the projected queue by an estimated 400 feet. There are several other factors that contribute to vehicle stops and queues in this segment of Lake Street (e.g., several non-signalized pedestrian crossings), but the

removal of the turn lane and the addition of the bulb would add roughly 15% of delay and queuing for northbound drivers in the p.m. peak.

Ultimately, this policy choice may come down to a matter of perspective: the potential incremental benefit to pedestrians versus the projected impact to traffic.

### **Advancement of Engineering**

The option of adding urban design features to the intersection is a decision that can be made in the coming weeks without impacting the project's schedule, and staff anticipates returning to the Council in September to resume that discussion.

However, staff needs a decision at this time regarding the right-turn question not only to keep the project on schedule but also to confirm important engineering design decisions. For two examples, whether or not to include the bulb on the southeast corner influences the curb line, which in turn impacts the design of the stormwater system; and whether or not to include the bulb influences the location of signal poles and related design decisions.

The Council does have the option of choosing to keep the turn lane, evaluate the performance of the intersection over the coming years, then choosing to add the bulb in the future. The possibility here is to design the project with the anticipation the bulb may be added in the future; at this time there do not appear to be complicating utility or vault location issues associated with that option. However, this would not be the most cost-effective choice. While staff is knowledgeable about this project as it stands today, staff cannot identify at this time how much re-work would need to be undertaken. A better answer to that question could be derived once 60% design is achieved. The rework also would cause another cycle of disruption to the public while the intersection is modified.

### **Urban Design Concepts—Future Discussion**

While this agenda item is primarily to seek direction about the turn lane, staff also notes for the Council that the turn lane decision is an element of potential urban design enhancements that the Council will be asked to consider at a subsequent meeting.

The urban design recommendation from the project team is to create a design that is both aesthetically pleasing and also encourages pedestrians to use the "cross all ways" feature of the pedestrian scramble—when all cars stop and pedestrians are able to cross the intersection in any direction, including diagonally. Since the raising of the intersection already in the project's scope, decorative scoring, color and/or sandblasting could be added. The project intends to preserve the historic clock currently on the northwest corner of the intersection, and the project team is making every effort to preserve existing trees, especially the large trees on the west leg of the intersection. Additionally, decorative pavers can be added to the four intersection corners, with interest to select pavers that require minimal maintenance. These kinds of features are illustrated in Figure 1, below.

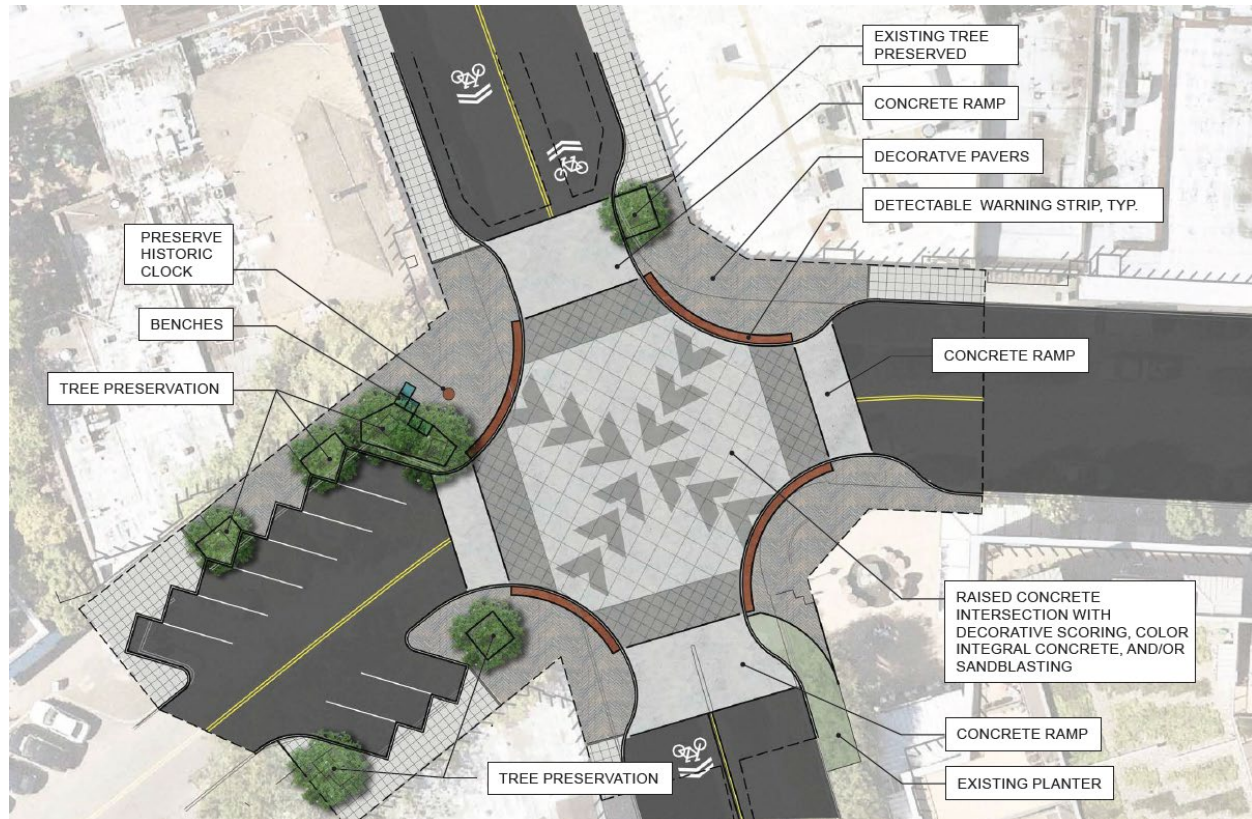


Figure 1: Conceptual Aerial View of Kirkland Avenue and Lake Street with Decorative Features

In addition to those larger features, smaller urban design features could be added to create a vibrant and inviting environment for businesses and the community. Bicycle racks and benches provide facilities for nonmotorized users, encouraging people to bike to the area and enjoy the outdoor space. The trash and recycling receptacles at the intersection currently must be relocated to the optimal location at the intersection. Staff recommend replacing both receptacles rather than relocating the existing receptacles to ensure the reliability of these facilities while reducing potential constructability issues. The current scope will replace the existing traffic signal cabinet, which today features a decorative wrap. Staff recommends wrapping the new traffic signal cabinet similarly so that the community may continue to enjoy this decorative feature. Vehicular bollards can function as both safety features and to prevent errant vehicles from

entering pedestrian space; and could provide another aesthetic feature, such as decorative bell-shaped bollards.

Landscaping provides the public with cleaner air and creates a vibrant urban feature that changes throughout the year. Staff recommends preserving as many existing trees as possible. However, any trees that are in poor condition or would not survive construction would be replaced (where possible). Additionally, the existing large flowerpots, currently sponsored by the Kirkland Downtown Association, will be preserved. Planter railings may be added along the existing planter strip on Lake Street, helping to reduce damage to the plants by creating a safe barrier between the pedestrian space and the landscaped area while adding another decorative feature to the intersection. Hanging flowerpots and/or decorative banners could be added to the new signal poles at the intersection.

Additional features that could celebrate downtown's unique identity include a public art feature and downtown identity signage. Finally, art inlayed in the sidewalks also could provide wayfinding, such as the examples shown in Figure 2, above.



Figure 2: Examples of Art and Wayfinding Sidewalk Inlay

Staff is aware that installing such improvements is only part of the equation. On-going maintenance costs and durability are another, and staff is identifying those and will present estimates when it returns with a discussion about the urban design options.

### **Urban Design Features—Initial Estimates of Cost**

Because costs and budget implications are important to discussions about capital improvements, below in Table 2 are preliminary estimates of individual urban design elements. These estimates cannot be relied upon at this point because work is still being done to refine the design options. Staff is providing these estimates to indicate a sense of scale, which could facilitate the Council's discussion on August 4 but may also be helpful data to have in mind when the Council has its more detailed discussion about the urban design options in the near future.

**Table 2: Cost Estimates for Urban Design Features**

Item	Total
Decorative Intersection Treatments	\$ 60,000
Planter Railing	\$ 78,750
Bell Bollards	\$ 24,000
Block Bench	\$ 15,000
Standard Bench	\$ 8,100
Bicycle Rack	\$ 6,000
Waste Receptacle	\$ 12,750
Recycling Receptacle	\$ 12,750
Utility Cabinet Box Wrap	\$ 24,000
Decorative Pavement Inlays	\$ 22,550
Planter Pots	\$ 2,700
Banner or Flower Basket Arms	\$ 3,000
<b><i>Core Urban Design Subtotal</i></b>	<b><i>\$ 269,550</i></b>
Additional Decorative Add-Ins	
Public Art Piece	\$ 66,000
Downtown Identity Signage	\$ 33,000
<b>Total</b>	<b>\$ 368,550</b>

**Schedule**

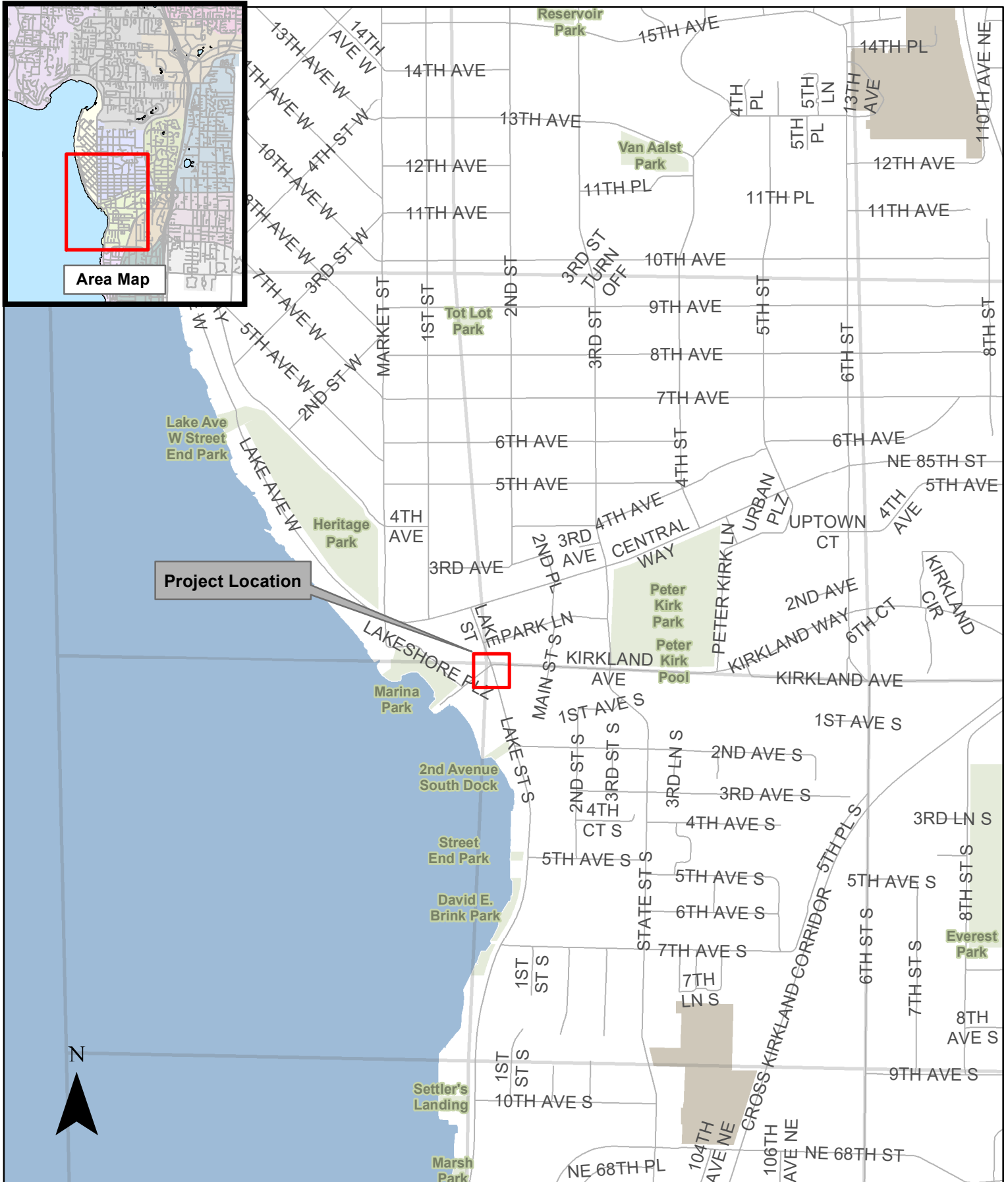
Project design efforts began in March 2021 with survey and data gathering. Design will continue until late Autumn 2021. Were the contract to be advertised at the end of 2021, the selected contractor would begin long-lead procurement in early 2022. Construction is planned to span Spring and Summer 2022. If environmental permits are obtained successfully in a timely manner, permitting will be in place by the end of 2021. However, if NEPA approval becomes complicated because of NMFS review processes, staff will return to the Council with an updated schedule and recommended next steps.

**NEXT STEPS:**

Staff seeks the Council's direction at this time whether:

- To retain the northbound-to-eastbound turn lane at the intersection of Lake Street and Kirkland Avenue;
- To repurpose the right-turn lane and install a bulb on this corner when the scramble is first constructed; or
- To retain the right-turn lane for now with the further direction to staff and the consulting team that the City may choose to repurpose the right-turn lane in the future.

Staff also anticipates returning to the Council in the near future regarding urban design options for this project.



**Vicinity and Area Map**  
Kirkland Avenue/Lake Street Intersection Improvements







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

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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Laura Drake, P.E, Senior Project Engineer  
Rod Steitzer, P.E., Capital Projects Manager  
Julie Underwood, Director of Public Works

**Date:** July 22, 2021

**Subject:** JUANITA DRIVE MULTI-MODAL IMPROVEMENTS—NE 132<sup>ND</sup> STREET  
CONNECTION CONCEPTS

### **RECOMMENDATION:**

It is recommended that the City Council:

- Receive an update about proposed Juanita Drive multi-modal improvements; and
- Provide direction about concepts for a connection along NE 132<sup>nd</sup> Street between 72<sup>nd</sup> Avenue NE and Juanita Drive NE.

### **BACKGROUND DISCUSSION:**

The Juanita Drive corridor is an important north/south regional connection, and it is used by thousands of people driving, walking, or biking daily. In 2014, using an extensive stakeholder engagement process, the City completed the "Juanita Drive Corridor Study" ([Study](#)), which identified 33 connectivity and safety improvements for people who use the corridor. In 2018, the City completed the first 11 sidewalk, crosswalk, bike lane, and lighting safety improvements under the Juanita Drive Quick Wins Project construction contract.

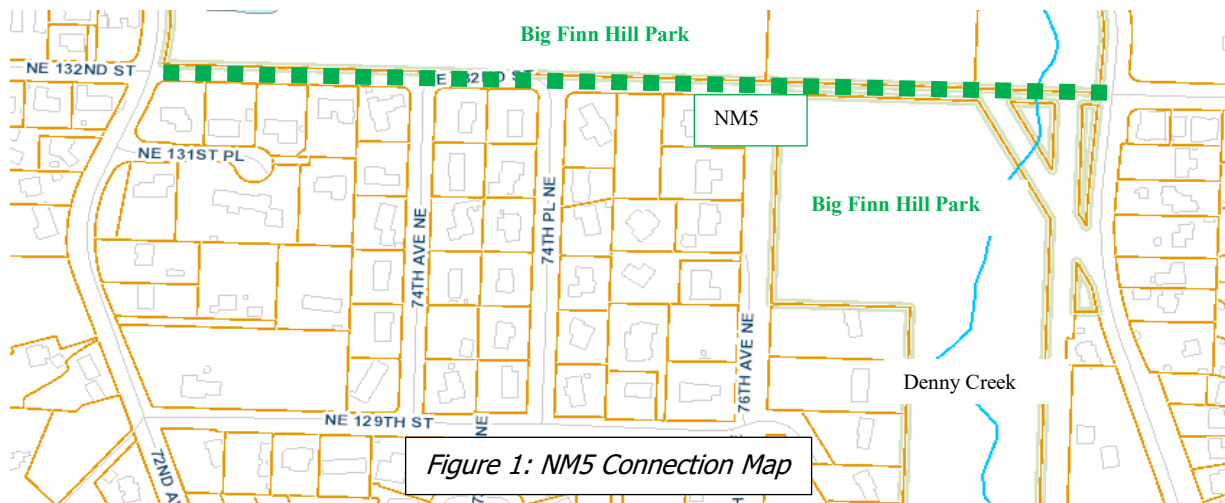
In 2019, the Council approved a scope modification for the Juanita Drive Nonmotorized Improvements project to create a continuous pedestrian and bike pathway along Juanita Drive NE from NE 132<sup>nd</sup> Street to NE 120<sup>th</sup> Street. The scope modification also will improve safety and access at the intersection of NE 112<sup>th</sup> Street/80<sup>th</sup> Avenue NE/Juanita Drive NE by realigning the streets to improve safety and accessibility. In October 2020, the Council received an [update](#) about the project's progress.

#### **NE 132<sup>nd</sup> Street: 72<sup>nd</sup> Avenue NE to Juanita Drive**

The Juanita Drive Corridor Study ranked the NE 132<sup>nd</sup> Street nonmotorized connection between Juanita Drive NE and 72<sup>nd</sup> Avenue NE, identified as "NM5" on the Citywide Connections Map, as a medium priority. On November 19, 2019, staff presented this connection with the inclusion of emergency vehicle access as part of the proposed Citywide Transportation Connections Map. The Council decided not to include an emergency vehicle access concept on the Citywide

Connections Map, but did include the nonmotorized connection as a potential future public works project. The Council asked for concepts with detailed cost estimates to be advanced with this project.

Currently, a 30-foot-wide stretch of public right-of-way extends from 76<sup>th</sup> Avenue NE to Juanita Drive, as shown below in figure 1. This includes an informal trail connection from 72<sup>nd</sup> to 74<sup>th</sup> Avenue NE, an unpaved road from 74<sup>th</sup> to 76<sup>th</sup> Avenue NE, and a 750-foot long rugged hiking trail from 76<sup>th</sup> to Juanita Drive that crosses Denny Creek. The eastern informal trail traverses a steep ravine with overgrown vegetation and loose surface materials, as shown in Figure 2, below (see also Attachment A, Vicinity and Area Maps). These trail connections are not identified officially as hiking trails, and therefore they not maintained regularly.



Staff focused on the connection between 76<sup>th</sup> Avenue NE and Juanita Drive NE, because that segment is the most difficult to traverse today and would require the bulk of the necessary improvements. If the Council selects one of these proposed concepts for full design and construction, staff could design and construct improvements the full length of 72<sup>nd</sup> Avenue NE and Juanita Drive.

The project's design consultant has completed four preliminary concepts for improving this connection and their preliminary cost estimates, based on field survey and current design standards and current environmental permitting requirements. The four concepts are:

- Recreational Hiking Trail;
- ADA-Compliant Pedestrian Path;
- Human-Powered Gondola Ravine Crossing; and
- Pedestrian and Emergency Vehicle-Accessible Path.



*Figure 2: Denny Creek and Ravine (facing west)*

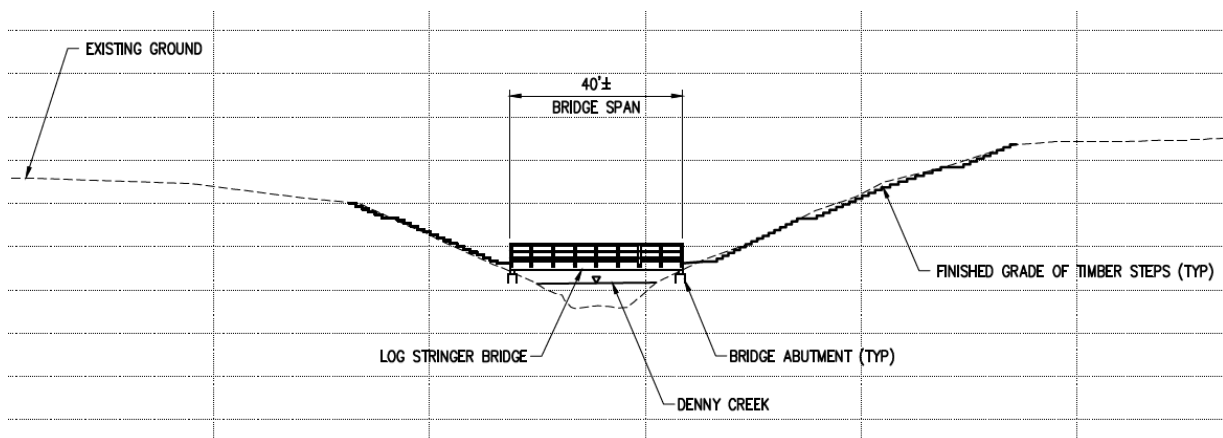
All four concepts include an enhanced pedestrian crossing at the NE 132<sup>nd</sup> Street and Juanita Drive NE intersection. Crossing enhancements could be a rapid rectangular flashing beacon (RRFB) with overhead sign, or a High-Intensity Activated crosswalk (HAWK) signal. The enhancements would add an estimated \$84,000 to each cost estimate, including construction and soft costs. Preliminary cost estimates are shown in Table 1 on page 4 of this staff report.



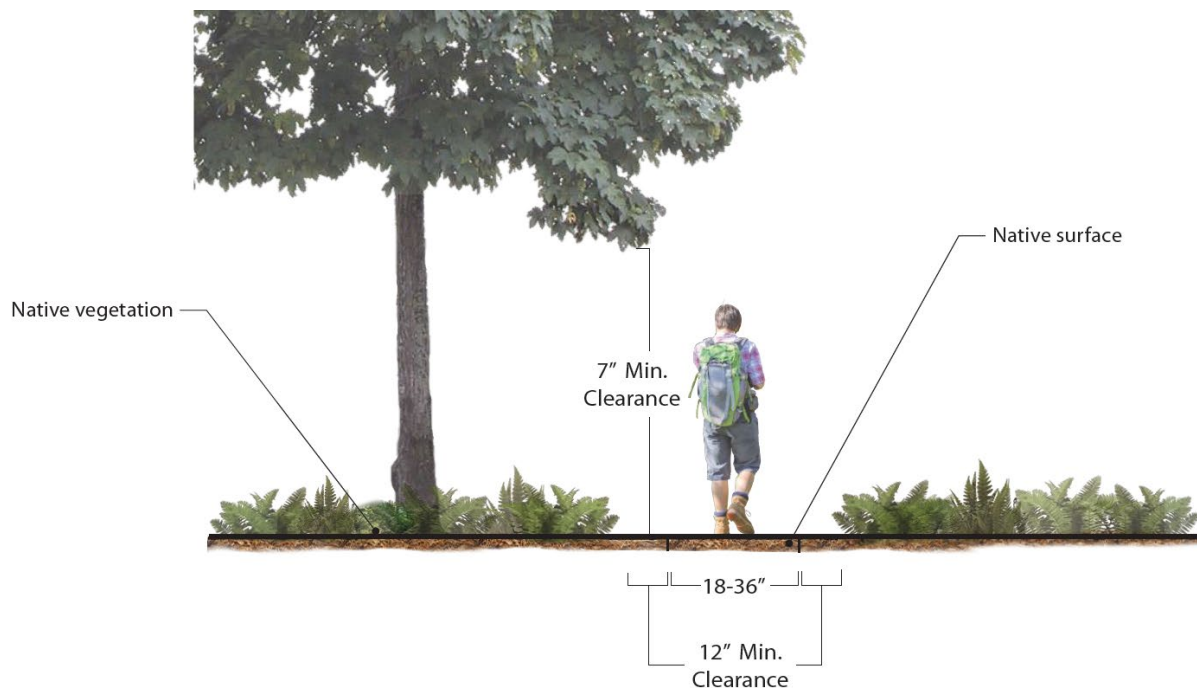
**Option #1: Recreational Hiking Trail**

This option would be the easiest to implement, benefiting from the lowest construction costs, simplest design, least amount of environmental permitting, and would have the least ongoing maintenance costs compared to the other options. However this option would not be ADA compliant. This option could be constructed as early as 2022, and would increase safety and usability by providing:

- Overlapping timber steps on steep slopes, including landing areas and optional bike runnels;
- A log-stringer bridge with handrails to safely cross Denny Creek (see Figure 3, below);
- Minimum 18" trail tread width (see Figure 4, below);
- Horizontal and vertical clearing of vegetation, including invasive blackberries;
- Grading and new gravel as needed to improve trail cross-slopes and existing uneven ground;
- Enhanced pedestrian crossing at Juanita Drive NE; and
- Informational and wayfinding signage.



*Figure 3: Conceptual Log-Stringer Bridge over Denny Creek*



*Figure 4: Recreational Trail Conceptual Cross-Section*

Further geotechnical and structural design is needed for the log-stringer bridge, but it is a relatively simple structure when compared with the other options.

While no tree removals are anticipated at this time, minimal tree removal could be required if impacts to tree roots are significant or existing tree health is poor. Routine maintenance would be needed to maintain a safe recreational facility for the public, such as replacing the timber every 10-20 years or longer.

### **Option #2: ADA-Compliant Pedestrian Path**

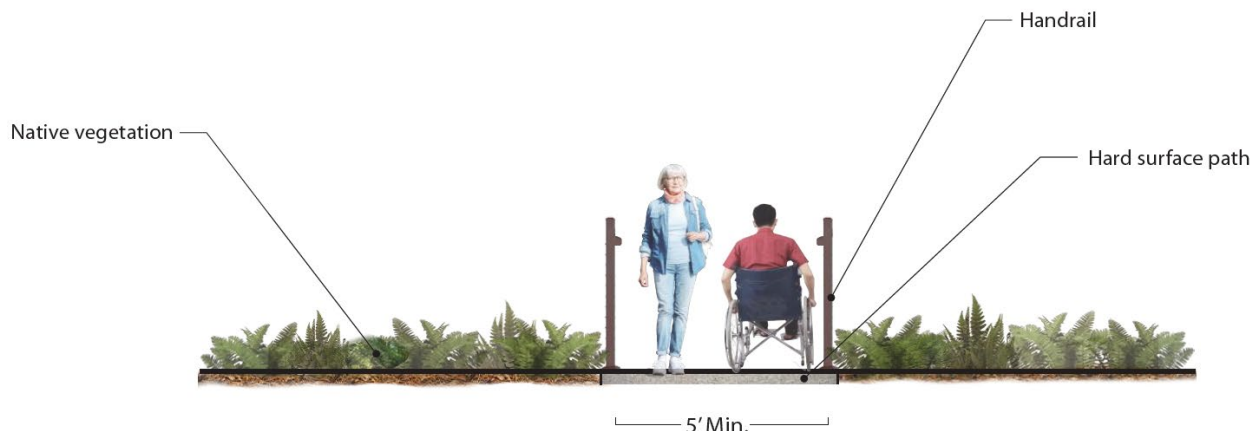
To fully comply with 2010 American with Disabilities Act Standards for Accessible Design, this option includes:

- A series of concrete ramps, landings, handrails, and walls to create switchbacks on steeper slopes (see example switchbacks in Figure 5, right);
- Asphalt path with intermittent landings on flatter slopes;
- 8-foot wide concrete-deck pedestrian bridge over the existing ravine, spanning 145 feet;
- Minimum 5-foot width pathway (see Figure 6, below);
- Horizontal and vertical clearing of trees and vegetation, including invasive blackberries;
- Enhanced pedestrian crossing at Juanita Drive NE;
- Informational and wayfinding signage; and
- Relocation of franchise utilities, including poles, hydrants and vaults.



*Figure 5: ADA-Compliant Switchbacks in Tacoma, WA*

To meet ADA standards, the switchbacks will take up most of the existing 30-foot right-of-way width, leaving a very limited area for utility relocation and access. To construct the switchbacks, temporary construction easements will be needed from the adjacent King County Parks property. Further geotechnical and structural analysis is needed for the concrete-deck pedestrian bridge and will be completed if this option is selected by Council.



*Figure 6: ADA-Compliant Pedestrian Path*

At this time, up to 14 tree removals would be expected because of direct conflicts and significant anticipated impacts to tree roots. Tree replacement would be pursued as part of this option, with the goal of providing a 1:1 tree removal-to-replacement ratio.

Because of the amount of new impervious surfaces required for this option, the need for at least one stormwater detention vault is anticipated. Further stormwater analysis is needed, and it is expected these stormwater facilities would be challenging to build because of the limited right-of-way, additional vegetation clearing, and slope stability impacts. In addition to routine maintenance to the bridge and pedestrian pathway, regular maintenance of the stormwater structures would be needed.

### **Option #3: Human-Powered Gondola Ravine Crossing**

This option would give the City a distinct feature that is uncommon in urban areas. Trail connections would be similar to the recreational trail in Option 1, but with a human-powered gondola over the Denny Creek ravine in place of the steps and log-stringer bridge:

- Human-powered gondola or cable car over the Denny Creek ravine (see example in Figure 7, adjacent);
- Minimum 18" trail tread width (see Figure 3 on page 3 of this staff report);
- Horizontal and vertical clearing of vegetation, including invasive blackberries;
- Grading and new gravel as needed to improve trail cross-slopes and existing uneven ground;
- Enhanced pedestrian crossing at Juanita Drive NE; and
- Informational and wayfinding signage.



*Figure 7: Chilliwack River Cable Car, Copper Ridge Loop, North Cascades, WA*

Further analysis is needed to determine the exact impacts to vegetation and slope-stability, as well as ongoing maintenance needs. Upon direction from the Council, staff would begin the full design of this option with intensive safety and liability analysis. Additionally, further geotechnical and structural analysis is needed to determine the exact gondola system that would best meet the City's needs for this location.

### **Option #4: Pedestrian and Emergency Vehicle-Accessible Path**

This option would provide both a pedestrian connection and an emergency vehicle access from Juanita Drive to 76<sup>th</sup> Avenue NE that would improve emergency response times to the Holmes Point area. This option would accommodate an aide car. A full-sized firetruck might also be able to use this connection, although the running slope likely exceeds the City's emergency route standards. The consultants can do additional feasibility analyses. Option #4 includes:

- A 12-foot wide asphalt roadway with retractable bollards to control access (see Figure 8, below);
- A 12-foot wide, 185- long concrete-deck vehicle bridge;
- Horizontal and vertical clearing of trees and vegetation, including invasive blackberries;
- Enhanced pedestrian crossing at Juanita Drive NE;
- Informational and wayfinding signage; and
- Relocation of franchise utilities, including poles, hydrants, and vaults.

The new access roadway would be graded smooth and generally would follow the natural grades within the existing right-of-way. While the running slope could be traversed by emergency vehicles, it would exceed the ADA-standards. If directed to fully design this option, staff will pursue all options to meet ADA-standards to the greatest extent feasible.

This option would have less vegetation removal and slope-stability impacts than Option #2, but still more than the recreational trail option. Unfortunately, preliminary analysis indicates that up to 13 trees would require removal because of either direct impacts or significant impacts to tree roots.



Figure 8: Pedestrian and Emergency Vehicle-Accessible Path

Similar to the Option #2, the amount of new impervious surfaces likely would require at least one new stormwater detention vault, adding both construction and ongoing maintenance costs. Installing new stormwater structures may require additional vegetation clearing and slope stability impacts. Additionally, further geotechnical and structural analysis is needed for the proposed bridge, which would be undertaken were the Council to direct staff to design this option fully.

### Comparative Costs

For each option, Staff's consultant has prepared preliminary cost estimates including necessary soft costs as summarized in Table 1, below. These options do not include right-of-way or temporary construction easement costs. As with any project, costs may increase due to unanticipated challenges or construction cost inflation exceeding current trends. For each option, the soft costs reflect the cost to progress the current concepts to bid-ready and manage construction.

**Table 1: Comparative Anticipated Costs**

	Option #1 Recreation Trail <sup>1</sup>	Option #2 ADA Path <sup>2</sup>	Option #3 Gondola <sup>2</sup>
Soft Costs	\$ 219,800	\$ 1,097,800	\$ 283,750
Construction Costs	\$ 431,600	\$ 2,537,600	\$ 552,500
Total Expected Expenses	\$ 651,400	\$ 3,635,400	\$ 836,250

<sup>1</sup> Option #1 has been progressed to 30% design level.

<sup>2</sup> Options #2 and #3 have been progressed to 15% conceptual design level.

Option #4 requires significant geotechnical investigation, structural engineering analysis, and would require extensive permitting. Preliminary analysis indicates this option could cost between \$4 and \$12 million, depending on the geotechnical and structural needs of the bridge and the termini of the connection (i.e. Juanita Drive NE to 72<sup>nd</sup> Avenue NE or Juanita Drive NE to 76<sup>th</sup> Avenue NE). For an estimated \$300,000, staff could analyze this option further and provide the Council with refined estimated expenses for design and construction.

While each option has unique merits, Option 1 is the most cost-effective solution and could be constructed as early as 2022, prior to construction of the Juanita Drive Multi-modal, Safety and Intersection Improvements. Implementing Option 1 would be a sunk cost, but it would not prevent any of the other options from being implemented in the future. Options 2, 3, and 4 all have unique challenges that would require significantly more time to fully design.

**NEXT STEPS:**

Based upon the Council's direction, staff will return with a formal proposed action to add the preferred connection concept to the Capital Improvement Plan.

Regarding the Juanita Drive Multi-modal, Safety, and Intersection Improvements (Improvements) currently in design, staff will return to the Council with an update on the right-of-way acquisition process later this year. Construction for that project is currently anticipated for early 2023.

Attachment A: Vicinity and Area Maps





**Vicinity and Area Map**  
Juanita Drive Multi-Modal Improvements



## KIRKLAND CITY COUNCIL MEETING MINUTES July 20, 2021

### 1. CALL TO ORDER

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

Motion to Excuse Councilmember Falcone's absence from the study session.

Moved by Councilmember Kelli Curtis, seconded by Deputy Mayor Jay Arnold

Vote: Motion carried 6-0

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

### 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. Capital Improvement Program Operational Enhancements

Capital Projects Manager Rod Steitzer provided a presentation about actions taken to improve the operations of the Capital Improvement Program Division.

#### b. Cross Kirkland Corridor Update

Transportation Planner Kimberly Scrivner provided an update about the progress made to date on implementing the Cross Kirkland Corridor Master Plan and other activities related to the corridor and received Council direction.

Mayor Sweet noted that Councilmember Falcone joined the regular meeting.

### 4. HONORS AND PROCLAMATIONS

#### a. Americans with Disabilities Act Awareness Day Proclamation

Mayor Sweet asked Councilmember Nixon to read the proclamation, which was accepted by HERO House NW Bellevue Club member Lhen Tolentino.

5. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience  
Angela Rozmyn
- c. Petitions

6. PUBLIC HEARINGS

None.

7. SPECIAL PRESENTATIONS

- a. COVID-19 Update  
  
City Manager Kurt Triplett provided a reminder that Kirkland City Hall, the Kirkland Justice Center and the Community Centers will be reopening to the public on Monday, August 2, 2021.
- b. Resolution R-5434 Update  
  
City Manager Kurt Triplett provided information on recent actions related to the implementation of Resolution R-5434 including an upcoming meeting with the Right to Breathe organization, an upcoming presentation on outreach plans for School Resource Officers and body cameras at a Council meeting in September, and trying to schedule a meeting with the Lake Washington School District to discuss School Resource Officers.

8. CONSENT CALENDAR

- a. Approval of Minutes  
  
(1) July 6, 2021
- b. Audit of Accounts  
  
Payroll: \$3,617,482.81  
Bills: \$4,229,022.92  
P-Card ACH  
TB0707 Checks #720684-720787  
TB0714 Checks #720788-720928  
SF714B Wire #369  
SF714B Wire #370  
SF714B Wire #371



c. General Correspondence

d. Claims

(1) Claims for Damages

Claims received from Xin Gu and Joshua R. Whitton 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) Major Development Projects and Planning Work Program Updates

Council acknowledged the list via approval of the consent calendar.

(2) Resolution R-5486 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE 2020 PARKS AND COMMUNITY SERVICES ANNUAL REPORT."

The resolution was approved via approval of the consent calendar.

(3) Cultural Arts Commission Revised Public Art Policy Guidelines

The guidelines were approved via approval of the consent calendar.

(4) Financial Dashboard

The report was acknowledged via approval of the consent calendar.

(5) Procurement Report

The report was acknowledged via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Kelli Curtis, seconded by Councilmember 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.

9. BUSINESS

a. Transportation Impact Fee Policy Discussion and School Impact Fee Introduction

Deputy City Manager of Operations Tracey Dunlap provided an overview of the Transportation and School Impact fees and received Council direction to incorporate in the development of proposed legislation for future consideration. Senior Analyst Luke Slaughterbeck and Project Manager Doug Gabbard of FCS Group also were available and responded to Council questions.

b. Memorandum of Understanding with King County Regarding Use of the Eastrail Corridor at 134th Court NE and Related Willows Road NE Interim Trail Extension

City Manager Kurt Triplett provided an overview of the resolution authorizing the City Manager to sign the Memo of Understanding with King County.

- (1) Resolution R-5487, Approving a Memorandum of Understanding with King County Regarding the Use of the Eastrail Corridor to Access Commercial Property in Kirkland and Construction of a New Willows Road Trail Connection and Authorizing the City Manager to Execute Said Memorandum on Behalf of the City of Kirkland

Motion to Approve Resolution R-5487 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A MEMORANDUM OF UNDERSTANDING WITH KING COUNTY REGARDING USE OF THE EASTRAIL CORRIDOR TO ACCESS COMMERCIAL PROPERTY IN KIRKLAND AND CONSTRUCTION OF A NEW EASTRAIL WILLOWS ROAD NE INTERIM TRAIL CONNECTION AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID MEMORANDUM ON BEHALF OF THE CITY OF KIRKLAND."

Moved by Deputy Mayor Jay Arnold, 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.

c. Community Roots Housing Public Development Authority Interlocal Agreement

Planning and Building Director Adam Weinstein provided an overview of the resolution and responded to Council questions.

- (1) Resolution R-5485, Related to Community Roots Housing and Safe and Affordable Housing and Community Development for Low-Income and Moderate-Income Individuals and Families in Kirkland

Motion to Approve Resolution R-5485 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATED TO AN

INTERLOCAL AGREEMENT WITH THE CITY OF SEATTLE, FINDING THAT THE DEVELOPMENT OF AFFORDABLE AND WORKFORCE MULTIFAMILY HOUSING IS A GOVERNMENT PURPOSE, AND AUTHORIZING COMMUNITY ROOTS HOUSING TO DEVELOP AFFORDABLE AND WORKFORCE MULTIFAMILY HOUSING IN KIRKLAND."

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.

Council recessed for a short break.

d. Eviction Moratorium and Rental Assistance Program Update

City Attorney Kevin Raymond and Human Services Supervisor Leslie Miller provided an update on tenant protections and rental relief programs and responded to Council questions.

Motion to Approve Ordinance O-4764, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND REPEALING ORDINANCE O-4759 RELATING TO A TEMPORARY MORATORIUM ON RESIDENTIAL TENANT EVICTIONS AND THE COVID-19 PANDEMIC."

Moved by Councilmember Toby Nixon, seconded by Councilmember Jon Pascal

Vote: Motion failed 3 - 4

Yes: Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

No: Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, and Councilmember Amy Falcone.

Motion to Approve Ordinance O-4763, entitled "RELATING TO A TEMPORARY MORATORIUM ON RESIDENTIAL TENANT EVICTIONS AND THE COVID-19 PANDEMIC" clarifying and amending Ordinance O-4759, entitled "RELATING TO A TEMPORARY MORATORIUM ON RESIDENTIAL TENANT EVICTIONS AND THE COVID-19 VIRUS," as amended

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Neal Black

Vote: Motion carried 4-3

Yes: Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, and Councilmember Amy Falcone.

No: Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Motion to Amend Ordinance O-4763, entitled "RELATING TO A TEMPORARY MORATORIUM ON RESIDENTIAL TENANT EVICTIONS AND THE COVID-19 PANDEMIC" to insert "Further, nothing in this section is intended to bar an action taken by a landlord consistent with Section 3 below." at the end of the second paragraph in Section 1; and to update the second paragraph of Section 2 so that

it reads, "Until no earlier than September 30, 2021 and without limiting the defense to an unlawful detainer action in the circumstances set forth in Section 1 above, a landlord shall not seek to remove a tenant from a residential property unless the action is necessary to enforce a violation by that tenant of the lease or rental agreement then in force for that tenant, the rules and regulations of the community, or local, state or federal laws and the landlord attaches a declaration attesting to that fact to any eviction, compliance, or termination notice related thereto . The notice shall be incorporated into the declaration and shall set forth the reasons for the notice served on the tenant. The notice period and grounds of the eviction, compliance, or termination notice shall be those required by state law, including RCW 59.12.030, chapter 59.18 RCW and ESHB 1236."

Moved by Councilmember Neal Black, 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.

## 10. REPORTS

### a. City Council Regional and Committee Reports

Councilmembers shared information regarding an Eastside Transportation Partnership meeting; requested and received approval from the Council to support King County Councilmember Claudia Balducci's alternative to the Sound Transit Board's realignment proposal for upcoming projects; a Sustainability Ambassadors Program meeting; the upcoming induction ceremony for Wes Carpenter into the Plaza of Champions; the upcoming grand opening of Totem Lake Park and the Totem Lake Gateway improvements; the upcoming groundbreaking for the Totem Lake Connector and Totem Lake Intersection Improvements; an upcoming King County Regional Transit Committee meeting; the Greater Kirkland Chamber of Commerce Diversity Equity and Inclusivity Leadership Summit; the Kirkland Community Court graduation ceremony; a Water Resource Inventory Area (WRIA) 8 Salmon Recovery Council meeting; a King County Metropolitan Solid Waste Management Advisory Committee meeting; a future Cascade Water Alliance and Clean Water Plan update; and Mayor Sweet shared her appreciation for her fellow Councilmembers and their love and dedication for the City and their work.

### b. City Manager Reports

#### (1) Calendar Update

## 11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of July 20, 2021 was adjourned at 10:39 p.m.

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Kathi Anderson, City Clerk

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Penny Sweet, Mayor



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

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** Kathi Anderson, City Clerk  
**Date:** July 21, 2021  
**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) Pitzele, Brian  
410 2<sup>nd</sup> St.  
Kirkland, WA 98033

**Amount:** \$125.00

**Nature of Claim:** Claimant states damage occurred to their residential property sprinkler connection pipe during a City sidewalk replacement project in May 2021 at Kirkland Condos on 4<sup>th</sup> Avenue.

- (2) Woodinville Community Facility  
14521 124<sup>th</sup> Ave. NE 98034  
Kirkland, WA 98034

**Amount:** \$3432.73

**Nature of Claim:** Claimant states damage occurred to their facilities' fence when a tree located at the adjacent South Norway Hill Park fell on their property.

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

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Hunter Richards, Project Coordinator  
Rod Steitzer, Capital Projects Manager  
Julie Underwood, Director of Public Works

**Date:** July 22, 2021

**Subject:** 2020 NEIGHBORHOOD SAFETY PROGRAM—AWARD CONTRACT

**RECOMMENDATION:**

Staff recommends that the City Council award a construction contract for the 2020 Neighborhood Safety Program to NPM Construction, of Maple Valley, Washington of in the amount of \$278,035.00; and receive a Neighborhood Safety Program update.

By taking action on this staff report during approval of the consent calendar, the City Council is authorizing an award of a construction contract for the subject project.

**BACKGROUND DISCUSSION:****Neighborhood Safety Program**

The City Council authorized the Neighborhood Safety Program (NSP) to help “re-energize neighborhoods through partnerships on capital project implementation.” In 2014, representatives from the Kirkland Alliance of Neighborhoods (KAN) and other neighborhood leaders worked with City staff to develop and implement the pilot NSP. In June of 2014, the City Council authorized the implementation of an ongoing Citywide program with the following goals:

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

The annual NSP encourages neighborhoods to submit project concepts for funding. Staff from the Transportation and Capital Improvement Program Divisions review the scopes and develop

cost estimates for the projects. Staff also recommends the most appropriate solutions for the safety concerns presented by neighborhoods. Projects that do not meet City safety standards are removed from consideration. All projects are reviewed and prioritized by City administrative and engineering staff.

### Funding

Since its inception, more than \$2.6 million has been allocated to neighborhood safety projects through the NSP using a variety of funding sources [see Attachment A, "NSP Program Summary Table (2014-2019)"]. During that time, staff has leveraged more than \$1 million from private development fees, grants, and other City programs, such as the Crosswalk Upgrade and Safer Routes to School programs.

The 2020 NSP began in the fall of 2019 with all neighborhoods identifying proposed projects. At the [April 21, 2020 meeting](#), the City Council approved four projects prioritized by NSP Panel Representatives and Public Works staff. When staff reviewed the projects according to their submitted scopes and neighborhood goals, cost estimates were developed as a range in order to allow for potential changes and uncertainties that could arise, as shown in Table 1, below. Those costs were developed referencing bids and engineer's estimates for similar City projects and the annual Neighborhood Safety Program's historical construction costs. However, during design of the four selected projects, representatives from the Evergreen Hill neighborhood requested the pedestrian island crosswalk at 132<sup>nd</sup> Ave NE and NE 129<sup>th</sup> Street be removed from the 2020 NSP program in order to incorporate an RFB at this location as part of the 2021 NSP.

**Table 1: Neighborhood Safety Program Project Recommendations**

<b>2020 Project Recommendations</b>				
<b>Points</b>	<b>NSP #</b>	<b>Project Name</b>	<b>Low</b>	<b>High</b>
143	20NSP01	Intersection Improvements at Central Way and Market	\$50,000	\$100,000
134	20NSP02	Crosswalk on 132 <sup>nd</sup> Ave NE at NE 129 <sup>th</sup> Street	\$50,000	\$100,000
125	20NSP03	Rapid Flashing beacon on 84 <sup>th</sup> Avenue and NE 13 <sup>th</sup> Street	\$100,000	\$150,000
125	20NSP04	Rapid Flashing Beacon at Central Way at Main	\$100,000	\$150,000
			\$350,000	\$500,000

Similar to previous years, staff provided cost ranges for each project instead of giving specific cost estimates.

The neighborhoods without a funded project have the choice of bringing the same project or a new one forward for the 2020 program.

### 2020 NSP Award

The 2020 NSP Projects were advertised via the small works roster and one bid was received on June 21, 2021.

**Table 2: Bidder List**

<b>Contractor</b>	<b>Amount</b>
NPM Construction Co	<b>\$278,035</b>
<i>Engineer's Estimate</i>	\$190,673



As staff did last year under the same circumstances, staff spoke with previous NSP contractors and bidders to understand why they elected not to participate in the 2020 NSP program. Contractors shared that they already have a heavy workload and are focusing on larger projects.

With a contract award of \$278,035, a recommended 10% construction contingency, plus anticipated soft costs, the total estimated costs for the three 2020 projects is \$437,339.

Although the received bid exceeded the engineer's estimate because of the higher costs of RFBs than anticipated, and because of the relatively higher costs for mobilization for a smaller project, all three locations can be constructed under budget. It is anticipated that a surplus of funds approximating \$13,000 will be returned to the NSP for future years at project closeout.

**Table 3: Funding vs. Expenses**

<b>Funding</b>	<b>Amount</b>
Walkable Kirkland [NMC0062120]	\$200,000
Levy – Ped. Safety [NMC0062020]	\$150,000
Central Way Crosswalk Upgrade [NMC0120]	\$100,000
<b>FUNDING TOTAL</b>	<b>\$450,000</b>
<b>Anticipated Expenses</b>	<b>Amount</b>
Design/Inspection/Staff/Permitting	(\$131,500)
Construction	(\$278,035)
Contingency (10%)	(\$27,804)
<b>TOTAL</b>	<b>(\$437,339)</b>
<b>Difference</b>	<b>\$12,661</b>

Were the City Council to award this contract, construction would begin in late August 2021 with an anticipated completion in Fall 2021. In advance of the work, staff will update the [Project information on the City's website](#), including a regularly updated construction timeline.

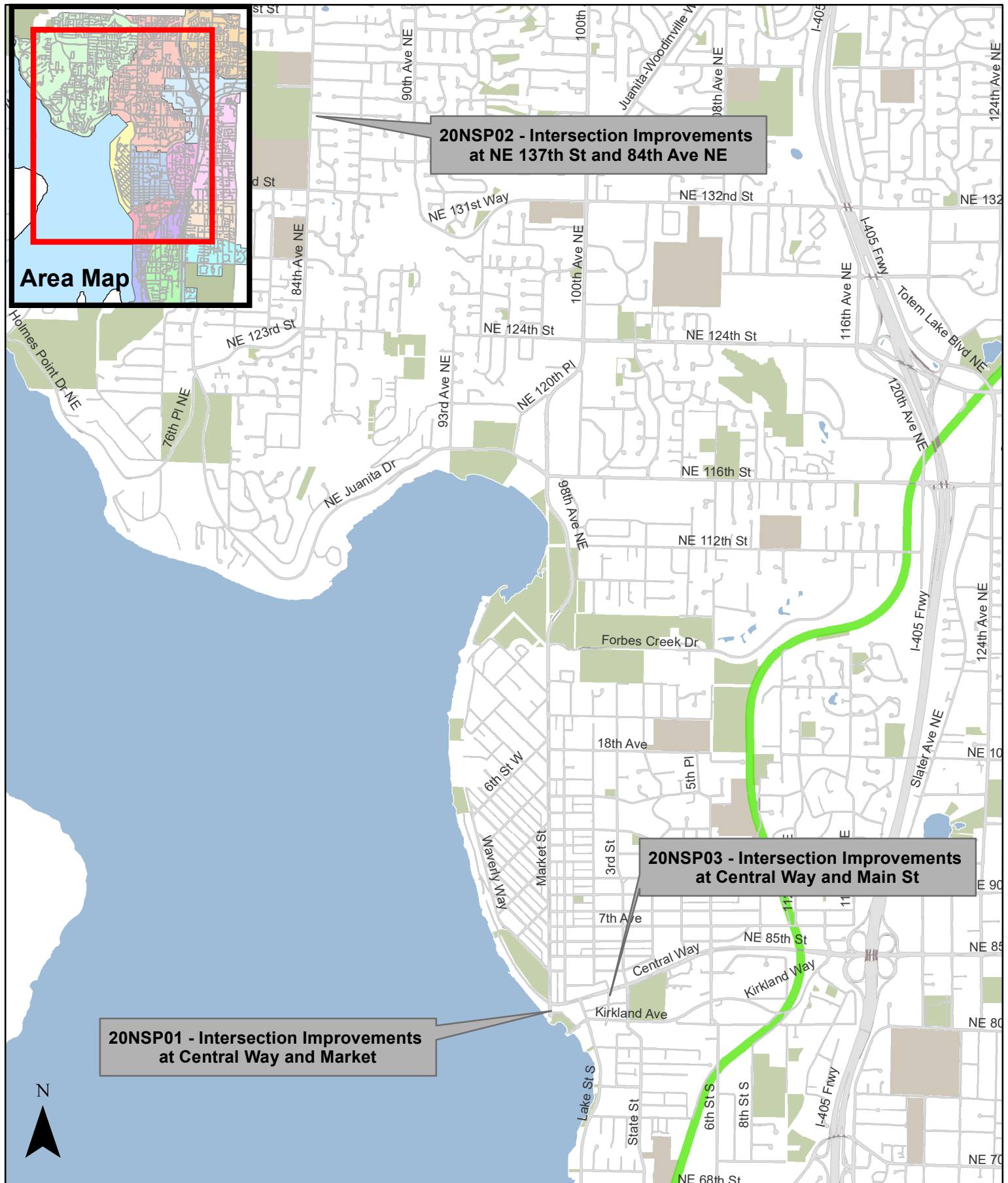
Attachment A: NSP Program Summary Table (2014-2019)

Attachment B: Vicinity and Area Map

## Attachment A

NSP Program Summary Table (2014-2019)

Number of Projects	Type	Project Description	Levy - School Rts [NM 6-100]	Levy - Ped. [NM 6-200]	Walkable Kirkland [NM 6-201]	JFK [NM 0073]	Crosswalk [NM 0012]	Private Dev./LWSD	Other City Programs	Total Project Costs/Estimate	Status
16	RFB	Rapid Flashing Beacon	\$ 50,778	\$ 512,553	\$ 125,002	\$ 61,174	\$ 70,000	\$ 120,867	\$ 297,045	\$ 1,186,641	complete
11	Crosswalk	Crosswalk Improvements	\$ 5,343	\$ 51,545	\$ 82,631	\$ 77,820	\$ -	\$ 26,000	\$ 17,719	\$ 255,715	complete
10	CKC Connection	CKC Trail Connection	\$ 15,491	\$ -	\$ 234,652	\$ 11,006	\$ -	\$ -	\$ 18,820	\$ 264,478	complete
5	RSS	Radar Speed Signs	\$ 5,164	\$ 105,713	\$ 171,696	\$ -	\$ -	\$ -	\$ 25,000	\$ 302,409	complete
6	Intersection	Pedestrian Improvements at Intersections	\$ -	\$ -	\$ 129,454	\$ -	\$ -	\$ -	\$ 25,067	\$ 154,521	complete
8	Walkway	Pedestrian Walkway Improvements	\$ -	\$ 15,987	\$ 304,986	\$ -	\$ -	\$ 42,500	\$ 42,592	\$ 406,065	complete
2	Traffic Control	Traffic Island, Reflective Pavement Markings	\$ -	\$ 19,609	\$ 19,674	\$ -	\$ -	\$ -	\$ 713	\$ 39,996	complete
1	Bike	Bike Lane Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 34,379	\$ -	\$ 34,379	complete
59	Totals		\$ 76,776	\$ 705,407	\$ 1,068,095	\$ 150,000	\$ 70,000	\$ 223,746	\$ 426,956	\$ 2,644,204	





## CITY OF KIRKLAND

123 Fifth Avenue, Kirkland, WA 98033 425.587.3000  
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### MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Laura Drake, P.E., Senior Project Engineer  
Rod Steitzer, P.E., Capital Projects Manager  
Julie Underwood, Director of Public Works

**Date:** July 22, 2021

**Subject:** NE 124<sup>TH</sup> STREET/100<sup>TH</sup> AVENUE NE INTERSECTION IMPROVEMENTS—  
ACCEPT WORK

### **RECOMMENDATION:**

It is recommend that the City Council accept the work performed on the NE 124<sup>th</sup> Street/100<sup>th</sup> Avenue NE Intersection Improvements Project as completed by Prime Electric of Bellevue, Washington, in the amount of \$77,520.00, thereby establishing the statutory lien period and authorize the return of \$2,374 in Gas Tax funding to the Citywide Transit Study Project (PTC0010000).

By taking action on this item under the consent calendar, the City Council is accepting the work on the construction contract for the subject project and establishing a lien period.

### **BACKGROUND AND DISCUSSION:**

In late 2020, King County Metro (Metro) determined it had up to \$200,000 remaining of a secured Regional Mobility Grant, the majority of which Metro used on other projects. Metro approached City staff to identify potential opportunities to use those funds before the end of June 2021, which is when the grant funds were to expire. Referencing the *Kirkland Transit Implementation Plan* (KTIP), staff noted the NE 124<sup>th</sup> Street/100<sup>th</sup> Avenue NE intersection improvement, which had significant vehicle delay and reliability issues. Metro itself had experienced those delays and reliability issues, particularly in the westbound-to-southbound left turn movement. Metro approved the project scope. The project was added to the 2021-2026 Capital Improvement Plan (CIP) by City Council action on February 16, 2021.

The Project improved travel times for 700 to 1,000 transit riders per day by an estimated 30 seconds per bus trip, which equates to almost 10 person-hours saved per day. The work included signal improvements to allow for dual



Figure 1: New Lane Configuration Sign on  
NE 124th Street at 100th Avenue NE,  
Looking West

westbound-to-southbound turn lanes, channelization, new signs (such as the sign shown in Figure 1, above), replacement of the existing video detection system to provide more reliable advanced detection of vehicles, and relocation of a bus shelter. The signal also is part of Kirkland's Intelligent Transportation System signal network.

Prime Electric was contracted expeditiously in accordance with the City's *Procurement Manual*, and Prime completed construction in just two days (June 24-25, 2021) with no unforeseen site conditions. The City performed community outreach throughout the project, including an informational sign installed temporarily at the project site.

### **Budget**

The Project was funded primarily with \$125,000 in King County Metro's secured Regional Mobility Grant and \$10,000 of City funds (7% of total project funds) to cover ineligible expenses. Total funding and expenses are shown in Table 1, below.

**Table 1: Project Funding and Expenses**

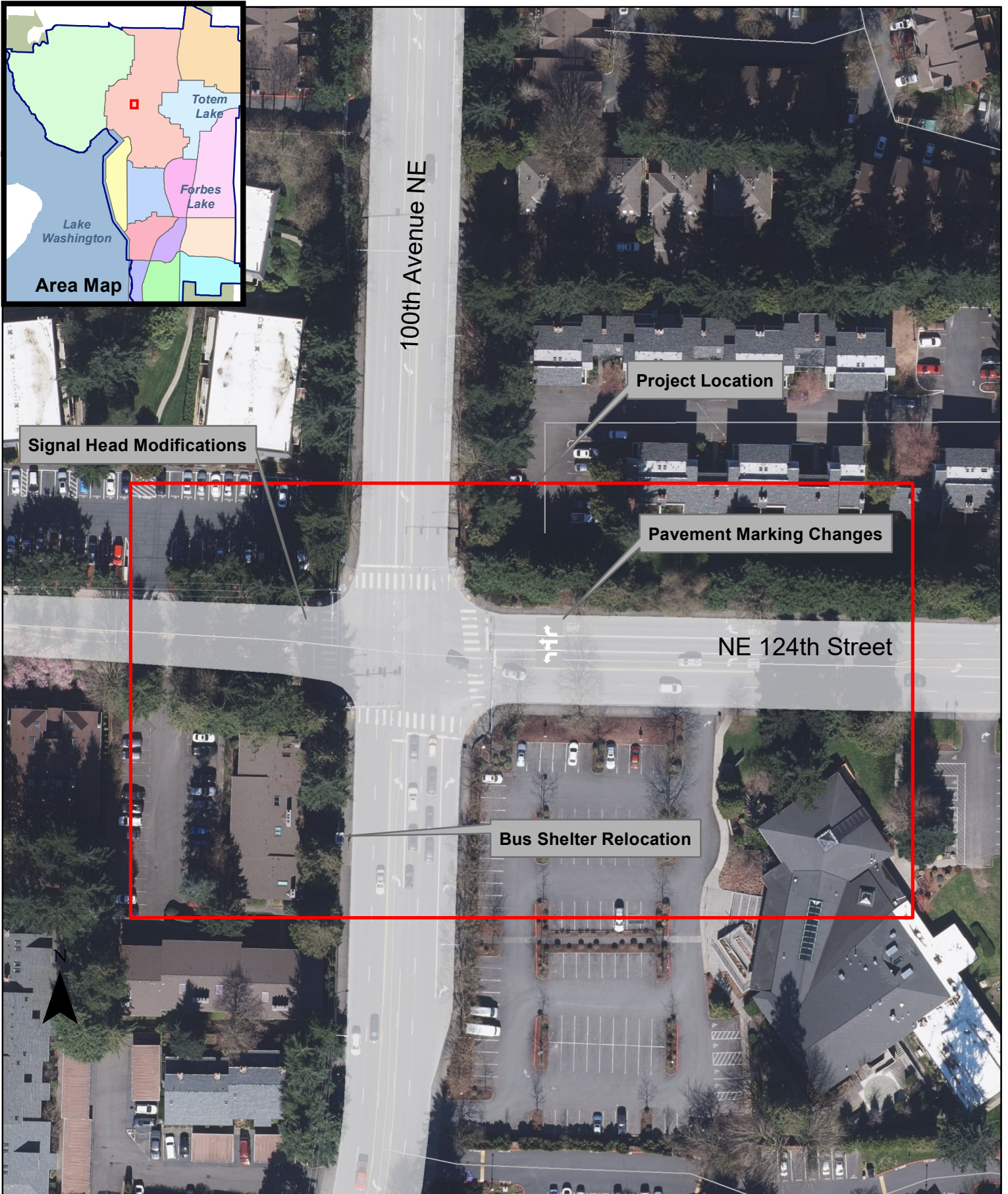
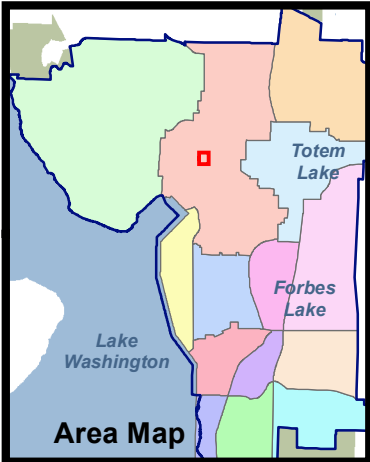
	City	External	Total
<b>Funding</b>	<b>\$ 10,000</b>	<b>\$125,000</b>	<b>\$135,000</b>
<b>Expenses</b>			
Consultant Design	-	(\$ 31,681)	(\$ 31,681)
Inhouse Support	(\$ 7,626)	(\$ 9,327)	(\$ 16,953)
Public Outreach	-	(\$208)	(208)
Construction	-	(\$ 77,520)	(\$ 77,520)
<b>Total Expected Expenses</b>	<b>(\$ 7,626)</b>	<b>(\$118,736)</b>	<b>(\$135,000)</b>
<b>Difference</b>	<b>\$2,374</b>	<b>\$6,264</b>	<b>\$8,462</b>

With all project costs accounted for, staff recommends returning \$2,374 surplus City funds to the Citywide Transit Study Project, and not utilize \$6,264 of grant funds (see Attachment B).

Attachment A: Vicinity and Area Maps

Attachment B: Fiscal Note





**FISCAL NOTE***CITY OF KIRKLAND*

<b>Source of Request</b>							
Julie Underwood, Interim Director of Public Works							
<b>Description of Request</b>							
One-time transfer of unspent project balance from the NE 124th St / 100th Ave NE Intersection Improvements project <b>(TRC 1400000)</b> . This funding will be returned to the Citywide Transit Study program <b>(PTC 0010000)</b> .							
<b>Legality/City Policy Basis</b>							
<b>Fiscal Impact</b>							
- One-time transfer of approximately \$2,374 in Gas Tax funding from TRC1400000 to PTC0010000.							
<b>Recommended Funding Source(s)</b>							
	Description	2022 Est End Balance	Prior Auth. 2021-22 Uses	Prior Auth. 2021-22 Additions	Amount This Request	Revised 2022 End Balance	2022 Target
<b>Reserve</b>							
<b>Revenue/Exp Savings</b>							
<b>Other Source</b>							
<b>Other Information</b>							

Prepared By	Robby Perkins-High, Senior Financial Analyst	Date	July 21, 2021
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**CITY OF KIRKLAND**  
**Department of Finance & Administration**  
**123 Fifth Avenue, Kirkland, WA 98033 425.587.3190**  
**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Michael Olson, Director of Finance and Administration  
Kathi Anderson, City Clerk/Public Records Officer  
JamieLynn Estell, Deputy City Clerk

**Date:** August 4, 2021

**Subject:** PUBLIC DISCLOSURE SEMI-ANNUAL PERFORMANCE REPORT

## **RECOMMENDATION**

City Council receives the semi-annual status report on the City's public records disclosure program pursuant to [KMC 3.15.120](#).

## **BACKGROUND**

In accordance with [KMC 3.15.120](#), this report presents the performance of the City's Public Disclosure Program during the first half of 2021. [KMC 3.15.120](#) states that the semi-annual public records disclosure report shall include: (1) the number of open records requests at the beginning of reporting period; (2) the number of records requests received during the reporting period; (3) the number of records requests closed in the period; and (4) the number of open requests at the end of the reporting period. This information is represented in Figure A.

**Figure A**

<b>Mandatory Reporting Information</b>	
Requests Open on January 1, 2021	87
Requests Received January 1 – June 30, 2021	1,989
Requests Closed January 1 – June 30, 2021	1,981
Requests Open on June 30, 2021	95

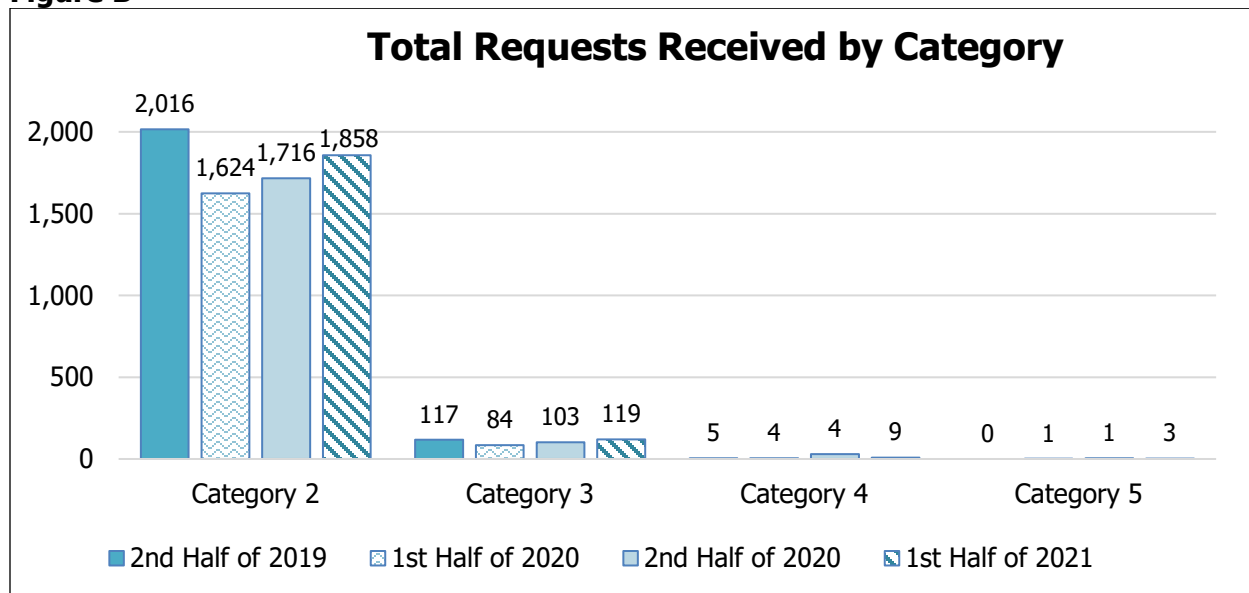
## **DATA-BASED ANALYSIS OF PERFORMANCE**

This report presents information on the City's performance by comparing the total requests received and the average time it took to process them. Performance is presented as a comparison between four reporting periods: the second half of 2019, the first and second halves of 2020, and the first half of 2021.



The City experienced a 16% increase in the total number of requests from the second half of 2020 compared to the first half of 2021; 1,713 to 1,989. The comparison of requests by category between the four reporting periods is presented in Figure B.

**Figure B<sup>1</sup>**



Pursuant to the City's PRA Rule 080, the following goals for standard response time periods are established as follows: <sup>2</sup>

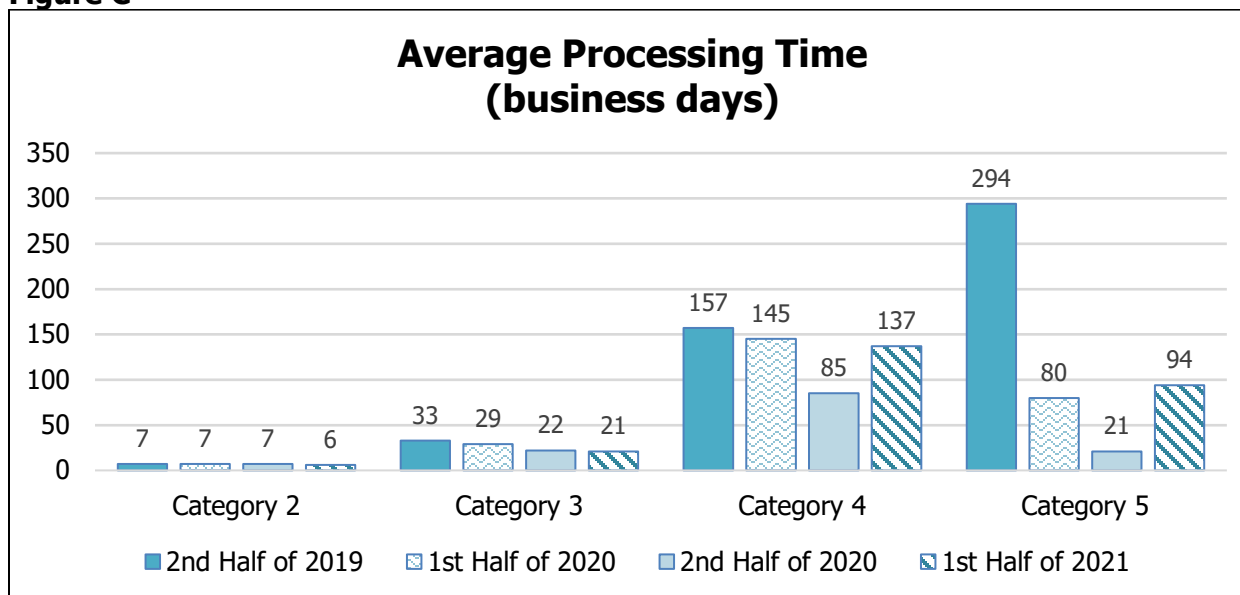
- a) Category 1 records requests are defined as needing immediate response in the interest of public safety (imminent danger). These requests shall take priority over all other requests. *Public Records has never received any requests that fit within this designation.*
- b) Category 2 records requests are defined as routine or readily filled requests for easily identified and immediately accessible records requiring little or no coordination between departments.
- c) Category 3 records requests are defined as routine requests that involve:
  - i. A large number of records, and/or
  - ii. Records that are not easily identified, located and accessible, and
  - iii. Records that require some coordination between departments.
- d) Category 4 records requests are defined as complex requests which may be especially broad or vague which involve:
  - i. A large number of records that are not easily identified, located or accessible, requiring significant coordination between multiple departments, and
  - ii. Research by City staff who are not primarily responsible for public disclosure and/or
  - iii. Review by public disclosure staff to determine whether any of the records are exempt from production
- e) Category 5 records requests are complex requests that may be especially broad or vague which involve:
  - i. A large number of records that are not easily identified, located or accessible, requiring coordination between multiple departments, and
  - ii. Research by City staff who are not primarily responsible for public disclosure and/or
  - iii. Legal review and creation of an exemption log. These requests may require additional assistance from third parties in identification and assembly.

<sup>1</sup> There were no Category 1 requests received during any of the reporting periods

<sup>2</sup> Time is dependent on the nature and scope of the request for category 3, 4, and 5 requests

Figure C presents data for the average processing time (in business days) by category. The data only reflects processing time for requests that have been closed during the current reporting period.

**Figure C**



### **TIMELINE FACTORS**

The primary factors contributing to the increase of average processing times in this reporting period have been the increase in Category 4 and 5 queues that have required complicated email capture parameters, review of increasingly large volumes of content (in the thousands of emails), in-depth research and additional legal review, and the corresponding time dedicated to accomplish that in addition to identifying exemptions, executing redactions, and creating the associated exemption logs.

The State mandated Joint Legislative Audit and Review Committee (JLARC) report for 2020 was submitted online June 28, 2021 and is included as Attachment A.

### **RELATED UPDATES**

Staff has begun preliminary review of the internal minimum threshold under which fees for hardcopy and electronic records are currently being charged and will present any necessary updates to the Public Records Act Rules to Council in the February 2022 report.

The Public Disclosure Steering Team will continue to assess the needs of the public records program. The current funding level appears to be adequate; to date, the program has not needed to draw on the \$100,000 Public Records Contingency Fund approved by the City Council in 2017.

## Baseline data

The reporting period is for the calendar year (January 1st to December 31st). [Click here](#) for guidance related to Baseline data.

<b>Baseline data</b>
<b>Total number of open public records requests at the beginning of the reporting period</b>
88
<b>Of the number of requests open at the beginning of the reporting period, how many were closed during the reporting period?</b>
75
<b>Total number of public records requests received during the reporting period</b>
3652
<b>Total number of public records requests closed during the reporting period</b>
3069
<b>The number of public records requests closed prior to the Governor's declared public health emergency (March 23, 2020)</b>

## Metric 1

Total number of requests closed within five days. [Click here](#) for guidance related to Metric 1.

<b>Number of requests closed within five days</b>
<b>Number of requests closed within five days</b>
2571
<b>If your agency feels the data provided for this metric is unduly influenced by a small number of unusually large requests, you may provide additional explanation here</b>

## Metric 2

The number of requests where an estimated response time beyond five days was provided. [Click here](#) for guidance related to Metric 2.

<b>Number of requests where an estimated response time beyond 5 days was provided</b>
<b>Number of requests where an estimated response time beyond five days was provided</b>
1081
<b>You may provide additional explanation here for the data provided for this metric</b>

## Metric 3

Average and median number of days from receipt of request to the date of final disposition of request. [Click here](#) for guidance related to Metric 3.

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Page 64

**Average and median number of days from receipt to final disposition**  
**Number of requests with final disposition**

3144

**Number of days to final disposition**

21990

**Median number of days to final disposition**

4

**Average number of days to final disposition (calculated)**

7.0

**If your agency feels the data provided for this metric are unduly influenced by a small number of unusually large requests, you may provide additional explanation here**

**Metric 4**

Number of public records requests for which the agency formally sought additional clarification from the requester. [Click here](#) for guidance related to Metric 4.

**Number of requests for which additional clarification was sought**

**Number of requests with additional clarification sought**

235

**You may provide additional explanation here for the data provided for this metric**

**Metric 5**

Number of requests denied and the most common reasons for denying requests. [Click here](#) for guidance related to Metric 5.

**Number of requests denied in part or in full.**

**Number of closed requests that were denied in full**

91

**Number of closed requests that were partially denied or redacted**

1260

**Please provide the 5 to 10 most common reasons for denying requests during this reporting period**

**Reason 1**

42.56.240

**Reason 2**

42.56.230

**Reason 3**

42.56.250

**Reason 4**

42.56.070

**Reason 5**  
E-Page 65  
5.60.060(2)(a)

**Reason 6**

**Reason 7**

**Reason 8**

**Reason 9**

**Reason 10**

You may provide additional explanation here for the data provided for this metric

# Metric 6

Number of requests abandoned by requesters. [Click here](#) for guidance related to Metric 6.

**Number of requests abandoned by requesters**

**Number of requests abandoned by requesters**

121

You may provide additional explanation here for the data provided for this metric

# Metric 7

Number of requests, by type of requester. [Click here](#) for guidance related to Metric 7.

**Number of requests, by type of requesters**

<b>Requester type</b>	Individuals
<b>Other (please explain)</b>	
<b>Total requests</b>	929
<b>Requester type</b>	Law firms
<b>Other (please explain)</b>	
<b>Total requests</b>	302
<b>Requester type</b>	Organizations
<b>Other (please explain)</b>	
<b>Total requests</b>	215
<b>Requester type</b>	Insurers
<b>Other (please explain)</b>	
<b>Total requests</b>	41

<b>Requester type</b>	Governments
<b>Other (please explain)</b>	
<b>Total requests</b>	157
<b>Requester type</b>	Incarcerated persons
<b>Other (please explain)</b>	
<b>Total requests</b>	1
<b>Requester type</b>	Media
<b>Other (please explain)</b>	
<b>Total requests</b>	24
<b>Requester type</b>	Current or former employees
<b>Other (please explain)</b>	
<b>Total requests</b>	9
<b>Requester type</b>	Anonymous
<b>Other (please explain)</b>	
<b>Total requests</b>	1883
<b>Requester type</b>	Other
<b>Other (please explain)</b>	It is a designated option on the dropdown
<b>Total requests</b>	91

**You may provide additional explanation here for the data provided for this metric**

## Metric 8

Percent of requests fulfilled electronically compared to the percent of requests fulfilled by physical records. [Click here](#) for guidance related to Metric 8.

Percent of requests fulfilled electronically compared to percent fulfilled by physical records
<b>Number of requests fulfilled electronically</b> 2323
<b>Number of requests fulfilled by physical records</b> 170
<b>Number of requests fulfilled by electronic and physical records</b> 91
<b>Number of requests closed with no responsive records</b> 560

#### Percent of requests fulfilled electronically (calculated)

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74%

#### Percent of requests fulfilled by physical records (calculated)

5%

#### Percent of requests fulfilled by electronic and physical records (calculated)

3%

#### Percent of requests closed with no responsive records (calculated)

18%

You may provide additional explanation here for the data provided for this metric

## Metric 9

Number of requests where one or more physical records were scanned to create an electronic version to fulfill disclosure. [Click here](#) for guidance related to Metric 9.

#### Number of requests where records were scanned

##### Requests scanned

2127

You may provide additional explanation here for the data provided for this metric

## Metric 10

Average estimated staff time spent on each public records request. [Click here](#) for guidance related to Metric 10.

#### Average estimated staff time spent on each request

##### Estimated total staff time in hours

4694

##### Average estimated staff time in hours per request (calculated)

1

If your agency feels the data provided for this metric is unduly influenced by a small number of unusually large requests, you may provide additional explanation here

## Metric 11

Estimated total costs incurred by the agency in fulfilling records requests, including staff compensation and legal review and average cost per request. [Click here](#) for guidance related to Metric 11.

#### Estimated total costs incurred

##### Estimated total cost

\$430,374

##### Average estimated cost per request (calculated)

\$115.07

☒ **Our agency applied an overhead rate in our calculation of estimated costs.**

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**You may provide additional explanation here for the data provided for this metric**

Took the 12 most prolific users of our records request software + the City Attorney at the mid-step of salaries. Each position multiplied by loaded rate of 2.04 divided by the 13 staff members to calculate the average hourly rate. The "Cost of Time Spent on Requests" report was run out of our system that calculates time spent per request = 4694.49 hours multiplied by the average hourly rate (\$416,832.14) + the cost of GovQA from January-December 2020 (\$13,542.30) = \$430,374.44

## Metric 12

Number of claims filed alleging a violation of Chapter 42.56 or other public records statutes during the reporting period, categorized by type and exemption at issue (if applicable). [Click here](#) for guidance related to Metric 12.

### Number of claims filed alleging a violation of Chapter 42.56 RCW

There were no claims filed alleging a violation of Chapter 42.56 RCW.

**You may provide additional explanation here for the data provided for this metric**

## Metric 13

Costs incurred by the agency litigating claims alleging a violation of Chapter 42.56 RCW or other public records statutes during the reporting period, including any penalties imposed on the agency. [Click here](#) for guidance related to Metric 13.

### Costs incurred litigating claims alleging a violation of Chapter 42.56 RCW

#### Total litigation costs

\$0

**You may provide additional explanation here for the data provided for this metric**

## Metric 14

Estimated costs incurred by the agency with managing and retaining records, including staff compensation and purchases of equipment, hardware, software, and services to manage and retain public records. [Click here](#) for guidance related to Metric 14.

### Estimated costs incurred managing and retaining records

#### Cost of agency staff who manage/retain records

\$4,107,490

#### Cost of systems that manage/retain records

\$309,980

#### Cost of services purchased for managing/retaining records

\$46,787

#### Total estimated cost for managing and retaining records (calculated)

\$4,464,257

☒ **Our agency applied an overhead rate in our calculation of estimated costs.**

**You may provide additional explanation here for the data provided for this metric**



## Metric 15

Expenses recovered by the agency from requesters for fulfilling public records requests, including any customized charges. [Click here](#) for guidance related to Metric 15.

### Expenses recovered from requesters

<b>Total Expenses Recovered</b>	\$72
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<b>Customized Service Charges</b>
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<b>Description of Service Charges</b>
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You may provide additional explanation here for the data provided for this metric



**CITY OF KIRKLAND**  
**Department of Finance & Administration**  
**123 Fifth Avenue, Kirkland, WA 98033 425.587.3100**  
**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Kathi Anderson, City Clerk  
Michael Olson, Director of Finance and Administration

**Date:** July 28, 2021

**Subject:** Transportation Commission Resignation

### **RECOMMENDATION:**

That Council acknowledges receipt of Brad Haverstein's resignation from the Kirkland Transportation Commission, authorizes the attached draft response thanking him for his past service and appoints alternate Michelle Quinton to the remainder of the vacant unexpired term ending March 31, 2024 on the Transportation Commission.

By approving the consent calendar, the Council authorizes these actions.

### **BACKGROUND DISCUSSION:**

Mr. Haverstein cites an out of town relocation which renders him ineligible to continue serving.

Michelle Quinton was selected as the alternate appointee at the City Council's May 24, 2021 annual Board and Commission interviews and has confirmed her continued interest in serving as a Transportation Commission member.

Attachment A: Board Member's Resignation Email

Attachment B: Draft Recognition Letter

Attachment C: Appointment Letter

**From:** Brad Haverstein <[bhaverstein@kirklandwa.gov](mailto:bhaverstein@kirklandwa.gov)>  
**Sent:** Tuesday, July 27, 2021 7:55:18 PM  
**To:** City Council <[citycouncil@kirklandwa.gov](mailto:citycouncil@kirklandwa.gov)>  
**Cc:** Kathi Anderson <[KAnderson@kirklandwa.gov](mailto:KAnderson@kirklandwa.gov)>  
**Subject:** Brad's resignation from the transportation commission

Hello City Council,

I hope you are doing well. I'm writing to inform you that I will be moving from Kirkland to the City of Seattle on August 9th. Since I won't be a Kirkland resident anymore, I will be resigning from the Transportation Commission effective July 29th (after this week's meeting).

I'm sorry to be leaving on such short notice, but life happens quickly sometimes. I know that City Council interviewed new commissioners within the last 6 months, and I'm hoping that means that there is an alternate available to step in.

Finally, I want to say, one more time, thank you for all the work that each of you do for our community. I've learned a lot from working with you, about caring for a city, about local government, and about how to put your whole self into your work. I know that you will each continue to bring your thoughtfulness and passion into solving Kirkland's problems as it grows and changes in the future.

Thanks again.  
-- Brad Haverstein

**DRAFT**

July 28, 2021

Brad Haverstein  
102 State Street S. Apt. #104  
Kirkland, Washington 98033

Dear Mr. Haverstein,

We have received your resignation from the Kirkland Transportation Commission.

The City Council appreciates your contributions to the Commission during your past service, and we thank you for volunteering your time and talent to serve the Kirkland community.

Best wishes on your current and future endeavors!

Sincerely,

Kirkland City Council

By Penny Sweet,  
Mayor

July 28, 2021

Michelle Quinton  
6819 120<sup>th</sup> Ave. NE  
Kirkland, WA 98033

Dear Michelle,

Congratulations! At the City Council's August 4, 2021 meeting, you were appointed to the remainder of an unexpired term on the Transportation Commission ending March 31, 2024. The Council is excited about your interest and the enthusiasm you will bring to the Commission. Your official appointment certificate is enclosed.

Joel Pfundt, Transportation Manager of the Public Works Department, is the Commission staff liaison and will contact you prior to your first meeting with the Board to discuss its focus and agenda. He can be reached at (425) 587-3865.

Again, thank you for your interest in Kirkland and its future.

Sincerely,  
KIRKLAND CITY COUNCIL

By Penny Sweet  
Mayor

Enclosure



**CITY OF KIRKLAND**  
**City Manager's Office**  
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3001  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Lorrie McKay, Intergovernmental Relations Consultant

**Date:** July 23, 2021

**Subject:** STAFF AND LEGISLATIVE WORKGROUP REPORT

### **RECOMMENDATION:**

It is recommended by the Legislative Working Group and support staff that the City Council eliminate the category of "Priority Coalition Advocacy" from the Council's state legislative agenda. It is further recommended that the Council return to the Legislative Support Items Agenda for purposes of tracking state legislative policies and budgetary items championed by its allies and for which Council supports. No action is sought from the Council at the August 4 Council meeting. This information is provided to inform the full Council as to the reasons for the recommendation. The initial 2022 legislative agenda review later this fall will further highlight the issue.

### **BACKGROUND DISCUSSION:**

In advance of the last (2021) state legislative session, following discussion at its October 20, 2020 and November 4, 2020 regular meetings, the City Council adopted its 2021 Legislative Agenda which included the City's top legislative priorities, as well as a new section called "priority coalition advocacy items" (PCA). The priority coalition advocacy items tested a new approach to how the city might engage in support of its organizational allies and their top legislative priorities.

Council's intent in adopting PCA items was to elevate important and timely legislative goals, that are not Kirkland-specific and are best championed by organizations with whom the City is allied. Recognizing the limited capacity of staff to dedicate to issues championed by others, Council narrowed its PCA issue areas to the following three categories: Housing/Homelessness; Gun Safety/Responsibility; and Police Reforms. The organizational leads on these specific issue areas were the Washington Low Income Housing Alliance, the Alliance for Gun Responsibility, and the Association of Washington Cities respectively.

For the majority of the session, the City identified and focused on twelve bills in the three issue areas. Ultimately, ten of these bills were passed by both chambers and signed into law by the governor. The ten PCA related bills that passed are:

Bill # and Sponsor	Short Title	City's 2021 Position
ESHB 1070 (Ryu)	Modifying allowed uses of local tax revenue for affordable housing and related services to include the acquisition and construction of affordable housing and facilities	PCA priority / City priority support
E2SHB 1220 (Peterson)	Supporting emergency shelters and housing through local planning and development regulations.	PCA priority / City support

ESHB 1236 (Macri)	Protecting residential tenants from the beginning to end of their tenancies by penalizing the inclusion of unlawful lease provisions and limiting the reasons for eviction, refusal to continue, and termination.	PCA priority / City support
E2SHB 1277 (Ormsby)	Revenue source for eviction prevention & housing stability	PCA priority / City priority support
E2SSB 5160 (Kuderer)	Addressing landlord-tenant relations by providing certain tenant protections during and after public health emergencies, providing for legal representation in eviction cases, and authorizing landlord access to state rental assistance programs	PCA priority / City support
ESSB 5038 (Kuderer)	Prohibiting the open carry of certain weapons at public demonstrations and the state capitol.	PCA priority / City priority support
SSB 5066 (Dhingra)	Concerning a peace officer's duty to intervene.	PCA priority / City priority support
E2SSB 5259 (Nobles)	Concerning law enforcement data.	PCA priority / City priority support
ESHB 1054 (Johnson)	Establishing requirements for tactics and equipment used by peace officers.	PCA priority / City Monitor
E2SSB 5051 (Pedersen)	Concerning state oversight and accountability of peace officers and corrections officers.	PCA priority / City Monitor

While the City's position on two PCA bills remained as "monitor" over the course of the 2021 session, Council's Legislative Workgroup was, following significant council discussion at its regular meetings, able to meaningfully participate in amendment efforts to bill language. Council's Legislative Workgroup is proud of how the City engaged with lawmakers in Olympia on these larger, critical issues last session.

#### The Legislative Support Items Agenda

Until 2021, the City of Kirkland had employed a Legislative Support Items Agenda in order to track state legislative policies and budgetary items championed by its allies. Council's directive with regard to its legislative support items agenda is that "Kirkland generally supports the policy principles of the items below, however, formal City support is contingent upon reviewing and approving the specific language of any legislative proposal drafted to advance a particular item."

Working with representatives from each organization in November and December, city staff prepare a draft of the Legislative Support Items Agenda that is generally presented to Council the first week of January. This timing allows organizations to complete their processes of developing and approving their top legislative priorities. The City's 2020 legislative support items agenda is attached (Attachment A) to provide an illustration. In preparation for the 2020 session, city staff distilled 46 pages of legislative priorities materials, provided by 22 of its organizational allies, into 17 pages of highlighted policies and budgetary issues for the Kirkland City Council to consider supporting throughout the 2020 session. Organizations included: Association of Washington Cities, Transportation Choices Coalition, Eastside Transportation Partnership, Eastside Human Services Forum, Washington Low Income Housing Alliance, King County-Cities Climate Collaborative, People for Climate Action – Kirkland, Washington Association of Sheriffs and Police Chiefs, Washington Fire Chiefs, Washington Recreation & Parks Association, Washington Coalition for Open Government, Water Resource Inventory Area 8, Cascade Water Alliance, Alliance for Gun Responsibility, Indivisible Kirkland, Lake Washington Institute of Technology, Sound Cities Association, King County and City of Seattle.

Unlike the priority coalition advocacy items, the legislative support items agenda allows the City significant flexibility to track a variety of policy and budgetary issues of interest to the broad compendium of its organizational allies. The practical application of the legislative support items agenda is, once approved by Council, bills associated with our allies' issues that are dropped in Olympia are identified by the city's lobbyists and then reviewed by city staff. If staff determine a bill could impact the City (positively or negatively) it is flagged as either "support," "monitor" or "oppose." As the legislature assigns bills to various committees, city staff track the bills as they are scheduled for hearings and the city's lobbyists sign-in at hearings on behalf of the City indicating whether the City is "pro" or "con" on a given bill. While the City Council can choose to engage deeper on issues listed on its adopted legislative support items agenda, the legislative support items agenda generally impacts city staff only at the bill review level.

#### **THE CITY COUNCIL'S LEGISLATIVE WORKGROUP:**

The City Council's Legislative Workgroup, chaired by Deputy Mayor Arnold, met weekly throughout the session to track the status of the City's priorities and provide support and oversight of strategies for achieving the priorities. The Workgroup also includes Mayor Sweet and Councilmember Curtis. It is staffed by the City Manager, the Intergovernmental Relations Manager and CMO's Management Analyst, with participation from Waypoint Consulting Group, the City's contracted lobbyist.

#### **Staff and Legislative Workgroup's Recommendation for Future Legislative Support Items**

The Legislative Workgroup conducted a post-session evaluation of the City's legislative accomplishments last session, and especially the effectiveness of the PCA category for the effort required. It is important for the full Council to recall that two of the city's adopted 2021 legislative priorities, TOD at WSDOT-owned facilities and residential street maintenance, were postponed for consideration in the upcoming 2022 session. Kirkland's deeper involvement in advocating for PCA priorities was mainly possible because these Kirkland-specific top priorities were not pursued. Even so, staff and council's increased involvement on twelve PCA related bill, severely stretched the City's capacity to provide appropriate information, thoughtful decision making, and tactical action in Olympia.

The primary challenges of the PCA-related categories were the quantity, complexity and rapidly changing nature of the PCA-related bills. By definition, the PCA categories were high-visibility topics that were very important to state legislators, key stakeholder and advocacy groups as well as Kirkland. Multiple bills on each topic were introduced in both the House and the Senate and it was difficult for staff to track each of the versions and understand and explain the key differences and the potential pros and cons to each version. The result was that many PCA bills were placed on "monitor" status until bills were consolidated and clear legislative vehicles emerged. Because the bills were complex and focused on state matters, even Kirkland's subject matter experts (SMEs) often felt they lacked the expertise necessary to properly advise the Council. Many of the bills were a combination of policy and political advocacy that are more often the purview of elected officials which also made it challenging for the staff SMEs to make recommendations. Finally, the review process also placed a much higher workload on the City's subject matter experts than before. The City Attorney, Police Chief, Finance staff and Planning staff were particularly impacted by the additional PCA-related review and analysis.

With recognition of the need for staff to focus on Kirkland specific priorities and recognizing the limited capacity of city staff, Council's Legislative Workgroup is recommending that the City Council eliminate the PCA category for 2022. The Workgroup believes similar outcomes can be achieved by reinstating the Legislative Support Items Agenda for purposes of tracking state legislative policies and budgetary items championed by its allies and for which Council supports. This recommendation is also supported by the staff.





## **CITY OF KIRKLAND 2020 LEGISLATIVE SUPPORT AGENDA**

Kirkland generally supports the policy principles of the items below, however, formal City support is contingent upon reviewing and approving the specific language of any legislative proposal drafted to advance a particular item.

### **2020 Legislative Support**

#### **Select Legislative Support and carryovers from Kirkland's past agendas**

- Support continued sustainable funding to maintain high-quality statewide training for law enforcement officers and corrections officers to ensure no waiting period to get law enforcement and corrections officers trained and in the field.
- Support gun safety measures that promote safe and responsible gun ownership and reduce gun violence, and that are consistent with the 2nd Amendment of the US Constitution and Article I Section 24 of the Washington State Constitution.
- Supports full funding of the State Emergency Management Division.
- Supports maintaining local flexibility in determining location, design and size of small cell (telecommunication) deployment with adequate cost control.
- Support the establishment and operation of a state-chartered, public cooperative bank in the state of Washington
- Support vested rights legislation that keeps predictability and certainty for local governments, real estate developers and environmental and community advocates.
- Support legislation to enable local funding sources for multi-benefit watershed projects.
- Support updates to the Public Records Act that will create a path to predictability on fines for jurisdictions that make good faith efforts to comply with records requests.
- Support allowing both the state and local governments the option of replacing the property tax cap, currently fixed at 1 percent, with a cap that is indexed to both population growth and inflation.
- Support providing cities with financing options to support public/private partnerships.

#### **Support for Infrastructure Funding**

- Establishment of a State-Chartered, Public Cooperative Bank
- Safe Routes to Schools & Complete Streets Program Funding
- Transportation Investment Board Funding (TIB)
- Community Economic Revitalization Board (CERB)
- Washington Wildlife and Recreation Program (WWRP)
- Model Toxics Control Act (MTCA)
- Regional Mobility Grant Funding Program - Preserve
- Freight Mobility Strategic Investment Board Funding
- Support Healthy & Sustainable Communities Initiative

Additionally, Kirkland supports selected priority items from the 2020 legislative agendas led by the following ally organizations:

## Association of Washington Cities

- **Adopt a comprehensive city transportation package that provides new resources and options**

Cities are responsible for a significant share of the statewide transportation system and fund most of that responsibility out of local tax dollars. Cities struggle to meet the \$1 billion gap in transportation maintenance and preservation costs. To meet these ever-expanding needs, the state must maintain existing and create new transportation specific revenue options for cities. The state must also work on a statewide transportation package that includes increased resources for city transportation needs.

- **Fully fund the Public Works Trust Fund (PWTF)**

The Public Works Trust Fund is a crucial funding partner in our efforts to provide the necessary infrastructure for our communities. We seek full funding for the program and ask the state to protect the current stream of loan repayments and uphold the 2% state share of REET dedicated to the account. Additionally, we look to strengthen the program by ending the ongoing revenue diversions as soon as possible.

- **Create a tax increment financing (TIF) option for cities**

Washington's cities need economic development tools that help maintain, expand, and modernize local infrastructure to help spur local private sector investment. By investing in TIF, the Legislature can partner with cities and towns to advance our shared goals of building a robust and diverse economy for communities around the state. For maximum impact, cities need access to both property-tax and sales-tax based TIF programs.

- **Preserve city fiscal health with secure funding sources**

Cities need revenue authority and flexibility to keep up with community growth and increasing service needs. State investment in shared revenue distributions is instrumental to support essential programs and services. Responsive revenue options allow local elected officials to make the best community-based decisions about how to keep up with growth and the increasing costs of providing basic services like public safety and transportation. Arbitrary restrictions on local revenue decisions unnecessarily hurt residents by limiting critical local services.

- **Support statewide medication assisted treatment (MAT) services in city and regional jails with local flexibility**

Cities are experiencing the ramifications of an overwhelmed state behavioral health system. While the state has made investments to address some of the challenges, more help is needed. Local jails have increasingly been called to action to address opioid use disorder and provide treatment. However, the economic costs are overwhelming city criminal justice budgets across the state. City jails need additional state support to access MAT services to save lives and reduce recidivism.

- **Advance a watershed-based strategic plan to address local fish-blocking culverts along with state culverts**

Cities need the state to adopt a broader vision to create a comprehensive response that funds local barrier corrections and provides actual habitat access for fish. Cities recognize that the state is facing a \$4 billion price tag to fix fish-blocking culverts that the U.S. Supreme Court has found to impinge on tribal treaty rights to fish harvests. Cities also own 1,300 barriers in the same streams, and similarly have no identified revenues to pay for needed corrections. A statewide approach is the only way to achieve meaningful salmon and orca recovery.

- **Continue to pursue new resources and policies to increase affordable housing both at the state and local level**

Our communities continue to face a housing crisis and need state support to incentivize housing options. The Legislature can help by proactively supporting cities' voluntary adoption of more effective ADU ordinances and providing additional councilmanic tax authority for housing. Cities need enhanced tools to attract and preserve multifamily development, like changing the multifamily tax exemption program to open it to smaller cities, extending the tax exemption for continued affordability guarantees, and expanding the ability to preserve existing affordable housing.

## **Transportation Issues**

### **Transportation Choices Coalition**

- **I-976 Response**

Identify and seek legislative support to address the impacts and financial losses imposed by the passage of I-976. This may include addressing long-term, structural barriers to transportation funding.

- Protect committed funds — Including Connecting Washington Multimodal Fund and Sound Transit 3, ensuring we keep buses moving and provide lifeline services to those who most depend on it, including those with disabilities and in rural areas.
- Align transportation investments with state goals — Require transportation project lists to include a performance-driven analysis tied to Washington State climate, health, equity, and safety goals.
- Identify new and flexible transportation revenues
  - Road Usage Charge — Develop framework for an equitable program that funds state transportation priorities, including safety, environment, and health.
  - Improve local funding — Remove two 10-year Transportation Benefit District limits and expand revenue options.
  - Support innovative and progressive funds to help backfill gaps left by I-976.

- **Automated traffic safety camera enforcement**

HB 1793/SB 5789 ("Don't block the box, don't block the bus") would allow large cities to use traffic camera enforcement for transit lanes, zones, and crosswalks to improve safety and increase transit speed and reliability.

- **Give public transit agencies flexibility with state-owned, funded, or leased Park & Rides**

Seek legislation (SB 5673) to provide flexibility in the way transit agencies can manage customer usage of park and ride facilities, which are either owned by, funded by, or leased from the state.

- **Support an Autonomous Vehicles Health Impact Assessment**

- **Support Washington State Ferries Orca LIFT pilot**

- **Transition to a clean and equitable transportation system**

- Climate planning — Give power to MPOs or otherwise direct comprehensive planning requirements to include greenhouse gas reductions and plan for mitigation and adaptation.
- Cleaner vehicles and fuels to reduce environmental justice impacts — Support legislation such as SB 5811 and HB 1999 (reducing emissions by strengthening the clean car standards and clean car program) and HB 1110 and SB 5412 (reducing emissions associated with transportation fuels).

- Strategic planning for electrification and transit investments — Develop a transition plan to a sustainable, low-emissions transportation system.
- **Increase access to sustainable modes**
  - Commute Trip Reduction & Transportation Demand Management — Support and strengthen legacy and expanded demand management programming and policy.
  - Support WSDOT I-5 Corridor Scenario Planning — HOV 3 and transit networks are top priorities.
  - Ensure new transportation options support safety and complement transit investments — Center environment, health, equity, and safety in Autonomous Vehicle policy development; Improve privacy around trip data; protect against TNC (Uber/Lyft) preemption bills.

## **Eastside Transportation Partnership**

*No 2020 priorities available as of 12/15/19*

## **Housing Issues**

### **Washington Low Income Housing Alliance**

- **Investing \$10 Million into the Housing Trust Fund for preservation of affordable homes.**  
Many currently affordable homes across Washington are at risk of being lost. An additional appropriation for the Housing Trust Fund in the state's Supplemental Capital Budget would help save homes and prevent the displacement of people living in them. This would preserve affordable homes already subsidized but at risk of loss. Funds could be used for the preservation of all units at risk of loss, including USDA properties in rural communities and homes funded with Low Income Housing Tax Credits.
- **Requiring a legitimate business reason to make someone move.**  
SHB 1656/Macri & 5733/Saldaña  
Currently in Washington State, landlords can end a month to month lease and make a tenant move without even telling the tenant why. This leaves a loophole in Washington's fair housing laws and other legal protections for tenants. Additionally, the fear of getting a twenty-day no cause notice to move is a common reason tenants don't assert their rights under the law. Landlords should not be able to make someone move unless they have a legitimate business reason and they should be required to provide more than twenty days' notice. SHB 1656 would require a landlord to have a legitimate business reason to make someone move and require more than twenty days' notice. The amended bill includes a variety of reasons similar to Seattle's Just Cause Eviction Ordinance, but HB 1656 also applies to month to month tenancies.
- **Requiring a move-in fee installment payment plan over a three-month period when a tenant requests it.**  
HB 1694/Morgan  
Moving costs, including first and last month's rent, deposits, and fees can add up to thousands of dollars and is a major hurdle for people trying to transition out of homelessness. Allowing tenants a three-month payment plan to cover these move-in costs will help address this significant barrier.

HB 1694 does not regulate fees, but it requires a landlord to accept a tenant's request for a three-month payment plan for all the move in fees, deposit and first/last month's rent.

- **Creating a Real Estate Excise Tax exemption for selling to a nonprofit who acquires it for affordable housing.**

The lack of properties available to develop multifamily housing and the inability to compete with for-profit developers to acquire existing properties is a significant issue facing nonprofit affordable housing developers across the state. Providing a Real Estate Excise Tax (REET) exemption when selling to a nonprofit or public housing authority for affordable housing will incentivize preserving or developing affordable homes. All sales or transfers of real property to a nonprofit entity, public development authority, or public housing authority would be exempt from the REET if the purchasing entity records a covenant requiring the property to be used for affordable housing.

- **Eliminating the ABD shelter penalty.**

The Aged, Blind, or Disabled (ABD) cash grant program serves extremely low-income people with disabilities who are in the process of applying for federal Supplemental Security Income (SSI) assistance. The ABD cash grant was dramatically cut from \$339/month to \$197/month during the Great Recession and the shelter penalty was implemented which lowers the cash grant even further to \$120/month for an individual who is deemed to not have out-of-pocket housing expenses. The ABD cash grant is a critical resource for addressing basic needs and every ABD recipient should be able to access the full \$197.

This impacts about 15 percent of ABD recipients who are already struggling to make ends meet. While there is more work needed to increase the ABD cash grant, eliminating the shelter penalty is a common-sense step the legislature can take during a supplemental budget year to address the needs of an extremely low-income disabled population. The Operating budget impact for fiscal year 2021 is estimated to be \$2.5 million.

- **Fixing the property tax exemption for affordable rental housing for very low income households.**

Nonprofit affordable housing is currently granted a property tax exemption under certain circumstances, but it needs to be adjusted to work with the needs of today's affordable housing providers. If a tenant's income increases — which it often can because affordable housing stabilizes lives and improves employment opportunities — housing providers can be required to pay the full property tax. This unpredictability drives funders to require significant up-front cash reserves which can significantly increase the cost of building affordable homes. This bill would adjust the initial target income of tenants from 50% of Area Median Income (AMI) and below, to 60% AMI and below to apply to more people. It would also eliminate the wildcard of future tax liability by allowing a tenant to increase their income without it triggering a tax liability for the property. Current law has this safeguard but limits it to properties of 10 units or less. This change would also require the apartment to be rented on vacancy to someone at 60% AMI or below. The Operating Budget impact is unknown, but likely very modest.

## **Housing Development Consortium**

- **Fund the State Housing Trust Fund & Expand Funding for Housing & Homelessness Services**

- Invest in a state revenue stream for preservation of affordable housing
- Expand the State Property Tax Exemption qualification from 75 percent of units occupied by households at 50 percent AMI and below to 75 percent of units occupied by households at 60 percent AMI and below
- Ensure that public dollars are used efficiently by pursuing measures that lower the costs of acquiring and/or rehabilitating affordable housing

- **Empower Local Governments to Address Their Constituents' Affordable Housing Needs**
  - Give local governments councilmanic authority to pursue revenue options suited for their local housing needs
- **Expand Homeownership Opportunities**
  - Homeownership is a driver of both personal and community wellbeing. Owning a home offers stability and enables a household to build wealth, yet this opportunity has been increasingly difficult for many as median home sale prices around Washington State have increased more than 60 percent since 2012, and by even greater amounts in areas of concentrated growth like King County. HDC supports efforts to further the promise of increasing homeownership opportunities for low-income communities.
- **Progressively Increase Revenue to Fund Essential Services.**
  - Adopt an equitable and responsible budget that increases revenue progressively and expands vital human services
- **Enact Reasonable Tenant Protections that Incorporate Broad Stakeholder Voice**
  - Ensure that tenants are not unfairly evicted
  - Ensure that people exiting the criminal justice system are not unfairly denied housing

## **Tacoma/Pierce Habitat for Humanity**

- **Amend RCW 84.52.105**  
RCW 84.52.105 allows jurisdictions to levy a voter-approved property tax (no more than \$0.50 per \$1,000 of assessed property value for no more than 10 years) for the production of affordable housing. The RCW currently limits the distribution of moneys raised to fund projects for households earning up to only 50% of the area median income (AMI). We recommend amending RCW 84.52.105 to allow the option for jurisdictions, which pass a voter approved affordable housing property tax levy, to distribute moneys raised to affordable homeownership and home repair programs serving households earning up to 80% of the local AMI.
- **Infrastructure Funding for Housing Development**  
We recognize one of the primary impediments to housing and affordable housing development is the cost of development infrastructure. By addressing this issue and property resourcing local jurisdictions, the legislature could move the needle for low and modest income households. We continue our support for HB 1680, which would redeposit 4.1% of the Real Estate Excise tax into the Public Works Assistance Account (PWAA) and direct moneys collected for the next biennium to development infrastructure in support of housing development.
- **HB 1590 w/ Amendment**  
We support HB 1590, which would give councilmanic authority to levy a 1/10th of 1% sales tax for affordable housing.  
  
We also support an amendment to RCW 82.14.540, as a part of this legislation, to designate a new population service group to include households earning up to 80% of the area median income (AMI) participating in affordable homeownership programs.
- **Incentives for Sellers of Land for Affordable Housing Development**  
We believe it's important to provide affordable housing developers with a wide variety of opportunities to secured developable land. We support a Real Estate Excise tax (REET) exemption

for the seller of real property to a non-profit organization for the purposes of housing and/or housing development for households earning up to 80% AMI.

## **Human Services Issues**

### **Eastside Human Services Forum *DRAFT***

- **Cross Cutting Priorities**
  - Increase funding levels for human services
  - Build agency capacity by increasing reimbursement rates through Medicaid, Social Security Act 4E and 4B, and Working Connections Child Care
  - Provide support for the work force including living wages and programs such as affordable housing and child care
  - Increase coordination and funding for transportation to ensure equitable access
- **Support Access to Basic Needs and Health Services**
  - Support and expand access to flexible, accessible prevention and treatment for opioid and other substance use disorders including services delivered on school campuses
  - Create community-based capacity to treat mental illness and drug dependency
  - Enact a Working Families Tax Rebate
- **Make Homelessness Rare, Brief, and One-Time by Making Housing More Accessible**
  - Increase funding for Housing Essential Needs program and increase the value for housing vouchers for SSDI recipients in King County
  - Continue to invest in the Housing Trust Fund and allow local communities to retain a portion of the state's sales tax to invest directly into affordable home construction
  - Continue eviction reform and require just cause to terminate tenancy
- **Support Older Adults and People with Disabilities**
  - Support legislation that will make medications more affordable and help employees save for retirement
  - Continue support for Long-Term Care needs and increase funding where needed, such as nursing homes and in-home case management services
- **Strengthen Early Learning and Youth Services**
  - Make child care and early learning accessible to all
  - Improve educational re-engagement programs and the GRADS program
  - Provide wrap-around supports for college students
  - Support the Child Support Pass Through

### **King County Behavioral Health**

- **The State should promote enhanced Integrated Managed Care (IMC) by encouraging local networks that incorporate locally-funded systems of social determinants of health.**  
Washington should integrate IMC with regional approaches to state crisis services and locally-funded systems of social determinants of health to achieve whole person care.
- **Establish robust accountability and transparency of Medicaid funding.**  
Washington should establish clear transparency in rate-setting to assure that Medicaid funding for community behavioral health care is clearly identified and enhanced, or maintained, in the integrated financing approach. The Health Care Authority, in partnership with counties, should

also establish measures to monitor and mitigate for potential increases in crisis services. At a minimum, a maintenance-of-effort (MOE) funding level should be maintained and formally monitored for behavioral health care.

- **Increase access to care by addressing workforce challenges and expanding community-based behavioral treatment capacity with housing and supports.**

King County supports investments in safe and appropriate treatment options for care close to home. Community placements with integrated services and supports are essential to the stability of individuals with behavioral health conditions discharging from state and local hospitals.

## **Faith Action Network**

*No 2020 priorities available as of 12/15/19*

## **Environmental Issues**

### **King County-Cities Climate Collaborative (K4C)**

- **Climate Policy**
  - **K4C supports comprehensive science-based limits and a market-based price on carbon pollution and other greenhouse gases.**
    - Support a price on carbon based on best available science that reinvests a substantial share of revenues in efforts to reduce greenhouse gas emissions (e.g., transit service, energy efficiency and renewable energy projects, forest protection and restoration), prioritize investments that benefit communities most impacted by climate change, and ensure a just transition for workers in fossil fuel industries.
    - Support policies that establish and use “cost of carbon” methods for analysis and decision-making.
    - Strengthen state climate change targets to align with the Department of Ecology’s 2016 recommendations which are complementary to K4C and Growth Management Planning Council adopted targets.
- **Transportation and Land Use**
  - **K4C supports comprehensive state policies and investments that reduce emissions from the transportation sector by reducing vehicle miles travelled, lowering the GHG intensity of fuels, and catalyzing investments in clean passenger, transit, and heavy-duty vehicles. K4C supports policies to focus growth inside the Urban Growth Area cities and centers well served by transit and other mobility options.**
    - Support, as part of a comprehensive strategy for reducing transportation-related greenhouse gas emissions:
      - ✓ Protection for and expansion of funding for public transit;
      - ✓ Adoption of cleaner fuel standards;
      - ✓ Incentives and investments for electrification of public and private fleets and lower pollution from transportation fuels;
      - ✓ Continued funding and expansion as in previous years of the Commute Trip Reduction program and the Regional Mobility Grant program;
      - ✓ Policies and incentives to support transit friendly development and easy connections in vicinity of planned rail and high capacity transit and employment centers;
      - ✓ Follow through on principles for the VW Funding Settlement developed by the Puget



- ✓ Sound Clean Air Agency in partnership with King County and several K4C partners

- **Energy Supply**

- **K4C supports existing state renewable energy commitments including the Renewable Portfolio Standard and the Clean Energy Transformation Act that provide for 100% Clean electricity supply by 2045 by partnering with local utilities, state regulators and other stakeholders on a countywide commitment to clean energy resources. Support policies that meet our future energy needs through deep energy efficiency, grid modernization, and expanded renewable generation while phasing-out fossil fuels.**
  - Support a clear, articulated pathway for retirement of fossil fuel energy supplies that protects ratepayers, creates jobs, supports a just transition, and maximizes replacement with new renewable resources.
  - Support changes in the utility Integrated Resource Planning process that promote equitable consideration of environmental and health benefits and greater emphasis on energy efficiency and demand management.
  - Support the Energy Independence Act (I-937) that requires increasing percentages of new energy load to be met by renewable sources other than hydropower. Washington State's current renewable portfolio standard is currently at 9% of utility load, increasing to 15% by 2020 and years beyond.
  - Support distributed solar energy generation. Current state legislation limits the size of solar arrays that qualify for retail electricity rates and limits the ability to meet net zero energy goals for larger buildings and the cumulative generating capacity from these renewable energy systems. We support policy changes that would expand utility limits for these systems and allow for development of larger solar installations while considering both the benefits of increased distributed solar energy generation and ratepayer fairness.

- **Green Building and Energy Efficiency**

- **K4C supports state policy changes and investments that will help us to reduce energy use in existing buildings 25% below 2012 levels by 2030, achieve net-zero GHG emissions in new buildings by 2030, and reduce fossil fuel use in buildings by 20% by 2030.**
  - Continue to strengthen our Washington State Energy code, leading the way to "net-zero emissions" buildings by 2030.
  - Support policies and new funding mechanisms to reduce energy use and save money for King County residents and businesses.
  - Support policies, tools and programs to reduce construction-related emissions, including embodied carbon in construction materials.
  - Provide State Department of Commerce grants to leverage energy efficiency and renewable energy investments by local governments.

## **People for Climate Action Kirkland**

- **A Clean Fuel Standard**

HB 1110/SB 5412

- Reducing the greenhouse gas (GHG) emissions associated with transportation fuels. Transportation fuels are responsible for nearly half of our global warming pollution in Washington. This bill requires oil refiners and importers to reduce the carbon intensity of transportation fuels by 10% by 2028 and a 20% by 2035.

- **Adoption of California ZEV (Zero Emission Vehicles) Standards**

SB 5811/HB 1999

- Reducing emissions by making changes to the clean car standards and clean car program. California is the only state allowed under the federal Clean Air Act to adopt state standards for vehicle emissions, however other states are allowed to match California's standards. This bill authorizes Washington to match all of California's requirements for automakers to make available for sale in Washington State, both a broad range and a certain percentage of Zero Emission Vehicles (ZEV's). 10 states currently have adopted a ZEV standard, including our West Coast neighbors, California and Oregon.

- **Rulemaking on Methane Emissions**

HB 1597

- Incorporating comprehensive measurements of greenhouse gas (GHG) emissions from certain fossil fuels into state environmental laws. Establishes a rule detailing the global warming impact of gas infrastructure/upstream methane pollution. Methane is such a powerful GHG that some have stated it is 87 times more damaging than carbon dioxide. This bill directs the Dept. of Ecology to establish a rule detailing the global warming impact of gas infrastructure, including new power plants. The Department of Ecology will manage the rulemaking process with a group that includes state agencies, local governments, affected communities, tribal nations, electric and gas utilities, pipeline companies, academic and industry experts, environmental advocates and the general public. It authorizes the Department of Ecology to establish the rate at which methane (primary component of natural gas) leaks throughout the lifecycle process (from fracking at the wellhead to transporting, processing, storing and burning at power plants, LNG facilities, petrochemical facilities, homes and businesses). This leakage rate will apply to state and local permits for new gas projects and to assess the impacts of existing facilities. It would establish a rule to research and develop both a leakage rate and the global warming potential of methane (CH<sub>4</sub>) emissions. Rules about methane leakage accounting will help ensure gas-fired power plants aren't built in transition to 100% clean energy.

- **Commercial Buildings Efficiency Funding Bill**

HB 1796/SB 5730

- Concerning commercial property assessed clean energy and resilience. (C-PACER Bill) Commercial, Property Assessed Clean Energy & Resilience). Establishes low-cost, long-term funding for new and existing commercial, industrial, non-profit and multi-family building's energy efficiency, renewable energy, water conservation, fire protection, seismic or flood readiness enhancements. Local government and local lenders would cooperate on loans secured by the property tax obligation, similar to a local improvement district. This debt does not appear as an obligation on the owner's balance sheet and the repayment obligation stays with the property rather than the owner, when the building is sold. Many such loan programs do not require any money down. Loan payments are largely offset by lower utility bills and lower insurance premiums. More than 30 states have passed PACE legislation since it was developed in 2008. California was the first to pass it and has made nearly \$3 Billion in PACE loans.

## **Water Issues**

### **WRIA 8**

- **STATE POLICY LEGISLATION PRIORITIES**
  - Support and explore opportunities to engage in developing legislation that seeks to provide immunity from liability for entities that implement habitat restoration projects involving the placement of large wood.
  - Track and support legislation that seeks to improve regulatory protections for areas that are important for salmon habitat, and oppose legislation that reduces regulatory protections for these areas.
  - Track and participate in continued efforts to explore watershed-based and/or regional funding authorities to support multiple-benefit projects that address salmon habitat protection and restoration, water quality, stormwater management, and flood management.
- **STATE SUPPLEMENTAL BUDGET PRIORITIES**
  - Identify and support specific funding requests for priority projects identified in and/or consistent with the WRIA 8 salmon recovery strategies.
  - Support state agency budget requests for monitoring salmon populations and for studies and management of predation, disease, and other issues that affect WRIA 8 salmon populations.

### **Cascade Water Alliance**

- **Wastewater Governance:** Find solutions that enable utility agencies within the King County wastewater service area to have a voice and a vote in critical governance, rates, budgets, plans, etc. on measures that directly affect their customers
- **PFOAs Measures:** Work with affected utilities to coordinate on this critical issue and raise legislative awareness regarding allowable levels and potential remediation (*\*PFOA is short for perfluorooctanoic acid <also called C8>, a synthetic chemical compound that is used, along with PTFE, to manufacture certain fluoropolymer- and telomer-based consumer products, including nonstick pan coatings like Teflon*)
- **Affordability Measures:** Consider statute language to allow utilities to address such issues
- **Milfoil Prevention:** Follow example of California and Oregon and restrict boater access to state waters without boat inspection

## **Public Safety Issues**

### **Washington Association of Sheriffs and Police Chiefs**

*No 2020 priorities available as of 12/15/19*

### **Washington Fire Chiefs Association**

- **Stable funding & revenue for fire service agencies**
  - In conjunction with other fire service partners, WFC supports legislation to allow for the permanent imposition of a fire benefit service charge, subject to voter approval.
  - Working with other fire service partners, WFC supports passage of HB 1169 (Peterson/Griffey) to clarify state law regarding cost reimbursement from insurance carriers for services and supplies used in the cleanup and removal of debris and hazardous substances that go beyond what taxpayers fund for fire department readiness.

- **Wildland Policy**

- Early deployment of mobilization resources – WFC supports legislation to allow for the early deployment of resources in instances of known, forthcoming mobilizations, with the aim of engaging suppression efforts earlier.
- Adequate reimbursement for mobilization costs – WFC, in conjunction with local agencies, is exploring possible efforts to enable fire service jurisdictions sending resources for state-approved mobilization events to recover more of their actual cost for those resources, with the aim of mitigating local disincentives to sending needed resources for mobilization efforts.
- Wildland fire funding increase – WFC supports DNR’s funding request for additional investment in several key areas regarding wildland fire suppression and mitigation, which would lead to quicker response, increased prevention efforts, and better forest health practices.

- **Volunteer FF Pension**

- WFC is supporting an effort by the WSFFA/BVFF to increase the pension benefit for volunteer firefighters. HB 1912 (Blake) & SB 5892 (Mullet) have been introduced and would increase the base pension by \$50, up to \$350/month, for all current and future retirees; remove the cap of 25 pension payments; increase the annual pension fee from \$60 to \$90; and increase the annual disability fee from \$30 to \$50. There will be no increase in administrative costs to the agency.

- **JATC Funding & Sustainability**

- WFC, in conjunction with the WSCFF, supports a study to identify opportunities for improving the JATC program, which currently resides with the State Fire Marshal’s Office and is governed by LNI. The study would be led by the Washington State Board for Community & Technical Colleges, where many other apprenticeship programs are currently operated.

- **Washington State Association of Fire Marshals’ Issues**

- WFC supports WSAFM efforts on a number of legislative action items, including food truck safety, townhome fire safety, and adult family home (AFH) fire safety.

## **Alliance for Gun Responsibility**

- **Regulate Access to Ammunition and High-Capacity Magazines:** Washington’s background check system helps ensure firearms do not make it into dangerous hands. However, we do not currently address access to ammunition and the high-capacity magazines that make semi-automatic weapons extraordinarily deadly. We should take steps to require background checks on all ammunition and magazine purchases and prohibit magazines that can carry more than 10 rounds.
- **Address the Intersection of Alcohol and Firearm Violence:** Emerging research shows a clear link between even a single driving under the influence (DUI) conviction and future violent acts. Today, our law prohibits firearms possession after a felony DUI. We can help keep guns out of crisis situations by adjusting our laws to temporarily restrict access to firearms after a second DUI conviction, while incentivizing treatment pathways and encouraging continued sobriety where appropriate by allowing for earlier restoration of firearms rights.
- **Keep Kids Safe:** Firearms are prohibited in K-12 schools across our state. But other places where our children gather to learn and play do not have similar protections. We can help keep our kids safe by extending the protections for K-12 schools to early learning centers, parks, and libraries across Washington.

- **Restore Local Authority:** If local leaders determine there are events or places where firearms present a high risk, they should be able to act. Our state should allow local governments to put stronger laws into place when it is right for the community.
- **Centralize Our Background Check System:** In 2019, the Legislature passed HB 1949, directing the Office of Financial Management to study ways to centralize our state's background check system. The Legislature should implement and fully fund the suggestions brought forward as a result of that study.
- **Keep Confiscated Crime Guns Off The Street:** Allowing the State Patrol to destroy confiscated crime guns, rather than require them to auction or trade them will help keep dangerous crime guns out of our communities.
- **Require Safety Training:** Twenty-seven states and the District of Columbia require safety training before issuing a concealed pistol license; Washington is not one of these states. Updating our laws to include training requirements will help ensure people carrying concealed weapons know how to safely handle them.
- **Community and Victim Protection:** Washington continues to make tremendous strides to help ensure firearms are removed from dangerous people and crisis situations. As we implement these laws, there are additional ways to strengthen these provisions, including allowing access to important databases, aligning penalties for violations, clarifying procedures to restore firearm rights, ensuring concealed pistol licenses are removed at the same time as firearms, funding crime victims support with a surcharge on ammunition sales, and using best practices for surrender processes statewide.
- **Support Community-Based Programs:** Research on programs in cities like New York, Oakland, and Milwaukee continues to show the promise of holistic, community-based programs in preventing gun violence. Supporting programs like these in Washington will help interrupt and prevent gun violence.
- **Require Reporting of Lost and Stolen Firearms:** Our state should follow the example of a growing number of cities in Washington and require owners to alert law enforcement that their weapon may now be on the black market within 48 hours of the weapon being lost or stolen.
- **Require Law Enforcement Agencies to Participate in Firearms Tracing:** Law enforcement agencies have a number of tools at their disposal to trace firearms from the point of sale to the crime scene, and to connect weapons to multiple crimes, but all too often these systems go unutilized. Implementing programs to overcome barriers to using these systems will help law enforcement agencies to use them statewide.
- **Update Laws to Ensure Violent Individuals Are Prohibited from Purchasing Firearms:** Illegal discharge, or display of a firearm and other crimes do not currently prohibit potentially dangerous individuals from purchasing and possessing firearms. This ought to be rectified. In addition, we should make the act of threatening to commit mass violence a crime that prohibits individuals from possessing firearms.

## **Parks Issues**

### **Washington Recreation and Parks Association**

- **Provide Local Parks and Recreation Agencies with new Funding Options to Address Vital M&O and Preservation Needs and to Enhance Economic Development**
  - (Policy/Fiscal Bill) Parks and recreation are outdoor, quality-of-life amenities that are highly valued by the public. They offer activities that help us maintain physical health and well-being; protect open spaces and facilities that make our communities attractive and vibrant; they help to sell homes. Just as importantly, local parks and recreation programs enhance jobs-creation and economic development efforts and build trail networks that connect our communities. But investments in local parks and recreation suffered during the Great Recession and have lagged behind areas such as public safety in the years afterward. At the same time, a WRPA survey of parks agencies has shown a growing M&O deficit and backlog. WRPA will work with key lawmakers on a modified bill that is narrower than 2019 legislation authorizing the creation of Parks Benefit Districts. The 2020 bill will allow parks and recreation agencies to take a .1 percent sales tax increase to voters and bond against new sales tax proceeds upon voter approval. A few parks and recreation agencies have this authority, but the overwhelming majority – including all Metropolitan Park Districts (MPDs) and Park Districts – do not.
- **Strongly Support \$50,000 Allocation to Update Outdoor Recreation Sector Economic Analysis**
  - (Operating Budget) WRPA joins a broad-based coalition of organizations in urging the Legislature to expend \$50,000 to update the “Economic Analysis of Outdoor Recreation in Washington State” first released in January 2015. The initial report showed that the outdoor recreation sector generates \$21.6 billion a year in economic activity, \$12.5 billion in direct sales, and \$4.7 billion in household wages. The study should be regularly refreshed and updated to give fiscal and policy decision-makers current information on the economic, social, health, and environmental benefits of the outdoor recreation sector.
- **Protect Funding for Dedicated Accounts within the Capital Budget**
  - (Capital Budget) As the Legislature considers its 2020 Supplemental Capital Budget, WRPA urges lawmakers to refrain from diverting funding from dedicated accounts that are focused on funding outdoor recreation activities. Additionally, WRPA urges legislators to utilize the dedicated accounts for fund outdoor recreation programs and avoid the use of “bond backfill” that ends up putting funding in jeopardy and in competition with other critical construction projects. Dedicated accounts that are key to WRPA include the Washington Wildlife & Recreation Program (WWRP), Youth Athletic Facilities (YAF), and Aquatic Lands Enhancement Account (ALEA), as well as others including the Boating Facilities Program (BFP), Non-Highway Off-Road Vehicle Account (NOVA), and Land and Water Conservation Fund (LWCF). WRPA urges lawmakers to keep top-of-mind studies showing that the outdoor recreation sector generates nearly \$22 billion a year in economic activity for the state, as well as 200,000+ jobs.

## **Open Government and Transparency Issues**

### **Washington Coalition for Open Government**

*No 2020 priorities available as of 12/15/19*

## **Other Jurisdictions' Issues**

### **Lake Washington School District #414**

- **Academic Success**
  - **Special Education Programs and Services:** The Office of the Superintendent of Public Instruction (OSPI) estimated the cost of fully funding special education to be \$308 million per year or \$616 million per biennium. This would be needed on top of the approximately \$3.3 billion allocated to the special education programs going forward. In the 2019 Session, the Legislature increased special education funding by changing the safety net program and increasing the excess cost multiplier.  
While the Legislature has made some progress, more work needs to be done. The special education funding shortfall forces school districts to either spend levy dollars on this essential component of basic education or risk being in violation of federal law.
- **Well-Being**
  - **Social Emotional Learning:** Students are most successful when their social-emotional, mental, and physical needs are met at school. The Legislature needs to update the prototypical school model and provide more funding for counselors at all grade levels. The Legislature should work with districts on additional pilot programs that could help to promote social-emotional learning which enhances school safety.
- **Effective Use of Resources**
  - **School Construction Funding:** Rapid enrollment growth in the Puget Sound area and new class size mandates have created significant demand for new school facilities. We also need changes to the school construction funding formula so that the state pays a fair share of the cost of building schools.
  - **Simple Majority for School Bonds:** We need a constitutional amendment that authorizes simple majority for school bonds.
- **Excellent Staff**
  - **School Employees Benefits Board:** In 2017, the Legislature created the School Employees Benefits Board (SEBB). The goal was to bring all school employees in the state into one benefits pool and save money. There are a number of outstanding issues with the new program, including unfunded costs, coverage for substitutes, and ending program participation when premiums are not paid.

### **King County**

*No 2020 priorities found as of 12/15/19*

## SCA 2020 Legislative Agenda

- **Address the Affordable Housing and Homelessness Crisis**

The state and cities must partner to preserve and increase the supply of affordable housing as, well as address behavioral health needs and other root causes of homelessness. Sound Cities Association urges the Legislature to:

- *Allow cities to create and preserve affordable housing through optional local tools, including extending the timeline to approve a "qualifying local tax" provided under HB 1406 adopted in the 2019 legislative session*
- *Continue to expand investment in the Housing Trust Fund*
- *Address other underlying causes of homelessness by providing support to cities to implement innovative local solutions and increasing investments in our state's behavioral health system*

- **Invest in Transportation Infrastructure and Mobility**

The economic vitality of our state demands that we invest in our existing transportation infrastructure and prioritize new investments that improve the movement of people and goods. Cities have increased investments in local transportation systems, but still face an annual funding gap for maintenance and operation of those systems of \$1 billion statewide. Sound Cities Association urges the Legislature to:

- *Partner with cities to develop a comprehensive transportation bill that provides new resources and options for local government to address transportation and mobility needs*

- **Fully Fund the Public Works Trust Fund and Provide Options for Local Infrastructure Needs**

Today's cities are building the infrastructure necessary to accommodate a growing population and economy. Investments in infrastructure keep communities vibrant, protect the environment, and attract economic development. Cities need tools to lower the cost of providing local infrastructure and to avoid further exacerbating the housing affordability crisis. Sound Cities Association urges the Legislature to:

- *Fully fund the Public Works Trust Fund*
- *Support economic development tools that help maintain and expand local infrastructure, such as Tax Increment Financing and similar tools*

- **Preserve Local Decision-Making Authority**

Cities possess strong local knowledge and authority to keep communities safe, healthy, and improve quality of life. It is critical cities maintain the authority to provide the necessary services and retain local control over land use planning that will help communities thrive.

- **Provide the Tools for Cities to Address Local Priorities**

City revenue streams are limited and are not structured to sustainably keep-up with rising costs. Cities need flexible local funding tools, fewer unfunded mandates, and continued support from the state for shared responsibilities. Sound Cities Association urges the Legislature to:

- *Replace the arbitrary 1% cap on annual property tax increases with a limit tied to inflation plus population growth*
- *Meet the state's commitment to revenues intended to be shared with cities to serve our shared constituents*
- *Continue streamlined sales tax mitigation to affected cities*



## **Other Allies / Issues**

### **Lake Washington Institute of Technology**

- **Support Washington Community and Technical Colleges 2020 Supplemental Capital Budget request, which would fund 25 projects at 23 colleges across the state.**

For the 2020 session, the Washington Community and Technical Colleges are requesting capital investments to modernize its aging campuses and ensure they provide excellent teaching and learning environments for their students. The capital investments to modernize their aging campuses and ensure they provide excellent teaching and learning environments for their students.

*In the 21-23 biennium, Lake Washington Institute of Technology's (LWTech) community and technical college plans to request \$31.5 M in capital budget funding for the construction of its Center for Design. The new facility will include state of the art classrooms and labs for our high-demand engineering, design, gaming, and software development associate and applied baccalaureate programs. This facility would also include much needed multipurpose space for college and community functions.*



**CITY OF KIRKLAND**  
**Information Technology Department**  
 123 Fifth Ave, Kirkland, WA 98033 • 425.587.3050  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

## MEMORANDUM

**To:** Kurt Triplett, City Manager  
**From:** Smitha Krishnan, IT Director  
**Date:** 07/22/2021  
**Subject:** IT Stabilization Implementation Update

## RECOMMENDATION

It is recommended that the City Council receive a quarterly update on the Information Technology (IT) Stabilization Project, which has been in implementation since September 2019. As a reminder, the goals of this project are:

1. Improve reliability and reduce downtime in IT operations and services
2. Continue to shift towards a mature and proactive IT culture

## BACKGROUND DISCUSSION

At the last update to City Council in May 2021, the IT Department provided an overview of the key areas of focus for IT Stabilization:

1. IT Service/Operations Management
2. IT Security Work Plan
3. IT Department Work Plan

Below is an update on these same areas.

### IT Service/Operations Management

As part of the implementation of the IT Service Management solution in 2020, including the customer portal, the following targets or Key Performance Indicators (KPIs) were adopted to continually measure IT Operations and Service Delivery. The actuals for these KPI's for the months since the go-live of this platform in Q1 2021 are recorded below.

Key Performance Indicator (KPI)	Target	Actuals			
		March	April	May	June
Mean Time to Incident Resolution for P0 to P2	6 hours	122 min (2 hours)	65 min (1 hour)	229 min (3.8 hours)	206 min (3.4 hours)
Mean Time to Incident Resolution Target Met	80%	97.4%	97.0%	92.99%	96.02%

Mean Time to Service Resolution for P1 & P2	32 hours (4 Business Days)	6.5 hours	16.25 hours	10.5 hours	3.3 hours
Mean Time to Service Resolution Target Met	80%	97.3%	96.6%	96.1%	94.5%
P0 (Major) plus P1 (High Priority) Incidents	≤3 per month	1	<b>3</b>	1	1
First Call Resolution	50%	81%	87%	86%	87%

The actual numbers are indicative of the high service levels offered by IT to the organization. After gathering four months of reliable data, IT staff are now adjusting some of the targets to continually improve IT service levels. These updated targets will be effective August 1<sup>st</sup>.

Key Performance Indicator (KPI)	Target
Mean Time to Incident Resolution for P0 to P2	6 hours
Mean Time to Incident Resolution Target Met	<b>85%</b>
Mean Time to Service Resolution for P1 & P2	<b>24 hours (3 Business Days)</b>
Mean Time to Service Resolution Target Met	<b>85%</b>
P0 (Major) plus P1 (High Priority) Incidents	≤3 per month
First Call Resolution	<b>75%</b>

From a stability standpoint, IT is continuing to close out single points of failure that can impact operations and service delivery. Below are updates related to this:

1. In 2020, IT recommended replacing the secondary backup of the City's Microsoft Azure environment to Texas with a local backup at the Kirkland Justice Center (KJC). The one-time expense to implement this was approved as a service package for 2021. This solution was implemented in May 2021 and tested thoroughly. By implementing a local secondary backup to the KJC, IT can restore the City's infrastructure and mission-critical applications within a few days without relying on external support. Note that the Texas backup would require weeks for a full restoration of services with significant investment in professional services. The local backup solution also delivers an annual ongoing savings of \$30,000.
2. The IT Department is working with Wave, our provider for Internet Service, to increase the bandwidth for internet connectivity from 1G to 5G. This will enhance the performance of our failover VPN connection to the Microsoft Azure Cloud.
3. IT is also adding an additional Internet Service Provider (ISP) to the northeast corner of City Hall to mitigate a major Single Point of Failure in the City's physical infrastructure for improved connectivity and redundancy.
4. IT is making two major improvements to the City's technology network design as part of the Network Refresh project that will further increase redundancy, security, scalability and performance. The anticipated budget for these improvements is \$350,000 including contingency. IT is developing a funding plan using salary savings and by re-prioritizing both operating and CIP funds to implement these improvements in 2021. These improvements will:
  - a. Enhance the City's technology network from a 2-tiered to a 3-tiered design, which will reduce the impact of a widespread network failure on City buildings.
  - b. Add a more secure network buffer between the City's trusted network and the outside. This is becoming a high priority for the City with the increasing risk of cybersecurity threats.

- c. Increase capacity of the City's technology infrastructure to perform better and be more scalable.

### IT Security Work Plan

The IT Security Work Plan is focused on the deployment of the right tools, processes and procedures to significantly increase the City's security posture based on industry standards by the end of 2021. Below is a status update of key items in the IT Security Work Plan:

Item #	Item Description	Status	Planned Schedule	Actual Schedule
1	Conduct annual penetration test by third-party. Status Update: <ul style="list-style-type: none"> <li>Penetration test conducted in March.</li> <li>No red flags detected (indicative of a healthy and secure network).</li> <li>Corrective actions completed in June.</li> </ul>	<b>Complete</b>	Q2, 2021	Q1 – Q2, 2021
2	Internal Vulnerability Scan Status Update: <ul style="list-style-type: none"> <li>Implemented tool for internal vulnerability scanning (funded as a 2021 Service Package)</li> <li>Completed internal scan and identified corrective actions. Larger number of corrective actions identified since this is the first vulnerability scan in four years.</li> <li>High risks mitigated or closed. Corrective actions for remaining items underway.</li> </ul>	In Progress	Q2 2021	Q2 – Q3, 2021
3	Implementation of Platform for Security Incident and Event Management (SIEM) Solution and IT Operations Management (ITOM) <ul style="list-style-type: none"> <li>Contract executed with Xilogix/FortiSIEM vendor/solution.</li> <li>Kick-off for Phase 1/SIEM completed in June with go-live in mid-September.</li> <li>Phase 2/ITOM implementation to begin in Q4 with completion next year.</li> </ul>	In Progress	Q2 2021 to Q1 2022	Q2 2021 to Q1 2022
3	Update IT Policies to account for the "new normal" that has risen in the wake of the pandemic. Add SOPs to align with the policies.	In Progress	Year-long activity	
5	Implement TTXs for IT staff and key stakeholders	Not Started	Q3 2021 & Q1 2022	

6	Hire an Information Security Analyst to execute the security-related work plan items	<b>Complete</b>	Q1	Q1
7	Create a cross-departmental security governance committee to keep the City's Leadership informed of IT security risks	<b>Complete</b>	Q1	Q2 (First meeting in May 2021)

### IT Department Work Plan for 2021

In the previous update to Council, the IT Department's 2021 workplan and resource allocation were shared. Below is a brief status update by service area for key projects:

- Enterprise Applications (EA)
- Network and Desktop Services (NDS)
- Geographic Information Systems (GIS)
- Digital Services (DGS)
- Service Desk (SD)

Service Area	Project	Status	Comments
EA	<b>Munis Upgrades and Implementations (X-Large)</b>	In Progress	<ul style="list-style-type: none"> <li>• Testing of the Munis v2019 underway</li> <li>• Go-Live planned for September</li> <li>• NeoGov, new HR system for Applicant Tracking and Recruitment, under implementation with go-live in August</li> </ul>
EA, NDS	<b>Replace Skype with Microsoft Teams (Large)</b>	<b>Complete</b>	<ul style="list-style-type: none"> <li>• Microsoft Teams rolled out to all staff with training in April/May</li> <li>• Skype discontinued in June</li> </ul>
EA	<b>EnerGov Upgrade to HTML5 version (Large)</b>	Delayed to 2022	<ul style="list-style-type: none"> <li>• Further investigation of the proposed version indicated a lack of product readiness. Additionally, this team is impacted by significant attrition. For these reasons, the upgrade was postponed to 2022 with plans to implement a more mature version of the software.</li> </ul>
EA	<b>City Website Stabilization (Medium)</b>	In Progress	<ul style="list-style-type: none"> <li>• Increased focus on re-training content leads in Q2-3</li> <li>• Implementing a workaround to search for PDFs</li> <li>• Increased engagement by governance team to close out broken links and improve adoption of ADA standards for content</li> </ul>
NDS	<b>City Network Refresh (X-Large)</b>	In Progress	<ul style="list-style-type: none"> <li>• Following sites have been deployed with significant performance gains: <ul style="list-style-type: none"> <li>◦ Fire Stations – 21, 25, 26 &amp; 27</li> <li>◦ PKCC, Pool, McAuliffe Park, Maintenance Building F, Parks Maintenance Center</li> </ul> </li> <li>• Wireless deployment at City Hall 100% complete. Outdoor wireless</li> </ul>

			(downtown, Everest and Houghton Beach) estimated to complete in September.
NDS	<b>Secondary Backup to MS Azure Cloud at KJC</b> (Medium)	<b>Complete</b>	<ul style="list-style-type: none"> <li>Described above</li> </ul>
NDS	<b>Streamlining weekly patching</b> (Small)	<b>Complete</b>	<ul style="list-style-type: none"> <li>Streamlined weekly patching cycles to better align systems and applications with each other and reduce downtime for customers</li> </ul>
NDS	<b>Enhancements to data/system backups</b> (Medium)	<b>Complete</b>	<ul style="list-style-type: none"> <li>Improved backup solution to restore from Azure backups in hours/days versus weeks/months in the event of a failure.</li> </ul>
NDS	<b>2021 Desktop Replacement</b> (Medium)	In Progress	
GIS	<b>CityHub GIS Platform Upgrade Phase 2</b> (Large)	<b>Complete</b>	<ul style="list-style-type: none"> <li>City's new web-based solution to create and share interactive maps and data launched in Q1 with customer training</li> </ul>
GIS	<b>Lucity (Enterprise Asset Management) Upgrade</b> (Large)	<b>Complete</b>	<ul style="list-style-type: none"> <li>Lucity System's second major upgrade completed in June. Includes new functionality such as vehicle scheduling/reservation management.</li> </ul>
GIS	<b>Community/Inclusion Data Dashboard</b> (Small to Medium)	In Progress	<ul style="list-style-type: none"> <li>Providing technical support to CMO and other Departments to develop public facing dashboards in support of R-5434</li> </ul>
GIS	<b>Geo-Notification Application</b> (Medium)	In Progress	<ul style="list-style-type: none"> <li>New application enabling constituents to receive email notifications about development activities in a defined geographic area. Implementation currently underway.</li> </ul>
DGS	<b>Hybrid Council Meetings</b>	In Progress	<ul style="list-style-type: none"> <li>New equipment ordered. Implementation and testing planned in August with soft launch on September 7<sup>th</sup>.</li> </ul>
DGS	<b>Hybrid Boards and Commissions</b>	Not Started	<ul style="list-style-type: none"> <li>Will follow implementation of the Hybrid Council Meetings since it requires more training of staff in departments.</li> </ul>
SD	<b>Hybrid Conference Rooms</b>	In Progress	<ul style="list-style-type: none"> <li>Pilot implemented in Juanita Bay conference room. Equipment ordered for conference rooms in City Hall, KJC and Maintenance Center.</li> </ul>

#### Conclusion/Next Steps:

The IT Department will continue to provide quarterly updates to City Council with progress made in the following areas:

1. IT Service/Operations Management
2. IT Security Work Plan
3. IT Department Work Plan

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

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Archie Ferguson, Fleet Manager  
Ray Steiger, PE, Superintendent  
Julie Underwood, Director of Public Works

**Date:** August 04, 2021

**Subject:** DECLARATION OF SURPLUS VEHICLES AND EQUIPMENT

**RECOMMENDATION:**

It is recommended that the City Council approve the declaration of surplus vehicles and equipment identified in this staff report, which will lead to their removal from the City's Equipment Rental Fund replacement schedule and to their disposal.

Approval of this item on the Consent Calendar will authorize the disposal of surplus vehicles and equipment.

**BACKGROUND DISCUSSION:**

The surplus of vehicles and equipment that have been replaced with new vehicles or equipment, or which no longer meet the needs of the City, is consistent with the City's Equipment Rental Fund replacement schedule policy. Under that policy, if a declaration of surplus is approved by City Council then vehicles and/or equipment are sold or disposed of in accordance with the *Kirkland Municipal Code*, Chapter 3.86, "Sale and Disposal of Surplus Personal Property." The only exception is concerning surplus Interceptors used by the Police Department. The Police Department has been given permission to retain surplus patrol units as needed to be used as Neighborhood Resource Officer vehicles.

Once a vehicle or piece of equipment is scheduled for replacement through the budget process, Fleet Management staff utilizes specific criteria to evaluate the vehicle or equipment prior to making a final recommendation for disposing of it. Among the replacement criteria considered are:

- Wear and tear on the engine, drive train, and transmission;
- Condition of the structural body and major component parts;
- The vehicle's frequency and nature of past repairs;
- Changes in the vehicle's mission as identified by the Department that it serves;
- Changes in technology;
- Vehicle right-sizing;
- The impact of future alternative fuels usage; and/or
- Specific vehicle replacement funding accrued.

The decision to recommend replacement of a vehicle requires the consensus of the Fleet Management staff and the department that it serves. Vehicles should be replaced close to the point where major repairs and expenses are anticipated to occur in order to maximize their usefulness without sacrificing resale value. Consideration of the vehicle's established accounting life (replacement cycle) is a key factor in that evaluation.

The replacement cycle of a given vehicle or piece of equipment is its years of anticipated useful life for the City. The replacement cycle enables staff to calculate a schedule and a fee to charge the home department so that the Equipment Rental Fund has sufficient resources to purchase a similar replacement if and when a replacement is needed. The replacement cycle is a guideline; the actual longevity of specific vehicles and equipment often varies somewhat from the established cycle based on the criteria listed above.

An outcome of the 2020 Fleet Rate Study was that most of our replacement cycles have been increased slightly to better reflect the actual life experienced by Kirkland's fleet. The City's updated replacement cycles are as follows:

<u>Vehicle description</u>	<u>Prior replacement cycle</u>	<u>Current replacement cycle</u>
Mowers/Field rakes	4 years	6 years
Patrol police cars	4 years	5 years
Small equip/Motorcycles	6 years	8 years
Vehicle/Pick-Ups	8 years	10 years
Large equipment	10 years	12 years
Dump trucks/Vans	12 years	14 years
Trailers	15 years	17 years
Fire apparatus	18 years	18 years

Based on the considerations and criteria reviewed in this staff report, the following vehicle and equipment are recommended for surplus:

<u>Fleet #</u>	<u>Dept.</u>	<u>Year</u>	<u>Make &amp; Model</u>	<u>License</u>	<u>Hours/ Miles</u>
E-01	PD	2015	Xtreme Green EV ATV	2997EX	1,151
E-02	PD	2015	Xtreme Green EV ATV	2654EX	1,450
F-21	PW	2011	Ford F550 4WD 2YD Flatbed	53004D	62,063
F-22	PW	2011	Ford F550 4WD 2YD Flatbed	53003D	61,915
TL-01	Parks	1995	Garland Flatbed Trailer	46249D	N/A
P124	PD	2009	Honda ST1300P Motorcycle	2649EX	37,212

- Unit **E-01** has been inspected by the Fleet Division and deemed unsafe for continued use because of multiple mechanical concerns.
- Unit **E-02** has been inspected by the Fleet Division and deemed unsafe for continued use because of multiple mechanical concerns.
- Unit **F-21** has reached the replacement cycle of 10 years.
- Unit **F-22** has reached the replacement cycle of 10 years.
- Unit **TL-01** has exceeded the replacement cycle of 17 years by nine years.
- Unit **P124** has exceeded the replacement cycle of 8 years by four years.





## CITY OF KIRKLAND

### Department of Finance & Administration

123 Fifth Avenue, Kirkland, WA 98033 425.587.3100

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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Michael Olson, Director of Finance & Administration  
George Dugdale, Financial Planning Manager  
Camille Hastings, Recovery Intern

**Date:** July 16, 2021

**Subject:** June 2021 Sales Tax Revenue

### Background

The Financial Planning Division prepares a monthly sales tax revenue memo analyzing monthly and year-to-date activity by business sector, forecasting sales tax revenue in the current year, and tracking key economic indicators to provide additional context for the state of the economy. The general retail sales tax is the City's largest single revenue source after Property Tax, accounting for 18 percent of total budgeted revenues in the General Fund and, along with property and utility taxes, funding public safety and other general government (i.e., non-utility) services. It is also more sensitive to economic cycles than other tax revenues. Accordingly, it is monitored closely by staff—even more so given the economic disruption and uncertainty caused by COVID-19.

There is a two-month lag between when sales tax is generated and when it is distributed to the City by the Washington State Department of Revenue (DOR). Accordingly, June sales tax revenue relates to April retail activity in Kirkland.

### June 2021 vs. June 2020

Business Sector Group	June		Dollar Change	Percent Change	Percent of Total	
	2020	2021			2020	2021
Services	(222,752)	355,471	578,223	259.6%	-16.2%	14.7%
Contracting	490,954	534,638	43,684	8.9%	35.8%	22.1%
Communications	32,346	36,795	4,449	13.8%	2.4%	1.5%
Retail:						
Auto/Gas Retail	352,746	520,174	167,428	47.5%	25.7%	21.5%
Gen Merch/Misc Retail	196,329	253,981	57,652	29.4%	14.3%	10.5%
Retail Eating/Drinking	113,253	141,485	28,232	24.9%	8.3%	5.9%
Other Retail	240,763	334,932	94,169	39.1%	17.5%	13.8%
Wholesale	69,542	107,283	37,741	54.3%	5.1%	4.4%
Miscellaneous	99,520	133,557	34,037	34.2%	7.2%	5.5%
<b>Total</b>	<b>1,372,701</b>	<b>2,418,316</b>	<b>1,045,615</b>	<b>76.2%</b>	<b>100%</b>	<b>100%</b>

Comparing June 2021 to June 2020, sales tax revenue is up \$1,045,615, or 76.2 percent. However, this overstates the real growth as it includes repayment of two taxpayer remittance errors in June 2020 that totaled \$499,925. These errors overstated Services retail activity in January & March 2020 (resulting in

higher distributions to the City in March & May 2020) and were later removed in the June 2020 distribution by the Washington Department of Revenue (DOR). To show the true growth from June to June this amount should be excluded. The following table shows the June to June comparison excluding the \$499,925 correction.

#### June Sales Tax Receipts excluding \$499,925 Correction

Business Sector Group	June		Dollar Change	Percent Change	Percent of Total	
	2020	2021			2020	2021
Services	277,173	355,471	78,298	28.2%	14.8%	14.7%
Contracting	490,954	534,638	43,684	8.9%	26.2%	22.1%
Communications	32,346	36,795	4,449	13.8%	1.7%	1.5%
Retail:						
Auto/Gas Retail	352,746	520,174	167,428	47.5%	18.8%	21.5%
Gen Merch/Misc Retail	196,329	253,981	57,652	29.4%	10.5%	10.5%
Retail Eating/Drinking	113,253	141,485	28,232	24.9%	6.0%	5.9%
Other Retail	240,763	334,932	94,169	39.1%	12.9%	13.8%
Wholesale	69,542	107,283	37,741	54.3%	3.7%	4.4%
Miscellaneous	99,520	133,557	34,037	34.2%	5.3%	5.5%
<b>Total</b>	<b>1,872,626</b>	<b>2,418,316</b>	<b>545,690</b>	<b>29.1%</b>	<b>100%</b>	<b>100%</b>

Excluding the remittance errors and subsequent correction, sales tax revenue is up \$545,690, or 29.1 percent in June 2021 compared to last year. As this period covers activity from April to April, the 2020 revenue reflects the economic impacts of the COVID-19 pandemic in Kirkland, as well as Governor Inslee's "Stay Home, Stay Healthy" order, in which only essential businesses remained open to the public. A mix of strong growth in 2021 retail activity and economic contraction in the same period in 2020 explain the increase in June 2021 sales tax revenue as compared to June 2020.

In June 2021, all categories reported growth, with the most significant gains in Auto/Gas Retail due to car sales (up \$167,428 or 47.5 percent), Other Retail (up \$94,169 or 39.1 percent), Services (up \$78,298 or 28.2 percent), and General Merchandise/Miscellaneous Retail (up \$57,652 or 29.4 percent). Although Retail Eating/Drinking continues to recover as the community is vaccinated and businesses reopen with fewer restrictions (up 24.9 percent), it has not fully returned to pre-pandemic levels, with April 2021 retail sales (June 2021 revenue) for the sector below the 2019 average.

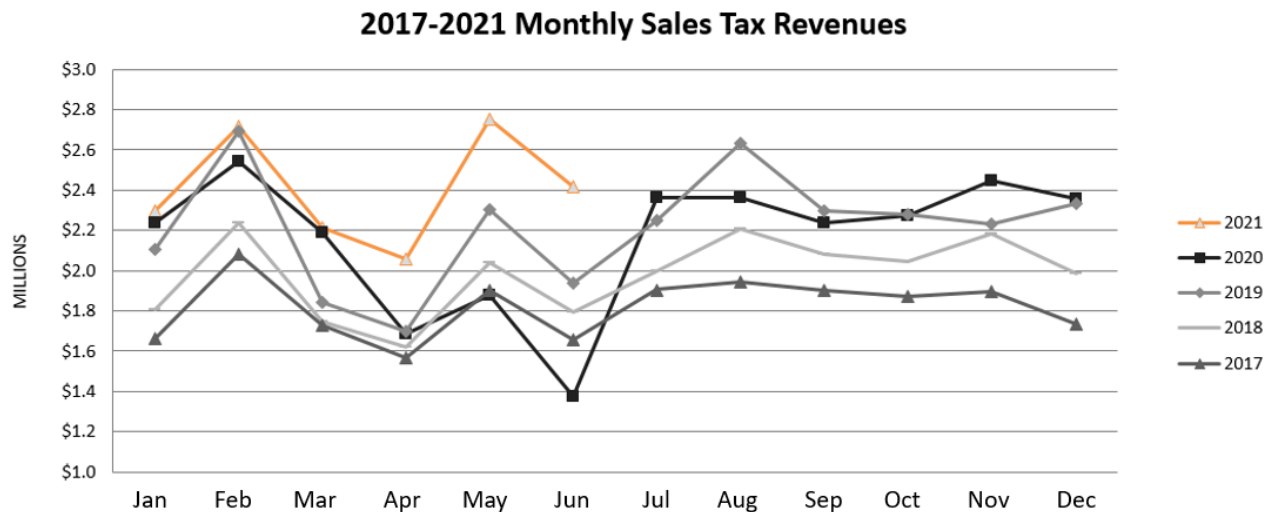
#### YTD 2021 vs. YTD 2020

Business Sector Group	YTD		Dollar Change	Percent Change	Percent of Total	
	2020	2021			2020	2021
Services	1,716,325	2,129,894	413,569	24.1%	14.4%	14.7%
Contracting	3,114,829	3,674,545	559,716	18.0%	26.2%	25.4%
Communications	250,011	234,859	(15,152)	-6.1%	2.1%	1.6%
Retail:						
Auto/Gas Retail	1,984,164	2,673,756	689,592	34.8%	16.7%	18.5%
Gen Merch/Misc Retail	1,364,006	1,606,628	242,622	17.8%	11.5%	11.1%
Retail Eating/Drinking	725,114	717,280	(7,834)	-1.1%	6.1%	5.0%
Other Retail	1,608,780	1,988,029	379,249	23.6%	13.5%	13.8%
Wholesale	510,246	662,055	151,809	29.8%	4.3%	4.6%
Miscellaneous	632,859	763,891	131,032	20.7%	5.3%	5.3%
<b>Total</b>	<b>11,906,334</b>	<b>14,450,937</b>	<b>2,544,603</b>	<b>21.4%</b>	<b>100%</b>	<b>100%</b>

As the taxpayer remittance errors occurring earlier in 2020 were corrected in June, year-to-date (YTD) sales tax revenue is up \$2,544,603, or 21.4 percent in 2021.

Looking at business sectors, the most significant growth was in Auto/Gas Retail (up \$689,592 or 34.8 percent, most of which has occurred in the past two months), Contracting (up \$558,716 or 18 percent), Services (up \$413,569 or 24.1%), and Other Retail (\$379,249 or 23.6 percent). Marginal declines occurred in Communications (down \$15,152 or 6.1 percent). Retail Eating/Drinking is also down 1.1 percent, reflecting the Governor's social distancing and restaurant capacity requirements, which have limited the number of customers that can be served throughout the 2021 YTD period. This report shows April 2021 retail activity, which is the first month following the Governor's 'Roadmap to Recovery' phased reopening plan in which King County moved from Phase 2 to Phase 3 at the end of March.

The graph below shows Kirkland's monthly sales tax revenue through June 2021 compared to the prior four years.



Note: A one-time back payment of \$1,384,689 in November 2020 was excluded from the above graph to allow for more accurate comparison of ongoing revenues.

### Key Economic Indicators

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.

Indicator	Most Recent Month of Data	Unit	Month			Yearly Average	
			Previous	Current	Change	2020	2021
<b>Consumer Confidence</b>							
Consumer Confidence Index	June	Index	117.2	127.3	10.1	101.0	109.9
<b>Unemployment Rate</b>							
National	June	%	5.8	5.9	0.1	8.1	6.1
Washington State	April	%	6.3	5.6	(0.7)	8.4	6.3
King County	April	%	5.5	4.9	(0.6)	7.6	5.5
Kirkland	April	%	4.8	4.2	(0.6)	6.2	4.7
<b>Housing</b>							
New House Permits (WA)	April	Thousands	53.4	47.5	(5.9)	44.6	59.6
Case-Shiller Seattle Area Home Prices	April	Index	315.3	324.9	9.6	273.8	308.3
<b>Inflation (CPI-W)</b>							
National	June	% Change	5.6	6.1	0.5	1.2	3.8
Seattle	June	% Change	3.7	6.3	2.6	1.9	3.9
<b>Car Sales</b>							
New Vehicle Registrations	May	Thousands	27.0	25.5	(1.5)	19.4	24.6

The **Consumer Confidence Index**<sup>1</sup> increased 10.1 points between May and June, following a decrease of 0.3 points in the previous month. Consumer confidence is currently at its highest level since March 2020, a potential reflection of consumers' optimism regarding continued economic recovery and a sign that consumer spending will continue to support economic growth in the short-term (Consumer Confidence Survey). Overall confidence seems to be stable and resilient as vaccination rates continue to increase and the economy moves toward reopening fully.

The national **Unemployment Rate** saw a 0.1 percentage point increase in the past month, from 5.8 percent in May to 5.9 percent in June. Locally, Washington State's unemployment decreased from 6.3 percent in March to 5.6 percent in April. Similarly, King County's unemployment rate decreased by 0.6 percentage points from 5.5 to 4.9 percent (March-April), and Kirkland's decreased from 4.8 to 4.2 percent (March-April).

**New Housing Permits** in Washington State decreased 11 percent from 53,400 in March to 47,500 in April. Despite this, the 2021 yearly average of 59,600 remains well above the 2020 average of 44,600 due to increases in the early months of 2021. The **Case-Shiller Home Price Index** saw another increase of 9.6 points in April to 324.9, reflecting a continually strong local housing market despite the pandemic.

**Inflation**, as measured by the CPI-W in the U.S. increased in June to 6.1 percent from 5.6 percent in May. For the Seattle-Tacoma-Bellevue region, the CPI-W increased from 3.7 percent in April to 6.3 percent in June. The CPI-W is reported as the percentage change over the last 12 months so inflation will likely remain higher in 2021 as a result of falling prices in 2020 during the impacts of the first wave of COVID-19 on the national and regional economy. Additionally, the effects of recent federal stimulus and reopening of the economy as vaccines become widely administered despite supply bottlenecks in some sectors may contribute to further inflation. As described in the graph from the White House Council of Economic Advisors below, much of the inflation<sup>2</sup> is driven by increases in the prices of vehicles and travel, where a sudden return of demand is outpacing supply restricted by the pandemic.

<sup>1</sup> The Consumer Confidence Index transitioned to an online survey this year and all monthly indices have been restated and updated with the new methodology from January to May 2021.

<sup>2</sup> Inflation measure in the graph is Core CPI, which removes energy and food prices due to their increased volatility. The City of Kirkland uses the CPI-W, which is the Consumer Price Index for Urban Wage Earners and Clerical Workers

## Contributions to Monthly Core CPI Inflation

Percentage points, monthly rate



Source: BLS, CEA analysis.

**New Vehicle Registration** in Washington State increased sharply from 24,000 in March to 27,000 in April, before decreasing to 25,500 in May. Registration numbers were not updated in June 2021, but it is anticipated that they will rise in the coming months to reflect increased vehicle purchases. Despite this, the 2021 yearly average remains 5,200 above the 2020 average.



## CITY OF KIRKLAND

Department of Finance & Administration

123 Fifth Avenue, Kirkland, WA 98033 425.587.3100

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### MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Jay Gewin, Purchasing Agent

**Date:** July 22, 2021

**Subject:** REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF August 4, 2021.

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 22<sup>nd</sup>, 2021 are as follows:

	Project/Purchase	Process	Estimate/Price	Status
1.	2 Replacement Backhoes for Public Works	Cooperative Purchase	\$300,615.42	Purchase orders awarded to Sonsray Machinery of Marysville, WA
2.	5 <sup>th</sup> /8 <sup>th</sup> Watermain Replacement Design	Request for Qualifications	\$302,186.00	Contract awarded to DOWL LLC. of Redmond, WA based on qualifications per RCW 39.80
3.	Fueling Software with Card Reader Phase 1	Cooperative Purchase	\$119,736.80	Purchase order awarded to Mascott Equipment of Seattle, WA



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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Michael Olson, Director of Finance and Administration  
George Dugdale, Financial Planning Manager  
Adam Weinstein, Planning & Building Director  
Stephanie Day, Business Analyst

**Date:** July 23, 2021

**Subject:** 2021-2022 Budget Adjustment: Capital Fund Beginning Balances and Authorized Position Adds

### **RECOMMENDATION:**

Council approves ordinance O-4764, which amends the 2021-2022 Budget by updating the City's four capital funds to recognize the starting fund balance. Approval of this also formally approves the conversion of 11 limited term employees (LTE) in the Planning and Building Department to full time employee (FTE) status. Additionally, this action would create one new FTE position in the Finance and Administration Department for the City's Purchasing Agent position. These FTE are changed through approval of the ordinance and the corresponding Attachment A "2021 August Budget Adjustment Summary" which adds the new FTEs.

### **BACKGROUND DISCUSSION:**

At the Council's June 15<sup>th</sup> meeting, staff presented the regularly-scheduled budget adjustments, which included adjustments to resources forward, or beginning cash balance. As staff wrote in that memo accompanying that adjustment,

*"The 2021 Resources Forward, or beginning fund balance (cash), was estimated as part of the 2021-2022 budget process during the fall of 2020. Now that 2020 is complete, staff has reconciled the estimated resources forward with actual balances... These adjustments to resources forward do not include the City's four Capital Funds (310, 320, 413, 423). This is because there are a number of other capital adjustments [still to be processed], and as those funds are organized by capital project and budget authority is granted on a project basis, staff will rebalance these funds following approval of the described project closures. These fund balances will be brought back to Council as part of the August 4<sup>th</sup> CIP update study session."*

These additional project actions in the Capital Funds are now complete and, as planned, these adjustments will recognize the actual starting balance for each of the City's four capital funds.

This memo also formally recognizes position actions in both the Planning and Building and the Finance and Administration Departments. These will add a combined 12 FTE positions to the City's total, eleven of which occur by converting existing LTE positions with no financial impact.

## 1. 2021 Resources Forward

Table A shows the changes to each of the City's capital fund based on the true year-end balance. The difference between the original estimate and the actual balance represents the total adjustment to each fund. These adjustments do not represent changes in overall project budgets. Rather, they reflect the variance between 2020 and 2021 of when external revenues such as grants were received, or when the timing of invoices and other expenditures occurred earlier or later than originally projected. For example, if a large payment was projected to be made in December of 2020, but was actually paid in January of 2021, the resources forward balance would increase. Conversely if a grant was projected to be received in December of 2020 but didn't come until January of 2021, the resources forward balance would drop.

Table A: Appropriation Changes to Capital Funds

Fund		2021 Budgeted Resources Forward	Actual 2021 Starting Balance	Total Appropriation Change
310	General Capital Fund	43,410,631	37,247,657	(6,162,974)
320	Transportation Capital Fund	26,043,337	24,662,772	(1,380,565)
413	Water Sewer Capital	16,906,340	19,348,509	2,442,169
423	Surface Water Capital	7,256,680	7,903,080	646,400

## 2. Position Changes in the 2021-2022 Budget

Staff are also proposing 12 position changes to the 2021-2022 Budget. As explained in more detail later in the memo, the Planning and Building department is proposing conversion of 11 positions from limited term employees (LTE) to regular ongoing positions, shown in Table B. Regular positions require Council approval to be created, so approval of this budget adjustment ordinance will also serve as approval of the creation of these converted Planning and Building positions.

In addition to the positions in Planning and Building, Table B also includes a new FTE position in Finance and Administration. This position is for restoration of a dedicated position for the City's Purchasing Agent. This addition is required because the previous incumbent served as both the Financial Operations Manager and the Purchasing Agent. That person had been the Purchasing Agent prior to their promotion to the Manager. Such a hybrid skillset was unique and in recent years, the scope of both of these positions has grown beyond the ability of one person to accomplish both responsibilities successfully.

### *Purchasing Agent*

The Purchasing Agent position requires an individual with detailed knowledge of Washington State contracting and purchasing knowledge and serves a vital function in authorizing and managing both purchasing and the bidding process for the City's capital division. This position is responsible for procurement for all departments of City government each year, in addition to managing the City's 50-70 yearly competitive bids/solicitations in compliance with Local, State and Federal Laws. In particular, the Purchasing Agent manages bid openings, assists departments in developing bids and contracts, and oversees in the review of the \$3-\$4 million in annual City credit card purchases. This work has grown to include being a subject matter expert assisting all departments in the City's financial software for all requisitions, purchase orders, and contracts. The Purchasing Agent is also a key position in how the city implements R-5434 and improves contracting opportunities for traditionally disadvantaged businesses.



July 30, 2021

Page 3

Finally, restoring this as a dedication position is an important step in improving the finance and compliance structure behind the capital workgroup.

Table B: Position Changes by Job Class

Position Title	Department	2021-2022 Budget	
		Adjustment	FTE
Associate Planner	Planning and Building	-	1.0
Planner	Planning and Building	-	2.0
Assistant Planner	Planning and Building	-	3.0
Receptionist/ Admin Clerk	Planning and Building	-	1.0
Building Inspector	Planning and Building	-	2.0
Electrical/Building Inspector	Planning and Building	-	1.0
Journey Plans Examiner	Planning and Building	-	1.0
Purchasing Agent	Finance and Administration	209,874	1.0
Total		209,874	12.0

#### *Planning and Building Position Conversions*

Staff is recommending that the City Council converts certain development services-related staff positions in the Planning & Building Department from temporary to ongoing status in order to improve department operations, employee recruitment, and retention. There is no financial impact but the number of Full-Time Equivalent (FTE) Council authorized positions is increased.

Following the Great Recession (2007-9), but particularly since 2017, development activity in Kirkland has reached historically high levels, both in terms of permit volumes and the complexity of projects. With intense redevelopment activity occurring in Totem Lake and Kirkland Urban, new buildings are increasingly taller and larger than historical norms, and design issues (ranging from aesthetic and master planning considerations to structural engineering and critical area protection) are more complicated. At the same time, the City has adopted new planning regulations and building code requirements, including new missing middle/accessory dwelling unit regulations, and new more energy-efficient code requirements. These new changes all require higher levels of staff skills and analysis. Recent growth in Kirkland has also generated additional inquiries from the community about development, requiring increased staff attention and skills. With a continued desire on the part of City leaders to shape growth in a positive matter, combined with a robust real estate market and recognition that Kirkland is an increasingly desirable place to live and work, this trend is expected to continue into the foreseeable future.

Kirkland's planning and building services are continually being adjusted to reflect best practices, with technology enhancements to allow staffing to be as efficient as possible. However, continued improvements in the Planning & Building Department are hampered by a lean structure, continuing staff turnover, and difficulty in filling vacancies. These problems are industry-wide for skilled planning and building staff, as cities and private sector employers in the planning, building, and design industries are all competing for the same scarce resources. The result of the vacancies has recently yielded difficulties in keeping up to date on permit reviews and other critical department work.

One top priority for the Planning and Building Department is to reduce staff vacancies and attrition. It is imperative that Kirkland retain and attract the best and brightest staff to respond to the challenges posed by continued growth. Additionally, there are significant turnover costs associated with recruiting, interviewing, hiring, orientation and training, lost productivity,

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potential customer dissatisfaction, administrative costs, and lost expertise. Moreover, frequent turnover has a negative impact on employee morale and engagement.

Planning and Building is seeking to strengthen the operations of the Current Planning, Plans Examiner and Building Inspection divisions, along with the Administrative Division that helps coordinate the activities of the other divisions that comprise development services. With this agenda item, staff proposes to convert 11.0 limited term employees to ongoing employees. These are existing positions with full salaries and benefits, so there is no budgetary impact to this proposal. However, this conversion requires adding 11.0 FTE's to the Council-authorized positions as noted in the attached "Position Summary" document that identifies the changes.

#### *Limited Term Employee History*

For most of the past decade, the Planning and Building has recruited and hired certain positions as limited term employees. The reasons for doing so were largely motivated by financial prudence and uncertainty about workload. For example, after the Juanita-Finn Hill-Kingsgate annexation in 2011, the City knew that it would have an increased workload but did not yet have experience about actual revenues from development activity in the annexation area. However, it was certain that after ten years from the date of annexation the State-provided annexation financial incentive – about \$4 million per year – would end. Combined with that was the recognition that the City would have increased development activity demands, but only a reasoned projection about when, where, of what type, and whether the workload would be relatively constant or fluctuating. For those reasons, the Department tended to create limited term employee positions to satisfy new service needs.

Even though all Kirkland employment positions may be eliminated by the Council in each biennial budget process, many employees feel uncomfortable about the perceived transience and uncertainty about being in a "temporary" position rather than an "ongoing" position. The Department has lost employees to other organizations because they were offered a regular or "permanent" position there, sometimes of equal responsibilities. The permanent title made those employees feel that their employment situation would be more stable. The Planning and Building Department believes that converting most temporary positions to ongoing terms would eliminate an important motivator for accepting a job elsewhere. Current and upcoming development activity is strong in the Puget Sound area, and technical experts – such as electrical plan reviewers, inspectors, planners, and the skilled administrative staff that assist these staff – are at a premium.

All other factors being equal, if a candidate has the option to apply for or accept a job that is regular/ongoing versus temporary, the temporary position likely will be the least attractive. Additionally, the employment market today so favors high-skill employees that it is not uncommon for the candidates who have been chosen as finalists to withdraw at the last minute with negotiated job offers in hand from other employers, or to have current employers counter with a better arrangement. The Department's perspective is that the temporary classification is now a barrier to recruitment and retention that should be removed at no additional financial cost to the City.

#### *Receptionist/Office Clerk*

The temporary Receptionist/Office Clerk position was an ongoing position until it was eliminated during the 2008 recession. The Department has filled the duties of the position in various ways over the years, with on-calls, volunteers, distributing duties to administrative and professional staff, and currently as a temporary position. This position has proven critical to accomplish the many administrative tasks that would otherwise fall to planners, plans examiners and inspectors, and provides valuable frontline customer service. Converting this position to ongoing status will also help recruit and retain strong candidates to provide this important support.

To make these changes, Council needs to authorize the addition of 11.0 ongoing FTE positions, as identified in Table C, below, which also includes when the original LTE was approved. The

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incumbents in those positions then could be reclassified from limited term to ongoing positions. While the goal is to create a workplace where employees have a sense of greater stability, technically it is possible that an employee prefers not to take an ongoing position or assignment, which could lead to bumping and/or seniority situations.

**Table C: Limited Term Positions Proposed to Convert to Ongoing Positions**

Position Title	Year Created	Position Number	FTE	Division
Associate Planner	2015	312	1.0	Current Planning
Planner	2018	678	1.0	Current Planning
Planner	2012	316	1.0	Current Planning
Assistant Planner	2013	311	1.0	Current Planning
Assistant Planner	2019	778	1.0	Current Planning
Assistant Planner	2021	826	1.0	Current Planning
Receptionist/Admin Clerk	2015	275	1.0	Department Administration
Building Inspector	2016	314	1.0	Building Inspection
Building Inspector	2019	315	1.0	Building Inspection
Electrical/Building Inspector	2018	268	1.0	Building Inspection
Journey Plans Examiner	2017	318	1.0	Building Services
		<b>Total FTEs:</b>	11.0	

**BUDGET ADJUSTMENT SUMMARY**

The budget is adopted at the fund level which sets the total expenditure authority for the biennium for each fund. A summary of the adjustments and 2021-2022 amended budget by fund type is included in the table below. Changed by fund as well as the position adds are included as Attachment A. The FTE changes to Planning and Building are shown in Attachment B "Position Summary".

Table D: Adjustment Summary

Fund Type	2021-2022 Amended Budget June 15, 2021	Appropriation Adjustments	2021-2022 Amended Budget August 4, 2021
General Government:			
General Fund	293,552,135	-	293,552,135
Other Operating Funds	37,224,087	-	37,224,087
Internal Funds	85,213,667	-	85,213,667
Non-Operating Funds	290,227,310	(7,543,539)	282,683,771
Utilities Funds:			
Water/Sewer	118,169,151	2,442,169	120,611,320
Surface Water	52,239,514	646,400	52,885,914
Solid Waste	41,525,985	-	41,525,985
<b>Total Budget</b>	<b>918,151,849</b>	<b>(4,454,970)</b>	<b>913,696,879</b>

The attached ordinance O-4764 adopts the revised 2021-2022 Budget as proposed by the City Manager.

## ORDINANCE O-4764

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2021-2022.

WHEREAS, the City Council finds that the proposed adjustments to the Biennial Budget for 2021-2022 reflect revenues and expenditures that are intended to ensure the provision of vital municipal services at acceptable levels.

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

Section 1. The August 2021 adjustments to the Biennial Budget of the City of Kirkland for 2021-2022 are hereby adopted.

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

Funds	Current Budget	Adjustments	Revised Budget
General	293,552,135		293,552,135
Lodging Tax	885,324		885,324
Street Operating	22,958,817		22,958,817
Cemetery Operating	1,330,738		1,330,738
Parks Maintenance	4,074,128		4,074,128
Park Levy	7,975,080		7,975,080
Contingency	6,355,888		6,355,888
Impact Fees	7,901,274		7,901,274
Excise Tax Capital Improvement	26,964,467		26,964,467
Limited General Obligation Bonds	8,787,933		8,787,933
Unlimited General Obligation Bonds	1,422,655		1,422,655
General Capital Projects	89,801,175	(6,162,974)	83,638,201
Transportation Capital Projects	147,463,412	(1,380,565)	146,082,847
Water/Sewer Operating	75,885,629		75,885,629
Water/Sewer Debt Service	798,683		798,683
Utility Capital Projects	41,484,839	2,442,169	43,927,008
Surface Water Management	30,943,285	646,400	31,589,685
Surface Water Capital Projects	21,296,229		21,296,229
Solid Waste	41,525,985		41,525,985
Health Benefits	23,303,951		23,303,951
Equipment Rental	27,742,346		27,742,346
Information Technology	17,194,515		17,194,515
Facilities Maintenance	16,972,855		16,972,855
Firefighter's Pension	1,530,506		1,530,506
Total All Funds	918,151,849	(4,454,970)	913,696,879

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

18            Passed by majority vote of the Kirkland City Council in open meeting  
19 this \_\_ day of \_\_, 2021.

20  
21            Signed in authentication thereof this \_\_ day of \_\_, 2021.

\_\_\_\_\_  
Penny Sweet, Mayor

Attest:

\_\_\_\_\_  
Kathi Anderson, City Clerk

Approved as to Form:

\_\_\_\_\_  
Kevin Raymond, City Attorney

PUBLICATION SUMMARY  
OF ORDINANCE NO. 4764

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2021-2022.

SECTION 1. Adjusts the 2021-2022 Biennial Budget of the City of Kirkland.

SECTION 2. Sets forth, in summary form, the totals of estimated revenues and appropriations for each separate fund and the aggregate totals for all such funds combined.

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

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

I certify that the foregoing is a summary of Ordinance 4764 approved by the Kirkland City Council for summary publication.

\_\_\_\_\_  
Kathi Anderson, City Clerk

City of Kirkland  
2021-2022 Budget  
2021 August Budget Adjustment Summary

Adjustment Type	Dept.	Description	Adjustments	Appropriation Adjustment	Funding Source						FTE	Funding Source/Notes
					Line Item Adjustments	ARPA/ Unreserved General Fund	Reserves/ Fund Balance	Resources Forward	New/ External Revenue	Interfund Transfer		
General Fund (010)												
Line Item Adj	FA	Purchasing Agent	209,874				209,874				1.0	Staffing Reserve
Housekeeping	PB	Planning and Building Staffing Conversion									11.0	No budget impact
General Fund Total			209,874	-	-	-	209,874	-	-	-	12.0	-
OTHER FUNDS												
General Capital Projects Fund (310)												
Housekeeping	ND	End of Year Resources Forward Reconciliation	(6,162,974)	(6,162,974)								
General Capital Projects Fund Total			(6,162,974)	(6,162,974)	-	-	-	-	-	-	-	
Transportation Capital Projects Fund (320)												
Housekeeping	ND	End of Year Resources Forward Reconciliation	(1,380,565)	(1,380,565)								
Transportation Capital Projects Fund			(1,380,565)	(1,380,565)	-	-	-	-	-	-	-	
Water/Sewer Capital Fund (413)												
Housekeeping	PW	End of Year Resources Forward Reconciliation	2,442,169	2,442,169								
Water/Sewer Capital Fund Total			2,442,169	2,442,169	-	-	-	-	-	-	-	
Surface Water Capital Fund (423)												
Housekeeping	PW	End of Year Resources Forward Reconciliation	646,400	646,400								
Surface Water Capital Fund Total			646,400	646,400	-	-	-	-	-	-	-	
TOTAL OTHER FUNDS			(4,454,970)	(4,454,970)	-	-	-	-	-	-	-	
TOTAL ALL FUNDS			(4,245,096)	(4,454,970)	-	-	209,874	-	-	-	12.00	

**2021 - 2022 POSITION SUMMARY*****PLANNING & BUILDING*****POSITION SUMMARY BY CLASSIFICATION**

<b>Classification</b>	<b>2019-2020 Positions</b>	<b>Additions/ Reductions</b>	<b>Proposed Conversions</b>	<b>2021-2022 Positions</b>
Director	1.00			1.00
Building Official	1.00			1.00
Deputy Director	1.00			1.00
Development Services Manager	1.00			1.00
Planning Supervisor	2.00			2.00
Plan Review Supervisor	1.00			1.00
Senior Plans Examiner	3.00			3.00
Inspection Supervisor	1.00			1.00
Senior Planner	5.50	0.50		6.00
Code Enforcement Officer	2.00			2.00
Electrical/Building Inspector II	0.00	4.00		4.00
Electrical/Building Inspector	7.00	(4.00)	1.00	4.00
Associate Planner	1.00		1.00	2.00
Applications Analyst*	1.00	(1.00)		0.00
Plans Examiner	3.00		1.00	4.00
Building Inspector	1.00		2.00	3.00
Permit Tech Supervisor	1.00			1.00
Planner	5.00		2.00	7.00
Business Analyst	1.00			1.00
Development Review Arborist	1.00			1.00
Planning Administration Supervisor	0.85			0.85
Assistant Planner	2.00		3.00	5.00
Administrative Assistant	1.00			1.00
Permit Tech	6.00			6.00
Records Management Specialist	1.00			1.00
Office Specialist	3.00			3.00
Receptionist/Admin Clerk	0.00		1.00	1.00
<b>TOTAL</b>	53.35	(0.50)	11.00	63.85

**POSITION SUMMARY BY DIVISION**

	<b>2019-2020 Positions</b>	<b>Additions/ Reductions</b>	<b>Proposed Conversions</b>	<b>2021-2022 Positions</b>
Administration	6.99	(0.50)	1.00	7.49
Planning	19.36		6.00	25.36
Building	27.00		4.00	31.00
<b>TOTAL</b>	53.35	(0.50)	11.00	63.85

\* 1.0 FTE Applications Analyst moved to the IT Department





**CITY OF KIRKLAND**  
**Parks & Community Services Department**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3300  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Lynn Zwaagstra, Director  
Leslie R. Miller, Human Services Supervisor  
Jennifer Boone, Human Services Coordinator  
David Wolbrecht, Senior Neighborhood Engagement Coordinator

**Date:** July 26, 2021

**Subject:** RENTAL ASSISTANCE AND TENANT PROTECTIONS

### **RECOMMENDATION:**

That the City Council receive an update on initial use of funds for a Kirkland rental relief program and determine if the Council would like to consider additional tenant protections.

### **BACKGROUND DISCUSSION:**

The state and federal governments are and will be providing significant funding for rental assistance to meet some of the economic fallout from the COVID-19 Pandemic. To this date, however, the funds available come with strict eligibility requirements. While staff expects additional funds to become available, there is no indication when or if there will be less stringent eligibility requirements. Another unknown at this time is how many Kirkland households that are eligible for King County's Eviction Prevention and Rental Assistance Program will be served. An important component of the Governor's "bridge" eviction moratorium is that tenants have attempted to participate in a rental relief program. Therefore, staff have identified the need to have a rental relief program for those Kirkland tenants who do not qualify for state and county program as one key strategy to prevent local evictions.

At the May retreat the Council provided policy direction to fully appropriate the initial 2021 Kirkland allocation of ARPA funding to the non-departmental fund. The Council concurred with the staff recommendation, as stated in the May retreat memo, to do so in order to "allow for maximum flexibility to act as the City Manager could authorize budget transfers to provide funding for specific programs." The Council also supported the recommendation that such actions "would be accompanied by regular reports from the City Manager at Council meetings to update Council on planned uses." The Council appropriated the revenue which was placed in the non-departmental fund at the June 15 Council meeting. Similarly, during the 2021-2022 budget process, the Council had authorized expending HB 1406 sales tax money for rental relief programs. HB 1406 revenues are limited by state law to assist those at 60% or below AMI.

With that background, the purpose of the first part of this memo is to report to Council that staff will be utilizing some of the appropriated Kirkland ARPA funding and HB 1406 revenues to support both tenants and landlords who do not qualify for any other funding. These programs can be put on hold if funding through the State or County becomes available for households previously deemed ineligible.

### **Rental Assistance**

The primary rental assistance fund for households to apply to is King County's Eviction Prevention and Rental Assistance Program (EPRAP). It is currently funded with approximately \$200 million dollars.

Eligibility requirements:

- King County has determined that eligible households must earn 50% or below the area median income. (ARPA Funding sources allow 80%).
- In addition, households must demonstrate a financial impact to the household as a direct result of Covid-19.

Since late June, the Human Services section has received over 50 calls and emails to the Housing Help line. Approximately 30% of residents reaching out meet the eligibility requirements of the King County program. Staff is not aware of any programs utilizing federal dollars that are serving households who do not meet the eligibility requirements of EPRAP. This is a concerning gap that requires financial assistance resources. Many of these households are waiting on unemployment, have started a job but haven't been paid, and only require one to two months of assistance to stabilize the household.

Renters are fearful of not paying rent despite the moratorium and stressed about the amount of time they have been on waiting lists for assistance. Landlords are applying pressure and renters are self-evicting, utilizing lines of credit, and borrowing from roommates out of fear of the unknown. These alternative methods disqualify renters from most assistance programs. Kirkland staff have identified the need for flexible assistance program available that can support households who are simply doing the best they can to maintain housing stability.

Many fixed income households, including seniors and those receiving disability are in cost-burden situations that are not sustainable. This is a result of the rapid increase in cost of living perpendicular to the monthly amount received on Social Security, a pension, or disability. Many have experienced a financial impact to the household through unexpected car repairs, medical/dental fees, and other expenses that have jeopardized their ability to pay rent. Most are paying partial amounts, but already being cost burdened limits the ability to stabilize and get back on their feet. There is not enough subsidized housing or vouchers available to those in need of it. These households do not qualify for the emergency rental assistance programs because they have not been financially impacted by Covid-19. While some can apply to the emergency voucher program, the approximately 700 vouchers that will be available in King County will not meet the need.

Kirkland's proposed Rental Assistance Program has two primary components that are highlighted in this memo. These are high level overviews. Many details of program development and implementation, such as whether there is a cap on assistance for an individual household, and what actions will be required by landlords are still being refined. The King County program is providing two levels of funding for households served through the landlord

application and is requiring that landlords forgive any remaining debt or late fees through December 31<sup>st</sup>. For tenants with a lease King County is paying up to 9 months back rent and 3 months of future rent. For tenants without a lease they are limiting assistance to three months' rent. More information on King County landlord requirements may be found at the EPRAP link <https://eprap-prod.powerappsportals.us/vendor/>.

As these details are decided, the intent is to start aiding landlord and tenants in August once the programs are finalized.

## **Proposed Rental Assistance Program**

### **Part One For Households with up to 60% of Area Medium Income**

Utilize revenue from Substitute House Bill 1406 that has already been set aside for rental assistance. State legislation limits eligibility for these funds to 60% or below AMI. The plan below reflects the recommendation made to City Council at its March 16, 2021 meeting.

1. Funding would be distributed between August 2021 and July 2023.
2. 15% of the funding is for Indian American Community Services to administer the funds and 5% is for 4 Tomorrow to provide navigation and outreach services.
3. 80% of funding is for rental assistance and utilities for Kirkland residents with incomes at or below 60% of the Area Median Income. Households would need to demonstrate that they are not eligible for the current King County Eviction Prevention and Rental Assistance Program or any other program stood up by the County over the next two years.
4. Unutilized funding as of August 1, 2023 could be reallocated to A Regional Coalition on Housing capital project.

<b>Revenue Sources</b>	
Substitute House Bill 1406 2020 Revenue	\$123,478
Substitute House Bill 1406 2021 Revenue (revenue total likely to be \$211,749)	\$211,749
Substitute House Bill 1406 2022 Revenue (revenue total likely to be \$211,749)	\$211,749
<b>TOTAL</b>	<b>\$546,976</b>

<b>Program Expenses August 2021 – July 2023</b>	
Administration and Cultural Navigation	\$109,395
Rental Assistance	\$437,581
<b>TOTAL</b>	<b>\$546,976</b>

### **Part Two For Households with Income between 60% and 100% Area Medium Income**

Staff recommends utilizing Kirkland ARPA funds to serve Kirkland residents above 60% AMI.

1. Funding would be distributed between August 2021 and July 2023.
2. 20% of the funding is for Indian American Community Services to administer the funds and 4 Tomorrow to provide Spanish-speaking cultural navigation as needed. 4 Tomorrow would use both fliers and social media posts to get the word out in language.

3. 80% of funding is for rental assistance and utilities for Kirkland residents with incomes between 60 and 100% AMI, with priority for those households with income between 60 and 80% AMI.
4. If funding became available for households with incomes above 60% of AMI through a program funded through King County, then households would need to seek funding through that program first.

<b>Revenue Sources</b>	
City of Kirkland ARPA Funds	\$250,000

<b>Program Expenses August 2021 – July 2023</b>	
Administration and Cultural Navigation	\$48,000
City Outreach Efforts	\$10,000
Rental Assistance	\$192,000
<b>TOTAL</b>	<b>\$250,000</b>

#### Intended Outcomes of This Program:

1. Kirkland Households with rent in arrears are able to remain in their housing because their housing debt has been erased and the landlord has been made whole or agreed to forgive a percentage of the debt.
2. Kirkland Households with rent arrears moves out of a dwelling they can no longer afford to rent into one they can afford, but with a clean record because their housing debt has been paid off and the landlord has been made whole or agreed to forgive a percentage of the debt.

While no appropriation authority is required to implement these rental assistance programs, staff are seeking questions and feedback from the Council on the proposal at the August 4 Council meeting.

### **Additional Renter Protections**

The Northwest Justice Project is recommending a number of permanent renter protections for jurisdictions to consider. A list of protections with an explanation is provided below, and proposed ordinance language is included in **Attachment A**.

- Rent increase notice must be provided with a 120-180-day written notice
  - Rent control is illegal in Washington (**RCW 35.21.830**). Landlords are not limited to rent increases assuming they provide proper written notice within the time period mandated by state and local laws.
  - **RCW 59.18.140** requires landlords to provide a 60-day written notice of an increase in rent, excluding subsidized households that require a minimum thirty-day written notice from landlord to tenant. The City of Seattle (**SMC 7.24.030**) currently requires 60 days prior written notice for an increase of 10% or more in a 12-month period.
  - Increasing the notice period allows tenants more time to respond to the increase, including but not limited to seek and secure a more affordable housing option, talk to their landlord, or adjust their rent budget.

- Move-in fees are capped at one month's rent and provide installment plans
  - Effective June 1<sup>st</sup>, 2020, an amendment was made to **RCW 59.18** (Washington Residential Landlord-Tenant Act or WRLTA) that requires accepting a move-in costs installment plan for tenants. Applicable costs include deposit, fees, and the last month of rent on the stated lease. Landlords are legally required to accept the installment plan for up to three months from the beginning of the lease. This does not currently limit the total amount of funds required to cover the deposit, fees, and the last month of rent.
  - The cap would limit the amount of move-in fees to one month's rent in total, reducing the initial cost a tenant needs to sign a lease.
  - If a Kirkland family moves into a two-bedroom apartment that costs \$2,078, at minimum they are required to pay a security deposit (often the cost of one month's rent), cleaning fees, screening fees, and last month's rent. This exceeds \$5,000 in initial costs to move into a unit. Move-in fees capped at \$2,078 and offering an installment plan increases access through removing financial barriers for households seeking housing.
- Late fees are capped at \$10.00 per month
  - **RCW 19.150.150** permits an owner to impose a late fee of \$20 or 20% (whichever is greater) of the monthly rental amount for past due rent.
  - Imposing a \$10 late fee addresses the inconvenience of past due rent and limits the additional financial costs to the tenant. It also removes the percentage of the rental amount cost, a substantial cost and barrier to tenants, especially if they are low-income. A market rate unit for a 2-bedroom in Kirkland costs \$2,078. A 20% late fee would cost a tenant \$200.
- Rent due date may be altered due to tenant's fixed income
  - Under **RCW 59.18** a tenant receiving government assistance as their primary income can request a change to the rent due date up to 5 days. A landlord cannot impose late fees. Government assistance includes Temporary Assistance for Needy Families (TANF), Social Security Disability Insurance (SSDI), Social Security Income (SSI), Aged, Blind, or Disabled Cash Assistance (ABD). If a tenant's income comes from another source, like a pension or earned income, the landlord is not required to change the date.
  - This protection extends the ability of a tenant to request a change in date regardless of income source and identify the date rent is due each month.
- Landlord may not demand child or person with disability to be signatory to lease if tenant of record is already a signatory
  - This protection bars landlords from requiring a child or individual with a disability be a signatory to the lease if the tenant of record has already signed the agreement.
  - The protection ensures those who are not able to offer consent do not enter into a formal agreement and held responsible for the terms of a lease.
- Ban social security number requirements as part of rental applications
  - Landlords can currently require a tenant include a social security number as part of the rental application process. This can be a form of discrimination based on immigration status for tenants seeking housing.

- Ban asking for a social security number on all rental applications to address the barrier currently in place for those who may not have a social security number. A social security number is not indicative of a household's ability to pay rent and/or enter into a rental agreement.

### **Draft Community Engagement Process for Additional Renter Protections**

The Council also requested a draft community engagement process prior to action on any additional tenant protections. Community engagement related to renter protections will build on the flyer sent to every address in Kirkland on June 30, 2021 and related newsletter, social media, and listserv outreach. If Council decides to proceed, staff anticipate the engagement effort lasting two to three months from Council direction.

For context, current community engagement efforts and events anticipated to be active in the Fall of 2021 include City Hall for All, School Resource Officer Program (in coordination with the Lake Washington School District), Police body-worn cameras, the PROS Plan update, the Surface Water Master Plan, and the annual Neighborhood Safety Program neighborhood meeting presentations.

Staff has detailed the specific tactics and rough timing for the renter protection engagement below.

#### **Town Hall community meeting**

The first main milestone would be a large Town Hall community meeting to raise awareness of the potential upcoming action by the Council related to additional renter protections. More specifically, this event would aim to solicit active participation in the feedback process. The meeting would be broadly promoted through This Week in Kirkland, social media, and various relevant listservs (Biz News, Inclusion Network, etc.). Additional targeted promotion would include specific contacts known to staff, including landlords, small businesses, residential renters, housing advocates, and human services agencies. Whether the meeting is held virtually and/or in-person depends on anticipated pandemic conditions and available staff resources. Exact format and agenda for the meeting have not been developed. Staff could likely hold this meeting four to six weeks after Council direction to proceed.

#### **Individual and small group interviews and focus groups**

The awareness raised from the Town Hall community meeting would contribute to active participation in individual and small group interviews and focus groups. These conversations would help staff gain insight about potential benefits and issues of the various potential renter protection actions. Staff would seek to engage a sample of each of the various categories of affected parties, including, but not limited to landlords, small businesses, residential renters, housing advocates, and human services agencies. This period of feedback collection would last approximately two to four weeks.

#### **Evaluating and synthesizing available data**

While the individual and small group feedback is being collected, staff would collect, evaluate, and synthesize any other available data. This includes any insights learned from the phone calls and emails fielded by the City's human services and economic development staff. Staff would also reach out to neighboring cities to gather any relevant regional data, as well as to community partners such as human services agencies (e.g. Hopelink, Kirkland Promotores, and

Indian American Community Services) and the business community. This data would be synthesized with the input collected during the individual and small group conversations.

Throughout the entire feedback process, staff would also welcome and respond to written public comment through a topic specific OurKirkland service type.

### **Report to Council and Public Hearing**

Finally, staff would compile all the feedback collected through the above tactics and would relay to Council a report of engagement findings. Staff recommend Council hold a Public Hearing before taking any action on these potential renter protections to provide the final opportunity to feedback from community members directly to the Council.

### **Council Direction and Next Steps**

Staff is seeking Council direction on two key issues.

1. Does the Council have questions or feedback on the initial Rental Assistance Program?
2. Would the Council like to consider additional tenant protections and initiate a community engagement process?

### **Potential Revenue Sources for Financial Assistance**

<b>Revenue Sources</b>	
Substitute House Bill 1406 2020 Revenue	\$ 123,478
Substitute House Bill 1406 2021 Revenue	\$ 211,749
Substitute House Bill 1406 2022 Revenue (est)	\$ 211,749
ARPA Human Services Set Aside	\$1,000,000
Council Special Project Reserves	TBD
<b>TOTAL</b>	<b>\$1,546,976</b>

**Attachment A**      Permanent Renter Protections Draft Ordinance

## **Permanent Renter Protections Draft Ordinance**

Provided in spring 2021 by the Northwest Justice Project

### **This ordinance does the following:**

- Rent Increases must be provided between 180-120 days before effective date
  - No increase in rent if property is in poor condition
- Move-in fees are capped at one month's rent and provide installment plans
- Late fees are capped at \$10.00 per month
- Requires cause to evict as specified in the agreement
- Rent due date may be altered due to tenant's fixed income
- Landlord may not demand child or person with disability to be signatory to lease if tenant of record is already a signatory
- Bars discrimination due to immigration status and bars requirement of social security number
- Bans abusive, deceptive, and unfair practices in rental housing

### **Sec. 1. A new section is hereby added:**

- (1) A landlord may not increase the rent or charge any non-rent charges except in accordance with this section:
  - (a) A landlord may not increase the rent of a tenant unless the landlord has provided the tenant with notice of the rent increase between 180 and 120 days before such increase shall take effect.
    - (i) In the event of such an increase, the tenant may terminate the tenancy immediately upon surrendering the dwelling unit at any point prior to the increase taking effect. The tenant shall only owe pro rata rent through the date upon which the premises are surrendered. Any notice increasing the current rent shall inform the tenant that they may terminate the tenancy at any time and owe pro rata rent through the date the tenant surrenders the dwelling unit.
    - (ii) Any notice of a rent increase shall be served in accordance with RCW 59.12.040.
  - (b) Any amount paid to the landlord by the tenant at the commencement of the tenancy charged for the purpose of procuring and obtaining a dwelling unit, including the deposit or as security for performance of the tenant's obligations in a lease or rental agreement, must not exceed the allowable monthly rent as permitted by this chapter; upon forty-five days' notice to the landlord prior to termination of the rental agreement, the tenant may elect to have any such moneys paid to the landlord to be applied to the last month's rent. Any landlord under this section must offer to the tenant prior to entering into the rental agreement the opportunity to pay amounts



as deposit or security for performance over six months upon moving into the unit.

- (c) Any fees for late payment of rent shall not exceed \$10.00 per month. No other fees may be charged for late payment of rent, including for the service of any notice required under state law, or any legal costs, including court costs and attorney's fees. Any rental agreement provision providing for such fees shall be deemed void with respect to any provision prohibited by this subsection (c).
- (d) A landlord shall not increase the rent to be charged to a tenant by any amount if the dwelling unit has defective conditions making the dwelling unit unlivable or is in violation of RCW 59.18.060. If the tenant believes the dwelling unit has defective conditions making the unit unlivable or is in violation of RCW 59.18.060, the tenant shall notify the landlord in writing in accordance with RCW 59.18.070 specifying the premises involved, the name of the owner, if known, and the nature of the defective condition before the effective date listed in the notice of housing costs increase the tenant received from the landlord.

**Section 2. A new section is hereby added as follows:**

- (1) It is the intent of this section to require landlords to comply with tenant protection laws and to show good cause before taking action to terminate a tenancy or refusing to renew or continue the rental agreement after the expiration of the rental agreement.
- (2) It shall be a defense against eviction that the landlord is, at time of eviction, in violation of any duties or prohibited actions under this Chapter.
- (3) It shall be a defense against eviction or nonrenewal of the rental agreement that the landlord lacks good cause. Only the following justifications constitute good cause to terminate a tenancy or refuse to renew a lease against a tenant subject to this Chapter:
  - a. The tenant fails to pay rent, and meets all requirements for an unlawful detainer under state law, after receiving all notices required under state law and having failed to cure within the time required by state law and the tenant has not otherwise reinstated pursuant to RCW 59.18.410(2) by offering the rent owed plus any late fees or court costs incurred at the time of payment. However, this subsection shall not constitute grounds for eviction where there exist conditions that deprive the tenant or occupants of normal use of the dwelling unit.
  - b. The tenant substantially and materially breaches a non-monetary term of the rental agreement as mutually agreed to by the tenant, and meets all requirements for an unlawful detainer under state law, after receiving all notices required under state law

and having failed to take reasonable steps to cure the breach within the time required by state law. No term may be enforced against the tenant unless the tenant has subscribed in writing to the term sought to be enforced.

d. The landlord in good faith, without ulterior reasons and with honest intent, seeks to remove the dwelling unit from the rental market for one of the following reasons, after providing the tenant with 120 day advanced written notice of the eviction: (i) the landlord or his or her immediate family seeks to occupy the dwelling unit as their principal residence; (ii) the landlord seeks to convert the dwelling unit to a condominium pursuant to RCW 64.34.440; (iii) the landlord seeks to demolish or substantially rehabilitate the dwelling unit; (iv) a governmental entity has prohibited the continued rental of the dwelling unit to the tenant; or (v) the landlord intends to remove the dwelling unit from the rental market for at least a 24 month period. There is a rebuttable presumption that the landlord did not act in good faith if, after the landlord terminates the tenancy under this subsection (e) of this section, the landlord or their immediate family fails to occupy the unit as a principal residence for at least ninety consecutive days during the one hundred twenty days immediately after the tenant vacated. Moreover, if the landlord owns a similar vacant unit, and chooses instead to take possession of the dwelling unit occupied by a tenant, there shall be a rebuttable presumption that the landlord is acting in bad faith. A landlord may not recover possession pursuant to this subsection (e) more than once in any thirty-six (36) month period. No notice is required upon expiration of a written rental agreement that was intended to expire within sixty days of commencement of the tenancy and if such tenancy did not exceed sixty days.

f. The landlord resides in the dwelling unit with the tenant and no longer wishes to cohabitate with the tenant.

(4) These protections shall apply any immediate family members residing within the dwelling unit and shall apply to such family members should the tenant permanently vacate the premises, whether voluntarily or involuntarily, except if the landlord has terminated the tenancy pursuant to this section. For purposes of this subsection (9), "immediate family" refers to spouses, parents, children, grandparents, grandchildren, great-grandparents, great-grandchildren, siblings, nieces, nephews, and intimate partners.

(5) All written notices required under this section must be served in a manner consistent with RCW 59.12.040. Any notice served pursuant to this section shall identify the facts and circumstances that support the cause or causes with enough specificity for the tenant to be able to respond and assert any defense that may be available, including the names of witnesses, time and places of events, and other

specific detail to fully apprise the tenant of the allegations therein. Failure to include information within the possession of the landlord that would have permitted the tenant to assert a defense to the action shall bar the admissibility of any evidence with regard to any such information or facts at trial.

(6) Except as provided in subsections (3)(d) or (3)(f) of this section, a notice may not form any part of any basis for an eviction action if more than sixty days have passed since issuance of the notice.

(7) A landlord may not coerce a tenant to sign a mutual termination agreement. A tenant may rescind a mutual termination agreement by: (a) delivering written or electronic notice of rescission to the landlord within ten business days after signing the agreement; or (b) at a later time, by establishing that the tenant improvidently entered into the agreement, which may be demonstrated by an examination of the unequal bargaining power between the parties, vulnerability of the tenant, legitimacy of landlord's reasons for seeking termination, and whether tenant was able to procure alternative housing within the time allotted in the agreement.

(8) A landlord may not alter the original terms and conditions of the rental agreement entered into at the inception of the tenancy except as to the duration of the term, the rental amount, or how utilities are to be charged; however, all rental agreements shall include a provision allowing tenants to adjust the due date of rent payments if the tenant has a fixed income source that the tenant receives on a date of the month that is incongruent with paying rent on the date otherwise specified in the rental agreement. A landlord shall not refuse to enter into a rental agreement with a prospective tenant because the prospective tenant requests such accommodations.

(9) Acceptance of rent shall waive any right to declare forfeiture or seek the eviction of any tenant for any prior breaches of the rental agreement or violations of this Chapter by the tenant, including for any basis for eviction in this section. Any rental agreement purporting to waive this subsection (9) shall be deemed null and void.

(10) Any notice to pay or vacate served under RCW 59.12.030(3) shall include within the notice in at least 16 point bold font the following information: "You have 14 days to pay the rent required by this notice. After 14 days, you may pay the rent but will have to include a late fee totaling at most \$5.00 per month for each month of rent owed and any court costs incurred at the time of payment."

(11) A landlord may not seek rent if the landlord has failed to notify the tenant by certified mail that rent was not received within fourteen days of the date rent is due;

service of a notice pursuant to RCW 59.18.057 may be performed in lieu of a notice by certified mail that rent was not received if the amount sought in the notice is solely the most recent periodic or monthly rent due.

**Section 3. A new section is hereby added as follows:**

- (1) Any tenant claiming injury from any violation of this chapter shall be entitled to bring an action in King County Superior Court or in any other court of competent jurisdiction to enforce the provisions of this chapter, and shall be entitled to all remedies available at law or in equity appropriate to remedy any violation of this chapter, including declaratory or injunctive relief. A tenant who prevails in any action to enforce this chapter shall be awarded his or her costs, reasonable attorneys' fees, and expenses.
- (2) A landlord who violates this chapter shall be liable for penalties of four and one-half times the monthly rent of the dwelling unit at issue.
- (3) Failure of a landlord to comply with any of the provisions of this chapter shall provide the tenant with a defense in any legal action brought by the landlord to recover possession of the dwelling unit.
- (4) A tenant or an organization representing tenants may seek injunctive relief on their own behalf or on behalf of other affected tenants.
- (5) Remedies provided in this section are in addition to any other existing legal remedies and are not intended to be exclusive.

**Section 4. A new section is hereby added as follows:**

- (1) A landlord shall not require a tenant to enter into a rental agreement, make as a condition of any rental agreement, or otherwise make the dwelling unit unavailable due to the tenant or prospective tenant's refusal to comply with the following rental terms or requests by the landlord:
  - (a) Any demand that any of the following occupants or prospective occupants of the household enter into and sign a rental agreement so as to be liable pursuant to its terms:
    - (i) The tenant's or prospective tenant's child, including those of majority age;
    - (ii) A person within the household who has a qualifying disability as defined by RCW 49.60.040(7).
  - (b) In the event the tenant of record vacates voluntarily or involuntarily except due to a termination of the tenancy by the landlord, any family members residing in the unit

or other occupants who reside in the unit as a primary residence shall succeed to the rental agreement on the same terms and conditions in effect at the time the tenant of record vacated.

(c) Any rental agreement entered into in violation of this section shall be null and void.

(2) No landlord shall do any of the following:

(i) Make any inquiry regarding or based on the immigration or citizenship status of a tenant, prospective tenant, occupant, or prospective occupant of residential rental property;

(ii) Require that any tenant, prospective tenant, occupant, or prospective occupant of the rental property make any statement, representation, or certification concerning his or her immigration or citizenship status;

(iii) Require that any tenant, prospective tenant, occupant, or prospective occupant of rental property provide a social security number. Alternative proof of financial eligibility such as portable screening reports, or other proof of income must also be accepted, where available, must also be accepted if offered by the tenant; and

(iv) Intimidate or harass any person due to alienage status, including, but not limited to, threatening to disclose information regarding or relating to the immigration or citizenship status of an occupant or prospective occupant to an authority or other person with the intent to harass or intimidate, undertaking or refusing to engage in a real estate transaction, including the refusal to rent or lease, or approve of a rental or lease of, a rental unit, representing that a rental unit is not available for inspection, sale, rental, or lease when it is in fact available, or applying different terms or conditions of a real estate transaction, including the setting of housing costs and the establishment of damage deposits, in furnishing the facilities or services in connection with such a transaction.

(a) Nothing in this section shall prohibit a rental housing owner or non-owner manager from either:

(i) Complying with any legal obligation under federal law.

(ii) Requesting information or documentation necessary to determine or verify the financial qualifications of a prospective tenant, or to determine or verify the identity of a prospective tenant or prospective occupant. However, if the rental housing owner or non-owner manager requests a social security number for verifying financial qualifications, other documentation sufficient to verify financial qualifications must also be accepted, such as portable screening reports, or other proof of income, and if a person is offering alternative means, the rental housing owner or non-owner manager must offer the same terms to the applicant as if a social security number was provided.

(c) A rental owner or non-owner manager shall inform any prospective resident or applicant seeking a rental unit of their right to provide alternative proof of financial qualifications on a form to be prescribed by the City within 60 days of enactment of this ordinance. Such form shall be signed by the prospective applicant.

(d) For purposes of this Section, "immigration or citizenship status" refers to the lawful or unlawful status of a person to remain in the United States.

(3) Landlords are prohibited from unfair or abusive acts or practices or deceptive acts or practices as defined in this subsection.

a) For the purposes of this subsection:

1. "Deceptive acts or practices" means representations, omissions, acts or practices that mislead or are likely to mislead a tenant; the tenant's interpretation of the representation, omission, act or practice is reasonable under the circumstances; and the representation, omission, act or practice is material. "Deceptive acts or practices" includes threatening to evict a tenant for nonpayment of charges except as authorized by section 5 of this ordinance.

2. "Unfair or abusive acts or practices" means those representations, omissions, acts or practices that:

a. Materially interfere with the ability of any tenant to understand a term or condition of the rental agreement or the tenancy; or

b. Take unreasonable advantage of a lack of understanding on the part of the tenant regarding the conditions of the tenancy or rights under the law or the inability of the tenant to protect the tenant's interests

## **Section 5. A new section is hereby added as follows:**

For the purposes of this Chapter:

(1) "Dwelling unit" or "unit" is a structure or that part of a structure which is used as a home, residence, or sleeping place by one person or by two or more persons maintaining a common household, including but not limited to single-family residences, units of multiplexes, units of apartment buildings, and mobile homes.

(2) "Eviction" or "evict" is an effort by the landlord to terminate or discontinue the tenancy through any means, including unlawful detainer, refusing to offer a new lease pursuant to this chapter, or seeking a mutual termination agreement.

(3) "Immediate family" includes: spouse, domestic partner, or partner in a committed intimate relationship; grandparents; parents; children; or grandchildren.

- (4) "Landlord" means the owner, lessor, or sublessor of the dwelling unit or the property of which it is a part, including any owner of a mobile home park, and in addition means any person designated as representative of the owner, lessor, or sublessor including, but not limited to, an agent, a resident manager, or a designated property manager.
- (5) "Lease renewal actions" include actions taken in the lease renewal process which could have the effect of ending the tenancy, including but not limited to a landlord's refusal to renew a rental agreement or the addition of new material non-financial terms to a renewed rental agreement.
- (6) "Mutual termination agreement" means any agreement by a landlord and tenant to terminate a tenancy.
- (7) "Rent" means any recurring or periodic payments for the use and occupancy of the dwelling unit, which may include utilities. Rent does not include any non-recurring charges such as late fees, notice fees, attorney's fees, court costs, damages, or other fees.
- (8) "Rental agreement" means all agreements subscribed to in writing by the tenant which establish or modify the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a dwelling unit.
- (9) "Retaliatory eviction" is an eviction in response to a tenant's assertion of rights or protections afforded under this chapter or another tenant protection law.
- (10) "Retaliation" has the same meaning as "reprisal or retaliatory action" under RCW 59.18.240.
- (11) "Tenancy" refers to the right of a tenant to reside in a dwelling unit for living or dwelling purposes.
- (12) "Tenant" is any person who occupies a dwelling unit primarily for living or dwelling purposes.
- (13) "Tenant protection laws" includes this chapter, RCW 59.18, RCW 59.20, and any other federal, state, or local law or regulation designed to protect tenants, regardless of whether such laws or regulations are enacted before or after this chapter.

**Section 6. A new section is hereby added as follows:**

- (1) The provisions of this Act may not be waived, and any term of any rental agreement, contract, mutual termination agreement, or other agreement which purports

to waive or limit a tenant's substantive or procedural rights under this chapter are contrary to public policy, unenforceable, and void.

(2) The provisions of this chapter are declared to be separate and severable. If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid, that invalidity shall not affect any other provision or application of this chapter that can be given effect without the invalid provision or application. Moreover, if a provision or its application is declared invalid due to preemption by state or federal law, then the remainder shall remain valid.

(3) Any ambiguity in this chapter shall be construed in favor of the tenant. Statements that non-compliance with certain provisions constitutes a violation of this chapter and/or are subject to penalties are provided for emphasis only and such statements shall not be construed to mean that non-compliance with other provisions does not constitute a violation subject to penalties.





**CITY OF KIRKLAND**  
**Public Works Department**  
123 Fifth Avenue, Kirkland, WA 98033  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM**

**To:** City Council

**From:** Julie Underwood, Public Works Director  
Josh Pantzke, Utility Manager  
Chris Lynch, Senior Financial Analyst

**Date:** July 28, 2021

**Subject:** DEPARTMENT OF ECOLOGY PUGET SOUND NUTRIENT GENERAL PERMIT  
COMMENT LETTER

**RECOMMENDATION:**

It is recommended the City Council authorize the signature of Mayor Penny Sweet on the City's comment letter to the Department of Ecology Puget Sound Nutrient General Permit.

**BACKGROUND DISCUSSION:**

Washington State Department of Ecology is proposing new regulations that would limit the amount of nutrients – including nitrogen – discharged at wastewater treatment plants at dozens of municipal wastewater treatment plants through Puget Sound, with the intent that this will increase the amount of dissolved oxygen in shallow bays. The basic theory is that increases in nitrogen will increase algal blooms and when those algal blooms die off it will deplete dissolved oxygen in the water and harm wildlife.

The City of Kirkland does not operate a wastewater treatment facility and is reliant on King County's Wastewater Treatment Division for wastewater treatment and disposal. However, any costs borne by King County will be passed along to all wholesale customers, and subsequently, those costs would need to be passed along to Kirkland's residential and commercial utility customers.

The City shares Ecology's goal of protecting Puget Sound, though we are concerned that the proposed regulations are based on narrowly focused science. Even if all wastewater treatment facilities discharging to Puget Sound removed nitrogen from wastewater treatments, it would only remove an estimated 10 percent of the total nitrogen load in Puget Sound since about 88 percent comes from the Pacific Ocean. Puget Sound naturally has low dissolved oxygen levels and large nitrogen inputs from the Pacific Ocean, which are expected to increase over time.

Upgrading each of King County's three treatment plants and possibly building a fourth wastewater treatment plant in Seattle is one option for managing nitrogen. This is at a potential cost of more than \$6 billion dollars paid for by wastewater rates. Kirkland relies on the King County WTD for wastewater treatment and disposal. For the average single-family ratepayer, the rate is currently \$540 per year. Initial estimates show profound rate increases ranging from \$1,020 to \$5,148 per year to the average single-family ratepayer by

2035. Funding such investments would limit the region's ability to invest in other action such as removing barriers to salmon habitat, permanently protecting natural lands that filter pollutants, and reducing stormwater pollution.

The official rule making comment period is open until August 16, 2021. Prior to this comment period, City staff provided comments in March 2021 as part of Ecology's preliminary draft comment period. Staff has continued to track this process along with partners, King County Department of Natural Resources and Parks and Wastewater Treatment Division. We have worked with King County to better understand the effects the new rules will have on budgets and operations in near and long terms. Initial reports from County staff are alarming, especially regarding the amount of funding required to meet these new requirements and the added concern that these regulations may not result in the desired outcome.

The attached letter is a draft. Staff is seeking Council questions and feedback. Staff will also be requesting a motion to approve the Mayor be authorized to a final comment letter "substantially similar" to the draft so that the final letter will incorporate any edits. By approving this letter, the City will be playing an active part in helping to keep regional utility rates affordable while restoring the overall health of the Puget Sound.

Attachments: Draft Comment Letter to the Department of Ecology Puget Sound Nutrient General Permit



# DRAFT

*Comments are accepted through August 16<sup>th</sup> by mail or via the following online comment form (Ecology's preferred method): <http://wq.ecology.commentinput.com/?id=aiK7u>*

August 16, 2021

Ms. Eleanor Ott, P.E.  
Washington State Department of  
Ecology PO Box 47696  
Olympia, WA 98504-7696

RE: Department of Ecology's Puget Sound Nutrient General Permit

Dear Ms. Ott:

I am writing to share the City of Kirkland's concerns about the Washington State Department of Ecology's (Ecology) proposed draft Puget Sound Nutrient General Permit (PSNGP) for municipal wastewater treatment facilities that discharge into Puget Sound.

The City of Kirkland has been briefed by King County Department of Natural Resources and Parks (DNRP) and Wastewater Treatment Division (WTD), our partner and service provider, about these proposed regulations for nutrients. We are very concerned these proposed regulations are not receiving sufficient review and study by all impacted stakeholders.

Kirkland urges Ecology to extend its nutrients general permit schedule to allow sufficient time to implement the following approach for improving water quality in the Sound:

- Establish an independent panel of scientists and engineers to make recommendations on the effectiveness of alternatives and identifying solutions that would achieve the greatest water quality benefit for the investment,
- Extend the nutrients general permit schedule to enable other alternatives (e.g., water quality trading and bubble permits), and
- Collaborate with interested parties to develop a regional plan that includes feasibility, affordability, and equity.

Kirkland relies on the King County WTD for wastewater treatment and disposal. For the average single-family ratepayer the rate is currently \$540 per year. Initial estimates show profound rate increases ranging from \$1,020 to \$5,148 per year to the average single-family ratepayer by 2035. This is in addition to the baseline 5-7% per year increase scheduled for improvements, operations, and maintenance to meet current regulatory standards.

These increases do not account for Kirkland's own operational and inflationary needs, and only apply to the sewer utility. In a region already stricken by societal issues such as affordability, equity, and homelessness it is imperative that we step back to ensure the solutions exceed the investments. We cannot stress enough our concerns about the

financial impact this regulation will have on Puget Sound Region residents and businesses.

Given the significant cost of imposing additional regulatory requirements, our region must be assured these investments will result in significant water quality improvements. Natural oceanic circulation into the Puget Sound accounts for 88 percent of the nitrogen inputs. Of the remaining 12 percent, wastewater treatment plants account for approximately 70 percent. Ecology's proposed draft nutrients general permit could require investing billions of dollars to reduce nutrient discharges from wastewater treatment facilities by even 30 percent.

There may be other, more cost-effective solutions to meet the low dissolved oxygen levels. Our residents are living in an economy already experiencing severe impacts from COVID-19. Adding additional cost burdens without fully exploring the most cost-effective solutions is problematic. We implore Ecology to recognize the affordability challenges near and long term for many residents in the Puget Sound region that will accompany the proposed regulations. We owe it to the region's residents, businesses, and Puget Sound to find the most cost-effective actions to provide the greatest water quality benefits. **Is this the most cost-effective solution that will achieve our shared goal of making significant strides in improving Puget Sound water quality? Has Ecology fully explored, evaluated, and studied the range of solutions that exist, including a cost-benefit analysis of each? What assurances can Ecology provide that this will achieve the region's goal of Puget Sound restoration?**

Please respond to the following list of questions and comments:

- We understand that Ecology based these regulations using a single model, the Salish Sea Model. Why did Ecology decide to use this model over others? Did this model have extensive internal and external peer review. Please share the information and data that was part of their review process. Does the model conclusively show that reducing nitrogen from wastewater treatment plants will directly dissolve oxygen levels?
- Has Ecology explored other nutrient reduction alternatives? Please describe the analysis performed and the outcomes, as well as Ecology's reasoning for focusing on wastewater treatment facilities at this time.
- Ecology claims that there will be no large capital investments are required; however, King County as expressed that billions of dollars will be needed to invest in capital infrastructure. Why is there this discrepancy or difference of opinion?
- Describe the actions Ecology is taking to mitigate non-point nutrient sources and compare the level of mitigation effort between wastewater treatment facilities and non-point sources.
- We understand that all permittees would be required to conduct an Environmental Justice Review, which would include a demographic analysis to identify communities of color, Tribes and indigenous populations and an affordability assessment to identify whether wastewater utility rate increases would disproportionately impact populations with environmental justice considerations. We do not understand why Ecology would not perform this analysis, including an in-depth economic analysis of the impacts the PSNGP will have on all Puget Sound residents and businesses, short term and long term? Are fiscal considerations not considered at all?

- It is our understanding approximately 20-25 wastewater treatment facilities who discharge to the Puget Sound will not be required to comply with the requirements of the PSNGP, please describe why. Also describe the analysis performed leading Ecology to not include these facilities in the requirement.

We respectfully request that Department of Ecology reconsider the timeline for implementation until all alternatives and economic impacts may be fully considered and a selection of the most beneficial and economic pathways can be made.

On behalf of the entire Kirkland City Council, thank you for your consideration of our comments. If you have any questions, please feel free to contact me at [psweet@kirklandwa.gov](mailto:psweet@kirklandwa.gov) or at (425) 587-3524.

Sincerely,

Penny Sweet  
Mayor

cc: Members of the House Environment and Energy Committee  
The Honorable Senator Derek Stanford  
The Honorable Representative Davina Duerr  
The Honorable Representative Shelley Kloba  
The Honorable Senator Manka Dhingra  
The Honorable Representative Roger Goodman  
The Honorable Representative Larry Springer  
The Honorable Senator Patty Kuderer  
The Honorable Representative Vandana Slatter  
The Honorable Representative Amy Walen  
City of Kirkland City Council  
Kurt Triplett, City Manager, City of Kirkland  
Julie Underwood, Public Works Director, City of Kirkland  
Ray Steiger, Superintendent, Department of Public Works, City of Kirkland  
Josh Pantzke, Utility Manager, Department of Public Works, City of Kirkland  
Chris Lynch, Senior Financial Analyst, Department of Public Works, City of Kirkland  
Christie True, Director, King County Department of Natural Resources and Parks  
Kamuron Gurol, Director, King County Wastewater Treatment Division