



# CITY OF KIRKLAND CITY COUNCIL

Amy Walen, Mayor • Jay Arnold, Deputy Mayor • Dave Asher • Doreen Marchione  
Toby Nixon • Jon Pascal • Penny Sweet • Kurt Triplett, City Manager

## *Vision Statement*

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

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## AGENDA KIRKLAND CITY COUNCIL MEETING City Council Chamber Tuesday, October 3, 2017 6:00 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.

**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.

**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. Draft of Finn Hill Neighborhood Plan
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
  - a. Arbor Day Proclamation
  - b. Walk to School Week Proclamation
  - c. Domestic Violence Action Month Proclamation
6. *COMMUNICATIONS*
  - a. *Announcements*
  - b. *Items from the Audience*
  - c. *Petitions*
7. *SPECIAL PRESENTATIONS*

**\*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.

**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.

**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.

- 8. *CONSENT CALENDAR*
  - a. *Approval of Minutes:* September 19, 2017
  - b. *Audit of Accounts:*
    - Payroll* \$
    - Bills* \$
  - c. *General Correspondence*
  - d. *Claims*
  - e. *Award of Bids*
    - (1) Fire Station 25 Renovation, Western Ventures Construction, Mountlake Terrace, WA
  - f. *Acceptance of Public Improvements and Establishing Lien Period*
  - g. *Approval of Agreements*
  - h. *Other Items of Business*
    - (1) 2018 Tourism Funding Recommendations
    - (2) Park Board Member Resignation
- 9. *PUBLIC HEARINGS*
- 10. *UNFINISHED BUSINESS*
  - a. Ordinance O-4606, Relating to Restricted Areas and Obstructions.
  - b. Ordinance O-4607 and its Summary, Relating to Short-Term Rentals.
  - c. Houghton/Everest Neighborhood Center and Residential Suites Update
  - d. Animal Services:
    - (1) Ordinance O-4608 and its Summary, Adopting Provisions of the Revised Code of Washington (RCW) and Washington Administrative Code (WAC) Related to Animal Services, Care and Control.
    - (2) Ordinance O-4609 and its Summary, Adopting Portions of the City's Local Animal Control Ordinance that Sets Forth the Regulations Applicable to Kennels, Hobby Kennels, Catteries, Hobby Catteries, Grooming Services, Pet Shops and Private Animal Placement Permits.
  - e. Continuity of Operations and Continuity of Government Plan Draft

- f. Resolution R-5272, Relating to Compliance with the Public Records Act, Amending and Adopting Updated Public Records Act Rules, and Ordering Posting of this Resolution and the Public Records Act Rules.

**NEW BUSINESS** consists of items which have not previously been reviewed by the Council, and which may require discussion and policy direction from the Council.

**CITY COUNCIL COMMITTEE** agendas and minutes are posted on the City of Kirkland website, [www.kirklandwa.gov](http://www.kirklandwa.gov).

**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.

*11. NEW BUSINESS*

- a. Ordinance O-4610 and its Summary, Relating to Land Use and Zoning, Adopting Certain Regulations for the Review Process for City Council Initiated Amendments to the Text of the Zoning Code Regarding Tree Plan Retention Review on Short Plat and Subdivision Applications in the Holmes Point Overlay Zone; and Addition of "Shelter Use" to the Zoning Code, Including Amendments to Parking Requirements for New Shelter Uses.
- b. Park Board Interview Selection Committee

*12. REPORTS*

- a. *City Council Regional and Committee Reports*
- b. *City Manager Reports*
  - (1) Calendar Update

*13. ITEMS FROM THE AUDIENCE*

*14. ADJOURNMENT*

**CITY OF KIRKLAND**  
**PLANNING AND BUILDING DEPARTMENT**  
**123 FIFTH AVENUE, KIRKLAND, WA 98033**  
**425.587.3600 - [www.kirklandwa.gov](http://www.kirklandwa.gov)**

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**MEMORANDUM**

DATE: September 21, 2017

To: Kurt Triplett, City Manager

FROM: Janice Coogan, Senior Planner  
Jeremy McMahan, Development Services Manager  
Eric R. Shields, AICP, Director Planning and Building

SUBJECT: STUDY SESSION ON DRAFT FINN HILL NEIGHBORHOOD PLAN  
FILE: CAM15-01754

**RECOMMENDATION**

City Council conduct a study session on the status of the draft Finn Hill Neighborhood Plan and related rezones and code amendments.

At the study session staff recommends a presentation on the following:

- Introduction of neighborhood plan process
- Overview of Neighborhood Plan goals and policies for each section and key issues discussed
- Summary of proposed rezones and changes to Comprehensive Plan Land Use and Zoning Maps
- Status of Code Amendments related to KMC Title 1.12.100 Code Special provisions relating to enforcement of tree regulations, KZC Chapter 70 Holmes Point Overlay and Chapter 95, Tree Management regulations

Following the presentation, City Council comments and direction would be helpful to staff.

**BACKGROUND**

Neighborhood Plan Process

In 2015, at the request of the Finn Hill Neighborhood Alliance, a team from the University of Washington Green Futures Lab (GFL) were hired to provide consultant services to conduct public meetings and develop a 10-15 year plan for the Finn Hill neighborhood.

The GFL team facilitated a number of well attended public meetings and conducted a survey to receive input from residents about their values and priorities for the future of their neighborhood:

- Listening Session on October 15, 2015



- Alternatives Workshop on November 14, 2015
- Priorities Forum on February 24, 2016
- A web survey was created to solicit neighborhood concerns and ideas

Public comments received at the meetings and survey are available in report form on the City's webpage in the Planning and Building Department [Finn Hill Neighborhood Plan webpage](#). Public comments from these meetings and survey formed the initial goals and policy outline for the neighborhood plan submitted to the City and Planning Commission for review and comment May and August 2017.

#### City review of preliminary GFL plan

Once the GFL draft plan outline was submitted, City Departments reviewed the draft and revised it to be consistent with city wide Comprehensive Plan Elements and neighborhood plans format and to dive deeper into some of the policy issues (such as land use and potential rezones, Holmes Point Overlay area, commercial areas).

With the help of GIS Department staff, several data and mapping projects were prepared to help staff analyze various issues. A capacity analysis was conducted to determine the vacant and further developable parcels under existing and potential rezones. Tree canopy, topography and moderate to high landslide hazardous slopes and critical area maps were produced to assist in studying environmental issues in the Holmes Point Overlay area.

Land use study areas were evaluated with the Commission for potential rezones to readjust zoning district boundaries to have less of a "patchwork" of zoning districts. As a result, some rezones are recommended to increase or decrease density to make the areas consistent surrounding zones. In the HPO area, rezones are proposed to lower density. See Land Use Section below for more information.

Staff met with a small ad hoc group of the FHNA to discuss neighborhood plan policies regarding the tree canopy goals, to describe how the City's tree regulations and HPO regulations are applied during the development review process. Staff continues to meet with the group to discuss strategies to meet their concerns about tree protection such as code amendments, rezones to create larger lots, how to change procedures for stronger enforcement during construction. These discussions are ongoing (see below under code amendments).

In addition to study sessions with the Planning Commission, the Parks Board, and Transportation Commission reviewed and provided guidance on Parks and Transportation issues and policies.

#### Public Outreach Techniques

In addition to the extensive GFL public meeting efforts, the following public outreach techniques are being used throughout the process:

- Announcements to approximately 700 email addresses on the Finn Hill Neighborhood Plan list serve throughout the process
- A Finn Hill Neighborhood page is located on the City's website with updated information
- Postcards were sent to residents informing them of the earlier public meetings
- A flyer was mailed to all property owners in Finn Hill letting them know about the initial land use study areas and neighborhood plan process. Another flyer will be mailed informing of the public open house and public hearing.
- Public comment letters, emails and oral comments were received by the Planning Commission, City Council and staff
- The Finn Hill Neighborhood Alliance solicited comments on their website
- An open house and public hearing will be held before the Planning Commission

Finn Hill Neighborhood residents have been very engaged throughout the process and continue to provide input with concerns about the amount of development activity, tree protection, and the potential future street connections map.

#### Summary of draft Neighborhood Plan goals and policies

Below is a summary of the seven sections of the draft Neighborhood Plan including key issues that were discussed with residents and Planning Commission. See Attachment 1 for the most recent draft Plan.

### **Section 1-3 Introduction, Vision Statement, Guiding Neighborhood Values, Historical Context**

- The Vision Statement describes the character of the neighborhood and how the residents envision the area in twenty years. Emphasis is to maintain the low density residential character, maintain forest tree canopy, enhance the natural environment, create a "greenway" that encircles the neighborhood, improve connectivity (pedestrian, bicycle and transit) and enhance the two commercial areas over time.
- Five neighborhood "Guiding Values" are the overarching priorities from which the goals and policies evolved into the Plan and summarized below:
  - Promote human and wildlife connectivity through multifunction green spaces
  - Provide a consistent land use pattern that supports the desire to retain low density character
  - Preserve tree canopy and protect critical areas and wildlife habitat to maintain the natural environment
  - Develop the two commercial districts into pedestrian oriented villages that maintain neighborhood character, provide services and gathering places within walking distance of residential and support transit.

- New development should be in keeping with the neighborhood vision of preserving and enhancing the natural environment

#### **Section 4 Natural Environment**

- Policies encourage maintaining natural areas, critical areas, and wildlife protection and improve surface water issues.
- One policy lists a set of development standards for steep slopes in the neighborhood that mirrors the policies in other neighborhood plans containing high landslide hazard slopes and code requirements in KZC Chapter 85.
- Policies specific to the Holmes Point Overlay provide support for the Holmes Point Overlay Zone regulations, providing an increased level of environmental protection by limiting lot coverage, preserving natural vegetative areas and tree retention.
  - A unique policy is included for the Holmes Point Overlay area to maintain a 60% tree canopy goal. This topic has been the subject of many discussions with the neighborhood. The FHNA ad hoc group and staff continue to discuss what code amendments may be necessary to achieve this goal in the HPO area.
  - Rezoning the RSA 6 and RSA 8 zones to RSA 4 zones is also being discussed to reduce density, retain tree canopy, maintain character and protect slopes susceptible to high landslide hazards (discussed in more detail below under the code amendments and rezones).
  - The Planning Commission is discussing whether or not the Holmes Point Overlay boundaries and regulations should be expanded to other areas of Finn Hill and whether to prohibit development on greater than 40% slopes.

#### **Section 5 Parks and Open Space**

- Policies support connectivity to parks, recreation, open space and Lake Washington with pedestrian and bike trail connections. This is an important value to the neighborhood.
- Through a master planning process a policy supports creating a “Green Loop” where natural areas should be preserved, pedestrians and trails are connected (public easements would be needed to secure public access through these areas).
- Policies encourage preserving and acquiring land for parks and open space and this is a high priority for the neighborhood. The public identified property where additional parks and open spaces are desired and the type of improvements residents would like to see at each park beyond what is listed in the PROS Plan and Capital Improvement Program (CIP).

## **Section 6 Land Use**

This section describes the vision for the low density residential, multifamily and commercial areas.

- A number of rezones are proposed to reduce the patchwork of zoning districts and isolated pockets of RSA 8 zoning districts inherited from King County at time of annexation. Attachment 2 is a map that shows where the rezones are proposed. See Rezone Section below for more information.

Two "citizen amendment requests" were submitted that generally involve readjusting zoning boundaries: 1) to rezone the property from RSA 6 to RSA 8 because the property is surrounded on three sides by RSA 8 zoning (included in Study area RSA 4-A) and 2) a property owner within a larger study area requesting rezoning from RSA 4 to RSA 6 zone (included in Study area RSA 6-A). Again these area are surrounded by RSA 6 or RSA 8 zoning and largely developed.

- In the HPO area there is neighborhood support to rezone the RSA 6 and RSA 8 areas to RSA 4 to preserve tree canopy, protect steep slopes and maintain neighborhood character. (see Attachment 2). The Planning Commission will provide direction to staff on September 28, 2017 to include all the RSA 6 areas for potential rezones.
- Policies encourage a diversity of housing all over the neighborhood and affordable housing in multifamily and mixed use commercial areas (although in the BNA zone development may "elect" to provide affordable housing; it is not mandatory).
- The vision for future development of the commercial areas is described with consideration being given to considering increasing building height at a future time to incentivize redevelopment to provide services, amenities, affordable housing and improve transit services. Originally at the Finn Hill Neighborhood Center (Inglewood shopping center) an increase in height to 3-5 stories and for Holmes Point Market increase to 3 stories was discussed. However, it was determined that there may not be neighborhood support to increase building height at this time to 5 stories because of potential traffic impacts, lack of infrastructure and transit to support such as policy decision at this time.
- Urban Design Principles are included for the commercial areas consistent with the Pedestrian Oriented Design Guidelines adopted for other commercial areas in the City.

## **Section 7 Transportation and Mobility**

The vision for the Finn Hill transportation system is to provide safe, comfortable, and efficient circulation for people who walk, ride bicycles, drive cars and ride transit within the neighborhood and surrounding areas. Increasing transit options is challenging considering the low residential density development pattern in the neighborhood.

The transportation section policies include:

- A map showing potential future street connections throughout the neighborhood (similar to North Rose Hill Plan) is provided. Staff prepared a background memo (June 28, 2017) for the public that describes the intent, policy and regulatory basis for providing a connected street network (Attachment 3). The map and descriptions shown in Attachment 4 describe that a majority of the street improvements would be triggered with new development. Many streets have existing barricades, installed by King County, prohibiting vehicular access. The map was discussed at two Planning Commission meetings [July 27, 2017](#) and [September 14, 2017](#) with presentations from Public Works staff. The map has raised a lot of letters in opposition from people.

Based on direction from the Planning Commission, staff revised the map into three categories:

- Connection recommended by the Fire Department based on the [2014 Standard of Coverage and Deployment Plan](#) See also memo from Fire Chief Joe Sanford in Attachment 3 of September 14, 2017 PC packet)
  - Connections that would be triggered with future development with high public opposition
  - Connection that would be triggered with future development with low public opposition
- A policy to conduct studies (through a public review process) to develop two corridor studies (Holmes Point Drive and NE 131<sup>st</sup> Way) and design standards for residential streets in the Holmes Point Overlay (the result may be different standards from city wide street standards).
  - Improving pedestrian mobility by creating a network of trails, sidewalks, intersection improvements and crosswalks to connect to key destinations and from the top of Finn Hill to the shoreline
  - Improving bike networks and neighborhood greenways for both commuter and recreation bicyclists
  - Improving transit circulation is encouraged but recognized that it is beyond the City's control. Policies set forth the need to work with King County Metro Transit on exploring alternative modes such as shuttles, car shares or vanpools especially to commercial areas.
  - Discouraging regional and bypass traffic in residential areas

## **Section 8 Public Services and Utilities**

This section describes the desired policies to address water, sewer, surface water, utilities and emergency services for the Finn Hill neighborhood. Water and sewer services are provided by the Northshore Utility District. The District has indicated there is adequate capacity to handle future growth

of the Finn Hill area in their Comprehensive Plan document. The City of Kirkland is planning a new fire station in the Juanita area to provide emergency and fire service to the Finn Hill neighborhood. The City wide Surface Water Master Plan addresses city wide policies. Surface Water Design Manual regulations must be met with new development as well as the planned Capital Improvement Program projects will be implemented to address surface water issues in Finn Hill over time.

#### Potential Rezone Study Areas:

To implement the goals and policies of the neighborhood plan proposed changes to the Comprehensive Plan Land Use Map and rezones to the Zoning Map are proposed below (see Attachment 3 Study Areas Map for locations).

The reasons for the rezones vary. Some are proposed to consolidate or realign the zoning district boundaries for consistency with surrounding zones, two originated from citizen amendment requests. In the Holmes Point Overlay area some rezones are proposed to lower the density to help achieve the 60% tree canopy goal, to maximize tree retention, to provide larger lot sizes to make it easier to comply with the HPO regulations, such as preserving 25% of a lot in a natural protective area with tree and vegetation requirements, to protect property containing steep slopes susceptible to high landslide hazards, and to protect other critical areas.

#### Potential Rezones by Study Area (see Attachment 3):

1. RSA 4-A- rezone from RSA 4 to RSA 6
2. RSA 8-A- rezone from RSA 8 to RSA 6
3. RSA 8-B- rezone from RSA 8 to RSA 6 or RSA 4
4. RSA 8-C- rezone from RSA 8 to RSA 6 or RSA 4
5. RSA 8-D- rezone from RSA 8 to RSA 6 or RSA 4
6. RSA 6-A- rezone from RSA 6 to RSA 8
7. RSA 6-E, F, G, H- rezone from RSA 6 to RSA 4

#### Proposed Zoning Code Amendments

Currently under discussion with the FHNA ad hoc group and the Planning Commission are draft code amendments to KMC Title 1.12.100 (Special provisions relating to enforcement of tree regulations), KZC Chapter 70 (Holmes Point Overlay) and KZC Chapter 95 (Tree Management Regulations that apply to HPO and city wide).

A moratorium was adopted and is under effect that prohibits short plats and subdivisions to propose a phase tree plan review. Short plats and subdivisions are required to go through the Integrated Development Plan review process instead to show tree retention, plat layout, house footprint, access, utilities and other HPO requirements as early as the pre-submittal meeting stage. Requiring the IDP process is planned to be included with final amendments. To avoid needing to keep extending the moratorium before January, a code amendment for that specific requirement will be proposed before January (see discussion below for options).

The original goal was to complete discussions with the FHNA group on the amendments in time to have a draft version of the amendments for the public hearing along with the Neighborhood Plan by the end of 2017.

Because of the number of remaining issues and time it takes to discuss them with the FHNA group, staff recommends that meetings continue with the group, but that the public hearing on the code amendments be postponed with the objective of completing work for adoption in early 2018.

As of September 20, 2017 the following are the remaining issues that need to be discussed with the FHNA group. Most revolve around potential changes to the Overlay's required Protected Natural Area (PNA) regulations and tree canopy coverage. Postponing the Code amendment project would give staff and the group time to work through these issues:

Progress made:

- Staff and the ad hoc group have made progress on using the City's existing tree credit system in order to achieve a 60% tree canopy goal for the Holmes Point Overlay area. The ad hoc group has asked for a 50% canopy goal per lot, which will take additional work on tree planting standards and increasing tree credits outside the PNA.
- Expand consideration of RSA 6 and RSA 8 areas that should be rezoned to RSA 4 in the HPO and agreement on the factors that influence the Planning Commission deliberation
- Improve tree retention enforcement, level of fines, and revoking business licenses

Unresolved issues:

- Should all significant trees be retained outside buildable area and PNA even if low retention value?
- If aggregation of PNA areas is required and clustering of lots is allowed, what should be the minimum lot size and other code flexibility?
- If aggregated PNA's are allowed in tracts and easements and there is no home owners association, who will be responsible for maintaining the PNA?
- Should the Holmes Point Boundaries and regulations be expanded to other areas of Finn Hill with similar environmental constraints and tree canopy (such as to the east/northeast)?
- Should the City require maintenance bonds and staff conduct annual inspections of newly planted PNA areas for 5 years?
- Should the City establish a requirement to retain exceptional trees even if it will result in reducing the allowed density/development on a lot?
- Should the City use limits of disturbance or tree drip-lines as the location for tree protective fencing?
- Should the City require third party review of geotechnical reports?

New Issues:

- The ad hoc group has recently requested regulations that require all development to leave a minimum 30% tree canopy, even if it results in restrictions on density and development rights beyond the zoning standards.

Next Steps- Options in Process

The Planning Work program shows completion of the Neighborhood Plan with the adoption of other Comprehensive Plan amendments on December 12, 2017.

The remaining tasks to be completed before the end of the year are SEPA compliance, public notice, open house, public hearing before the Planning Commission (tentative date of October 26, 2017) and Houghton Community Council approval of city-wide code changes under its jurisdiction.

The draft Plan is close to being completed with a few remaining policy issues on which staff needs direction from the Planning Commission at the September 28, 2017 meeting. The issues involve the following map changes:

- Whether to expand the rezone areas to include rezoning the RSA 6 areas in the HPO zone to RSA 4; and
- Whether to expand the HPO boundaries to include other areas of Finn Hill.

Staff will be receiving direction from the Planning Commission on September 28 after this packet has been prepared. Staff would also like direction from the City Council on these process options:

- A. Adopt Neighborhood Plan only by the end of 2017 and delay code amendments until early 2018; or
- B. Postpone both the Neighborhood Plan and code amendments until early 2018.

The City Council also requested that staff explore not having to re-adopt the moratorium ordinance in the HPO to relay IDP's. Staff will be bringing an option for the Council to consider on this topic under a separate agenda item at the Oct meeting. In either of the options discussed above a public hearing could be scheduled specifically for the IDP amendments ideally in November.

Attachments:

1. Draft Neighborhood Plan
2. Land use study areas/potential rezone map
3. Street Connections background memo
4. Revised draft street connections Map, Descriptions



# Finn Hill Neighborhood Plan

*Revised Draft September 21, 2017 based on Planning Commission comments to date*

## 1. Overview

In collaboration with the City of Kirkland, the U.W. Green Futures Lab (GFL) worked with Finn Hill residents and the Finn Hill Neighborhood Alliance (FHNA) to develop a neighborhood plan. This is the first neighborhood plan for Finn Hill following annexation to Kirkland in 2011.

Preparation of the Finn Hill Neighborhood Plan involved a comprehensive, two year-long process that included public events, online surveys, development of alternatives by residents, and feedback on priorities, goals and policies from the neighborhood. The public outreach activities and involvement of City commissions, have guided development of this Plan.

## 2. Vision Statement

The following statement reflects how residents envision the Finn Hill neighborhood and written based on an extensive public outreach process held in February and March 2016.

Finn Hill is a predominantly residential, heavily treed and picturesque neighborhood overlooking Lake Washington. Rising to a height of 535 feet above sea level, with ravines and steep slopes on its flanks, Finn Hill is bounded by Lake Washington to the south and west, NE 145th Street to the north, and the Juanita neighborhood to the east. Access to the neighborhood is limited to three main entry points: Juanita Drive provides access to the southern and western portions of the hill, and Simonds Road/NE 145<sup>th</sup> streets and NE 132nd/90th streets provide the north east/west access to Finn Hill.

Two mixed use neighborhood commercial centers located on Juanita Drive, Finn Hill Neighborhood Center and Holmes Point Residential Market (Inglewood and Holmes Point), provide retail amenities and multi-family housing in the neighborhood.

Finn Hill residents feel very strongly about the unique setting of their neighborhood. Parks and natural areas are the stars of Finn Hill and considered high value resources that provide important wildlife and recreation connections. There is a deep affinity with, and a desire to care for, the natural environment, parks, open space, tree canopy, and Lake Washington. Residents take pride in their history of participating in fundraising campaigns, work parties, and planning activities focused on protecting the neighborhood's woodlands, streams and parks. Preserving or improving natural open space connectivity wherever possible is a major goal for Finn Hill residents, and received overwhelming support through the public outreach process. Finn Hill is encompassed by

many steep slopes that residents recognize must be protected or developed carefully to prevent landslides and erosion.

In keeping with the desire to preserve natural areas, Finn Hill residents seek to keep density low in residential areas. Although Finn Hill residents understand the need to accommodate newcomers to the neighborhood, they are especially concerned about the consequences from additional density such as undesirable changes to the character of established neighborhoods, loss of tree canopy, and increased traffic congestion.

Multi-family development should be located adjacent to neighborhood commercial zones in order to avoid conflicts with low-density areas and concentrate residential densities in areas that will support public transit. The improvement or redevelopment of existing commercial centers, rather than building new ones, would make more sense in the context of Finn Hill. The Finn Hill Neighborhood Center (Inglewood commercial area) in particular has strong potential for redevelopment and residents expressed a desire to see the amenities here updated and diversified. The Inglewood shopping center could support the inclusion of more multifamily or diverse housing in and adjacent to the center, particularly if doing so would justify additional transit services for the neighborhood.

Transportation around and through Finn Hill is currently car centric. The existing trails and bike networks are much enjoyed and need further improvement. There is also a need for better connectivity up/down hills and towards key facilities such as schools, parks, and shopping centers. Forming a safe network of sidewalks and trails where walking is facilitated and comfortable is a major goal for Finn Hill. There are also concerns about traffic congestion during commute hours on key roads in Finn Hill, particularly Juanita Drive which is the main north-south thoroughfare through the neighborhood. Finn Hill residents support exploring alternative public transit solutions to reduce the need for residents to use their personal cars, especially during heavy commute periods.

Overall, residents want to preserve the existing character of the neighborhood while planning for the future.

### **3. Guiding Neighborhood Values**

Finn Hill residents' vision for their neighborhood's future seeks to balance the preservation and enhancement of its natural environment with the challenges of accommodating regional growth. Ideas and values about parks and the natural environment are closely related to issues concerning land use and transportation. Since the Finn Hill Neighborhood Plan must be implemented through a series of goals and policies, this section is meant to lay out the guiding values and ideas that connect the goals and policies between and within chapters and provide a basis for the rest of the neighborhood plan.

***Value 1: Promote human and wildlife connectivity through multifunction, interconnected green spaces.***

Neighborhood parks and green spaces should be connected into a continuous loop of woodland and trails. Key functions for these spaces include providing wildlife habitat, preserving forest canopy, protecting critical areas (including steep slopes), providing hiking and walking opportunities, and providing opportunities for biking that do not conflict with pedestrians. Ideally, the woodlands and trails would create a pervasive sense of connection with the natural environment. Additionally, they would support a broad, neighborhood-wide network of pedestrian sidewalks and paths, and bikeways, that would knit Finn Hill's two commercial areas more closely with the neighborhood.

***Value 2: Provide a consistent land use pattern that supports the neighborhood's desire to retain its low density character.***

A range of low density single family zoning exists from four to eight dwelling units per acre or equivalent RSA 4 to RSA 8 zoning. A patchwork of zoning districts exist where lower density surrounds smaller, islands of higher single family density zones. The neighborhood's residential zoning should minimize small pockets of zoning that allow residential development at densities and in forms that are inconsistent with surrounding homes. As part of the neighborhood planning process and depending on the topography, environmentally critical areas, existing street network and surrounding development, changes in land use to lower or higher density may be appropriate to provide a more consistent land use pattern. (See Land Use Section 6 for additional discussion).

***Value 3: Protect critical areas and preserve tree canopy cover and wildlife habitat to maintain the natural environment.***

For critical areas including landslide hazard areas, the neighborhood should examine regulatory options for increased protection of these areas and connecting them to the broader green space network city wide (see NV1, above). These include:

- a. Regulating development on geological hazard areas and streams and wetlands;
- b. Zoning approaches such as encouraging clustering of lots or structures to reduce impacts on slopes and retain more trees;
- c. Requiring protective covenants or open space easements to protect critical areas; and
- d. Purchasing property containing critical areas.

See Natural Environment Section 4 for more discussion.

***Value 4: Develop the neighborhood commercial districts into pedestrian oriented villages that are human in scale, provide needed services, gathering places, within walking distance of residential, support transit options, developed with sensitivity to the neighborhood's environmental and traffic concerns and maintain the neighborhood's character.***

This value complements Neighborhood Value 2 above and is based on the principles of the "10 minute walkable neighborhoods" concept discussed in the Land Use Element of the Comprehensive Plan. This concept emphasizes accessibility and walkable destinations, and it has already been implemented in other neighborhoods of Kirkland. Finn Hill residents have expressed an openness to considering denser multifamily residential development near existing commercial districts, in order to diversify residential housing choices (including affordable housing and housing for seniors), enhance shopping amenities, and improve transit options.

***Value 5: New development in the neighborhood should be in keeping with the neighborhood's vision of preserving and enhancing Finn Hill's natural environment.***

Land use changes and development review decisions should reflect the vision statement and the goals and policies of the neighborhood plan.

Residential and commercial development applications should be evaluated carefully with regard to their impact on transportation in and out of the neighborhood. They should particularly be evaluated in regard to commute congestion, their impact on the neighborhood's tree canopy, and their impact on surface water quality and flow management.



*Denny Fest Summer Event*

## 4. Historical Context

Prior to European settlement, Douglas fir, Western Hemlock and Western Red Cedar forests dominated Kirkland and Finn Hill. Fire was the major disturbance in the ecosystem, after which both understory shrubs and canopy trees would regenerate<sup>1</sup>.

Just south of Finn Hill at the mouth of Juanita Creek was a settlement of the Duwamish tribe called *TUHB-tuh-byook'w*. It was occupied by members of the Duwamish tribe and was part of a larger group of settlements on the eastern shore of Lake Washington in what is now Kirkland<sup>2</sup>. These settlements were abandoned in the mid- to late-19th century after the Duwamish ceded 54,000 acres of land under the 1855 Treaty of Point Elliott<sup>3</sup>.

Early European settlers of Finn Hill were predominantly of Finnish descent. The first families settled in 1896; some of the 55 families in the area include the Reineckainen (later changed to Raine), Norman, Mielonen, Petonen, Lindquist, Jarvi, Salmonson, and Haapa families<sup>4</sup>. The Finnish language was spoken. Families would share Finnish style bath houses heated with wood. At one time there were three halls for community dances, plays, and other programs.

As elsewhere in Kirkland, these early settlers first logged the area, then burned and pulled out the massive stumps left behind to prepare the land for agriculture. The Woodins Logging Co. had a tramway to take the logs from the top of the hill to Juanita Bay. Fruit, dairy, and vegetables were among the crops grown.

The Inglewood neighborhood—now part of Finn Hill and the area of Finn Hill's largest commercial development was first platted and named by L.A. Wold in 1888<sup>5</sup>. In the 1970's Paul Kirk designed a unique subdivision into 21 circular one acre lots surrounded by common open space in the southeast area of Finn Hill.

O.O. Denny Park is named for Orion Denny, son of Seattle founder Arthur Denny. The property was Orion's country estate and his widow willed it to the City of Seattle. The property was later used as a summer camp for kids before becoming open to the public as a park.

As Seattle was preparing for the 1962 World's Fair, and the 10 million people who'd be coming to experience it, the Evergreen Point floating bridge was completed to connect Kirkland to Seattle.

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<sup>1</sup> Halpern, C. B., & Spies, T. A. (1995). Plant species diversity in natural and managed forests of the Pacific Northwest. *Ecological Applications*, 5(4), 913-934.

<sup>2</sup> Coast Salish Villages of Puget Sound. Located at: [http://coastsalishmap.org/new\\_page\\_6.htm](http://coastsalishmap.org/new_page_6.htm)

<sup>3</sup> Viltos-Rowe, Irene. Waste Not, Want Not—The Native American Way.

<sup>4</sup> Kirkland Heritage Society records; Radford, Barbara. What's in a Name located at: <http://finnhillalliance.org/2013/12/whats-in-a-name-2/>

<sup>5</sup> Majors, H. M. (1975). *Exploring Washington*. Van Winkle Publishing Company.

This led to a sharp increase in the population of communities on the eastside, including Kirkland and Finn Hill

Today, single family residential has replaced farms and agriculture. Finn Hill was annexed into Kirkland in 2011.



The Benjamin Reinikainen family, circa 1908, the first family to build on Finn Hill (east of Lake Washington).

*Photo from the Barrie and Raine/Snow Collections.*

## 5. Natural Environment

The goals and policies herein build on the citywide Comprehensive Plan Environment Element policies. What is unique about the Finn Hill neighborhood is the amount of forested hills, natural stream corridors and shoreline areas concentrated within the City of Kirkland, which is reflected in the neighborhood's vision statement on protecting the local natural environment.

During the development of the Finn Hill Neighborhood Plan, the following priorities were emphasized through community outreach exercises:

- Conserve the natural environment, including tree canopy, wildlife habitat, streams, and wetlands.
- Restrict and enforce development standards to protect critical areas including streams, wetlands, and steep slopes susceptible to erosion and landslide hazards.
- Provide wildlife corridors and recreational connectivity.
- Ensure development standards protect the natural environment and forested neighborhood character.

### ***Goal FH-1: Protect and enhance Finn Hill Neighborhood's natural environment.***

Protect and enhance the natural environment by retaining native topography, tree canopy, and stream and wildlife corridors, which are key to stabilizing steep slopes, controlling storm water, and preserving neighborhood character.

### ***Goal FH-2: Require new development to preserve and protect ecosystem functions.***

Compliance with the Zoning Code regulations regarding tree retention, critical areas, and geologic hazardous areas are necessary to ensure new development, redevelopment and land surface modification meet neighborhood expectations and relevant goals and policies.

## Trees and Forest Ecosystems

### ***Goal FH-3: Maintain a healthy, sustainable urban forest through the protection and restoration of native trees, vegetation, and soil.***

To protect Finn Hill's neighborhood character and natural environment, concern for existing and future urban tree canopy coverage (UTC) emerged as a neighborhood priority. The benefits associated with protecting Finn Hill's tree canopy include:

- High tree canopy coverage contributes to lower storm water runoff volumes, lower peak stream flows and fewer flooding incidents.



- Protecting native vegetation reduces soil erosion, preventing sediment and other pollutants from entering streams and Lake Washington.
- Preserving continuous tree canopy is important for maintaining wildlife habitat and providing wildlife corridors.
- Protecting native trees and vegetation helps to protect soil ecosystems. In return, soils and the communities of microorganisms that they support are important in supporting healthy native trees and vegetation.



***Policy FH 3.1: Preserve and restore tree canopy throughout the neighborhood.***

Maintaining tree canopy is a priority for the entire Finn Hill Neighborhood. See section below regarding the Holmes Point Overlay area (HPO) where a tree canopy goal for the area is established to help preserve steep slopes, soil, vegetation and trees through designated Protected Natural Areas. Other Zoning Code regulations require open space covenants and easements be recorded on property to protect critical areas and slopes, in conjunction with strong development standards described in Policy NE 3.2, NE 4.6 and NE 4.9.

Preserving forest canopy and ecosystem function is also achieved through public purchase of land. Implementation of many of the strategies in the Kirkland Urban Forestry Strategic Management Plan also work towards achieving this policy.

***Policy FH 3.2: Establish regulations to protect trees during development, particularly large native trees and groves, and require restoration of trees, vegetation and soil impacted by development.***

Strengthening tree retention regulations is a major concern of Finn Hill residents. The majority of residents support more stringent limits on tree removal including the need for enforcement of adopted regulations. Residents want protection of existing trees, retention of tree canopy and restoration of impacted areas.

Protecting mature trees is important for the aforementioned reasons, as larger trees substantially improve air quality, mitigate storm water, reduce heat island temperatures, sequester more carbon, offer diverse wildlife habitat opportunities and contribute to neighborhood character.



Emphasis should be on retaining and replanting native tree species such as Douglas Fir, Vine Maple and Madrone trees.

The City should improve and enforce regulations which may result in amending KZC Chapter 70, Holmes Point Overlay and Chapter 95, Tree Management and Required Landscaping regulations.

***Policy FH 3.3: Protect soil quality during development.***

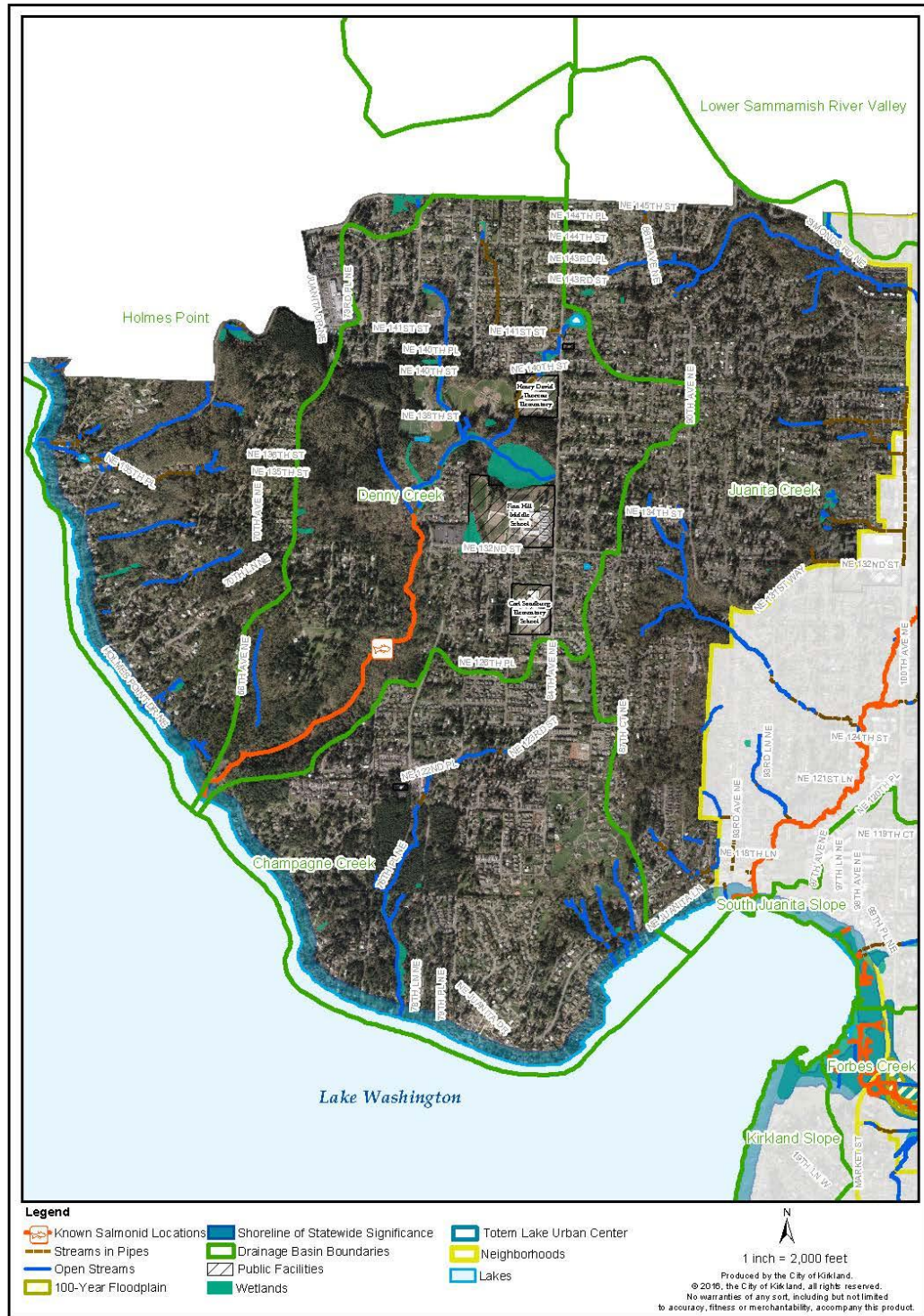
Protecting and enhancing soil quality focuses not just on characteristics such as nutrient availability, but also focuses on soil biological activity, organic matter content, water infiltration, and soil structure. Therefore native soils should be kept intact as much as possible, preventing soil compaction, erosion and removal during construction activities. Soil quality can be protected by 1) reducing the allowable clearing and grading areas; 2) limiting disturbance to native soils during construction; 3) applying protective layers of mulch blankets over soils where heavy equipment access is required; 4) complying with erosion control requirements; and 5) salvaging and storing native top soils for reapplication to the site. Low impact development techniques and soil requirements for planting new native trees and vegetation in the Zoning Code are encouraged to implement this policy.

In addition to these policies that address tree protection, the policies in the Holmes Point Overlay section (Section 5 below) are also relevant.

## **Streams, Wetlands, and Shorelines**

Finn Hill contains many streams, particularly along the western edge of Lake Washington's shoreline, and a number of wetlands (See Figure 4.1). The residents of Finn Hill feel strongly that streams, wetlands and the Lake Washington shoreline habitat should be protected and restored. These values are consistent with adopted policies in the Environment and Shoreline Area Chapters of the Comprehensive plan, regulations in KZC Chapter 90, Critical Areas Wetlands, Streams, Chapter 83, Shoreline regulations and City sponsored volunteer restoration programs.

***Goal FH-4: Preserve and restore streams, wetlands and shorelines and protect their biological integrity, including in stream and adjacent riparian habitat.***



**Figure 4.1: Finn Hill Wetlands, Stream, and Lakes**

***Policy FH-4.1: Encourage public and private property owners to protect and enhance streams, wetlands, and buffers for wildlife habitat and corridors.***

The 2014 Surface Water Master Plan includes an inventory conducted for Finn Hill prior to annexation which describes techniques property owners and the community can do to improve streams and wetlands including:

- Removing trash debris from streams and wetlands
- Removing structures or barriers to improve fish passage
- Restoring stream channels and buffers to improve habitat
- Monitoring streams and wetlands for invasive species
- Adding woody debris to streams
- Removing invasive species from buffers and planting with native vegetation
- Educating residents about stream bacterial loads caused by pet waste

The neighborhood, in cooperation with the City's Green Kirkland Partnership program can help restore streams, wetland and forested areas. The Finn Hill Neighborhood Alliance in cooperation with the City can disseminate information encouraging property maintenance that will preserve and enhance the quality of neighborhood streams and wetlands.

***Policy FH-4.2: Work with public and private property owners on education and compliance with shoreline regulations and to enhance shoreline habitat along Lake Washington.***

Development located within the jurisdiction of the Shoreline Management Act must comply with the state and local shoreline regulations in KZC Chapter 83. Kirkland is a Green Shores™ for Homes (GSH) pilot city. GSH is a voluntary incentive based program designed specifically for shoreline properties. Other shoreline habitat policies for Kirkland are contained in the Shoreline Area Chapter of the Comprehensive Plan and the Parks, Recreation and Open Space (PROS) plan.



## Surface Water

Unmanaged surface water contributes to environmental degradation through reduction in water quality, erosion of ravines and streams, and flash flooding and of ravines and streams. Preventing and minimizing these adverse impacts is important to the Finn Hill neighborhood. Implementing Low Impact Development (LID), which encourages infiltrating surface water on site, and other techniques to reduce surface water volume and pollution, is the main approach for addressing surface water. LID techniques improve water quality by filtering surface water before entering Lake Washington.

City policy and regulatory documents that address these issues are the Surface Water Master Plan (SWMP), Kirkland Municipal Code Chapter 15.52 and Zoning Code Chapters 90, Critical Areas, Wetlands, Streams regulations. The SWMP includes an inventory of surface water issues in Finn Hill that should be implemented as resources are available. Policy 4.1 above lists several techniques that property owners can do to improve stream corridors.

***Policy FH-4.3: Use natural storm water solutions to protect fish and other aquatic organisms (e.g. Low Impact Development reducing runoff from impervious surface area).***

Residents support use of Low Impact Development (LID) techniques such as rain gardens, pervious paving, cisterns, land conservation, green roofs, bio-swales, infiltration systems such as trenches and drywells, and other forms of bio-retention, curb extensions, cascades, and porous gutters.

***Policy FH -4.4: Educate property owners and residents to prevent point and nonpoint source pollution to improve water quality in local streams and Lake Washington.***

The City together with the Finn Hill Neighborhood Association should provide educational awareness and the enforcement programs to help prevent point and nonpoint source pollution.

***Policy FH- 4.5: Conduct retrofit planning for existing conditions with the goal of improving hydrology and water quality consistent with the Surface Water Master Plan.***

Retrofit planning is the development of storm water flow control and water quality treatment facilities to serve existing development that does not currently have such facilities, or that has facilities designed to old or out-of-date standards. Facilities can be either de-centralized small ones that serve individual streets or buildings, or regional large facilities that serve multiple buildings and streets.



## Slopes and Geologic Hazardous Areas

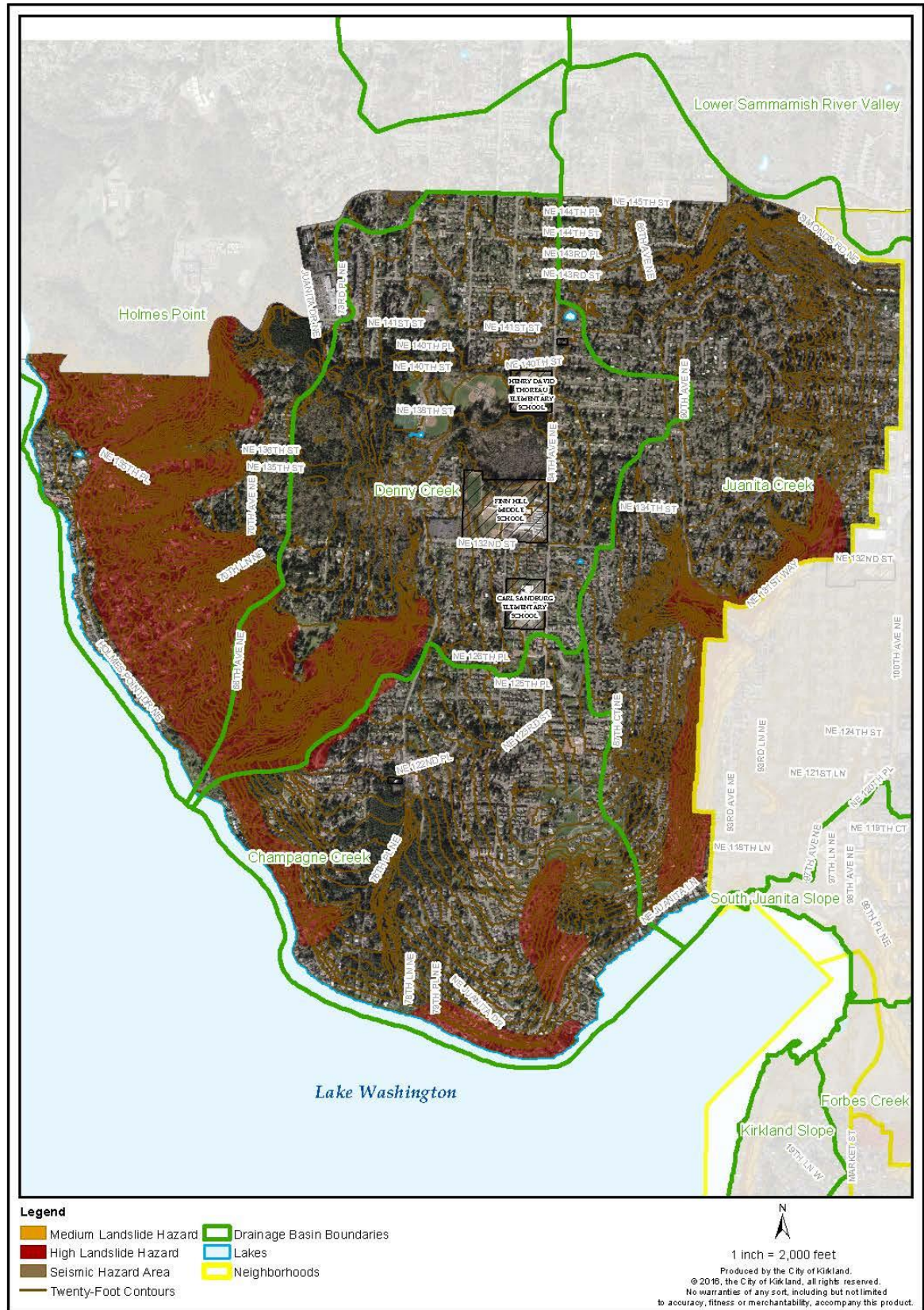
Finn Hill's topography includes many steep slopes and stream corridor ravines, particularly on the east, south, and west edges of the neighborhood (See Figure 4.2: Geologically Hazardous Areas). These geologically hazardous areas and ravines are susceptible to erosion and landslides, particularly if disturbed and existing vegetation is removed. Soils susceptible to seismic hazards (including liquefaction) are generally located in areas containing wetlands.

Zoning Code Chapter 85, Critical Areas Geologically Hazardous Areas, establishes the regulations applied to development on property containing geologically hazardous areas. In Seismic and Landslide Hazard Areas, development activity is subject to increased scrutiny and must comply with regulations to control erosion contained in KMC Title 15, along with the Zoning Code Holmes Point Chapter KZC 70, Tree Management and Landscaping Chapter KZC 95, and Critical Area regulations for wetland and streams in KZC 90.



*3-Dimensional Model of Finn Hill Topography*

*Source: U.W. Green Futures Lab*



**Figure 4.2: Finn Hill Geologically Hazardous Areas**

***Policy FH- 4.6. Protect moderate and high landslide areas by limiting development and maintaining existing vegetation.***

Controlling erosion and preventing landslides is a desired goal expressed by Finn Hill residents.

Consistent with the regulations for property containing geologically hazardous soils are regulated in the City's codes, standards for limiting development on steep slopes should include:

- Conduct slope stability and structural analysis to minimize damage to life and property.
- Retain steep slopes in a natural condition through the creation of greenbelt easements.
- Locate development away from steep slope areas and drainage courses to preserve significant groupings of native trees and vegetation. Flexibility in lot size, clustering of housing units and placement of proposed improvements may be necessary to achieve this.
- Restrict lot coverage to retain vegetation and consider policies controlling setbacks.
- Control surface water runoff at pre-development levels.
- Retain watercourses and wetlands in a natural state.
- Retain native trees and vegetation to the maximum extent.



## Holmes Point Overlay

The Holmes Point Overlay (HPO) area is generally located west of Juanita Drive (see Figure 4.3). The HPO is dominated by the largest area of sensitive environmental features in the City, including stream corridors, steep slopes greater than 40%, and slopes susceptible to moderate and high landslide and erosion hazards.

The Holmes Point Overlay zone is a regulatory overlay with the purpose of providing increased environmental and tree protection in the Holmes Point area. The HPO regulations have existed in King County since 1999 and were carried over to the KZC Chapter 70 with the 2011 annexation.

The intent of the HPO overlay is to limit the amount of site disturbance on lots in order to protect vegetation, tree cover and wildlife, retain natural topography, protect potential geohazardous slopes, reduce visual impacts of development, and maintain community character. The HPO regulations limit maximum lot coverage and greater tree retention requirements beyond what is allowed outside the HPO and require a portion of the lot to be designated for tree and vegetation retention in perpetuity as a Protected Natural Area (PNA).





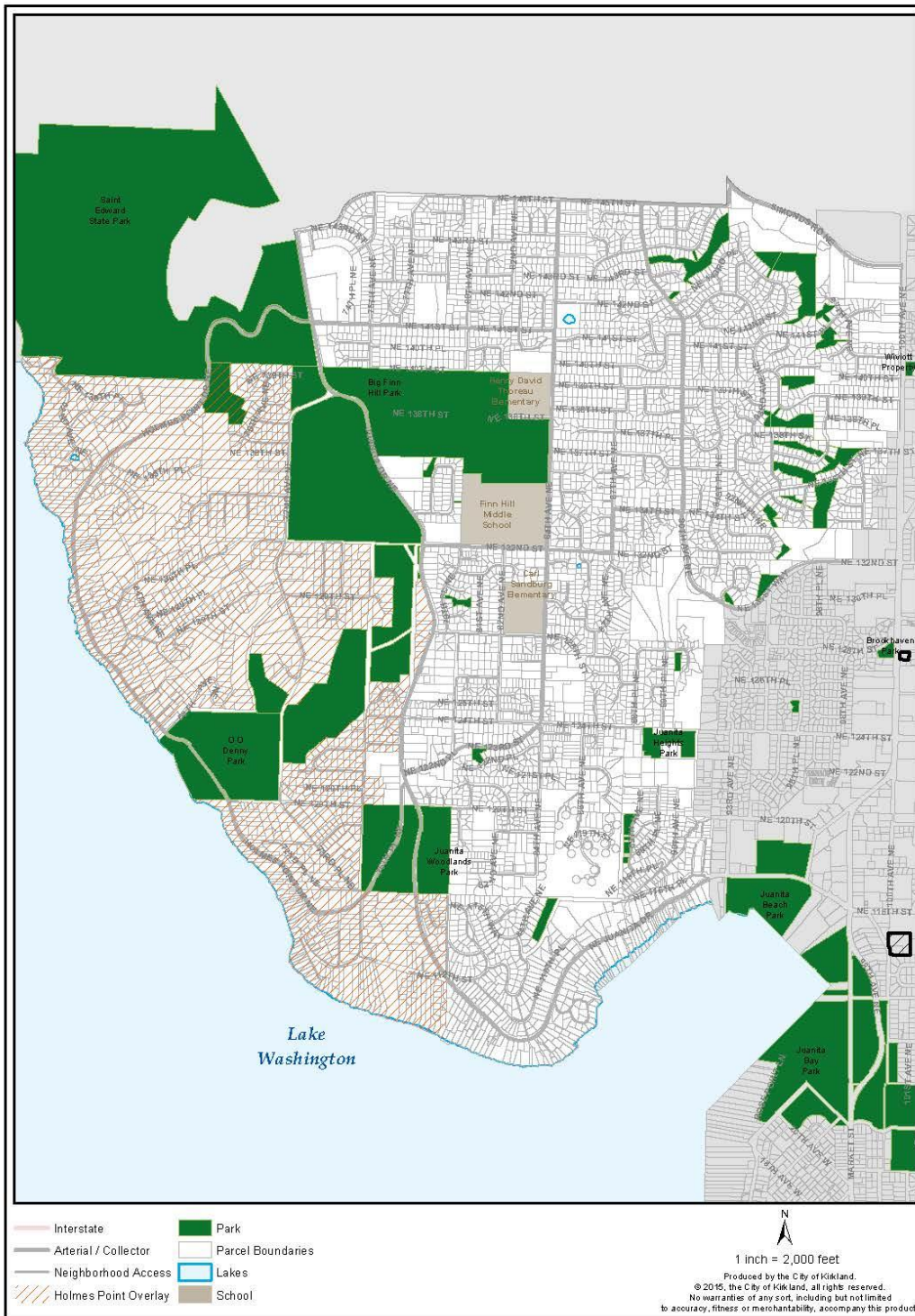


Figure 4.3: Holmes Point Overlay

***Policy FH-4.7: Protect, enhance and restore trees in the HPO with a tree canopy goal of 60%.***

Tree and canopy protection is a significant concern of Finn Hill residents. The environmental conditions in the HPO area mentioned above, justify a higher level of tree retention in order to help maintain a tree canopy of 60% within the Holmes Point Overlay zone compared to the tree canopy goal for the rest of the City at 40% (see Environment Chapter of the Comprehensive Plan).

***Policy FH-4.8: Strengthen the regulations and enforcement of the Holmes Point Overlay (HPO).***

To meet the canopy goal, the neighborhood supports clarifying and strengthening the HPO regulations. Concerns are that during the development review process a greater number of trees are removed than the intent of the HPO regulations allow. Because of environmental, topography or constraints of development such as location of vehicular access or utilities, the number of lots or residential density allowed by zoning may not be achievable in all cases. Balancing the intent of the HPO policies and regulations for greater retention of trees and natural areas with property rights and the underlying zoning density will be necessary in order to meet the neighborhood goals and policies.

***Policy FH-4.9: Limit site disturbance and retain trees and native vegetation on slopes to avoid or minimize damage to life and property.***

Because of the natural constraints of the HPO area discussed above, development in the HPO area should be subject to the following development standards and as contained in KZC Holmes Point Overlay Zone Chapter 70, KZC Critical Areas: Geologically Hazardous Areas, Chapter 85 and KZC Critical Areas for Wetlands and Streams, Chapter 90.

- Limit the amount of site disturbance
- Limit the amount of impervious service or lot coverage
- Retain a percentage of lot in open space
- Retain trees and natural vegetation and soils to a greater extent than outside the HPO
- Preserve and protect natural areas in perpetuity within an easement recorded on the property
- Provide supplemental replanting of native vegetation, evergreen trees and soil enhancement
- Cluster lots, limit site disturbance and locate vehicular access away from the steepest slopes
- Prepare geotechnical report and slope stability analysis
- Retain and enhance watercourses

- Review and approve short plats and subdivisions with integrated development plans so that the amount of site disturbance for locating structures, utilities, access and tree retention/removal is determined prior to beginning construction.

***Policy FH-4.10: Encourage clustering development away from slopes susceptible to moderate and high landslide potential to retain natural topography, vegetation and avoid damage to life and property.***

Clustering of development away from slopes should be a priority during development review to retain topography, trees, vegetation and minimize disturbance to moderate and high landslide hazard slopes. A qualified geotechnical engineer or engineering geologist may make other recommendations to be implemented during the permit review and construction phases of development.

***Policy FH-4.11: Conduct a neighborhood education program on the importance of tree retention, planting of native vegetation and HPO regulations.***

Educational programs for property owners, developers, and tree removal companies on topics such as tree maintenance and HPO code requirements would encourage stewardship of the urban forest and citizen awareness of violations to help achieve the goals of the HPO. Property owners could also be encouraged to increase planting native vegetation and trees. The City and neighborhood should partner together to conduct educational programs to support the intent of the HPO regulations.

## **Wildlife Habitat**

Finn Hill residents greatly value the fish, plants, and wildlife that live in the neighborhood and strongly support protecting and restoring wildlife habitat. Wildlife habitat areas provide food, protective cover, nesting and breeding areas, and corridors for movement for native plants, fish, or wildlife including but not limited to threatened, endangered, migratory and priority species. There are several known eagles nests located on the west side of Finn Hill above Lake Washington as well as heron, owls, pileated woodpecker, and coyotes in the neighborhood.

Historically, Finn Hill was blanketed with a dense conifer forest, including Douglas fir, Western Red Cedar, and Western Hemlock. Forest fires were frequent occurrences resulting in a patchwork of conifer forest and burned areas dominated by native shrub species including Vine Maple, Huckleberry, Salal, and Oregon Grape. While it is impossible to return to these conditions, an ideal urban forest provides wildlife habitat and corridors that reflect the habitat requirements of key species.

Previous sections Slopes, Geologic Hazardous Areas, Trees and Forests and Streams, Wetlands, and Shorelines build on the policies below. The funding policy identified in 3.1 will be instrumental

in setting aside land for wildlife habitat. In addition, the Green Loop discussed in Section 5 (Parks and Open Spaces) provides an opportunity to improve, connect, and protect wildlife corridors.

Finn Hill already contains a number of protected open space and natural areas (See Figure 4.3). These are managed by multiple governmental bodies, including City of Kirkland, City of Seattle, and King County. The continued preservation of these protected areas will require cooperation between Finn Hill residents and these entities.

***Policy FH-4.12: Promote and educate the public about wildlife and backyard habitat, in conjunction with Kirkland's designation as a certified Community Wildlife Habitat by The National Wildlife Federation.***

Additional opportunities for improving wildlife habitat that could be explored include encouraging safe snag tree retention on private property, shadier riparian areas, and pollinator corridors.

## Parks and Open Space

Finn Hill includes 389 acres of parks and open space (38% of the city's park land). Finn Hill contains parks owned by several different public agencies (Figure 5.1). These include a portion of St. Edward State Park, Big Finn Hill Park, and O.O. Denny Park. Other neighborhood recreational facilities that are not always publically accessible include school facilities with outdoor sports fields and indoor gymnasiums.

Finn Hill residents place a high value on parks and preserving natural areas (discussed in the Natural Environment Section 4). Priorities discussed in this chapter are open space conservation, desired improvements to existing parks, expansion of park land, creating a Green Loop Corridor, pedestrian and bike trails, and improved access to Lake Washington.



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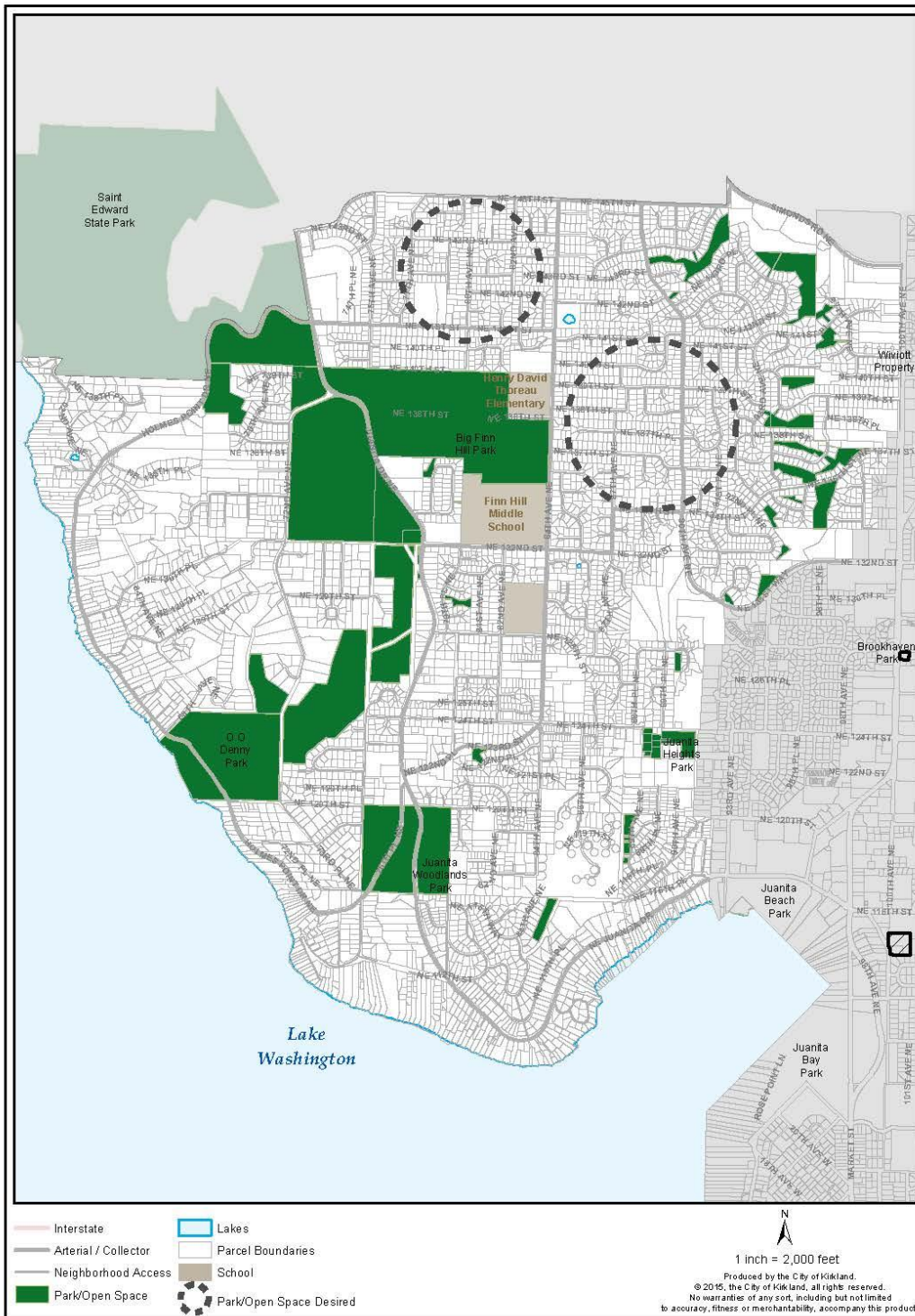


Figure 5.1: Finn Hill Parks and Open Space

## Green Loop Corridor

***Goal FH-5: Establish a Green Loop Corridor that circles the neighborhood connecting parks, open spaces, pedestrian trails, wildlife corridors and natural areas, as shown in Figure 5.1.***

The neighborhood desires a Green Loop Corridor that could link current parks, open spaces, forested areas, natural areas, pedestrian trail and street systems, to promote active recreation and environmental preservation in Finn Hill. Figure 5.2 shows the location for the priority segments of the Corridor that should be established first.

The Green Loop Corridor concept promotes policies in the Kirkland Parks, Recreation and Open Space Plan (PROS Plan) of creating a Finn Hill Connection greenway and connections to the Lakes to Locks Water Trail.

***Policy FH-5.1: Develop a Master Plan for the Green Loop Corridor using a public review process under the direction of the Park Board that:***

- ***Includes the location, design and functions for the different segments***
- ***Promotes uses that meet the diverse needs of people for recreation, including walking, hiking, wildlife viewing, dog walking, and other forms of recreation***
- ***Prioritizes the segment of the loop connecting the Lake Washington shoreline to the top of Finn Hill, Juanita Beach Park to Juanita Heights, Juanita Woodlands and Big Finn Hill Park (see Figure 5.2 for priority locations)***
- ***Maintains and promotes retention of native vegetation and trees in natural areas, wildlife protection, stream and fish protection***
- ***Encourages public and private restoration efforts to remove invasive plant species and plant native herbaceous plants, shrubs, and trees.***

***Policy FH-5.2: Through the development review process, secure public easements or greenbelt easements to provide public access and preserve natural areas within the Corridor.***

It will be necessary to obtain public access easements over private property to connect the Corridor together with public parks, open space and public rights of way. One way to do this would be to obtain public access easements as part of the development review and approval process of a short plat or subdivision application in order to link pedestrian connections within the Corridor.

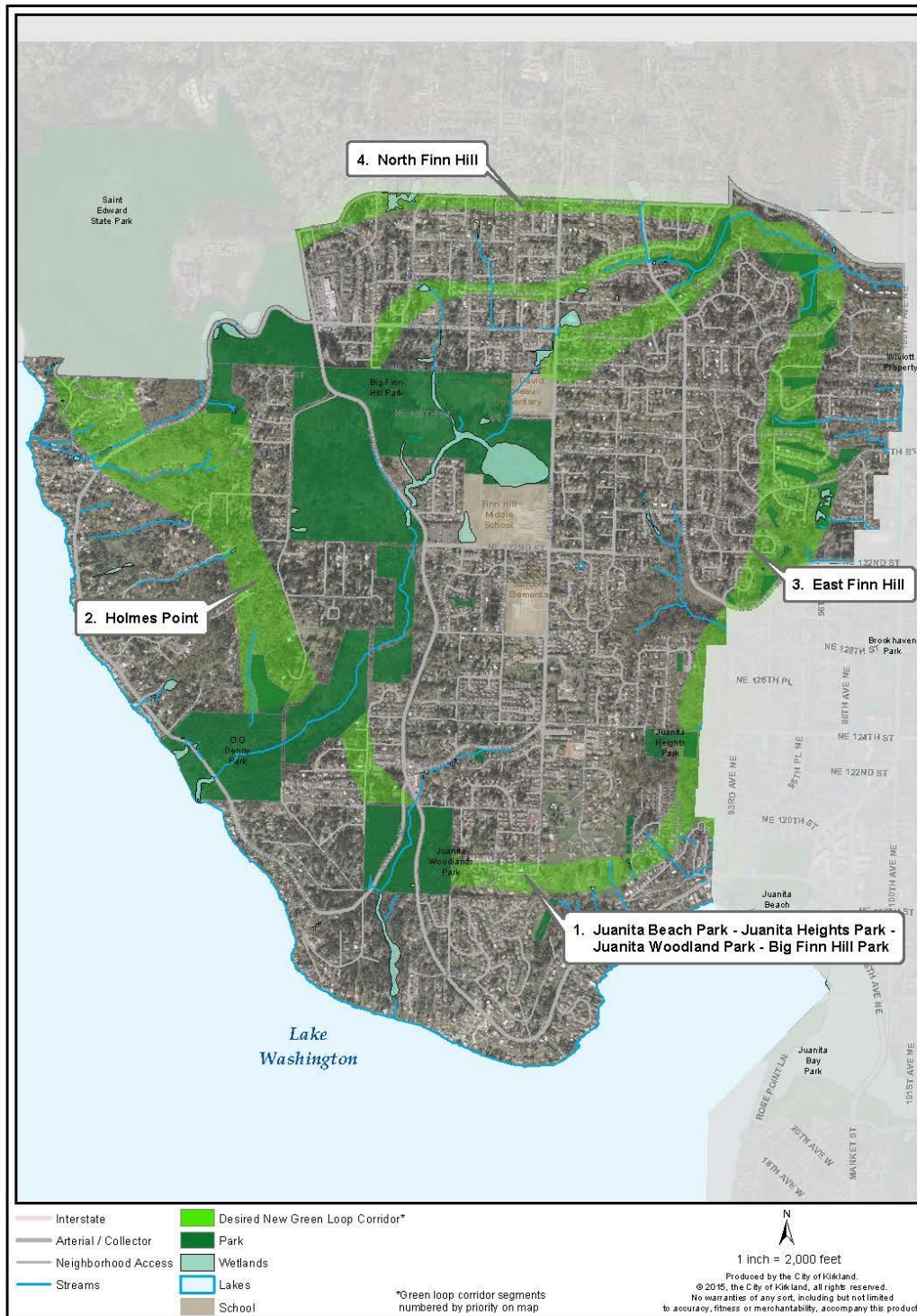
Funding mechanisms could also be explored for acquisition of land, trails or easements needed to create improvements within the Green Loop Corridor such as through the Capital Improvement

Program, grants or donations from non-profit organizations. For example, development impact fees could be set aside for the acquisition of green space needed to create the Green Loop Corridor.



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**Figure 5.2 Green Loop Corridor and Development Priorities**

## Parks

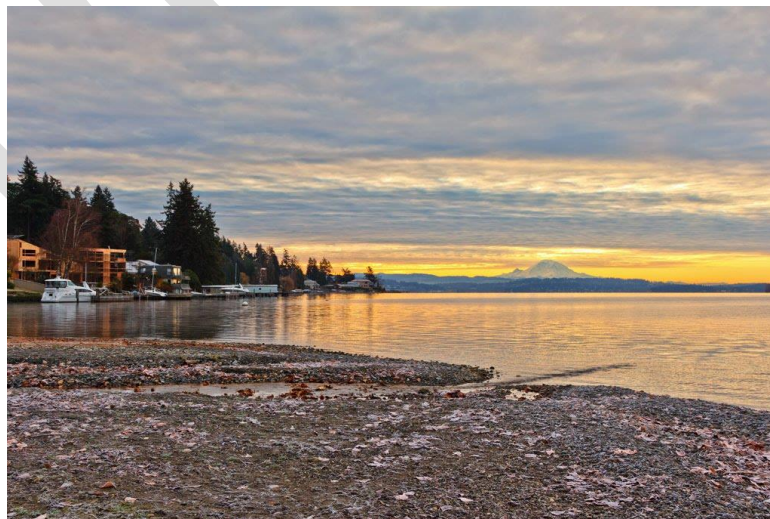
Residents of Finn Hill desire improvements to the existing parks, acquisition of land for parks, new or improved signage, new activities, maintenance and preservation. The Parks, Recreation, and Open Space (PROS) plan identifies some of the same desired improvements requested during the public outreach for this neighborhood plan. As not all parks in Finn Hill are owned by the City of Kirkland, the City and the neighborhood should engage King County and the State in a public planning process for the development and improvement of all the parks in Finn Hill.

### ***Goal FH-6: Improve existing parks and open spaces, strengthen local connections with nature and promote neighborhood parks.***

***Policy FH-6.1: Consider and implement facility improvements to existing City owned parks and help facilitate improvements to non-City owned parks in coordination with other agencies.***

The neighborhood has identified desired improvements to the following parks:

- At Big Finn Hill Park: community gardens or P-patches, dog parks, and addressing conflicts between biking and walking user groups
- At Juanita Heights Park: provide improved signage and wayfinding for public access, and move the park entrance to NE 124<sup>th</sup> St.
- At O.O. Denny Park: new picnic and BBQ facilities, swimming facilities, and improved connectivity to Big Finn Hill Park. Shoreline and forest restoration plan, pest management strategy.
- At Juanita Triangle Park and Juanita Woodlands Park: improved signage and wayfinding.
- Finn Hill Middle School: Potential City-School Wetland Partnership (PROS Plan)



***Policy FH-6.2: Preserve significant natural areas for recreation, for residents to connect with nature, and for habitat protection at all parks including:***

- At Juanita Heights Park: Explore potential expansion to preserve and protect existing forest and provide trail connectivity, explore land acquisition and/or public easements to ensure connectivity to Juanita Beach, and explore purchase of vacant lots on steep slopes (see Figure 5.3).
- At O.O. Denny Park: Enhance shoreline natural areas by removing hard shoreline structures and creating soft vegetated shorelines to improve ecological functions.
- Explore options for preservation at other parks.

***Policy FH-6.3: Promote a variety of uses in parks, including walking trails, children's playgrounds, social gathering areas, off leash dog areas and natural preservation.***

As master plans are developed for the various parks and open spaces within Finn Hill the activities and improvements listed above should be considered.

***Policy FH-6.4: Pursue acquisition of land and improvements for parks and open space as opportunities become available.***

As property becomes available, the City and other organizations should look for new park opportunities and expansion of existing parks and open space. Areas acquired for public parks and open space preservation could also support the Finn Hill neighborhood's desire to protect native tree canopy (see Natural Environment policies 4.2, streams and wetlands, 4.3 wildlife preservation, 4.5 for hiking trails).

***Policy FH-6.5: Create smaller active neighborhood parks in the northeastern quadrant of Finn Hill.***

The Kirkland PROS Plan indicates a level of service guideline of a park within a quarter mile of each household. Finn Hill residents desire new neighborhood parks in the northeast part of Finn Hill, where small parks within walkable distance are missing (see Figure 5.1).

## Trails for Bikes and Pedestrians

Pedestrian and bicycle pathways provide an important transportation function within the parks and open space system. While there is an extensive pedestrian trail system in Finn Hill, it is generally limited to parks. As reflected in the vision statement, Transportation and Mobility Section and Green Corridor Section above, Finn Hill residents would like to create and/or enhance trail connections within the neighborhood:

***Goal FH-7: Expand the walking, hiking, and cycling trail system and connect detached parts of the neighborhood and parks.***

Figure 5.3 below shows the existing trail system and desired extensions that could be developed for recreational use in addition to non-motorized pedestrian and bike system.

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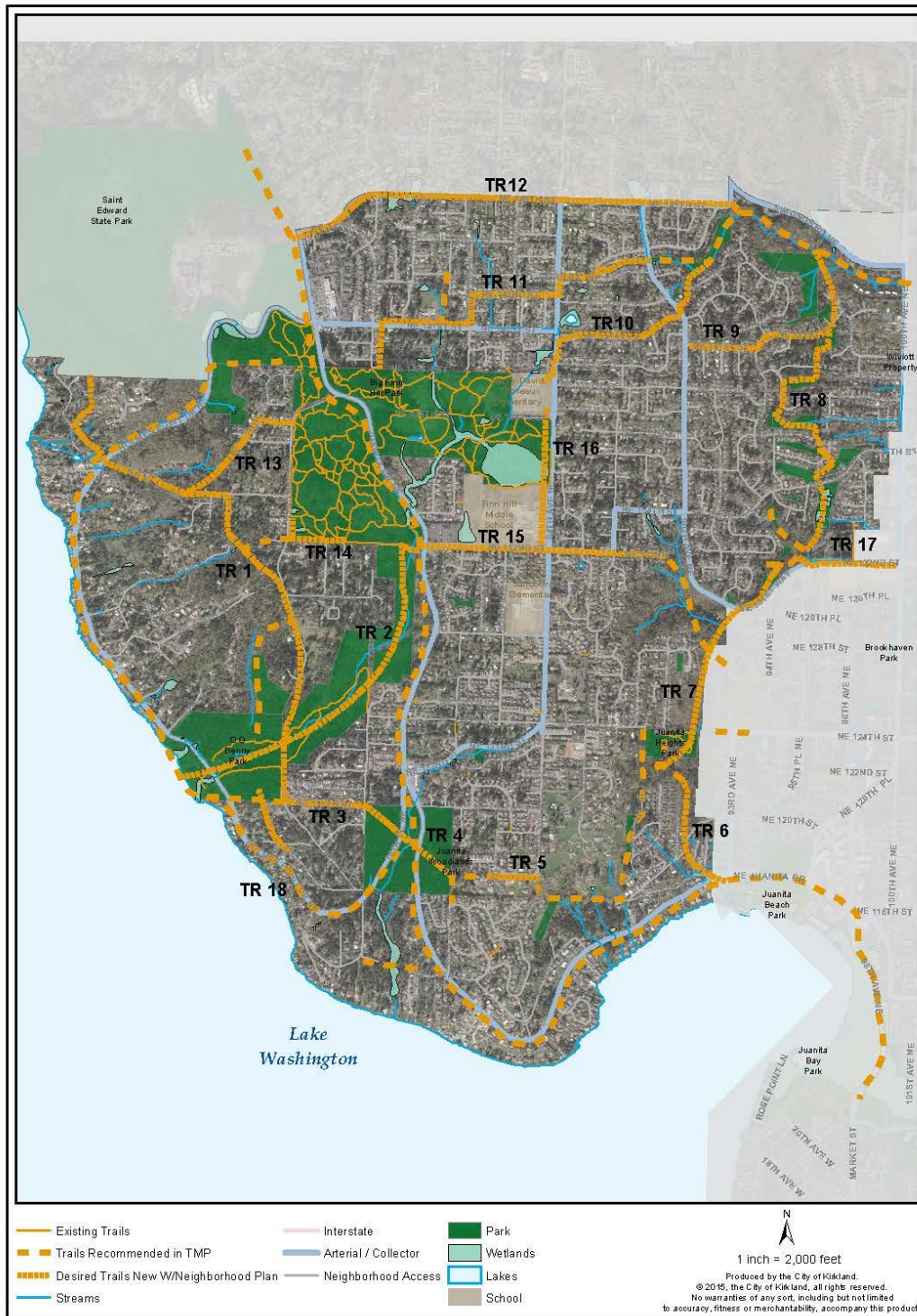


Figure 5.3 Finn Hill Trail System

***Policy FH-7.1: Create and enhance pedestrian trail connections:***

- ***Between Juanita Beach, Juanita Heights Park, O.O. Denny and Big Finn Hill Parks and Saint Edward State Park.***
- ***Between areas of the neighborhood that are isolated or disconnected, including Hermosa Vista and Goat Hill***
- ***Connect with trail systems outside of the neighborhood***

***Policy FH-7.2: Partner with local utilities, public agencies, and private landowners to secure trail easements and access for trail connections.***

As discussed in Section 1 above public access easements will need to be acquired for both the Green Corridor Loop system and for trail connections.

**Lake Washington Shoreline Access**

There is a strong community desire for more publicly accessible waterfront areas, including for small non-motorized watercraft. Existing public shoreline access is limited to O.O. Denny Park. Street ends with potential for public access could be improved.

***Policy FH-7.3: Improve public street ends to provide lake viewing and public access to Lake Washington in compliance with Shoreline Master Plan.***

Consistent with other shoreline areas of the city, public right of way street ends in Finn Hill should be improved to allow public pedestrian and non-motorized access to Lake Washington.

***Policy FH-7.4: Restore public shorelines on Lake Washington to improve habitat, hydrology, and recreational opportunities.***

Public parks and open space located along the shoreline should be restored with soft armoring techniques and native plants consistent with the policies contained in the Shoreline Chapter of the Comprehensive Plan.

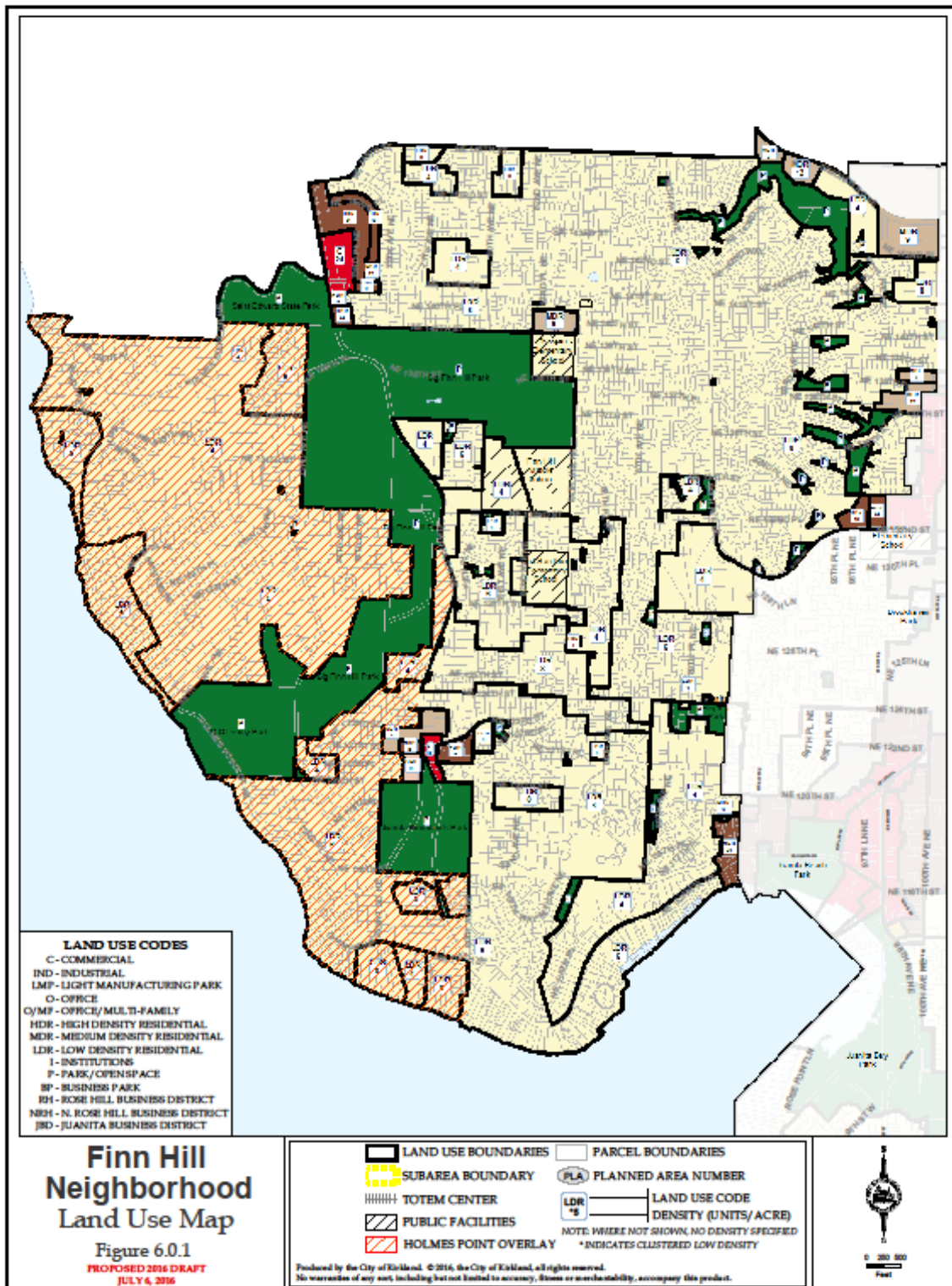
**5. Land Use**

Prior to the annexation of Finn Hill into the City of Kirkland in 2011, King County zoning allowed a broad range of residential densities, resulting in a patchwork of land use districts and islands of higher single family density surrounded by lower density development patterns in some areas constrained by critical areas such as steep slopes, stream corridors and ravines. Figure 6.1 shows

the current land use districts map for Finn Hill. In 2016, approximately three percent of the land was zoned for multi-family and eighty percent zoned low density residential.

The neighborhood plan process in 2016-2017 provided an opportunity to evaluate the land use patterns, zoning district boundaries and residential density to be consistent with the Land Use Element and other policies in the Comprehensive Plan. In some areas a lower density or higher density is more appropriate. In other areas, zoning districts were consolidated. Land use and zoning changes should be based on a variety of factors including the existing density of development within each zone, surrounding development pattern, accessibility and street network, topography and proximity to commercial service. The neighborhood is supportive of the "10 minute walkable neighborhood" concept. This concept emphasizes that areas considered for an increase in density should be near walkable destinations such as retail, services, schools and parks.

*(Note: if rezones are adopted this map will need to be revised).*





## Low Density Single Family Residential

Finn Hill Neighborhood contains a range of single-family housing densities. The land use pattern is generally the same as designated by King County prior to annexation. As new and infill development occurs, streets, sidewalks and utilities are being brought up to City standards.

The Finn Hill community emphasized maintaining the low density residential character and natural environment of the neighborhood as a priority. Those neighborhood values for Finn Hill residents are noted in the vision statement and are reflected in the following goal.

***Goal FH-8: Retain the residential character of the neighborhood, natural environment and tree canopy while accommodating new development.***

***Policy FH-8.1: Limit development in environmentally sensitive or geologically hazardous areas, and minimize loss of native vegetation and tree canopy coverage.***

The Finn Hill community supports limiting development in environmentally critical areas, in order to mitigate disruption to wildlife, retain tree canopy as much as possible, and conserve land for open space and parks. Development policies and standards are also discussed in the Natural Environment section. Regulations may restrict or reduce allowed residential density especially in environmentally critical areas, steep slopes or the Holmes Point Overlay zone. Mechanisms to encourage preservation (e.g. greenbelt easements) are also discussed in the Natural Environment and Parks and Open Space sections.

***Policy FH-8.2: Establish a logical development pattern with zoning district boundaries that take into account existing and planned land uses, vehicular access, property lines, topographic conditions, and natural features.***

This policy seeks to address the patchwork of zoning in Finn Hill and to minimize islands of zoning districts surrounded by lower density areas. In general, for most of Finn Hill's relatively flat land with a connected street network, the appropriate zoning is low density residential with a range of six to eight dwelling units per acre (LDR 6-8; equivalent RSA 6 and RSA 8 zones). Some islands of low density RSA 8 zoning are surrounded by lower density zoning. For many areas located on steep slopes containing streams, wetlands, geologically hazardous areas, and large forested areas the density is lower in order to provide added environmental protection (LDR 4 or equivalent RSA 4 zone). Zoning district boundaries should be consolidated where it makes sense to reduce small isolated zoning districts and maintain a consistent development pattern.

Residents support lowering density in the pockets of higher range of low density areas such as LDR 8, (RSA 8 equivalent) to match their surrounding conditions. The community is concerned that these islands provide opportunities for residential development that is out of character with

the surrounding development pattern. Increased residential development could cause increased traffic congestion, which is already a source of concern by the neighborhood.

The Holmes Point Overlay zone adds additional zoning requirements that provide an added level of environmental protection (discussed in Section 4: Natural Environment) and may result in a reduction in residential density.



***Policy FH-8.3: Allow alternative housing options that are compatible with surrounding development.***

A variety of housing styles provides housing choices for people in various stages of life and family living situations. Consistent with City wide policies in the Land Use and Housing Elements, clustered housing, accessory dwelling units, cottage, carriage, and two/three unit homes should be encouraged in low density zones.

## **Multi-family Residential**

A range of medium (MDR) and high-density (HDR) multi-family zones (five to 24 dwelling units per acre exist (comparable zoning RMA 5.0, RMA 3.6, RMA 1.8, RMA 2.4) along major streets and surrounding the two commercial areas. Medium density is appropriate on the perimeter of low density residential areas with access to major streets. High density residential is appropriate within and adjacent to the two mixed use commercial areas where residential units have access to major streets and potential for increased transit service.

***Goal FH-9: Medium and high density residential development is appropriate adjacent to the two commercial areas.***

Residents of Finn Hill support focusing medium and high density residential zoning/development around commercial areas consistent with the City of Kirkland's Land Use Element, 10 minute walkable neighborhood concept and to enhance commercial amenities and transit options.

***Policy FH-9.1: Encourage development of affordable housing in multi-family and mixed-use commercial areas.***

Affordable housing is best located when mixed with market rate multifamily housing units and in areas with good access to transit, employment and shopping. As redevelopment occurs in the mixed use commercial centers, affordable housing should be encouraged or required consistent with citywide policies and regulations. In addition, opportunities for affordable housing should also be considered and encouraged in single family areas.

## **Commercial Areas**

***Goal FH-10: Encourage neighborhood commercial areas to be mixed use, pedestrian oriented gathering places, and support the commercial needs of the neighborhood.***

Finn Hill currently has two Neighborhood Business commercial areas designated by the Land Use Element (See Figure 6.3.0).

The larger commercial area in north Finn Hill is designated as the Finn Hill Neighborhood Center (known as the Inglewood shopping area). Appropriate uses for the Finn Hill Neighborhood Center are a mix of commercial uses including office, retail, restaurants, hotels, and business services serving neighborhood and sub-regional markets, along with multifamily/multi-use housing. Grocery stores should remain a high priority for this location. Architectural and site design should be pedestrian oriented, in scale with the surrounding residential neighborhood, and provide effective transition techniques between commercial uses and surrounding residential neighborhoods.

The southern commercial area is designated as the Holmes Point Residential Market in the Land Use Element. This area is appropriate for commercial uses to serve the local neighborhood and residential units above or behind commercial and office uses. Like the Finn Hill Neighborhood Center discussed above, new development should be pedestrian oriented and in scale with the surrounding residential area.

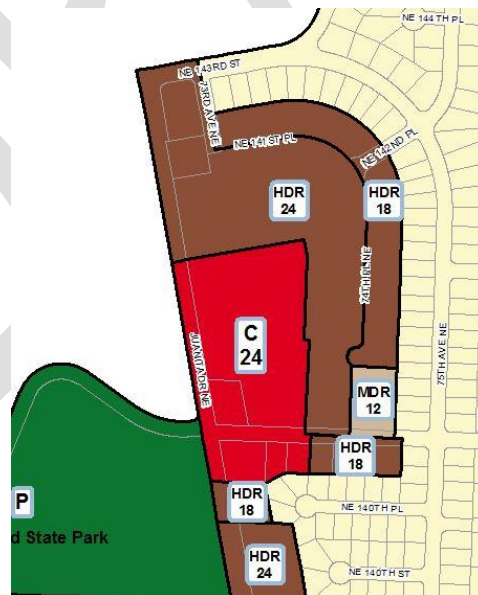
Both commercial areas are zoned Neighborhood Business Areas (BNA) and allow a range of 15 to 24 dwelling units per acre. The intent of neighborhood business centers is to provide gathering places or central focal points with goods and services for residents within a 10 minute walking radius. Design review is required to ensure attractive site and building design that is compatible in scale and character with the surrounding neighborhood.

In multiple community workshops and surveys, Finn Hill residents identified that they would like better access to local commercial areas and amenities, as currently they need to travel outside Finn Hill for basic amenities. Additionally, there are insufficient connections (pedestrian, bike, car, and transit) between commercial areas and the surrounding neighborhood. Targeting new development to the two existing commercial areas was preferred to creating additional commercial zones.

The community identified restaurants, cafes, pubs, and locally-owned retail stores as desired types of businesses. The community also expressed that future development should accommodate alternative modes of transportation, in order to mitigate for increased traffic congestion, increased housing density, and environmental degradation (see Transportation section). Policies for each of the commercial area and general urban design goals were developed based on these values.

## Finn Hill Neighborhood Commercial Center

The Finn Hill Neighborhood Center is currently a one story strip mall style commercial development and surrounded by two story townhomes and office to the south. Current amenities include a grocery store, restaurants, a gas station, and a coffee stand along with one-story office buildings. Finn Hill residents believe that the Finn Hill Neighborhood Center is an underutilized resource that is poorly connected to the surrounding neighborhood (no public transit and poor pedestrian and bike access via trails and sidewalks). Additionally, traffic congestion in and around the area is a major concern.



*Finn Hill Neighborhood Center shown in red*

***Policy FH-10.1: Encourage the Finn Hill Neighborhood Center to be a mixed-use pedestrian oriented neighborhood commercial area with improved public amenities, public transit, access for bicyclists, trail and sidewalk connections.***

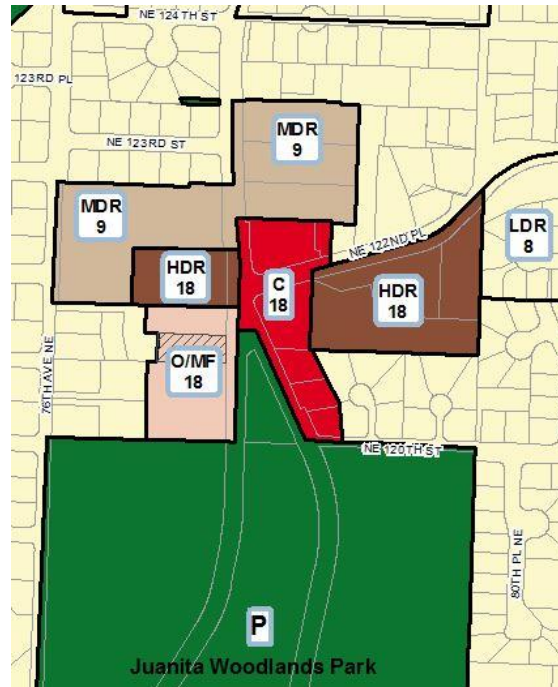
Should redevelopment occur, the Finn Hill Neighborhood Center is envisioned as a pedestrian oriented mixed use development consisting of residential and commercial buildings open space plazas, grocery store, small neighborhood retail stores, wine bars or pubs and transit stops. An increase in height above three stories would be appropriate. The scale of development and number of stories should be considered in the future to encourage the redevelopment of the area into a mixed use center. Design Guidelines for Pedestrian Oriented Districts should be used with attention to architectural scale, massing and upper story step backs, and pedestrian connections.



## **Holmes Point Residential Market Commercial Area**

The Holmes Point Residential Market area is currently a one story strip mall style commercial development surrounded by multifamily and single family housing. Current amenities include a restaurant and gas stations. An office use is across the street to the west. Finn Hill residents feel that it is an underutilized resource that lacks public transit access, connections for bicyclists, and connections for pedestrians with trails and sidewalks. Additionally, traffic congestion in and around the area is a major concern, particularly on Juanita Drive and NE 122nd Place.





*Holmes Point Residential Market is shown in red*

***Policy FH-10.2: Encourage the Holmes Point Residential Market area to be a neighborhood commercial area with improved amenities, public transit, bike connections, and trail/sidewalk connections.***

Although smaller in scale to the Finn Hill Neighborhood Center, the Holmes Point Residential Market area is envisioned as a more energetic commercial development with small scale neighborhood services, restaurants supported by the surrounding multi-family and low density residential neighborhood. Appropriate building height is up to three stories subject to the Design Guidelines for Pedestrian Oriented Development.



## Urban Design Principles:

Figure 6.3.4 shows the urban design assets in the neighborhood. These include views of Lake Washington and the Olympic and Cascade Mountains and the approximate locations for gateway features and activity nodes.

***Goal FH-11: Enhance the urban design of Finn Hill commercial areas to strengthen neighborhood identity and create places for people to gather.***

***Policy FH-11.1: Promote the use of pedestrian-oriented design techniques as described in the Design Guidelines for Pedestrian Oriented Business Districts, and the Design Regulations in Chapter 92 of the Kirkland Zoning Code.***

The following design principles for the two commercial areas are based on community input and feedback from multiple community outreach events.

### Structures:

- Commercial areas should include mixed-use buildings with housing or office over retail.
- Building scale should be sensitive to the surrounding neighborhood context, reflecting the neighborhood identity.

- Promote high quality site design and streetscape improvements that identify Finn Hill as unique to other commercial districts such as the use of decorative pedestrian street lighting.
- Create effective transitions between commercial areas and surrounding residential areas.
- Buildings that are pedestrian oriented in design should be located such that sidewalks may be activated with activities.

### Streets and Connectivity:

- Commercial area streets should be multi-modal and include on-street parking and underground parking.
- Encourage pedestrian connections between uses on a site and adjacent properties.
- Minimize the obtrusive visual nature of parking lots by orienting them to the back or side of buildings or within parking structures and perimeter landscaping.

### Amenities:

- Public spaces include gathering places or plazas with seating options.
- Develop gateway features to strengthen the identity of the neighborhood (such as gateway signs, landscaping or art feature; See Figure 6.2)
- Provide bicycle and pedestrian amenities including directional signage.

### Sustainability:

- Green building techniques such as green walls, green roofs, native plants, storm water cells, tree retention, permeable paving should be installed
- Renewable energy should be employed in the commercial areas, particularly solar.

### Public Art:

- Public art such as sculptures, environmental art, architectural art, community engagement should be used where possible to add character to the commercial areas.



Figure 6.2: Urban Design Features

## 6. Transportation and Mobility

The vision for the Finn Hill Neighborhood transportation system is to provide safe, comfortable, and efficient circulation for people who walk, ride bicycles, drive cars and ride transit, within the neighborhood. During the neighborhood plan public participation process, residents emphasized the importance of improving the existing trails and bike network, particularly the connectivity to key destinations (schools, shopping center, etc). Other comments expressed are covered in the City wide Transportation Element such as implement Complete Streets, low impact development techniques along streets to handle surface water, coordinate land use with transportation and transit policies, and prioritize sidewalks on school walk routes.

The transportation and mobility goals in this chapter are intended to make public transit, walking and or riding a bicycle an attractive option for most residents in the neighborhood. Investments in the neighborhood should also be prioritized in order to support these options. The City's Transportation Element will guide the implementation of these goals as well as the Capital Improvement Plan (CIP). References to transportation policies in the Transportation Element are included throughout this chapter.

This chapter addresses primarily circulation in the public right-of-way. Recreational trails, the Green Corridor Loop, are discussed in the Parks and Open Spaces section.

### **Sidewalks, Intersections, and Pedestrian Mobility throughout the Finn Hill Neighborhood**

Throughout the neighborhood plan public outreach process, Finn Hill residents expressed concerns regarding the lack of safe sidewalk connections to important neighborhood assets, including: schools, parks, transit stops, and other public destinations. The 2016 status of sidewalk completion in Finn Hill is shown in Figure 7.1.

As the neighborhood grows over time, sidewalks should be brought up to City standards and connections to neighborhood assets should be prioritized. Residents identified a network of sidewalks and intersections that they felt are a high priority for improvement in the neighborhood (Figure 7.2).

***Goal FH-12: Form a safe multi-modal network of sidewalks, trails, bikeways and crosswalks where walking and cycling are the first choice for many trips.***



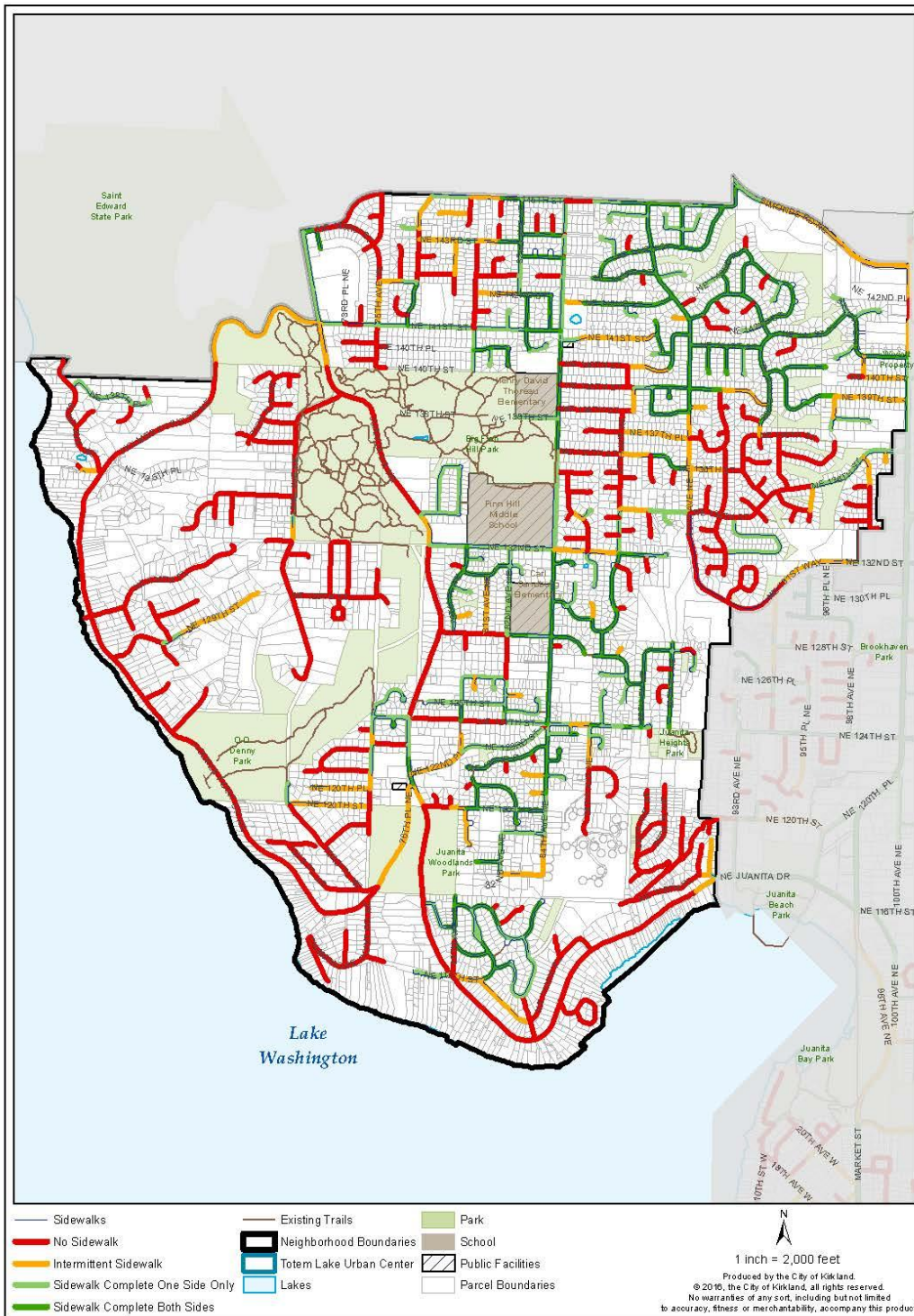
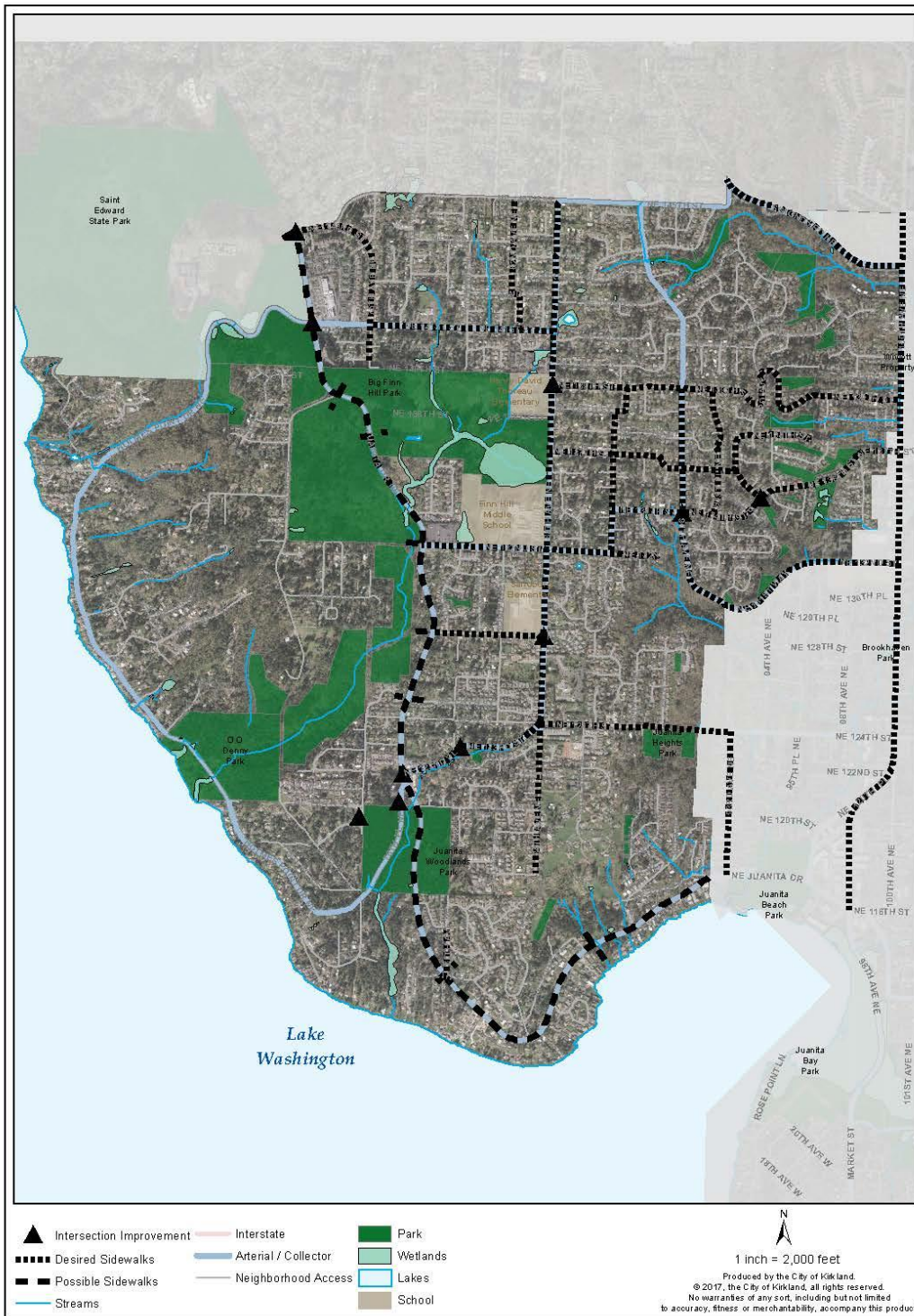


Figure 7.1: Finn Hill Pedestrian System



**Figure 7.2 Finn Hill Priority Sidewalks and Intersection Improvements**

## ***Goal FH-13: Create and improve sidewalk connections to schools and destinations throughout the neighborhood.***

### ***Policy FH-13.1: Establish safe and comfortable pedestrian crossings on major arterials.***

Finn Hill residents are concerned about the safety of new and existing pedestrian facilities throughout the neighborhood. Residents support installing crosswalks, signage, safety refuge islands, signals, flashing lights and flags at intersections; improved lighting; sidewalks along major arterials, separation travel modes (e.g. raised curbs) where other forms of non-motorized and motorized transportation may cause safety concerns for pedestrians and addressing sight distance issues.

### ***Policy FH-13.2: Prioritize designated School Walk Routes for pedestrian improvements.***

City wide priorities encourage children to walk to school and to complete a sidewalk network on all school walk routes. Consistent with this city wide policy, completing a network of sidewalk systems and other public improvements on school walk routes within the neighborhood is desired.

### ***Policy FH-13.3: Prioritize pedestrian pathways to neighborhood destinations (parks, public transit, and commercial areas) to improve and encourage pedestrian connections to amenities.***

Finn Hill residents identified a number of critical neighborhood pedestrian connections such as connections between 84<sup>th</sup> Avenue and the Hermosa Vista development and Goat Hill area and improving pedestrian access to parks, public transit, commercial areas and the shoreline (See Figure 7.2). Removing barriers to pedestrian pathways by providing connections through cul de sacs and dead end streets is also desired.

### ***Policy FH-13.4: Along streets, provide pedestrian amenities such as crosswalks, sidewalks, street trees, lighting and street furniture to encourage walking, provide informal gathering places and enhance the pedestrian experience.***

Providing the pedestrian amenities suggested in this policy make walking more enjoyable and safe, especially around destinations such as commercial areas, parks and schools.

## **Vehicular Circulation**

Figure 7.3 shows the major vehicular circulation routes throughout the Finn Hill neighborhood and street classifications. As part of the neighborhood plan outreach process, Finn Hill residents are concerned about traffic congestion in their neighborhood, particularly as there are a limited number of arterials and entry points into the neighborhood. Two key concerns regarding vehicular traffic emerged from community outreach: congestion and safety. At the same time there are areas of Finn Hill with underdeveloped streets. Improvements to these are necessary to enhance vehicular circulation and emergency access.

Commuter traffic on Juanita Drive is a major concern as it is the main north-south route through the neighborhood and a key entry point to the neighborhood. Ongoing development in Finn Hill and surrounding areas is intensifying commute congestion issues. To address these issues, residents would like to focus policies toward encouraging neighborhood trips with more efficient alternative modes of transportation. Through the Neighborhood Traffic Control program techniques can be implemented to minimize commuter cut thru traffic on internal neighborhood streets.

***Goal FH-14: Implement a more efficient, safe and sustainable transportation system.***

***Policy FH-14.1: Prioritize improvements which encourage transit use, car-pools, bicycle-use and more sustainable forms of transportation which minimize our impact on the environment.***

This policy reflects resident's priorities to provide a multi modal transportation system over time in Finn Hill.

***Policy FH-14.2: FH Figure \_\_\_ shows where anticipated street connections could be made with future infill development***

In some areas of Finn Hill the street system is underdeveloped with dead ends, lacking street connections, pavement and sidewalks not to city standards (Figures T.1, 2, 3 show the existing street classifications, status of sidewalks, pathways and trails). It is important to plan for a street network that allows for vehicular circulation through the neighborhood yet minimizes impact to the neighborhood. While the Finn Hill street connection plan map indicates and describes the potential locations of street connections for future infill development, the exact location and alignment of new street connections will be determined at the time when adjacent properties are developed. When new street connections are not required or not feasible, pedestrian and bicycle connections should still be pursued. Creating a map where the potential street connections can help prepare people for what will be expected. Figure \_\_\_ shows potential street connections, overlaid with desired pedestrian connections and trails included in the neighborhood plan and trails recommended in the Transportation Element.

***Policy FH-14.3: Conduct studies to determine the design standards for the following streets:***

- ***Residential streets within the Holmes Point Overlay area***
- ***Holmes Point Drive corridor***
- ***NE 131<sup>st</sup> Way/90<sup>th</sup> Avenue NE corridor***

Finn Hill residents would like the character of the neighborhood to influence the design of pedestrian and street facilities that are built. For example some residents feel sidewalks may not be appropriate for all areas and that "walking lanes" may be more appropriate for areas of the



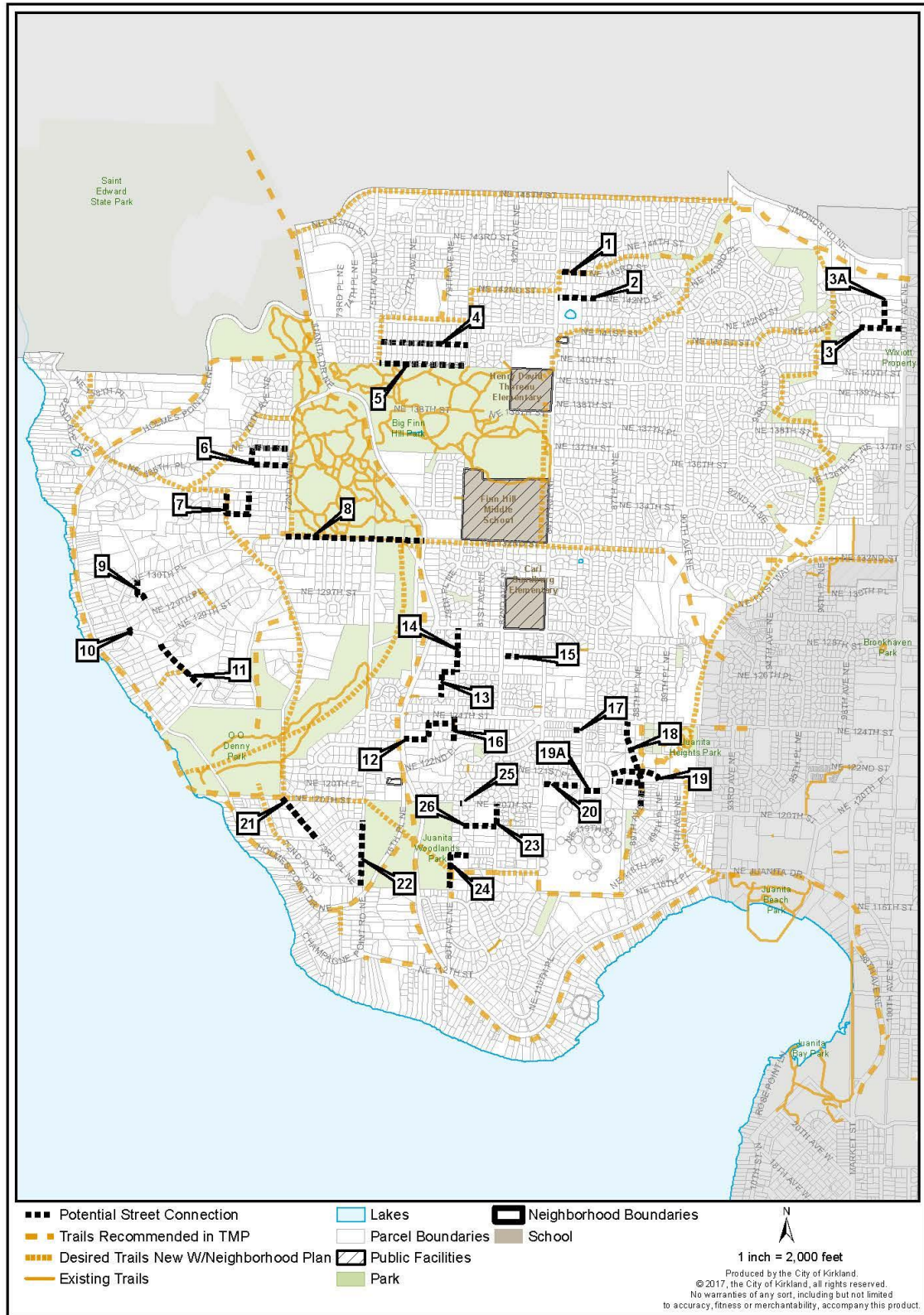
neighborhood with a more rural character. Developing the design standards for the streets should be created through a public involvement process. The standards should consider alternative designs for streets consistent with the City's Complete Streets Ordinance, such as the type of sidewalks, whether on-street parking is allowed, lighting, vegetation, pedestrian amenities, topographic or critical area constraints, tree retention, neighborhood character, all while providing emergency vehicular access. The presence of physical constraints such as steep topography, critical areas or to retain trees in a particular location may also require modification to city standards for right of way improvements.

***Policy FH-14.4: Minimize direct access to Juanita Drive to enhance safety and efficiency of circulation.***

Because of topographic constraints and speed of vehicular traffic, access to Juanita Drive should be limited. If driveways to Juanita Drive must be provided, they should be separated by at least 300 feet wherever possible. New driveways should be located so that future development can meet this standards and/or use a shared driveway. Access easements to allow for shared access to Juanita Drive and/or interior connections to side streets should be provided. As access to side streets becomes available driveways to Juanita Drive should be closed where possible.

*Draft map is subject to change.*





**Finn Hill Street Connections and Trails**



**Figure 7.3: Finn Hill Street Classifications**

***Policy FH-14.5: Discourage regional and bypass traffic in residential neighborhoods.***

Residents' safety concerns focused on problems with speeding and ensuring that neighborhood streets are safe for multiple forms of transportation. Traffic calming strategies could be developed to discourage regional traffic from using residential neighborhood streets.

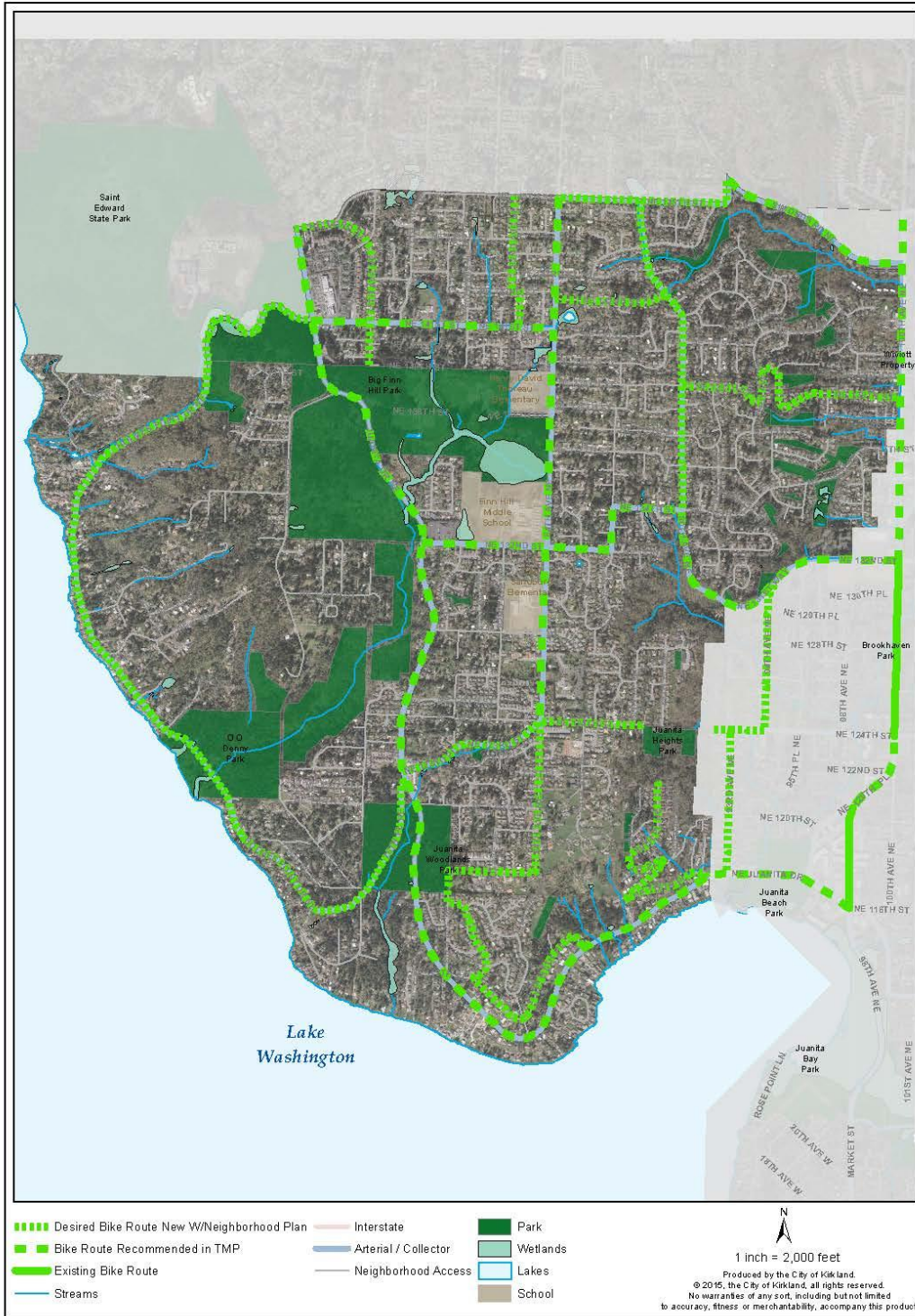
***Policy FH-14.6: Minimize cut-through traffic and reduce speeding through residential neighborhoods in coordination with City's Neighborhood Traffic Control program.***

Evaluate traffic patterns and volumes in the neighborhood to minimize cut-through traffic and speeding, in order to support the existing Neighborhood Traffic Control Program.

## **Bicycle Facilities**

Bicycle supportive facilities provide recreational opportunities and alternative transportation options. Desired improvements for bicyclists include providing protected bike facilities on arterials and collector, as well as providing safe crossings on Juanita Drive. Finn Hill residents are interested in bicycle routes that connect to parks and other key destinations within the neighborhood and region (See Figure 7.5).





***Goal FH-15: Expand safe and comfortable bicycle connections throughout the neighborhood and to surrounding areas.***

Safety, user friendliness, and connectivity are key concerns that residents have regarding Finn Hill's bicycle routes and facilities. Safe bicycle access within and through the neighborhood is a high priority. Approaches to address safety include creating separated bicycle lanes (including painted buffers and physical separation) and implementing Neighborhood Greenways on residential streets that are connected to bicycle facilities on major arterials. The implementation of these policies can be monitored under the performance measures and action items related to in the Transportation Element of the Comprehensive Plan.

***Policy FH-15.1: Improve bicycle connections to destinations within the neighborhood (parks, transit facilities, schools, and shopping areas) and to trail systems outside of Finn Hill.***

Similar to providing pedestrian trails and sidewalks discussed above, a priority for the neighborhood is to provide a bicycle system to be able to travel throughout the neighborhood to key destinations. Providing safe bicycle and intersection facilities to allow children and parents to travel to and from school reduces vehicle traffic around schools and neighborhood is a high priority.

***Policy FH-15.2: Establish neighborhood greenways throughout the neighborhood.***

Neighborhood Greenways are designated residential streets, generally off main arterials, with low volumes of vehicular traffic and low speeds where people who walk and bike are given priority.

***Policy FH-15.3: Determine the needs of commuter and recreational bike rider groups.***

The Finn Hill residents have identified two different types of bicycle routes and facilities: commuter and recreational bicycle facilities. These facilities may require specific bicycle amenities (e.g. repair stations, directional signs) along existing and proposed routes to support ridership.

Residents would like to improve the connectivity of Finn Hill's bicycle routes within the neighborhood and to the broader trail network. Bicycle facilities should connect to parks and amenities within Finn Hill. Bike facilities should also connect to other regional trail systems outside of Finn Hill (Lake Washington Loop Trail, Burke Gilman, Cross Kirkland Corridor, and Sammamish River Trail). Incorporating the pedestrian and bicycle connections and facility needs for Finn Hill in the Active Transportation Plan is a priority. The City should explore ways to expedite improvements.

***Policy FH-15.4: Explore public pedestrian and bicycle easements across properties to complete the trail system.***

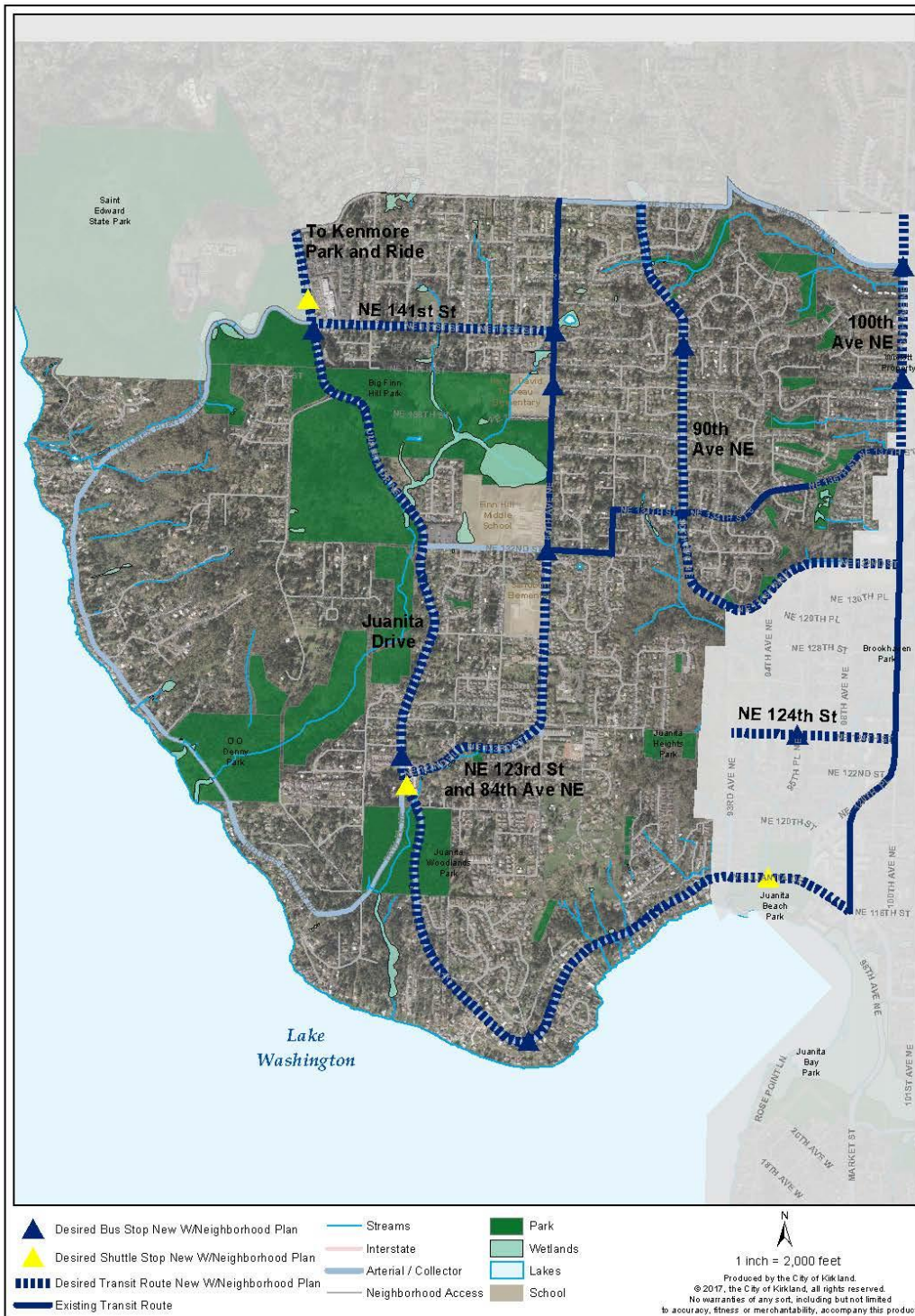


During the development review process, there may be opportunities to acquire public access easements across private property to provide pedestrian and bike trail connections to pedestrian and bicycle networks.

## **Transit Service**

The Finn Hill neighborhood is served by public transit in the northwest corner via King County Metro bus route 234. Finn Hill residents expressed interest in a more extensive neighborhood transit system (See Figure 7.4). Additional transit options may benefit the community by assisting the aging population, increasing connectivity to transit hubs, and providing alternative transit services for commuters.

The current low density land use and development pattern in the Finn Hill neighborhood makes it difficult to sustain additional fixed-route transit service because the ridership is lower than many other transit routes operated by King County Metro Transit. The City of Kirkland will continue to advocate for better transit solutions for the neighborhood. This includes new approaches to transit that do not rely on fixed bus routes, such as King County Metro's Neighborhood Connections program which provides small-scale flexible transit programs.



**Figure 7.4 Finn Hill Existing and Priority Public Transit System**

***Goal FH-16: Prioritize investments in the neighborhood toward increasing Public Transit options.***

Considering the low density land use pattern, the City should support alternative transit options. Pedestrian and bicycle networks linked to neighborhood destinations such as commercial areas, parks and schools support transit use. Providing transit amenities such as frequent service, inviting bus shelters, bus stops in key safe neighborhood activity areas with easy pedestrian access encourage more transit use.

***Policy FH-16.1 Work with transit agencies and other providers to connect transit within Finn Hill's two commercial areas to surrounding transit centers outside the neighborhood.***

The City and King County Metro should prioritize and coordinate infrastructure and needed density to support increased transit service to the two commercial areas in Finn Hill. The commercial areas serve as focal points for the neighborhood providing goods and services, are surrounded by higher density residential housing and nearby parks and located along a major north/south corridor.

***Policy FH-16.2: Explore alternative modes of transportation or research transit service options suitable for lower-density areas of the neighborhood (e.g. shuttles, car shares, vanpools).***

In lower density areas not sufficient to support transit service, alternative modes of transit service, ride shares, or shuttles should be explored to link people together with commercial areas, schools, and parks.

## 7. Public Services and Utilities

Water, sewer, and storm drainage services and facilities are adequate for existing and foreseeable future developments in the Finn Hill Neighborhood. There are segments of the street network system that are not open, paved or not up to City standards. If not included in the Capital Improvement Program, new development is required to install and upgrade water, sewer service and streets as a condition of development and to meet storm water requirements. The goals and policies contained in the Utilities, Capital Facilities and Public Services Chapters of the Comprehensive Plan and Northshore Utility District Comprehensive Plans provide the general framework for these services and facilities.

***Goal FH-17: Provide public and private utility services for the neighborhood.***

***Policy FH-17.1: Provide emergency services (fire and police) to the Finn Hill neighborhood at levels enhanced beyond those provided prior to annexation in 2011.***

The City provides emergency services to fire and medical emergencies, fire prevention, and public education and participates in regional specialized response for hazardous materials, technical rescue and paramedic services.

The City conducted a Standard of Coverage and Deployment Plan and Fire Strategic Plan to evaluate response services for fire suppression, emergency medical services and specialty situations. The study identified the need for a new dual fire station number 24 to serve the northern areas of the City including Finn Hill neighborhood. The new station 24 will be located in the north part of the City and is due to be completed by 2019.

***Policy FH-17.2: Provide potable water, sanitary sewer and surface water management facilities to new and existing development in accordance with the Northshore Utility District Water and Sanitary Sewer Comprehensive Plans, the Kirkland Surface Water Master Plan, Kirkland Municipal Code, and adopted Kirkland Surface Water Design Manual requirements.***

The Northshore Utility District provides water services to the Finn Hill Neighborhood. As a member of the Cascade Water Alliance, both the City of Kirkland and Northshore Utility District purchase their water supply from Seattle Public Utilities who gets it from the Tolt River Watershed, with occasional supply from the Cedar River Watershed.

The Northshore Utility District provides sewer service to residents in Finn Hill. See Natural Environment, Section 4. Surface Water for more information on stormwater management policies and protection of stream corridors and Lake Washington.

Puget Sound Energy (PSE) provides the Kirkland area with electricity and natural gas.

***Policy FH-17.3: Encourage undergrounding of overhead utilities***

Undergrounding overhead utilities is encouraged to improve views and aesthetics of an area by removing visual clutter.

DRAFT







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## **MEMORANDUM**

**DATE:** June 28, 2017

**To:** Interested Parties

**FROM:** Janice Coogan, Senior Planner  
Rob Jammerman, Development Engineering Manager  
Joel Pfundt, Transportation Manager

**SUBJECT: FINN HILL NEIGHBORHOOD PLAN STREET CONNECTIONS MAP**

As part of the Finn Hill Neighborhood Plan, staff recommends including a map in the Transportation Section showing anticipated street connections that could be made with future infill development. Enclosed is a preliminary draft map and corresponding chart describing each potential connection.

This memo is intended to provide background information to the public, Boards and Commissions and City Council in preparation of the final Finn Hill Neighborhood Plan. When adopted, the Finn Hill Neighborhood Plan will be a chapter of the Comprehensive Plan. Comments on the map may be submitted to staff described under the public review process section below.

In some areas of Finn Hill the street system is underdeveloped with dead ends lacking street connections, pavement, and sidewalks not to city standards. Typically, the exact location and alignment of new street connections is determined at the time when adjacent properties are developed. Providing a map of potential connections helps plan for the future and informs the public what to expect. A similar map is included in the North Rose Hill Neighborhood Plan.

The enclosed map is preliminary and shows potential street connections identified by a number that corresponds to a chart with a description of the existing conditions and why a through connection may be necessary. In some areas traffic calming measures may be needed. Also, other street connections could be added in the future as a result of redevelopment patterns that are unknown at this time.

In developing this map the Public Works and Planning staff considered the following criteria:

- Existing rights of way street system
- Vacant parcels
- Further developable parcels likely to redevelop given the lot size and existing zoning
- Existing short plats and subdivisions in various stages of development
- Critical areas and other areas to avoid
  - Streams
  - Wetlands
  - Park/Open Space
  - Landslide Hazard Area (Medium Hazard)
  - Landslide Hazard Area (High Hazard)
  - Steep slopes (Slopes that would require streets above a 15% grade)

### **Policy and Regulatory Support**

Policy support for providing an interconnected street network can be found in the Kirkland Municipal Code, Land Use and Transportation Elements of the Comprehensive Plan, and street design standards in the Kirkland Zoning Code as summarized below:

### **Kirkland Municipal Code**

#### Subdivisions

- 22.28.060 General Layout-Plats and streets should generally conform to a grid pattern
- 22.28.070 Blocks – Maximum Length- blocks should not exceed five hundred feet in length. Blocks that are more than seven hundred fifty feet in length should allow for midblock pedestrian access
- 22.28.090 Access – Right-of-Way – Adjacent to plat-Applicant shall comply with the requirements of the Zoning Code with respect to dedication and improvements of right-of-way adjacent to plats

### **Comprehensive Plan**

- Land Use Element Policy LU-3.9: Encourage vehicular and non-motorized connectivity.
- Improved connectivity encourages walking and biking and reduces travel distance for all transportation modes.
- Vehicle connections between adjacent properties reduce congestion on streets, number of turning movements and gasoline consumption
- As a part of land development, new connections to the existing street system are often required.
- Traffic spread over a grid of streets balances and minimizes impacts across the network. Therefore, the fact that new connections may increase traffic volume on some existing streets is not a sufficient reason for rejecting such new connections.

- Emergency response times are shorter and more reliable when responders have several routing options and new connections often provide these additional options.

### **Transportation Element (TMP)**

- Policy T-5.2: Design streets in a manner that supports the land use plan and that supports the other goals and policies of the transportation element.
- Policy T-5.3: Create a transportation network that supports economic development goals
- Policy T-5.6: Create a system of streets and trails that form an interconnected network.
- Action T-5.6.1: Develop a plan for connections between street ends and complete those connections.

### **Zoning Code and Public Works Pre-approved Plans Manual**

Chapter 110 and 105 provides the design requirements for streets, vehicular and pedestrian access:

- Section 105 – PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS
- Section 110 – REQUIRED PUBLIC IMPROVEMENTS

### **Public Review Process**

Public comments related to this map and the draft Finn Hill Neighborhood Plan may be submitted to staff or the Planning Commission at [planningcommissioners@kirklandwa.gov](mailto:planningcommissioners@kirklandwa.gov).

For more information on the Finn Hill Neighborhood Plan process, visit the [Finn Hill Neighborhood Plan webpage](#) on the City's website for a copy of the draft plan and background information about the process.

For more information or questions contact City Staff at:

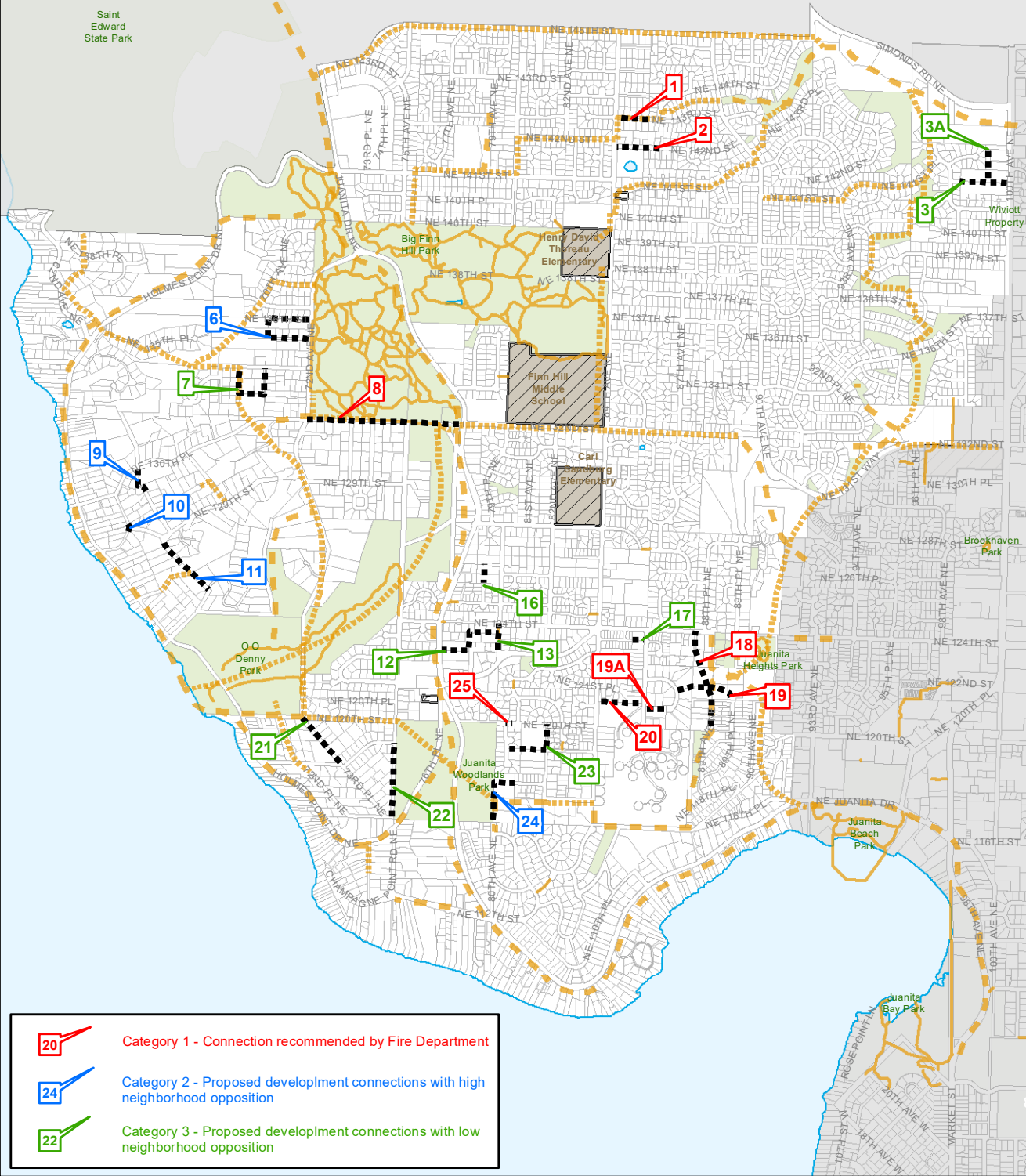
Janice Coogan, Project Planner at [jcoogan@kirklandwa.gov](mailto:jcoogan@kirklandwa.gov), 425-587-3257 or




Joel Pfundt, Transportation Manager at [jpfundt@kirklandwa.gov](mailto:jpfundt@kirklandwa.gov), 425-587-3865











Enclosures:

1. Map
2. Description of each potential connection





-  Category 1 - Connection recommended by Fire Department
-  Category 2 - Proposed development connections with high neighborhood opposition
-  Category 3 - Proposed development connections with low neighborhood opposition

-  Potential Street Connection
-  Trails Recommended in TMP
-  Desired Trails New W/Neighborhood Plan
-  Existing Trails
-  Lakes
-  Parcel Boundaries
-  Park
-  Neighborhood Boundaries
-  School
-  Public Facilities

1 inch = 2,000 feet

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### Finn Hill Street Connections and Trails



Finn Hill Street Connection Map Sorted by Category - Revised 9-19-2017						
Map No.	Name	From	To	Notes	Public Opposition-High or Low (# of comments)	Fire Department Recommended
<b>Category 1 - Connection Recommended by Fire Department</b>						
1	NE 143rd St.	84th Ave. NE	Existing Barricade	Street provides access to 10 homes. Street is encompassed in a private access easement. Would require all property owners to dedicate the easement to the City in order to make the street public and remove the barricade	Low (0)	X
2	NE 142nd St.	84th Ave. NE	Existing Barricade	Existing ROW and limited redevelopment. Existing street provides access to four residential homes. Paving and surface water mitigation required before the street can be opened. Traffic calming techniques/methods will need to be studied as well.	Low (1)	X
8	132nd Ave NE	72nd Ave. NE	Juanita Drive NE	Existing 30-40 ft wide public right-of-way through and adjacent Bill Finn Hill Park. More study is needed to determine feasibility due to environmental and topographic constraints. Connection would be mostly City funded because of limited redevelopment.	High (10+)	X
18	88th Ave NE or 89th Ave NE	NE 124th St	89th Pl. NE (Goat Hill)	Topographic and environmental constraints may make the connection infeasible. A pedestrian connection should be built if street connection is infeasible.	Low (0)	X
19	NE 121st St	87th Ave. NE	89th Ave. NE or 89th Place NE (Goat Hill)	Highly valuable connection to provide alternate access to property on Goat Hill.	Low (0)	X
19A	NE 120th St	86th Ave. NE	87th Ave. NE	Continues connection 19 noted above. Redevelopment may be limited which would limit this connection.	Low (1)	X
20	NE 120th Pl	84th Ave. NE	86th Ave. NE	Would require a re-platting of the Finn Hill Meadows Subdivision. Redevelopment highly unlikely, but street connection should be mapped.	Low (0)	X
25	NE 120th St	Barricade	Barricade	Existing street connection with gated barricade. Access for Fire Department will reduce response times. Fire Department has commented that opticom activated bollards would provide the access they are seeking while keeping the street closed to general vehicular traffic. If the street is opened to general vehicular use, traffic calming measures would be necessary.	High (10+)	X
<b>Category 2 - Proposed development connections with high neighborhood opposition</b>						
6	NE 135th St & NE 136th Loop Connection	72nd Ave NE	72nd Ave NE	Six different lots with development potential. Any subdivision of the land will likely require a public road dedication because private roads are limited to 4 homes access. If loop road connection is not required then two dead-end public streets will likely be the development standard that is applied.	High (10+)	
9	64th Ave NE	NE 130th Pl. to	North end of existing 64th Ave. NE	May have topographic or environmental constraints. Further study is needed. May require the City to purchase and improve some of the connection if it cannot be obtained via redevelopment.	High (10+)	
10	63rd Ave. NE	NE 129th St.	South end of existing pavement in 63rd Ave. NE (cul-de-sac)	Short connection (150 ft.) that is feasible to construct. Many comments from neighbors opposed to the vehicular connection. No opposition to a pedestrian/bicycle connection	High (10+)	
11	64th Ave NE	68th Ave NE	NE 129th St	Topographic or environmental constraints may make the connection infeasible. If a street connection is not feasible, pedestrian connection should be required with redevelopment of adjacent property.	High (10+)	
24	80th Ave NE/NE 117th Street Loop	80th Ave. NE	NE 117th St	300+ feet of the south end of this connection is currently under construction with two short plats. Connection may be deemed undesirable because of cut through traffic; traffic calming devices could be used to deter this. Also, narrow and circuitous streets serving this connection (through and east of Chatham Ridge subdivision) in addition to a challenging intersection at 80th Ave. NE and Juanita Drive may lead to a decision to only improve the connection for pedestrians and bikes.	High (10+)	
<b>Category 3 - Proposed development connections with low neighborhood opposition</b>						
3	NE 141st St	100th Ave NE	Existing street stub at 97th Ave. NE	Property zoned RSA 8. Highly likely to redevelop. Would provide additional access to the residential property to the east.	Low (0)	
3A	99th Ave. NE/NE 142nd St.	NE 141st St (new)	100th Ave. NE (a looped connection)	Property zoned RSA 8. Highly likely to redevelop. Tract F is a drainage tract owned by City that could potentially have street improvements in it (more research is needed). This would provide an interior looped road connection within this property when it is redeveloped.	Low (0)	
7	69th Ave. NE to 70th Ave NE Loop Connection	NE 134th Ave. NE	NE 134th Ave. NE	Four different lots with development potential. Ownership of the existing private access along the 70th Ave. NE. corridor may make the connection challenging.	Low (0)	
12	NE 123rd St.	Juanita Drive NE	80th Ave NE	High development potential that will need public road access.	Low (0)	
13	80th Ave NE	NE 123rd St.	NE 124th St.	Viable connection but intersection sight distance at NE 123rd St may make the connection infeasible. More study needed. A good pedestrian/bike connection if street connection is not feasible.	Low (0)	
16	79th Ave. NE Loop	existing south terminus of 79th Ave. NE	existing north terminus of 79th Ave. NE	Completion of street connection between two existing subdivisions that constructed part of 79th Ave. NE	Low (0)	
17	NE 123rd Pl	86th Ave NE	Existing east end of NE 123rd Pl.	The existing NE 123rd Pl appears to have been required by King Co as part of higher density development. The terminus of the road indicates that King County intended it to be extended east. Extension of NE 123rd will need to be analyzed when the two parcels to the east are redeveloped.	Low (0)	
21	73rd Pl NE	NE 118th St	NE 120th St.	Existing 12 ft. wide gravel connection exists today. Topography may make this connection infeasible, but should be mapped.	Low (0)	
22	76th Ave. NE	NE 116th St	NE 118th St	30 ft. wide existing ROW along west edge of Woodlands Park. Some redevelopment could build part of the connection; some of the connection costs may need to be City funded.	Low (0)	
23	82nd Ave. NE/NE 119th Street	Looped connection from 80th Place NE	NE 120th St.	Street connection required with redevelopment	Low (0)	
<b>Category 4 - Connections removed from map because recent subdivision completed the connection or the connection exists now, but private/public ownership needs followup</b>						
4	NE 140th Pl	75th Ave NE	80th Ave NE	Removed from map. Existing private street connection. May become public in future with property owner approval and street maintenance.	Low (0)	
5	NE 140th Street	75th Ave NE	80th Ave NE	Removed from map. Existing private street connection. May become public in future with property owner approval and street maintenance.	Low (0)	
14	80th Ave NE	NE 126th St	NE 128th St.	Removed from map. Approved subdivisions have already completed this connection.	Low (0)	
15	NE 126th Pl	82nd Ave. NE	84th Ave NE	Removed from map. Approved subdivisions have already completed this connection.	Low (0)	



**CITY OF KIRKLAND**  
**Planning and Building Department**  
**123 5th Avenue, Kirkland, WA 98033**  
**425.587.3600- [www.kirklandwa.gov](http://www.kirklandwa.gov)**

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** Deb Powers, Urban Forester  
**Date:** September 14, 2017  
**Subject:** 2017 ARBOR DAY PROCLAMATION

**RECOMMENDATION**

That the Mayor proclaim October 21, 2017 as Arbor Day in the City of Kirkland.

**BACKGROUND DISCUSSION**

Attached is the proclamation declaring Saturday, October 21, 2017 as Arbor Day in the City of Kirkland. The annual Arbor Day Celebration and forest restoration will take place at Crestwoods Park from 10am to 2pm. Volunteers are invited to reconnect with nature and support stewardship efforts by planting native trees, shrubs and ground cover, and removing invasive plants.

Following the restoration efforts, a ceremonial native tree planting will take place with City Councilmember Jon Pascal, Washington State Department of Natural Resources Ben Thompson, and Kirkland Urban Forester Deb Powers.

Since 2001, Kirkland has celebrated its autumnal Arbor Day to coincide with a Green Kirkland Partnership forest restoration project. The event brings together many different groups of staff and volunteers – all working together for a healthy, sustainable urban forest in Kirkland.

By meeting the National Arbor Day Foundation standards in 2017, Kirkland will maintain its status as a Tree City USA for the sixteenth consecutive year. In addition, Kirkland is one of a limited number of cities in the State of Washington that has received numerous Growth Awards for exceeding these standards on an annual basis.

Kirkland Urban Forester Deb Powers and Green Kirkland Partnership Supervisor Sharon Rodman are the recipients of the 2017 Arbor Day Proclamation.

cc: Sharon Rodman  
Eric Shields  
Jeremy McMahan

Attachment: 2017 Arbor Day Proclamation



## A PROCLAMATION OF THE CITY OF KIRKLAND

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### **Proclaiming October 21, 2017 as Kirkland Arbor Day in Kirkland, Washington**

**WHEREAS**, Arbor Day is observed around the world to celebrate, plant, and care for trees, and

**WHEREAS**, by proclaiming and celebrating Arbor Day each year, Kirkland meets 'Tree City USA' criteria set forth by the National Arbor Day Foundation, and

**WHEREAS**, celebrating Arbor Day fulfills Kirkland Urban Forestry Strategic Management Plan objectives, supporting the community's vision for a livable and sustainable Kirkland today and for future generations, and

**WHEREAS**, Green Kirkland Partnership volunteers celebrate Arbor Day by planting an abundance of native trees in open space areas, contributing to a resilient, healthy urban forest,

**NOW, THEREFORE, I**, Amy Walen, Mayor of Kirkland, do hereby proclaim Saturday, October 21, 2017 as Kirkland Arbor Day and encourage residents to appreciate the value of trees and support their protection.

Signed this 3rd day of October, 2017

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Amy Walen, Mayor



**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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**To:** Kurt Triplett, City Manager

**From:** Rosalie Wessels, Administrative Assistant  
Kathy Brown, Public Works Director

**Date:** September 20, 2017

**Subject:** WALK YOUR CHILD TO SCHOOL WEEK PROCLAMATION

**RECOMMENDATION:**

It is recommended that the Mayor proclaim October 2-6, 2017, as Walk Your Child to School Week in Kirkland.

**BACKGROUND DISCUSSION:**

The City of Kirkland continues to be active in partnering with the Lake Washington School District to develop safe routes to school. A portion of the Streets Levy funding is dedicated to pedestrian safety, benefitting students walking or biking to school. Since 2013, thirty-four Rapid Flashing Beacons (RFB's) have been installed in the City, including street junctions along the Cross Kirkland Corridor (CKC) interim trail. Portions of the CKC have been designated by Lake Washington School District as Safe Routes to School. Twenty of the RFBs were installed on Safe Routes to School. These crossings will benefit students walking to schools, and will also increase overall pedestrian safety in Kirkland. In addition, a Safe Routes to School map was adopted by the City Council in early 2014.

The 4<sup>th</sup> of October is International Walk to School Day. The City Council supports school safety and healthy, active lifestyles by declaring the Walk Your Child to School Week each year with a proclamation, and it is time again to declare October 2-6 the annual Walk Your Child to School Week in Kirkland.





School events are planned and carried out primarily by PTSA volunteers at each school. City staff help by coordinating Fire and Police appearances and the use of Ped Bee costumes at each participating school. Council members are invited to participate by visiting any of the schools' events, held in the morning at the beginning of the school day. Below is the event schedule with the nine schools in Kirkland that have thus far planned to participate. Lakeview Elementary, not on the schedule, holds their Walk Your Child to School Week during the last week of September, this year on September 25-29. Changes, additions, or updates will be emailed to the Council.

<b>Day/Date</b>	<b>School</b>	<b>Time</b>
Monday, Oct 2	Thoreau Elementary	8:15 AM
Tuesday, Oct 3	Rose Hill Elementary	8:00 AM
Wednesday, Oct 4	Juanita Elementary	8:30 AM
Wednesday, Oct 4	Peter Kirk Elementary	8:10 AM
Thursday, Oct 5	Ben Franklin Elementary	8:30 AM
Friday, Oct 6	AG Bell Elementary	8:20 AM
Monday, Oct 9	Carl Sandberg Elementary	8:20 AM
Friday, Oct 13	Robert Frost Elementary	8:20 AM

Students and parents from each school will be invited to the October 3 City Council meeting to be present and receive the Proclamation from the Mayor. The school coordinators will be encouraging students and parents to support this important week in Kirkland to emphasize the priorities of pedestrian safety and healthy kids in Kirkland.

Attachment: Proclamation





## A PROCLAMATION OF THE CITY OF KIRKLAND

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### **Proclaiming October 2-6, 2017 as "Walk Your Child to School Week" in Kirkland, Washington**

**WHEREAS**, the National Center for Safe Routes to School, a group working to improve safety and health and walking conditions for children, encourages local communities to support International Walk to School Day and similar activities; and

**WHEREAS**, walking or biking to school supports an active, healthy lifestyle through a common and enjoyable form of exercise and teaches children the skills to walk and bicycle safely and to identify safe routes to school including portions of the Cross Kirkland Corridor as designated by the Lake Washington School District; and

**WHEREAS**, Kirkland voters approved the Street Maintenance and Pedestrian Safety Levy in 2012 which provides annual funding toward creating and enhancing school walk routes to elementary schools; and

**WHEREAS**, the City of Kirkland recognizes the importance of pedestrian safety and has constructed multiple improvements to school walk routes across the City, including thirty-two Rapid Flashing Beacons at strategic school and other crosswalk sites since 2013; and

**WHEREAS**, the City Council adopted a Safe Routes to School map in March of 2014; and

**WHEREAS**, children and parents in Kirkland are encouraged to walk or bicycle to school every day, but particularly during the week of October 2 through 6, 2017;

**NOW, THEREFORE, I**, Amy Walen, Mayor of Kirkland, do hereby proclaim the week of October 2 to 6, 2017, as "Walk Your Child to School Week" in the City of Kirkland, Washington and encourage Kirkland residents to participate in this annual event and to always consider the safety of pedestrians and bicyclists.

Signed this 3<sup>th</sup> day of October, 2017

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Amy Walen, Mayor



**CITY OF KIRKLAND**  
**Department of Parks & Community Services**  
**123 5<sup>th</sup> Avenue, Kirkland, WA 98033 425.587.3300**  
**www.kirklandwa.gov**

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Lynn Zwaagstra, Director  
Michael Cogle, Deputy Director  
Leslie R. Miller, Human Services Administrator

**Date:** September 21, 2017

**Subject:** DOMESTIC VIOLENCE ACTION MONTH PROCLAMATION

**RECOMMENDATION:**

That the Mayor proclaim October 2017 as Domestic Violence Action Month in Kirkland, Washington.

**BACKGROUND DISCUSSION:**

The purpose of National Domestic Violence Action Month is to promote an active community response against the scourge of domestic violence.

LifeWire, the leading domestic violence agency in Washington State, encourages survivors, their loved ones, and concerned citizens to learn more by calling the LifeWire Helpline at 425-746-1940. Resources regarding Domestic Violence are also available at the following websites:

LifeWire - [www.lifewire.org](http://www.lifewire.org)

Washington State Coalition Against Domestic Violence - <https://wscadv.org>

National Coalition Against Domestic Violence - <https://ncadv.org>.

A staff member from LifeWire and volunteers from the Christian Coalition for Safe Families plan to be present to accept the Proclamation. Staff will post the proclamation online and provide a link to additional resources through the City of Kirkland website.



## A PROCLAMATION OF THE CITY OF KIRKLAND

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### **Designating October 2017 as "Domestic Violence Action Month" in Kirkland, Washington**

**WHEREAS**, domestic violence is a serious crime that affects one in four women and one in seven men during their lifetime; and

**WHEREAS**, domestic violence is widespread and has a devastating impact on survivors, children, families and our community; and

**WHEREAS**, domestic violence does not discriminate and crosses all economic, racial, gender, educational, religious and societal barriers, and is sustained by indifference; and

**WHEREAS**, in 2016 the Kirkland Police Department responded to approximately 1,395 domestic related incidents, and added 258 new misdemeanor cases of domestic violence; and

**WHEREAS**, ending the cycle of this vicious crime requires the courage of survivors and the support of the larger community; and

**WHEREAS**, our efforts must extend beyond the criminal justice system to include housing and economic advocacy for survivors, working with young people to stop violence before it starts, and reaching out to friends and loved ones who have suffered from domestic violence.

**NOW, THEREFORE**, I, Amy Walen, do hereby proclaim October, 2017 as *Domestic Violence Action Month* in the City of Kirkland. Let us honor survivors by promoting peace in our own families, homes, and communities. Let us renew our commitment to end domestic violence and its brutal and destructive effects so that domestic violence has no future in Kirkland or beyond.

Signed this 3rd day of October, 2017

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Amy Walen, Mayor



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
September 19, 2017

1. CALL TO ORDER

Mayor Walen called the study session to order at 6:00 p.m. and the regular meeting to order at 7:30 p.m.

2. ROLL CALL

ROLL CALL:

Members Present: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, and Councilmember Penny Sweet.

Members Absent: None.

3. STUDY SESSION

a. Forterra Public Outreach Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett and Forterra Vice President of Communications Michael Beneke.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

a. National Recovery Month Proclamation

King County Behavioral Health and Recovery Division's Hospital and Mental Health Residential Coordinator Mario Williams-Sweet accepted the proclamation from Mayor Walen and Councilmember Sweet.

b. National Pollution Prevention Week Proclamation

Public Works Director Kathy Brown, Stormwater Supervisor Jason Osborn, Stormwater Lead Lee Winston and Water Quality Program Coordinator Ryeann-Marie Tuomisto accepted the proclamation from Mayor Walen and Deputy Mayor Arnold.

6. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience

Laura Wong  
Ryan Malloy  
Peter Allender  
John Sambrook  
David Greschler  
Tere Kaulfus  
Vicki Grayland

- c. Petitions

7. SPECIAL PRESENTATIONS

- a. Puget Sound Energy Door-to-Door Campaign Follow-up

Puget Sound Energy (PSE) Representative Nick Hartrich reported on the results of the PSE energy efficiency campaign in Kirkland.

- b. Audit De-Brief and Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting

Department of Finance and Administration Director Michael Olson, Accounting Manager Teresa Levine, and Senior Accountants Carol Wade and Nancy Otterholt accepted the award certificate from Mayor Walen.

8. CONSENT CALENDAR

- a. Approval of Minutes

(1) September 5, 2017

(2) September 13, 2017

- b. Audit of Accounts:

Payroll \$3,243,403.73

Bills \$3,468,642.68

run #1648 checks #613803 - 613896

run #1649 checks #613921 - 614107

- c. General Correspondence



d. Claims

Claims received from Qiongwen Chen, Scott Thomas Jones, and Paragon Condominiums 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) Contingent Funding for Transit Oriented Development Feasibility Study

Motion to Amend the staff recommendation to add "or related efforts" after the words "toward a feasibility study" where it appears in the first two paragraphs of the staff memo.

Moved by Councilmember Dave Asher, seconded by Councilmember Jon Pascal

Vote: Motion carried 7-0

Yes: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, and Councilmember Penny Sweet.

(2) Ordinance O-4604 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SCHOOL IMPACT FEES AND AMENDING SECTION 27.08.150 OF THE KIRKLAND MUNICIPAL CODE."

The ordinance was approved via approval of the Consent Calendar.

(3) Report on Procurement Activities

Motion to Approve the Consent Calendar, with the amendments to item 8. h. (1). as approved.

Moved by Councilmember Dave Asher, seconded by Councilmember Jon Pascal

Vote: Motion carried 7-0

Yes: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, and Councilmember Penny Sweet.

9. PUBLIC HEARINGS

a. Resolution R-5270, Supporting King County Proposition No. 1, Levy Lid Lift for Veterans, Seniors and Vulnerable Populations.

(1) King County Proposition No. 1 Levy Lid Lift for Veterans, Seniors and Vulnerable Populations

The King County Council passed Ordinance 18555 concerning funding for veterans, seniors and vulnerable populations. If approved, this proposition would replace an expiring levy and fund capital facilities and regional health and human services for veterans and military servicemembers and their families, seniors and their caregivers, and vulnerable populations. It would authorize an additional property tax for six years beginning with a 2017 rate of \$0.10 per \$1,000 of assessed valuation for collection in 2018. The first year levy amount would be the base for computing annual increases up to 3.5% for collection in 2019 through 2023, as provided in Ordinance 18555. Should this proposition be: Approved? Rejected?

Mayor Walen explained the parameters and opened the public hearing. King County Veterans and Human Services Levy Renewal Manager Leo Flor shared factual information and responded to Council questions about the Ballot Measure. Human Services Administrator Leslie Miller also provided information about a sample of local agencies funded by the current levy that serve Kirkland residents. Testimony was then provided by Ross Cohen and Aimee Voelz. No further testimony was offered and the Mayor closed the hearing.

Motion to Approve Resolution R-5270, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SUPPORTING KING COUNTY PROPOSITION NO. 1, LEVY LID LIFT FOR VETERANS, SENIORS AND VULNERABLE POPULATIONS."

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 6-1

Yes: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Jon Pascal, and Councilmember Penny Sweet.

No: Councilmember Toby Nixon.

## 10. UNFINISHED BUSINESS

### a. Update on Residential Suites in Houghton/Everest Neighborhood Center

Senior Planner Angela Ruggeri provided an overview of the issues discussed at Council's July 18, 2017 meeting and presented additional information obtained since that time. The City Council provided direction to present the matter to the Houghton Community Council for consideration at their next meeting and report back to the City Council at their October 3, 2017 meeting for further discussion and potential next steps.

Council recessed for a short break.

### b. Juanita Beach Park Bathhouse Replacement Project Update

Parks and Community Services Deputy Director Michael Cogle and Senior Capital Projects Coordinator Anneke Davis provided the Council with a project update and received guidance on design and cost reduction strategies for the project.

- c. Ordinance O-4605 and its Summary, Relating to Planning and Land Use and Amending Title 3 of the Kirkland Municipal Code, Chapter 3.30 Design Review Board, to Amend "Kirkland Parkplace Mixed-Use Development Master Plan and Design Guidelines" Which are Adopted by Reference.

Senior Planner Angela Ruggeri provided an overview of the modifications included in the proposed ordinance.

Motion to Approve Ordinance O-4605 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PLANNING AND LAND USE AND AMENDING TITLE 3 OF THE KIRKLAND MUNICIPAL CODE, CHAPTER 3.30 DESIGN REVIEW BOARD, TO AMEND "KIRKLAND PARKPLACE MIXED-USE DEVELOPMENT MASTER PLAN AND DESIGN GUIDELINES" WHICH ARE ADOPTED BY REFERENCE."

Moved by Councilmember Penny Sweet, seconded by Deputy Mayor Jay Arnold  
Vote: Motion carried 6-1

Yes: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, and Councilmember Penny Sweet.

No: Councilmember Dave Asher.

## 11. NEW BUSINESS

- a. Resolution R-5271, Allocating the City's Portion of Community Development Block Grant (CDBG) Funds for 2018.

Human Services Administrator Leslie Miller provided an overview of the proposed resolution.

Motion to Approve Resolution R-5271, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ALLOCATING THE CITY'S PORTION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR 2018."

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

Yes: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Doreen Marchione, Councilmember Toby Nixon, Councilmember Jon Pascal, and Councilmember Penny Sweet.

- b. Vacation Rentals Regulations

Planning and Building Director Eric Shields reviewed options for regulating vacation rentals and received Council feedback for legislation to be brought back at the October 3, 2017 regular Council meeting.

## REPORTS

### c. City Council Regional and Committee Reports

Councilmembers shared information regarding the Tourism Development Committee meeting; the Crossing Kirkland event and mural; the South Rose Hill/Bridle Trails Neighborhood Association meeting; the Sound Cities Association Public Issues Committee meeting; an upcoming public meeting for neighbors about the proposed Women and Families' Shelter meeting at the Salt House Church; the Public Works, Parks and Human Services Committee meeting; a meeting with the Washington State Department of Transportation about the 128th Street interchange and left turn restrictions; an Eastside Transportation Partnership meeting; a Transportation Ad Hoc Committee meeting; a Greater Kirkland Chamber of Commerce meeting; the Juanita Neighborhoods Association Welcome to Kirkland Community event; the Indivisible Kirkland/Kenmore Welcoming Week Potluck; a King County Regional Water Quality Committee meeting; the Leadership Eastside Mayors' luncheon; a King County Emergency Management Advisory Committee meeting; a King County Solid Waste Advisory Committee meeting; a visit at the Cedar Hills Regional Landfill; Winterfest Planning activities; requested and received permission to direct staff to prepare a proposal to fund the purchase of the next section of the holiday tree from the City Council Special Contingency Fund; the upcoming City of Kirkland All City Dinner; a Planning and Economic Development Committee meeting; the Lake Washington Mayors' meeting; the Sound Cities Association Legislative Wrap Up Dinner; putting together a stakeholder group to address Downtown cleanliness; a Five City Mayor's luncheon; the Built Green conference; the Puget Sound Regional Council's Project Selection Task Force meeting; and an ARCH Community Housing Trust meeting.

### d. City Manager Reports

City Manager Kurt Triplett reported on the Arch Community Housing Trust meeting and redefining the baseline of ARCH Housing Trust Fund levels of contribution; and issues around parking requirements at the new proposed Women and Families Shelter.

#### (1) Calendar Update

City Manager Kurt Triplett informed the Council of the All City Dinner on October 12 and the Totem Lake Evergreen Hill Neighborhood Meeting on October 18.

## 12. ITEMS FROM THE AUDIENCE

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of September 19, 2017 was adjourned at 10:56 p.m.

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Kathi Anderson, City Clerk

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Amy Walen, Mayor





**CITY OF KIRKLAND**  
Department of Finance and 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  
**Date:** September 21, 2017  
**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) Tanya Guenther  
515 Lake St. S. #106  
Kirkland, WA 98033

**Amount:** Unspecified Amount

**Nature of Claim:** Claimant states damage to vehicle resulted from being struck by a City vehicle.

- (2) Joyce Hardy  
100 Waverly Way  
PO Box 194  
Kirkland, WA 98083

**Amount:** \$23,576.38

**Nature of Claim:** Claimant states damage to property is a result of City owned tree roots encroaching on house drainage system.

(continued)

- (3) Virginia A. Nyberg  
6916 117<sup>th</sup> Drive NE  
Kirkland, WA 98033

**Amount:** \$340.38

**Nature of Claim:** Claimant states damage resulted during removal of a City owned tree of which a portion fell on her property.

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



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

**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Kathy Brown, Public Works Director  
 David Snider, P.E., Capital Projects Manager  
 Anneke Davis, P.E., Senior Capital Projects Coordinator

**Date:** September 21, 2017

**Subject:** FIRE STATION 25 RENOVATION (PS 3001) - AWARD CONTRACT

**RECOMMENDATION:**

City Council to award a construction contract to Western Ventures, of Mountlake Terrace, WA, in the amount of \$2,746,700.00.

By taking action on this item during approval of the consent calendar, City Council is awarding a construction contract for the subject project.

**BACKGROUND DISCUSSION:**

Kirkland's Fire Station 25 is located in the Finn Hill Neighborhood at the intersection of Juanita Drive NE and 76<sup>th</sup> PL NE (Attachment A). The station is 43 years old and has never undergone a major renovation.

The Fire Station 25 Renovation (Project) first appeared in the 2015-2020 CIP with a total project budget of \$3,787,000. The scoping and design phase began in the fall of 2016, with close coordination efforts between Fire Department and Public Works Capital Improvement Project staff. Carletti Architects, an architectural firm with extensive fire station planning and design experience, was hired for the design phase of the project. With the pre-design efforts completed in late 2016, full design efforts began in January 2017.

*Renovation*

The Project will modernize the aging fire station by providing additional space, seismic upgrades, and the replacement of all existing mechanical, plumbing, and electrical systems to be energy-efficient and code-compliant. The renovated station will meet International Building Code standards for Essential Public Facilities.



The seismic/structural upgrades includes new steel beam ties, added interior shear walls with new concrete foundations, a new roof deck, and new support framing systems. The new mechanical system will be a variable refrigerant type for building cooling, together with a heat exchange and recovery element for pre-warming fresh air for building heating. The vehicle and apparatus bays will include both a central exhaust and an at-source exhaust capture system. A full-building fire sprinkler system will be also installed.

The Project also includes a small two-story addition on the back of the existing building to serve two purposes. The addition provides more space needed to achieve best practices in fire station design while also making the seismic retrofit less costly. It will be wood-framed with brick veneer to match the existing building.

Other best practices included in the design are improved station travel paths and separate ventilation spaces intended to eliminate cross-contamination between the fire fighters' living and working spaces. This reduces job-related health risks to Kirkland fire fighters. Additionally, the renovation is designed with future staffing changes in mind. The Project will provide five sleepers; each sleeper can accommodate up to four lockers making it adaptable to work with any shift schedule that may be negotiated in the future.

With this renovation, Fire Station 25 will also become more welcoming to the public by moving public parking and the public access door from its current location on the side of the building to its front. At the back of the station, the renovation will provide a location for rope and ladder drills to aid in enhancing crew readiness.

#### *Art*

The City of Kirkland, through an artist selection process with the Cultural Arts Commission, has selected an artist for the Fire Station 25 Renovation. The art will be placed on the front of the Station, above and to the right of the public entry door. The artwork will include the station identifier (25), will focus on firefighting imagery, will be unique to the neighborhood and the fire station environment, and will be recognizable to the public at a glance. The art will incorporate lighting opportunities and will be primarily made of low maintenance materials.

#### *Award*

The Project's design was completed with an architect's estimate for construction of \$2,750,000. The first advertisement for contractor bids was on August 25 and on September 14, 2017, the following three contractor bids were received:

**Table 1 – Bid Results (Basis for Award)**

<b>Contractor</b>	<b>Base Bid</b>	<b>Sales Tax</b>	<b>Deductive Alternate 1</b>	<b>Deductive Alternate 2</b>	<b>Total (Base Bid+Tax)</b>
<b>Western Ventures</b>	<b>\$2,497,000</b>	\$249,700	\$38,000	\$10,000	<b>\$2,746,700.</b>
<i>Architect's Estimate</i>	\$2,500,000	\$250,000	\$48,000	\$8,625	\$2,750,000.
Macro Z Technologies	\$2,529,650	\$252,965	\$38,400	\$5,800	\$2,782,615.
Faber Construction	\$2,603,000	\$260,300	\$36,000	\$7,500	\$2,863,300.

As a means to preserve the Project budget, in the event the base bid came in high, two deductive alternates were identified in the plans and specifications – DA-1 for not providing a new generator and DA-2 to not build the new roof canopy on the rear of the building. Since the total price received from the low bidder is less than both the architect's estimate and Project's construction budget, including maintaining a 10% construction contingency, staff recommends

a City Council award of the Base Bid amount, including sales tax, to Western Ventures in the amount of \$2,746,700 (Attachment B). Doing so means that both alternates will be included in the project.

A City Council award at the October 3 meeting will result in a late October/early November construction start followed by substantial completion in early summer 2018. In advance of construction, staff will inform local residents and business owners of the upcoming work. The public outreach plan includes an article in *City Update*, an announcement in *This Week in Kirkland*, an informational mailing to the Finn Hill and Juanita Neighborhoods, a presentation and discussion at the October 2017 Finn Hill Neighborhood Alliance meeting, a sign or banner at the existing fire station 25 site, as well as the temporary Station 25 (old 24) location, regular updates to a project website, and posts to social media, such as Facebook® and Next Door®.

#### *Temporary Station 25*

To expedite the work and thereby shorten the time needed to renovate Station 25, the station's fire crews will be temporarily moved to the former Station 24, located at 84<sup>th</sup> Avenue NE and NE 141st Street (Attachment A). Fire Station 24 was decommissioned after the Annexation of the North Kirkland Neighborhoods, but is available for temporary re-activation as the Temporary Fire Station 25. No formal City Council action is required at this time for the temporary use of former Station 24.

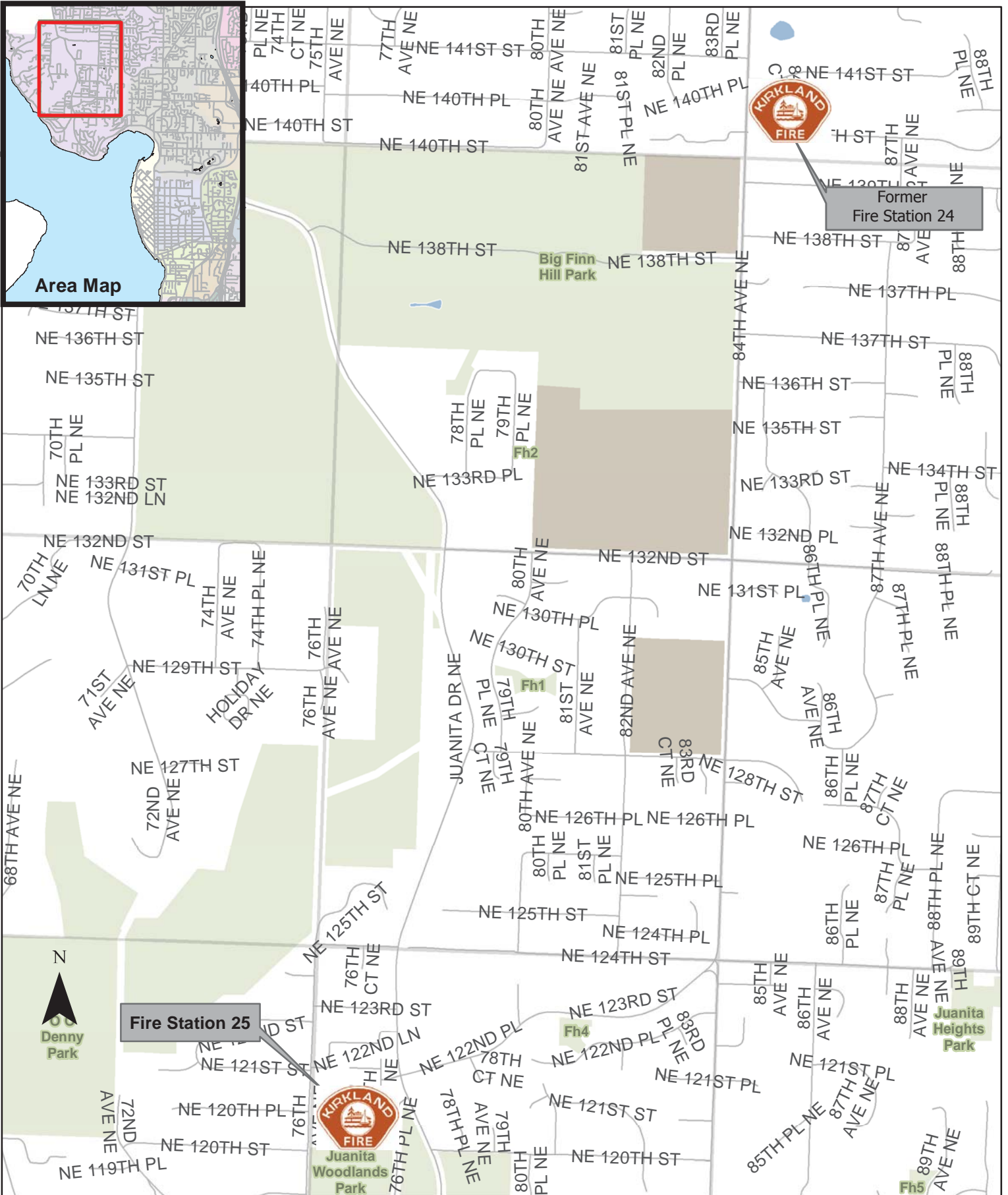
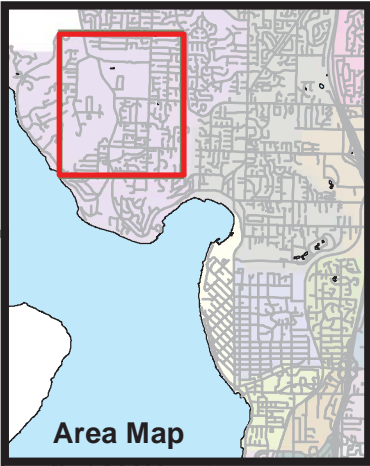
#### *Response Times on Finn Hill*

Preserving the safety of the residents and businesses was a top priority throughout planning the renovation and relocation. The relocation to Temporary Fire Station 25 should not impact most response times in Finn Hill. Although the primary station response will move to the north, the temporary station will still be able to reach most of Finn Hill with similar response times. In addition, Station 21 at Forbes Creek Drive can reach the southern portion of Finn Hill that might otherwise be impacted by the relocation.

Attachment A – Vicinity Map

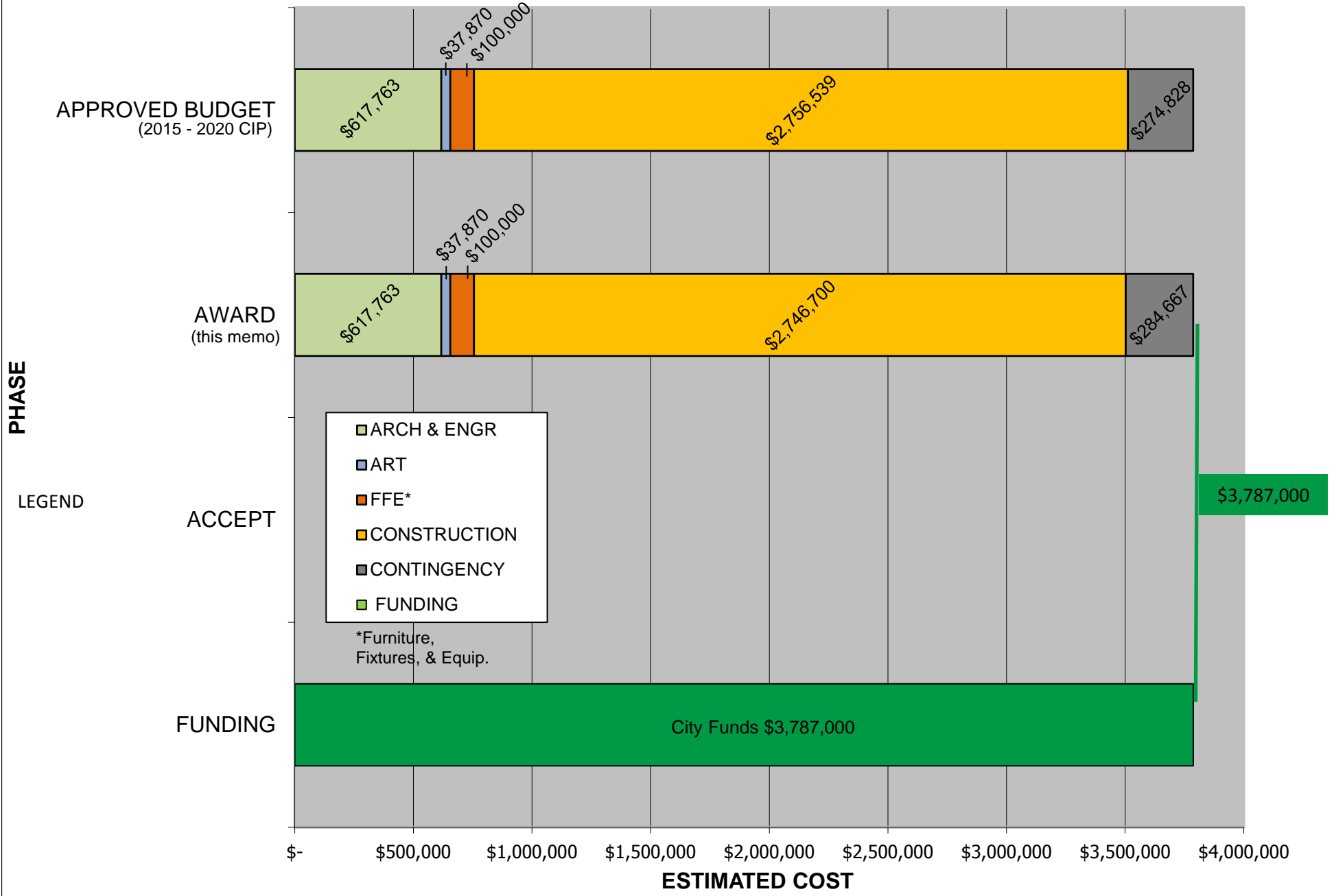
Attachment B – Project Budget Report





**Fire Station 25 Renovation  
(CPS 3001 000)  
PROJECT BUDGET REPORT**

**Attachment B**





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

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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Ellen Miller-Wolfe, Economic Development Manager  
Philly Hoshko, Special Projects Coordinator

**Date:** September 8, 2017

**Subject:** Tourism Development Committee Funding Recommendations

### **RECOMMENDATION:**

The Tourism Development Committee (TDC), which functions as Kirkland's Lodging Tax Advisory Committee (LTAC), recommends that the outside organizations below receive funding for expenses related to 2018 programs and events at the levels specified below. By approving this item as part of the consent calendar the Council is authorizing the funding allocations at the recommended level.

### **BACKGROUND:**

For 2018, the TDC budgeted \$60,000 for outside agency funding.

Kirkland Tourism Staff sent out applications for funding in June, 2017 and received 20 applications for funding totaling \$217,140.00. TDC met on August 30, 2017 to hear presentations from the applicants. On September 7, 2017 it met again to make the funding recommendation to City Council.

Members rated the applications individually on a number scale based on criteria outlined in the application:

- Tourist Attraction and Marketing – 50 points: The extent the event/program demonstrates the ability to attract visitors from 50 miles or more away and generate overnight stays.
- Project Scope – 20 points: The extent the event/program improves the City's overall image by providing a positive visitor experience and/or promoting the area's existing attractions including the Kirkland Waterfront and Cross Kirkland Corridor.
- Economic Impact – 10 points: The extent the event/program will generate a positive economic impact by increasing visitor expenditures in Kirkland.
- Project Success and Sustainability - 10 points: The extent the applicant has a track record in implementing a successful event/program including contract and permit compliance. The ability of the event to secure additional funding sources beyond City of Kirkland tourism funding.
- Community Collaboration – 10 points: The extent the applicant partners and collaborates with other Kirkland events and organizations in leveraging resources and marketing efforts.

### Bonus Points

- New Event – 15 points: New event/programs that have been in existence for less than three years qualify for up to 15 bonus points.
- Shoulder Season Impact– 10 points: Events that take place in the shoulder season (October-April) qualify for up to 10 bonus points.

The scores were tabulated and the totals shared with the group. The Committee then determined levels of funding based on the scores, past funding levels and total budget.

In their September 7, 2017 meeting the Tourism Development Committee voted unanimously to recommend the distribution of funds as listed below (Attachment A):

Event	Organization	2017 Awarded Amount	2018 Funding Requested	2018 Approved Amount	TDC Score
Junior Softball World Series	Little League Baseball, Inc/Jr Softball World Series	\$ 9,000	\$ 10,000	\$ 9,000.00	550
Kirkland Oktoberfest	Kirkland Events	\$ 4,500	\$ 22,000	\$ 5,000.00	521
Kirkland Uncorked	Bold Hat Productions	\$ 5,000	\$ 15,000	\$ 5,000.00	501
Kirkland Winterfest and Tree Lighting	Kirkland Downtown Association	\$ 3,000	\$ 8,000	\$ 4,500.00	497
Celebrate Kirkland 4th of July	Kirkland Downtown Association	\$ 3,000	\$ 7,000	\$ 4,500.00	485
Kirkland Spring Beerfest & Sombrero Fun Run	Kirkland Events	\$ -	\$ 7,500	\$ 2,500.00	482
Kirkland Summerfest	Kirkland Downtown Association	\$ 5,000	\$ 8,000	\$ 5,000.00	475
7 Hills of Kirkland to End Homelessness	Attain Housing	\$ 2,500	\$ 10,000	\$ 3,000.00	459
Kirkland Classic Car Show	Kirkland Downtown Association	\$ 4,000	\$ 4,600	\$ 4,000.00	455
Kirkland Wine Walk	Kirkland Downtown Association	\$ 3,000	\$ 3,000	\$ 3,000.00	429
SIFF Kirkland	SIFF	\$ 7,500	\$ 10,000	\$ 5,000.00	428
In Concert for Cancer	BrightStar Entertainment	\$ -	\$ 10,000	\$ 2,000.00	418
Kirkland Artist Studio Tour (KAST)	Kirkland Arts Center	\$ 5,500	\$ 10,000	\$ 4,500.00	412
Kirkland Art Walk	Kirkland Downtown Association	\$ -	\$ 3,000	\$ 1,000.00	375
Ellington's "Such Sweet Thunder"*	SRJO	\$ 1,000	\$ 3,000	\$ 1,000.00	363
StoryBook Theatre & Summer Teen Show	Studio East	\$ 1,000	\$ 5,000	\$ 1,000.00	343
Kirkland Beautification Project	Kirkland Downtown Association	\$ -	\$ 5,000	\$ -	275
Youth Rising Social Business Boot Camp	Global Social Business Partners	\$ -	\$ 10,000	\$ -	272
Heads in Beds Marketing	Sound Publishing	\$ -	\$ 60,040	\$ -	45
Visit Kirkland Chinese Delegation(WITHDREW)		\$ -	\$ 6,000	\$ -	40
<b>TOTAL</b>		<b>\$ 54,000.00</b>	<b>\$ 217,140</b>	<b>\$ 60,000.00</b>	

\*2017 Seattle Repertory Jazz Orchestra Event was awarded \$1K

The state legislation requires that the City Council "may choose only recipients from the list of candidates and recommended amounts provided by the local lodging tax advisory committee" (Attachment B). The Council may choose to remove recipients from the list but cannot add any and cannot change funding amounts.



**City of Kirkland  
Tourism Development Committee (TDC) Special Meeting Minutes  
September 7, 2017 9am-11am  
Kirkland City Hall – Norkirk Room**

**Present:** Jac Cooper, Lori Goldfarb, Troy Longwith, Michelle Quisenberry, Sue Rosenfield, Philly Marsh (staff) Ellen Miller-Wolfe (staff)

**Absent:** Toby Nixon (Chair), Ardene Skraban,

**Welcome:** Meeting came to order at 9:04am. Minutes from April 6 and May 4 2017 were approved. (Jac moved, Troy seconded, unanimous)

**Funding Discussion Recommendation:**

The committee ranked the events independently and scores were tallied and sorted. The committee took into consideration total score, previous year's funding, and total budget in making the below recommendation.

The committee approved the funding recommendations as stated below (Michelle moved, Troy seconded, unanimous)

Event	Organization	2017 Awarded Amount	2018 Funding Requested	2018 Approved Amount	TDC Score
Junior Softball World Series	Little League Baseball, Inc/Jr Softball World Series	\$ 9,000	\$ 10,000	\$ 9,000.00	550
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<b>TOTAL</b>		<b>\$ 54,000.00</b>	<b>\$ 217,140</b>	<b>\$ 60,000.00</b>	
*2017 Seattle Repertory Jazz Orchestra Event was awarded \$1K					

**Meeting Adjourned at 10:13pm**

Minutes Approved by Philly Marsh



**67.28.1815** << 67.28.1816 >> **67.28.1817**

## **RCW 67.28.1816**

### **Lodging tax — Tourism promotion.**

(1) Lodging tax revenues under this chapter may be used, directly by any municipality or indirectly through a convention and visitors bureau or destination marketing organization for:

(a) Tourism marketing;

(b) The marketing and operations of special events and festivals designed to attract tourists;

(c) Supporting the operations and capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district created under chapters **35.57** and **36.100** RCW; or

(d) Supporting the operations of tourism-related facilities owned or operated by nonprofit organizations described under 26 U.S.C. Sec. 501(c)(3) and 26 U.S.C. Sec. 501(c)(6) of the internal revenue code of 1986, as amended.

(2)(a) Except as provided in (b) of this subsection, applicants applying for use of revenues in this chapter must provide the municipality to which they are applying estimates of how any moneys received will result in increases in the number of people traveling for business or pleasure on a trip:

(i) Away from their place of residence or business and staying overnight in paid accommodations;

(ii) To a place fifty miles or more one way from their place of residence or business for the day or staying overnight; or

(iii) From another country or state outside of their place of residence or their business.

(b)(i) In a municipality with a population of five thousand or more, applicants applying for use of revenues in this chapter must submit their applications and estimates described under (a) of this subsection to the local lodging tax advisory committee.

(ii) The local lodging tax advisory committee must select the candidates from

amongst the applicants applying for use of revenues in this chapter and provide a list of such candidates and recommended amounts of funding to the municipality for final determination. The municipality may choose only recipients from the list of candidates and recommended amounts provided by the local lodging tax advisory committee.

(c)(i) All recipients must submit a report to the municipality describing the actual number of people traveling for business or pleasure on a trip:

(A) Away from their place of residence or business and staying overnight in paid accommodations;

(B) To a place fifty miles or more one way from their place of residence or business for the day or staying overnight; or

(C) From another country or state outside of their place of residence or their business. A municipality receiving a report must: Make such report available to the local legislative body and the public; and furnish copies of the report to the joint legislative audit and review committee and members of the local lodging tax advisory committee.

(ii) The joint legislative audit and review committee must on a biennial basis report to the economic development committees of the legislature on the use of lodging tax revenues by municipalities. Reporting under this subsection must begin in calendar year 2015.

(d) This section does not apply to the revenues of any lodging tax authorized under this chapter imposed by a county with a population of one million five hundred thousand or more.

[2013 c 196 § 1; 2008 c 28 § 1; 2007 c 497 § 2.]

**Notes:**

**Effective date -- 2013 c 196:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013." [2013 c 196 § 3.]



**CITY OF KIRKLAND**  
**Department of Finance & 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  
Michael Olson, Director of Finance and Administration

**Date:** September 20, 2017

**Subject:** Resignation of Park Board Member

### **RECOMMENDATION:**

That Council acknowledges receipt of Johanna Andrews' resignation from the Kirkland Park Board and authorizes the attached draft response thanking her for her service. By approving the consent calendar the Council authorizes the actions.

### **BACKGROUND DISCUSSION:**

Ms. Andrews is moving out of state and has communicated her resignation, effective September 20, 2017.

Council had selected an alternate Park Board candidate at their March special meeting, however the six month window for that selection has expired. The City Clerk's office has begun a recruitment to fill this vacancy for the remainder of the unexpired term.

**DRAFT**

October 3, 2017

Johanna Andrews  
6060 NE 135<sup>th</sup> Street  
Kirkland, WA 98034

Dear Ms. Andrews,

We have received your resignation from the Kirkland Park Board.

The City Council appreciates your contributions to the Board, and we thank you for volunteering your time and talent to serve the Kirkland Community.

Best wishes in your current and future endeavors.

Sincerely,

Kirkland City Council

By Amy Walen  
Mayor

**CITY OF KIRKLAND**

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

[www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Kevin Raymond, City Attorney  
Ellie Krossa, Legal Intern

**Date:** September 21, 2017

**Subject:** AN ORDINANCE RELATING TO RESTRICTED AREAS AND OBSTRUCTIONS

**RECOMMENDATION:**

City Council pass the attached ordinance. This ordinance would amend Kirkland Municipal Code ("KMC") Chapter 14.16 relating to waters and surface craft and restricted areas and obstructions by adding a new Section 14.16.030 limiting the length of time a vessel can be moored or anchored within Kirkland waters to 72 consecutive hours (3 days) in any one week period and a total of 216 hours (9 days) in any one month period.

**BACKGROUND DISCUSSION:**

Concerns have been expressed recently about the moorage and anchorage of vessels for extended periods of time in the waters of Kirkland. The City of Kirkland ("City") previously limited such anchorages to a maximum period of ten consecutive days, but that provision (former KMC Section 14.16.030) was repealed in 2013 through Ordinance O-4404 as part of a comprehensive set of revisions to Title 14 KMC. It is not clear from the legislative history whether the repeal of this section was inadvertent or instead based on a conclusion that lengthy anchorages were no longer a regulatory concern at that time.

Staff is recommending that an anchorage limitation be reinstated in Kirkland, and that its time limitations also be shortened consistent with the approach taken in other area jurisdictions.

Pursuant to Washington Administrative Code ("WAC") Section 332-52-155, vessels and other watercraft may not be moored in state aquatic lands for periods longer than 30 days or for more than 90 days in a one year period. However, the section provides that such limitations do not necessarily apply where any county or city has posted, enacted, or adopted different anchorage or moorage restrictions specific to the locality.

Other areas lakefront cities and King County have adopted anchorage restrictions. For example, Kenmore and King County each have code provisions that limit anchorages to a period of 72 hours in any five day period. Seattle limits anchorages to 72 hours in any one week period, and Bellevue limits anchorages to 24 hours in any one week period. These jurisdictions do not impose additional time limitations, for example, limiting the number of total hours a vessel can be moored in any one month.

This ordinance would limit anchorages in Kirkland to 72 hours in any one week period. This approach is identical to that taken in Seattle, and somewhat less restrictive than the approaches taken by Kenmore, Bellevue and King County. This ordinance would create exceptions to the proposed time limitations for the following: moorings to public piers and buoys, mooring to private piers with landowner or lessor permission, in the event of an emergency, and with the prior written approval of the City. In addition, and based on public comments and other information suggesting that repeated instances of shorter-term anchorages are sometimes employed to essentially circumvent the intent of short-term anchorages limitations, this ordinance would cap the total number of hours a vessel could be anchored in Kirkland to 216 hours (9 days) in any one month period. This would allow a vessel to anchor three consecutive days for three out of every four weeks in a month. Although more restrictive, this is similar to the approach taken by the State of Washington, which limits anchorages to a total of 90 days in any one year.

This ordinance was reviewed and approved by the Parks and Community and Police Departments.



ORDINANCE O-4606

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO RESTRICTED AREAS AND OBSTRUCTIONS.

1 WHEREAS, Washington Administrative Code ("WAC") Section  
2 332-52-155 relating to anchorage provides that a vessel may not be  
3 moored for periods longer than thirty consecutive days or more than  
4 ninety days in a three hundred sixty-five day period while providing that  
5 cities may adopt different anchorage or moorage restrictions inside their  
6 city limits; and  
7

8 WHEREAS, prior to its repeal as part of a comprehensive  
9 overhaul of Title 14 of the Kirkland Municipal Code ("KMC") in 2013,  
10 KMC Section 14.16.030 had prohibited moorage or anchorage for over  
11 10 days in Kirkland;  
12

13 WHEREAS, based in part on recent expressions of concern from  
14 members of the public, the City Council has concluded that a restriction  
15 on the length of time that vessels may be moored or anchored within  
16 the waters of the City of Kirkland ("City") should be reinstated and that  
17 such length of time should be shortened to 72 hours (3 days) consistent  
18 with the approach taken in other jurisdictions; and  
19

20 WHEREAS, the Council has further concluded that the total  
21 number of hours that vessels may be moored or anchored within  
22 Kirkland should be limited to 216 hours (9 days) in any one month period  
23 with limited exceptions.  
24

25 NOW, THEREFORE, the City Council of the City of Kirkland do  
26 ordain as follows:  
27

28 Section 1. Kirkland Municipal Code Chapter 14.16 is amended  
29 to add a new Section 14.16.030 to read as follows:  
30

31 **14.16.030 Anchorages.**

32 It is unlawful for any owner or operator of any vessel or watercraft to  
33 anchor, moor, or otherwise secure such vessel or watercraft to the bed  
34 of any waters in the city limits of Kirkland for a period longer than 72  
35 hours out of any one week period or for a period in excess of 216 hours  
36 in any one month period, in both instances except under the following  
37 conditions:

- 38 (1) Where moored to a public pier or buoy in a manner  
39 consistent with any posted regulations; or
- 40 (2) Where moored to a private pier with the permission of the  
41 owner or lessee of the real property to which the pier is attached; or
- 42 (3) Where anchorage or moorage is necessary because of an  
43 emergency situation; or
- 44 (4) When given prior written permission by the city.

45           Section 2. This ordinance shall be in force and effect five days  
 46 from and after its passage by the Kirkland City Council and publication,  
 47 as required by law.

48  
 49           Passed by majority vote of the Kirkland City Council in open  
 50 meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

51  
 52           Signed in authentication thereof this \_\_\_\_\_ day of  
 53 \_\_\_\_\_, 2017.

\_\_\_\_\_  
 Amy Walen, Mayor

Attest:

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

Approved as to Form:

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



**CITY OF KIRKLAND**  
**Planning and Building Department**  
**123 5th Avenue, Kirkland, WA 98033**  
**425.587.3600- [www.kirklandwa.gov](http://www.kirklandwa.gov)**

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** Eric Shields, Planning and Building Director  
**Date:** September 22, 2017  
**Subject:** Regulating Short term (Vacation) Rentals

**RECOMMENDATION**

Adopt the attached ordinance establishing preliminary regulations for short-term rentals.

**BACKGROUND DISCUSSION**

At the September 19, 2017 Council meeting, the Council expressed the desire to quickly establish regulations for short-term rentals. Council directed staff to return with a draft ordinance that required owner-occupancy for short term rentals. Staff has prepared such an ordinance for Council discussion and potential adoption. The issues surrounding short term rentals have turned out to be complex, especially those associated with establishing ownership occupancy. Staff fully expects that additional work will be needed to refine the regulations established by this ordinance, but wanted to present the Council with regulations to put in place immediately. For example, further consideration may be necessary about whether code enforcement penalties and procedures are effective in mitigating neighborhood impacts.

The main regulations established by the ordinance are as follows:

1. Both people and companies are regulated (per Chapter 1.12 KMC);
2. Explicitly clarify that short term and long term rentals require business licenses (per KMC 7.02.030(j));
3. Both single and multifamily units may have rentals subject to the ordinance regulations (per KMC 7.02.030(o));
4. Short-term rental is defined as rental for less than one month (per KMC 7.02.030(p));
5. Operating without a business license is a civil violation (per KMC 7.02.050(a));
6. Short term rentals must pay City revenue generating regulatory license fees (per KMC.7.02.160);
7. Short term rentals are subject to code enforcement (per KMC 7.02.200) and business license suspension (per KMC 7.260);
8. Short term rentals must pay lodging tax (per KMC 7.02.300(1));
9. Short term rentals must show proof of having liability insurance (per KMC

- 7.02.300(2));
10. Property resident occupancy (defined per KMC 7.02.300(3)(a)) is required for short term rentals:
    - a. Rentals may occur at any time when the resident is occupying a portion of the property (per KMC 7.02.300(3)(b));
    - b. Rentals may occur at a time when the resident is not occupying the property if the resident occupies the property for more than one-half of the calendar year and short term rentals on the property do not exceed 120 days per year (per KMC 7.02.300(4)(c));
  11. A property manager must be identified to city and renters whenever the owner/resident is not resident on the property (per 7.02.300(3)(d));
  12. Short term rental agreements must include provisions encouraging tenants to avoid conflicts with neighbors per 7.02.300(3)(e);
  13. At any time, there may be no more than one short term rental on any single family residential property (or a portion thereof) and no more than three rentals on multi-family residential properties (per 7.02.300(4)(a));
  14. Short term rentals must abide by all zoning regulations, including the limit of five unrelated people occupying the property (per 7.02.300(4)(b));
  15. Pre-existing short term rentals must comply with all current requirements (i.e. no grandfathering) (per Section 10).

#### *Owner Occupancy vs. Resident Occupancy*

Staff discovered that the issue of requiring owner occupancy quickly becomes quite legally and socially complex. There are many ways a single family residence can be owned. Residences can be owned by individuals, spouses, partners, families, friends and numerous types of business entities. Initially it seems straightforward to require owner occupancy. But various scenarios emerged such as residences owned by parents in another state when the home is occupied by adult family members. Another example is if a house is owned by an LLC whose members are non-related financial partners. Who is authorized to be the "owner occupant"?

Staff did not interpret the Council direction as preventing these less traditional residential ownership models from being able to allow short term rentals, as long as someone accountable was in the residence (at least more than half of the year with a property manager available at other times). Staff is looking to Council for clarification on this assumption.

Therefore, in order to provide a preliminary ordinance in the two weeks between Council meetings, staff drafted the ordinance with the concept of an accountable human being on site or promptly available rather than "owner" occupancy (which could be a company) as the foundation of the requirement. The designated resident can be the property owner, but does not have to be. An owner/resident must be present in the residence at least 180 days in a calendar year. If the Council does not agree with this residency concept, the ordinance will need to be amended according to Council direction.

Several other of the regulations in the proposed ordinance may require further refinement by the Council. Staff suggests that the Council discuss each of the proposed regulations and determine if they are appropriate. Those regulations that involve time limits merit particular Council attention. For example, if owner/resident occupancy is to be required, for how many days of the year should occupancy be required? Staff has proposed 180 days. Other jurisdictions have set it at 270 or 275 days. The proposed ordinance does not set a limit for rentals that occur when owner/residents are also occupying the property, since the owner/residents are expected to provide a level of policing to assure that renters behave in an appropriate manner. However, in instances where an owner/resident is not in the home, there should be a limit to prevent the establishment of a de-facto hotel. Staff selected a fairly generous 120 day limit for those situations.

At the October 3 meeting, staff will be prepared to facilitate Council discussion of each of the above items with the objective of allowing the Council to modify the ordinance as desired and adopt it at the meeting. It would also be helpful for the Council to provide direction to staff on other issues for which additional research is desired in consideration of future modifications.

ORDINANCE O-4607

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SHORT-TERM RENTALS.

1           WHEREAS, public comment has brought forward concerns about  
2 the impacts of unregulated short-term residential unit rentals in the city  
3 of Kirkland; and

4  
5           WHEREAS, such concerns have included absentee owners,  
6 excessive numbers of residents and vehicles, blocked neighboring  
7 driveways, noise, litter, trespasses and the use of residential units as  
8 event venues; and

9  
10          WHEREAS, public comment has also demonstrated that  
11 appropriately regulated short-term rentals help make it possible for  
12 residential owners to continue to be able to afford to live in Kirkland,  
13 while also bringing visitors, students, tourism and economic  
14 development benefits to the city; and

15  
16          WHEREAS, the Kirkland Zoning Code already regulates related  
17 types of activities, including bed and breakfast houses and home  
18 occupations, neither of which are considered short-term rentals for  
19 purposes of this ordinance; and

20  
21          WHEREAS, rental agreements in excess of one month are  
22 considered long-term rentals for purposes of this ordinance, and remain  
23 permitted; and

24  
25          WHEREAS, Chapter 7.02 of the Kirkland Municipal Code ("KMC")  
26 regulates and requires business licenses in connection with all activities  
27 and pursuits located and/or engaged within Kirkland with the object of  
28 gain, benefit or advantage to the person engaging in the same; and

29  
30          WHEREAS, Chapter 7.02 KMC therefore applies to short-term  
31 rentals as provided for herein; and

32  
33          WHEREAS, the City Council wishes to add additional provisions  
34 to Chapter 7.02 KMC, Business Licenses and Regulations, specifically  
35 applicable to short-term rentals to address the regulatory concerns  
36 described above while also allowing residential unit owners in Kirkland  
37 to realize the economic benefits of short-term rentals consistent with  
38 the regulatory objectives of this ordinance; and

39  
40          WHEREAS, the Council further wishes to provide for the  
41 enforcement of these new short-term rental provisions through  
42 amendments to Chapter 1.12 KMC, Code Enforcement.

43  
44          NOW, THEREFORE, the City Council of the City of Kirkland do  
45 ordain as follows:



46           Section 1. Kirkland Municipal Code Section 1.12.020 is amended  
47 to read as follows:

48  
49           **1.12.020 Definitions.**

50           As used in this chapter, unless a different meaning is plainly  
51 required:

52           (a) "Abate" means to repair, replace, remove, destroy or  
53 otherwise remedy a condition which constitutes a civil violation by such  
54 means, in such a manner and to such an extent as the applicable  
55 department director determines is necessary in the interest of the  
56 general health, safety and welfare of the community.

57           (b) "Act" means doing or performing something.

58           (c) "Applicable department director" means the director of the  
59 department or his or her designee.

60           (d) "Civil violation" means a violation for which a monetary penalty  
61 may be imposed as specified in this chapter. Each day or portion of a  
62 day during which a violation occurs or exists is a separate violation.  
63 Traffic infractions issued pursuant to Title 12 are specifically excluded  
64 from the application of this chapter.

65           (e) "Development" means the erection, alteration, enlargement,  
66 demolition, maintenance or use of any structure or the alteration or use  
67 of any land above, at or below ground or water level, and all acts  
68 governed by a city regulation.

69           (f) "Emergency" means a situation which in the opinion of the  
70 applicable department director requires immediate action to prevent or  
71 eliminate an immediate threat to the health or safety of persons or  
72 property.

73           (g) "Hearing examiner" means the Kirkland hearing examiner and  
74 the office thereof established pursuant to Chapter 3.34.

75           (h) "Omission" means a failure to act.

76           (i) "Person" means any individual, firm, association, partnership,  
77 corporation or any entity, public or private.

78           (j) "Person responsible for the violation" means any person who  
79 is required by the applicable regulation to comply therewith, or who  
80 commits any act or omission which is a civil violation or causes or  
81 permits a civil violation to occur or remain upon property in the city, and  
82 includes but is not limited to owner(s), lessor(s), tenant(s), or other  
83 person(s) entitled to control, use and/or occupy property where a civil  
84 violation occurs. For violations of the city sign regulations, this definition  
85 includes, but is not limited to, sign installers/posters, sign owners, and  
86 any other persons who cause or participate in the placement of a sign  
87 in a manner that constitutes a civil violation. For violations of city tree  
88 regulations, this definition includes any person who caused or  
89 participated in the removal of a tree in a manner that constitutes a civil  
90 violation.

91           (k) "Regulation" means and includes the following, as they now  
92 exist or are hereafter amended:

93           (1) Title 23 (Kirkland Zoning Code);

94           (2) Title 21, Buildings and Construction (including codes adopted  
95 by reference);

96           (3) Chapter 15.52 (Surface Water Management);

97           (4) Title 29 (Land Surface Modification);

98           (5) Chapter 19.04 (Obstructing Streets or Sidewalks);

99           (6) Chapter 11.76 (Junk Vehicles);

- 100 (7) Chapter 11.24 (Nuisances);  
 101 (8) The terms and conditions of any permit or approval issued by  
 102 the city, or any concomitant agreement with the city;  
 103 (9) Chapter 7.74 (Fair Housing Regulations);  
 104 (10) Chapter 16.05 (Retail Carryout Bags, including definitions set  
 105 forth in Chapter 16.04);  
 106 (11) Chapter 16.08 (Garbage Disposal).  
 107 (12) Chapter 7.02 (Business Licenses and Regulations)  
 108 (l) "Repeat violation" means a violation of the same regulation in  
 109 any location by the same person for which voluntary compliance  
 110 previously has been sought within two years or a notice of civil violation  
 111 has been issued within two years.  
 112 (m) "Violation" means an act or omission contrary to a city  
 113 development regulation including an act or omission at the same or  
 114 different location by the same person and including a condition resulting  
 115 from such act or omission.

116  
 117 Section 2. Kirkland Municipal Code Section 7.02.030 is amended  
 118 to read as follows:

119  
 120 **7.02.030 Definitions.**

121 Where used in this chapter, the following words and terms shall have  
 122 the meanings as defined in this section, unless, from the context, a more  
 123 limited or different meaning is clearly defined or apparent:

124 (a) "Business" includes all activities, occupations, pursuits, or  
 125 professions located and/or engaged within the city, with the object of  
 126 gain, benefit or advantage to the person engaging in the same, or to  
 127 any other person or class, directly or indirectly, and includes nonprofit  
 128 enterprises.

129 (b) "Business license" means that document issued by the city  
 130 licensing the transaction of the indicated business by the person whose  
 131 name appears thereon for the stated period.

132 (c) "Engaging in business" means commencing, conducting or  
 133 continuing in any business within the city, whether or not an office or  
 134 physical location for the business lies within the city. "Engaging in  
 135 business" includes the performance of work or services by contractors,  
 136 consultants, representatives, agents or other persons within the city,  
 137 even though the office location of the contractor, consultant,  
 138 representative, agent or other person is not within the city limits; the  
 139 exercise of corporate or franchise powers, as well as the liquidation of  
 140 a business when the liquidators hold themselves out to the public as  
 141 conducting such business; acting as a solicitor or canvasser; short-term  
 142 and long-term rentals; and furnishing temporary employees and/or  
 143 workers to other businesses. By way of illustration only and without  
 144 being all-inclusive, a business with an office or physical location outside  
 145 the city limits which sells or leases personal property to buyers or  
 146 lessees in the city; accepts or executes a contract to perform  
 147 construction or installation services contracts in the city; solicits sales in  
 148 the city; or renders services to others in the city; is engaged in business  
 149 in this city, irrespective of whether or not such business maintains a  
 150 permanent place of business in the city.

151 (d) "Finance and administration director" or "director" means the  
 152 city of Kirkland director of finance and administration or his/her  
 153 designee.

154 (e) "Gross receipts" shall have its ordinary meaning and also  
155 means the value accruing from the business activity within the city or  
156 conducted from the city including compensation for the rendition of  
157 services (without any deduction for labor costs or the cost of materials  
158 used), sale of personal property (without any deduction for the cost of  
159 property sold), gains or dividends realized, rents, royalties,  
160 contributions, fees and commissions, all without any deduction for any  
161 expense, taxes, or losses.

162 (f) "Person" includes individual natural persons, any firm,  
163 corporation, association, sole proprietor, club, partnership, trust,  
164 receiver, administrator, executor, estate, company, independent  
165 contractor, society, any officer, agent, personal representative, any  
166 group of individuals acting as a unit, the United States or the state of  
167 Washington or any instrumentality thereof, and includes the singular  
168 and the plural.

169 (g) "City" means the city of Kirkland, Washington.

170 (h) "Year" means a calendar year, except where otherwise  
171 specified or when permission is obtained from the director to use a  
172 different fiscal year.

173 (i) "L&I" means the Washington State Department of Labor and  
174 Industries.

175 (j) "Place of business" or "office" includes, but is not limited to,  
176 the following: maintaining, occupying, or using a permanent building or  
177 facility, premises or other fixed location as an office or location for  
178 conducting business; residential units used for short-term or long-term  
179 rentals or leases, or a location where the regular business of the person  
180 is conducted and which is either owned by the person or over which the  
181 person exercises legal dominion and control; or a location which  
182 includes a business sign, mailing address, and permanent phone. A  
183 vehicle such as a pickup, van, truck, boat or other motor vehicle will not  
184 be considered a place of business for purposes of this chapter.

185 (k) "Casual or isolated sale" means a sale made by a person who  
186 is not engaged in the business of selling the type of property involved.  
187 Persons who hold themselves out to the public as making sales at retail  
188 or wholesale are deemed to be engaged in business, and sales made by  
189 them of the type of property which they hold themselves out as selling  
190 are not casual or isolated sales even though such sales are not made  
191 frequently.

192 (l) "Employee" means and includes each of the following persons  
193 who are not required by the city to have his/her/its own separate city  
194 of Kirkland business license:

195 (1) Any person who is on the business's payroll, and includes all  
196 full-time, part-time, and temporary employees or workers; and

197 (2) Self-employed persons, sole proprietors, owners, managers,  
198 and partners; and

199 (3) Any other person who performs work, services or labor at the  
200 business, including an independent contractor who is not required to  
201 have a separate city of Kirkland business license.

202 (m) "Contractor" means any person who, in the capacity of an  
203 independent contractor, contracts with any business, property owner or  
204 person to perform a particular job or jobs, whether the remuneration  
205 received for performing the job or jobs is on a cost-plus basis, a flat sum  
206 basis or a salary computed at so much per hour.

207 (n) "Subcontractor" means any person who in the capacity of an  
 208 independent contractor contracts with any contractor to perform a  
 209 particular trade or job, whether the remuneration received for  
 210 performing the job or jobs is on a cost-plus basis, a flat sum basis, or a  
 211 salary basis computed at so much per hour.

212 (o) "Residential unit" means any legal single-family home or multi-  
 213 family dwelling unit.

214 (p) "Short-term rental" means the rental of a residential unit (or  
 215 a portion thereof) for less than one month. A short-term rental is not a  
 216 bed and breakfast house or home occupation as defined in the city's  
 217 zoning code.

218 (q) "Long-term rental" means the rental or lease of a residential  
 219 unit for a period of one month or more.

220  
 221 Section 3. Kirkland Municipal Code Section 7.02.040 is amended  
 222 to read as follows:

223  
 224 **7.02.040 Business license required.**

225 (a) It is unlawful to engage in any business within the city without  
 226 first having obtained a business license ("license") from the city and  
 227 being the holder of a currently valid license to engage in such business  
 228 or activity.

229 (b) If a business is conducted from more than one premises in the  
 230 city a separate registration and license shall be required for each  
 231 premises within the city.

232 (c) If more than one business is conducted upon or from a single  
 233 premises a separate registration and license shall be required for each  
 234 separate business conducted, operated, engaged in or practiced.

235 (d) ~~Persons or companies~~ doing business in Kirkland must comply  
 236 with this chapter regardless of the physical location of the business (i.e.,  
 237 whether inside or outside Kirkland city limits).

238 (e) Limited Exemption from Multiple License Requirements. A  
 239 business which holds a currently valid city of Kirkland general business  
 240 license need not obtain an additional business license to conduct  
 241 business at a second location so long as the second location is not  
 242 rented, leased, subleased or owned by such person or business.

243  
 244 Section 4. Kirkland Municipal Code Section 7.02.050 is amended  
 245 to read as follows:

246  
 247 **7.02.050 Operating without a license.**

248 (a) Any person who engages in or carries on a business without  
 249 having obtained a business license when required to do so shall be guilty  
 250 of a violation of this chapter for each day during which the business is  
 251 so engaged in or carried on. Any person who fails or refuses to pay a  
 252 fee required under this chapter, or any part thereof, on or before the  
 253 due date, shall be deemed to be operating a business without having  
 254 obtained a license to do so. Except as otherwise specified, any person  
 255 violating this chapter shall be guilty of a misdemeanor crime and a civil  
 256 violation under Chapter 1.12.

257 (b) A business failing to obtain or maintain a currently valid license  
 258 and yet conducting business within the city is hereby declared to be a  
 259 public nuisance. Any remedy provided by this code with respect to a

260 public nuisance is in addition to other remedies provided under this  
261 chapter.

262  
263 Section 5. Kirkland Municipal Code Section 7.02.070 is amended  
264 to read as follows:

265  
266 **7.02.070 Presumptions.**

267 The following presumptions shall be made in interpreting and  
268 applying this chapter, unless rebutted as provided in this chapter:

269 (a) It shall be presumed that an entity that has been issued a  
270 Unified Business Identifier Number ("UBI") by the state of Washington  
271 is a separate business that is required to have its own city of Kirkland  
272 business license.

273 (b) It shall be presumed that an entity that has been issued a  
274 state industrial insurance account number, a state self-insurer number,  
275 or a state revenue tax reporting account number is a separate business  
276 that is required to have its own city of Kirkland business license.

277 (c) It shall be presumed that average annual gross receipts of an  
278 entity are at least twenty thousand dollars per each employee who  
279 works for the entity in Kirkland except in the instances of short-term  
280 rentals and long-term rentals and leases of residential units.

281 (d) It shall be presumed that an owner, manager, and/or  
282 managing partner of a business that is more than sixty days late in  
283 paying any amount due under this chapter is willfully, knowingly and  
284 intentionally evading his or her legal duties under this chapter.

285  
286 Section 6. Kirkland Municipal Code Section 7.02.160 is amended  
287 to read as follows:

288  
289 **7.02.160 Revenue generating regulatory license fee**  
290 **(RGRL).**

291 (a) General. In addition to the basic license fee, the highest  
292 applicable RGRL in this section shall be paid for the annual license issued  
293 under this chapter.

294 (1) A business with less than twelve thousand dollars of average  
295 annual gross receipts shall be exempt from any RGRL.

296 (2) A business located within the city limits of Kirkland with ten or  
297 fewer employees or FTEs shall be exempt from the RGRL for the first  
298 year of business operation only. Businesses exempt from the RGRL  
299 under this subsection shall still be required to pay the basic license fee  
300 under Section 7.02.120 and register the number of employees and FTEs  
301 under this chapter.

302 (3) For the purposes of this section and in determining the  
303 applicable RGRL, the term "employee" means and includes each of the  
304 following persons who are not required by the city to have his/her/its  
305 own separate city of Kirkland business license:

306 (A) Any person who is on the business's payroll, and includes all  
307 full-time, part-time, and temporary employees or workers; and

308 (B) Self-employed persons, sole proprietors, owners, managers,  
309 and partners, including the owners of a real property dwelling unit that  
310 is the subject of short-term or long-term rental or lease agreement; and

311 (C) Any other person who performs work, services or labor at the  
312 business, including an independent contractor who is not required to  
313 have a separate city of Kirkland business license.

314 (4) An entity that is entirely exempt from paying the basic license  
315 fee shall be exempt from any RGRL.

316 (5) An entity with some activities or functions that are exempt  
317 from the basic license fee and some that are not exempt shall pay an  
318 RGRL based on the number of its employees that are involved in the  
319 functions or activities that are not exempt.

320 (b) Amount of RGRL.

321 (1) Revenue Generating Regulatory License (RGRL) Fee Method.  
322 Except as otherwise provided by this chapter, every person engaging in  
323 business within the city shall pay an RGRL based upon the number of  
324 employee hours worked in Kirkland during the previous year. Annual  
325 employee hours are calculated based on the sum of the four quarterly  
326 reports submitted to the Washington State Department of Labor and  
327 Industries for the previous year. It will be the responsibility of the  
328 employer to determine the number of hours worked within the city from  
329 these reports. Businesses that did not file quarterly reports with the  
330 Washington State Department of Labor and Industries shall determine  
331 the number of hours worked within the city and demonstrate, if  
332 required, to the satisfaction of the finance and administration director  
333 or his/her authorized agent, that the number of employee hours worked  
334 is correct.

335 (2) The annual license fee (base fee and RGRL) shall be calculated  
336 by adding the base fee of one hundred dollars per business license to  
337 the full-time-equivalent employees that worked in Kirkland multiplied by  
338 one hundred and five dollars. The approved tax rate per full-time  
339 employee is \$0.054688 (which represents a RGRL multiplier of  
340 \$0.054688 per employee hour worked), as may be adjusted herein.  
341 Employers without a full year history would need to estimate the number  
342 of employee hours that will be worked in the current calendar year.

343 (3) If a business has more than one location in Kirkland, the  
344 annual business license fee calculation must include a base fee for each  
345 location and the RGRL for annual employee hours at all locations.

346 (c) Alternative FTE Method. A business may choose to calculate  
347 its annual license fee by adding the one-hundred-dollar base fee to the  
348 RGRL based on multiplying one hundred and five dollars by the number  
349 of its employees. The number of employees shall be based on the sum  
350 of the employees in the four quarterly reports submitted to the  
351 Washington State Department of Labor and Industries for the previous  
352 year divided by four. It will be the responsibility of the employer to  
353 determine the number of employees working within the city from these  
354 reports. Businesses that did not file quarterly reports with the  
355 Washington State Department of Labor and Industries shall determine  
356 the number of employees working in the city and demonstrate, if  
357 required, to the satisfaction of the finance and administration director  
358 or his/her authorized agent, that the number of employees is correct.  
359 Employers without a full year history would need to estimate the number  
360 of employees that will work in the city for the current calendar year.

361 (1) Once the FTE methodology has been selected, it must be used  
362 for future renewals.

363 (2) Businesses with more than one location must use the same  
364 method of calculation for all locations.

365 (3) For businesses with employees who work less than one  
366 thousand, nine hundred twenty hours per year (the work hour figure  
367 used by the Washington Department of Labor and Industries) the total



368 number of hours worked by all such employees during the four quarters  
369 of the previous year shall be added together and divided by one  
370 thousand, nine hundred twenty to determine the FTE equivalency.

371 (4) It will be the responsibility of the business to determine the  
372 total number of FTEs (or equivalency) and demonstrate, if required, to  
373 the satisfaction of the finance and administration director or his/her  
374 authorized agent that the calculation is accurate.

375 (d) The license fee for a business required to be licensed under  
376 this chapter and not located within the city's corporate limits shall be  
377 calculated by adding the one-hundred-dollar base fee and the RGRL  
378 based upon the number of employee hours worked within the city, but  
379 in no event shall the license fee be less than the minimum fee set forth  
380 in this chapter. If the number of employee hours worked is not known  
381 at the time of renewal, the business shall estimate the maximum  
382 number of employee hours they anticipate using in Kirkland during the  
383 year.

384 (e) Businesses doing business in the city that have no employees  
385 physically working within the city shall pay the minimum license fee  
386 required under this chapter.

387 (f) The minimum fee for any license issued under this chapter shall  
388 be two hundred and five dollars (a base fee of one hundred dollars and  
389 an RGRL of one hundred and five dollars), as may be adjusted herein.

390 (g) Payment made by draft or check shall not be deemed a  
391 payment of the fee unless and until the same has been honored in the  
392 usual course of business, nor shall acceptance of any such check or draft  
393 operate as a quittance or discharge of the fee unless and until the check  
394 or draft is honored. Any person who submits a business license fee  
395 payment by check to the city pursuant to the provisions of this chapter  
396 shall be assessed an NSF fee set by the finance and administration  
397 director if the check is returned unpaid by a bank or other financial  
398 institution for insufficient funds in the account or for any other reason.

399 (h) If any person required by the terms and provisions of this  
400 chapter to pay a license fee for any period fails or refuses to do so, he  
401 or she shall not be granted a license for the current period until the  
402 delinquent license fee, together with penalties, has been paid in full.  
403 Any license fee due and unpaid under this chapter and any penalties  
404 thereon shall constitute a debt to the city and may be collected in court  
405 proceedings in the same manner as any other debt in like amount, which  
406 remedy shall be in addition to all other existing remedies.

407 (i) If no higher RGRL applies under this section, then the minimum  
408 RGRL shall be one hundred and five dollars.

409  
410 Section 7. Kirkland Municipal Code Section 7.02.200 is amended  
411 to read as follows:

412  
413 **7.02.200 Debt owed to city.**

414 (a) Any amount due and unpaid under this chapter and any  
415 penalty thereon shall constitute a debt to the city and may be collected  
416 in the same manner as any other debt, including through code  
417 enforcement and court proceedings, and these remedies shall be in  
418 addition to all other existing remedies. Interest shall accrue on amounts  
419 owed to the city under this chapter at the same rate as provided for  
420 superior court judgments.

421 (b) Issuance of a business license does not forgive amounts owed  
422 to the city or penalties thereon.

423  
424 Section 8. Kirkland Municipal Code Section 7.02.260 is amended  
425 to read as follows:

426  
427 **7.02.260 Suspension or revocation of license—Criteria.**

428 The director may suspend or revoke a business license or permit  
429 when the licensee, officer or partner thereof, or another person with a  
430 legal interest in the license:

431 (1) Knowingly causes, aids, abets, or conspires with another to  
432 cause any person to violate any of the laws of this state or the city which  
433 may affect or relate to the licensed business;

434 (2) Has obtained a license or permit by fraud, misrepresentation,  
435 concealment, or through inadvertence or mistake;

436 (3) Is convicted of, forfeits bond upon, or pleads guilty to any  
437 offenses related to the operation of the licensed business;

438 (4) Makes a misrepresentation or fails to disclose a material fact  
439 to the city related to any of the obligations set forth in this chapter;

440 (5) Violates any building, safety, fire or health regulation on the  
441 premises in which the business is located after receiving warning from  
442 the city to refrain from such violations;

443 (6) Is in violation of a zoning or other material regulation of the  
444 city; or

445 (7) Is indebted or obligated to the city for past due fees or taxes,  
446 excluding special assessments such as LID assessments.

447  
448 Section 9. A new Kirkland Municipal Code Section 7.02.300 is  
449 added to read as follows:

450  
451 **7.02.300 Short-term Rentals—Special Provisions.**

452 The following special provisions are applicable to short-term  
453 rentals:

454 (1) Payment of the lodging excise tax pursuant to Chapter 5.19;

455 (2) Meet and remain compliant with all applicable license  
456 application requirements, including those related to  
457 life/safety standards and inspections and maintenance and  
458 proof of liability insurance covering the dwelling unit(s)  
459 reasonably satisfactory to the city;

460 (3) Resident-occupancy and other requirements:

461 (a) For purposes of determining resident-occupancy  
462 status, a "resident" is a human being occupying all or  
463 a portion of rental property. The resident may or  
464 may not be the "person" owning the property, but if  
465 not the person owning the property the resident is an  
466 authorized agent of the person owning the property.

467 (b) Freely permitted when and at the time a resident  
468 occupies a portion of the rental property.

469 (c) Permitted for up to a total of 120 days per year when  
470 a resident fully occupies the rental property for more  
471 than one half of each calendar year.

472 (d) Property manager identified to city and renters and  
473 readily available whenever rental property is not  
474 resident-occupied.

- 475 (e) Short-term rental agreements shall include provisions
- 476 encouraging renters to exercise best efforts to avoid
- 477 conflicts with neighbors related to issues such as
- 478 noise, littering, parking and trespass.
- 479 (4) Limitations:
- 480 (a) No more than one short-term rental at any one time
- 481 for single family residential or three short-term
- 482 rentals at a time for multi-family residential.
- 483 (b) Must comply with applicable city zoning code
- 484 requirements, including those related to the number
- 485 of unrelated people occupying the short-term rental
- 486 property.
- 487

488 Section 10. The provisions of this ordinance shall apply to all  
 489 short-term rentals existing on or after the effective date hereof except  
 490 to the extent necessary to avoid the impairment of existing short-term  
 491 rental agreements.

492  
 493 Section 11. If any provision of this ordinance or its application  
 494 to any person or circumstance is held invalid, the remainder of the  
 495 ordinance or the application of the provision to other persons or  
 496 circumstances is not affected.

497  
 498 Section 12. This ordinance shall be in force and effect five days  
 499 from and after its passage by the Kirkland City Council and publication  
 500 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
 501 form attached to the original of this ordinance and by this reference  
 502 approved by the City Council.

503  
 504 Passed by majority vote of the Kirkland City Council in open  
 505 meeting this \_\_\_\_ day of \_\_\_\_\_, 2017.

506  
 507 Signed in authentication thereof this \_\_\_\_ day of  
 508 \_\_\_\_\_, 2017.

\_\_\_\_\_  
 Amy Walen, Mayor

Attest:

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

Approved as to Form:

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

PUBLICATION SUMMARY  
OF ORDINANCE O-4607

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SHORT-TERM RENTALS.

SECTION 1. Amends Kirkland Municipal Code Section 1.12.020 updating definitions for "person" and "regulation."

SECTION 2. Amends Kirkland Municipal Code Section 7.02.030 updating definitions for "place of business" or "Office" and adding definitions for "Residential unit", "Short-term rental" and "Long-term rental."

SECTION 3. Amends Kirkland Municipal Code Section 7.02.040 related to business license requirements.

SECTION 4. Amends Kirkland Municipal Code Section 7.02.050 related to penalties for operating a business without a license.

SECTION 5. Amends Kirkland Municipal Code Section 7.02.070 related to presumptions for the chapter.

SECTION 6. Amends Kirkland Municipal Code Section 7.02.160 updating the term "employee" for the purposes of calculating the revenue generating regulatory license fee.

SECTION 7. Amends Kirkland Municipal Code Section 7.02.200 adding code enforcement as a collection option for debt owed to the City.

SECTION 8. Amends Kirkland Municipal Code Section 7.02.260 updating the criteria for suspension or revocation of a business license or permit.

SECTION 9. Adds a new Kirkland Municipal Code Section 7.02.300 providing special provisions for short-term rentals.

SECTION 10. Provides an exception clause for the effective date for short-term rentals.

SECTION 11. Provides a severability clause for the ordinance.

SECTION 12. 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 \_\_\_\_\_, 2017.

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

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



**CITY OF KIRKLAND**  
**Planning and Building Department**  
**123 Fifth Avenue, Kirkland, WA 98033**  
**425.587-3600 - [www.kirklandwa.gov](http://www.kirklandwa.gov)**

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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Angela Ruggeri, AICP, Senior Planner  
Eric R. Shields, AICP, Planning Director

**Date:** September 26, 2017

**Subject:** HOUGHTON/EVEREST NEIGHBORHOOD CENTER & RESIDENTIAL SUITES UPDATE

### I. RECOMMENDATIONS

Provide direction on the following Houghton/Everest Neighborhood Center issues:

- Should residential suites with a four story height limit be allowed in the HENC 2 zone?
- Should an increase in density be allowed on the City owned property?
- Should the 3<sup>rd</sup> story step back requirement be removed from the HENC 2 zone?
- Should language be added to the Comprehensive Plan stating the need for a southbound right turn lane on 6<sup>th</sup> Street South?
- Do existing regulations and policies provide adequate direction for circulation in the Houghton/Everest Neighborhood Center?
- Should the Waddell property have no density limit with a requirement for 10% affordable housing?
- Should one of the two required large stores on the south side of 68<sup>th</sup> Street be allowed to be a minimum of 10,000 square feet rather than 20,000 square feet?

### II. BACKGROUND

The recommendations from the Planning Commission (PC) and Houghton Community Council (HCC) on the Houghton/Everest Neighborhood Center Plan amendments were presented to the City Council at a study session on June 6, 2017. Additional information was brought to the City Council at its regular meetings on July 5<sup>th</sup>, July 18<sup>th</sup>, and September 19<sup>th</sup>.

The Council asked staff for clarification of seven items including a study of residential suites in the HENC 2 zone. The HENC 2 zone includes two properties, the Waddell property on the north and the City owned, Houghton Court Apartments on the south.



After its discussion of residential suites at the September 19, 2017 Council meeting, the City Council asked staff to return to the HCC and PC with the following questions.

1. Should staff schedule a joint public hearing with PC and HCC for residential suites?
2. Should residential suites be allowed to go up to 4 stories?
3. Should additional density on the City property be considered?

The Council also asked staff to report on the number of PM peak hour trips on 68<sup>th</sup> Street for comparison purposes. The 2015 PM Peak Hour Traffic Count for NE 68<sup>th</sup> Street east of State Street is 1,011 vehicles. Data are collected every two years and the City is currently in the process of collecting 2017 data.

### III. RESULTS OF THE DISCUSSION WITH PC AND HCC

The PC and HCC discussed the City Council's questions at their joint meeting on September 25, 2017. They took into account the numerous emails they received prior to the meeting asking them not to allow residential suites and not to increase height to 4 stories. They also received public comment at the meeting against residential suites, increased density and additional height. Although the PC was involved in the discussion of the first two questions, the answers to those questions were provided only by the HCC given its veto authority. The answers to the City Council's questions are provided below.

1. Should staff schedule a joint public hearing with PC and HCC for residential suites?

HCC members stated that it had already gone through an extensive process to determine appropriate uses, density and heights for the Houghton/Everest Neighborhood Center and that another public hearing is not appropriate. The HCC unanimously agreed that it would veto an ordinance that included residential suites.



2. Should residential suites be allowed to go up to 4 stories?

The HCC unanimously agreed that it would veto an ordinance that included 4 story buildings.

3. Should additional density on the City property be considered?

The HCC unanimously agreed that it would veto an ordinance that included additional density on the City property.

The HCC and PCC stated that if the King County Housing Authority takes ownership of the property and wants to redevelop it for affordable housing at a higher density in the future, they will consider increased density at that time.

The PC and HCC discussed one other issue and made another recommendation to the CC.

4. Should the recommended 3<sup>rd</sup> story step back requirement be removed from the HENC 2 zone?

Doug Waddell spoke at the joint meeting on September 25<sup>th</sup> and asked that this requirement be removed because it restricts the possibility of developing his property with multifamily units.

Both the HCC and PC recommend that this requirement be removed for the HENC 2 zone, because:

- Both the HCC and PC are interested in seeing multifamily residential, not single family development on the Waddell property.
- This type of step back requirement does not apply to other 3 story residential zones in the City.
- There is already a 10 foot front yard setback requirement in this zone.

#### **IV. ADDITIONAL CLARIFICATION OF PROPOSED HOUGHTON/EVEREST NEIGHBORHOOD CENTER AMENDMENTS**

In addition to information on residential suites, at the study session of June 6, 2017, the Council asked staff for clarification of six items. Those items were discussed at the Council meetings on July 5<sup>th</sup>, July 18<sup>th</sup>. The discussion items are listed below.

##### **1. Transportation Information**

Council Direction/Questions: The Council asked staff to provide additional information on the transportation impacts of the proposed amendments. The following information was provided and discussed at the Council meeting on July 5<sup>th</sup>.

##### NE 68<sup>th</sup> Street and 108<sup>th</sup> Avenue NE Intersection Performance

Table 1 below describes the level of service and delay per vehicle at the NE 68<sup>th</sup> Street and 108<sup>th</sup> Avenue NE intersection under four scenarios.

Scenario 1 is the calculated level of service using actual vehicle count data collected at the intersection. The other three scenarios are calculated based on forecasted traffic volumes for the year 2035 and are compared to Scenario 1.

Scenario 2 represents the total entering vehicles forecasted to use this intersection based on the planned growth and transportation improvements within Kirkland and the region between now and 2035 based on the Kirkland 2035 Comprehensive Plan. This scenario results in the level of service shifting from E to F and the greatest increase in seconds of delay per vehicle.

Scenarios 3 and 4 represent the vehicle trips estimated to use the NE 68<sup>th</sup> Street and 108<sup>th</sup> Avenue NE intersection if development occurs under the Moderate Change or Greater Change scenarios. The analysis shows that more development in the neighborhood center does result in some additional increase in the seconds of delay per vehicle.

**Table 1. NE 68<sup>th</sup> St and 108<sup>th</sup> Ave NE PM Peak Hour Intersection Performance**

Scenario	LOS	Delay (sec/vehicle)	Additional Delay (sec/vehicle)	Total Entering Vehicles
1. Existing	E	62	NA	2,520
2. Comprehensive Plan 2035 (30')	F	142	80	3,855
3. 2035 Moderate Change (35')	F	148	86	3,920
4. 2035 Greater Change (55')	F	158	96	4,025

*Proposed 6<sup>th</sup> Street Corridor Study Improvements*

City staff has developed a proposed list of improvements for the Houghton/Everest Neighborhood Center. This project list was developed based on feedback from the community, Transportation Commission, Planning Commission and City Council and is included in the 6<sup>th</sup> Street Corridor Study. Most of the projects on this list will improve safety for all modes, including walkability, bicycle friendliness of the area and reliability and performance of transit. Each of the projects could be built as City projects, or could be conditions of redevelopment. *The proposed southbound right turn lane on 6<sup>th</sup> Street is the one proposed project that would reduce vehicle delay at the intersection (Table 2).*

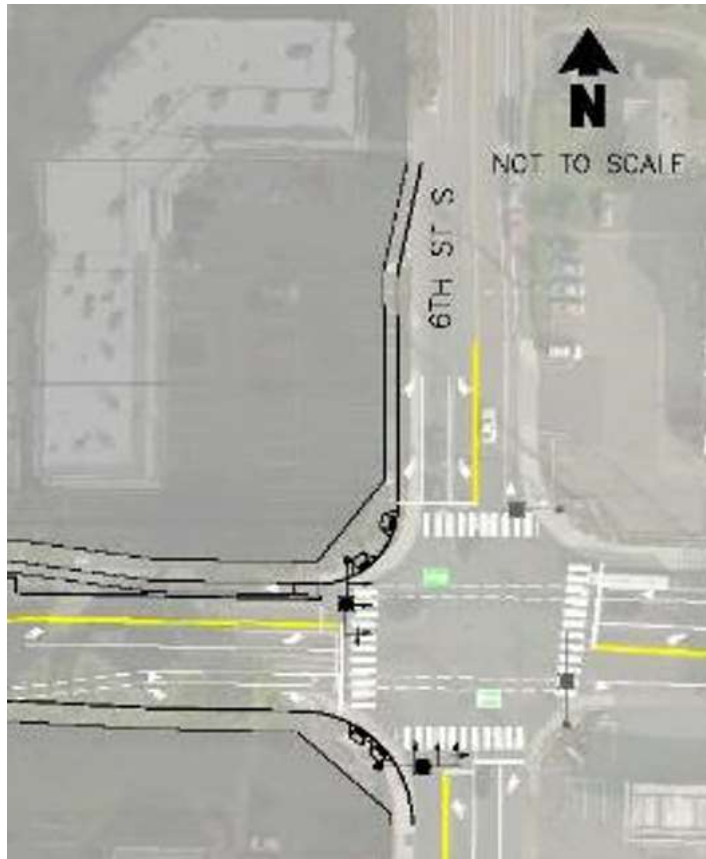
**Table 2. NE 68<sup>th</sup> St and 108<sup>th</sup> Ave NE PM Peak Hour Intersection Performance**

Scenario Performance with Southbound Right Turn Lane	LOS	Delay (sec/vehicle)	Delay Reduction (sec/vehicle)	Total Entering Vehicles
2035 Moderate Change (35')	F	111	37	3,920
2035 Greater Change (55')	F	118	39	3,855

All of these projects have impacts to adjacent properties and are therefore more likely to happen when associated with redevelopment in the area, as the cost of some or all improvements could then be borne by the developers. The Council asked staff to consider how transportation projects and new zoning could be considered together, and whether the proposed transportation projects should be *required* as part of any redevelopment under the new zoning. Given the scale and cost of some of the transportation projects, staff prepared an estimate of whether linking the project to redevelopment would likely impact the decision to redevelop. The list of proposed projects is as follows:

- Consolidate Access Points on NE 68<sup>th</sup> Street and 108<sup>th</sup> Avenue NE in the vicinity of the Houghton/Everest Neighborhood Center (Linkage not likely to impact redevelopment decision);
- Provide continuous bike lanes on 6<sup>th</sup> Street/108<sup>th</sup> Avenue NE and bike boxes at NE 68<sup>th</sup> Street and 108<sup>th</sup> Avenue NE intersection (Linkage not likely to impact redevelopment decision);
- Widen NE 68<sup>th</sup> Street to include 14' sidewalks, a bike lane and travel lane in each direction, and center turn lane/median (Linkage may impact redevelopment decision as it would require significant new right of way for the City);
- Include northbound 108<sup>th</sup> Avenue NE transit queue jump and signal priority at NE 68<sup>th</sup> Street (Linkage may impact redevelopment decision as it would require significant new right of way for the City);
- Provide southbound right turn lane on 6<sup>th</sup> Street at intersection with NE 68<sup>th</sup> Street (see figure below). (Linkage likely to prevent redevelopment due to high cost and requirement of significant ROW along two sides of the property.

The widening of NE 68<sup>th</sup> Street, the northbound 108<sup>th</sup> Avenue NE transit queue jump and the southbound right turn lane on 6<sup>th</sup> Street South would all necessitate taking significant additional right-of-way from adjacent properties. The property impacts of the southbound right turn lane at 6<sup>th</sup> Street South would also necessitate incursion into the parking area of the Menchie's site as shown below.



Note: The draft 6<sup>th</sup> Street Corridor Plan will be presented to the Council at the October 17<sup>th</sup> Council meeting and the final report will be presented at the Council's November 21<sup>st</sup> meeting.

**Southbound 6<sup>th</sup> Street Left Turn Lane Discussion:**

The Council asked if redevelopment should be linked to the requirement of the right turn lane on 6<sup>th</sup> Street. Staff does recommend that language be added to the neighborhood plan that states the need for the right turn lane as it is the one identified project that will reduce vehicle delay at the intersection.

However, as previously mentioned, the southbound turn lane is a costly investment that would likely prevent redevelopment if it were required as mitigation. In addition, very little of the traffic growth in the area can be linked to potential development of the Houghton/Everest Neighborhood Center sites. The main traffic growth in this area will come from outside the neighborhood center, not the potential development. Therefore, there does not appear to be a clear nexus to require the construction of the turn lane as mitigation for a redevelopment at the proposed three story height limit. . This can be evaluated at the time of redevelopment, however, when more information on exact square footages and traffic impacts are known.

Since requiring construction of the turn lane as part of redevelopment at the proposed three story height would be difficult from both a nexus and an economic standpoint, staff is not recommending the requirement. However it was not clear to staff from the

Council discussion whether Council wanted staff to propose linkage options that could be financially viable and legally defensible. The primary option to accomplish this goal would be to provide additional height as an incentive to build the turn lane. Under this scenario, the additional height would only be allowed if the turn lane were built as part of the redevelopment. Staff has not yet done any analysis of this option but could do so if provided direction by the Council.

**Council Direction:** Should language be added to the Comprehensive Plan stating the need for a southbound right turn lane on 6<sup>th</sup> Street South? Should a height incentive linked to building the south bound right turn lane be explored?

## 2. **Options for Master Circulation Plan**

**PC and HCC Recommendation:** Require a Master Circulation Plan for the entire HENC 1 zone with any new development proposal, regardless of the size of the parcel.

**Council Direction/Questions:** Councilmembers asked for additional alternatives that would provide a circulation plan for the Neighborhood Center.

**Alternatives to PC and HCC Recommendation:** The following alternatives were presented by staff at the July 5<sup>th</sup> Council meeting.

- A. Require a Master Circulation Plan for the entire HENC 1 zone, but only when one of the larger sites in the zone is developed. For example, require a plan when a site that is 2 acres or greater is developed. There are only two sites in the neighborhood center over two acres (the PCC site is 2.2 acres and the Met Market site is 4.34 acres).
- B. Remove the requirement for a Master Circulation Plan since the existing zoning and other proposed amendments already provide authority to coordinate circulation and reduce access points to the Neighborhood Center.
  - 1) Plates 34-O and 34-P identify a generalized circulation plan for the Neighborhood Center (see Attachments 1 and 2). The plan includes:
    - Approximate locations for east/west vehicular access through sites on both the north and south sides of NE 68<sup>th</sup> Street;
    - A 14' sidewalk requirement on both sides of NE 68<sup>th</sup> Street and on the sides of 106<sup>th</sup> Avenue NE, 108<sup>th</sup> Avenue NE and 6<sup>th</sup> Street South that are on the same side of the street as the HENC 1 zone;
  - 2) The City will establish development conditions at the time that a development application is submitted. These conditions will be based on the generalized circulation plan along with all applicable pre-approved plans that specify City design standards in order to help ensure safe access. For example, the City's pre-approved plan regarding driveways specifies recommended and minimum driveway spacing; and

- 3) The Zoning Code includes the following regulation for the number and location of driveways along the frontage of the subject property in Section 105.35 – Driveway Entrances: *The City may restrict the width, number and location of driveways along the frontage of the subject property to improve vehicle circulation, public safety, or to enhance pedestrian movement.*

**Discussion:** The Council discussed having a Master Circulation Plan that would be produced by the City and that the City would monitor. Then each new development would be required to pay for a portion of the cost of that plan with redevelopment. Staff recommends that this option is not necessary since existing Zoning Code, policies and design standards provide adequate direction and allow for adjustment as specific development plans are received.

**Council Direction:** Do existing regulations and policies provide adequate direction for circulation in the Houghton/Everest Neighborhood Center? Or does Council wish to see a Master Circulation Plan.

### 3. **City Property - Existing Density**

PC and HCC Recommendation: Do not change the zoning for the City property on the west side of 106<sup>th</sup> Avenue NE and maintain the existing apartment complex on the property as affordable housing.

Council Direction/Questions: Councilmembers asked what the existing density is on the property.

The existing zoning for the City property is RM 3.6 which allows 12 units/acre. The property size is .92 acres, so a base density of 11 units would be allowed by existing zoning.

#### A. Affordable Housing Allowances:

Affordable housing is not presently required within the disapproval jurisdiction of the Houghton Community Council; however, an amendment can be included for this site that would require affordable housing even if the zoning designation is not changed. If affordable housing is required at the normal 10% rate, one affordable unit would be required for this property. Two additional units can be built for each affordable unit provided, so if:

- 1 affordable unit is required, 13 units would be allowed.
- 2 affordable units are included, 15 units would be allowed.
- 3 affordable units are included, 17 units\* would be allowed.

\*The Zoning Code allows this affordable housing density bonus up to 50% or in this case up to 17 units (11 units + 5.5 = 16.5, which would round up to a maximum of 17 units).

#### B. Nonconforming Density Regulations:

There are presently 15 units on the property and the following existing Zoning Code provision\* allows for this number of units to be maintained or redeveloped even if affordable units are not required or included.

The existing 15 units is equivalent to 16 units/acre.

\*Zoning Code Section 162.35.12: Nonconforming Density – Multifamily Structures in Multifamily Zones

Within areas designated by the Zoning Code for multifamily use, a structure with nonconforming density may be maintained, repaired, remodeled or redeveloped consistent with other provisions of this chapter; provided, that the density within the structure is no greater than the density contained in the structure prior to maintenance, repair, remodeling or redevelopment and that any expansion of the structure complies with all applicable zoning regulations.

**HCC Discussion:** The HCC recommended no change in Zoning for the City owned properties at the meeting on September 25<sup>th</sup> (see discussion in section III of this memo).

**Council Direction:** Should an increase in density be allowed on the City owned property?

#### **4. Density for Waddell property**

**PC Recommendation:** No density limit for the Waddell property and require 10% affordable housing.

**HCC Recommendation:** Maintain density limit for the property at 12 units/acre and require 10% affordable housing.

The HCC did not identify the density allowance on the Waddell property as an issue that would cause it to veto the amendments.

**Council Direction/Questions:** Councilmembers asked what the existing density is on the Waddell property.

The existing zoning for the Waddell property is RM 3.6 which allows 12 units/acre. The property size is 1.24 acres, so 15 units are allowed with additional units allowed at the rates described in #3 above, when affordable housing units are provided.

There are currently 24 units on the site and the existing Zoning Code provision for nonconforming density explained in #3 above would allow this number of units to be maintained or redeveloped.

The existing 24 units is equivalent to 19 units/acre.

**Council Direction:** Should the Waddell property have no density limit with a requirement for 10% affordable housing?



**5. Step backs Requirement**

PC and HCC Recommendation: The proposed zoning states: *Adjacent to NE 68 Street, 106<sup>th</sup> Avenue NE, 108<sup>th</sup> Avenue NE and 6<sup>th</sup> Street South and the Cross Kirkland Corridor (CKC), any portion of a structure greater than two stories in height must be stepped back from the façade below by an average of 15' with a minimum step back of 5'.*

*The Design Review Board is authorized to allow rooftop deck and/or garden structures within the step back area.*

Council Direction/Questions: Councilmembers asked whether there is a definition of "step back" and for an explanation of how this regulation would work

The step back requirement states that for building elevations adjacent to a street or the CKC, the 3<sup>rd</sup> story must be stepped back from the façade below (2<sup>nd</sup> story facade) a minimum of 5' with an average 15' step back.

Example: If half of the 3<sup>rd</sup> story is stepped back 5', the remaining half of the 3<sup>rd</sup> story must be stepped back 25', so that the average step back is 15'.

**Council Direction:** Include a definition of "step back" in the Zoning Code, in addition to the requirement in the Houghton/Everest Neighborhood Center zones. No further Council direction is needed at this time.

**6. Residential Suites**

See discussion in section III of the memo.

**7. 20,000 square foot grocery, pharmacy or hardware store requirement**

PC and HCC Recommendation: Structure height may be increased to 35' above ABE if;

- (1) The development includes a grocery store, hardware store, or drugstore containing at least 20,000 square feet of gross floor area.
- (2) The development is approved by the Design Review Board.

The plan includes public gathering places, community plazas and public art. At least one of these public areas must measure a minimum of 1500 square feet with a minimum width of 30'.

- (3) The commercial floor shall be a minimum of 13 feet in height.
- (4) Maximum allowed lot area per residential dwelling unit is 900 square feet.
- (5) Development shall comply with City approved green building standards.

- (6) If the project contains dwelling units, at least 10% of the units must be affordable per Chapter 112 of the Kirkland Zoning Code.

**Council Direction/Questions:** Councilmembers expressed concern that this requirement for one 20,000 square foot grocery store, hardware store or drugstore per development would allow a property owner to aggregate property on both sides of NE 68<sup>th</sup> Street and only develop one 20,000 square foot store. With the proposed regulation, the property owner could potentially develop one 20,000 square foot store and still be allowed to go to the 35' height limit on both sides of the street. Staff provided the following alternatives that would prevent this from happening.

**Alternatives to PC and HCC Recommendation:**

- A. Require at least one 20,000 square foot grocery store, hardware store, or drug store for each development of a specified size (e.g. 1 acre, 2 acres, etc.) in order to qualify for the 35' height allowance.

Size of existing sites:

- PCC site is 2.20 acres
- Corner site with Menchie's is .98 acres
- Met Market site is 4.34 acres
- Starbuck's site is .26 acres

- B. Only allow the 5' height bonus on the side of the street where a 20,000 square foot grocery store, hardware store or pharmacy are located.

Examples of existing stores sizes:

- Met Market – Existing store 28,136 square feet, company preferred size 35,000 square feet
- PCC – Existing store 12,000 square feet, company preferred size 25,000
- Bartell's – Existing store 8,200 square feet, company preferred size 12,000 square feet
- McLendon Hardware in Woodinville – Existing store 19,000 square feet

**Discussion:** The Council decided that one 20,000 square foot store should be required on the north side of 68<sup>th</sup> Street and two 20,000 square foot stores should be required on the south side of 68<sup>th</sup>.

Staff recommends that one of the stores on the south side of 68<sup>th</sup> Street be allowed to be 10,000 square feet since hardware stores and drug stores may not need to be as large as 20,000 square feet and the intent is not to have 3 grocery stores in the neighborhood center.

- **Council Direction:** Should one of the two required large stores on the south side of 68<sup>th</sup> Street be allowed to be a minimum of 10,000 square feet rather than 20,000 square feet?

**V. CITY COUNCIL - NEXT STEPS**

Return to City Council on December 12, 2017 for final action on the ordinances.

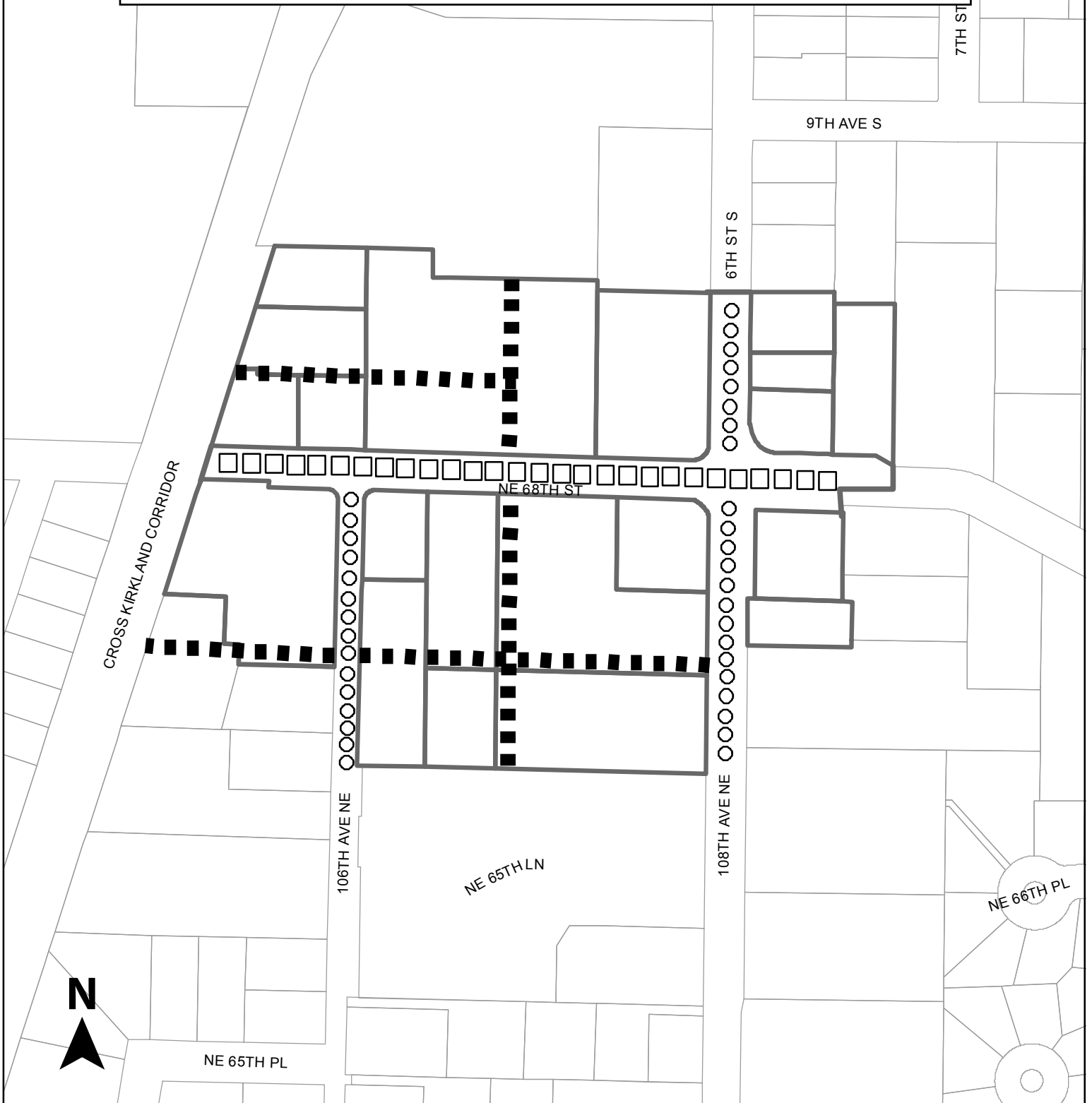
Present the amendments to the Houghton Community Council in January 2018 for final action following action by the City Council on the ordinances.

Attachments

1. Proposed Plate 34-O
2. Proposed Plate 34-P

cc: Planning Commission  
Houghton Community Council

**Pedestrian Circulation in Houghton/Everest Neighborhood Center**

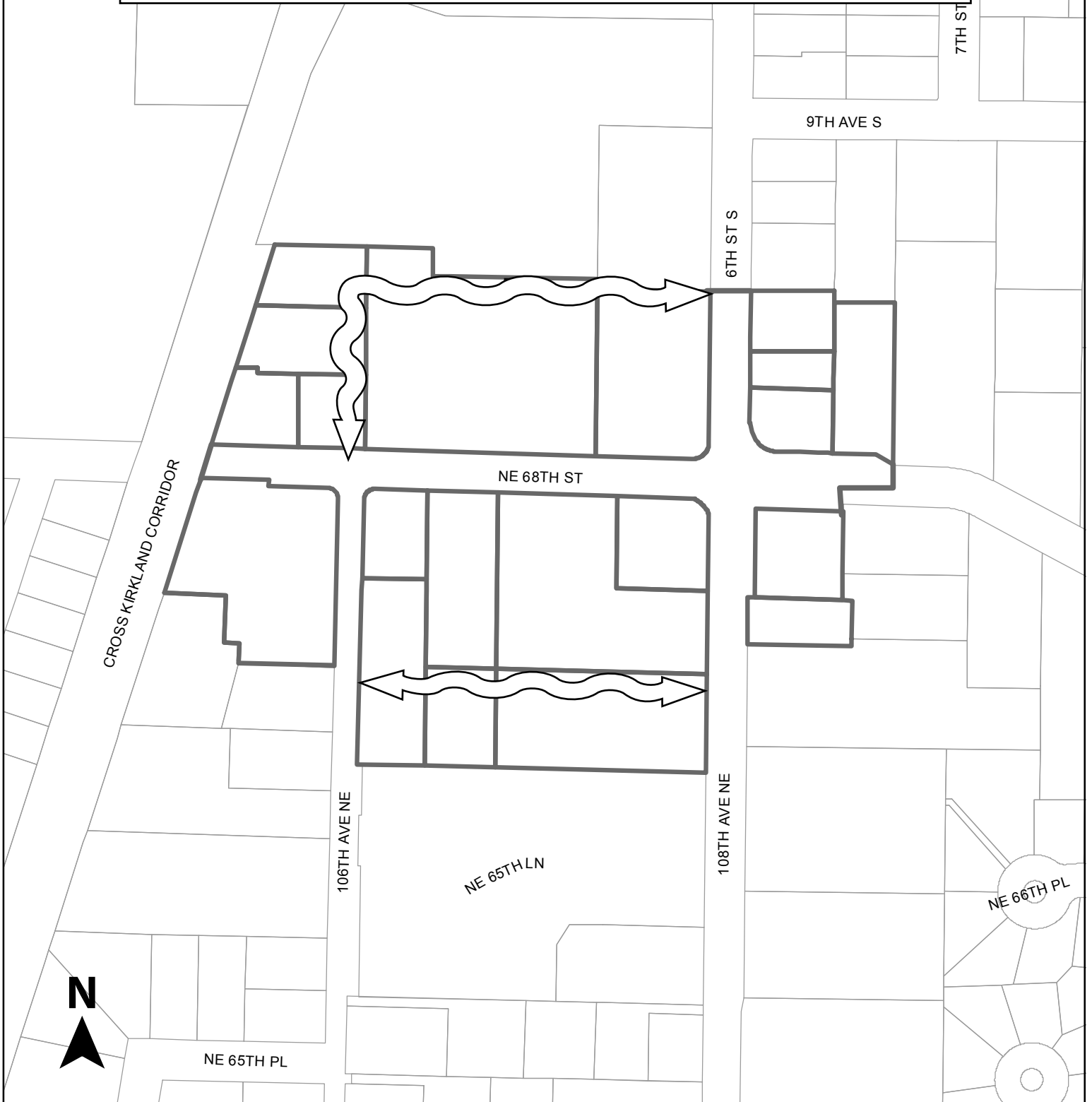


**14' SIDEWALK REQUIRED**

- Both sides of NE 68th Street
- East side of 106th Ave. NE
- West Side of 108th Ave NE
- West Side of 6th Street South

- ○ ○ ○ Major Ped Sidewalks
- □ □ □ Pedestrian-Oriented Street
- ■ ■ ■ Through-Block Pathway  
(Location Estimated)

**Vehicular Access Concept for Houghton/Everest Business District**



**Consolidate driveways per ZC section 105.35**



**Vehicular Access**  
(Location Estimated)

**CITY OF KIRKLAND**

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

[www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Cherie Harris, Chief of Police  
Stephanie E. Croll, Sr. Assistant City Attorney  
Lorrie McKay, Intergovernmental Relations Manager

**Date:** September 21, 2017

**Subject:** ANIMAL SERVICES ORDINANCES

**RECOMMENDATION:**

City Council receives an update on the implementation of the Animal Services Program and adopts the following ordinances, effective January 1, 2018, related to Animal Services:

- An ordinance adopting provisions of the RCW and WAC with regard to animal care, control and services.
- An ordinance adopting requirements for kennels, catteries, shelters, pet stores and groomers; and setting requirements for animal fostering.

**BACKGROUND DISCUSSION:**

The City currently contracts with King County to provide animal services (control, sheltering and licensing). Following a series of meetings in late 2016, the City Council chose to allow its contract with King County to expire at the end of 2017 and begin providing its own animal services beginning January 1, 2018. Since then, an interdepartmental team developed a work plan to implement the new program. The proposed ordinances presented with this memo are the second in a series of legislative actions needed to implement Kirkland's Animal Services Program.

**Program Implementation Update**

In addition to the preparation of ordinances, Staff have been preparing contracts for pet licensing with PetData, shelter contracts with the Everett Animal Shelter, and the build-out of the animal control office & temporary kennels. All are in progress and nearing final approval. All are on schedule for completion prior to December 31, 2017.

On September 1, the Police Department welcomed **Jennifer Matison** as the first Kirkland Animal Control Officer. ACO Matison has a background in animal care, having worked for

several veterinarians in a number of different capacities. The Department has developed a training plan to include cross-training with animal services programs in neighboring jurisdictions in the coming months, as well as assisting in developing policies and procedures, and building relationships with local animal care facilities.

#### Ordinances Previously Adopted.

As the City transitions into providing animal services locally, it must adopt updated animal control ordinances. The City Council previously adopted the animal control ordinances enacted by King County, which are codified as KMC Ch. 8.04. On August 2, 2017, Council adopted O-4591, O-4592, O-4593 and Res. 5262, which accomplished the following:

O-4591 – Authorized Animal Control Officers<sup>1</sup> and authorized the City Manager to enter into animal services contracts;

O-4592 – Adopted definitions and authorized Council to set pet licensing fees, fines and penalties and amend them via resolution;

O-4593 – Amended Parks section of the KMC to allow dogs to be off-leash in designated parks at designated times; and

R-5262 – Established pet licensing fees, fines and penalties.

#### RCW and WAC Provisions Recommended for Adoption.

Staff recommends that City Council approves an ordinance that adopts by reference the following additional RCW and WAC sections related to animal services and care. For Council's convenience, copies of the full text of these laws and regulations are attached as **Exhibit A**. The purpose of adopting state law by reference is to enable adjudication of violations through the Kirkland Municipal Court.

#### Ch. 16.52 RCW - PREVENTION OF CRUELTY TO ANIMALS.

RCW 16.52.080 – Transporting or confining in an unsafe manner – Penalty.

This provision makes it a misdemeanor to wilfully transport or confine, or cause to be transported or confined, any domestic animal<sup>2</sup> in a manner that will jeopardize the safety of the animal or the public. Whenever a person is taken into custody for this offense, the statute allows the ACO to take charge of the animal; and all necessary expenses incurred must be repaid before the animal can be released. Again, this gives the City a further avenue to enforce specific animal cruelty provisions.

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<sup>1</sup> As noted above, as of September 1, 2017, Jennifer Matison has been hired as the City's new ACO.

<sup>2</sup> The City's definition of a "domestic animal" is found at KMC 8.09.120(12), adopted by O-4592: "[A]ny animal that is usually or commonly tamed and bred by humans, such as, but not limited to, any dog, cat, rabbit, guinea pig, gerbil, bird, horse, mule, ass, bovine animal, lamb, goat, sheep, hog or other animal made to be domestic."



## RCW 16.52.100 – Confinement without food and water – Intervention by others.

This provision states that if a domestic animal has been impounded or confined for at least 36 consecutive hours “without necessary food and water,” then *any person* may enter into and open such confined place to provide the animal with food and water. Such person “shall not be liable to action for the entry,” which makes them immune from civil and criminal liability. If an “investigating officer” finds it difficult to provide food and water in the confined place, then the officer may remove the animal to protective custody.

## RCW 16.52.210 – Destruction of animal by law enforcement officer – Immunity from liability.

This provision grants law enforcement officers and licensed veterinarians immunity from civil and criminal liability for all actions taken under Chapter RCW 16.52 (*i.e.*, actions taken for the “Prevention of Cruelty to Animals”), if their actions are taken with “reasonable prudence.” This includes immunity for destruction of animals that are seriously injured and would continue to suffer. This provision recognizes that law enforcement officers should, when possible, consult with a licensed veterinarian before destroying an injured and suffering animal.

## RCW 16.52.305 – Unlawful use of hook – Gross misdemeanor.

This provision makes it a gross misdemeanor to use, or attempt to use, a hook to pierce the flesh or mouth of a bird or mammal. Again, this gives the City a further avenue to enforce specific animal cruelty provisions.

## RCW 16.52.340 – Leave or confine any animal in unattended motor vehicle or enclosed space – Class 2 civil infraction – Officers’ authority to reasonably remove animal.

This provision protects animals from being left unattended in cars and other “enclosed spaces.” Importantly, it gives animal control officers and law enforcement officers the right to issue a civil infraction<sup>3</sup> for such offenses, at the officer’s discretion. However, the officer may also cite the person who has confined the animal with animal cruelty charges. This provision also gives the officer the right to enter the vehicle or enclosed space “by any means reasonable under the circumstances” if the animal is suffering from excessive heat, cold, lack of ventilation or lack of necessary water; and, further, gives the officer immunity from any and all property damage claims resulting from such actions.

## RCW 16.52.350 - Dog tethering—Penalties.

This provision places numerous and strict requirements on where, when and how a dog may be tethered as required by recently adopted state law. The dog cannot be tethered in a manner that could reasonably result in entanglement; it must be able to sit, lie down and stand comfortably; it must have access to water and necessary shelter; it must be in a sanitary condition, not required to stand in urine or feces; and it shall not

---

<sup>3</sup> The official charge is a class 2 civil infraction under RCW 7.80.120(1)(b), which was previously adopted by the City in 2011 via KMC 11.12.030.

be tethered by means of any kind of choke collar, etc. Certain exceptions apply for dogs being moved or in the physical presence of their owner or caretaker.

#### Ch. 16.54 RCW - ABANDONED ANIMALS.

RCW 16.54.010 – When deemed abandoned.

This provision specifically states that an animal may be deemed abandoned when it is taken to a veterinarian, boarding kennel, or any person for treatment, board or care, and the animal is not removed within 15 days after notice to remove the animal has been issued, or when the owner refuses to pay for the reasonable costs of treatment, boarding or care.

WAC 246-203 – Department of Health Regulations – General Sanitation.

WAC 246-203-121 – Disposal of dead animals.

This provision requires the owner of a dead animal to properly dispose of it within 72 hours after death or discovery. The provision indicates proper disposal methods, generally requiring that disposal not cause a nuisance or pollution of surface or ground water.

#### New Ordinances -- Requirements for kennels, catteries, shelters, pet stores and groomers.

Staff recommends that Council adopt the proposed ordinance requiring licenses for hobby kennels and hobby catteries; and permits for foster homes ("private animal placement permits"). General business licenses are already required for commercial operations, such as kennels, catteries, shelters, pet stores and groomers. Resolution 5262, which the Council already passed, sets fees for hobby kennels and hobby catteries at \$50/year; and the fee for a combined hobby kennel-cattery at \$75/year. R-5262 indicated that permits for private animal placement homes were "no charge."

The proposed ordinance also sets forth the requirements and conditions for kennels, catteries, shelters, pet stores and groomers. The underlying theme is that all of the requirements relate to the safety and comfort of the animals, and the safety and comfort of employees working with the animals. Importantly, it authorizes the Animal Control Officer to inspect the premises within 24 hours of a request, and further authorizes the Officer to revoke or suspend any license or permit, in his/her discretion, for any violation of the code. Such suspension or violation may be suspended during an appeal. (Council will be adopting appeal procedures at an upcoming City Council meeting.) Should permission to enter premises not be granted, the ACO will need to obtain a warrant. An emergency exception allows the ACO to enter real property when he/she observes a life, health or safe violation. Permission or a warrant is still required to enter a structure.

#### Future provisions to be adopted.

Staff will be presenting additional animal control and services provisions to Council in the near future. As noted previously, Staff intends to have all animal ordinances adopted by no later than December 31, 2017. The next ordinances are tentatively scheduled as follows:

October 17, 2017:

- Enforcement
- Penalties, civil infractions, misdemeanors
- Impounding
  - Spay and neuter requirements after impounding
  - Redeeming animals after impounding

November 8, 2017:

- Cruelty to Animals
- Nuisances
- Notice and Order to Abate a Public Nuisance
- Appeal procedure
- Vicious Animals
- Dangerous Dogs, Potentially Dangerous Dogs and Requirements for owning

November 21, 2017:

- Dog leash required
- Rabies vaccination required
- Reporting animal bites required
- Animal waste pick up required
- Confining/trapping another's animal prohibited
- Exotic Animals
  - Licensing
  - Inspections
  - Violations and penalties

Should it be necessary to adopt any requested modifications or additional regulations related to the Animal Services Code, Staff can present them via an ordinance or ordinances at the City Council meeting set for December 5, 2017, the last scheduled meeting of this year.

## EXHIBIT A

### RCW 16.52.080

#### **Transporting or confining in unsafe manner—Penalty.**

Any person who wilfully transports or confines or causes to be transported or confined any domestic animal or animals in a manner, posture or confinement that will jeopardize the safety of the animal or the public shall be guilty of a misdemeanor. And whenever any such person shall be taken into custody or be subject to arrest pursuant to a valid warrant therefor by any officer or authorized person, such officer or person may take charge of the animal or animals; and any necessary expense thereof shall be a lien thereon to be paid before the animal or animals may be recovered; and if the expense is not paid, it may be recovered from the owner of the animal or the person guilty.

[ 1982 c 114 § 5; 1974 ex.s. c 12 § 1; 1901 c 146 § 5; RRS § 3188. Prior: 1893 c 27 § 2, part; Code 1881 § 930, part.]

**NOTES:** *Cruelty to stock in transit: RCW 81.48.070.*

### RCW 16.52.100

#### **Confinement without food and water—Intervention by others.**

If any domestic animal is impounded or confined without necessary food and water for more than thirty-six consecutive hours, any person may, from time to time, as is necessary, enter into and open any pound or place of confinement in which any domestic animal is confined, and supply it with necessary food and water so long as it is confined. The person shall not be liable to action for the entry, and may collect from the animal's owner the reasonable cost of the food and water. The animal shall be subject to attachment for the costs and shall not be exempt from levy and sale upon execution issued upon a judgment. If an investigating officer finds it extremely difficult to supply confined animals with food and water, the officer may remove the animals to protective custody for that purpose.

[ 1994 c 261 § 10; 1982 c 114 § 6; 1901 c 146 § 12; RRS § 3195.]

**NOTES: Finding—Intent—1994 c 261:** See note following RCW 16.52.011.

### RCW 16.52.210

#### **Destruction of animal by law enforcement officer—Immunity from liability.**

This chapter shall not limit the right of a law enforcement officer to destroy an animal that has been seriously injured and would otherwise continue to suffer. Such action shall be undertaken with reasonable prudence and, whenever possible, in consultation with a licensed veterinarian and the owner of the animal.

Law enforcement officers and licensed veterinarians shall be immune from civil and criminal liability for actions taken under this chapter if reasonable prudence is exercised in carrying out the provisions of this chapter.

[ 1987 c 335 § 3.]

**NOTES: Construction—Severability—1987 c 335:** See notes following RCW 16.52.085.

## **RCW 16.52.305**

### **Unlawful use of hook—Gross misdemeanor.**

(1) A person is guilty of the unlawful use of a hook if the person utilizes, or attempts to use, a hook with the intent to pierce the flesh or mouth of a bird or mammal.

(2) Unlawful use of a hook is a gross misdemeanor.

[ 2004 c 220 § 1.]

#### **NOTES:**

**Effective date—2004 c 220:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 29, 2004]." [ 2004 c 220 § 2.]

## **RCW 16.52.340**

### **Leave or confine any animal in unattended motor vehicle or enclosed space—Class 2 civil infraction—Officers' authority to reasonably remove animal.**

(1) It is a class 2 civil infraction under RCW 7.80.120 to leave or confine any animal unattended in a motor vehicle or enclosed space if the animal could be harmed or killed by exposure to excessive heat, cold, lack of ventilation, or lack of necessary water.

(2) To protect the health and safety of an animal, an animal control officer or law enforcement officer who reasonably believes that an animal is suffering or is likely to suffer harm from exposure to excessive heat, cold, lack of ventilation, or lack of necessary water is authorized to enter a vehicle or enclosed space to remove an animal by any means reasonable under the circumstances if no other person is present in the immediate area who has access to the vehicle or enclosed space and who will immediately remove the animal. An animal control officer, law enforcement officer, or the department or agency employing such an officer is not liable for any damage to property resulting from actions taken under this section.

(3) Nothing in this section prevents the person who has confined the animal in the vehicle or enclosed space from being convicted of separate offenses for animal cruelty under RCW 16.52.205 or 16.52.207.

[ 2015 c 235 § 1.]

## **RCW 16.52.350**

### **Dog tethering—Penalties.**

(1) Any dog that is restrained outside by a tether must only be restrained for a period of time that is not reckless and in compliance with this section.

(a) The dog shall not be tethered in a manner that results, or could reasonably result, in the dog becoming frequently entangled on the restraint or another object.

(b) If there are multiple dogs tethered, each dog must be on a separate tether and not secured to the same fixed point.

(c) The tether must allow the dog to sit, lie down, and stand comfortably without the restraint becoming taut and allow the dog a range of movement.

(d) A dog shall not be tethered if it is ill, suffering from a debilitating disease, injured, in distress, in the advanced stages of pregnancy, or under six months of age.

(e) A tethered dog must have access to clean water and necessary shelter that is safe and protective while tethered. The shelter and water vessel must be constructed or attached in such a way that the dog cannot knock over the shelter or water vessel.

(f) A dog shall not be tethered in a manner that results in the dog being left in unsafe or unsanitary conditions or that forces the dog to stand, sit, or lie down in its own excrement or urine.

(g) A dog shall not be tethered by means of a choke, pinch, slip, halter, or prong-type collar, or by any means other than with a properly fitted buckle-type collar or harness that provides enough room between the collar or harness and the dog's throat to allow normal breathing and swallowing.

(h) The weight of the tether shall not unreasonably inhibit the free movement of the dog within the area allowed by the length of the tether.

(i) The dog shall not be tethered in a manner that causes the dog injury or pain.

(2) The provisions of subsection (1)(a) through (d) of this section do not apply to a dog that is:

(a) Tethered while it is receiving medical care or treatment under the supervision of a licensed veterinarian or is being groomed;

(b) Participating temporarily in an exhibition, show, contest, or other event in which the skill, breeding, or stamina of the dog is judged or examined;

(c) Being kept temporarily at a camping or recreation area;

(d) Being cared for temporarily after having been picked up as a stray or as part of a rescue operation;

(e) Being transported in a motor vehicle or temporarily restrained or tied after being unloaded from a motor vehicle;

(f) Being trained or used by a federal, state, or local law enforcement agency or military or national guard unit; or

(g) In the physical presence of the person who owns, keeps, or controls the dog.

(3) Each incident involving a violation of this section is a separate offense. A person who violates this section is subject to the following penalties:

(a) A first offense shall result in a correction warning being issued requiring the offense to be corrected by the person who owns, keeps, or controls the dog within seven days after the date of the warning being issued in lieu of an infraction unless the offense poses an imminent risk to the health or safety of the dog or the dog has been injured as a result of the offense.

(b) A second offense is a class 2 civil infraction under RCW 7.80.120(1)(b).

(c) A third or subsequent offense is a class 1 civil infraction under RCW 7.80.120(1)(a).

[ 2017 c 65 § 1.]

## **RCW 16.54.010**

### **When deemed abandoned.**

An animal is deemed to be abandoned under the provisions of this chapter when it is placed in the custody of a veterinarian, boarding kennel owner, or any person for treatment, board, or care and:

(1) Having been placed in such custody for an unspecified period of time the animal is not removed within fifteen days after notice to remove the animal has been given to the person who placed the animal in such custody or having been so notified the person depositing the animal refuses or fails to pay agreed upon or reasonable charges for the treatment, board, or care of such animal, or;

(2) Having been placed in such custody for a specified period of time the animal is not removed at the end of such specified period or the person depositing the animal refuses to pay agreed upon or reasonable charges for the treatment, board, or care of such animal.

[ 1977 ex.s. c 67 § 1; 1955 c 190 § 1.]



## **WAC 246-203-121**

Disposal of dead animals.

(1) **Definitions.** For the purpose of this regulation the following definitions apply:

(a) "Burial" means completely covering with soil in a manner and location not requiring a permit for a landfill under chapter 70.95 RCW, Solid waste management—Reduction and recycling.

(b) "Composting" means a process of controlled aerobic decomposition in compliance with chapter 70.95 RCW, Solid waste management—Reduction and recycling.

(c) "Dead animal" means the carcass or tissue from an animal, large or small, except part of an animal used for food or other beneficial purpose in accordance with federal, state, and local laws and regulations. "Dead animal" does not mean a fish or other primarily aquatic animal.

(d) "Incineration" means controlled and monitored combustion for the purposes of volume reduction and pathogen destruction in an enclosed device approved by the department of ecology or the local air pollution control authority under chapter 70.94 RCW, Washington Clean Air Act, and chapter 70.95 RCW, Solid waste management—Reduction and recycling.

(e) "Landfilling" means a process of disposal at a permitted facility where solid waste is permanently placed in or on land in compliance with rules adopted by the department of ecology under chapter 70.95 RCW, Solid waste management—Reduction and recycling.

(f) "Livestock" means horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, game birds, or other species according to RCW 16.36.005.

(g) "Natural decomposition" means natural decay on the surface of the ground without cover material.

(h) "Rendering" means heat processing according to requirements under chapter 16.68 RCW, Disposal of dead animals.

(2) **Disposal methods.**

(a) Within seventy-two hours after death or discovery, the owner of a dead animal or, if the owner of the animal cannot be identified, the owner of the property on which the animal is found must properly dispose of the dead animal. A dead animal must be covered or otherwise removed from public view immediately upon discovery by the person responsible for disposing of the dead animal.

(b) The person responsible for disposal of a dead animal must dispose of it in a manner so as not to become a public or common nuisance or cause pollution of surface or groundwater.

(c) The person responsible for disposal of a dead animal must dispose of it by burial, landfilling, incineration, composting, rendering, or another method approved by the local health

officer (such as natural decomposition) that is not otherwise prohibited by federal, state, or local law or regulation.

(d) A person disposing of a dead animal by burial must place it so that every part is covered by at least three feet of soil; at a location not less than one hundred feet from any well, spring, stream or other surface waters; not in a low-lying area subject to seasonal flooding or within a one hundred-year flood plain; and not in a manner likely to contaminate groundwater.

(e) A person disposing of a dead animal must not bury or compost it within the sanitary control area of a public drinking water supply source as designated under chapter 246-290 WAC, Public water supplies, or chapter 246-291 WAC, Group B public water systems.

(f) The local health officer may specify the method of disposal for a dead animal if:

- (i) The animal died with a communicable disease transmissible to humans; or
- (ii) The local health officer considers a public health emergency to exist.

(g) The provisions of RCW 16.36.092 and chapter 16-25 WAC supersede the provisions of this regulation for the disposal of a livestock animal that has died because of disease or unknown cause.

[Statutory Authority: RCW 43.20.050(2). WSR 07-14-149, § 246-203-121, filed 7/5/07, effective 8/5/07.]

ORDINANCE O-4608

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING PROVISIONS OF THE REVISED CODE OF WASHINGTON (RCW) AND WASHINGTON ADMINISTRATIVE CODE (WAC) RELATED TO ANIMAL SERVICES, CARE AND CONTROL.

1           WHEREAS, the City of Kirkland has, for many years, contracted  
2 with King County to allow the County to provide the City with animal  
3 services, such as animal control, sheltering and licensing; and  
4

5           WHEREAS, beginning in 1985, the City adopted the animal  
6 control ordinances enacted by King County, which are currently in effect  
7 in the City, codified at Kirkland Municipal Code, KMC chapter 8.04; and  
8

9           WHEREAS, the City’s contract with King County will expire on  
10 December 31, 2017; and  
11

12           WHEREAS, on November 1, 2016, the City made a decision to  
13 begin providing its own local animal services commencing on January 1,  
14 2018; and  
15

16           WHEREAS, Council held a study session on July 18, 2017, to  
17 review initial proposed ordinances to eventually replace KMC chapter  
18 8.04 and establish a local animal control authority in the City; and  
19

20           WHEREAS, Council identifies the sections listed below from the  
21 Revised Code of Washington (RCW) and the Washington Administrative  
22 Code (WAC) as relevant to the City’s local animal control authority. The  
23 purpose of adopting state law by reference is to enable adjudication of  
24 violations through the Kirkland Municipal Court.  
25

26           NOW, THEREFORE, the City Council of the City of Kirkland do  
27 ordain as follows:  
28

29           Section 1. A new Kirkland Municipal Code Section 8.10.010 is  
30 hereby adopted to read as follows:  
31

**8.10.010 Portions of RCW Chapter 16.52 adopted by reference.**

32           The following RCW sections, as currently enacted or as hereafter  
33 amended or recodified from time to time, are hereby adopted by  
34 reference and shall be given the same force and effect as if set forth  
35 herein in full:  
36

37  
38           RCW 16.52.080 – Transporting or confining in an unsafe  
39 manner – Penalty.  
40

41           RCW 16.52.100 – Confinement without food and water –  
42 Intervention by others.

43 RCW 16.52.210 – Destruction of animal by law enforcement  
44 officer – Immunity from liability.

45  
46 RCW 16.52.305 – Unlawful use of hook – Gross misdemeanor.

47  
48 RCW 16.52.340 – Leave or confine any animal in unattended  
49 motor vehicle or enclosed space – Class 2 civil infraction –  
50 Officers’ authority to reasonably remove animal.

51  
52 RCW 16.52.350 - Dog tethering—Penalties.

53  
54 Section 2. A new Kirkland Municipal Code Section 8.10.020 is  
55 hereby adopted to read as follows:

56  
57 **8.10.020 Portions of RCW Chapter 16.54 adopted by reference.**

58 The following RCW section, as currently enacted or as hereafter  
59 amended or recodified from time to time, is hereby adopted by  
60 reference and shall be given the same force and effect as if set forth  
61 herein in full:

62  
63 RCW 16.54.010 – When deemed abandoned.

64  
65 Section 3. A new Kirkland Municipal Code Section 8.10.030 is  
66 adopted to read as follows:

67  
68  
69 **8.10.030 WAC 246-203-121 adopted by reference.**

70 The following WAC section, as currently enacted or as hereafter  
71 amended or recodified from time to time, is hereby adopted by  
72 reference and shall be given the same force and effect as if set forth  
73 herein in full:

74  
75 WAC 246-203-121 – Disposal of dead animals.

76  
77 Section 4. If any provision of this ordinance or its application to  
78 any person or circumstance is held invalid, the remainder of the  
79 ordinance or the application of the provision to other persons or  
80 circumstances is not affected.

81  
82 Section 5. This ordinance shall be in force and effect January 1,  
83 2018, after its passage by the Kirkland City Council and publication  
84 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
85 form attached to the original of this ordinance and by this reference  
86 approved by the City Council.

87  
88 Passed by majority vote of the Kirkland City Council in open  
89 meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

90  
91 Signed in authentication thereof this \_\_\_\_\_ day of  
92 \_\_\_\_\_, 2017.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

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

Approved as to Form:

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

PUBLICATION SUMMARY  
OF ORDINANCE O-4608

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING PROVISIONS OF THE REVISED CODE OF WASHINGTON (RCW) AND WASHINGTON ADMINISTRATIVE CODE (WAC) RELATED TO ANIMAL SERVICES, CARE AND CONTROL.

SECTIONS 1-3. Adds new Kirkland Municipal Code sections related to statutes and codes adopted by reference.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. 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 January 1, 2018, 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 \_\_\_\_\_, 2017.

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

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

ORDINANCE O-4609

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING PORTIONS OF THE CITY'S LOCAL ANIMAL CONTROL ORDINANCE THAT SETS FORTH THE REGULATIONS APPLICABLE TO KENNELS, HOBBY KENNELS, CATTERIES, HOBBY CATTERIES, GROOMING SERVICES, PET SHOPS AND PRIVATE ANIMAL PLACEMENT PERMITS.

1           WHEREAS, the City of Kirkland has, in the past, contracted with  
2 King County to allow the County to provide the City with animal services,  
3 such as animal control, sheltering and licensing; and  
4

5           WHEREAS, beginning in 1985, the City adopted the animal  
6 control ordinances enacted by King County, which are currently in effect  
7 in the City, codified at Kirkland Municipal Code, KMC chapter 8.04; and  
8

9           WHEREAS, the City's contract with King County will expire on  
10 December 31, 2017; and  
11

12           WHEREAS, on November 1, 2016, the City made a decision to  
13 begin providing its own local animal services commencing on January 1,  
14 2018; and  
15

16           WHEREAS, Council held a study session on July 18, 2017, to  
17 review initial proposed ordinances to eventually replace KMC chapter  
18 8.04 and establish a local animal control authority in the City; and  
19

20           WHEREAS, Council adopts the regulations set forth below  
21 applicable to kennels, hobby kennels, catteries, hobby catteries,  
22 grooming services, pet shops and private animal placement permits.  
23

24           NOW, THEREFORE, the City Council of the City of Kirkland do  
25 ordain as follows:  
26

27           Section 1. A new Section 8.09.170 of the Kirkland Municipal  
28 Code is hereby created to read as follows:  
29

30 **8.09.170 Hobby kennel or hobby cattery licenses - required -**  
31 **limitations - requirements - issuance and maintenance.**

32           A. All hobby kennels and hobby catteries must be licensed by the  
33 City. Licenses shall be valid for one year from the date of application.  
34 Fees shall be assessed as provided in KMC 8.09.150. There is no  
35 proration of the license fee. Renewal licenses shall retain the original  
36 expiration date whether renewed on or after their respective renewal  
37 month. Issuance of a license under this section shall not excuse any  
38 obligation to obtain a private animal placement permit, if required. In  
39 addition, each animal that is maintained at a hobby kennel or hobby  
40 cattery shall be licensed individually. It is unlawful for any person to  
41 keep and maintain any hobby kennel or hobby cattery without a valid  
42 and subsisting license therefor.



43 B. The City may limit the total number of adult dogs and cats kept  
44 by the hobby kennel or hobby cattery. This determination shall be made  
45 by the Animal Control Officer and may be based on the following factors,  
46 in addition to any other factor the Officer deems relevant:

- 47 1. Animal size;
- 48 2. Individual characteristics of specific animals;
- 49 3. The amount of lot area;
  - 50 a. twenty-five where the lot area contains five acres or
  - 51 more;
  - 52 b. ten where the lot area contains thirty-five thousand
  - 53 square feet but less than five acres; and
  - 54 c. five where the lot area is less than thirty-five
  - 55 thousand square feet;
- 56 4. The facility specifications and dimensions in which the dogs  
57 and cats are to be maintained; and
- 58 5. The zoning classification in which the hobby kennel or hobby  
59 cattery are to be maintained.

60 C. The following are requirements for hobby kennels and hobby  
61 catteries:

62 1. All open run areas shall be completely surrounded by a six-  
63 foot fence set back at least twenty feet from all property lines, though  
64 this requirement may be modified for hobby catteries as long as the  
65 open run area contains the cats and prohibits the entrance of children.  
66 For purposes of this section, "open run area" means that area, within  
67 the property lines of the premises on which the hobby kennel or hobby  
68 cattery is to be maintained, where the dogs and cats are sheltered or  
69 maintained. If there is no area set aside for sheltering or maintaining  
70 the dogs within the property lines of the premises, then the twenty  
71 foot setback does not apply. The property lines of premises not  
72 containing an open run area must be completely surrounded by a six-  
73 foot fence;

74 2. The Animal Control Officer may require additional setback,  
75 fencing, screening or soundproofing as the Officer deems necessary to  
76 ensure the compatibility of the hobby kennel or hobby cattery with the  
77 surrounding neighborhood. Factors to be considered in determining  
78 compatibility are:

- 79 a. statements regarding approval or disapproval of  
80 surrounding neighbors relative to maintenance of a hobby kennel or  
81 hobby cattery at the address applied for;
- 82 b. history of verified animal care and control complaints  
83 relating to the dogs and cats of the applicant at the address for  
84 which the hobby kennel or hobby cattery is applied for;
- 85 c. facility specifications or dimensions in which the dogs and  
86 cats are to be maintained;
- 87 d. animal size and specific characteristics; and
- 88 e. the zoning classification of the premises on which the  
89 hobby kennel or hobby cattery is maintained;

90 D. Each dog and cat in the hobby kennel or hobby cattery shall have  
91 current and proper immunization from disease according to the dog's  
92 and cat's species and age. The immunizations shall consist of, at a  
93 minimum, distemper, hepatitis, leptospirosis, parainfluenza and parvo  
94 virus (DHLPP) inoculation for dogs over three months old and feline  
95 herpesvirus 1, calicivirus and panleukopenia virus (FVRCP) inoculation  
96 for cats over two months old and rabies inoculations for all dogs and  
97 cats over four months old.

98 E. A hobby kennel or hobby cattery license may be terminated if the  
99 number of dogs and cats exceeds the number allowed by the Animal  
100 Control Officer or if the facility fails to comply with any of the  
101 requirements of this Title or the specific requirements imposed on the  
102 hobby kennel or hobby cattery by the Animal Control Authority.

103 F. The Animal Control Officer may authorize hobby kennels and  
104 hobby catteries to exceed the maximum number of dogs and cats  
105 otherwise allowed under this section.

106  
107 Section 2. A new Section 8.09.180 of the Kirkland Municipal  
108 Code is hereby created to read as follows:

109  
110 **8.09.180 Hobby kennels and hobby catteries - licenses -**  
111 **revocation, suspension or refusal to renew.**

112 The Animal Control Officer may, in addition to other penalties  
113 provided in this title, revoke, suspend or refuse to renew any hobby  
114 kennel or hobby cattery license upon good cause or for failure to comply  
115 with any provision of this title. Enforcement of such a revocation,  
116 suspension or refusal may be stayed during the pendency of an appeal  
117 filed in accordance with this Title.

118  
119 Section 3. A new Section 8.09.190 of the Kirkland Municipal  
120 Code is hereby created to read as follows:

121  
122 **8.09.190 Hobby kennel or hobby cattery licenses, registration**  
123 **– revocation or refusal waiting period.**

124 If an applicant has had a license or registration revoked or a renewal  
125 refused, the applicant shall not be issued a hobby kennel license or  
126 hobby cattery license for at least one year after the revocation or  
127 refusal.

128  
129 Section 4. A new Section 8.09.200 of the Kirkland Municipal  
130 Code is hereby created to read as follows:

131  
132 **8.09.200 Animal shelters, kennels, catteries, grooming service**  
133 **or pet shops – inspections - unsanitary conditions unlawful.**

134 A. It shall be the duty of the Animal Control Officer to make or cause  
135 to be made such an inspection as may be necessary to determine  
136 compliance with this code. The owner or keeper of an animal shelter,  
137 kennel, cattery, grooming service or pet shop shall admit to the  
138 premises, for the purpose of making an inspection, any officer, agent or  
139 employee of the Animal Control Authority at any reasonable time that

140 admission is requested; but in all events the owner or keeper shall admit  
141 the inspection within 24 hours of the request.

142 B. It is unlawful to keep, use or maintain within the City any animal  
143 shelter, kennel, cattery, grooming service or pet shop that is unsanitary,  
144 nauseous, foul or offensive, or in any way detrimental to public health  
145 or safety, or the safety of animals, or not in compliance with any  
146 provision of this code.

147  
148 Section 5. A new Section 8.09.210 of the Kirkland Municipal  
149 Code is hereby created to read as follows:

150  
151 **8.09.210 Animal shelters, kennels, catteries, grooming**  
152 **services, and pet shops - Conditions.**

153 Animal shelters, kennels, catteries, grooming services and pet shops  
154 shall meet the following conditions:

155 1. Housing facilities shall be provided to the animals and such shall  
156 be structurally sound and shall be maintained in good repair; shall be  
157 designed so as to protect the animals from injury; shall contain the  
158 animals; and shall restrict the entrance of other animals.

159 2. Electric power shall be supplied in conformance with city, county,  
160 and state electrical codes adequate to supply lighting, heating, and  
161 cooling as may be required by this chapter. Water shall be supplied at  
162 sufficient pressure and quantity to clean indoor housing facilities and  
163 primary enclosures of debris and excreta. Refrigeration shall be  
164 provided for the protection of perishable foods.

165 3. Suitable drinking water, food and bedding shall be provided and  
166 stored in facilities adequate to provide protection against infestation or  
167 contamination by insects, rodents or disease.

168 4. Provision shall be made for the removal and disposal of animal  
169 and food wastes, bedding, dead animals, and debris. Disposal facilities  
170 shall be maintained in a sanitary condition, free from the infestation or  
171 contamination of insects, rodents or disease, and from obnoxious or foul  
172 odors.

173 5. Washroom facilities, including sinks and toilets, with hot and cold  
174 water, must be conveniently available for cleaning purposes, and a large  
175 sink or tub provided for the purpose of washing utensils, equipment and  
176 facilities.

177 6. Sick animals shall be separated from those appearing healthy and  
178 normal and, if for sale, shall be removed from display and sale. Sick  
179 animals shall be seen by a licensed veterinarian within 24 hours of  
180 exhibiting sickness. Unless taken by the veterinarian, sick animals shall  
181 be kept in isolation quarters with adequate ventilation to keep from  
182 contaminating well animals. Sick or injured animals shall be treated  
183 humanely at all times.

184 7. There shall be an employee on duty at all times during those  
185 hours any store is open whose responsibility shall be the care and  
186 welfare of the animals in that shop or department.

187 8. An employee or owner shall come in to feed, water and do the  
188 necessary cleaning of animals on days and during those hours the store  
189 or shop is closed.

190 9. No person, persons, association, firm or corporation shall  
191 knowingly sell a sick or injured animal.

192 10. No person, persons, association, firm or corporation shall  
193 misrepresent an animal to a consumer in any way

194  
195 Section 6. A new Section 8.09.220 of the Kirkland Municipal  
196 Code is hereby created to read as follows:  
197

198 **8.09.220 Animal shelters, kennels, catteries, grooming services**  
199 **and pet shops – Indoor facilities.**

200 Animal shelters, kennels, catteries, grooming services and pet shops  
201 that have indoor housing facilities for animals and birds shall:

202 1. Be sufficiently heated or cooled to protect such animals from  
203 temperatures to which they are not normally acclimatized;

204 2. Be adequately ventilated to provide for the health of animals  
205 contained therein and to assist in the removal of foul and obnoxious  
206 odors;

207 3. Have sufficient natural or artificial lighting to permit routine  
208 inspection and cleaning at any time of day or night. In addition,  
209 sufficient natural or artificial lighting shall be supplied in the area of sinks  
210 and toilets to provide for the hygiene of animal caretakers;

211 4. Have interior wall and ceiling surfaces constructed of materials  
212 which are resistant to the absorption of moisture and odors, or such  
213 surfaces shall be treated with a sealant or with paint, when such  
214 materials are not originally resistant to moisture or odors. Floor surfaces  
215 shall not be made of unsealed wood. In addition, interior walls shall be  
216 constructed so that the interface with floor surfaces is sealed from the  
217 flow or accumulation of moisture or debris;

218 5. Contain a drainage system which shall be connected to a sanitary  
219 sewer or septic tank system which conforms to the standards of the  
220 City's building codes and shall be designed to rapidly remove water and  
221 excreta in the cleaning of such indoor housing facility under any  
222 condition of weather or temperature.

223 6. All indoor housing facilities for animals, fish, or birds shall be  
224 maintained in a clean and sanitary condition and a safe and effective  
225 disinfectant shall be used in the cleaning of such facilities.

226  
227 Section 7. A new Section 8.09.230 of the Kirkland Municipal  
228 Code is hereby created to read as follows:  
229

230 **8.09.230 Animal shelters, kennels, catteries, grooming**  
231 **services, and pet shops - Outdoor facilities.**

232 Animal shelters, kennels, catteries, grooming services and pet shops  
233 which have outdoor facilities for animals shall:

234 1. Be constructed to provide shelter from excessive heat, cold,  
235 sunlight, rain, snow, wind, or other elements. In addition, such facilities

236 shall be constructed to provide sufficient space for the proper exercise  
237 and movement of each animal contained therein;

238 2. Be constructed to provide drainage and to prevent the  
239 accumulation of water, mud, debris, excreta, or other materials and  
240 shall be designed to facilitate the removal of animal and food wastes;  
241 and

242 3. Be constructed with adequate walls or fences to contain the  
243 animals kept therein and to prevent entrance of other animals.

244  
245 Section 8. A new Section 8.09.240 of the Kirkland Municipal  
246 Code is hereby created to read as follows:

247  
248 **8.09.240 Grooming parlors - Conditions.**

249 Grooming parlors shall:

250 1. Not board animals but keep only dogs and cats for a reasonable  
251 time in order to perform the business of grooming;

252 2. Provide such restraining straps for the dog or cat while it is being  
253 groomed so that such animal shall neither fall nor be hanged, nor be  
254 injured in any manner;

255 3. Sterilize all equipment after each dog or cat has been groomed;

256 4. Not leave animals unattended before a dryer;

257 5. Not prescribe treatment or medicine that is the province of a  
258 licensed veterinarian as provided in RCW 18.92.010;

259 6. Not put more than one animal in each cage;

260 7. Have all floors and walls in rooms, pens and cages used to retain  
261 animals or in areas where animals are clipped, groomed or treated,  
262 constructed of water impervious material that can readily be cleaned,  
263 and must be maintained in good repair;

264 8. Have hot and cold water conveniently available and a large sink  
265 or tub provided;

266 9. Have toilet and hand washing facilities with hot and cold running  
267 water conveniently available for personnel employed;

268 10. Keep or store all equipment used for the business in a sanitary  
269 manner;

270 11. Keep all cages, pens, or kennels used for holding animals in a  
271 clean and sanitary condition and disinfect on a routine basis.

272  
273 Section 9. A new Section 8.09.250 of the Kirkland Municipal  
274 Code is hereby created to read as follows:

275  
276 **8.09.250 Animal shelters, hobby kennels, kennels, catteries,  
277 hobby catteries, pet shops, grooming parlors - additional  
278 conditions.**

279 The Animal Control Officer is authorized to promulgate rules and  
280 regulations not in conflict with this Title as they pertain to the conditions  
281 and operations of animal shelters, kennels, hobby kennels, catteries,  
282 hobby catteries, pet shops and grooming parlors.

283  
284 Section 10. A new Section 8.09.260 of the Kirkland Municipal  
285 Code is hereby created to read as follows:

286 **8.09.260 Individual private animal placement permit - required**  
287 **- qualifications - limitations -inspection, denial and revocation.**

288 A. Any person independently engaged in the fostering of dogs and  
289 cats who routinely possesses more dogs and cats than are otherwise  
290 allowed in this Title or any other provision of the Kirkland Zoning Code  
291 must obtain a private animal placement permit from the Animal Control  
292 Authority. Permits shall be valid for one year from issuance and may not  
293 be transferred.

294 B. In order to qualify for a private animal placement permit, an  
295 applicant must:

296 1. Maintain and care for dogs and cats in a humane and sanitary  
297 fashion.

298 2. Foster the dogs and cats at a location that is compatible with  
299 the surrounding neighborhood.

300 3. Agree to return stray or lost animals to their owners before  
301 placing the animals in an adoptive home.

302 4. Agree to spay or neuter and license each dog or cat before  
303 placement into its new home and transfer the license of each animal to  
304 its adoptive owner.

305 C. Individuals or organizations holding a private animal placement  
306 permit shall be allowed to possess five foster animals above the limit  
307 that would normally apply to their property under this Title or any other  
308 provision of the Kirkland Zoning Code. Permit holders are required to  
309 locate an adoptive home for each dog or cat within six months of  
310 acquiring the dog or cat. If, after six months, an adoptive home has not  
311 been found for a dog or cat, the Animal Control Officer shall review the  
312 situation to determine if the permit holder is complying with the permit.  
313 If the Animal Control Officer ascertains that a good faith effort is being  
314 made to locate adoptive homes, a six-month extension may be granted.  
315 The presence of juvenile animals shall not necessarily place a permit  
316 holder over their limit unless the Animal Control Officer determines that  
317 juvenile animals are present in such large numbers as to otherwise place  
318 the permit holder out of compliance with the permit. Holders of hobby  
319 kennel licenses and hobby cattery licenses shall be allowed to possess  
320 and foster five more animals than are allowed by the conditions of a  
321 hobby kennel permit and hobby cattery permit.

322 D. The Animal Control Officer may inspect the facilities of an  
323 applicant for a private animal placement permit to determine whether  
324 or not such a permit shall be issued. In addition, the Animal Control  
325 Officer may periodically inspect the facilities of holders of private animal  
326 placement permits to ensure compliance with this section. The Animal  
327 Control Officer may also deny or revoke permits based on any one or  
328 more of the following:

329 1. A failure to meet the qualifications listed in subsections A  
330 through C of this section;

331 2. Verified animal care and control complaints;

332 3. Verified complaints by neighbors regarding the failure to  
333 comply with private animal placement permit requirements.

334           Section 11. If any provision of this ordinance or its application  
335 to any person or circumstance is held invalid, the remainder of the  
336 ordinance or the application of the provision to other persons or  
337 circumstances is not affected.  
338

339           Section 12. This ordinance shall be in force and effect January  
340 1, 2018, after its passage by the Kirkland City Council and publication  
341 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
342 form attached to the original of this ordinance and by this reference  
343 approved by the City Council.  
344

345           Passed by majority vote of the Kirkland City Council in open  
346 meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
347

348           Signed in authentication thereof this \_\_\_\_\_ day of  
349 \_\_\_\_\_, 2017.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

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

Approved as to Form:

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

PUBLICATION SUMMARY  
OF ORDINANCE O-4609

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING PORTIONS OF THE CITY'S LOCAL ANIMAL CONTROL ORDINANCE THAT SETS FORTH THE REGULATIONS APPLICABLE TO KENNELS, HOBBY KENNELS, CATTERIES, HOBBY CATTERIES, GROOMING SERVICES, PET SHOPS AND PRIVATE ANIMAL PLACEMENT PERMITS.

SECTION 1. Adopts regulations and licensing requirements for hobby kennels and hobby catteries.

SECTION 2. Authorizes Animal Control Officer to revoke, suspend or refuse to renew any hobby kennel or catterie license for code violations.

SECTION 3. Requires applicant for a hobby kennel or catterie to wait one year before applying for a new license if they have previously had license revoked or refused.

SECTION 4. Authorizes the Animal Control Officer to inspect animal shelters, kennels, catteries, grooming services and pet shop for unsanitary conditions.

SECTION 5. Sets forth conditions and requirements for animal shelters, kennels, catteries, grooming services and pet shops; including requirements regarding housing facilities, electric power, water, refrigeration, food, bedding, disposal of wastes, washroom facilities, separation of sick animals from healthy animals, and care for the confined animals.

SECTION 6. Sets forth conditions for indoor facilities for shelters, kennels, catteries, grooming services and pet shops; including sufficient heating and cooling; ventilation; lighting, sanitary surfaces of floors, walls and ceilings; sanitary sewer drainage system; and clean and sanitary conditions.

SECTION 7. Sets forth conditions for outdoor facilities for shelters, kennels, catteries, grooming services and pet shops; including shelter from heat and cold; drainage and adequate walls and fences.

SECTION 8. Sets forth conditions for grooming parlors; including safety restraining straps; sterilize equipment; animal safety; sanitary conditions; do not board animals or give them treatment within the province of a licensed veterinarian; hot and cold water; and restrooms for employees.

SECTION 9. Authorizes Animal Control Officer to promulgate rules and regulations not inconsistent with this Title.



SECTION 10. Requires private animal placement permit to foster animals. Sets forth requirements for fostering; including humane treatment of animals; sanitary conditions, compatible with surrounding neighborhood; must return strays to their owners; and must spay or neuter before adopting out. No more than five foster animals above the limit allowed by code; must find fosters new homes within six months; Animal Control Officer has authority to grant good-faith extensions. The Animal Control Officer is authorized to inspect the premises and may, in his or her discretion, require, refuse, revoke or deny a permit.

SECTION 11. Provides a severability clause for the ordinance.

SECTION 12. 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 January 1, 2018.

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 \_\_\_\_\_, 2017.

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

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



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

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Joe Sanford, Fire Chief  
Heather Kelly, Emergency Preparedness Coordinator

**Date:** September 22, 2017

**Subject:** CONTINUITY OF OPERATIONS AND GOVERNMENT PLAN PRESENTED FOR REVIEW

## **RECOMMENDATION:**

It is recommended that City Council review the Draft Continuity of Operations and Continuity of Government Plan ("Plan") in preparation for approval and ratification of the document at the Oct 17 Council Meeting. It is recommended that any suggested changes be provided to the Emergency Preparedness Coordinator at the October 3 Council meeting or via email by October 13.

## **BACKGROUND DISCUSSION:**

On May 18, 2017, the City contracted for the services of Heather Kelly, a Continuity Planner, to facilitate a coordinated, inclusive planning effort focused on the continuity of City operations and government during and following a major emergency or disaster. The ability of a jurisdiction to maintain its delivery of essential functions to the community during and following an emergency or disaster is critical to the protection of life, property, and the environment. A documented, holistic approach to service delivery, decision making, and resource management will facilitate the ability of the City to best serve the community and businesses of the city Kirkland.

Ms. Kelly has since been hired as the City of Kirkland Emergency Preparedness Coordinator and has worked with City departments, the Municipal Court, and met with the Public Safety Committee Council Representatives to develop a Plan based on current capability and resources. The process of planning has enlightened departments on the interdependencies of city operations, the coordination efforts associated with continuity, and the need for continued training and exercising of all emergency plans.

Specific areas of the plan that are brought to the attention of Council include the Concept of Operations (CONOPS) (page 11), Essential Functions (page 18), Order of Succession (page 22), and the Council Appendix. The CONOPS identifies the activities and organization to be used in a continuity situation. The Essential Functions list the initial priorities of service delivery for the first 24 to 48 hours following an incident. The Order of Succession lists, by position, the

decision making authority for each department. The Council Appendix speaks directly to the essential functions and support requirements of the Council during a continuity condition.

The Continuity Plan is considered a component of the overall suite of Emergency Management plans which includes at a minimum the Comprehensive Emergency Management Plan (CEMP), the Emergency Operations Plan (EOP), the Hazard Mitigation Plan, and a Recovery Framework. All of these documents are in various stages of development, updates, and implementation with the understanding that plans are constantly changing and improving based on best practices and operational experience.

A comprehensive Emergency Management program extends beyond documentation to training, exercising, and routine outreach to employees and the public on matters of preparedness, response, and recovery. The goal moving forward into 2018, 2019, and beyond is to build the city's capability to respond to and recover from an emergency or disaster through testing of systems such as CODE RED, continued development and use of the Emergency Management Action Team (EMAT), personal action awareness campaigns such as the recent National Preparedness Month, and facilitation of drills and exercises engaging staff, partners, and the community.

The first of these drills is participation in the Great Shakeout 2017 on October 19 at 10:19 am. The Great Shakeout is a national campaign designed to bring awareness to preparedness and initial response actions during a major earthquake. Emergency Management will be facilitating a field test of the Damage Assessment Windshield Survey process in partnership with Fire, Police, and Public Works. The field test will cross into the Emergency Operations Center by practicing the transfer of information and documentation for situational awareness that will be provided to leadership as part of the exercise.

This exercise is one of many opportunities that Emergency Management plans to leverage in the ongoing effort to increase capability and preparedness of the City. Based on feedback from Council on this draft Plan, it is anticipated that Emergency Management staff will return to Council at the October 17 meeting with a proposal for adoption of the Plan by resolution by Council.

Attachment A: Continuity Plan Draft

# **Continuity of Operations (COOP) Continuity of Government (COG) Plan**

September XX 2017



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## Confidential for Internal Use Only

**This document contains confidential information which, if made public or disclosed, could violate the personal or privacy interests of others or compromise the security of essential equipment, services or systems of the City of Kirkland. The document is intended for internal**

**City of Kirkland use only. All or some portions of this document may be exempt from disclosure under the Washington Public Records Act, Chapter 42.56 RCW, or the Freedom of Information Act, United States Code §552, 41 Code of Federal Regulations Part 105-60.**

**The City Attorney must be consulted prior to the release of any or all of this document.**

## Promulgation Statement

Date 09/XX/2017

Transmitted here is the City of Kirkland's Continuity of Operations (COOP) Continuity of Government (COG) plan (Plan). This Plan provides a guide from which the City of Kirkland departments can implement actions to support the delivery of essential functions during and after a disaster or emergency.

This Plan supersedes any previous COOP and/or COG documents and has been approved by the City Council through Resolution R-XXX dated XXXX. This Plan will be reviewed annually and updated, as appropriate, by the Office of Emergency Management (OEM). Recipients are requested to advise OEM of any changes or suggestions that may result in Plan improvement.

Kurt Triplett  
City Manager  
City of Kirkland

## RECORD OF DISTRIBUTION

The record of distribution will be used to verify that department leadership have acknowledged acceptance of this Plan. An electronic version of this Plan can be accessed by City employees with COOP responsibilities on the Office of Emergency Management SharePoint site.

Date of Delivery	Number of Copies Delivered	Method of Delivery	Name, Title, and Department of Receiver
	1	Hard Copy	Kevin Raymond, City Attorney, CAO
	3	Hard Copy	Kurt Triplett, City Manager, CMO Tracey Dunlap, Deputy City Manager, CMO Marilynne Beard, Deputy City Manager, CMO
	7	Hard Copy	One for each member of the City Council
	2	Hard Copy	Judge Lambo, Presiding Judge, Municipal Court Tracy Jeffries, Court Administrator, Municipal Court
	2	Hard Copy	Michael Olson, Director, Finance & Administration Greg Piland, Purchasing Agent, Finance & Administration
	4	Hard Copy	Joe Sanford, Fire Chief, Fire Helen Ahrens-Byington, Emergency Manager, Fire Heather Kelly, COOP Program Manager, Fire Emergency Operations Center
	2	Hard Copy	Jim Lopez, Director, Human Resources Shawn Friang, HR Analyst, Human Resources
	2	Hard Copy	Brenda Cooper, Director, Information Technology Donna Gaw, Division Manager, Information Technology
	2	Hard Copy	Lynn Zwaagstra, Director, Parks & Community Services Linda Murphy, Recreation Manager, Parks & Community Services
	2	Hard Copy	Eric Shields, Director, Planning & Building Stephanie Day, Business Analyst, Planning & Building
	2	Hard Copy	Cherie Harris, Chief, Police Robert Saloum, Lieutenant, Police
	2	Hard Copy	Kathy Brown, Director, Public Works Erin Devoto, Deputy Director, Public Works



**RECORD OF CHANGES**

From the date of promulgation of this Plan, the Office of Emergency Management (OEM) will track and record changes made to the document. The record of changes should contain, at a minimum, a change number, the date of the change, the name of the person who made the change, and a description of the change.

Change Number	Section	Date of Change	Individual Making Change	Description of Change
0	All	08/25/2017	OEM – H Kelly	Creation of Plan

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Police

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## Introduction

The City of Kirkland ("City") has essential operations that need to be performed or rapidly resumed in a disaster or emergency situation. While the impact of an incident cannot be predicted, planning for operations under such conditions may mitigate the effects of the disaster or emergency on people, facilities, and City services. To that end, the City has prepared a Continuity of Operations (COOP) Continuity of Government (COG) Plan ("Plan") to serve as a guide for sustainment or resumption of essential services affected by a disaster.

The City intends to provide the highest level of response and recovery to an incident as possible; however, there is no guarantee that the City will have the capability or resources to meet the needs of every resident, visitor, or business before, during, or after a disaster or emergency.

This Plan establishes guidance to support City essential functions when a disaster or emergency threatens or impacts City operations to the point that requires changes to the delivery of City services or the relocation of City personnel or operations. The Plan provides guidance for when the City may need to implement COOP activities related to an incident that impacts essential functions, roles of staff, facilities, or delivery of services to City residents, visitors, or businesses. Emergency Response actions initiate based on the incident and standing protocols and are not addressed in this Plan.

City employees may have identified responsibilities in an emergency that requires COOP and/or COG activities to sustain essential City functions. Such employees are expected to fill their COOP and/or COG role(s) to the extent practicable under the circumstances and consistent with relevant job descriptions, City personnel policies and any relevant collective bargaining agreement provisions.

## Purpose

The ability of the City to support essential functions during times of disaster or emergency and to provide for the needs of the residents, visitors, and businesses within the City limits is a priority of City government. To facilitate implementation of this ability the City has coordinated the development of this Plan.

This Plan describes how the City will endeavor to perform essential functions during and after a disaster or emergency that disrupts normal City operations. This Plan is intended to guide the City during an actual incident; however, specific actions will depend on the situation. This Plan serves a consolidated location for critical information related to the delivery of essential functions and the resources that facilitate services.

This Plan supports the performance of essential functions from alternate locations, due to the primary facility becoming unusable for a period of time, and also provides for continuity of government and decision-making if senior management or elected officials are unavailable, inaccessible, or victims of the incident.

## Authorities and References

This Plan has been developed to support implementation of the City:

- Municipal Code Chapter 3.20 Emergency Management
- Administrative Policy Chapter 1 Policy 1-2 Severe Weather/Emergency Conditions

In addition, this Plan supports implementation of the following Washington State laws and regulations:

- Chapter 38.52 RCW
- Chapter 42.14 RCW
- Title 118-30 WAC

References that have supported the development of this Plan include:

- Kirkland Municipal Code
- Kirkland Administrative Policy Manual
- City of Kirkland Comprehensive Emergency Management Plan (CEMP)
- City of Kirkland City Council Policies and Procedures
- Homeland Security Presidential Directive 20, National Continuity Policy
- Presidential Policy Directive 40
- Presidential Policy Directive 51
- Federal Continuity Guidance Circular 1 and 2

## Scope and Applicability

This Plan applies to all City departments and personnel. COOP activities may be initiated at any time as determined necessary by City leadership. COOP activities may be in coordination with an Emergency Operations Center (EOC) activation or may occur independent of EOC activities.

COOP activities may be executed for site specific, Citywide, or regional disruptions to City operations, typically due to a natural, technological, or human-caused disaster or emergency; but not limited to these situations.

The scope of this Plan is focused on the critical services that should not be disrupted for more than twelve hours following an incident. The intent of this document is to provide a framework to support delivery of essential services that are identified as critical to the continuation of government; protection of life safety, property, and the environment; and incident response and recovery operations that care for the residents, visitors, and businesses of Kirkland.

City Departments identified a major earthquake as the type of incident with the highest potential to cause a COOP situation; followed by a significant health crisis, such as a pandemic or epidemic. Departments acknowledged several other risks that could create the need for COOP activities as well.

The outcome of the department threat assessment resulted from a calculation of two factors, probability and severity. These factors were multiplied together and averaged based on the number of completed assessments returned during the planning process.

Probability is the likelihood of a specific type of incident occurring; rated on a scale of 1 – 3, with one representing low probability, two medium, and three a high probability of occurrence.

Severity is measured by the actual or potential impacts resulting from the type of incident. The following is the guidance used to assign a numerical value to severity.

- Catastrophic Incident = 4 = Multiple deaths, shutdown of operations for 30 days or more, more than 50% of property is severely damaged.
- Major Incident = 3 = Injuries or illness requires major professional medical care, shutdown of operations for at least 2 weeks, more than 25% of property is severely damaged.
- Moderate Incident = 2 = Injuries or illness requires professional medical care, shutdown of operations for more than 1 week, more than 10% of property is severely damaged.
- Minor Incident = 1 = Injuries or illness are treatable with basic first aid, shutdown of operations for less than a week, less than 10% of property is severely damaged.

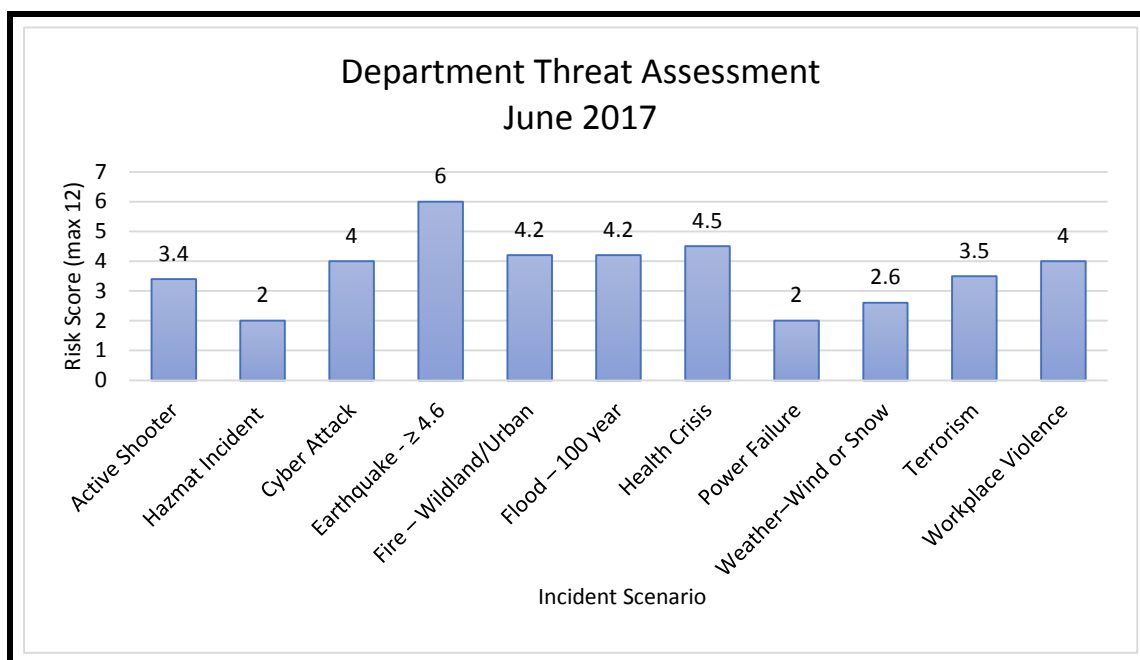


Figure 1 – Threat Assessment Results June 2017

The planning approach for development of this Plan was focused on a resource that is both flexible and scalable, to address high-frequency low impact situations, low-frequency high impact situations, and combinations in between.

When confronting disruption of normal operations, the City will endeavor, to the best of its ability, to provide essential functions even under the most challenging emergency



circumstances. The City has identified essential functions as activities required by local, regional, state, or federal laws or regulations necessary to support the safety and security of City employees, systems, services, and the public, support the restoration of City operations, and facilitate emergency response actions.

## Planning

### Plan Objectives

The objectives of this Plan are to:

- facilitate decision-making during COOP activities
- reduce disruptions to essential functions
- document the order of succession of critical management positions
- identify vital facilities, equipment, records, and other assets
- guide an orderly transition to COOP activities and return to operations

### Planning Assumptions

Assumptions used to support the City's development of this Plan include but are not limited to:

- Disasters, emergencies or threatened emergencies can adversely impact the City's ability to continue to support essential functions.
- When COOP activities are initiated, the City will implement a predetermined plan using trained and equipped personnel whenever possible.
- Personnel and resources located outside the area affected by the disaster or emergency may or may not be available to support City essential functions.
- Some City services may be limited or suspended to enable the City to concentrate on essential functions.
- The timeline for establishment of some essential functions may exceed 12 hours of the incident onset.
- Alternate support or delivery of essential functions may extend beyond the response phase of an incident and extend into long-term recovery.
- City staff may implement telecommuting practices to support delivery of essential services.
- Recovery from an incident may result in the decision to not restore certain City services, facilities, or positions.
- Staff members may be unavailable during or after a disaster or emergency and thus may be unable to support COOP activities.
- It may take days to weeks to reestablish city services and months to years to recover from an incident.

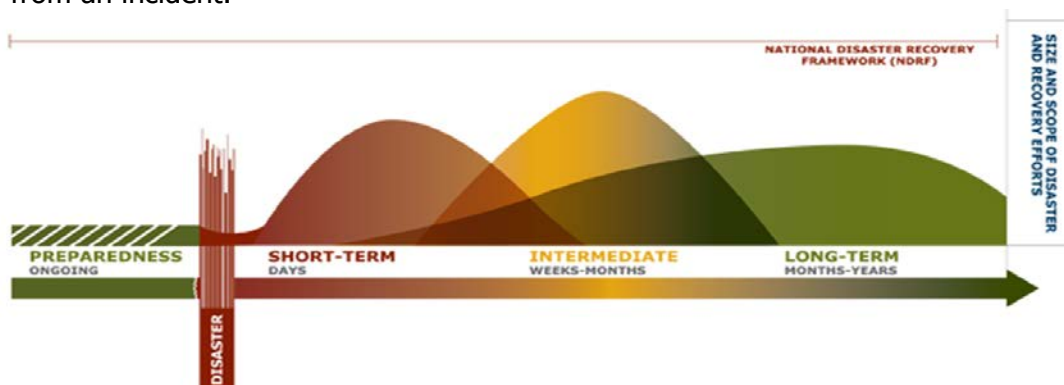


Figure 2 - Disaster Timeline – FEMA Disaster Recovery Framework

## Planning Scenarios

This Plan was developed around a set of scenarios which reflect the City's department threat assessment regarding the types of impacts which may result in COOP activities. Any or all scenarios may result in the injury, death, or inability to account for City staff, elected officials, or the public at a City facility. In addition, any or all scenarios may affect critical infrastructure systems that the City relies on for normal business operations and service delivery.

The City has identified the following types of scenarios as the most likely to trigger COOP activities:

- Department, Essential Function, or Facility Affected.** Under this scenario, one or more departments, essential functions, or key facilities is unable to perform normal business activities. The most likely causes of such disruption are fire, system/mechanical failure, loss of utilities such as electricity, telephone, or water, explosion, active shooter, terrorism, or a biological outbreak. Other scenarios that produce limited or no physical damage to City facilities may also interrupt service delivery.
- City of Kirkland Local Area Affected.** Under this scenario, City facilities are limited or closed to normal business activities as a result of the localized impact. The most likely causes of such disruption are utility failure, civil disturbance, technology network disruption, terrorism, biological outbreak, credible threats of action, or other scenarios that would limit access to or use of City facilities. This type of incident could significantly impact the City's operational capability. Facilities may be unavailable or damaged due to the incident.
- Regional Area Affected.** Under this scenario, the City facilities and possibly the local area would be inaccessible, inoperable, or unavailable for normal business activities. The most likely causes of such disruption are major disaster such as an earthquake, severe weather for example snow or wind, terrorism, cyber-attack, major health outbreak, an actual or threatened use of a weapon of mass destruction, or other scenarios that would limit access to or use of City facilities.

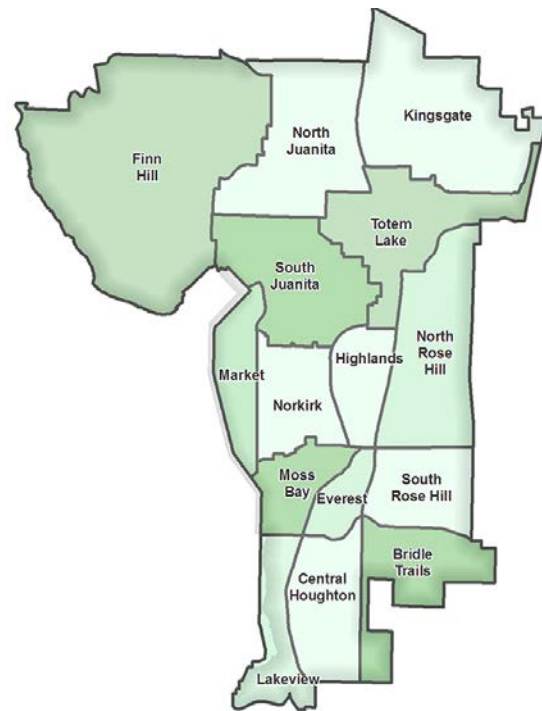


Figure 3 – City Map

This type of incident could render the City or specific departments inoperable for a significant period. Facilities will most likely be unavailable or have major damage due to the incident. Senior management, technical and supporting personnel may be deceased, injured, unable to reach a City facility, or unaccounted for.

## Concept of Operations (CONOPS)

To implement COOP activities, the City has developed a concept of operations (CONOPS), which describes the approach. The CONOPS guides how the City will facilitate COOP activities including notification, implementation, service delivery, and return to operations.

COOP activities may involve, but are not limited to:

- assignment of a COOP team to perform specific activities necessary to facilitate COOP activities;
- purposeful movement of selected staff or technical personnel to an alternate operating facility;
- the implementation of temporary work procedures;
- and the delegation of authorities to successors.

### COOP Implementation

The City Manager or their designee, may direct the implementation of COOP activities. COOP activities are implemented based on known or anticipated threats and emergencies that may occur with or without warning. The City will use a phased approach for implementation, whereby essential functions are sustained or established early and additional services will follow as needed and available.

- **Notice threats or emergencies:** There are some threats that may provide advance warning that will allow notification of, direction to, and if necessary, the relocation of employees. Situations that may provide such warning include inclement weather or a threat of violence.
- **No notice threats and emergencies during business hours:** Incidents may not be preceded by warning, for example earthquakes, fire, or terrorist attacks. In these circumstances employees should follow their emergency procedures to stay safe and resolve the issue if possible. COOP activities will be initiated, if appropriate, and employees will be provided direction by their department leader or the City Manager's Office.
- **No notice threats and emergencies during non-business hours:** Incidents may also occur with no warning outside of business hours. In these circumstances, COOP activities will be initiated, if appropriate, and employees will be notified of any changes to working conditions as soon as possible through various communications methods.

The City has developed a guide, Appendix Decision Guide, to assist the City Manager or designee in assessing the impacts of a situation and determining the need to initiate COOP activities. Use of this guide may help to reduce inappropriate or unnecessary COOP activities.

## Delegations of Authority

Formal signed delegation of authority documents, Annex Delegation of Authority, have proactively been completed for critical duties and City leadership positions. Additional delegation of authority are established in documented department policy. Should a primary position incumbent be unable to serve, a delegation may be implemented. The delegation will specify what the authority covers, what limits may be placed upon exercising it, who (by title) will have the authority, and under what circumstances the delegation applies.

## COOP Teams

When COOP activities are necessary, a COOP Team and sub teams may be established to coordinate support for delivery of essential functions. The City has identified key positions to perform critical activities on the COOP Teams. COOP resources not available within City supplies or through mutual aid agreements will be procured either through normal department procurement procedures or if the EOC is activated, through the EOC logistics section.

The identification of COOP Teams and roles reinforces that COOP requires coordination and participation from many departments to achieve success.

- **Policy Group**, provides policy decisions related to COOP activities and strategic direction and communication to City staff and the public.
  - This group is led by the City Manager and consists of Department Directors, the City Attorney, technical experts, and representatives from Municipal Court and City Council as appropriate.
- **COOP Team** is a combination of the Facility Team and Operations Team, guided by the Policy Group, and supported by legal and communications staff.
  - The COOP Team Lead will be designated by the City Manager at the time of an incident.
- **Facility Team** will perform activities necessary to ready a facility for the performance of essential functions. This may include the site inspection and security assessment, establishment of telecommunications or information technology systems, alternate site workspace creation, and the movement of vital records.
  - The Facility Team will be staffed by representatives from facilities, police, fire, building inspection, information technology, and public works as appropriate and available.
- **Operations Team** coordinates support for essential functions, develops strategies and plans addressing contingencies and recovery operations. The Operations Team will coordinate with the Facility Team to synchronize operations and to successfully bring up services and systems using alternate locations, back-up systems, mobilized resources, temporary work procedures, and pre-determined or impromptu work around plans.
  - The Operations Team will be staffed by representatives from City departments with departmental knowledge, basic administrative skills, or technical expertise.

COOP Team organizational structure is planned to reflect the following organizational chart; however, the incident will dictate which departments will be involved, as well as the activities that need to be support or planned.

### COOP Organizational Chart

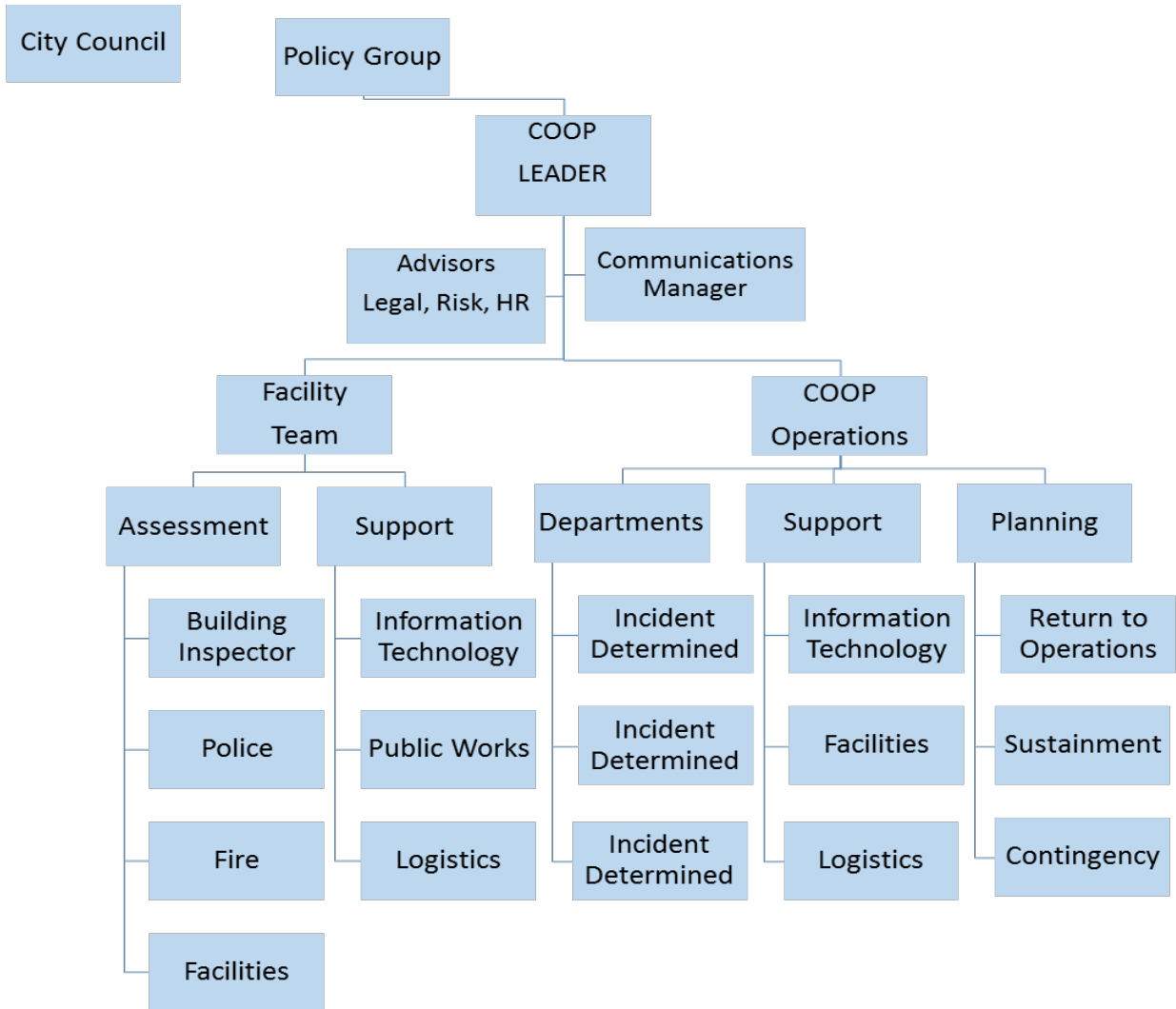


Figure 4 - COOP Team Organizational Chart

The following table describes the COOP teams, team members, and typical responsibilities.

### COOP Roles and Responsibilities

Title	Team Members	Typical Responsibilities
<b>Policy Group</b>	City Manager, Directors, Human Resource advisor, Legal advisor, Communications Manager, and Council representation.	<ul style="list-style-type: none"> <li>• Authorize COOP activities.</li> <li>• Provide policy decisions and direction.</li> <li>• Coordinate inter-agency and media communications.</li> <li>• Promote coordination among departments.</li> </ul>
<b>COOP Team</b>	COOP Leader, Facility Team, Operations Team, Advisors, and Communications Manager.	<ul style="list-style-type: none"> <li>• Coordinate COOP activities including planning, technical, and facility support.</li> <li>• Implement policy directives related to COOP</li> <li>• Oversee safety and security of COOP personnel and activities.</li> <li>• Manage COOP related public information</li> <li>• Coordinate COOP procurement and contracts when beyond department level.</li> <li>• Assess and report on status of delivery of essential functions to Policy Group.</li> </ul>
<b>Facility Team</b>	Personnel with technical expertise to support critical services, systems, or resources necessary to operationalize facilities to support department delivery of essential functions.	<ul style="list-style-type: none"> <li>• Support alternate site selection through assessments.</li> <li>• Ready critical processes, systems, resources, and locations necessary to support essential functions.</li> <li>• Coordination with the operations team for site occupation.</li> <li>• Coordinate locating/contracting for non-City owned alternate facility options.</li> </ul>
<b>Operations Team</b>	Personnel with department knowledge, administrative skills, and technical expertise.	<ul style="list-style-type: none"> <li>• Provide department level situational awareness and requests for support for delivery of essential functions.</li> <li>• Perform planning for return to operations, COOP activity sustainment, and contingency requirements.</li> <li>• Provide logistical and technical support to departments to facilitate essential function delivery.</li> </ul>

Figure 5 – COOP Roles and Responsibilities

## Phases of COOP

The City will use a phased approach to the initiation, management, and eventual de-escalation of COOP activities.

### Phase 1: Initiation

- **Notification.** The City intends to use the City's mass notification system to inform leadership of an incident. The Policy Group will assess the situation and determine if COOP activities are necessary. If it is determined that COOP activities are necessary a COOP Leader will be assigned, and the COOP Team will be notified and directed to respond to a designated location. City employees, partners, and the public will be notified of COOP activities, as able and appropriate, using any or all of the communication resources available.
- **Initial Actions.** The Policy Group including the COOP Team Leader will meet, in person or via teleconference, to determine what COOP activities are necessary and what direction will be given to the COOP Team for implementation. The Communication Manager will initiate public messaging and manage media interest. Key COOP department staff will be notified to initiate COOP activities to support delivery of essential services at the primary site or a designated alternate site if necessary.
- **Establish Operations.** The COOP Team will inform the Policy Group when facilities, systems, or resources are prepared to support delivery of essential services. Departments will provide essential services to the best of their ability with the capability available.

### Phase 2: Alternate Operations

- **Delivery of Essential Functions.** The department(s) will deliver essential functions using temporary work procedures or from an alternate facility, if needed and able based on incident impact and resource availability.
- **Establishment of Communications.** The department(s) will establish communication internally, to external agencies, and to the public, as able and appropriate.
- **Augmentation of Staff.** As the situation progresses, additional staff will be activated to provide services and functions, as able.
- **Development of Plans for a Return to Operations.** As soon as feasible, the COOP Operations Team will begin planning and preparation of activities to return to normal operations based on resources, staffing, and facility availability.

### Phase 3: Return to Operations

- **Ending Alternate Process.** The Policy Group and COOP Team Leader will meet to identify the timeline of concluding COOP activities. Based on their decision the COOP



Team will develop guidance for ending alternate operations and returning to a non-emergency status at the designated facility.

- **COOP Team Conclusion.** The COOP Team will demobilize the site they have been working from, including the delivery of all documentation related to COOP activities performed to Emergency Management. The Communications Manager will provide public information regarding resumption of services and manage media interest.

The table below highlights the key COOP activities to be accomplished by phase. All activities are the responsibility of the COOP Team Lead until delegated to sub teams or staff.

Phase	Key COOP Activities
Phase 1- Initiation	<ul style="list-style-type: none"> <li>• Instruct Facility Team to ready alternate facility, if needed.</li> <li>• Notify impacted local, regional, and State agencies.</li> <li>• Activate plans to transfer to alternate facility.</li> <li>• Notify agency employees and contractors regarding activation of COOP plan and their status.</li> <li>• Assemble documents/equipment required for essential functions at alternate facility.</li> <li>• Continue essential functions at regular facility, if available, until alternate facility is ready.</li> <li>• Activate Facilities and Operations Teams as necessary.</li> </ul>
Phase 2 - Alternate Operations	<ul style="list-style-type: none"> <li>• Provide guidance to Contingency group personnel and information to the public.</li> <li>• Identify replacements for missing personnel (delegation of authority and orders of succession).</li> <li>• Commence full execution of operations supporting essential functions at the alternate facility.</li> </ul>
Phase 3 - Return to Operations	<ul style="list-style-type: none"> <li>• Supervise return to operations.</li> <li>• Demobilize COOP Team site.</li> <li>• Arrange employee emotional support, if needed.</li> <li>• Deliver public information of status.</li> </ul>

Figure 6 - Key COOP Activities

### Department COOP Responsibilities

Each City department should have an organizational structure identified to support delivery of essential functions. Department activities are unique; however, at a minimum department's should be prepared to:

- facilitate department COOP activities;
- support activation of alternate facilities, supporting communications, and information technology systems;
- support COG activities as appropriate;
- provide public information content to the Communication Manager for dissemination;
- assess and report situational status for department responsibility;

- develop or implement temporary service plans;
- coordinate resource support for employees emotional and physical wellbeing; and
- lead department recovery activities.

## Notification

The City recognizes that the COOP activities could be initiated under a variety of conditions; therefore multiple notification systems may be used for contacting COOP Team members and employees, as appropriate to the situation. Systems include but are not limited to telephone networks, technology-based mass notification tools, such as Code Red or Outlook email, the employee recorded information hotline, or public safety radio systems. The appropriate authorized user of each system will be responsible for making notifications when directed by the Policy Group to do so.

Notification of operational changes will be provided to the public through as many available communication channels as possible, including but not limited to social media, the public recorded information hotline, reader boards, City cable TV channels, local media, City webpage, and postings at City facilities. The City recognizes that many people leverage social media for informational updates, below is a list of City managed digital media communication accounts that may be used to communicate changes to City services delivery or location.

Department	Focus of Communication and address	Communication Channel
City Manager's Office		
	Citywide (www.kirklandwa.gov)	Website
	Citywide (@kirklandwa.gov)	Facebook
	Citywide (@KirklandGov)	Twitter
	KGOV Kirkland (Comcast 21, Frontier 31)	Cable TV
	KLIFE Kirkland (Comcast 75, Frontier 32)	Cable TV
Fire Department		
	Emergency Management (@KirklandOEM)	Facebook
	Emergency Management (@OEMKirkland)	Twitter
Police Department		
	Patrol (@KirklandWAPD)	Twitter

Figure 7 – Digital Media Communication Accounts

## Essential Functions

The City has identified essential functions and continuity of government priorities. The City also identified critical processes, services, systems, and equipment necessary to support each essential function, as well as key personnel required. A detailed list of essential functions and dependencies can be found in each department specific appendix.

The following table provides a high-level summary of department specific areas of essential functions including the Continuity of Government (COG) status and Return to Operations (RTO) target for each function.

Responsible Department	Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
City Attorney	Legal Advice	Provide direct legal advice to city leadership, departments, and for documentation.	No	4 hours
City Council	Leadership	Maintain City Seat of Government, facilitate policy actions.	Yes	2 hours
City Council	Legislation	Support incident and COOP operations through actions and funding allocation.	Yes	4 hours
City Council	Outreach	Liaise with other jurisdictions and elected officials and staff, and connect with the public.	Yes	2 hours
City Manager's Office	City Leadership	Provide leadership for the incident, the city, and the public.	Yes	2 hours
City Manager's Office	Communications	Facilitate internal and external messaging.	Yes	2 hours
City Manager's Office	Intergovernmental Relations	Coordinate political official involvement.	No	6 hours
Courts	Court Hearings	Court proceedings that implement public law.	Yes	12 hours
Courts	In Custody Hearings	Court proceedings that address in custody status.	Yes	72 hours

<b>Responsible Department</b>	<b>Essential Function</b>	<b>Function Description</b>	<b>Continuity of Government</b>	<b>Recovery Time Objective (RTO)</b>
Facilities	Safety Assessment	Analyze and monitor the status of the safety condition of city facilities.	No	6 hours
Facilities	Repair and Support	Fix, mend, and service city facilities.	No	12 hours
Facilities	COOP Facility Team	Identify and coordinate readiness of COOP sites.	No	4 hours
Finance & Administration	Employee payroll and benefits	Maintain continuity of payroll for city employees.	Yes	12 hours
Finance & Administration	Purchasing	Procure materials and professional services for incident needs.	No	12 hours
Finance & Administration	Manage Money	Monitor and track cash available for city operations.	No	24 hours
Finance & Administration	Record Preservation	Protect vital records.	Yes	12 hours
Fire	Response	Fire, medical, rescue, and hazmat response services.	Yes	2 hours
Fire	Emergency Operations (EOC)	Support and/or coordinate City response to the incident.	Yes	2 hours
Fire	Alert and Warning	Provide public notice of life safety situations and actions.	Yes	2 hours
Fire	Operations Support	Maintain equipment and gear for response efforts.	No	4 hours
Human Resources	Risk Management	Identification, evaluation, and mitigation of risk.	Yes	4 hours
Human Resources	Internal Recruitment	Fulfill requests for personnel for incident response.	No	6 hours
Human Resources	Injury and fatality management	Support the identification and family notification of injured or deceased employees.	No	2 hours

<b>Responsible Department</b>	<b>Essential Function</b>	<b>Function Description</b>	<b>Continuity of Government</b>	<b>Recovery Time Objective (RTO)</b>
Human Resources	Enforcement	Enforce compliance with laws, union contracts, and ADA requirements.	Yes	4 hours
Human Resources	Safety Training	Conduct just in time safety training for employees and volunteers for the incident.	Yes	4 hours
Human Resources	Workforce Management	Manage safety concerns and support and retain employees.	No	12 hours
Human Resources	Compensation	Manage and maintain pay and benefit system.	Yes	12 hours
Information Technology	Technology Support	Support access to and use of telecom, internet, and computer hardware and software.	No	2 hours
Information Technology	Geographic Information System (GIS)	Support access and implementation of GIS systems.	No	2 hours
Information Technology	Data Maintenance	Maintain data system security and availability.	No	2 hours
Parks & Community Services	Mass Care	Support care, feeding, and shelter operations for city staff performing COOP activities.	No	24 hours
Parks & Community Services	COOP Support	Participate on COOP Facilities Team.	No	6 hours
Planning and Building	Building Inspection	Perform emergency building inspections.	Yes	12 hours
Police	Patrol	Respond to emergency calls and support traffic operations.	Yes	2 hours

<b>Responsible Department</b>	<b>Essential Function</b>	<b>Function Description</b>	<b>Continuity of Government</b>	<b>Recovery Time Objective (RTO)</b>
Police	Corrections	Maintain operations of the correction facility providing for clients.	Yes	2 hours
Police	Investigations	Investigate felony crimes.	Yes	24 hours
Police	Incident Support	Provide security assistance for incident response.	Yes	6 hours
Public Works	Water	Facilitate water distribution to fire hydrants and COOP facilities.	No	2 hours
Public Works	Fleets and Equipment	Vehicle and fuel service for City personnel.	No	2 hours
Public Works	Incident Support	Support Department and COOP activities with staff and logistics.	No	4 hours
Public Works	Streets	Clear priority routes for incident and COOP activities.	No	12 hours
Public Works	Sewer	Facilitate sewer services for COOP facilities.	No	12 hours

Figure 8 – Essential Functions by Department

### Order of Succession

If the City Manager, Council Members, or Directors are unavailable during an emergency, the City has established Orders of Succession and when appropriate Delegations of Authority to support continuation of City government.

The City recognizes the importance of leadership in the delivery of essential functions and thus has identified the following Order of Succession, based on position, to support operations during an emergency or disaster.

<b>Department</b>	<b>Order of Succession by position</b>
City Council	<ol style="list-style-type: none"> <li>1. Mayor</li> <li>2. Deputy Mayor</li> <li>3. Councilmember chosen by Council in absence of Mayor or Deputy Mayor</li> </ol>
City Manager's Office	<ol style="list-style-type: none"> <li>1. City Manager</li> <li>2. Deputy City Manager</li> <li>3. Deputy City Manager</li> <li>4. City Attorney</li> </ol>
City Attorney's Office	<ol style="list-style-type: none"> <li>1. City Attorney</li> <li>2. Senior Assistant City Attorney</li> <li>3. Assistant City Attorney</li> </ol>
Court	<ol style="list-style-type: none"> <li>1. Judge</li> <li>2. Court Administrator</li> <li>3. Court Supervisor</li> <li>4. Probation Supervisor</li> </ol>
Facilities	<ol style="list-style-type: none"> <li>1. Facilities Services Manager</li> <li>2. Facilities Lead</li> <li>3. Facilities Tech III</li> </ol>
Finance and Administration Department	<ol style="list-style-type: none"> <li>1. Finance Director</li> <li>2. Accounting Manager</li> <li>3. Financial Planning Manager</li> <li>4. Customer Service Supervisor</li> <li>5. City Clerk</li> </ol>
Fire Department	<ol style="list-style-type: none"> <li>1. Fire Chief</li> <li>2. Deputy Fire Chief</li> <li>3. Battalion Chief</li> <li>4. Ranking Officer</li> </ol>
Human Resources Department	<ol style="list-style-type: none"> <li>1. Human Resources Director</li> <li>2. Senior Human Resources Analyst</li> <li>3. Safety and Risk Analyst</li> </ol>
Information Technology	<ol style="list-style-type: none"> <li>1. Information Technology Director</li> <li>2. Information Technology Manger Network and Operations</li> <li>3. Information Technology Manager Enterprise Applications</li> <li>4. Information Technology Manager Spatial Systems</li> </ol>
Parks & Community Services	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Deputy Director, Planning &amp; Community Services</li> <li>3. Deputy Director, Operations</li> <li>4. Parks Operation Manager</li> <li>5. Recreation Services Manager</li> </ol>
Planning and Building Department	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Deputy Director</li> <li>3. Building Official</li> <li>4. Development Review Manager</li> </ol>
Police Department	<ol style="list-style-type: none"> <li>1. Police Chief</li> <li>2. Captain</li> <li>3. Lieutenant</li> <li>1. Sergeant</li> </ol>

Department	Order of Succession by position
Public Works	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Deputy Director</li> <li>3. Streets Division Manager</li> <li>4. Development Engineering Manager</li> <li>5. Transportation Manager</li> <li>6. Capital Projects Manager</li> <li>7. Surface &amp; Wastewater Manager</li> <li>8. Water Manager</li> </ol>

Figure 9 – Order of Succession by Position

**Alternate Facilities**

The City recognizes that normal operations may be disrupted and that there may be a need to perform essential functions at alternate locations. A list of City owned facilities can be found in the City Facilities Annex of this Plan. It is understood that although preferred alternate sites have been identified by some departments, the ultimate decision as to which site to use will be dependent upon the situation, condition of the alternate site, and potential duration of need. For specific details of relocation site requirements by department see the Support Requirements Appendix of this Plan.

If relocation is necessary, the Facility Team will perform a site evaluation to confirm the facility is safe for use and to identify resources necessary to make the site operational for the designated department.

The department will prepare to relocate by informing employees of the need to relocate and of their role in the transition. The department will retrieve their Go-Kit, if able, and initiate establishment of essential functions at the designated alternate site. Once the alternate site is established, staffed, and ready for operations, and if appropriate, public messaging will be provided via all methods available to inform the community of where and how to reach the services of the department.

The department will operate from the alternate location until such a time that the original facility is available for reoccupation, or a new location has been identified and prepared for operations. Transition to the original or new facility will initiate with establishment of the work area, followed by movement of personnel, notification of relocation, and implementation of service.

**Communications**

Communications is a critical capability for City government as communication systems support connectivity to internal organizations, external partners, critical vendors and customers, and the public. To support communications during COOP activities, the City has identified primary and alternate communication resources. The Operations Team Support Group will coordinate with the Facilities Team and departments to provide as many normal communication methods as possible, based on operational status, during a COOP scenario.



Systems may be limited due to infrastructure failures caused by the emergency or disaster, thus prioritization of capability may need to occur based on life safety, COG requirements, and incident management demands.

The majority of City operations desire the ability to use telephone, email, and text messaging communication systems. Some field based departments, such as fire and police, rely on the public safety 800 MHz radio system for tactical communications. The Support Requirements Appendix of this Plan provides an overview of communication systems used in the City. For departments that leverage unique communication capabilities for delivery of essential services, that information can be found in their department specific Appendix.

## **Vital Records and Databases**

The City has identified vital records and databases, which facilitate the performance of essential functions. Although most functions can be performed by using hard copy forms, departments benefit greatly by having access to electronic databases for research and verification purposes.

Departments that rely on electronic documents and forms are encouraged to produce at least master hard copy versions for inclusion in their Go-Kit. Most hard copy documents will require data entry or electronic retention if used during COOP activities.

One key database several departments referenced as a key resource for operations is access to Geographical Information Services (GIS) systems, files, and resources.

The Information Technology Department maintains contact information for vendors and contractors available to support the restoration of vital records, systems, and processes.

Detailed listing of vital records and database requirements can be found in the department specific appendices Attachment A: Essential Functions Worksheet of this Plan.

## **Critical Systems and Equipment**

The City has identified critical systems and equipment necessary to support a COOP incident. The primary equipment needed by all departments include technology based solutions such as cell phones, computers, printers, and Microsoft Office and department specific operations software programs.

In addition to technology resources many departments identified City vehicles as critical equipment to their operations.

Field based departments, such as Public Works, also identified personal protective equipment as a requirement of safe operations. Specific department systems and equipment requirements can be viewed in the department specific appendices Attachment A: Essential Functions Worksheet.

Technology based systems can be viewed in the Appendix to this Plan under the Support Requirements section.

## External Contacts

The City contracts with numerous vendors for support and delivery of essential functions. The expectation is that contracted vendors will have continuity plans to facilitate service delivery to the City.

The City is a local, regional, and State partner in the support and delivery of services to the public and business communities. The City values the partnership and agreements that have been established and intends to leverage those relationships as able for the support and delivery of essential functions during a COOP incident.

## Go-Kits

Departments are expected to develop and maintain, at least quarterly, a "go-kit" comprised of critical documents (electronic and hard copy) including forms and files, staff rosters and contact information, key partner, customer, and vendor contact lists, and appropriate supplies to support initial COOP activities and establishment of service delivery from an alternate site.

The department go-kit should be mobile and easily accessible by staff. All department staff should know the location of the go-kit, particularly personnel with a COOP department assignment.

Each employee with a COOP designated role is expected to create a "go-kit" to enhance preparedness for responding to an incident. A go-kit should contain those items considered essential to supporting operations at an alternate site. Each kit may be somewhat unique, but most should include such items as COOP checklists, key contact lists (names, phones, addresses, etc.), files specific to positions, specialized tools routinely used, and maps of the local area and potential alternate sites.

Recommended go-kit items and a list of personal preparedness items all staff are encouraged to keep at their desk can be found in the Annex of this Plan.

For home, family, and car preparedness kit recommendations visit the City Emergency Management website at [http://www.kirklandwa.gov/depart/Fire\\_Services/prepare.htm](http://www.kirklandwa.gov/depart/Fire_Services/prepare.htm).

## Employee Support

A situation that requires the implementation of COOP activities can be stressful and physically or emotionally upsetting to employees and volunteers. The City will endeavor to support and provide the appropriate resources to assist personnel with managing crisis stress management. Resources may include increase awareness or access to the Employee Assistance Program (EAP), formal Critical Incident Stress Management (CISM) sessions, on site mental, emotional, or spiritual support staff, or referral to professional mental health providers.

## COOP Plan Maintenance

The City intends to maintain a viable COOP capability through the review and update of this Plan partnered with training and exercising on COOP activities.

The Office of Emergency Management will coordinate the maintenance of this Plan.

Activity	Tasks	Frequency	Responsibility
Plan update	Review entire plan for accuracy Incorporate lessons observed and improvement adjustments Manage distribution of plan updates	Annually	OEM
Update Order of Succession	Obtain names of current incumbents and designated successors Confirm or update Delegation of Authorities	As-needed and at least Annually	OEM with department support
Checklists	Update and revise checklists	As needed	OEM
Orient elected officials and senior management	Brief on Plan, COOP concepts, and their responsibilities related to COOP activities	Annually for all and within 30 days of new appointment or hire	OEM with City Manager support
Plan and conduct COOP activity exercise	Conduct at least one drill, table-top, or functional internal exercise testing part or all COOP activities Conduct joint exercise with local, regional, and/or state agencies	Annually  As available	OEM with department support  OEM with department support

Figure 10 – COOP Plan Maintenance



# City of Kirkland Continuity of Operations Continuity of Government Appendix List

## Decision Guide

## Check Lists

- Activation of COOP
- Deactivation of COOP

## COOP Support

- Communications
- Facilities
- Information Technology

## Departments

- City Attorney's Office
- City Manager's Office
- City Council
- City Court
- Facilities
- Finance & Administration
- Fire
- Human Resources and Performance Management
- Information Technology
- Parks and Community Services
- Planning and Building
- Police
- Public Works

## Training and Exercise

- Training Course List
- Exercise Design Guide
- Exercise Scenarios
- Department COOP Plan Orientation PowerPoint Template

## COOP Activity Decision Guide

<p><b>NOTE:</b> Implement COOP activities as needed based on the incident. Not all criteria needs to be met to initiate COOP activities. Decisions should be made based on the actual situation and impacts. This matrix is intended to offer guidance, and is in no way definitive direction.</p>					
	Inconvenience	Limited COOP	Full COOP	Catastrophic	Notes
<b>OVERVIEW</b>	Can be addressed with available resources and routine actions.	Requires a change to resource use or allocation with some form of impact to services, COG, facility use, or essential functions.	Requires changes in resource allocation, staff roles, facility use, and operations to meet COG and essential function requirements.	Major incident that has impacted the city’s ability to perform essential functions or COG. Requires extensive change to staffing and operations for an extended period of time.	
<b>Services</b>	<p>Minimal effect on services or impact to essential functions.</p> <p>No disruption to COG.</p>	<p>Limited department(s) affected requiring action.</p> <p>Impact to services provided by affected departments – able to provide essential functions with support.</p> <p>Limited or no disruption to COG. Order of Succession may be required for a limited number of positions.</p> <p>Minimal budget impact.</p>	<p>Multiple departments affected requiring action.</p> <p>Services limited to essential functions for most or all departments affected.</p> <p>May include some impacts to COG. Order of Succession may be required for more several positions.</p> <p>Moderate to major budget impacts.</p>	<p>Affects all departments and essential functions requiring action.</p> <p>Services limited to essential functions, may not be able to support all essential functions.</p> <p>May include substantial impacts to COG. Order of Succession may be required for numerous positions.</p> <p>Significant financial impacts that exceed budget capability.</p>	

## COOP Activity Decision Guide

	Inconvenience	Limited COOP	Full COOP	Catastrophic	NOTES
<b>People</b>	Minimal or no impact to public.  Minimal impact to employees.	Disruption to some employees and limited public.  Able to coordinate with impacted departments and staff directly.	Hazard to employees or public.  Disruption to multiple employee groups and the general public.  Increased need to closely coordinate actions with all departments.  Potentially requires some level of coordination with regional partners.	Hazards to employees and public.  Significant interruption to employees and public.  Requires planned coordinated action across city.  Requires coordination of actions with regional partners.	
<b>Facilities</b>	Minimal to no impacts to facilities.	Direct impact to at least one facility making it unavailable or unable to meet operational needs.	Impact to multiple or critical facility requiring relocation for support of essential functions.	Major damage to multiple facilities requiring relocation for essential functions.	
<b>Estimated Recovery of full operations</b>	≤ 36 hours	3 - 6 weeks	3 – 6 months	3 – 6 years	
<b>DECISION</b>	No COOP required.  Manage with available resources at the department level.	Implement COOP activities for departments/facilities directly affected.  Manage at the department level.	Implement COOP activities for all affected departments/facilities.  Manage with the COOP Team.	Implement all COOP activities as able and required.  Manage with the COOP Team.	

Implement COOP activities as needed based on the incident. Not all criteria needs to be met to initiate COOP activities. Decisions should be made based on the actual situation and impacts. This matrix is intended to offer guidance, and is in no way definitive direction.

**DEPARTMENT COOP ACTIVATION CHECKLIST**

Check When Done	Task	Completed by Print/ Initial	Completed at Date/time	Delegated to
<input type="checkbox"/>	Notify department leadership of incident and need for COOP activity			
<input type="checkbox"/>	Identify alternate facility if needed Contact COOP Facilities team			
<input type="checkbox"/>	Obtain Department Go-Kit			
<input type="checkbox"/>	Notify Staff of COOP activity and direct who is to do what, when, and where			
<input type="checkbox"/>	Establish work area at alternate site, if needed. Establish capability for essential function delivery.			
<input type="checkbox"/>	Implement alternate work process for - _____ - _____ - _____			
<input type="checkbox"/>	Hold in person (if possible) staff brief to inform all as to essential functions, priorities, capabilities, and any safety messaging.			
<input type="checkbox"/>	Update Public Phone lines – if appropriate			
<input type="checkbox"/>	Update or request update to digital media – if appropriate			
<input type="checkbox"/>				
<input type="checkbox"/>	Establish contact with critical partners.			
<input type="checkbox"/>				
<input type="checkbox"/>	Monitor COOP activities – inform leadership if essential functions cannot be delivered.			
<input type="checkbox"/>	Plan for staff relief, support, and stress management.			

**DEPARTMENT COOP ACTIVATION CHECKLIST**

**Important Numbers:**

XXXX Facility

XXXX Vendor

XXXX Supplier



<b>COOP Communication Resources</b>						
<b>Resource</b>	<b>Provider</b>	<b>Service(s) Provided</b>	<b>Alternate Resource</b>	<b>Alternate Capability</b>	<b>Notes</b>	<b>Managing Department</b>
Email	Microsoft Exchange (Outlook)	Sending and receiving of messages and files, Calendaring, contact lists.	None	N/A	Requires intra and internet access. Is accessible remotely if capability is turned on. Requires computer or smart phone with data connection.	IT
Cisco Office Phones	Frontier	Voice calls, voicemail	City or personnel cell phones	Same plus text and data	Requires VOIP connection.	IT
Cell Phones	Various	Voice call, text messaging, data, hot spot	Personal cell phones	Same	Not all employees have city issued or subsidized cell phones.	IT and departments for personnel phones
Radios	Puget Sound Emergency Radio Network (PSERN)	800 MHz first response 2 way communications	None	N/A	Assigned to fire and law enforcement only. Hardware cache available through HLS Region 6 (King County).	Public Works Fleets
Digital Media	Various	Webpages, Twitter, Facebook, cable broadcast	Partner accounts	Same	Joint Information Center is Coordination point for messaging.	CMO for coordination By department for posting
Reader boards	City	Text message	Mobile boards	Text message	Fire Stations, Community Centers, PW	By Department
GETS WPS	Federal Government	Priority phone calls	None	None	Fire, Police, CMO, and most directors have cards.	Emergency Management
HAM	Volunteers	Radio communications, Packet radio via Winlink	None	None	Emergency transmissions ONLY not secure, relies on volunteers Not allowable for COOP/recovery efforts per FCC	Fire
Hotlines	Frontier	Recorded public and employee messaging	None	None	Requires phone system/VOIP connection.	Emergency Management

**XXXX DEPARTMENT COOP DEACTIVATION CHECKLIST**

Check When Done	Task	Completed by Print/ Initial	Completed at Date/time	Delegated to
<input type="checkbox"/>	Notify department leadership of estimated time for ending COOP activities.			
<input type="checkbox"/>	Confirm original or new facility is ready for occupation. Contact COOP Facilities team			
<input type="checkbox"/>	Develop transition plan for relocation or return to full operations.			
<input type="checkbox"/>	Notify Staff of COOP activity status and direct who is to do what, when, where			
<input type="checkbox"/>	Establish work area at designated site.			
<input type="checkbox"/>	Wrap up alternate work processes for - _____ - _____ - _____			
<input type="checkbox"/>				
<input type="checkbox"/>	Hold staff brief to inform all as to current conditions, priorities, and any safety messaging.			
<input type="checkbox"/>	Update or request update to digital media – if appropriate			
<input type="checkbox"/>	Update Public Phone lines – if appropriate			
<input type="checkbox"/>	Inform critical partners of change in operations.			
<input type="checkbox"/>				
<input type="checkbox"/>	Monitor transition of COOP activities, gather documentation, and lessons observed for after action review.			
<input type="checkbox"/>	Plan for staff relief, support, and stress management.			

**XXXX DEPARTMENT COOP DEACTIVATION CHECKLIST**

**Important Numbers:**

XXXX Facility

XXXX Vendor

XXXX Supplier

<b>COOP Essential Function Alternate Facility Requirements</b>							
<b>Department</b>	<b>Physical size</b>	<b>Location Proximity</b>	<b>Infrastructure*</b>	<b>Technology**</b>	<b>Public Access</b>	<b>Parking/Staging</b>	<b>Comments</b>
City Manager Office	Work space for 4 people Conference space for 15	Near Council, EOC, and COOP Team	Basics Needs	Basic Needs	Not required	Parking for 4 staff and for 15 limited length staff visitors	Security may be necessary depending on the incident.
City Attorney Office	Work space for 3 people	Near Council, EOC, CMO, and COOP Team	Basic Needs	Basic Needs	Not required	Parking for 3	
City Council	Work space for 8 people Public Meeting area	In the City boundaries. Near CMO.	Basic Needs	Basic Needs If possible ability to broadcast meeting space.	Not for work space. Required for meeting space.	Parking for 8 staff. Parking for public meeting space.	Security may be necessary depending on the incident
Municipal Court	Separate work space for 4 staff. Courtroom space for at least 6 people.	Very near or at Jail. If not at Jail transportation will be required.	Basic Needs	Basic Needs Recorder. Can function without computer if must.	Required for courtroom space.	At least space for 4 staff, plus a few limited length public visitors.	Courtroom space will require security measures.
Facilities	Work space for 3 staff	Anywhere	Basic Needs	Basic Needs	Not Required	Access to City facilities vehicles	
Finance & Administration	Work space for 6 staff.	Close to operations. Centrally located for staff and public.	Basic Needs	Basic Needs	Required	Parking for 6 staff, plus a few limited length public visitors.	Security measures may be required due to payment processing component.

COOP Essential Function Alternate Facility Requirements							
Department	Physical size	Location Proximity	Infrastructure*	Technology**	Public Access	Parking/Staging	Comments
Fire	Work space for 6 admin staff. 24 hour operations for 5 “fire stations” and EOC space for 20 staff	Admin anywhere. Stations strategically placed across city. EOC near CMO	Basic Needs Fire Stations need sleeping and shower capability. EOC needs back up power/lighting.	Basic Needs Fire stations and EOC need radio capability.	Admin and EOC space not required. Fire Stations require public access.	Admin parking for 6 staff. Fire Stations parking for 3-5 staff and response units (varies by site) EOC parking for 20	Security measures may be required for fire stations and EOC depending on incident. Fire apparatus parked outside may require 24/7 security.
Human Resources	Work space for 3 staff	Anywhere, ideally near CMO	Basic Needs	Basic Needs	Not required.	Parking for 3 staff.	
Information Technology	Work space for up to 31 staff	Anywhere. Ideally located together.	Basic Needs White Boards	Basic Needs High Speed internet	Not required.	Parking for up to 30 staff.	Some staff may be able to work from home if the network infrastructure is adequate.
Parks & Community Services	Work space for 20 staff	Anywhere	Basic Needs	Basic needs	Not required.	Parking for up to 20 staff.	Depending on incident, may need community center structures.
Planning & Building	Work space for 10 inspectors plus file storage.	Anywhere	Basic Needs	Basic Needs	Not required.	Parking for 10 staff.	Secure file storage.

COOP Essential Function Alternate Facility Requirements							
Department	Physical size	Location Proximity	Infrastructure*	Technology**	Public Access	Parking/Staging	Comments
Police Operations	Workplace for 7, workstations for 5 officers, conference room for 20, secured storage for uniforms and gear	Within City  Operations, administration, records, and investigations would work smoother if in close relation to each other.	Power, cell coverage, ac/heat  Possibly need shower facilities and temporary lockers.	Computers, intra and internet access, printer	Restricted	Parking for 50 vehicles (patrol cars and officers vehicles)	
Police Investigations	Workplace for 10, conference room	Within City	Power, cell coverage, ac/heat	Computers, intra and internet access, printer	No.	Parking for 25 vehicles (investigation vehicles and detective vehicles)	
Police Administration	Workplace for 12, conference room	Near EOC and Policy Group	Power, cell coverage, vehicles	Computers, intra and internet access, printer	No.	Parking for 15 vehicles	
Police Records	Workplace for 10	Within City	Power, cell coverage, ac/heat	Computers, intra and internet access, printer	Yes.	Parking for 10 vehicles	
Police Traffic Training	Workplace for 10	Within City	Power, cell coverage, ac/heat	Computers, intra and internet access, printer	No.	Parking for 15 vehicles	
Police Evidence	Workplace for 2, secured facility for storage of evidence (approximate 500 sq. ft.)	Within City	Power, cell coverage, ac/heat	Computers, intra and internet access, printer	Restricted	Parking for 4 vehicles	

COOP Essential Function Alternate Facility Requirements							
Department	Physical size	Location Proximity	Infrastructure*	Technology**	Public Access	Parking/Staging	Comments
	secured vehicle storage for 4						
Corrections	Workplace for 4, Area to house 12 inmates temporarily	Within City	Power, cell coverage, ac/heat, Showers, toilets	Computers, intra and internet access, printer	Yes. Secured	Parking for 15 vehicles	
Police Quartermaster	Workplace for 1, area to store police gear uniforms	Within City(near Ops)	Power, cell coverage, ac/heat		No.	Parking for 3 vehicles	
Public Works Annex	Office space for 27 people	Near City Hall PW employees	Power, water, network, restrooms	Network Access, Computers, Phone	No	Parking for staff;	Can be split up;
Public Works at City Hall	Office space for 38 people	Near other City Hall Employees	Power, Water, restrooms	Network Access, Computers	Yes	Parking for staff	Can be split up
Public Works Maintenance Center	Office space for 19 people, storage containers (2)	Within City Limits	Power, water, network, restrooms	Network Access Computers, Handheld Radios (12), Radio connected to Seattle Public Utilities Phones	No	Parking for 80 vehicles	
Public Works Shops	6 work areas, including small tool	Near 405, within City limits, 1 mile from City Hall	Power, water, network, Restrooms	Network Access, Computers Phones	No	Approximately 2.5 acres for equipment parking	Access to fuel, ability to clean vehicles, dispose of decant/spoils

COOP Essential Function Alternate Facility Requirements							
Department	Physical size	Location Proximity	Infrastructure*	Technology**	Public Access	Parking/Staging	Comments
	and gear storage						
Public Works Fleet Office and shop	Office space for 6 people	Within City Limits	Power, water, network	Network Access, Computers	Deliveries	Approximately 2500 sf for shop space	Locked storage, equipment lift, repair tools, generators
Public Works Fleet Area at KJC	Small office	Close proximity to PD and Fire	Power, water, network, heat,	Network Access, Computers, Phones	Limited; deliveries	2 bays and some off street parking can be shared with KJC	
Public Works Warehouse	Office space for 2 people	Close proximity to shops	Power, water,	Network access, Computers, Phones	Deliveries	As much storage as possible Locked storage Equipment lift	Deicer containers may need to be stored.
PW Storage Containers	2 at the MC	Close proximity to staff	N/a	N/A	N/A	N/A	N/A

\*Infrastructure – Basic needs is defined as power with lighting, climate control, sanitation facilities, cooking or meal delivery capability, telecommunications, and network connection.

\*\* Technology – Basic needs is defined as computer (desktop or laptop), phone, network access (intranet and internet), and printing capability.



<b>COOP Critical Systems and Equipment</b>		
<b>Department</b>	<b>Systems *</b>	<b>Equipment**</b>
City Attorney	Municipal Listserve	Nothing Unique
City Council	Nothing Unique	Audio Recorder
City Manager's Office	Facebook, Twitter, SharePoint	Nothing Unique
Courts	LUMIS, Law Base JIS, FTR, TRIM, ENCOURT, JABS, 1.Lingua	Audio Recorder
Facilities	Lucity	Nothing Unique
Finance & Administration	IFAS, Telestaff, Springbrook, TRIM	Receipt Printer, Check Printer
Fire	GIS, DOT Online, MSDS Online, WebEOC, Office Word and Excel, CODE RED	800 MHz radios, Mobile computers in vehicles
Human Resources	IFAS	Nothing Unique
Information Technology	NETAPP, Simpana	Servers, firewalls, IDS/IPS Endpoint AV, routers, switches, voice server
Parks & Community Services	Nothing Unique	Nothing Unique
Planning and Building	EnerGov	Nothing Unique
Police	DOL database, New World, NCIC, WACIC, GIS	800 MHz radios, mobile computers in vehicles
Public Works	Lucity, GIS	Generators, radios, vehicles

\* Systems - All departments identified the intranet, internet, voicemail, text messaging, and Outlook as critical systems needed for essential functions.

\*\* Equipment – All departments identified desk phones, computers, printers, and cell phones with data service as critical technology equipment for essential services.

This information is not intended to be an exhausted list and is subject to change at any time.



## City of Kirkland Continuity of Operations Continuity of Government City Attorney's Office Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the City Attorney's Office (CAO) is responsible for advising City of Kirkland ("City") leadership on legal issues and developing legal documents related to the incident. The CAO is flexible and adaptable and has limited resource requirements for the delivery of essential function tasks.

### Essential Function

The CAO has identified its essential function during COOP activities as guidance and advice. Detailed information about the delivery of this service is available in Attachment A Essential Function Worksheet of this appendix. Below is a high-level summary of support including the Continuity of Government (COG) status of the function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Legal Advice	Provide direct legal advice to City leadership, departments, and staff. Prepare relevant documents in response to incident.	No	4 hours

### Key Personnel

The CAO has identified key roles supporting the essential function of the office. The CAO has established the following order of succession.

Essential Function	Order of Succession by position
Legal Advice	<ol style="list-style-type: none"> <li>1. City Attorney</li> <li>2. Senior Assistant City Attorney</li> <li>3. Assistant City Attorney</li> </ol>

## Delegations of Authority

There is no requirement for formal documented delegations of authority for the CAO. Order of succession is based on Delegation of Authority from City Attorney dated July 27, 2017. See Attachment B Delegation of Authority for details.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; therefore, the CAO does not have a designated alternate location. Whenever possible, the CAO will relocate within the city limits and near the City Manager's Office and City Council locations.

Possible alternate locations for the CAO include Fire Station 26 (9930 124<sup>th</sup> Ave NE) or the Kirkland Justice Center (11740 NE 118<sup>th</sup> St).

## Communications

The CAO does not have any unique communication requirements, but does rely heavily on internet connectivity, computers and other normal operational systems. The intent is to use normal operational systems, or as many of them as are possible, including but not limited to desk phones, cell phones, Outlook email, and text messaging for communication during a COOP scenario.

## Vital Records, Files, and Databases

The CAO has identified vital records to include copies of or access to the Municipal Attorney Listserve, the Washington State Municipal Research & Services Center, and local, state, and federal legal file databases. In addition, vital files include City Council documents and the City Municipal Codes.

## Critical Systems

The CAO identified the need to access the internet as a critical system for research and development of essential function tasks.

## Critical Equipment

The CAO has identified technology resources as critical to support essential function tasks. These resources include but are not limited to telephones, computers, and printers.

## External Contacts

The CAO has identified the Municipal Attorney's Listserve, Washington State Municipal Research & Services Center (MRSC), and legal advisors at state and federal levels of government as external contacts during COOP activities.

## Return to Operations

The CAO will have continual, but possibly limited, operations during a COOP incident. Return to operations includes the relocation back to the original facility or a new facility if the CAO is working from an alternate site. The CAO will resume normal business activities, in addition to incident, COOP, or recovery activities, as able based on resources.

## Department Resource Documents

The attached documents provide information regarding the CAO support for delivery of its essential function.

Attachment A:           Essential Function Worksheet

Attachment B:           Delegation of Authority

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**ATTACHMENT A**

**City Attorney's Office Essential Function Worksheet**

<b>Essential Function</b>	<b>Essential Function Description</b>	<b>Key Positions and Back Up</b>	<b>Vendors and External Contacts</b>	<b>Vital Records</b>	<b>Equipment</b>	<b>Systems</b>	<b>Recovery Time Objective</b>
<b>Legal Advice</b>	Drafts, writes, or reviews documents, agreements, contracts or proclamations and provides direct legal advice to city leadership and departments	City Attorney  Assistant City Attorney	Municipal Attorney Listserve  WA Municipal Research & Services Center	Municipal Attorney Listserve  Kirkland Municipal Code	Computer Telephone	Internet access  WA Municipal Research & Services Center	4 hours

**CITY OF KIRKLAND, WASHINGTON  
KIRKLAND CITY ATTORNEY  
DELEGATION OF AUTHORITY**

The undersigned, Kevin Raymond, is the duly appointed City Attorney for the City of Kirkland, Washington ("City"). The undersigned hereby authorizes and delegates to the individuals identified below, in the order identified, the authority to serve as Acting City Attorney in the absence of the City Attorney, and in connection therewith to execute any contract, certificate, pleading or other document that the City Attorney is authorized to execute and deliver on behalf of the City. The signatures of the individuals identified below shall be as binding on the City as if the document had been executed by the City Attorney:

1. Stephanie E. Croll, Sr. Assistant City Attorney
2. Wm. R. Evans, Assistant City Attorney

This authorization shall be effective immediately and shall remain in effect for so long as we continue to hold our respective offices.

DATED this 27<sup>th</sup> day of July, 2017.

CITY OF KIRKLAND, WASHINGTON

Kevin Raymond  
Kevin Raymond, City Attorney

STATE OF WASHINGTON     )  
  )ss:  
COUNTY OF KING         )

On this 27<sup>th</sup> day of July, 2017, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kevin Raymond, to me known to be the City Attorney of the City of Kirkland, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said City, for the uses and purposes therein set forth, and on oath stated that he was authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Leta B. Santangelo  
Print Name: Leta B. Santangelo  
NOTARY PUBLIC in and for the State  
Washington, residing Kirkland  
Commission expires: 12-19-2017



## City of Kirkland Continuity of Operations Continuity of Government City Manager's Office Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the City Manager's Office (CMO) is responsible for the overall incident management, City of Kirkland ("City") leadership, public information, and intergovernmental relations. The CMO operations provide direction and guidance and thus is flexible and adaptable and has limited resource requirements to perform essential functions.

### Essential Functions

Essential functions of the CMO during a COOP incident include leadership, communications, and intergovernmental relations. Detailed information about the delivery of these services is available in Attachment A Essential Function Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
City Leadership	Provide leadership for the incident, the city, and the public.	Yes	2 hours
Communications	Facilitate internal and external messaging.	Yes	2 hours
Intergovernmental Relations	Coordinate political official involvement.	No	6 hours



## Key Personnel

The CMO has identified the City Manager, Intergovernmental Relations, and Communications Manager as key roles supporting the essential functions of the office. The CMO has established the following order of succession for sustainment of these positions.

Essential Function	Order of Succession by position
City Leadership	<ol style="list-style-type: none"> <li>1. City Manager</li> <li>2. Deputy City Manager</li> <li>3. Deputy City Manager</li> <li>4. City Attorney</li> </ol>
Intergovernmental Relations	<ol style="list-style-type: none"> <li>1. Intergovernmental Relations Manager</li> <li>2. City Manager</li> <li>3. Deputy City Manager</li> <li>4. Deputy City Manager</li> </ol>
Communications	<ol style="list-style-type: none"> <li>1. Communications Manager</li> <li>2. Web and Media Content Specialist</li> <li>3. Intergovernmental Relations Manager</li> </ol>

## Delegations of Authority

Delegations of authority for specific CMO responsibilities are on file with the City Clerk's Office. Copies of the CMO delegation of authority are available in Attachment B and C Delegation of Authority of this appendix.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; therefore, the CMO does not have a designated alternate location. Whenever possible, the CMO will relocate within the city limits and near the Emergency Operations Center and City Council.

Possible alternate locations for the CMO include Fire Station 26 (9930 124<sup>th</sup> Ave NE) or the Kirkland Justice Center (11740 NE 118<sup>th</sup> St).

## Communications

The CMO does not have any unique communication requirements, but does rely heavily on internet connectivity, computers and normal operational systems. The intent is to use normal operational systems, or as many of them as are possible, including but not limited to desk phones, cell phones, Outlook email, and text messaging for communications during a COOP scenario.

The CMO has access to the employee and public information hotline resources for mass recorded information dissemination.

The CMO staff have Government Emergency Telephone System (GETS) and Wireless Priority System (WPS) capability as well.

The CMO also has one 800 MHz handheld radio, at the City Manager's desk, for use when other communication systems are not operational.

## Vital Records, Files, and Databases

The CMO has identified vital records to include contact lists for internal and external leaders and documents generated by City Council actions.

## Critical Systems

The CMO identified critical systems to support essential functions as the intranet and internet specifically those related to public information digital media tools, such as website content management, Facebook, and Twitter.

## Critical Equipment

The CMO has identified communication resources as critical to support essential functions. These resources include but are not limited to mobile phones, computers, and printers.

## External Contacts

The CMO is not dependent on external agencies for delivery of essential functions. However, the CMO does acknowledge the support partners at local, state, and federal levels of government can provide and intends to engage with these agencies, as appropriate.

## Return to Operations

The CMO will have continual, but possibly limited, operations during a COOP incident. Return to operations includes the relocation back to the original facility or a new facility if the CMO is working from an alternate location. The CMO will resume normal business activities, in addition to any incident or COOP activities, as able based on resources available.

## Department Resource Documents

The attached documents serve as resources that support COOP activities related to essential functions, authorities, and staff.

Attachment A:	Essential Function Worksheet
Attachment B:	Delegation of Authority
Attachment C:	Delegation of Authority
Attachment D:	Succession and Delegation Order

## ATTACHMENT A

### City Manager's Office Essential Functions Worksheet

Essential Function	Essential Function Description	Key Positions and back up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
<b>Incident Leadership</b>	Provides overall direction and control of COOP COG activities. Implement Council decisions and directives.	City Manager Deputy City Manager(s) City Attorney	N/A	Council meeting records	Computer Telephone - desk	Internet, intranet, SharePoint	2 hours
<b>Inter-governmental Relations</b>	Coordinates political leadership interaction at city, county, state, and federal levels.	Intergovernmental Relations Manager City Manager Deputy City Manager(s)	KC Exec Office WA State Governor's Office State Legislators Congressional Delegation	Contact list for elected officials	Computer Telephone (desk and cell)	Email Voicemail	6 hours
<b>Public Information</b>	Manage oversight of all incident internal and external public messaging.	Communication Program Mgr. Communication Program Spec.	King County Public Information Network	Media Contact List	Computer Telephone - cell	Internet Twitter Facebook	2 hours

**ATTACHMENT A**

<b>Essential Function</b>	<b>Essential Function Description</b>	<b>Key Positions and back up</b>	<b>Vendors and External Contacts</b>	<b>Vital Records</b>	<b>Equipment</b>	<b>Systems</b>	<b>Recovery Time Objective</b>
		Intergovernmental Relations Manager					
<b>City Leadership</b>	Direct, lead, and inform city staff on situation, needs, decisions, actions, and directives. Serve as face of incident to staff and public.	City Manager Deputy City Manager(s) City Attorney	N/A	Contact list	Computer	Outlook, SharePoint	2 hours

CITY OF KIRKLAND, WASHINGTON

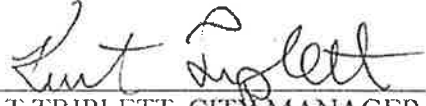
DELEGATION OF AUTHORITY

The undersigned, Kurt Triplett, is the duly appointed and acting City Manager of the City of Kirkland, Washington (the "City"). The undersigned hereby authorizes and delegates to Marilynne Beard, the Assistant City Manager of the City, whose name and signature appear below, the authority to execute and deliver on my behalf any contract, certificate or document that I am authorized to execute and deliver on behalf of the City. Her signature, as Assistant City Manager, on behalf of the City, shall be as binding on the City as if the document had been executed by the City Manager.

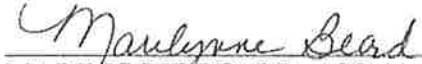
This authorization shall be effective immediately and shall remain in effect for so long as we continue to hold our respective offices.

DATED this 28 day of June, 2010.

CITY OF KIRKLAND, WASHINGTON



KURT TRIPLETT, CITY MANAGER



MARILYNNE BEARD, ASSISTANT CITY MANAGER

STATE OF WASHINGTON)


ss:

COUNTY OF KING )

On this 28<sup>th</sup> day of June, 2010, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kurt Triplett, to me known to be the City Manager of the City of Kirkland, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said City, for the uses and purposes therein set forth, and on oath stated that he was authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

KATHI ANDERSON  
 NOTARY PUBLIC  
 STATE OF WASHINGTON  
 My Commission Expires August 19, 2012



Print Name: KATHI ANDERSON  
 NOTARY PUBLIC in and for the State  
 Washington, residing Kirkland  
 Commission expires: 8-19-2012

CITY OF KIRKLAND, WASHINGTON

DELEGATION OF AUTHORITY

The undersigned, Kurt Triplett, is the duly appointed and acting City Manager of the City of Kirkland, Washington (the "City"). The undersigned hereby authorizes and delegates to Tracey Dunlap, Deputy City Manager of the City, whose name and signature appear below, the authority to execute and deliver on his behalf any contract, certificate or document that the City Manager is authorized to execute and deliver on behalf of the City. Her signature, as Deputy City Manager, on behalf of the City, shall be as binding on the City as if the document had been executed by the City Manager.

This authorization shall be effective immediately and shall remain in effect for so long as we continue to hold our respective offices.

DATED this 11 day of March, 2015.

CITY OF KIRKLAND, WASHINGTON

*Kurt Triplett*  
KURT TRIPLETT, CITY MANAGER

*Tracey Dunlap*  
TRACEY DUNLAP, DEPUTY CITY MANAGER

STATE OF WASHINGTON)

COUNTY OF KING ) ss:

On this 11<sup>th</sup> day of March, 2015, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kurt Triplett, to me known to be the City Manager of the City of Kirkland, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said City, for the uses and purposes therein set forth, and on oath stated that he was authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.



*Leta B. Santangelo*  
Print Name: Leta B. Santangelo  
NOTARY PUBLIC in and for the State  
Washington, residing Kirkland  
Commission expires: 12-19-2017



## CITY MANAGER SUCCESSION AND DELEGATION ORDER

**AN ORDER** dated September, \_\_ 2017, delegating authority when the City Manager is absent and designating a line of succession in the event of a vacancy in the position of City Manager.

WHEREAS, I, Kurt Triplett, and the duly appointed City Manager for the City of Kirkland ("City"), having assumed such position on June 28, 2010; and

WHEREAS, from time to time the City Manager may be absent from the city of Kirkland or otherwise unavailable to sign official documents or take other official actions; and

WHEREAS, it sometimes will be necessary during those occasions for various official documents to be signed to carry on the City's business and for various orders and directions to be given on behalf of the City Manager; and

WHEREAS, the City Manager may be unavailable to direct implementation of the City's Comprehensive Emergency Management Plan, as well as its Continuity of Operations ("COOP") and Continuity of Government ("COG") plans, in response to a natural, human-made or technological disaster or other emergency affecting the city of Kirkland; and

WHEREAS, it is necessary to satisfy federal and state law requirements directing that the City designate the names of those responsible for implementing such plans in the event of a such a disaster or other emergency; and

WHEREAS, in the event of an emergency Chapter 3.20 Kirkland Municipal Code delineates the role of the City Manager in the event of a disaster or other emergency affecting the city of Kirkland; and

WHEREAS, in the event of an emergency the Fire Chief and the Police Chief will be needed in the field; and

WHEREAS, this Order will be updated and revised from time to time as necessary.

**NOW, THEREFORE**, I, Kurt Triplett, City Manager, do hereby order and direct that the following individuals are designated to act on my behalf and in my absence and delegate to each my powers and duties to be assumed and carried out, in the following order, by:

- (1) Deputy City Manager: Tracey Dunlap
- (2) Deputy City Manager: Marilynne Beard
- (3) City Attorney: Kevin Raymond
- (4) Public Works Director: Kathy Brown
- (5) Planning and Building Director: Eric Shields
- (6) Finance and Administration Director: Michael Olson

**FURTHERMORE**, I officially designate the following individuals, in the order listed, to serve as interim City Manager in the event of a vacancy in the position of City Manager until such position is filled by the City Council:

- (1) Deputy City Manager: Tracey Dunlap
- (2) Deputy City Manager: Marilynne Beard
- (3) City Attorney: Kevin Raymond
- (4) Public Works Director: Kathy Brown
- (5) Planning and Building Director: Eric Shields
- (6) Finance and Administration Director: Michael Olson

**NOW, THEREFORE**, I, Kurt Triplett, City Manager, do hereby order and direct:

Dated and effective this \_\_\_ day of September, 2017.

---

Kurt Triplett  
City Manager

Attest:

---

Kathi Anderson  
City Clerk





## City of Kirkland Continuity of Operations Continuity of Government City Council Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Kirkland City Council (City Council) has a role in the City of Kirkland (City) leadership, legislation, and outreach. The City Council provides direction and support to the incident through legislative actions and interjurisdictional interactions. The City Council is flexible and adaptable and has limited resource requirements to perform essential functions.

### Essential Functions

Essential functions for the City Council during a COOP incident include leadership, legislation, and outreach to other jurisdictions and the public. Detailed information about the delivery of these services is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Leadership	Maintain City Seat of Government, facilitate policy actions.	Yes	2 hours
Legislation	Support incident and COOP operations through actions and funding allocation.	Yes	4 hours
Outreach	Liaise with other jurisdictions, elected officials and staff, and connect with the public.	Yes	2 hours

## Key Personnel

In the event of a COOP and/or COG scenario, the City Council performs essential leadership, legislative and outreach functions. The City Council performs such essential functions in part by taking formal action through the affirmative vote of a majority of the entire membership of the City Council. In matters not requiring formal action, the City Council is represented by its Mayor or, in the absence of the Mayor, by its Deputy Mayor. In the absence of both the Mayor and the Deputy Mayor, the City Council is represented by a Councilmember chosen by the affirmative vote of the entire membership of the City Council or, in the absence of a quorum consisting of at least four Councilmembers, a simple majority vote of those members present. See City Council Policies and Procedures.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; therefore, the City Council does not have a designated alternate location. The City Council location serves as the seat of government so whenever possible, the City Council will remain at City Hall. If there is a requirement to relocate, efforts will be made to remain within the city limits and near the City Manager's Office, wherever then located, and the Emergency Operations Center. Possible alternate locations for the City Council include Fire Station 26 (9930 124<sup>th</sup> Ave NE) or the Kirkland Justice Center (11740 NE 118<sup>th</sup> St).

## Communications

The City Council does not have any unique communication requirements, but does rely heavily on internet connectivity, computers and other normal operational systems. The intent is to use normal operational systems, or as many of them as are possible, including but not limited to desk phones, cell phones, Outlook email, and text messaging for communication during a COOP scenario.

## Vital Records, Files, and Databases

The City Council has identified vital records to include documents representing Council procedures, decisions, and actions related to City operations. Council files are maintained by the City Clerk.

## Critical Systems

Access to the intranet and internet is not necessary but desired to support the City Council essential functions.

## Critical Equipment

The City Council does not have any specific critical equipment requirements for the delivery of essential functions. It is preferred that access to computer resources and the internet are available but are not required.

## External Contacts

The City Council is not dependent on external agencies for delivery of essential functions. However, the City Council does acknowledge the support jurisdictional partners at local, state, and federal levels of government and private entities can provide and intends to engage with these agencies and entities as appropriate.

## Return to Operations

The City Council will have continual, but possibly limited, operations during a COOP incident. Return to operations includes the relocation back to the original facility or a new facility in the City Council is working from an alternate location. The City Council will resume normal business activities, in addition to any incident or COOP activities, as able based on resource availability.

## Department Resource Document

The attached document serves as a resource that supports COOP activities related to essential functions, authorities, and staff.

Attachment A: Essential Functions Worksheet

## ATTACHMENT A

### Council Essential Functions Worksheet

Essential Function	Essential Function Description	Key Positions and Back-Ups	Vendors or External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Leadership	Maintain City Seat of Government Advise City Manager's Office on policy issues Enact Proclamation of Emergency for COOP activities, if needed	Council Members	N/A	Contact list City ordinances, codes, resolutions, rules	Phones (desk and cell) Computer	Outlook Voicemail Text	2 hours
Legislation	Facilitate COOP – Issue moratoria, suspension of operations, etc. Establish funding source(s) for COOP activities	Council Members	N/A	Official decision documentation	Paper and pen or computer, electronic recording device	None Or Word	4 hours
Outreach	Liaise with partner jurisdictions, County, State, and Federal elected officials Participate in public messaging and meetings	Council Members	Partner Jurisdictions County, State, and Federal elected officials and staff	Contact List	Phone (desk and cell) Computer	Outlook Voicemail Text	2 hours



## City of Kirkland Continuity of Operations Continuity of Government Municipal Court Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Kirkland Municipal Court (KMC) is responsible for holding court proceedings related to misdemeanor, infraction and parking violations. For individuals that are being held in-custody there is an expedited hearing requirement. Court proceedings are required by law and in support of the rights of individuals. The KMC recognizes that during a significant emergency or disaster situation some or all court proceedings may need to be adjusted or delayed until such a time that resources are available to support the delivery of identified essential functions.

### Essential Functions

The essential function of the KMC during a COOP incident is to hold court proceedings. Detailed information about the delivery of this service is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Court Hearings	Court proceedings that implement public law.	Yes	72 hours
In custody Hearings	Court proceedings that address in custody status.	Yes	72 hours

### Key Personnel

The KMC has identified the Order of Succession for leadership as key roles in facilitating the delivery of essential functions.

Leadership	Order of Succession by position
Court	<ol style="list-style-type: none"> <li>1. Judge</li> <li>2. Court Administrator</li> <li>3. Court Supervisor</li> <li>4. Probation Supervisor</li> </ol>

The KMC has further identified the key personnel and backups needed to perform the essential function tasks under the direction of leadership.

Essential Function	Key personnel by position
Court Hearings	<ol style="list-style-type: none"> <li>1. Presiding Judge               <ol style="list-style-type: none"> <li>1a Court Commissioner</li> <li>1b Judge Pro Tem</li> </ol> </li> <li>2. In Court Clerk               <ol style="list-style-type: none"> <li>2a In Court Clerk(s)</li> <li>2b Court Clerk(s)</li> </ol> </li> <li>3. Contract Security               <ol style="list-style-type: none"> <li>3a Law Enforcement Officer(s)</li> </ol> </li> </ol>
In Custody Hearings	<ol style="list-style-type: none"> <li>1. Presiding Judge               <ol style="list-style-type: none"> <li>1a Court Commissioner</li> <li>1b Judge Pro Tem</li> </ol> </li> <li>2. In Court Clerk               <ol style="list-style-type: none"> <li>2a In Court Clerk(s)</li> <li>2b Court Clerk(s)</li> </ol> </li> <li>3. Jail Transport Officer               <ol style="list-style-type: none"> <li>3a Law Enforcement Officer(s)</li> </ol> </li> </ol>

## Delegations of Authority

In accordance with Kirkland Municipal Code Chapter 3.49 Municipal Court, Attachment C, the Presiding Judge has the authority to appoint one or more Court Commissioners and in so doing grants them the authority to act in the absence of the Presiding Judge. In addition, the Code provides for the appointed and authorities of one or more Judge Pro Tem positions that may act in the absence of the Presiding Judge.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; however, the essential functions of the KMC do require some unique aspects of location, thus if relocation is required, attention will be given to proximity to the jail location and public access to the site. Although most conference rooms could support a court proceeding, preference will be given to a location with security measures in place (secure doors, metal detectors), private side room availability for counsel and client holding, and ease of ingress and egress for transportation of clients.

## Communications

The KMC does not have any unique communication requirements. The intent is to use operational systems, including but not limited to, desk phones, cell phones, Outlook email, and text messaging for communications during a COOP scenario.

## Vital Records, Files, and Databases

The KMC has identified case files as being vital records for the support of court proceedings. The partner contact information list is also a critical record for communication with attorneys,

advocates, and supporting agencies to operations. In addition to hard copy and electronic case files, the KMC uses the Washington State Judicial Information System (JIS) database to support operations.

## Critical Systems

The KMC has identified critical systems to support court proceedings as access to the intranet and internet for access to the JIS database.

## Critical Equipment

The KMC has identified technology and communication equipment as key for the delivery of court hearings. In addition to phones, computers, and printers the ability to capture audio recordings of the proceeding is required.

## External Contacts

The KMC partners with several external individuals and organizations for support of court proceedings. Partners include roles such as Prosecutor, Defense Attorney, Victim Advocate, Probation Officer and others as determined by the proceeding.

## Return to Operations

The KMC may have limited operations during a COOP incident, or may suspend some or all court operations depending on the extent and impacts of the incident.

If the court proceedings have been relocated, return to operations will involve the return to the original facility or a new facility.

If operations were suspended return to operations will involve the planning and reestablishment of proceedings at the designated facility. It is expected that if suspension occurred, return to operations may involve scheduling of resources and participants, as well as notification to the public, which could extend the timeline for resumption of hearings.

## Department Resource Documents

The attached documents serve as resources that support COOP activities related to essential functions, authorities, and staff.

Attachment A: Essential Function Worksheet

Attachment B: Kirkland Municipal Code Chapter 3.49 Municipal Court

## ATTACHMENT A

### Kirkland Municipal Court Office Essential Functions Worksheet

Essential Function	Essential Function Description	Key positions and Back Up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Court Hearings	A proceeding before the court such as arraignments and sentencing that implement public law	Judge Clerk Security	Audio Recording Attorneys Victim Advocate Probation Officer Youth Council	Case Files	Computer Telephone	LUMIS Law Base JIS FTR Trim ENCOURT JABS 1.Lingua  Internet access	72 hours
In custody Hearings	A proceeding before the court that transpires after an individual is arrested	Judge Clerk Jail Transport Officer	Audio Recording Attorneys	Case Files	Computer		72 hours



## Chapter 3.49 MUNICIPAL COURT

### Sections:

- [3.49.010](#) Creation.
- [3.49.020](#) Jurisdiction.
- [3.49.030](#) Violations bureau.
- [3.49.040](#) Municipal judge.
- [3.49.080](#) Court operation.
- [3.49.100](#) Disposition of revenue.
- [3.49.110](#) Witness fees.
- [3.49.120](#) Fees for services.
- [3.49.130](#) Sessions.
- [3.49.140](#) Municipal court seal.
- [3.49.150](#) Case transfers.
- [3.49.160](#) Jury trial and fee.
- [3.49.180](#) Sentencing.
- [3.49.200](#) Criminal process.
- [3.49.210](#) Complaints.
- [3.49.220](#) Pleadings, practice and procedure.
- [3.49.300](#) Appointment of commissioners.
- [3.49.310](#) Commissioner qualifications.
- [3.49.320](#) Authority of court commissioner.
- [3.49.330](#) Magistrate.
- [3.49.340](#) Compensation of court commissioner.

\* For statutory provisions authorizing cities to create and operate a municipal court, see Chapter [3.50](#) RCW.

### **3.49.010 Creation.**

The municipal court of Kirkland is created, which shall have jurisdiction and exercise all powers vested in the court by Chapter [3.50](#) RCW as it now exists or may hereafter be amended, together with such other powers and jurisdiction as are generally conferred on such courts in Washington, either by common law or express statute. The municipal court shall commence operation January 1, 1995. (Ord. 3439 § 2 (part), 1994)

### **3.49.020 Jurisdiction.**

The Kirkland municipal court shall have exclusive original jurisdiction over traffic infractions arising under city ordinances, and exclusive original criminal jurisdiction of all violations of city ordinances. The court shall have original jurisdiction of all other actions brought to enforce or recover license penalties or forfeitures declared by city ordinance or state statute. The court is also empowered to forfeit cash bail or bail bonds and issue execution thereon; and in general to hear and determine all causes, civil or criminal, including traffic infractions, arising under such city ordinances, and to

pronounce judgment in accordance therewith. Finally, the court shall have the jurisdiction as conferred on it by statute. Notwithstanding the foregoing, the district court for King County, Northeast Division, shall continue to have jurisdiction over a matter filed with such court by the city of Kirkland and which matter is not transferred by order of the Kirkland municipal court. (Ord. 3439 § 2 (part), 1994)

#### **3.49.030 Violations bureau.**

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A. Creation. The Kirkland violations bureau is created to operate under the supervision of the municipal court to assist the court in processing traffic cases. The violations bureau created by this section shall commence operation January 1, 1995, and, shall take over processing of all matters which were being processed as of December 31, 1994 by the violations bureau which operated under KMC Chapter [3.48](#). Day to day operations of the violations bureau shall be supervised by the court administrator.

B. Processing. The violations bureau is authorized to perform all of the functions which a city may authorize a violations bureau to perform under Chapter [3.50](#) RCW. The violations bureau shall operate in conformity with state statutes such as Chapter [46.63](#) RCW and RCW [3.50.030](#). All penalties and forfeitures paid to the violations bureau shall be handled in the same manner as municipal court revenue. (Ord. 3439 § 2 (part), 1994)

#### **3.49.040 Municipal judge.**

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(a) Appointment. Within thirty days after the effective date of this ordinance, the city manager shall appoint a municipal judge. Pursuant to RCW [35A.13.080](#), this appointment is subject to confirmation by the city council.

(b) Term. The Municipal Court judge shall serve a term of four years. The initial appointment of a judge under this chapter shall expire December 31, 1997. Until January 1, 1995, municipal judge shall be an administrative position only. On or before December 1, 1997, the city manager shall make an appointment of a judge for a term commencing January 1, 1998 and expiring December 31, 2001. Appointments for each term thereafter shall be made on or before December 1 of the year next preceding the year in which the judicial term commences. At the time of the appointment, the person appointed shall be qualified for the position of municipal judge under city rules and state statutes, such as RCW [3.50.040](#).

(c) Additional Judges. Additional full or part-time municipal judge positions may be filled as provided in paragraphs (a) and (b) of this section, when the public interest and the administration of justice makes such additional judge or judges necessary, and so long as that procedure is in compliance with state statutes, such as RCW [3.50.055](#).

(d) Judges Pro Tem. The presiding municipal court judge may designate one or more persons as judges pro tem to serve in the absence, disability or disqualification of a municipal court judge, or, in addition to a municipal court judge when the administration of justice and the accomplishment of the work of the court make it necessary. A judge pro tem shall be qualified to hold the position of judge of the municipal court as described in this section, except that a judge pro tem need not be a resident of

King County. A judge pro tem shall have all the powers of a municipal court judge when serving as a pro tem judge. Before entering on his or her duties, each judge pro tem shall take, subscribe, and file an oath as is taken by a municipal court judge. The judges pro tem shall receive such compensation from the city as shall be fixed by the ordinances of the city. When deemed necessary by the city manager or designee, the city manager or designee may make a temporary appointment of a judge pro tem, to preserve an individual's rights according to law, or to respond to emergency circumstances, effective for up to one week. Such temporary appointee shall have the same powers as other judges pro tem. The temporary appointment and the term thereof do not need to be in writing and the oath of office of the temporary appointee may be orally sworn to or affirmed before the court administrator or court clerk.

(e) **Vacancy.** Any vacancy in the municipal court due to death, disability or resignation of a judge shall be filled by the city manager, for the remainder of the unexpired term. The appointment shall be subject to the confirmation of the city council. The appointed judge shall be qualified to hold the position of judge of the municipal court as provided in this section.

(f) **Removal.** A municipal court judge shall be removed only upon conviction of misconduct or malfeasance in office, or because of physical or mental disability rendering the judge incapable of performing the duties of the office; provided, that a municipal court judge is also subject to disciplinary actions by the Commission on Judicial Conduct and the supreme court, as described in Chapter [2.64](#) RCW.

(g) **Oath.** Every judge of the municipal court, before entering upon the duties of the office, shall take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Washington, and that I will faithfully discharge the duties of the office of judge of the municipal court of the City of Kirkland, according to the best of my ability."

The oath shall be filed in the office of the King County recorder and with the Kirkland city clerk.

(h) **Bonds.** Every municipal court judge shall give such bonds to the state and city for the faithful performance of the judge's duties as may be required by law or city ordinance.

(i) **Compensation.** Pursuant to RCW [3.50.080](#), the compensation for municipal court judges shall be set by the city council by ordinance. The city shall enter into a contract with the appointed judge for professional services.

(j) **Duties and Authority.** The municipal court judge shall have the duties and authority outlined in ARLJ5 of the Administrative Rules for Courts of Limited Jurisdiction of Washington State. (Ord. 3769 § 1, 2000; Ord. 3750 § 1, 2000; Ord. 3439 § 2 (part), 1994)

### **3.49.080 Court operation.**

---

As part of the preliminary biennial budget presentation, the finance and administration department will assist the municipal court judge in the creation of a budget for the court and the city manager will make a recommendation to the city council. The biennial budget for the municipal court shall be as

approved by the city council. All employees of the municipal court shall, for all purposes, be deemed employees of the city. They shall be subject to applicable provisions of city personnel rules, collective bargaining agreements, and state laws, such as RCW [3.50.080](#). (Ord. 4566 § 2, 2017; Ord. 4491 § 10 (part), 2015; Ord. 3769 § 2, 2000; Ord. 3573 § 5, 1997; Ord. 3439 § 2 (part), 1994)

### **3.49.100 Disposition of revenue.**

---

Costs in civil and criminal actions may be imposed as provided in district court. All fees, costs, fines, forfeitures and other money imposed by the municipal court for the violation of any city ordinances shall be collected by the court clerk, and, together with any revenues received by the clerk, shall be deposited with the city treasurer, as provided by city procedures or state law. These funds shall be retained or disbursed pursuant to city ordinances or policies and state law, such as RCW [3.50.100](#). (Ord. 3439 § 2 (part), 1994)

### **3.49.110 Witness fees.**

---

Each witness subpoenaed for city cases who appears as directed shall receive a witness fee of \$10.00 plus mileage for each day's attendance at the Kirkland municipal court. These fees may be included in the costs that are imposed by the court upon a defendant. (Ord. 3439 § 2 (part), 1994)

### **3.49.120 Fees for services.**

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(a) The clerk shall collect the following fees for court services:

- (1) The filing fee for any case or matter to be filed or commenced (other than by the city of Kirkland) is \$20.00.
- (2) The fee for preparing a transcript of a judgment is \$6.00.
- (3) The fee for certifying any document on file or of record is \$5.00.
- (4) The fee for preparing the record of a case for appeal to superior court is \$40.00 including any costs of tape duplication as governed by the rules of appeal for courts of limited jurisdiction (RALJ).
- (5) The fee for duplication of part or all of the electronic tape or tapes of a proceeding is \$10.00 per tape.

(b) The fees or charges imposed under this section may be included in the costs that are imposed by the court upon a defendant or other person. (Ord. 3439 § 2 (part), 1994)

### **3.49.130 Sessions.**

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The municipal court shall be open for regular session Monday through Friday of each week. The time for operation of court on those days shall be established by the judge. The municipal judge shall have the authority to establish additional court dates, by order of the municipal court, to provide effective and efficient administration of justice. However, court shall not be open on nonjudicial days, as established by state law. This section shall not act as a limitation of actions of the municipal judge

regarding items such as telephonic approval of search warrants, issuance of no contact orders, or determinations as to probable cause. (Ord. 4565 § 1, 2017; Ord. 3439 § 2 (part), 1994)

#### **3.49.140 Municipal court seal.**

The municipal court shall have a seal which shall be the vignette of George Washington, with the words "Seal of The Municipal Court of Kirkland, State of Washington" surrounding the vignette. (Ord. 3439 § 2 (part), 1994)

#### **3.49.150 Case transfers.**

A transfer of a case from the municipal court to either another municipal judge of the city of Kirkland or to a judge pro tempore appointed in the manner prescribed by this chapter shall be allowed as provided in RCW [3.50.125](#). (Ord. 3439 § 2 (part), 1994)

#### **3.49.160 Jury trial and fee.**

Jury trials shall be allowed as specifically provided for municipal courts or in accordance with state law applicable to a particular matter. In accordance with RCW [3.50.125](#), each juror shall receive \$10.00 plus mileage for each day in attendance upon the Kirkland municipal court. These fees may be included in the costs that are imposed by the court upon a defendant. (Ord. 3439 § 2 (part), 1994)

#### **3.49.180 Sentencing.**

The municipal judge shall have the broadest authority and greatest discretion consistent with the Kirkland Municipal Code and state law with respect to sentencing and probation. In matters of execution of sentence, deferral of sentence, continuing jurisdiction after sentencing, and termination of probation, the municipal judge shall be guided by applicable state law, such as RCW [3.50.300](#) through [3.50.340](#), and [3.50.440](#). (Ord. 3439 § 2 (part), 1994)

#### **3.49.200 Criminal process.**

All criminal process issued by the municipal court shall be in the name of the state of Washington and run throughout the state, and be directed to and served by the chief of police, marshal, or other police officer of any city or to any sheriff in the state. (Ord. 3439 § 2 (part), 1994)

#### **3.49.210 Complaints.**

All criminal prosecutions for the violation of a city ordinance shall be conducted in the name of the city and may be upon the complaint of any person, subject to the procedures set forth in all applicable ordinances or statutes. (Ord. 3439 § 2 (part), 1994)

#### **3.49.220 Pleadings, practice and procedure.**

Pleadings, practice and procedure in cases not governed by statutes or rules specifically applicable to municipal courts shall, insofar as applicable, be governed by the statutes and rules now existing or

hereafter adopted governing pleadings, practice and procedure applicable to district courts, particularly the Washington Rules of Court Criminal Rules for Courts of Limited Jurisdiction, Infraction Rules for Courts of Limited Jurisdiction, and Local Rules of the District Court for King County. (Ord. 3439 § 2 (part), 1994)

### **3.49.300 Appointment of commissioners.**

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The provisions of this chapter shall define the position of court commissioner for the Kirkland municipal court pursuant to the provisions of Chapter [3.50](#) RCW. The Kirkland municipal judge may appoint up to five part-time municipal court commissioners. Each commissioner shall hold office at the pleasure of the municipal judge. (Ord. 3611 § 1 (part), 1997)

### **3.49.310 Commissioner qualifications.**

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A commissioner authorized to hear or dispose of a case must be a lawyer, who is admitted to practice in the state of Washington, or a nonlawyer who has passed the qualifying examination for lay judges for courts of limited jurisdiction under RCW [3.34.060](#). A commissioner need not be a resident of Kirkland or of King County. (Ord. 3611 § 1 (part), 1997)

### **3.49.320 Authority of court commissioner.**

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The municipal judge shall, by order filed with the municipal court administrator and the city clerk, designate the authority of a commissioner to hear, decide, or dispose of cases within the jurisdiction of the municipal court. Such authorization may be limited to specific types of cases and calendars. A court commissioner may not preside over jury trials or bench trials in criminal cases. (Ord. 3611 § 1 (part), 1997)

### **3.49.330 Magistrate.**

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A commissioner whose authority is limited to hearing and disposing of infractions, noncontested or arraignment calendar matters, or the issuance of warrants may, but need not be, referred to as “magistrate”. (Ord. 3611 § 1 (part), 1997)

### **3.49.340 Compensation of court commissioner.**

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The compensation for a municipal court commissioner shall not exceed a rate of fifty dollars per hour. (Ord. 3731 § 1, 1999; Ord. 3611 § 1 (part), 1997)

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**The Kirkland Municipal Code is current through Ordinance 4582, passed June 20, 2017.**

Disclaimer: The City Clerk's Office has the official version of the Kirkland Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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## City of Kirkland Continuity of Operations Continuity of Government Facilities Department Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Facilities Department (Facilities) is responsible for maintaining, establishing, assessing, and if needed repairing or identifying alternate locations for the continuation of essential functions for the City of Kirkland ("City"). Facilities requires coordination and support from other City departments, as well as outside resources to perform essential functions.

### Essential Functions

Essential functions for Facilities during a COOP incident include assessing, repairing or making safe, and monitoring the condition of City owned and used facilities. In addition, Facilities is lead for identifying, establishing, and coordinating COOP alternate locations for City departments. Detailed information about the delivery of these services is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Safety Assessment	Analyze and monitor the status of the safety condition of city facilities.	No	6 hours
Repair and Support	Fix, mend, and service city facilities.	No	12 hours
COOP Facility Team	Identify and coordinate readiness of COOP sites.	No	4 hours



## Key Personnel

Facilities has identified the Order of Succession for leadership as key roles in facilitating the delivery of essential functions.

Leadership	Order of Succession by position
Facilities	<ol style="list-style-type: none"> <li>1. Facilities Services Manager</li> <li>2. Facilities Lead</li> <li>3. Facilities Tech III</li> </ol>

Facilities has further identified the key personnel needed to perform the essential function tasks under the direction of leadership.

Essential Function	Key personnel by position
Safety Assessment	<ol style="list-style-type: none"> <li>1. Facilities Services Manager</li> <li>2. Facilities Lead Technician</li> <li>3. Facilities Technician(s)</li> </ol>
Repair and Support	<ol style="list-style-type: none"> <li>1. Facilities Services Manager</li> <li>2. Facilities Technician(s)</li> <li>3. Maintenance and Inventory Control</li> <li>4. Purchasing Agent</li> </ol>
COOP Facility Team	<ol style="list-style-type: none"> <li>1. Facilities Services Manager</li> <li>2. Facilities Technician(s)</li> <li>3. Maintenance and Inventory Control</li> <li>4. Purchasing Agent</li> </ol>

## Delegations of Authority

Facilities does not have formal documented delegation of authorities, the order of succession and key personnel provide for continued operations during a COOP incident.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; however, the essential functions of Facilities are not dependent on any specific location or facility. Functions can be performed at any site with adequate infrastructure, thus Facilities does not have a designated alternate site. Ideally an alternate location would be near to most City facilities to allow for quick and easy access to COOP facility options.

## Communications

Facilities does not have any unique communication requirements. The intent is to use operational systems, including but not limited to, desk phones, cell phones, Outlook email, and text messaging for communications during a COOP scenario.

## Vital Records, Files, and Databases

Facilities has identified vital records as lists of contractors and facility drawings as these documents directly support delivery of essential functions.

## Critical Systems

Access to the intranet and internet is not necessary but desired to support Facilities in the delivery of essential functions.

## Critical Equipment

Facilities has identified personal protective equipment, duty specific tools, vehicles, and phones as critical equipment. If available, computers would assist Facilities as well, but are not required.

## External Contacts

Facilities coordinates and depends on several external vendors and contacts for infrastructure, intelligence, and support in the delivery of essential functions. There is no one specific key external contact, but rather several lists of contractors and utility providers.

## Return to Operations

Facilities may have continual operations during a COOP incident. Return to operations includes the relocation back to the original facility or a new facility if Facilities is working from an alternate location. Facilities will resume normal business as able based on available resources, priorities of City leadership, recovery priorities, and the status of infrastructure systems supporting City facilities.

## Department Resource Document

The attached document serves as resource that supports COOP activities related to essential functions and staff.

Attachment A          Essential Functions Worksheet

## ATTACHMENT A

### Facilities Office Essential Functions

Essential Function	Essential Function Description	Key Positions and Back Up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Conduct city site safety assessment	Analyze the condition, monitor and maintain safe city facilities	Facilities Manager Lead Technician Facilities Technician(s)	Small Works Roster  State Contracts  JOC Contractors  All Utilities	Contact list for contactors and utilities	Flashlight  Hardhat  Safety Vest  Proper Footwear  Safety Glasses	Phone Computer	6 hours
Immediate response and repair	Fix, mend, or service items owned or used by the city.	Facilities Manager Facilities Technicians Maintenance and Inventory Control Purchasing Agent	Small Works Roster State Contracts  JOC Contractors  All Utilities	Facility Construction Drawings	Tools  City Facilities Vehicles	Phone Computer	12 hours
COOP Facility Team	Identify and coordinate readiness of COOP alternate sites	Facilities Manager Facilities Technicians Maintenance and Inventory Control Purchasing Agent	Small Works Roster  State Contracts  JOC Contractors  All Utilities	Facility Construction Drawings	Tools  City Facilities Vehicles	Phone Computer	4 hours



## City of Kirkland Continuity of Operations Continuity of Government Finance and Administration Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Finance and Administration Department (F&A) is responsible for the accounting, tracking, and facilitation of the financial operations of the City of Kirkland ("City"). In addition, the F&A is responsible for the protection and preservation of official city records. The F&A requires coordination with city departments and of resources to perform essential functions.

### Essential Functions

Essential functions for the F&A during a COOP incident include financial management, procurement, and record preservation. Detailed information about the delivery of these services is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Employee payroll and benefits	Maintain continuity of payroll for city employees.	Yes	12 hours
Purchasing	Procure materials and professional services for incident needs.	No	12 hours
Manage Money	Monitor and track cash available for city operations.	No	24 hours
Record Preservation	Protect vital records.	Yes	12 hours

## Key Personnel

The F&A has identified the Order of Succession for leadership as key roles in facilitating the delivery of essential functions.

Leadership	Order of Succession by position
Finance and Administration	<ol style="list-style-type: none"> <li>1. Finance Director</li> <li>2. Accounting Manager</li> <li>3. Financial Planning Manager</li> </ol>

The F&A has further identified the key personnel needed to perform the essential function tasks under the direction of leadership.

Essential Function	Key personnel by position
Employee Payroll and benefits	<ol style="list-style-type: none"> <li>1. Payroll Coordinator               <ol style="list-style-type: none"> <li>1a: Senior Accounting Associate</li> <li>1b: Accounting Manager</li> </ol> </li> <li>2. Senior Accounting Associate               <ol style="list-style-type: none"> <li>2a: Payroll Coordinator</li> <li>2b: Senior Accounting Associate</li> </ol> </li> </ol>
Purchasing	<ol style="list-style-type: none"> <li>1. Purchasing Agent               <ol style="list-style-type: none"> <li>1a: Buyer</li> <li>1b: Accounting Manager</li> </ol> </li> <li>2. Buyer               <ol style="list-style-type: none"> <li>2a: Purchasing Agent</li> <li>2b: Administrative Assistant</li> </ol> </li> </ol>
Money Management	<ol style="list-style-type: none"> <li>1. Treasurer               <ol style="list-style-type: none"> <li>1a: Accounting Manager</li> <li>1b: Senior Accountant</li> </ol> </li> <li>2. Senior Accountant               <ol style="list-style-type: none"> <li>2a: Senior Accounting Associate</li> <li>2b: Senior Accounting Associate</li> </ol> </li> <li>3. Cashier               <ol style="list-style-type: none"> <li>3a: Customer Accounts Associate – Utility Billing</li> <li>3b: Customer Accounts Associate – Utility Billing</li> </ol> </li> </ol>
Record Preservation	<ol style="list-style-type: none"> <li>1. City Clerk</li> <li>2. Deputy City Clerk(s)</li> </ol>

## Delegations of Authority

The Director of Finance has delegated the ability for two positions, Purchasing Agent and Buyer, to serve as an authorized agent enabling them to sign purchase orders for the City. See Attachment B and C Delegation of Authority for details.

In addition, the city has established spending authorities as defined in the Kirkland Municipal Code (KMC) Chapter 3.85, Attachment D. Clarification of KMC Chapter 3.85, based on position and dollar amount, can be found in Attachment E Clarification of Approval Authority dated November 2016.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; however, the essential functions of the F&A are not dependent on any specific location or facility. Functions can be performed at any site with adequate infrastructure, thus the F&A does not have a designated alternate site. The COOP Facilities Team will identify a safe location for the F&A to work, if relocation is needed.

## Communications

The F&A does not have any unique communication requirements, but does rely heavily on internet connectivity, computers, and other normal operational systems. The intent is to use normal operational systems, or as many of them as are possible, including but not limited to, desk phones, cell phones, Outlook email, and text messaging for communications during a COOP scenario.

## Vital Records, Files, and Databases

The F&A has identified vital records to include the contents of the records room managed by the City Clerk as well as financial tracking and distribution documents. Essential functions require the use of the Information Financial Accounting System (IFAS) along with other task specific software.

There is a significant quantity of hard copy and electronic records that the F&A is tasked with protecting and retaining for COG. Therefore, the department has identified unique resources needed to support this function. See Attachment A Essential Functions Worksheet for details of requirements.

## Critical Systems

Access to the intranet and internet is necessary for the F&A to perform most essential functions. The use of IFAS along with other task specific software, such as Total Records and Information Management (TRIM) and telestaff, facilitates the delivery of F&A services.

## Critical Equipment

The F&A has identified technology and communication equipment as key for delivery of essential functions. In addition to telephones, computers, and basic printers the F&A also requires specialized printers, purchase cards, a safe, hand receipts, and cold storage trucks to support COOP tasks.

## External Contacts

The F&A partners with several vendors for the delivery of essential functions. Most of the vendors are financial institutions that are required to have COOP programs and capabilities, thus reducing the risk of failure to support City essential functions. For a full list of partners see Attachment A Essential Functions Worksheet.

## Return to Operations

The F&A will have continual, but possibly limited, operations during a COOP incident. Return to operations includes relocation to the original facility or a new facility if the F&A is working from an alternate location. The F&A will resume normal business activities based on available resources, priorities of city leadership, and timelines of financial activities. Priority will be given to delivery of services that reduce the risk of financial penalties, undue hardship to employees or the public, and requirements for maintaining a positive financial standing for the city.

## Department Resource Documents

The attached documents serve as resources that support COOP activities related to essential functions, authorities, and staff.

- Attachment A: Essential Functions Worksheet
- Attachment B: Delegation of Authority Authorized Agent
- Attachment C: Delegation of Authority Authorized Agent
- Attachment D: Kirkland Municipal Code Chapter 3.85
- Attachment E: Clarification of Approval Authority, November 2016
- Attachment F: How to Buy Chart
- Attachment G: Daily Receipting Report
- Attachment H: Safe Log

## ATTACHMENT A

### Finance and Administration Department Essential Functions Worksheet

Essential Function	Essential Function Description	Key Positions and Back Up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Employee Payroll and Benefits	Maintain continuity of payroll for city employees	Payroll Coordinator  Senior Accounting Associates	US Bank  Superion	US Bank  Superion	Compatible Payroll Check Printer  Computer  Phone	IFAS  Telestaff  Internet Access	12 hours
Pay Vendors	Cost accounting procedures for settling bills due merchants who have provided goods and services to the city	Accounting Support Associate IV	Superion US Bank	Current Invoices in AP.	Computer  Phone	Internet Access  IFAS	5 days
Purchasing	Procuring materials and professional services for the city	Purchasing Agent  Buyer	Bank of America  US Bank  Superion	Purchasing procedures, delegation of authority.	Computer  Phone  Purchase Cards	Internet Access  IFAS	12 hours



## ATTACHMENT A

Essential Function	Essential Function Description	Key Positions and Back Up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Manage Money	Monitor cash available for the functioning of the city	Treasurer Senior Accountant Cashier	US Bank Superion Springbrook EnerGov Loomis	Cashier Spreadsheet	Computer Phone Receipt printer Safe Hand receipt book	Internet Access IFAS Springbrook	24 hours
Record Keeping	Management and reporting of the city's official information	City Clerk Deputy City Clerk(s)	N/A	Ordinances resolutions Land use drawings	Computer Phone	TRIM Outlook Internet Access	2 weeks
Record Preservation	Protect vital paper records from damage due to facility issues	City Clerk Deputy City Clerk(s)	ServePro Access Information Management	Records room contents	Cold truck for records storage	Telephone	12 hours

CITY OF KIRKLAND, WASHINGTON

DELEGATION OF AUTHORITY

The purpose of this delegation of authority is to recognize Greg Piland as an authorized agent for the City of Kirkland when signing Purchase Orders and Purchase Agreements for the procurement of the materials, equipment, supplies and services required by the City and for all the allied transactions involved herein. The delegate's signature will serve as confirmation that purchasing authority had previously been granted through the City financial system, IFAS.

The dollar limited associated with this authority has been set at \$50,000.00.

The signature below will serve as Greg Piland's acceptance of this responsibility that all transactions, when performing in this capacity, will be carried out in consideration of the employee code of ethics outlined in Chapter 3.82 of the Kirkland Municipal Code and other applicable law.

DATED this 22<sup>nd</sup> day of December, 2016.

CITY OF KIRKLAND, WASHINGTON

  
MICHAEL OLSON, DIRECTOR OF FINANCE AND ADMINISTRATION

  
GREG PILAND, PURCHASING AGENT

CITY OF KIRKLAND, WASHINGTON

DELEGATION OF AUTHORITY

The purpose of this delegation of authority is to recognize Sheila Sigmond as an authorized agent for the City of Kirkland when signing Purchase Orders and Purchase Agreements for the procurement of the materials, equipment, supplies and services required by the City and for all the allied transactions involved herein. The delegate's signature will serve as confirmation that purchasing authority had previously been granted through the City financial system, IFAS.

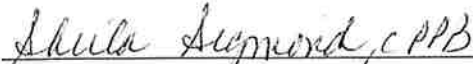
The dollar limited associated with this authority has been set at \$50,000.00.

The signature below will serve as Sheila Sigmond's acceptance of this responsibility that all transactions, when performing in this capacity, will be carried out in consideration of the employee code of ethics outlined in Chapter 3.82 of the Kirkland Municipal Code and other applicable law.

DATED this 22 day of December, 2016.

CITY OF KIRKLAND, WASHINGTON

  
\_\_\_\_\_  
MICHAEL OLSON, DIRECTOR OF FINANCE AND ADMINISTRATION

  
\_\_\_\_\_  
SHEILA SIGMOND, BUYER

## Chapter 3.85 PURCHASING

### Sections:

<a href="#">3.85.010</a>	Purpose.
<a href="#">3.85.020</a>	Definitions.
<a href="#">3.85.030</a>	Administrative responsibility.
<a href="#">3.85.040</a>	Procurement standards.
<a href="#">3.85.050</a>	Ethical standards of conduct.
<a href="#">3.85.060</a>	Personal responsibility for unauthorized purchases.
<a href="#">3.85.070</a>	Methods of procurement.
<a href="#">3.85.080</a>	Small purchase.
<a href="#">3.85.090</a>	Invitation for bids/requests for proposals.
<a href="#">3.85.100</a>	Invitation for bids.
<a href="#">3.85.110</a>	Request for proposal/request for qualifications.
<a href="#">3.85.120</a>	Public notice advertising.
<a href="#">3.85.130</a>	Bid/proposal acceptance and evaluation.
<a href="#">3.85.140</a>	Bid/proposal correction.
<a href="#">3.85.150</a>	Bid/proposal protest—Procedure.
<a href="#">3.85.160</a>	Application.
<a href="#">3.85.170</a>	Small works roster process.
<a href="#">3.85.180</a>	Cooperative purchasing.
<a href="#">3.85.190</a>	Purchases from/through the United States government.
<a href="#">3.85.200</a>	Electronic data processing and telecommunications systems.
<a href="#">3.85.210</a>	Waiver of competitive bidding requirements.
<a href="#">3.85.220</a>	Contract amendments/change orders.
<a href="#">3.85.230</a>	Bonding policy.
<a href="#">3.85.240</a>	Environmentally preferable purchasing practices.
<a href="#">3.85.250</a>	Purchase record maintenance.

### **3.85.010 Purpose.**

It is the purpose of this chapter to provide procedures governing the purchase of all goods, services and public works by the city in compliance with all state and federal laws applicable to such purchases. (Ord. 4105 § 1 (part), 2007)

### **3.85.020 Definitions.**

- (a) “Director” means the director of finance and administration or his/her designee.
- (b) “Emergency” means unforeseen circumstances beyond the control of the city that either presents a real, immediate threat to the proper performance of essential functions or will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken.
- (c) “Electronic data processing systems” and “telecommunications systems” means as defined in RCW 36.92.020 and 19.28.400, respectively, or as otherwise defined for the purposes of RCW 39.04.270.
- (d) “Goods” means all materials, supplies, equipment or other tangibles not purchased for use in a public works project.

(e) "Lowest responsible bidder" is as defined in RCW 43.19.1911 and means, in addition to price, that the following elements shall be given consideration:

(1) The ability, capacity, and skill of the bidder to perform the contract or provide the service required;

(2) The character, integrity, reputation, judgment, experience, and efficiency of the bidder;

(3) Whether the bidder can perform the contract within the time specified;

(4) The quality of performance of previous contracts or services;

(5) The previous and existing compliance by the bidder with laws relating to the contract or services;

(6) Such other information as may be secured having a bearing on the decision to award the contract.

(f) "Public works" as defined in RCW 39.04.010 means all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the city or which is by law a lien or charge on any property therein. All public works, including maintenance when performed by contract, shall comply with the provisions of RCW 39.12.020. (Ord. 4105 § 1 (part), 2007)

### **3.85.030 Administrative responsibility.**

(a) The director is responsible for oversight and administration of city purchasing. The director has the authority to appoint a purchasing agent to undertake administrative responsibility for the efficient and economical procurement of goods, services and public works as provided in this chapter.

(b) The director may delegate purchasing authority to other department directors for direct, nonrecurring, non-public works purchases under seven thousand five hundred dollars, which shall be exercised as a small purchase. (Ord. 4105 § 1 (part), 2007)

### **3.85.040 Procurement standards.**

The following standards shall be applicable to city procurements:

(a) A review of all proposed procurements shall be done by purchasing staff and/or the appropriate budget authority for the purpose of, including but not limited to, avoiding the purchase of unnecessary or duplicative items and for consolidating procurements when appropriate to obtain a more economical purchase.

(b) The purchasing agent or designee shall be responsible for analyzing procurements to determine whether or not a lease arrangement may be more economically practical than the purchase alternative. All lease agreements must be approved by the director.

(c) Time and material type contracts shall be used only after a determination that no other type of contract is suitable and when the contract includes a ceiling price, which the contractor shall not exceed, except at its own risk.

(d) When using a liquidated damages provision in a contract, the project manager shall document the derivation of the rate of assessment and ensure it is reasonable, proper, and not arbitrary and capricious. The rate should be enough to reasonably compensate the city for damages suffered, but not so large as to be construed as a penalty.

(e) When contracting for professional services, the contract shall limit the total of the base and option time periods to not more than five years, unless otherwise approved by

the city council. Prices for each base and option time period shall be firm and fixed wherever possible and shall be established in the initial contract negotiation and execution. If it is not possible to establish firm, fixed prices, changes in the option period prices shall be tied to a well-known, published pricing index, such as the appropriate Consumer Price Index.

(f) Generally goods and services are not to be prepaid (paid for before receiving) unless expressly allowed by statute, the Kirkland Municipal Code or city administrative policy; provided, prepayment may be made if the terms of the prepayment are included in a contract executed prior to the payment. Progress or percentage of completion payments made to a contractor while work is being performed by the contractor may be allowed if deemed appropriate for the project.

(g) Project managers and purchasing staff shall work together to ensure contractors perform in accordance with the terms and conditions, and specifications of their contract or purchase order.

(h) All contracts must contain a provision allowing the city to terminate the contract. Ideally, the provision will authorize such termination without cause but, in lieu of this ideal, a provision allowing termination for cause is acceptable if approved by the city attorney's office. A provision in a single contract authorizing termination without cause in certain circumstances and termination only for cause in others is also acceptable upon approval by the city attorney's office. (Ord. 4256 § 1, 2010; Ord. 4105 § 1 (part), 2007)

### **3.85.050 Ethical standards of conduct.**

(a) All purchasing shall be conducted in compliance with the code of ethics set forth in Chapter [3.82](#) of the Kirkland Municipal Code and other applicable law.

(b) Organizational conflicts of interest shall be avoided. An organizational conflict of interest exists when a supplier, consultant or contractor provides the specifications to be used in a planned procurement and is then allowed to compete in the procurement process. (Ord. 4105 § 1 (part), 2007)

### **3.85.060 Personal responsibility for unauthorized purchases.**

City employees who exceed their designated purchasing authority and obligate the city to a financial commitment which results in a financial loss to the city may be held personally responsible. The city shall be entitled to recover the full amount of such a loss from the employee. (Ord. 4105 § 1 (part), 2007)

### **3.85.070 Methods of procurement.\***

Procurement shall be achieved by one of the following methods:

(a) Small purchase;

(b) Invitation for bids (IFB);

(c) Request for proposals (RFP) and request for qualifications (RFQ) for competitive negotiations;

(d) Small works roster option for public works projects less than three hundred thousand dollars authorized by RCW 39.04.155, including the limited public works option for projects under thirty-five thousand dollars;

(e) Cooperative purchasing;

(f) Electronic data processing and telecommunications systems as provided by RCW 39.04.270;

- (g) Waiver of competitive bidding requirements as provided by RCW 39.04.280;
- (h) By the city manager as allowed under Sections [3.16.040](#) and [3.16.050](#);
- (i) As otherwise allowed by law and approved by the director. (Ord. 4105 § 1 (part), 2007)

\* Code reviser's note: The reference to "two hundred thousand dollars" in subsection (d) of this section has been changed to "three hundred thousand dollars" to comply with the provisions of Ordinance 4256 codified in Section 3.85.170, as well as the provisions of RCW 39.04.155.

### **3.85.080 Small purchase.**

(a) Small purchase procedures shall be used for purchases of goods, services and multiple craft or trade public works when it is expected the total price will not exceed fifty thousand dollars (thirty thousand dollars for single craft or trade public works), including sales tax and freight, except as otherwise allowed in Sections [3.85.190](#) and [3.85.200](#). Procurement requirements shall not be artificially divided so as to constitute a small purchase under this section. The director of the department making these purchases is authorized to make such purchases without further approval if the total price will not exceed fifty thousand dollars so long as done in compliance with the procedures herein outlined. All purchases of fifty thousand dollars or more shall be signed by the city manager or designee.

(b) For goods and services, price quotations shall be obtained and documented from at least three sources, where possible, if the total price is expected to be between seven thousand five hundred dollars and fifty thousand dollars including sales tax and freight, except as otherwise allowed in this chapter. All awards to other than the lowest responsible bidder must be documented on the quote sheet with selection rationale clearly defined. For goods and non-public work services under seven thousand five hundred dollars, formally documented price quotations shall be unnecessary, but it is expected that competitive pricing shall be sought in the best interests of the city.

(c) For public works projects that are street signalization or street lighting, under thirty thousand dollars involving a single craft or trade, or under fifty thousand dollars if involving multiple crafts or trades, three written quotations must generally be obtained. The small works/limited public works process is recommended for obtaining quotes.

(1) If it is necessary or advisable that public works projects that are street signalization, street lighting, under thirty thousand dollars for a single craft or trade or under fifty thousand dollars for multiple crafts or trades, should be done without obtaining competitive quotes, the appropriate director or designee may waive in writing the requirement of obtaining quotes.

(2) For any public work which is not competitively bid and where the cost is estimated to exceed twenty-five thousand dollars, notice providing the estimated cost and a description of the work will be published at least once in a legal newspaper of general circulation in the area where the work will be performed and at least fifteen days before beginning work.

(d) The purchasing agent shall be responsible for determining the adequacy of quotations for small purchases. So long as the authorization exists within the budget appropriation for the small purchase, the manager or director with the appropriate budget authority shall not be required to obtain further approval by the city council prior to the commitment and expenditure of funds.

(e) Price quotations for repetitively purchased items that are purchased within one year of the last procurement of that exact item(s) shall be unnecessary provided the prior competitively quoted purchase price has not changed.

(f) In accordance with RCW 39.04.190, the purchasing agent will publish a notice twice per year in the city's designated official newspaper advising potential bidders of the existence of the vendor list used by the city. The vendor list is to be used for the purpose of identifying suppliers interested in being provided the opportunity to quote on small purchases for materials, equipment, supplies and routine services. (Ord. 4256 § 1, 2010: Ord. 4111 § 2, 2007: Ord. 4105 § 1 (part), 2007)

**3.85.090 Invitation for bids/requests for proposals.**

(a) Unless another method of procurement is authorized in this chapter or by other law, IFB/RFP/RFQ procedures shall be used for the purchase of goods and services when it is estimated the total price will exceed fifty thousand dollars, including any applicable sales tax and freight charges. The IFB process shall also be used for public works projects in excess of thirty thousand dollars that involve only a single craft or trade and in excess of fifty thousand dollars for those involving multiple crafts or trades.

(b) A pre-submission conference may be held when conducting the IFB, RFP or RFQ process. The pre-submission conference is for the purpose of answering questions and clarifying the requirements and specifications relevant to the procurement. Notice for such pre-submission conference shall be advertised and stated in the public notice and the general requirements for the invitation for bids, request for proposals or request for qualifications. (Ord. 4105 § 1 (part), 2007)

**3.85.100 Invitation for bids.**

(a) An invitation for bids (IFB) shall be used in all cases where adequate information exists to form a complete and realistic bid specification, where the procurement lends itself to a firm, fixed-price dollar amount, and where award can be made principally on the basis of selecting the lowest responsible bidder. All awards to other than the low bidder must be authorized by law, documented on the bid sheet or where appropriate and with the selection rationale clearly set forth.

(b) The city manager may request that the city council authorize a call for bids for goods, services or public works estimated to have a total cost of more than fifty thousand dollars, which must be executed by the city manager or his/her designee.

(c) Bids shall be opened and read publicly at the time and place designated in the IFB notice.

(d) The name and address of each bidder, the bid price and any other relevant information as may be specified in the IFB shall be read aloud and recorded in the minutes of the bid opening.

(e) It shall also be announced that the bid review will be completed by city staff and the expected date given when the city council shall meet to award the contract.

(f) The IFB shall specify the city's right to postpone the award of the contract or to reject any or all bids.

(g) The city council will award all contracts for goods, routine services or public works determined to be more than fifty thousand dollars.



(h) The purchase record, bid sheet, minutes of the bid opening and each bid, to the extent allowed by law, shall be open to public inspection following contract award. (Ord. 4105 § 1 (part), 2007)

**3.85.110 Request for proposal/request for qualifications.**

(a) A request for proposal (RFP) or request for qualifications (RFQ) shall be used when the procurement lacks definite specifications, when proposals are sought for the purpose of establishing a bid specification, when the goods or services being procured involve creative design or professional administration, and/or when subjective criteria is considered in the contract award, which is made in the best interests of the city.

(b) When proposals are sought for the purpose of establishing a bid specification, it shall so state in both the public notice and in the RFP or RFQ.

(c) The RFP or RFQ shall identify all significant evaluation factors and their relative weighted importance.

(d) Verbal interviews with any proposer who has submitted a proposal may be conducted to determine the capabilities of the proposer and their understanding of the city's needs.

(e) Contracts in excess of fifty thousand dollars resulting from the RFP or RFQ process may be awarded by and executed by the city manager or his/her designee. The city manager/designee may elect to recommend award of the contract by the city council.

(f) Except where prohibited by law, proposals shall be reviewed privately with strict confidentiality regarding all evaluative factors maintained throughout the review process. The evaluation committee will grade all factors, with their consensus recorded on the proposal tabulation worksheet.

(g) The purchase record, proposal tabulation worksheet and each proposal, to the extent allowed by law, shall be open to public inspection following contract award. (Ord. 4105 § 1 (part), 2007)

**3.85.120 Public notice advertising.**

(a) With all procurements using the IFB/RFP/RFQ process, the purchasing agent shall cause a public notice inviting bids or requesting proposals or qualifications to be posted on the city's website and published in the appropriate publication(s) at least once, and at least fourteen calendar days prior to the bid/proposal opening.

(b) The notice shall state generally the item to be purchased and/or the service to be performed, the location of the plans and specifications, if any, the pre-bid conference date and location (if one is held), the bid/proposal opening date and time, and to whom the bid/proposal is to be submitted. (Ord. 4105 § 1 (part), 2007)

**3.85.130 Bid/proposal acceptance and evaluation.**

(a) Bids received by the published due date and time shall be unconditionally accepted without alteration or correction. Award shall be made to the lowest responsible bidder based on the requirements set forth in the IFB.

(b) Proposals received by the published due date and time shall be unconditionally accepted without alteration or correction. Submissions shall be evaluated based on the requirements set forth in the RFP/RFQ, which may include but are not limited to criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery,

suitability for a particular purpose, and pre-award survey of the proposer's facilities. Those criteria that will affect the price and will be considered in evaluation for award as determined by the city shall be objectively measurable, including but not limited to discounts, sales tax, transportation costs, installation costs, and total project or life cycle costs.

(c) In addition to the foregoing, the following elements may be considered in the evaluation of proposals:

(1) The ability, capacity and skill of the proposer to perform the contract or provide the service required;

(2) The character, integrity, reputation, judgment, experience and efficiency of the proposer;

(3) The proposer's proposed method for assuring timely and acceptable performance of the work;

(4) The quality of performance by the proposer on previous contracts with the city or another public agency, including but not limited to the relative costs, burdens, time and effort necessarily expended by the city or another public agency in securing satisfactory performance;

(5) The previous and existing compliance by the proposer with laws relating to the contract or services;

(6) The proposer's management system to be applied in performing the work and the reasonableness of the resources to be applied;

(7) Such other information as may be secured having a bearing on the decision to award the contract.

(d) A committee may be selected to conduct the technical evaluation of the proposals received and shall make a recommendation for contract award to the city council based upon each of the evaluation elements in accordance with the weighted importance of each element as determined by the project manager and purchasing agent prior to the solicitation. The relative positions and evaluation points are totaled for each evaluation element or category, and the proposer with the highest overall total of evaluation points shall be recommended for contract award.

(e) After the initial tabulation of evaluated proposals, the most qualified competitor may be selected subject to negotiation of fair and reasonable compensation. (When evaluating RFQs, price shall not be considered as an evaluation factor in determining the most qualified proposer.) Price negotiation shall be conducted with only the most qualified proposer. Failing agreement on price, negotiations with the next most qualified proposer may be conducted until a contract award can be made to the most qualified proposer whose price is fair and reasonable to the city. (Ord. 4105 § 1 (part), 2007)

### **3.85.140 Bid/proposal correction.**

(a) Except in the case of competitive negotiation, no changes in price or other provisions of bids or proposals shall be permitted after opening unless an error is obvious. An obvious error is one which can be clearly established from mathematical extension or tabulation shown in the bid documents submitted with the bid. An error in a mathematical extension, reported by a bidder but not shown in the bid documents, does not constitute an obvious error. Bidders are presumed to submit correct tabulations and specifications.

(b) Minor informalities and irregularities in the bid/proposal may be waived by the city. (Ord. 4105 § 1 (part), 2007)

**3.85.150 Bid/proposal protest—Procedure.**

(a) Types of protests include:

(1) Protests based on specifications or other requirements of the bidding/proposal process that are made by any prospective bidder/proposer prior to opening the bids/proposals.

(2) Protests following the bid/proposal opening that are made by any bidder or proposer who has made a submittal and has a substantial financial interest in the solicitation or award of the contract.

(b) In order to be considered, a protest shall be in writing, addressed to the purchasing agent, and include:

(1) The name, address and phone number of the bidder or proposer protesting, or the authorized representative of the bidder or proposer;

(2) The invitation for bid or request for proposals/qualifications number and/or title under which the protest is submitted;

(3) A detailed description of the specific grounds for protest and any supporting documentation. It is the responsibility of the protesting bidder/proposer to supplement its protest with any subsequently discovered documents prior to the purchasing agent's decision;

(4) The specific ruling or relief requested; and

(5) Evidence that all persons with a financial interest in the procurement have been given notice of the protest or if such persons are unknown, a statement to that effect.

(c) Protests based on specifications or other terms in the RFP, RFQ or IFB documents which are apparent on the face of said documents must be received by the city no later than ten calendar days prior to the date established for submittal of bids/proposals. Protests based on other circumstances must be received by the city within five calendar days after the protesting bidder/proposer knows or should have known of the facts and circumstances upon which the protest is based. In no event shall a protest be considered if all bids/proposals are rejected or after award of the contract.

(d) Upon receipt of a timely written protest, the purchasing agent shall investigate the protest and shall respond in writing to the protest prior to the award of contract. The decision of the purchasing agent shall be final.

(e) In the event the protest is from a bidder for a public works project which is the subject of competitive bids, the city shall not execute the contract for the project with anyone other than the protesting bidder without first providing at least two full business days' written notice of the municipality's intent to execute the contract for the project; provided, that the protesting bidder submits notice in writing of its protest no later than two full business days following bid opening. Intermediate Saturdays, Sundays, and legal holidays are not counted.

(f) Failure to comply with the protest procedures set forth herein may render a protest untimely or inadequate and may result in rejection thereof by the city. (Ord. 4105 § 1 (part), 2007)

**3.85.160 Application.**

Consistent with RCW 35.21.120, this chapter does not apply to solid waste collection or recycling services. (Ord. 4164 § 1, 2008)

**3.85.170 Small works roster process.**

(a) In accordance with the procedures set forth in RCW 39.04.155, contracts for public works projects with a total cost, including applicable taxes, between seven thousand five hundred dollars and three hundred thousand dollars may be awarded using the small works roster process.

(b) The limited public works process as defined in RCW 39.04.155(3) may also be used for projects estimated to cost less than thirty-five thousand dollars. Using this process, quotes are solicited from a minimum of three contractors found in the appropriate category of work in the small works roster. The performance and payment bond requirements and retainage requirements may be waived by the city.

(c) Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may be invited from at least five contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster. However, if only five quotations are sought and the estimated cost of the work is from one hundred fifty thousand dollars to three hundred thousand dollars, the city must also notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. Such notice must be published in a legal newspaper of general circulation, mailed to these other contractors or sent by facsimile or other electronic means.

(d) At least once a year, the city shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. Responsible contractors shall be added to an appropriate roster or rosters at any time that they submit a written request and necessary records.

(e) The city is authorized to participate with other local governments in the use of a multijurisdictional small works roster. The lead entity for the multijurisdictional small works roster must be clearly identified in the interlocal agreement as being responsible for implementing the provisions of RCW 39.04.155(2).

(f) A formal public bid opening is not required when using the small works roster process. However, no interested party shall be unreasonably denied the opportunity to be present when bids are opened.

(g) Contracts for small works roster bids between fifty thousand dollars and two hundred thousand dollars will be awarded by the city council at the next scheduled council meeting following staff recommendation, unless continued by the city council.

(h) In accordance with RCW 39.04.200, the purchasing agent will, at least once every year, make available to the public a list of the contracts awarded using the small works roster process during the previous year. The list shall contain the name of the contractor or vendor awarded the contract, the amount of the contract, a brief description of the type of work performed or items purchased under the contract, and the date it was awarded. The list shall also state the location where the bid quotations for these contracts are available for public inspection. (Ord. 4256 § 2, 2010; Ord. 4105 § 1 (part), 2007)

**3.85.180 Cooperative purchasing.**

(a) With the approval of the city council, the purchasing agent may enter into interlocal cooperative purchasing agreements with other public agencies. The interlocal cooperative purchasing agreements must be in accordance with the provisions set forth in Chapter 39.34 RCW as currently written or hereafter amended.

(b) When purchasing off of a contract awarded by another public agency where an interlocal cooperative purchasing agreement is in place, any statutory obligation to provide notice for bids or proposals that applies to the city is satisfied if the public agency or group of public agencies that awarded the bid, proposal, or contract complied with its own legal requirements and either posted the bid or solicitation notice on a website established and maintained by the public agency for purposes of posting public notice of bid or proposal solicitations or provided an access link on the state's web portal to the notice.

(c) Invitations for bids for goods and services and requests for proposals issued by the city may include notice that the city participates in cooperative purchasing and that other public agencies may desire to place orders against the awarded contract. Bidders/proposers may be asked to indicate if they agree to allow orders from other public agencies that have an interlocal cooperative purchasing agreement with the city.

(d) Contracts/purchase orders in excess of fifty thousand dollars resulting from the cooperative purchasing process will be awarded by the purchasing agent. (Ord. 4105 § 1 (part), 2007)

**3.85.190 Purchases from/through the United States government.**

(a) In accordance with RCW 39.32.090, this chapter allows for the purchase of supplies, materials and/or equipment from or through the United States government without calling for competitive bids.

(b) The purchasing agent is responsible for reviewing the proposed purchase to determine that the purchase is in the best interests of the city.

(c) Under this section, purchases made in excess of fifty thousand dollars must be approved by the city manager or his/her designee. (Ord. 4105 § 1 (part), 2007)

**3.85.200 Electronic data processing and telecommunications systems.**

(a) The city may purchase electronic data processing or telecommunication equipment, software, or services through competitive negotiation rather than through competitive bidding.

(b) Competitive negotiation, for the purposes of this section, shall include, as a minimum, the following requirements:

(1) A request for proposal shall be prepared and submitted to an adequate number of qualified sources, as determined by the municipality in its discretion, to permit reasonable competition consistent with the requirements of the procurement. Notice of the request for the proposal must be published in a newspaper of general circulation in the municipality at least thirteen days before the last date upon which proposals will be received. The request for proposal shall identify significant evaluation factors, including price, and their relative importance.

(2) The municipality shall provide reasonable procedures for technical evaluation of the proposals received, identification of qualified sources, and selection for awarding the contract.

(c) The award shall be made to the qualified bidder whose proposal is most advantageous to the municipality with price and other factors considered. The municipality may reject any and all proposals for good cause and request new proposals. (Ord. 4105 § 1 (part), 2007)

### **3.85.210 Waiver of competitive bidding requirements.**

(a) The competitive bidding requirements set forth in this chapter may be waived by the city manager or designee. However, if the cost exceeds fifty thousand dollars, the city manager or designee must provide the city council with documentation of the rationale for waiving the competitive bidding requirements. Competitive bidding requirements may be waived for:

- (1) Purchases that are clearly and legitimately limited to a single source of supply;
- (2) Purchases involving special facilities or market conditions;
- (3) Purchases of insurance or bonds; and
- (4) Purchases of goods, services or public works in the event of an emergency.

(b) Immediately after the award of any contract under this section, to the extent allowed by law, the contract and the factual basis for the exception must be recorded and open to public inspection.

(c) If an emergency exists, the city manager or designee may declare an emergency situation exists, waive competitive bidding requirements and award all necessary contracts on behalf of the municipality to address the emergency situation. If a contract is awarded without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the city manager and entered of record by reporting to the city council no later than two weeks following the award of the contract.

(d) In accordance with RCW 39.04.020, upon the written determination by the city manager of an emergency for the procurement of any public work in excess of twenty-five thousand dollars, a description and estimate of the cost of such work shall be published within seven working days after commencement of the work. (Ord. 4105 § 1 (part), 2007)

### **3.85.220 Contract amendments/change orders.**

(a) Amendments are changes to professional service agreements, contracts for goods and contracts for routine maintenance.

(1) If an amendment increases the total value of the contract, the contract amendment must be approved by the appropriate authority based on the new value of the contract. Any amendment that takes a contract value over fifty thousand dollars requires the approval of the city manager. The city manager may choose to seek additional council approval.

(2) Contracts awarded by the council may also authorize negotiation of amendments without further council approval being needed.

(3) Amendments that do not change the total value of the contract (e.g., extended duration) may be approved by the department director.

(b) Change orders are changes made to a public works contract.

- (1) Public Works Under Fifty Thousand Dollars.

(A) Department directors or their designees are authorized to approve public works contract change orders where the total value of the contract plus the change order remains below fifty thousand dollars.

(2) Public Works Over Fifty Thousand Dollars.

(A) Change orders, cumulatively or singly, that do not exceed the project's contingency funding may be approved by the department director or their designee.

(B) Change orders that cumulatively or singly increase the value of a contract to exceed the project's contingency funding by twenty-five thousand dollars or less require the approval of the city manager. The city manager may choose to seek additional approval from the council.

(C) The council must approve change orders that increase the value of the contract to more than twenty-five thousand dollars beyond the project's contingency funding. (Ord. 4105 § 1 (part), 2007)

### **3.85.230 Bonding policy.**

(a) For all public works contracts, the following minimum bonding requirements shall be met for each procurement:

(1) A bid deposit in the form of a bid bond or certified check in an amount equal to at least five percent of the total bid must be enclosed with the submitted sealed bid if the bid is in excess of fifty thousand dollars.

(2) A performance and payment bond for one hundred percent of the total contract price shall be received from the successful contractor prior to contract award for all contracts in excess of thirty-five thousand dollars.

(b) On public works contracts of thirty-five thousand dollars or less, at the option of the contractor, the city may, in lieu of a performance and payment bond, retain fifty percent of the contract amount for a period of thirty days after date of final acceptance, or until receipt of all necessary releases from the Department of Revenue and settlement of any liens fixed under Chapter 60.28 RCW, whichever is later.

(c) If the limited public works process allowed under Section [3.85.170\(b\)](#) is used, the city may waive the requirements for performance and payment bond and retainage.

(d) The purchasing agent, in consultation with the project manager, city attorney's office and risk management coordinator as needed, shall have authority to determine amounts of protective bid guarantees for all purchases in the best interests of the city. (Ord. 4111 § 3, 2007; Ord. 4105 § 1 (part), 2007)

### **3.85.240 Environmentally preferable purchasing practices.**

(a) When specifying products to be purchased, staff should give consideration to products that have a lesser or reduced effect on health and the environment when compared with other products that serve the same purpose.

(b) The environmental attributes of a product are to be an additional consideration in the buying decision along with such traditional factors as price, performance, quality, and service.

(c) It is the responsibility of purchasing staff to:

(1) Monitor information from the state of Washington and other public agencies on environmentally preferable purchasing initiatives.

(2) Attend periodic training sessions and workshops on the purchasing of environmentally preferable products to learn of new developments in this area.

(3) Solicit information from vendors representing environmentally preferable products to become better aware of available products.

(4) Communicate opportunities for the purchase of environmentally preferable products to city staff. (Ord. 4105 § 1 (part), 2007)

**3.85.250 Purchase record maintenance.**

(a) The purchasing department shall maintain or be afforded access to all records sufficient to detail the significant history of a procurement. These records will include, but are not limited to, the following:

- (1) The rationale for the method of procurement.
- (2) The selection of contract type and evaluation criteria.
- (3) Contractor selection or rejection, and rationale.
- (4) The basis for the contract price.
- (5) The bid tabulation or proposal evaluation worksheet.
- (6) All documented communication with potential contractors, prior to the bid opening date.
- (7) Advertising affidavits of publication.
- (8) Bidder's lists, with names, addresses, and telephone numbers.
- (9) All bids or proposals received. (Ord. 4105 § 1 (part), 2007)



## Clarification of Approval Authority November 4, 2016

Process	>\$50k	<\$50k but >\$7,500	<\$7,500 but >\$1000	<\$1000
<b>Contract Signature*</b> Purchase Contract (3.85.080(a)) Professional Svcs (3.16.065(b)) Grants (Admin Policy 3-4) Interlocal Agmts (3.16.065(a))	CMO CMO CMO CMO/Finance Dir.	Director Director Director Director	Director Director Director Director	Director Director Director Director
<b>Purchase Orders (KMC 3.85)</b> Purchases of materials, equipment, supplies and contractual services	CMO/Finance Dir. Unless Formal Process (e.g. cooperative purch)	Director	Manager Responsible for Budget	Supervisor/AA** Responsible for Budget
<b>Authorization to Pay/Recurring</b> Progress payments on existing obligations, monthly/quarterly invoices w/multiple accounts, training, dues, subscriptions, etc.	CMO Unless Existing Obligation	Director Unless Existing Obligation	Manager Responsible for Budget Unless Existing Obligation	Supervisor/AA Responsible for Budget
<b>Costco</b>	Maximum purchase \$7,500 – subject to same rules as purchase orders.			
<b>P-Cards</b>	Not applicable	Director sign-off monthly on department statement	Applicable limits apply to individual transactions	Applicable limits apply to individual transactions
<b>Immediate Pay Claim For Expenses</b>	Department Director and Finance Director or Accounting Manager sign off on all			
<b>Petty Cash</b> Not to be used for reimbursement of business expenses such as meals and mileage	<b>Only up to \$50</b> - must be signed by Supervisor or above			

\*ALL originals must be filed with the City Clerks Office.

\*\*Administrative Assistants

Director cannot delegate approval authority unless specifically granted

# "How to Buy Chart"

11/4/2016

Competitive Pricing Desirable		Quotes/Informal Proposals		Formal Competitive Process				
Estimated Amount	Streamlined Process	Process Questions	Estimated Amount	Director can execute contract. Council approval not required.	Process Questions	Contract awarded by Council or City Manager	Estimated Amount	Process Questions
<b>Type of Purchase</b>								
<b>Public Works</b> (e.g. building repairs, road improvements, facilities construction, etc.) <b>(RCW 35.23.352 Bid Thresholds) (RCW 39.04.155 Small Works) (KMC 3.85.085)</b>	Recommend that contractor be selected from Shared Small Works Roster. Informal quotes should be solicited. Prevailing wages required.	Purchasing Agent - x3123	\$7,500 - \$50,000	Recommended that the Small Works Roster process be used. Limited Public Works process may be used if less than \$35,000. As an alternative, Director can waive use of competitive process.	Purchasing Agent - x3123	Invitation for Bids is required. (As an alternative, Small Works Roster process can be used up to \$300,000.) Council awards contracts over \$50,000.	Over \$50,000 (>\$65,000 multi trade or >\$40,000 single trade must be contracted)	Purchasing Agent - x3123
<b>Equipment, Supplies &amp; Routine Services</b> (includes furniture, computer hardware, office equipment, equipment maintenance contracts, etc.) <b>(KMC 3.85.080)</b>	Written quotes are not required, but informal phone quotes are encouraged. Computer hardware or software require IT approval.	Buyer - x3121 or Purchasing Agent - x3123	\$7,500 - \$50,000	At least three written quotes should be obtained, if possible. Computer hardware or software require IT approval. The City Manager may waive the competitive process requirement.	Buyer - x3121	Invitation for Bids or Request for Proposals can be used. (RFP is appropriate if award decision is subjective.) <b>(KMC 3.85.090)</b>	Over \$50,000	Purchasing Agent - x3123
<b>Professional Services</b> (Consulting services other than Architects & Engineers) <b>(KMC 3.85.110, KMC 3.16.065)</b>	No competition required. Director executes Professional Services Agreement.	Purchasing Agent - x3123	\$7,500 - \$50,000	Professional Services Agreement is executed by Director. Director determines the need for competition for contract award.	Purchasing Agent - x3123	RFP or RFQ process used to assure competition. City Manager can waive use of competitive process.	Over \$50,000	Purchasing Agent - x3123
<b>Architects &amp; Engineers (RCW 39.80)</b>	Select best qualified consultant from A&E Roster.	Purchasing Agent - x3123 or Capital Projects Mgr - x3832	\$7,500 - \$50,000	Select from A&E Roster. If specialty is not found, Director may require RFQ process to ensure competition. RCW 39.80 governs selection process.	Purchasing Agent - x3123 or Capital Projects Mgr - x3832	Select from A&E Roster or conduct RFQ process. Contract awarded based on qualifications.	Over \$50,000	Purchasing Agent - x3123 or Capital Projects Mgr - x3832
<b>Emergency Purchase of Goods, Services or Public Works</b> (Quick purchase necessary to avoid financial loss.) <b>(RCW 39.04.280) &amp; (KMC 3.85.210)</b>	Make purchase without competition. If public work, prevailing wage requirements still apply.	Purchasing Agent - x3123	\$7,500 - \$50,000	Director and Purchasing are advised of need for emergency purchase before or immediately after the fact. Documentation of emergency situation is required.	Purchasing Agent - x3123	Requires City Manager's approval. Reported to City Council at their next meeting.	Over \$50,000	Purchasing Agent - x3123
<b>Sole Source Purchase</b> (Goods & routine services for which only one source exists.) <b>(RCW 39.04.280) &amp; (KMC 3.85.210)</b>	No competition required.	Buyer - x3121	\$7,500 - \$50,000	Consult with Purchasing prior to purchase. City Manager or designee must waive competitive bidding requirement.	Purchasing Agent - x3123	City Council approval required prior to purchase.	Over \$50,000	Purchasing Agent - x3123
<b>Cooperative Purchasing (RCW 39.34)(KMC 3.85.180)</b>	There is no requirement for competition or Council approval when purchasing from State Contracts or other contracts covered by an interlocal agreement. However, for other than State Contracts, Purchasing needs to be consulted to assure compliance with RCW 39.34.							
<b>Small Works Roster Process (RCW 39.04.155) (KMC 3.85.170)</b>	May be used for public works projects less than \$300,000. Participating pre-qualified contractors in appropriate work category are notified of bidding opportunities. There's no need to advertise projects or have public bid opening. Council awards contracts over \$50,000.							

Sprbrk Batch # 00000.00.2017  
 Date: DATE  
 Main Cashier: Tina /

City of Kirkland - Daily Receipting Report

FORMULAS IN GREEN CELLS

	Loc Code		
<b>Cashier Deposits</b>			
TINA	441	\$	-
WENDY	441	\$	-
KATE	441	\$	-
ALEX	441	\$	-
<b>TOTAL CASHIER DEPOSIT</b>		\$	-

Payment Method	Loc Code	In person CC Payments		
CC	180	Boat Launch-Moorage	\$ -	\$ -
CC	180	Boat Launch-Moorage	\$ -	\$ -
CC	410	Bus Lic/Cem Counter	\$ -	
CC	440	Utility Counter	\$ -	
CC	460	KDS (01)	\$ -	
CC	470	COK (02)	\$ -	Formula Below
<b>TOTAL COUNTER CREDIT CARD PMTS</b>			\$ -	

Payment Method	Loc Code			Totals Column
<i>Formulas Below</i>				
Non Cash	150	Parks Maint Ctr CC	\$ -	
Non Cash	150	NKCC CC	\$ -	
Non Cash	150	Parks 505 CC	\$ -	
Non Cash	150	PKCC/Sr CC	\$ -	\$ -
Non Cash	160	Parks E-Connect CC	\$ -	
Non Cash	180	Moorage VenTek CC		
Non Cash	180	Moorage VenTek CC	\$ -	
Non Cash	180	Moorage VenTek CC	\$ -	\$ -
Non Cash	450	Parking Meter CC	\$ -	
Non Cash	450	Parking Meter CC		
Non Cash	450	Parking Meter CC	\$ -	\$ -
Non Cash	450	Pay by Phone		
Non Cash	450	Pay by Phone		
Non Cash	450	Pay by Phone	\$ -	\$ -
Non Cash	910	MBP E-Permit CC	\$ -	
Non Cash	910	MBP E-Permit CC	\$ -	
Non Cash	910	MBP E-Permit CC	\$ -	\$ -
Non Cash		IFAS JE	\$ -	
Non Cash		IFAS JE	\$ -	
Non Cash		IFAS JE	\$ -	\$ -
Non Cash		ACH Utilities	\$ -	
Non Cash		King County Prop Tax	\$ -	
Non Cash		King County Prop Tax	\$ -	
Non Cash		Emergency Transport Fee	\$ -	
Non Cash		Emergency Transport Fee	\$ -	
Non Cash		GOV PAY NET	\$ -	
Non Cash		STATE OF WA OFM	\$ -	
Non Cash			\$ -	
Non Cash			\$ -	
Non Cash			\$ -	
Non Cash			\$ -	
<b>TOTAL NON CASH</b>			\$ -	

Total # Loomis Deposits 0

Drawer#	Overage		
Drawer#	Overage	\$	-
Drawer#	Shortage	\$	-

Batch #	Other	Description		
<b>Bank Deposits</b>				
<b>Other Deposits - Not Loomis</b>				
Other	432	UB Lock Box - Not included in Total	\$ -	
Other	432	UB Lock Box - Not included in Total	\$ -	
Other	155	Parks Open Gym Deposit	\$ -	
Other	157	Juanita Friday Market Deposit	\$ -	
<b>Loomis</b>				
<b>Inside Bail - Not included in Total</b>				
Other	441	Cashier Cash and Coin	\$ -	
Other	441	Cashier Checks	\$ -	
Other	151	Parks 505 Deposit	\$ -	
Other	152	NKCC Deposit	\$ -	
Other	153	Peter Kirk Pool Deposit	\$ -	
Other	153	Peter Kirk Pool Deposit	\$ -	
Other	153	Peter Kirk Pool Deposit	\$ -	
Other	153	Peter Kirk Pool Deposit	\$ -	
Other	153	Peter Kirk Pool Deposit	\$ -	
Other	154	Parks Senior Center Deposit	\$ -	
Other	156	Moorage Deposit	\$ -	
Other	156	Moorage Deposit	\$ -	
Other	158	Parks Maint Center Deposit	\$ -	
Other	431	Utility Mail Batches Deposit	\$ -	
Other	441	Parking Meter Cash Deposit	\$ -	
Other	441	Parking Meter Cash Deposit	\$ -	
Other	441	Parking Meter Coin Deposit	\$ -	
Other	441	Parking Meter Coin Deposit	\$ -	
Other	441	Parking Meter Coin Deposit	\$ -	
Other	441	Parking Meter Coin Deposit	\$ -	
Other	710	Emergency Transport fee Deposit	\$ -	
<b>TOTAL DEPOSITS</b>			\$ -	

Batch #	Description		
<b>UB Payment Batches</b>			
430	Elockbox	\$	-
430	Web Pymt Utilities	\$	-
430	Web Pymt Utilities		
430	Web Pymt Utilities		
430	Paymentus		
430	Paymentus		
430	Paymentus		
<b>Sprbrk Total:</b> \$ -			
<b>EnerGov Total:</b> \$ -			
<b>GRAND TOTAL</b> \$ -			
Less: Non-Cash \$ -			
Less: Counter Credit Card \$ -			
Less: MBP E-Permit \$ -			
Less: IFAS JE \$ -			
<b>TOTAL TO ACCOUNT FOR:</b> \$ -			

FOR CASHIER  
 TOTAL TO ACCOUNT FOR  
 MUST EQUAL  
 TOTAL DEPOSITS  
 Less: LOCK BOX DEPOSIT & INSIDE BAIL DEPOSIT

BALANCED  
 \$ - Out of bal amount

TOTAL COUNTER CC PMTS  
 Plus: TOTAL LOOMIS DEPOSITS  
 Plus: TOTAL NON CASH  
 MUST EQUAL  
 GRAND TOTAL \$ -

BALANCED  
 \$ - Out of bal amount

FORMULAS IN GREEN CELLS

### CITY OF KIRKLAND SAFE LOG SHEET

DATE	TIME	OPEN		CLOSE		
		COMBINATION	CASHIER	TIME SHUT	CASHIER	WITNESS



## City of Kirkland Continuity of Operations Continuity of Government Fire Department Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Fire Department (FD) is responsible for providing emergency services to the community including fire, medical, technical rescue, and hazardous materials response; fire inspections and permitting; and emergency management. The department staffs five fire stations and operates 24 hours a day, seven days a week 365 days a year. The FD partners with city departments and resources to perform essential functions.

### Essential Functions

Essential functions for the FD during a COOP incident includes emergency response and incident management. Detailed information about the delivery of these services is available in Attachment A Essential Functions Worksheet. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Response	Fire, medical, rescue, and hazmat response services.	Yes	2 hours
Emergency Operations (EOC)	Support and/or coordinate City response to the incident.	Yes	2 hours
Alert and Warning	Provide public notice of life safety situations and actions.	Yes	2 hours
Operations Support	Maintain equipment and gear for response efforts.	No	4 hours



## Key Personnel

The FD has identified the Order of Succession for leadership as key roles in facilitating the delivery of essential functions.

Leadership	Order of Succession by position
Fire Department	<ol style="list-style-type: none"> <li>1. Fire Chief</li> <li>2. Deputy Fire Chief</li> <li>3. Battalion Chief</li> <li>4. Ranking Officer</li> </ol>

The FD recognizes that all department staff are considered key personnel and have a role during a major incident. However, the FD has further defined key personnel and backups needed to perform essential function tasks under the direction of leadership.

Essential Function	Key personnel by position
Response	<ol style="list-style-type: none"> <li>1. Fire Fighter/EMT</li> <li>2. Mutual Aid Fire Fighter/EMT</li> <li>3. Fire Officer</li> <li>4. Battalion Chief</li> <li>5. Deputy Chief</li> </ol>
Emergency Operations	<ol style="list-style-type: none"> <li>1. Emergency Manager</li> <li>2. Emergency Preparedness Coordinator</li> <li>3. Deputy Chief</li> </ol>
Alert and Warning	<ol style="list-style-type: none"> <li>1. Incident Commander</li> <li>2. Emergency Manager</li> <li>3. King County Emergency Management</li> </ol>
Operations Support	<ol style="list-style-type: none"> <li>1. Mechanic</li> <li>2. Self-Contained Breathing Apparatus Technician</li> <li>3. Personal Protective Equipment Team</li> </ol>

## Delegations of Authority

The FD has a delegation of authority process as written in the FD Policy Manual Policy 200 Organizational Structure that identifies the hierarchy and delegation of roles for daily and emergency situations. See FD Policy Manual for details.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; therefore, the FD does not have designated alternate locations. Whenever possible, the EOC will relocate within the city limits and near the City Manager and City Council locations.

Fire Stations are strategically located throughout the city to support response times and service areas. The ability to relocate a fire station is limited, thus response crews may need to shelter on site or in the area through supported infrastructure such as tents, portable toilets, or temporary housing accommodations i.e. community centers.

Possible alternate locations for the EOC include Fire Station 26 (9930 124<sup>th</sup> Ave NE) or the Kirkland Justice Center (11740 NE 118<sup>th</sup> St).

## Communications

The FD has several methods of communication in support of delivery of essential functions. The intent is to use normal operational systems, or as many of them as are possible, including but not limited to desk and cell phones, Outlook email, 800 MHz radios, and social media accounts such as Facebook and Twitter for communication during a COOP scenario.

The FD leadership has Government Emergency Telephone System (GETS) and Wireless Priority System (WPS) capability as well.

The FD oversees the coordination and use of the King County Emergency Management mass notification system (CODE RED) for alerting city employees of information. The system relies on the employee to "opt in" for alerts beyond their city email and desk phone.

The FD coordinates the public and employee recorded information hotlines through the Emergency Operations Center, when activated, or through Emergency Management if not activated.

The FD is dependent on a Public Safety Alerting Point (PSAP) a.k.a. 911 Dispatch for notification and assignment of public calls for assistance. The PSAP system has redundancy established at least three deep to support delivery of response information.

In addition to these systems the FD has access to Amateur Radio volunteers for emergency communications and electronic reader boards placed throughout the city.

## Vital Records, Files, and Databases

The FD has identified vital records to include response documentation reports, map books, Department of Transportation (DOT) Hazardous Material guides, Material Safety Data Sheets (MSDS), partner contact lists, Emergency Operations Center (EOC) forms and templates. EOC operations files and Geographical Information System (GIS) databases as key for supporting essential functions.

## Critical Systems

Access to the intranet and internet is necessary for the FD to perform most essential functions.

Response units use Computer Aided Dispatch (CAD), online MSDS and DOT guide programs, and internet based GIS resources.

The EOC uses GIS, WebEOC, and Microsoft Office Suite for documentation and coordination of incident information.

The notification system (CODE RED) is also internet based, but does have an option to contact the service provider directly via phone for support.

In addition to technology systems, the FD relies on infrastructure systems such as water and hospitals to assist in delivery of essential services.

## Critical Equipment

The FD has identified that there is extensive and unique critical equipment requirements for the delivery of essential functions. In addition to technology resources such as phones, radios, computers, and printers the FD relies on specialized vehicles, medical supplies, protective gear, tactical gear, and a variety of task specific tools. For a detailed list of critical equipment see Attachment A Essential Functions Worksheet.

## External Contacts

The FD partners with several external response and emergency management organizations for delivery of essential functions. The response aspect of the FD has established mutual aid agreements facilitated through the PSAP system.

The emergency management component partners with local, regional, county, and state level agencies to support delivery of essential services.

The PSAP or dispatch center is an external agency delivering services to the FD as a consortium member.

## Return to Operations

The FD will have additional and continual, but possibly limited in scope, operations during a COOP incident. Return to operations may mean relocation back to an original facility or new facility if alternate work sites were established. Primarily return to operations will consist of resuming all services normally performed by the FD during non-disaster times, such as training, inspections, and routine maintenance.

As part of the return to operations the EOC may deactivate and emergency management staff may initiate the incident after action review and improvement planning process.

For all areas of the FD return to operations includes thoroughly checking the condition and status of equipment and supplies. In addition, consideration and attention will be given to the physical and emotional health of responders with critical incident stress management resources being provided as needed.

## Department Resource Documents

The attached documents serve as resources that support COOP activities related to essential functions, authorities, and staff.

Attachment A: Essential Functions Worksheet

Attachment B: COOP Alternate Facility Requirements



## ATTACHMENT A

### Fire Department Essential Functions Worksheet

Essential Function	Essential Function Description	Key Positions and back up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Fire Response	Fire Operations, protect the community, limit property damage	Firefighters Fire Officer Battalion Chief	Mutual Aid response agencies	Map book/GIS Pre fire plans	Fire engines, Ladder, PPE, SCBA, radio, Hose, ladders, rescue equipment	Dispatch Center, 800Mhz, water supply	2 hours
Medical Emergency Response	Fire operations, Life safety	Firefighters Fire Officer Battalion Chief Paramedics Private Ambulance	Mutual Aid response agencies Hospitals Private ambulance	Map book/GIS Run report form	Aid Cars, Medical equipment, radio, protective equipment for responders	Dispatch Center, 800Mhz Radio, Hospital Emergency Alert Radio (HEAR)	2 hours
Rescue Response	Fire Operations, truck, technical rescue, collapse structure response, Water rescue	Firefighters Zone one tech rescue team Battalion Chief Fire Officers	Mutual Aid response agencies Hospitals	Map book/GIS	Ladder rig, technical rescue equipment, radio, Water rescue crafts and equipment	Dispatch Center, 800Mhz Radio Hospital Emergency Alert Radio (HEAR)	2 hours

## ATTACHMENT A

Essential Function	Essential Function Description	Key Positions and back up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Hazardous Materials Response	Fire Operations	Firefighters Zone One Hazmat Team Fire Officer Battalion Chief	Mutual Aid response partners Zone one hazmat team EPA	Dept Of Transportation (DOT) guide Material Safety Data Sheets (MSDS)	Hazardous response protective gear, testing equipment and rig with supplies Radio, computer	Dispatch MSDS online DOT guide online	2 hours
Maintaining gear/equipment response ready	Engine, Aid car, Medical equipment, rescue equipment, FF protective gear	Mechanic, SCBA techs, PPE team	Parts suppliers	N/A	Shop and tools	N/A	4 hours
Emergency Operations Center (EOC) Operations/ support	Support and/or coordinate City response to incident	Emergency Manager Emergency Management Coordinator EOC Commander	Zone One Emergency Managers King County Office of Emergency Management	EOC FORMS Contact number list	Maps, forms, phones, Computers	WebEOC Microsoft word and excel GIS	2 hour

**ATTACHMENT A**

<b>Essential Function</b>	<b>Essential Function Description</b>	<b>Key Positions and back up</b>	<b>Vendors and External Contacts</b>	<b>Vital Records</b>	<b>Equipment</b>	<b>Systems</b>	<b>Recovery Time Objective</b>
Alert & warning	Provide public notice of life safety actions	Incident Command  NORCOM Dispatch  King County Office of Emergency Management Duty Officer	NORCOM (Dispatch)  King County Office of Emergency Management	Contact number list	Computer Or phone	Code Red GIS	2 hour

## ATTACHMENT B

COOP Alternate Facility Requirements							
Department unit/division	Physical size	Location Proximity	Infrastructure	Technology	Public Access	Parking/Staging	Comments
Fire Administration	Workspace for 6	Near EOC and Policy Group	Power, cell and phone, 800MHz coverage	Computers, printer, Intra and internet access	Not required	Parking for 4 vehicles	
Fire Station 22	Space for min 3 FF, 2 rig and supplies and equipment storage	South end of Kirkland	Power, cell and 800MHz coverage	Computers, printer, Intra and internet access	Yes, not necessarily in structure	Parking for staff, min 1 engine and 1 Aid car	FF work extended shifts and will need on site food prep area, sleeping quarters, hygiene areas
Fire Station 21	Space for min 3 FF, 2 rig and supplies and equipment storage	Central Kirkland	Power, cell and 800MHz coverage	Computers, printer, Intra and internet access	Yes, not necessarily in structure	Parking for staff, min 1 engine and 1 Aid car	FF work extended shifts and will need on site food prep area, sleeping quarters, hygiene areas
Fire Station 25	Space for min 3 FF, 2 rig and supplies and equipment storage	Finn Hill	Power, cell and 800MHz coverage	Computers, printer, Intra and internet access	Yes, not necessarily in structure	Parking for staff, min 1 engine and 1 Aid car	FF work extended shifts and will need on site food prep area, sleeping quarters, hygiene areas

## ATTACHMENT B

COOP Alternate Facility Requirements							
Department unit/division	Physical size	Location Proximity	Infrastructure	Technology	Public Access	Parking/Staging	Comments
Fire Station 26	Space for min 4 people, 3 rigs and supplies and equipment storage	East side of Kirkland	Power, cell and 800MHz coverage	Computers, printer, Intra and internet access	Yes, not necessarily in structure	Parking for staff, min 1 engine and 1 Aid car, 1 battalion rig	<u>Battalion Chief</u> is located at this station, that position could be moved, should be central. FF work extended shifts and will need on site food prep area, sleeping quarters, hygiene areas FF work extended shifts and will need on site food prep area, sleeping quarters, hygiene areas
Fire Station 27	Space for min 6 people, 4 rigs and supplies and equipment storage	North end	Power, cell and 800MHz coverage	Computers, printer, Intra and internet access	Yes, not necessarily in structure	Parking for staff, min 1 engine and 2 Aid cars, 1 Ladder	<u>2 companies</u> work out of this station, they could be split into 2 north end companies. FF work extended shifts and will need

## ATTACHMENT B

COOP Alternate Facility Requirements							
Department unit/division	Physical size	Location Proximity	Infrastructure	Technology	Public Access	Parking/Staging	Comments
							on site food prep area, sleeping quarters, hygiene areas
Prevention Staff	Space for 6 people	Anywhere	Power, cell, phone	Computers, printer, Intra and internet access	Not required, except when dealing with permits - issuing	Parking for staff and 4 department rigs	
Training Division	Space for 3 people	Anywhere	Power, cell, phone	Computers, printer, Intra and internet access. Document storage	Not required	Parking for staff and 2 department rigs	
Fire Investigations	Space to securely store equipment and supplies	Anywhere	Power, security	Document storage	Not required	N/A	
EOC	Space for 5- 20 staff		Power, cell and phone, 800MHz coverage	Computers, printer, Intra and internet access	Not required	Parking for staff	



## City of Kirkland Continuity of Operations Continuity of Government Human Resource and Performance Management Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Human Resource and Performance Management Department (HR) is responsible for employee relations, support, compensation, and risk management. HR's primary focus is employees during an incident and requires coordination with city departments to perform essential functions.

### Essential Functions

Essential functions for HR during a COOP incident include employee relations, compensation, training and assignments, accountability, risk management, and compliance with labor and regulatory requirements. Detailed information about the delivery of these services is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Risk Management	Identification, evaluation, and mitigation of risk.	Yes	4 hours
Internal Recruitment	Fulfill requests for personnel for incident response.	No	6 hours
Injury and fatality management	Support the identification and family notification of injured or deceased employees.	No	2 hours
Enforcement	Enforce compliance with laws, union contracts, and ADA requirements.	Yes	4 hours
Safety Training	Conduct just in time safety training for employees and volunteers for the incident.	Yes	4 hours

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Workforce Management	Manage safety concerns and support and retain employees.	No	12 hours
Compensation	Manage and maintain pay and benefit system.	Yes	12 hours

## Key Personnel

HR has identified the Order of Succession for leadership as key roles in facilitating the delivery of essential functions.

Leadership	Order of Succession by position
Human Resources Department	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Senior Human Resources Analyst</li> <li>3. HR Analyst – Most Senior</li> </ol>

HR has further identified the key personnel and backups needed to perform the essential function tasks under the direction of leadership.

Essential Function	Key personnel by position
Risk Management	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Senior HR Analyst</li> <li>3. Risk Analyst</li> </ol>
Internal Recruitment	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Senior HR Analyst</li> <li>3. HR Analyst(s)</li> </ol>
Injury and Fatality Management	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Senior HR Analyst</li> <li>3. HR Analyst(s)</li> </ol>
Enforcement	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Senior HR Analyst</li> <li>3. HR Analyst(s)</li> </ol>
Safety Training	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Senior HR Analyst</li> <li>3. Risk Analyst</li> </ol>
Workforce Management	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Senior HR Analyst</li> <li>3. HR Analyst(s)</li> </ol>
Compensation	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. HR Analyst(s)</li> </ol>



## Delegations of Authority

HR does not have any formal documented delegation of authorities, the order of succession and key personnel provide for continued operations during a COOP incident. The HR Director job description states that the HR Director is the City Risk Manager.

## Department Relocation

The incident impacts and operational needs will dictate the safe options for relocation; however, the essential functions of HR are not dependent on any specific location or facility. Functions can be performed at any site with adequate infrastructure, thus HR does not have a designated alternate site. The COOP Facilities Team will identify a safe location for HR to work, if relocation is needed.

## Communications

HR does not have any unique communication requirements. The intent is to use operational systems, including but not limited to, desk phones, cell phones, Outlook email, and text messaging for communications during a COOP scenario.

## Vital Records, Files, and Databases

HR has identified vital records to include employee personnel files, claim files, partner contact information, and training rosters. In addition to these files, HR uses the Internal Financial Accounting System (IFAS) database.

## Critical Systems

Access to the intranet and internet is necessary for HR to perform essential functions. The use of the Internal Financial Accounting System (IFAS) facilitates delivery of services.

## Critical Equipment

HR has identified technology and communication equipment as key for delivery of essential functions. These resources include but are not limited to phones, computers, and printers.

## External Contacts

HR is not dependent on external agencies for delivery of essential functions. However, there are partner agencies related to health, labor, and compliance that HR may work with to facilitate delivery of service.

## Return to Operations

HR will have continual, but possibly limited, operations during a COOP incident. Return to operations includes the relocation back to the original facility or a new facility if HR is working from an alternate location. HR will resume normal business activities, in addition to any incident or COOP activities, as able and based on resources. Priority will be given to services that support employee recovery, retention, and, if needed, replacement.

## Department Resource Document

The attached document serves as a resource that supports COOP activities related to essential functions, authorities, and staff.

Attachment A:           Essential Functions Worksheet

Documents not attached but that serve as resources to HR include the City Administrative Policy Manual, Kirkland Municipal Code, and Collective Bargaining Agreements.

## ATTACHMENT A

### Human Resources Essential Functions Worksheet

Essential Function	Essential Function Description	Key Positions and back up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Risk Management	Forecast and evaluation of risk and identification of mitigation options.	Director Risk Analyst HR Analyst	Washington Cities Insurance Authority – (WCIA)	Claims Files	Computer Telephone	Internet WA. L&I website	4 hours
Management, leadership, and governance of employees	Responsible for supporting and retaining the City's workforce	Director Sr HR Analyst HR Analyst	None	Personnel Files	Computer Telephone	Internal Financial Accounting System (IFAS)	24 hours
Employee Relations	Manage concerns of workplace safety	Director HR Analysts	Washington State Labor and Industries	Personnel Files	Computer Telephone	IFAS	12 Hours
Compensation	Manage and maintain pay and benefit system	Director HR Analysts	Benefit Providers	Personnel Files	Computer Telephone	IFAS	12 hours

## ATTACHMENT A

Essential Function	Essential Function Description	Key Positions and back up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Recruitment - Internal	To fulfill requests for additional personnel from City Departments	Director Sr HR Analyst HR Analyst	None	Personnel Files	Computer Telephone	IFAS	6 hours
Employee Accountability	Enforce employment laws and union contracts under emergency conditions	Director Sr HR Analyst HR Analyst	Union Representatives	Personnel Files, Kirkland Municipal Code, Administrative Policy Manual, Collective Bargaining Agreements	Computer Telephone	IFAS	6 hours
Support identification and notification of deceased or injured	Assist Medcial, PD and Medical Examiner	Director Sr HR Analyst HR Analyst	Seattle, King County Public Health, Local Hospitals	Personnel Files	Computer Telephone	IFAS	1 hour
Enforce ADA Policy Compliance	Ensure City-wide compliance with Americans with Disabilities Act (ADA)	Director Sr HR Analyst HR Analyst	None	Americans with Disabilities Policy	None	None	4 hours

**ATTACHMENT A**

<b>Essential Function</b>	<b>Essential Function Description</b>	<b>Key Positions and back up</b>	<b>Vendors and External Contacts</b>	<b>Vital Records</b>	<b>Equipment</b>	<b>Systems</b>	<b>Recovery Time Objective</b>
Safety Training	Conduct just in time safety training for employees and volunteers	Director Risk Analyst HR Analyst	N/A	Training Records Personnel Files	None necessary, could utilize computers if available	IFAS	4 hours



## City of Kirkland Continuity of Operations Continuity of Government Information Technology Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Information Technology Department (IT) is responsible for supporting the access to and use of operational and communication technology and hardware. All city departments have identified a dependency on information technology for the delivery of their essential functions. IT is dependent on external critical infrastructure systems being operational and available for delivery of all essential functions.

### Essential Functions

Essential functions for IT during a COOP incident include user technology support, use of Geographic Information Services (GIS), and data system management. Detailed information about the delivery of these services is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Although the services of IT are not legally mandated, it is understood that technology access and support is vital to the ability of the city to operate during and following an emergency or disaster incident.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Technology Support	Support access to and use of telecom, internet, and computer hardware and software.	No	2 hours
Geographic Information Services (GIS)	Support access and implementation of GIS systems.	No	2 hours
Data Maintenance	Maintain data system security and availability.	No	2 hours

## Key Personnel

IT has identified the Order of Succession for leadership as key roles in facilitating the delivery of essential functions.

Leadership	Order of Succession by position
Information Technology	<ol style="list-style-type: none"> <li>1. Information Technology Director</li> <li>2. Information Technology Manager Network and Operations</li> <li>3. Information Technology Manager Enterprise Applications</li> <li>4. Information Technology Manager Spatial Systems</li> </ol>

IT has further identified the key personnel and backups needed to perform the essential functions tasks under the direction of leadership.

Essential Function	Key personnel by position
Information Support	Communication, network, data security <ol style="list-style-type: none"> <li>1. Senior Network Engineer               <ul style="list-style-type: none"> <li>1a Network Engineer</li> <li>1b Network Analyst</li> </ul> </li> </ol> Computer Support <ol style="list-style-type: none"> <li>2. Service Desk Supervisor               <ul style="list-style-type: none"> <li>2a Service Desk Analyst(s)</li> <li>2b Desktop Systems Analyst(s)</li> </ul> </li> </ol>
GIS	<ol style="list-style-type: none"> <li>1. Senior GIS Analyst(s)</li> <li>2. GIS Analyst(s)</li> </ol>
Data Maintenance	<ol style="list-style-type: none"> <li>1. Senior Network Engineer</li> <li>2. Network Engineer</li> <li>3. Network Analyst</li> </ol>

## Delegations of Authority

IT does not have any formal documented delegation of authorities, the order of succession and key personnel provide for continued operations during a COOP incident.

## Department Relocation

The incident impacts and operational needs will dictate the safe options for relocation; however, the essential functions of IT are dependent on a location or facility with power and network connectivity. These resources can be provided by temporary or mobile capability but must exist to support service delivery by IT.

## Communications

IT does not have any unique communication requirements. The intent is to use operational systems, including but not limited to, desk phones, cell phones, Outlook email, and text messaging for communications during a COOP scenario.

## Vital Records, Files, and Databases

IT has identified vital records to include various tracking logs and data files associated with GIS and City electronic records.

## Critical Systems

Access to intranet and internet is necessary for IT to perform most essential functions. In addition, IT uses NETAPP and Simpana for data integrity management.

## Critical Equipment

IT has identified several types of critical equipment for the delivery of essential functions. In addition to phones IT requires computer and connectivity hardware, servers, and technical devices to support COOP tasks. IT depends on the fiber optic connection to the data center making it a critical equipment resource. For a detailed list of requirements see Attachment A Essential Functions Worksheet.

## External Contacts

IT partners with and is dependent on several vendors for delivery of essential functions. Most vendors are in the technology industry and thus have disaster recovery programs and redundancies in place to support the sustainment of service to the city.

## Return to Operations

IT will have continual, but possibly limited, operations during a COOP incident. Return to operations includes relocation to the original facility or a new facility if IT is working from an alternate location. IT will resume normal business activities based on available resources, priorities of city leadership, and restoration and recovery tasks necessary to return all departments to normal operations.

Depending on the nature of the incident that created the need for COOP activities, IT may have a complex extended return to normal operations while staff address incident impacts.

## Department Resource Document

The attached document serves as a resource that supports COOP activities related to essential functions, authorities, and staff.

Attachment A:           Essential Functions Worksheet



## ATTACHMENT A

### Information Technology Essential Functions

Essential Function	Essential Function Description	Key Positions and back up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Support Communication and network	Facilitate access to communication tools – telecom and internet	Senior Network Engineer Network Engineer Network Analyst	Cisco Verizon/Frontier	Logs	Routers Switches Voice Servers	Internet	2 hours
Geographic Information Systems (GIS)	Support response, decision making, and planning efforts	IT Manager – Spatial Systems, Senior GIS Analysts	ESRI Port Madison	Over 200 layers of information including maps, land records, etc.	Servers, desktop computers, Internet	Internet	2 hours
Computer support	Facilitate access and use of computer software and hardware	Service Desk Supervisor IT Manager – Network and Operations	Service Now Dell Microsoft	None	Desktop computer or laptop	Access to Service Now, which requires an Internet connection	2 hours
Data Security	Maintain technology data and system security	Senior Network Engineer, Network Engineer Network Analyst	McAfee CISCO Microsoft	Logs	Firewalls IDS/IPS Endpoint AV	Web gateways and Intrusion Protection appliances, all systems at some level	2 hours

**ATTACHMENT A**

<b>Essential Function</b>	<b>Essential Function Description</b>	<b>Key Positions and back up</b>	<b>Vendors and External Contacts</b>	<b>Vital Records</b>	<b>Equipment</b>	<b>Systems</b>	<b>Recovery Time Objective</b>
		IT Manager – Network and Operations					
Data Integrity (Backups/Storage)	Maintain consistent and available data for the organization (for daily use and DR)	Sr. Network Engineer, Network Engineer, Network Analyst	NETAPP CommVault DELL	Computer backup files contain copies of most electronic records of the city	NetApp data storage devices Servers	NETAPP Simpana	24 hours Note: Could be days depending on location and amount of data



## City of Kirkland Continuity of Operations Continuity of Government Parks and Community Services Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Parks and Community Services Department (PCS) is responsible for coordinating mass care resources for city staff performing COOP activities. City departments and staff are dependent on the PCS to support their ability to deliver essential functions. This effort may require participation on the COOP Facilities Team.

In a COOP incident, the suspension of public recreation programs may be necessary to allow the PCS to support City COOP activities.

Some departments such as fire or police may require significant support including lodging/shelter, feeding, sanitation, or hygiene capabilities. Other departments may require limited support, if any.

### Essential Functions

Essential functions for PCS are focused on supporting mass care needs, specific to COOP is the support for City staff providing service to the public during a COOP scenario. Detailed information about the delivery of this support is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Mass Care	Support care, feeding, and shelter operations for city staff performing COOP activities.	No	24 hours
COOP Support	Participate on COOP Facilities Team.	No	6 hours

## Key Personnel

The PCS has identified the Order of Succession for leadership as key roles in facilitating the delivery of essential functions.

Leadership	Order of Succession by position
Parks & Community Services	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Deputy Director, Planning &amp; Community Services</li> <li>3. Deputy Director, Operations</li> <li>4. Parks Operation Manager</li> <li>5. Recreation Manager</li> </ol>

The PCS has further identified the key personnel and backups needed to perform the essential function tasks under the direction of leadership.

Essential Function	Key personnel by position
Mass Care	<ol style="list-style-type: none"> <li>1. Recreation Manager</li> <li>2. Supervisor of North Kirk Community Center</li> <li>3. Supervisor of Peter Kirk Community Center</li> </ol>
COOP Support	<ol style="list-style-type: none"> <li>1. Operations Manager</li> <li>2. Parks Supervisor</li> <li>3. Recreation Supervisor</li> </ol>

## Delegations of Authority

The PCS does not have formal documented delegation of authorities, the order of succession and key personnel provide for continued operations during a COOP incident.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; however, the essential functions of the PCS are not dependent on any specific location or facility. Functions can be performed at any site with adequate infrastructure, thus the PCS does not have a designated alternate site. The COOP Facilities Team will identify a safe location for the PCS to work, if relocation is needed.

Mass care support locations have specific requirements for compliance with regulations and laws. During a COOP scenario, every effort will be made to meet these requirements, whenever possible and able.

## Communications

The PCS does not have any unique communication requirements. The intent is to use operational systems, including but not limited to, desk phones, cell phones, Outlook email, and text messaging for communications during a COOP scenario.

## Vital Records, Files, and Databases

The PCS has identified vital records as those items supporting the essential function of mass care, such as shelter manual, and database or list of preferred shelter locations.

## Critical Systems

Access to the intranet and internet is not necessary but desired to support the PCS essential functions.

## Critical Equipment

The PCS has identified communication equipment as critical for support of essential functions. If available, computers would assist the PCS as well, but are not required.

## External Contacts

The PCS is not dependent on external agencies for delivery of essential functions. However, partnerships with various private, public, and non-profit organizations are, at times, leveraged to support mass care operations.

## Return to Operations

The PCS may have continual, but limited, operations during a COOP incident. Return to operations includes the relocation back to the original facility or a new facility if the PCS is working from an alternate location. The PCS will resume normal business as able based on available resources, priorities of City leadership, recovery priorities, and the readiness if the community to engage in recreation activities.

## Department Resource Document

The attached document serves as a resource that supports COOP activities related to essential functions and staff.

Attachment A:            Essential Functions Worksheet

## ATTACHMENT A

### Parks and Community Services Essential Functions Worksheet

Essential Function	Essential Function Description	Key Positions and back up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Mass Care	Support care, feeding, and shelter operations for city staff performing COOP activities	Recreation Manager  Supervisor North Kirkland Community Center  Supervisor Peter Kirk Community Center	Hotels Faith Based organizations Volunteer Organizations Active in Disasters (VOAD) Food distributors Sanitation suppliers	Shelter operations manual Contact list for partners Approved sheltering locations list	Computer Phones Sheltering supplies Generators	Internet	24 hours
COOP Support	Participate on COOP Facilities Team	Operations Manager Parks Supervisor Recreation Supervisor	Hotels Conference or meeting space KCLS	Contact lists Facility floor plans/ capability list	Computer Phones	GIS Internet	6 hours



# City of Kirkland Continuity of Operations Continuity of Government Planning and Building Appendix

## Introduction

During a Continuity of Operations (COOP) scenario, the Planning and Building Department (PBD) is responsible for performing emergency building inspections within city boundaries in support of incident and COOP operations. The PBD will perform this essential function in coordination with the COOP Facilities Team and/or the Emergency Operations Center and as infrastructure, such as roadways, allow movement to sites.

## Essential Functions

The essential function of the PBD during a COOP incident is to perform emergency building inspection of structures for potential or identified use for incident operations, COOP activities, or community needs. Detailed information about the delivery of this service is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for the function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Building Inspection	Perform emergency building inspections.	Yes	12 hours

## Key Personnel

The PBD has identified the Order of Succession for leadership as key roles in facilitating the process of building inspections

Leadership	Order of Succession by position
Planning and Building	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Deputy Director</li> <li>3. Building Official</li> <li>4. Development Review Manager</li> </ol>

The PBD has further identified the key personnel and backups needed to perform the task of building inspection.

Essential Function	Key personnel by position
Emergency Building Inspection	<ol style="list-style-type: none"> <li>1. Building Official               <ol style="list-style-type: none"> <li>1a Deputy Building Official</li> <li>1b Building Inspector(s)</li> </ol> </li> <li>2. Building Inspector(s)               <ol style="list-style-type: none"> <li>2a Plans Examiner(s)</li> </ol> </li> </ol>

## Delegations of Authority

The delegation of authority for the essential function of the PBD is defined in Kirkland Municipal Code Chapter 21 Buildings and Construction, Section 21.06.130 Deputies.

## Department Relocation

The incident impacts and operational needs will dictate the safe options for relocation; however, the PBD is not dependent on any specific location or facility to perform building inspections. Inspections are done in the field and the administrative aspect can be performed at any site with adequate infrastructure, thus the PBD does not have a designated alternate site. The COOP Facilities Team will identify a safe location for the PBD to work, if relocation is needed.

## Communications

The PBD does not have any unique communication requirements. The intent is to use operational systems, including but not limited to, desk phone, cell phones, Outlook email, and text messaging for communications during a COOP scenario.

## Vital Records, Files, and Databases

The PBD has identified vital records as inspection documentation including tracking and damage assessment forms and posting tools such as tags and stickers.

## Critical Systems

Access to the intranet and internet is not necessary but strongly desired to support the PBD performance of building inspections. The use of the Energov system is helpful but not required for inspection.

## Critical Equipment

The PBD has identified vehicles, forms and posting tools, flashlights, spray paint, personal protective gear, and communication equipment as key for supporting emergency building inspections. If available, computers would assist the process as well, but are not required for the onsite inspection process.



## External Contacts

The PBD is not dependent on external agencies for support of emergency building inspections; however, vendors that supply personal protective equipment and inspection supplies are critical to safe and effective inspections.

## Return to Operations

The PBD will have continual, but limited, operations during a COOP incident. Return to operations includes the relocation back to the original facility or a new facility if the PBD is working from an alternate location. The PBD will resume normal business as able based on available resources, priorities of city leadership, recovery priorities, economic opportunities, and the adjusted timeline of projects placed on hold due to the incident.

## Department Resource Document

The attached document serve as a resource that supports COOP activities related to essential functions, authorities, and staff.

Attachment A:           Essential Functions Worksheet

**ATTACHMENT A**

**Planning and Building Department Essential Functions Worksheet**

<b>Essential Function</b>	<b>Essential Function Description</b>	<b>Key Positions and back up</b>	<b>Vendors and External Contacts</b>	<b>Vital Records</b>	<b>Equipment</b>	<b>Systems</b>	<b>Recovery Time Objective</b>
Building Inspections	Emergency inspections as requested by facilities	Building Official  Building Inspector	Hardware or home improvement stores for supplies	Inspection Forms  Site tags/stickers	Phone  Computer  Vehicle  Protective Equipment  Spray Paint  Flashlight	Internet  Energov	12 hours



## City of Kirkland Continuity of Operations Continuity of Government Police Department Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Police Department (PD) is responsible for providing emergency services to the community including patrol and investigations, as well as maintaining operations of the Kirkland Correctional facility. The PD operates 24 hours a day, seven days a week 365 days a year. The PD supports and partners with city departments and resources to perform essential functions.

### Essential Functions

Essential functions for the PD during a COOP incident includes response to emergency calls, traffic control, felony investigations, operating corrections, and incident security support. Detailed information about the delivery of these services is available in Attachment A Essential Functions Worksheet. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Patrol	Respond to emergency calls and support traffic operations.	Yes	2 hours
Corrections	Maintain operations of the correction facility providing for prisoners.	Yes	2 hours
Investigations	Investigate felony crimes.	Yes	24 hours
Incident Support	Provide security assistance for incident response.	Yes	6 hours

## Key Personnel

The PD has identified the Order of Succession for leadership as key roles in facilitating the delivery of essential services.

Leadership	Order of Succession by position
Police Department	<ol style="list-style-type: none"> <li>1. Police Chief</li> <li>2. Captain</li> <li>3. Lieutenant</li> <li>4. Sergeant</li> </ol>

The PD recognizes that all department staff are considered key personnel and have a role during a major incident. However, the PD has further defined key personnel and backups needed to perform essential function tasks under the direction of leadership.

Essential Function	Key Personnel by position
Patrol	<ol style="list-style-type: none"> <li>1. Kirkland Police Officer</li> <li>2. Mutual Aid Law Enforcement personnel</li> </ol>
Investigations	<ol style="list-style-type: none"> <li>1. Kirkland Police Officer</li> <li>2. Mutual Aid Law Enforcement personnel</li> </ol>
Corrections	<ol style="list-style-type: none"> <li>1. Corrections Officer</li> <li>2. Corrections Supervisor(s)</li> </ol>
Incident Support	<ol style="list-style-type: none"> <li>1. Kirkland Police Officer</li> <li>2. Mutual Aid Law Enforcement personnel</li> </ol>

## Delegations of Authority

The PD has a delegation of authority process as written in Lexipol Policy 200.3.2 Succession of Command the adopted standard operating procedure for PD that identifies the hierarchy and delegation of roles for daily and emergency situations.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; therefore the PD does not have designated alternate locations for most essential functions.

Whenever possible sustainment of corrections will be supported at the Kirkland Justice Center facility; however, if the facility is unsafe or unusable, corrections will be relocated to local or regional detainment facilities with space available.

Patrol and investigations are flexible and adaptable operations that can be relocated if needed. Ideally relocation would be within the city limits and will provide adequate work and vehicle space for regular and special operations staff and equipment.

## Communications

The PD has several methods of communication in support of delivery of essential functions. The intent is to use operational systems, including but not limited to desk and mobile phones,

Outlook email, 800 MHz radios, and social media accounts such as Facebook and Twitter for communication during a COOP scenario.

The PD leadership has Government Emergency Telephone System (GETS) and Wireless Priority System (WPS) capability as well.

The PD is dependent on a Public Safety Alerting Point (PSAP) a.k.a. 911 Dispatch for notification and assignment of public calls for assistance. The PSAP system has redundancy established at least three deep to support delivery of response information.

## Vital Records, Files, and Databases

The PD has identified vital records to include incident response reports, map books, partner contact lists, subject background reports, investigative case files, and inmate records.

Databases used for essential functions include Geographical Information Services (GIS) for mapping, National Crime Information Center (NCIC), Department of Licensing (DOL), and Washington Crime Information Center (WACIC).

## Critical Systems

Access to the intranet and internet is necessary for the PD to perform most essential functions. PD uses New World dispatch via NORCOM, GIS, National Crime Information Center (NCIC), Department of Licensing (DOL), Washington Crime Information Center (WACIC), and Records Management System (RMS).

Corrections uses many of the above systems in addition to a security system supported by Western Detention and Building Control Systems.

## Critical Equipment

The PD has identified that there is extensive and unique critical equipment requirements for the delivery of essential functions. In addition to technology resources such as phones, radios, computers, and printers the PD relies on specialized vehicles, protective gear, tactical gear, and a variety of task specific tools. The corrections unit has additional critical equipment associated with the care and housing of prisoners. For a detailed list of critical equipment see Attachment A Essential Functions Worksheet.

## External Contacts

The PD partners with several external response organizations for delivery of essential functions. The PD has established mutual aid agreements facilitated through the PSAP system.

Corrections has agreements with detention partners.

The Public Safety Alerting Point (PSAP) or dispatch center is an external agency delivering services to the PD as a consortium member.

## Return to Operations

The PD will have additional and continual, but possibly limited in scope, operations during a COOP incident. Return to operations may mean relocation back to an original facility or new

facility if alternate work sites were established. Primarily return to operations will consist of resuming all services normally performed by the PD during non-disaster times, such as training, community policing, school resources support, and investigations beyond felonies.

The corrections return to operations may consist of return of prisoners if the facility was vacated, as well as acceptance of prisoners housed by other agencies on behalf of the city during COOP activities. Prior to return of prisoners, the corrections facility may require inspection, cleaning, or a preparation phase to replenish resources for operation.

For all areas of the PD return to operations includes thoroughly checking the condition and status of equipment and supplies. In addition, consideration and attention will be given to the physical and emotional health of responders with critical incident stress management resources being provided as needed.

## Department Resource Documents

The attached documents serve as resources that support COOP activities related to essential functions, authorities, and staff.

Attachment A: Essential Functions Worksheet

Attachment B: COOP Alternate Facility Requirements

**ATTACHMENT A**

**Essential Functions Police Department**

<b>Essential Function</b>	<b>Essential Function Description</b>	<b>Key Positions and back up</b>	<b>Vendors and External Contacts</b>	<b>Vital Records</b>	<b>Equipment</b>	<b>Systems</b>	<b>Recovery Time Objective</b>
Patrol	Provide call response to emergencies, maintain order/traffic flow	Officers, Supervisors, Mutual Aid	Verizon, Uniform, Equipment, & Supplies support, Clothes Laundry support	Incident Reports Background Checks	Marked Police Vehicles, Cell Phones, MDC (vehicle laptops), Computers	800 MHz Radio New World Internet National Crime Information Center (NCIC), Department of licensing( DOL), Washington Crime Information Center WACIC, Records Management System(RMS)	2 hours

## ATTACHMENT A

Essential Function	Essential Function Description	Key Positions and back up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Investigations	Criminal Investigations of felonies.	Detectives, Supervisors	Verizon, Supplies, Cameras	Incident Reports Case Files Crime Scene photos	Vehicles, Cell Phones, Computers	Internet National Crime Information Center (NCIC), Department of licensing( DOL), Washington Crime Information Center WACIC, Records Management System(RMS)	24 hours
Corrections	Booking, housing, transporting prisoners, and maintain security of the correctional facility	Officers, Supervisors	Verizon, Food Vendor, Clothes Laundry support	Inmate Records	Jail Transport Vehicles, Cell Phones, Computers	Internet National Crime Information Center (NCIC), Washington Crime Information Center WACIC, Records Management System(RMS)	1 hour



## ATTACHMENT A

Essential Function	Essential Function Description	Key Positions and back up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Law Enforcement	Security assessment or support for city facilities.	Officers, Supervisor	Verizon	N/A	Vehicle, Computer	Internet	6 hours
Records	Processing the investigative workload into our Records Management System. Providing Public Disclosure Response.	Records Staff	Verizon	Case Files	Computers	Internet National Crime Information Center (NCIC), Department of licensing( DOL), Washington Crime Information Center WACIC, Records Management System(RMS)	72 hours

## ATTACHMENT B

COOP Alternate Facility Requirements						
Department unit/division	Physical size	Location Proximity	Infrastructure	Technology	Public Access	Parking/Staging
Police Operations	Workplace for 7, workstations for 5 officers, conference room for 20, secured storage for uniforms and gear	Within City  Operations, administration, records, and investigations would work smoother if in close relation to each other.	Power, cell coverage, ac/heat  Possibly need shower facilities and temporary lockers.	Computers, intra and internet access, printer	Restricted	Parking for 50 vehicles (patrol cars and officers vehicles)
Police Investigations	Workplace for 10, conference room	Within City	Power, cell coverage, ac/heat	Computers, intra and internet access, printer	No.	Parking for 25 vehicles (investigation vehicles and detective vehicles)
Police Administration	Workplace for 12, conference room	Near EOC and Policy Group	Power, cell coverage, vehicles	Computers, intra and internet access, printer	No.	Parking for 15 vehicles
Police Records	Workplace for 10	Within City	Power, cell coverage, ac/heat	Computers, intra and internet access, printer	Yes.	Parking for 10 vehicles
Police Traffic/Training	Workplace for 10	Within City	Power, cell coverage, ac/heat	Computers, intra and internet access, printer	No.	Parking for 15 vehicles
Police Evidence	Workplace for 2, secured facility for storage of evidence (approximate 500 sq.	Within City	Power, cell coverage, ac/heat	Computers, intra and internet access, printer	Restricted	Parking for 4 vehicles

**ATTACHMENT B**

	ft.) secured vehicle storage for 4					
<b>Department unit/division</b>	<b>Physical size</b>	<b>Location Proximity</b>	<b>Infrastructure</b>	<b>Technology</b>	<b>Public Access</b>	<b>Parking/Staging</b>
Corrections	Workplace for 4, Area to house 12 inmates temporarily	Within City	Power, cell coverage, ac/heat, Showers, toilets	Computers, intra and internet access, printer	Yes. Secured	Parking for 15 vehicles
Police Quartermaster	Workplace for 1, area to store police gear uniforms	Within City(near Ops)	Power, cell coverage, ac/heat		No.	Parking for 3 vehicles



## City of Kirkland Continuity of Operations Continuity of Government Public Works Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Public Works Department (PW) is responsible for the sustainment and operations of several critical infrastructure systems including, water, sewer, and streets. In addition to infrastructure systems PW provides key incident support with fleets, fuel, staff, and logistical resources. Several departments are dependent on PW delivering essential functions for incident and COOP activities.

### Essential Functions

Essential functions for PW during a COOP incident include operation of critical infrastructure and resources support to departments, operations, and COOP activities. Although, there is no legal mandate for delivery of these services, it is understood that there is a need and public expectation of these operations. Details information about the delivery of these services is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Water	Facilitate water distribution to fire hydrants and COOP facilities.	No	2 hours
Fleets and Equipment	Vehicle and fuel service for City personnel.	No	2 hours
Incident Support	Support Department and COOP activities with staff and logistics.	No	4 hours

Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Streets	Clear priority routes for incident and COOP activities.	No	12 hours
Sewer	Facilitate sewer services for COOP facilities.	No	12 hours

## Key Personnel

PW has identified the Order of Succession for leadership as key roles in facilitating the delivery of essential functions.

Leadership	Order of Succession by position
Public Works	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Deputy Director</li> <li>3. Utility Manager</li> <li>4. Street Manager</li> <li>5. Operations and Fleet Managers</li> <li>6. Development Engineering Manager</li> <li>7. Transportation Manager</li> <li>8. CIP Manager</li> </ol>

PW has further identified the key personnel and backups needed to perform the essential function tasks under the directions of leadership.

Essential Function	Key personnel by position
Water and Sewer	<ol style="list-style-type: none"> <li>1. Utility Manager</li> <li>2. Water/Wastewater Supervisor</li> <li>3. Water/Wastewater Lead</li> <li>4. Water/Wastewater Crew</li> </ol>
Fleets and Equipment	<ol style="list-style-type: none"> <li>1. Fleet Manager</li> <li>2. Operations Manager</li> <li>3. Deputy Director</li> </ol>
Incident Support	<ol style="list-style-type: none"> <li>1. Deputy Director</li> <li>2. Operations Manager</li> </ol>
Streets	<ol style="list-style-type: none"> <li>1. Streets Manager</li> <li>2. Streets Lead</li> <li>3. Deputy Director</li> </ol>

## Delegations of Authority

PW does not have any formal documented delegations of authority, the order of succession and key personnel provide for continued operations during a COOP incident.

## Department Relocation

The incident impacts and operational needs will dictate the safe options for relocation; however, the essential functions of PW are dependent on a location or facility with power and network connectivity. In addition to office space for a large work group, PW requires significant storage space for vehicles, equipment, and supplies. Although not required, PW would ideally be relocated within the City limits to facilitate essential functions.

## Communications

PW has several methods of communication in support of essential functions. The intent is to use normal operational systems, or as many of them as are possible, including but not limited to desk and cell phones, Outlook email, and 800 MHz radios during a COOP scenario.

In addition to staff communication resources, PW depends on dedicated phone lines to deliver Telemetry for both the water and sewer systems.

## Vital Records, Files, and Databases

PW has identified vital records to include Geographic Information Systems (GIS), telemetry history records, as built records, the department phone tree, and the Maintenance Management Systems (MMS) database as critical to the delivery of essential functions. See Attachment A Essential Functions Worksheet for details of requirements.

## Critical Systems

Access to the intranet and internet is necessary for PW to perform most essential functions. The use of GIS, the MMS, and Lucy are all systems that facilitate the delivery of services.

## Critical Equipment

PW has identified technology and communication equipment as well as vehicles and task specific tools as critical equipment for delivery of essential functions. In addition to phones and computers, radios are a key communication resource for PW. Generators and fuel are also necessary for the delivery of some essential functions.

## External Contacts

PW partners with several external agencies as some city systems are inter-dependent on partner systems. Partnerships include local, state, and private sector organizations. See Attachment A Essential Functions Worksheet for a detailed list of contacts by essential function.

In addition to partnerships, PW also contracts with a variety of service providers. This information can be found on Attachment A Essential Functions Worksheet as well.

## Return to Operations

PW will have continual, COOP and incident response, operations during an incident. Return to operations may include relocation to an original or new facility, or the resumption of normal business activities that were suspended while focus was placed on incident support. Priority will be given to delivery of services as directed by city leadership that supports incident operations and recovery, provides infrastructure services to residents and businesses, and partners with adjacent jurisdictions.

Due to the nature and complexity of critical infrastructure systems, a full return to operations may take a significant amount of time and resources to accomplish. PW may be functioning in a COOP mode longer than other departments if the incident causes significant disruption to PW operating facilities or systems.

## Department Resource Document

The attached documents serve as resources that support COOP activities related to essential functions, authorities, and staff.

Attachment A: Essential Functions Worksheet

Attachment B: COOP Alternate Facility Requirements

## ATTACHMENT A

### Public Works Department Mission Essential Functions

Essential Function	Essential Function Description	Key Positions and Back Up	Vendors and External Contacts	Vital Records	Equipment	Systems	Recovery Time Objective
Water	Monitoring of the water system water distribution Source water Pump stations Reservoirs Fire Hydrants Main Lines Services	Utility Manger Water/Wastewater Supervisor Water Lead Water Crew	Seattle Public Utilities Wa. State Dept. of Health Environmental Protection Agency Technical Systems, Inc. (TSI) H.D. Fowler HD Waterworks Ferguson	GIS Maintenance Management Systems (MMS) As Built Telemetry History	Generator Computer Phone Radio Vehicles Tools	Internet Telemetry Server, Verizon Frontier	2 Hours
Sewer	Facilitate sewer services at COOP facilities	Utility Manger Water/Wastewater Supervisor WasteWater Lead WasteWater Crew	King County (KC) Metro Wa. State Dept. of Ecology Environmental Protection Agency Technical Systems, Inc. (TSI) H.D. Fowler HD Waterworks Ferguson	GIS Maintenance Management Systems As Built Telemetry History	Generator Computer Phone Radio Vehicles Tools	Generator Computer Phone Radio Vehicles Tools	KC Connections 12 hours  Cree Lift stations 12 hours  Mainlines 48 hours
Streets	Clearing roads for incident and COOP activities	Streets Manager  Streets Lead	Cities of Bellevue, Redmond, Bothell, and Kenmore	GIS MMS (Lucity)	Computer Phone Radio Vehicles Tools	Internet-Intranet	2 Hours
Fleets and Equipment	Fuel Service Vehicles	Fleet Manager  Deputy Director	Overlake Oil Fire Station 27	None	Fuel Tanks Computer Phone Radio Vehicles Tools	None	2 hours



**ATTACHMENT A**

<b>Essential Function</b>	<b>Essential Function Description</b>	<b>Key Positions and Back Up</b>	<b>Vendors and External Contacts</b>	<b>Vital Records</b>	<b>Equipment</b>	<b>Systems</b>	<b>Recovery Time Objective</b>
COOP	Support establishment of staging area(s), alternate location(s), and staff logistics.	Deputy Director  Onsite Manager	None	Phone Tree  Maps	Computer, phone, radio	GIS Internet	4 hours

## ATTACHMENT B

COOP Alternate Facility Requirements							
Department unit/division	Physical size	Location Proximity	Infrastructure	Technology	Public Access	Parking/Staging	Comments
Public Works Annex	Office space for 27 people	Near City Hall PW employees	Power, water, network, restrooms	Network Access, Computers, Phone	No	Parking for staff;	Can be split up;
Public Works at City Hall	Office space for 38 people	Near other City Hall Employees	Power, Water, restrooms	Network Access, Computers	Yes	Parking for staff	Can be split up
Public Works Maintenance Center	Office space for 19 people, storage containers (2)	Within City Limits	Power, water, network, restrooms	Network Access Computers, Handheld Radios (12), Radio connected to Seattle Public Utilities Phones	no	Parking for 80 vehicles	
Public Works Shops	6 work areas, including small tool and gear storage	Near 405, within City limits, 1 mile from City Hall	Power, water, network, Restrooms	Network Access, Computers Phones	No	Approximately 2.5 acres for equipment parking	Access to fuel, ability to clean vehicles, dispose of decant/spoils
Public Works Fleet Office and shop	Office space for 6 people	Within City Limits	Power, water, network	Network Access, Computers	deliveries	Approximately 2500 sf for shop space	Locked storage, equipment lift, repair tools, generators
Public Works Fleet Area at KJC	Small office	Close proximity to PD and Fire	Power, water, network, heat,	Network Access, Computers, Phones	Limited; deliveries	2 bays and some off street parking can be shared with KJC	

## ATTACHMENT B

Department unit/division	Physical size	Location Proximity	Infrastructure	Technology	Public Access	Parking/Staging	Comments
Public Works Warehouse	Office space for 2 people	Close proximity to shops	Power, water,	Network access, Computers, Phones	Deliveries	As much storage as possible Locked storage Equipment lift	Deicer containers may need to be stored.
PW Storage Containers	2 at the MC	Close proximity to staff	N/a	N/A	N/A	N/A	N/A



# City of Kirkland Continuity of Operations Continuity of Government Training and Exercise Appendix

## Introduction

This appendix is designed to provide basic information and resources to support training and exercising of the Continuity of Operations (COOP) Continuity of Government (COG) Plan ("Plan"). It is recommended that departments train and exercise on all or parts of their specific COOP roles, responsibilities, and activities at least quarterly, ideally monthly.

## Training

Provided as Attachment A to this appendix is a template for delivery of a Plan orientation at the department level. Use this template as a tool for orienting all department staff to this Plan and the appropriate department appendix.

The Federal Emergency Management Agency (FEMA) offers classes related to COOP and COG programs online as free Independent Study sessions. Washington State Emergency Management will partner with FEMA to provide in person, classroom delivery of COOP COG courses as well, although these offerings tend to be quite infrequent.

Online course Independent Study Courses can be accessed at [www.training.fema.gov](http://www.training.fema.gov)

- IS 156 Building Design for COOP
- IS 520 Introduction to COOP Planning for Pandemic Influenzas
- IS 545 Reconstitution Planning Workshop
- IS 546 Continuity of Operations Awareness Course
- IS 547 Introduction to Continuity of Operations
- IS 548 COOP Manager's Course
- IS 550 COOP Planner's Workshop
- IS 551 Devolution Training

In Classroom delivery courses include most of the above and the 549 COOP Program Manager's Course.

FEMA provides endorsements in Continuity Excellence at the Professional and Master Practitioner Levels. Program requirements can be found at

[https://www.fema.gov/media-library-data/1412781969155-abb35dfe1d640b499fb5a3c8c7da6892/Continuity Excellence Series Brochure.pdf](https://www.fema.gov/media-library-data/1412781969155-abb35dfe1d640b499fb5a3c8c7da6892/Continuity%20Excellence%20Series%20Brochure.pdf)

## Exercise

There are several methods for exercising all or parts of the Plan. Departments are encouraged to at least discuss the steps, actions, and issues associated with implementing COOP activities. Provided is information on how to facilitate a short (staff meeting segment) exercise and a more involved Table-Top (discussion) of efforts. Included to assist are numerous scenarios to start the process.

### Short Exercise

Select a section of the Plan or Department Appendix to read over with staff.

Confirm document information with staff.

Practice use of alternate or notification communication systems.

Contact Emergency Management to test the CODE RED system.

Practice an after hour call out by making calls based on department contact list to check for accuracy.

Challenge employees to create an impromptu "go-Kit" or at least to list the items that would be needed and discuss the results.

Use a map to identify potential alternate sites and have employees plan transportation routes; add in some route closures to create more discussion and planning.

"Table-Top" Exercise – typically takes an hour or more involving several or all staff for discussion based on a scenario.

### How to facilitate a table top exercise-

Present a scenario - either just say it or with PowerPoint. Pictures do help get the message across. Give participants a moment to think about the scenario.

Ask questions related to the scenario and the affects or impacts it creates to normal operations.

#### Possible questions to ask

How does this impact the department?

How does this impact employees?

Are there any operations that will fail due to the situation? Are they critical?

Are there work around plans for impacted operations? If so what are they?

What does the public need to know?

Are there measures that can be put into place to mitigate risk?

How long can the disruption go before major work adjustments need to be made?

Can separate divisions or groups for small group discussion of questions and then have a spokesperson from each group report to the larger group.

Can have a primary representative speak on behalf of each division or group responding directly to the large group on the question posed. Take turns to reach all pertinent roles/divisions/areas of work.

Responses should lead to follow on questions.

Challenge responses with the ability to implement actions, availability of resources, or other challenges that may drive more in depth consideration and discussion.

## Example Scenarios for Use

The following are some sample scenarios that could be used to facilitate discussion. Customize the scenario to meet the needs of the exercise. Keep the scenario as real as possible so that participants can engage and consider what could happen.

Scenario: Power Outage

On (Pick a day and time – weekday, weekend, day or night) a powerful storm caused high winds resulting in the loss of power throughout the region. PSE estimates power to be restored to (Fill in work site) to be at least 3 – 4 days.

Scenario: Structure Fire

On (Pick a day and time – weekday, weekend, day or night) the fire alarms sounded at City Hall. The top floor of the building had an active fire that caused major damage, the lower level sustained significant water damage from the sprinklers and fire suppression efforts. It is estimated cleanup and restoration will take at least 3 – 4 months.

Scenario: Cyber Attack – Internet Shutdown

On (Pick a day and time – weekday, weekend, day or night) an attack on the Internet crashed the entire system there is no access to any external systems or software. IT is unable to estimate a restoration time as this is a 3<sup>rd</sup> party issue to resolve. It could be days to weeks or longer before the internet is back up and working. The cloud is not available because the systems used to provide connect and data is down.

Scenario: Threat of Attack

On (Pick a day and time – weekday, weekend, day or night) the head of (use your department or pick another) received a (pick a method- call, letter, email, text, etc) threatening to (pick one - bomb, poison, shoot, kill, etc) everyone and anyone at (pick a location – city hall, court, council chamber, park, community center, etc) . Police and the FBI have determined the threat to be credible and recommend closure of (the site previously named, can add additional if desired for proactive measures) until further notice. The investigation could last hours to days.

Scenario: Transportation Shutdown

On (Pick a day and time) a winter storm blanketed the region virtually shutting down all transportation routes. The Governor and County Executive have proclaimed state of emergencies and are asking everyone to stay off the roads. The temperature is expected to be below freezing for the next week and more snow is forecasted for at least the next 3 – 4 days.

Attachment A:           Template COOP Plan Orientation for Departments PowerPoint

DRAFT



# Continuity of Operations

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PLAN ORIENTATION FOR (XXXX) DEPARTMENT




# COG and COOP

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## COG – Continuity of Government

- The legal/statutory requirements of the City
- The minimum that must be done to maintain status as a City

## COOP – Continuity of Operations

- People, places, systems, and infrastructure to sustain essential and COG functions
  - Authority and order to sustain leadership
- 


# What (COG) and How (COOP)

---

## COG

- Must arraign detainee within 72 hours
- Must collect property taxes
- Must pay employees

## COOP

- Need location, Judge, Attorney, Clerk
  - Need online or walk up capability for payment
  - Need hard copy checks to print or write out
- 

# COOP Examples

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Explosion – Natural Gas Explosion

Biological – Influenza, Ebola, Anthrax

Technological – Virus, Equipment failure, System failure

Active Shooter – Workplace, schools, malls

Power Failure – Wind storms

Natural – Consequences of incident

- Earthquake – structural damage to building, lack of power, water, network
- Landslide – damage to utilities, transportation disruption



# Scale of effect

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## Specific

- One or more facilities, departments, or systems
  - Fire at Kirkland Justice Center or City Hall

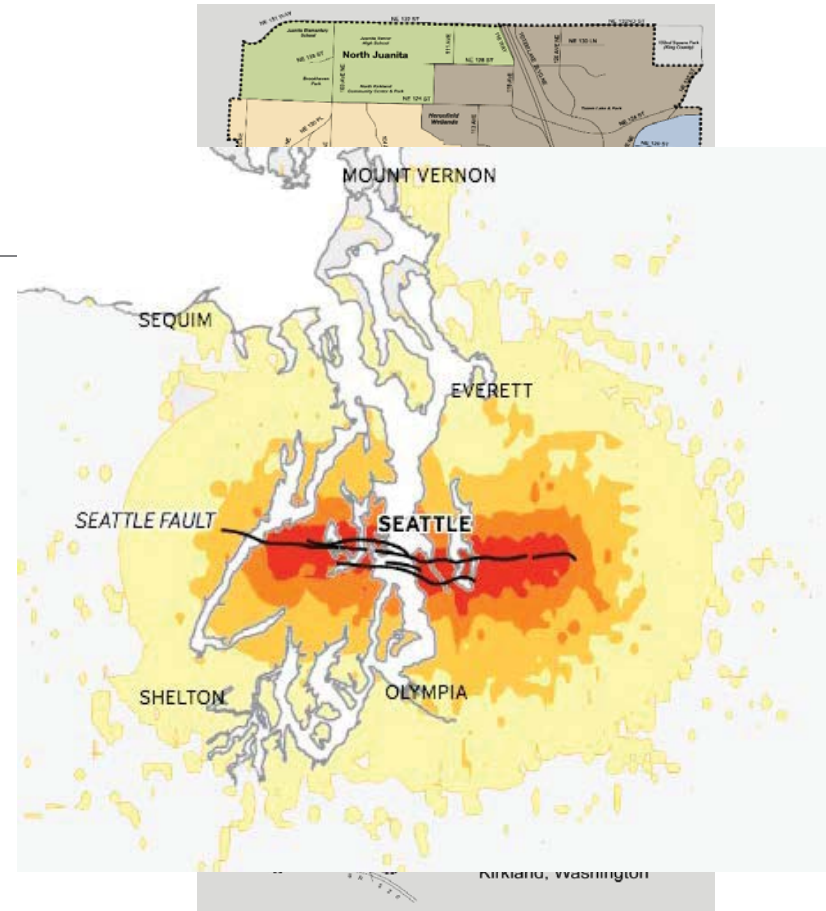
## Local

- City wide
  - Technology disruption, Water system failure

## Regional

- Beyond the city systems and/or boundaries
  - Snow Storm, Seattle Fault earthquake

What, who, and how long impact scale as well



# Timeline of COOP activities

COOP may be needed for:

- Days - broken water line, network failure
- Weeks – roof collapse, flu epidemic
- Months – structure fire
- Years – earthquake



# Essential Function (Source FEMA.gov)

---

Functions that must be continued in all circumstances

Explicitly assigned by law (COG)

Determined by the agency head to be essential

Provide vital support to another department or agency

Cannot be interrupted for 12 hours

Functions that enable an organization to:

- Provide vital services
- Exercise civil authority
- Maintain the safety of the general public
- Sustain the industrial and economic base

All others = non-essential – may be important but not right away

# Department Essential Functions

---

**Insert essential functions as listed in the Plan**

# Department Order of Succession

---

Insert Order of Succession for Leadership

Insert Key Personnel for Essential Functions



# Dependency – Insert slides or bullets for each area based on the Plan.

---

People – Internal and external

- ID key personnel and backups
- ID partners or vendors

Facilities – ID requirements of a site not an actual site, brainstorm possible options if relocation is needed

Records – Electronic and hard copy Discuss vital records

Tools – IT systems internal and external Discuss needs and alternate options

Partners – City departments, vendors/contactors, non-profits, County and State agencies ID who you work with in an emergency, if anyone

# Employees

---

Insert information about department expectations

Key roles and who fills them

Personal Preparedness

Alternate work plans (telecommute if appropriate, extended hours, position changes)

# Notification

---

Insert information about HOW employees will be notified about work location and tasks

Reference City Hotline, Websites, and social media tools



## City of Kirkland Continuity of Operations Continuity of Government Annex Content List

### Delegations of Authority

- City Attorney
- City Manager
- Authorized Signing Agent

### Facility List

### Policies related to COOP

- Telework Policy
- Telework Agreement

### Preparedness Lists

- Department COOP Go Kit
- Employee COOP Go Kit
- Home Emergency Kit

### Staff Support

- Employee Assistance Program (EAP)
- Critical Incident Stress Management (CISM)

### Glossary of COOP Terms

**CITY OF KIRKLAND, WASHINGTON  
KIRKLAND CITY ATTORNEY  
DELEGATION OF AUTHORITY**

The undersigned, Kevin Raymond, is the duly appointed City Attorney for the City of Kirkland, Washington ("City"). The undersigned hereby authorizes and delegates to the individuals identified below, in the order identified, the authority to serve as Acting City Attorney in the absence of the City Attorney, and in connection therewith to execute any contract, certificate, pleading or other document that the City Attorney is authorized to execute and deliver on behalf of the City. The signatures of the individuals identified below shall be as binding on the City as if the document had been executed by the City Attorney:

1. Stephanie E. Croll, Sr. Assistant City Attorney
2. Wm. R. Evans, Assistant City Attorney

This authorization shall be effective immediately and shall remain in effect for so long as we continue to hold our respective offices.

DATED this 27<sup>th</sup> day of July, 2017.

CITY OF KIRKLAND, WASHINGTON

Kevin Raymond  
Kevin Raymond, City Attorney

STATE OF WASHINGTON     )  
  )ss:  
COUNTY OF KING         )

On this 27<sup>th</sup> day of July, 2017, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kevin Raymond, to me known to be the City Attorney of the City of Kirkland, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said City, for the uses and purposes therein set forth, and on oath stated that he was authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Leta B. Santangelo  
Print Name: Leta B. Santangelo  
NOTARY PUBLIC in and for the State  
Washington, residing Kirkland  
Commission expires: 12-19-2017

CITY OF KIRKLAND, WASHINGTON

DELEGATION OF AUTHORITY

The undersigned, Kurt Triplett, is the duly appointed and acting City Manager of the City of Kirkland, Washington (the "City"). The undersigned hereby authorizes and delegates to Marilynne Beard, the Assistant City Manager of the City, whose name and signature appear below, the authority to execute and deliver on my behalf any contract, certificate or document that I am authorized to execute and deliver on behalf of the City. Her signature, as Assistant City Manager, on behalf of the City, shall be as binding on the City as if the document had been executed by the City Manager.

This authorization shall be effective immediately and shall remain in effect for so long as we continue to hold our respective offices.

DATED this 28 day of June, 2010.

CITY OF KIRKLAND, WASHINGTON

Kurt Triplett  
KURT TRIPLETT, CITY MANAGER

Marilynne Beard  
MARILYNNE BEARD, ASSISTANT CITY MANAGER

STATE OF WASHINGTON) ss:  
COUNTY OF KING )

On this 28<sup>th</sup> day of June, 2010, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kurt Triplett, to me known to be the City Manager of the City of Kirkland, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said City, for the uses and purposes therein set forth, and on oath stated that he was authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

KATHI ANDERSON  
NOTARY PUBLIC  
STATE OF WASHINGTON  
My Commission Expires August 19, 2012

Kathi Anderson  
Print Name: KATHI ANDERSON  
NOTARY PUBLIC in and for the State  
Washington, residing Kirkland  
Commission expires: 8-19-2012

CITY OF KIRKLAND, WASHINGTON

DELEGATION OF AUTHORITY

The undersigned, Kurt Triplett, is the duly appointed and acting City Manager of the City of Kirkland, Washington (the "City"). The undersigned hereby authorizes and delegates to Tracey Dunlap, Deputy City Manager of the City, whose name and signature appear below, the authority to execute and deliver on his behalf any contract, certificate or document that the City Manager is authorized to execute and deliver on behalf of the City. Her signature, as Deputy City Manager, on behalf of the City, shall be as binding on the City as if the document had been executed by the City Manager.

This authorization shall be effective immediately and shall remain in effect for so long as we continue to hold our respective offices.

DATED this 11 day of March, 2015.

CITY OF KIRKLAND, WASHINGTON

*Kurt Triplett*  
KURT TRIPLETT, CITY MANAGER

*Tracey Dunlap*  
TRACEY DUNLAP, DEPUTY CITY MANAGER

STATE OF WASHINGTON)

COUNTY OF KING ) ss:

On this 11<sup>th</sup> day of March, 2015, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kurt Triplett, to me known to be the City Manager of the City of Kirkland, the municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said City, for the uses and purposes therein set forth, and on oath stated that he was authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.



*Leta B. Santangelo*  
Print Name: Leta B. Santangelo  
NOTARY PUBLIC in and for the State  
Washington, residing Kirkland  
Commission expires: 12-19-2017

CITY OF KIRKLAND, WASHINGTON

DELEGATION OF AUTHORITY

The purpose of this delegation of authority is to recognize Greg Piland as an authorized agent for the City of Kirkland when signing Purchase Orders and Purchase Agreements for the procurement of the materials, equipment, supplies and services required by the City and for all the allied transactions involved herein. The delegate's signature will serve as confirmation that purchasing authority had previously been granted through the City financial system, IFAS.

The dollar limited associated with this authority has been set at \$50,000.00.

The signature below will serve as Greg Piland's acceptance of this responsibility that all transactions, when performing in this capacity, will be carried out in consideration of the employee code of ethics outlined in Chapter 3.82 of the Kirkland Municipal Code and other applicable law.

DATED this 22<sup>nd</sup> day of December, 2016.

CITY OF KIRKLAND, WASHINGTON

  
\_\_\_\_\_  
MICHAEL OLSON, DIRECTOR OF FINANCE AND ADMINISTRATION

  
\_\_\_\_\_  
GREG PILAND, PURCHASING AGENT



CITY OF KIRKLAND, WASHINGTON

DELEGATION OF AUTHORITY

The purpose of this delegation of authority is to recognize Sheila Sigmond as an authorized agent for the City of Kirkland when signing Purchase Orders and Purchase Agreements for the procurement of the materials, equipment, supplies and services required by the City and for all the allied transactions involved herein. The delegate's signature will serve as confirmation that purchasing authority had previously been granted through the City financial system, IFAS.

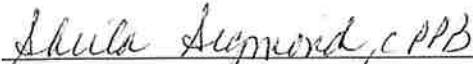
The dollar limited associated with this authority has been set at \$50,000.00.

The signature below will serve as Sheila Sigmond's acceptance of this responsibility that all transactions, when performing in this capacity, will be carried out in consideration of the employee code of ethics outlined in Chapter 3.82 of the Kirkland Municipal Code and other applicable law.

DATED this 22 day of December, 2016.

CITY OF KIRKLAND, WASHINGTON

  
\_\_\_\_\_  
MICHAEL OLSON, DIRECTOR OF FINANCE AND ADMINISTRATION

  
\_\_\_\_\_  
SHEILA SIGMOND, BUYER

City of Kirkland Facility Space List  
As of August 2017

Conference Rooms					
Location	Room Name	Occupancy	Tables	Chairs	
City Hall	Council Chambers	142	10	110	90 Audience 20 Executive
City Hall	Peter Kirk Room	80	13	50	
City Hall	Rose Hill Room	40	8	16	
City Hall	Houghton	29	6	12	
City Hall	Kinsgate	15	4	8	
City Hall	Finn Hill	31	6	12	
City Hall	Lakeview	14	4	8	
City Hall	Market	19	6	12	
City Hall	Norkirk	19	6	14	
City Hall	Highlands	14	4	8	
City Hall	Moss Bay	15	4	8	
City Hall	Juanita Bay Room	27	4	10	
City Hall Annex	Large Conference Room	12	1	12	
City Hall Annex	Small Conference Room	8	1	8	
Kirkland Justice Center	Totem Lake Room	110	20	75	
Maintenance Center	Main East	33	10	25	
Maintenance Center	Main West	67	10	25	
Fire Station 21	Meeting Room	9	1	8	
Fire Station 22	Meeting Room	50	8	30	
Fire Station 26	Meeting Room	53	12	26	Plus 1 table for presenter
NKCC	Multi-Purpose Room	245	32	175	
NKCC	Dance Room	60	1	21	
PKCC	Multi-Purpose Room		14	61	
PKCC	Sun Room		5	22	
PKCC	Auditorium		16	100	
PKCC	Card Room		4	32	
PKCC	Art Room		6	21	
PKCC	Extra Chairs and Tables	N/A	8	42	
Heritage Hall	Multi-Purpose Room		15	75	

**City of Kirkland  
Telework Agreement**

Purpose: The Telework Agreement is to be completed along with the telework application. The Agreement addresses specifics of the proposed teleworking arrangement between an employee, supervisor, and department director. Agreement must be signed by applicant, supervisor and department director.

Teleworker Name	Title
Department	Extension
Supervisor	Extension
Director	Extension

1. I have read the City of Kirkland's Teleworking Policy document and my supervisor and director agree that I have met all eligibility criteria and requirements.
2. I agree to abide by all of the participation guidelines outlined in the teleworking policy document.
3. I agree to communicate with my supervisor about progress on assignments worked on at my home.
4. I agree to communicate with my supervisor and co-workers about any problems which that I may experience while teleworking.
5. I agree to structure my time to allow schedule flexibility and to ensure my attendance at required meetings and City events as designated by my supervisor.
6. I agree to communicate any schedule changes to my supervisor, co-workers, and the switchboard operator.
7. I understand and accept the special responsibility I have as a teleworker to facilitate communication with my customers and co-workers. I further agree to make a special effort to stay current on departmental events which that affect my work that occur on my teleworking days.
8. I understand that my supervisor may suspend my teleworking arrangement at any time pending a review based on the participation guidelines that may result in termination of the teleworking arrangement.
9. I agree to return any City-owned equipment or supplies used for teleworking purposes immediately upon termination of the teleworking agreement. I understand that I will be financially responsible for any equipment or supplies that, for any reason, do not get returned to the City of Kirkland.
10. Other requirements as determined by the Director, supervisor and/or employee:

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11. Exceptions to the agreement as determined by the Director, supervisor and/or employee:

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\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Director Signature

\_\_\_\_\_  
Supervisor Signature

**Teleworking Policy****Chapter 6****Policy 6-3****Effective Date: October 2001****A. INTRODUCTION**

The City of Kirkland endorses teleworking as a work option for qualified selected employees whose duties can be performed at an alternate workplace. One of our City's goals continues to be taking positive steps to reduce our organization's demand on the region's transportation network.

Teleworking is one of many measures that can be part of the solution to traffic congestion and air pollution, directly impacting the quality of life in our community and neighborhoods.

Teleworking is a business practice that may improve recruitment and employee retention.

Teleworking increases the productivity and morale of employees who participate in the program, as well as using workspace more effectively.

Successful teleworking requires accountability for work production and communication follows through. Teleworking must have measurable standards of performance for the City to gauge the success of a teleworking program. Teleworking is a management tool to be implemented with individual Director discretion.

**B. DEFINITIONS**

**Alternate work place** means the place designated for the employee to work when not working at the City office. This location is generally selected because it is closer to the employee's residence, and in fact the alternate work place often is in the employee's residence.

**Casual teleworking** means instances when employees may be allowed to telework on a temporary basis as their assignment permits or necessitates.

**Teleworking** means working arrangements in which the work place is located at least part time at an alternate work place, such as the employee's residence, or a satellite office located closer than the regular office to the employee's residence. Telework is an umbrella concept encompassing the terms telecommuting, teleconferencing, and videoconferencing. For purposes of this policy, telecommute and its derivatives will be replaced with the term telework, unless directly quoting current law.

**Regular office** means the office to which an employee is generally assigned.

**Regular telework** means an established schedule of days per week or month at an alternate work place.

**C. ELIGIBILITY AND TELEWORK REQUIREMENTS**

Not all employees are eligible for consideration for participation in the telework program. Positions whose job requirements include field work, daily direct customer service or other duties that cannot be performed away from the regular workplace will not be approved to participate in the telework program on a regular, on-going basis.

Requirements to Qualify for the Teleworking Program:

E-page 343

- Employee completes a Telework Application
- Employee willing to sign and abide by Telework Agreement
- Supervisor's approval
- Supervisor's ability to invest necessary time to help the teleworking arrangements to succeed.
- Planning with supervisor and co-workers how workflow issues, such as phone calls, mail and meetings will be addressed while teleworking.

#### **D. APPLICATION, RENEWAL AND TERMINATION PROCESS**

##### **Application**

An Employee interested in teleworking must complete a Telework Application, which includes the written approval of the employee's immediate supervisor and department director. Upon approval of the Telework Application, a Telework Agreement must be completed and signed by the employee, his/her immediate supervisor, and Department Director.

Employees teleworking prior to the effective date of this policy must come into compliance with the Telework Policy within 60 days of the effective date. The Assistant City Manager may extend the deadline on a case-by-case basis.

##### **Renewal of Telework Agreement**

The Telework Agreement should be discussed and renewed at least annually to ensure that continuation of the telework agreement is meeting the goals set forth.

##### **Termination of Telework Agreement**

A Telework Agreement may be terminated by one of the following:

- The employee may discontinue participation in the telework program any time, for any reason, upon written or verbal notice to their supervisor.
- The Department Director or Supervisor may terminate the agreement, for cause, upon 24 hours prior oral explanation to the affected employee. All oral explanations are to be followed with a written explanation, within 30 calendar days.
- The requirement for prior written notification and explanation may be waived in the event of an emergency.

In the event of a City emergency teleworkers are required to report to work at the City at the City's discretion.

#### **E. EQUIPMENT, FURNITURE AND WORKING SUPPLIES**

The City will supply no office furniture, equipment or supplies. On a case-by-case basis, and with the approval of the Information Technology Department, the casual teleworker may be allowed to borrow equipment from the AV pool. A regular teleworker may be provided a city owned computer at the teleworking employee's department's expense and subject to budget implications. In any case, the

teleworker must obtain a signed-off IT Teleworking Agreement document stating the level of service IT agrees to provide the teleworker.

## **F. JOB PERFORMANCE STANDARDS**

The job performance standards for employees working at alternative work places shall be equivalent to the standards used when the employees are working at the regular office.

Procedures for clocking in and out, or for maintaining hours when the employee will be available by telephone or computer may be established by the supervisor and communicated to fellow department staff, and customers (as necessary).

## **G. WORK SCHEDULE AND HOURS**

### **Regular and Casual Telework Schedules**

A regular telework schedule must be mutually agreed upon by the employee and supervisor and be written into the Telework Agreement. Any change in the agreed upon schedule must be approved by the supervisor, and if it is a permanent change, documented and appended to the Telework Agreement.

An employee may be permitted to telework for part of a day to avoid peak commute period.

Circumstances which may be appropriate for “casual” telework include, but are not limited to:

- Special project work which requires a period of uninterrupted time.
- While all reasonable commute routes are blocked (i.e., major construction, storm, or disaster).
- Regular office is inaccessible or uninhabitable.
- Medical Reasons

## **H. FAMILY NEEDS/DEPENDENT CARE**

Teleworking is not a substitute for adequate dependent care. The teleworker should make advance arrangements for dependent care to ensure a productive work environment.

## **I. COMPENSATION AND BENEFITS**

### **Hours of Work and Overtime**

Teleworking employees are expected to put in the same number of work hours at the alternate work place as they normally would at the regular office. To obtain the benefit of reducing commute trips under the State Commute Trip Reduction Law, teleworking arrangements are those in which an employee works at an alternate work place on a regular schedule, avoiding a commute trip to the regular office between 6:00am and 9:00am.

Rules for Exempt and Non-exempt employees apply in both the regular office and the alternate work place.

All telework work schedules require department supervisor approval. An alternate work schedule

(e.g., 9/8/80, 4/10/40, flextime, etc.) may be approved for an individual teleworker as long as the work schedule is consistent with management needs and the requirements of the employee's work group.

Overtime for Non-exempt employees must be authorized in advance by management in accordance with the established City personnel and department policies or as provided under any applicable and superseding collective bargaining agreement or law.

## **J. OCCUPATIONAL SAFETY AND HEALTH**

A teleworking employee will be covered by worker's compensation for all job-related injuries occurring at home during the teleworker's defined work period. Since the workplace and home will be one and the same, worker's compensation will NOT apply to non-job-related injuries that might occur in the home.

The opportunity to participate in a home telework program is offered with the understanding that it is the responsibility of the employee to ensure that a proper work environment is maintained. It is important for all employees to maintain a healthy, safe, and ergonomically sound work environment while working in the office or at a remote location.

If a work-related injury occurs while teleworking, the employee must notify his/her supervisors immediately and complete all necessary documents regarding the injury.

## **K. SAFEGUARDING INTELLECTUAL PROPERTY RIGHTS**

An employee's work product of any type that is created or produced, in whole or in part, at the Alternate Work Place shall belong to the City to the same extent as if created or produced at the Regular Office.

## **L. INFORMATION SECURITY**

Security of confidential information and irreplaceable documents is of primary concern and importance to the City of Kirkland. Teleworkers, like all City employees, are expected to adhere to all applicable laws, rules, regulations, policies and procedures (including, but not limited to, transporting and storing of documents, using passwords, data back up procedures, virus protection, and returning material (paper documents, diskettes, etc.) containing all confidential information to the City for proper handling or disposal as necessary) regarding information security.

Supervisors must review functions in their sections and, if necessary, designate some tasks that may not be done at alternate work places for security reasons.

[Telework Participant Checklist](#)

[Telework Application](#)

[Telework Agreement](#)

[Telework Information Technology Agreement](#)

[Regular Telework Equipment Checkout Form](#)



## PREPAREDNESS SELF-ASSESSMENT- GO KIT ITEMS

DEPARTMENT ITEMS	Status (circle)	
<b>Employee Items:</b>		
Hard copy of employee roster	Have	Need
Hard copy of employee emergency notification contact with numbers	Have	Need
Hard copy list of emotional support resources	Have	Need
Blankets	Have	Need
Snacks and water (small but meaningful)	Have	Need
Flashlight with batteries	Have	Need
First aid supplies (including OTC medications)	Have	Need
Comfort kits (tissues, toothbrush, comb, toilet paper)	Have	Need
<b>Operations Items:</b>		
Computers with power and network connectors	Have	Need
Printer with ink and paper	Have	Need
Thumb Drive (memory device) with current ( $\leq 30$ days) vital records/files, resources for all positions and functions.	Have	Need
Basic office supplies (pen, paper, tape)	Have	Need
Hard copy of important documents, contacts, and contracts/MOUs	Have	Need
Map of local area and to alternate work location	Have	Need
Keys for file drawers, facility, secured rooms	Have	Need

EMPLOYEE ITEMS	Status (circle)	
<b>Personal Items:</b>		
Sturdy Shoes ( extra pair of comfortable walking shoes)	Have	Need
Personal Hygiene items (toothbrush, deodorant, comb, wet wipes, toilet paper)	Have	Need
Extra clothing ( 1 casual outfit, jacket, socks, hat)	Have	Need
Personal Medical items (medication, glasses, hearing aid batteries)	Have	Need
Snacks and water (small but meaningful)	Have	Need
Headlamp or flashlight with batteries	Have	Need
Basic first aid supplies (band-aids, tweezers, hand sanitizer)	Have	Need
Copies of important documents (driver's license, work ID badge)	Have	Need
Hard copy list of personal important contacts	Have	Need
Spare vehicle keys	Have	Need
Whistle	Have	Need
<b>Position Items:</b>		
Laptop with charger and case	Have	Need
Cell phone with charger	Have	Need
Thumb Drive (memory device) with current ( $\leq 30$ days) vital records/files, resources for your position.	Have	Need
Basic office supplies (pen, paper, tape)	Have	Need
Hard copy of important documents, contacts, and passwords	Have	Need
Map of local area and to alternate work location	Have	Need
Keys for file drawers, facility, secured rooms	Have	Need

# 2 WEEKS READY



## BUILD KITS

Plan to be on your own for at least 2 weeks



Water (1 gallon per person, per day)



Food (non-perishable)



Comfort/entertainment



Medical equipment



Glasses/eye care



First aid kit



Can opener



Sturdy shoes



NOAA alert radio



Extra batteries



Flashlight



Warm clothes



Personal hygiene items



Fire extinguisher



Tools



Pet supplies



Cash



Toilet paper



Medications



Identification & important documents

**!** Keep at least 2 weeks of supplies in your home. Have smaller kits for work, for every family member, and pets. Have a vehicle safety kit too.



# BE PREPARED

## MAKE A PLAN

Determine an accessible meeting place in case you have to leave your home or work, so you can reunite your family.



## LEARN ABOUT DISASTER PLANS FOR

Your work

Your children's school

Your medical and/or transportation provider

Other places where your family spends time



Check with your local emergency management office to:

- find out what hazards could affect your home and place of work
- sign up for emergency alerts and notifications
- identify your local emergency alert system (EAS) radio stations
- know your evacuation and alternate transportation routes



## DEVELOP A COMMUNICATIONS PLAN



Write down emergency contact information



Texts are more likely to go through



Have an extra cell phone charger and batteries



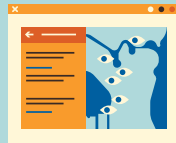
An out-of-area contact can serve as a relay point for family communication

## HELP EACH OTHER

Know how you'll help people and pets who normally rely on you



Form a neighborhood group: for examples and suggestions, see Map your Neighborhood at: [emd.wa.gov/myn](http://emd.wa.gov/myn)



Help organizations in your neighborhood that may need support during a disaster



Attend free disaster skills workshops offered by your local emergency management office and learn basic survival skills

# ACTIONS TO TAKE DURING A QUAKE

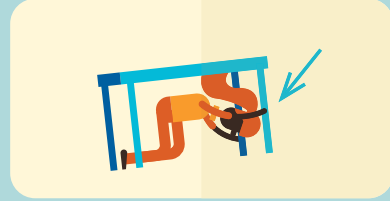
## DURING THE SHAKING



**DROP**



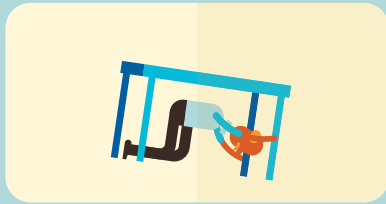
**COVER**



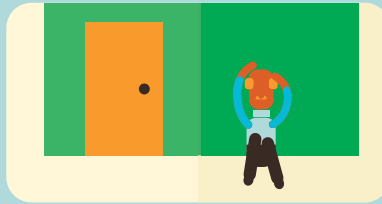
**AND HOLD ON**

*If there is no table around, get lower than the other furniture.*

## THINK



**BENEATH**



**BESIDE**



**BETWEEN**

# AFTER THE SHAKING

## CHECK YOUR BUILDING:



For structural damage




Shut off the water at the main valve




Shut off gas only if you:




⇒  Smell natural gas



⇒  Hear hissing



⇒  See the dial spinning rapidly



Check for injuries and apply basic first aid



Leave building if unsafe



Help your neighbors



## FOR MORE INFORMATION



Local television



Your local Emergency Management office



Emergency radio stations  
NOAA weather radio channels



Twitter @waEMD



Facebook facebook.com/WashEMD



## City of Kirkland – Summary of Services

<p><b>COUNSELING SERVICES</b></p> <p>Up to five (5) counseling sessions are available for issues affecting employees and their dependents. Individuals may speak with a professional counselor by phone, and the Employee Assistance Program will provide a referral to see a local counselor at no cost for issues such as:</p>	<ul style="list-style-type: none"> <li>• Anxiety and stress</li> <li>• Depression</li> <li>• Grief</li> <li>• Parenting</li> <li>• Drug or alcohol abuse</li> </ul>	<ul style="list-style-type: none"> <li>• Transition and change</li> <li>• Relationships – individual, marital, and family</li> </ul>
<p><b>FAMILY CAREGIVING SERVICES</b></p> <p>Referrals and information are available on a variety of family matters, including:</p>	<p><i>CHILD CARE AND PARENTING</i></p> <ul style="list-style-type: none"> <li>• Prenatal care</li> <li>• Daycare/summer camps</li> <li>• Special needs services</li> <li>• Preparing students for college</li> </ul>	<p><i>ELDERCARE</i></p> <ul style="list-style-type: none"> <li>• Assisted living</li> <li>• In-home care</li> <li>• Transportation services</li> <li>• Adult daycare</li> </ul>
<p><b>LEGAL SERVICES</b></p> <p>A 30 minute phone or in-person consultation is available to help answer basic legal questions and simplify the process of obtaining legal help. Some common legal concerns include:</p>	<ul style="list-style-type: none"> <li>• Adoption</li> <li>• Bankruptcy</li> <li>• Child custody</li> <li>• Criminal issues</li> <li>• Divorce</li> </ul>	<ul style="list-style-type: none"> <li>• Estate Planning</li> <li>• Immigration</li> <li>• Real estate</li> <li>• Tenant's rights</li> <li>• Mediation</li> </ul>
<p><b>FINANCIAL SERVICES</b></p> <p>A telephonic consultation with a qualified financial consultant is available to assist with a variety of financial concerns such as:</p>	<ul style="list-style-type: none"> <li>• Bankruptcy alternatives</li> <li>• Budgeting and cash flow</li> <li>• Credit issues</li> <li>• Identity theft</li> </ul>	<ul style="list-style-type: none"> <li>• Education funding</li> <li>• Income taxes</li> <li>• Mortgages</li> <li>• Retirement planning</li> </ul>
<p><b>CONVENIENCE SERVICES</b></p> <p>The Employee Assistance Program includes complimentary referrals to convenience services to help members make the most of their money and free time.</p>	<ul style="list-style-type: none"> <li>• Repairs</li> <li>• Moving and relocation services</li> <li>• Cleaning services</li> <li>• Car and hotel reservations</li> <li>• Sightseeing tours</li> </ul>	<ul style="list-style-type: none"> <li>• Destination guides</li> <li>• Dining</li> <li>• Personal shopping</li> <li>• Gift Recommendations</li> </ul>
<p><b>ONLINE TOOLS AND INFORMATION</b></p> <p>EAPHelplink.com is an interactive web-based self-service solution. The site provides a wide array of life management tools to help members with a variety of personal and/or work related issues in a private and convenient manner.</p>	<ul style="list-style-type: none"> <li>• Research articles</li> <li>• Wellness articles</li> <li>• Online trainings</li> <li>• Monthly webinars</li> </ul>	<ul style="list-style-type: none"> <li>• Self-search locators for child, academic and adult care resources</li> <li>• And much more!</li> </ul>

**CONFIDENTIALITY:** All discussions between you and your EAP professional are confidential. Information regarding your contact with the EAP cannot be released without your written consent, except by court order, imminent threat of harm to self or others, or in situations of abuse (such as child or elder abuse).

**NO OUT-OF-POCKET COST:** Your EAP is offered at no cost. Most concerns can be resolved directly with your EAP professional, but in the case that additional services are needed, your EAP professional will work with you to identify the most appropriate and affordable community resource to help meet your needs. Please note that referrals to services outside the EAP benefit may require out-of-pocket cost.

**For more information about your Employee Assistance Program please contact us as listed below.**

Phone: 800-999-1077

Website: [www.EAPHelplink.com](http://www.EAPHelplink.com)

Company Code: KIRKLAND



# INFORMATION SHEET

## Critical Incident Stress Management (CISM)

As professional emergency personnel, traumatic events and critical incidents can become routine. These scenes may be difficult, but our involvement is a necessary part of our job. If we see someone who needs first aid, we see to that person's needs. Likewise, we have an obligation to care for ourselves. Critical Incident Stress Management (CISM) is **necessary emotional first aid for emergency service providers.**

Critical incidents may evoke strong reactions which have the potential to interfere with a person's ability to function--during the event or at a later time. It is very common for people to experience stress related reactions when exposed to, or involved in, a critical incident. The responses may vary depending on the person and the circumstances. They may appear immediately, or days, weeks, or even months post-event.

Reactions experienced by emergency service providers are, in fact,

### **Normal Reactions in Normal People to Abnormal Events**

### Common Signs & Symptoms

**PHYSICAL** Chills, thirst, fatigue, nausea, fainting, twitches, vomiting, dizziness, weakness, chest pains, headaches, elevated blood pressure, rapid heart rate, muscle tremors, shock symptoms, grinding of teeth, visual difficulties, profuse sweating, difficulty breathing, etc. **Note:** *Any one of these symptoms may indicate the need for a medical evaluation. When in doubt, please contact your physician.*

**COGNITIVE** Confusion, nightmares, uncertainty, hypervigilance, suspiciousness, intrusive images, excessively blaming someone else, inattention, poor memory, disorientation of time, place or person, difficulty identifying objects or people, heightened or lessened levels of alertness, etc.

**EMOTIONAL** Fear, guilt, grief, panic, denial, anxiety, agitation, irritability, depression, intense anger, apprehension, emotional shock, emotional outbursts, feeling overwhelmed, loss of emotional control, inappropriate emotional responses, etc.

**BEHAVIORAL** Withdrawal, anti-social acts, inability to rest, intensive pacing, erratic movements, change in social activity, changes in sexual activity, change in speech patterns, loss or increase of appetite, increased alcohol consumption, etc.



# Critical Incident Stress Management (CISM)

## ■ A Few Suggestions

- ✓ Especially within the first 24-48 hours moderate physical exercise, alternated with relaxation will alleviate some of the physical reactions.
- ✓ Maintain as normal a schedule as possible. Structure your time and stay active.
- ✓ Drink water and eat well-balanced and regular meals, even if you don't feel like it.
- ✓ Don't make any major life changes or decisions.
- ✓ Talk to people you trust.
- ✓ Utilize your Department's CISM Team members and services.
- ✓ Do things that you enjoy such as a hobby, sport activity, etc.
- ✓ Try to get plenty of rest.
- ✓ You may want to keep a journal.

## ■ For Family Members & Friends

- ✓ Be willing to listen without being judgemental.
- ✓ Be available to provide assistance, like cooking, cleaning, caring for the family, etc.
- ✓ Spend time with the involved person(s).
- ✓ Also give them some private time if they want it.
- ✓ Try not to take their strong responses personally.
- ✓ Avoid telling them that they are "lucky it wasn't worse." This type of statement does not console people. Instead, you may want to tell them that you are sorry that such an event has occurred.

*With understanding and support, stress reactions usually pass more quickly. Occasionally the critical incident is so painful additional assistance from a professional counselor may be helpful.*

*There are also some excellent websites on the internet that have additional information on trauma and critical stress. Contact the CISM Team via the SPD or SFD Communications Section.*



## City of Kirkland Glossary of Continuity of Operations (COOP) and Continuity of Government (COG) Terms

*Activation.* When COOP activities have been implemented whether in whole or in part.

*Alternate facility.* A location, other than the normal facility, used to carry out essential functions in a COOP situation.

*Continuity of Operations (COOP).* The activities of individual departments and their sub-components to facilitate essential functions throughout an emergency situation and its short-term recovery.

This includes plans and procedures that:

- delineate essential functions;
- specify succession to office and the emergency delegation of authority;
- provide for the safekeeping of vital records and databases;
- identify alternate operating facilities;
- provide for communications;
- support personnel readiness and wellbeing; and
- validate the COOP capability through training and exercises.

*COOP Incident.* Any incident that causes the city to perform COOP activities to support continuation of essential functions.

*Critical data and systems.* Information essential to supporting the delivery of essential functions.

*Critical equipment.* Equipment essential to supporting the delivery of essential functions.

*Delegation of authority.* Specifies who is authorized to act on behalf of the agency head and other senior management and technical personnel for specific purposes.

*Go kit.* A kit prepared by, and for, an individual or department who expects to deploy to an alternate location during an emergency. The kit contains items needed to minimally satisfy personal and professional needs during deployment.

*Essential functions.* Functions that enable the COG to:

- maintain government status;
- provide vital services;
- support the safety and wellbeing of employees, contractors, customers, and the general public; and
- sustain the economic base due to an emergency.

*Essential resources.* Resources that support the agency's ability to provide essential functions.

*Interagency Agreements.* A written agreement entered into between agencies that require specific goods or services to be furnished or tasks to be accomplished by one agency in support of the other.



*Interoperable communications.* Alternate communications that support the capability to perform essential functions, in conjunction with other agencies, until full operations can be resumed.

*Legal and financial records.* Records that are needed to protect the legal and financial rights of the city.

*Orders of succession.* Provisions for the assumption of leadership positions during an emergency in the event that any of those leaders are unavailable to execute their duties.

*Primary facility.* The site of normal, day-to-day operations; the location where the employee usually goes to work.

*Return to operations.* The process by which the affected agency resumes full operations following COOP activities.

*Risk analysis.* The identification and assessment of hazards.

*Virtual offices.* A location or environment where an employee performs work through the use of portable information technology and communication packages.

*Vital databases.* Information systems needed to support essential functions during a COOP situation.

*Vital records.* Electronic and hardcopy documents, references, and records needed to support essential functions during a COOP situation. The two basic categories of vital records are emergency operating records and legal and financial records.

Information adapted from the Federal Emergency Management Agency (FEMA) Glossary of Terms.



**CITY OF KIRKLAND**  
**Department of Finance & 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/Public Records Officer  
Michael Olson, Director of Finance and Administration  
Kevin Raymond, City Attorney

**Date:** September 21, 2017

**Subject:** Public Records Legislation Update

### **RECOMMENDATION:**

That the City Council approves the attached Resolution 5272 adopting changes to the Public Records Act Rules 130 and 150 related to copying charges in disclosure of responsive records to reflect record copying cost recovery changes authorized by recent amendments to the Public Records Act, Chapter 42.56 RCW.

### **BACKGROUND DISCUSSION:**

EHB 1595, which became effective on July 23, 2017, amends 42.56 RCW, generally referred to as the Public Records Act (PRA), and changes the circumstances under which an agency may charge for copying public records. Agencies may now either (1) establish a statement of the actual costs of providing public records, including a statement of the factors and manner used to determine the actual costs, or (2) adopt the default copying cost recovery schedule set forth in RCW 42.56.120, as amended by EHB 1595.

In order to adopt a statement of charges for actual costs, the City must provide notice and a public hearing prior to adoption. In order to use the statutory fee schedule in lieu of charging actual costs for providing records, agencies are required to declare by rule or regulation the reasons why calculating actual costs would be overly burdensome.

The City currently uses a combined fee schedule of statutory and actual costs that were calculated and instituted several years ago, prior to the passage of EHB 1595. This fee schedule did not include calculating costs for providing electronic records. The way EHB 1595 was written, the City's existing fee schedule cannot continue to be used without following the prescribed process of cost re-calculation and a public hearing. Unless the City adopts the statutory fee schedule or establishes actual costs, it can no longer recover copying costs. Re-calculating the actual costs for providing public records under the new legislation at this time would be unduly burdensome for the following reasons: the City does not have the resources to devote to conducting a study to determine actual copying costs for all its records; to conduct

such a study would interfere with other essential agency functions; and, through the state's legislative process, the public has been informed of and been provided the opportunity to comment on the authorized fees and costs provided in the amendment to the Public Records Act. Staff does intend to further explore this option at a later date.

Therefore, in order to timely implement a fee schedule consistent with the Public Records Act, it is more cost efficient, expeditious, and in the public interest for the City to adopt the state legislature's approved fees and costs as authorized in RCW 42.56.120 at this time.

In addition, PRA rule 020 has been updated as a housekeeping measure to remove 505 Market Street as a City facility address.

The new fee schedule (as approved by the state) to be incorporated in the update to the Rules is shown below.

<b>City of Kirkland Public Records Request Fee Schedule</b>	
<b>Copies:</b>	
15 cents/page	Photocopies, printed copies of electronic records when requested by the requestor, or for the use of agency equipment to make photocopies.
10 cents/page	Scanned records, or use of agency equipment for scanning.
5 cents/each 4 electronic files or attachments	Records uploaded to email, or cloud-based data storage service, or other means of electronic delivery.
10 cents/gigabyte	Records transmitted in electronic format or for use of agency equipment to send records electronically.
Actual cost	Digital storage media or devices, CD/DVD/Flash Drive/Other
Actual cost	Postage or delivery charges
Actual cost	Any Container or envelope used to mail copies
(Varies)	Records for which other costs are authorized pursuant to specific fee statutes.
<b>↑ Copy charges above may be combined to the extent more than one type of charge applies to copies responsive to a particular request.</b>	
<b>Additional options for copies:</b>	
Actual cost	Data compilations prepared or accessed as a customized service (cost is in addition to above fees for copies).
Up to \$2 flat fee	As an alternative to the copy charges above, the City of Kirkland may charge a flat fee of up to \$2 for any request when the City reasonably estimates and documents that the costs are equal to or more than \$2. If applied to the initial installment, additional flat fees shall not be charge for subsequent installments.

Rules updates are shown in "track changes" to the Rules document attached to the resolution.

RESOLUTION R-5272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO COMPLIANCE WITH THE PUBLIC RECORDS ACT, AMENDING AND ADOPTING UPDATED PUBLIC RECORDS ACT RULES, AND ORDERING POSTING OF THIS RESOLUTION AND THE PUBLIC RECORDS ACT RULES.

1           WHEREAS, RCW Sections 42.56.040, 42.56.070 and 42.56.100  
2 of the Public Records Act ("Act") collectively require that state and local  
3 agencies provide, publish and prominently display certain information,  
4 exemptions and rules governing disclosure of public records; and

5           WHEREAS, the City of Kirkland ("City") is a local agency as  
6 defined in the Act and must therefore comply with it provisions; and

7           WHEREAS, the attached Public Records Act Rules ("Rules") fulfill  
8 one of these requirements and were developed using the Attorney  
9 General's Office Advisory Model Rules for disclosure of public records;  
10 and

11           WHEREAS, RCW 42.56.120 provides that a reasonable charge  
12 may be imposed for providing copies of public records and that each  
13 agency may establish, maintain, and make available for public  
14 inspection and copying a statement of the actual costs that it charges  
15 for providing photocopies or electronically produced copies, of public  
16 records or, alternatively, adopt the default copying cost recovery set  
17 forth in such statute.

18  
19           NOW, THEREFORE, be it resolved by the City Council of the City  
20 of Kirkland as follows:

21  
22           Section 1. The attached Rules are adopted as the rules the City  
23 will follow in handling public records requests and imposing reasonable  
24 charges for copies of public records, and the City Manager, in  
25 consultation with the Public Disclosure Steering Team, is hereby  
26 authorized to amend the Rules as necessary to remain in compliance  
27 with evolving law governing the handling of public records requests and  
28 to update the Rules as facts may require. All amendments to the Rules  
29 shall be reported to the City Council.

30  
31           Passed by majority vote of the Kirkland City Council in open  
32 meeting this \_\_\_ day of \_\_\_\_\_, 2017.

33  
34           Signed in authentication thereof this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

---

Kathi Anderson, City Clerk

## PUBLIC RECORDS ACT RULES

### **PRA Rule 010. Authority and purpose.**

(1) **Authority.** RCW 42.56.070(1) requires each agency to make available for inspection and copying nonexempt public records in accordance with published rules. The Public Records Act ("the Act") defines "public record" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency. RCW 42.56.070(2) requires each agency to set forth "for informational purposes" every law, in addition to the Act, that exempts or prohibits the production of public records held by that agency.

(2) **Purpose of Rules.** The purpose of these Rules is to establish the procedures the City of Kirkland ("the City") will follow in order to provide full access to public records, fullest assistance to inquirers and the most timely possible action as required by RCW 42.56.100, mindful of the further requirement that the Rules must also protect the records from damage or disorganization and prevent excessive interference with other essential functions of the City. These Rules provide information to persons wishing to request access to public records of the City and establish processes for both requestors and City staff that are designed to best assist members of the public in obtaining such access.

(3) **Purpose of Act.** The purpose of the Act is to provide the public full access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of the efficient administration of government. The Act and these Rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the Act, the City will be guided by the provisions of the Act describing its purposes and interpretation.

(4) **Act not applicable.** Court files and judges' files are not subject to the Act. Access to these records is governed by court rules and the common law.

(5) **Amendment of the Rules.** By authorization of the City Council in the Resolution approving these Rules, the City Manager is authorized to amend the Rules as necessary to remain in compliance with evolving law governing the handling of public records requests and to update the Rules as facts may require. Amendments to the Rules must be reviewed by the Public Disclosure Steering Team prior to City Manager action. All amendments to the Rules will be reported to the City Council.

### **PRA Rule 020. Agency description--Contact information--Public records officer.**

(1) Agency description. The City provides the services of a non-charter code city, including but not limited to, building and plans inspection, court, parks and recreation, planning and community development, public safety and public works services, which are supported and

supplemented by financial, administrative and legal services. The City's central office is located at 123 Fifth Avenue, Kirkland, WA 98033.

The general course and method by which the City's operations are channeled and determined is through laws adopted and direction given by the City Council and other competent authority in conformity with all applicable city, state and federal law, which are implemented by the City Manager, Department Directors and their designees in conformity with the requirements of those same laws. The City's rules of procedure are set forth in those same laws or in rules adopted pursuant to authority granted to others as provided in those laws. The City's substantive rules of general applicability that were adopted as authorized by law, as well as the statements of general policy or interpretations of general applicability formulated and adopted by the City are contained in the Kirkland Municipal Code, or in rules, regulations and interpretations authorized to be adopted or issued in those laws or under federal or state law.

The City has field offices at the following addresses:

Municipal Court	11740 NE 118 <sup>th</sup> Street, Kirkland, WA 98034
Kirkland Police Department	11750 NE 118 <sup>th</sup> Street, Kirkland, WA 98034
Fire Stations	
Station 21	9816 Forbes Creek Drive, Kirkland, WA 98033
Station 22	6602 108th Avenue NE, Kirkland WA 98033
Station 24	8411 NE 141st Street, Kirkland 98034
Station 25	12033 76th Place NE, Kirkland, WA 98034
Station 26	9930 124th Avenue NE, Kirkland, WA 98033
Station 27	11210 NE 132nd Street, Kirkland, WA 98034
	12421 103rd Avenue NE, Kirkland, WA 98034
North Kirkland Comm. Ctr.	352 Kirkland Avenue, Kirkland, WA 98033
Peter Kirk Community Center	340 Kirkland Avenue, Kirkland, WA 98033
Peter Kirk Pool	310 1st Street, Kirkland, WA 98033
Public Works CIP Annex	12040 98th Avenue NE, Suite 101, Kirkland, WA 98034
Prosecuting Attorney	9757 NE Juanita Drive, Suite 120, Kirkland, WA 98034
Public Defender	904 8th Street, Kirkland, WA 98033
Fleet Management	915 8th Street, Kirkland, WA 98033
Maintenance Center	1129 8th Street, Kirkland, WA 98033
Parks Maintenance Center	

(2) **Contact Information-Public Records Officer.** Any person wishing to request access to public records of the City, or seeking assistance in making such a request, should follow the procedures set forth in these Rules and contact the following Public Records Officer (the "PRO") of the City to submit such a request or to obtain assistance in making such a request:

Kathi Anderson, City Clerk  
City of Kirkland  
123 Fifth Avenue  
Kirkland, WA 98033  
Phone (425) 587-3190 Fax (425) 587-3198

[PublicRecords@kirklandwa.gov](mailto:PublicRecords@kirklandwa.gov)

Information is also available at the City's web site at [www.kirklandwa.gov](http://www.kirklandwa.gov).

**PRA Rule 030. Availability of public records.**

(1) **Availability.** Public records are available for inspection and copying during normal business hours of the City, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. Inspection of records shall occur at the central offices of the City unless another location is approved by the PRO or designee.

(2) **Records index.** By the Resolution approving these Rules, the Kirkland City Council issued a formal order finding that the maintenance of an index was unduly burdensome. This finding was based on the fact that the City is comprised of ten departments, with divisions and subdivisions, serving over 80,000 citizens. The different departments maintain separate databases and/or record keeping systems for the indexing of records and information. Because these records are diverse, complex and stored in multiple locations and in multiple computer systems and databases, it is unduly burdensome to maintain a central index of records.

(3) **Organization of records.** The City will maintain its records in a reasonably organized manner. While committed to fully comply with the Act and these Rules, the City must also take reasonable actions to protect records from damage and disorganization and prevent excessive interference with other essential functions of the City. A requestor shall not take City records from City offices. A variety of records are available on the City's web site at [www.kirklandwa.gov](http://www.kirklandwa.gov). Requestors are encouraged to view the documents available on the web site prior to submitting a records request.

(4) Making a request for public records.

(a) Any person wishing to inspect or copy public records of the City should make the request in writing on the City's request form, or by letter, fax, or email addressed to the PRO and including the following information:

Name of requestor; address of requestor;  
other contact information, including telephone number and any e-mail address;  
identification of the public records adequate for the PRO to locate the records; and the date and time of day of the request.

(b) If the requestor wishes to have copies or scans of the records made instead of simply inspecting them, he or she should so indicate and make arrangements with the PRO to pay for copies or scans of the records as provided in PRA Rule 150 below.

(c) A form is available for use by requestors at the office of the PRO and on-line at [www.kirklandwa.gov](http://www.kirklandwa.gov).

(d) Public records requests are public records and subject to inspection or copying.

(e) The PRO may accept requests for public records that contain the above information by telephone or in person. If the PRO accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing. The confirmation will be



deemed the correct statement of the scope of the request unless the requestor responds with a different statement of the scope.

(f) Records requests may only encompass existing records. They cannot be used to obtain copies of records not yet in existence.

#### **PRA Rule 040. Definitions.**

(1) **"Public Disclosure Steering Team"** means a team composed of the City Manager or his or her designee, the Director of Finance and Administration, the City Clerk and the City Attorney or his or her designee as established in Kirkland Municipal Code 3.15.030.

(2) **"Public Disclosure Coordinating Team"** means a team composed of the City Clerk, Deputy City Clerk and staff members designated by each City department as established in Kirkland Municipal Code 3.15.040.

(3) **"Records request queue"** means a list of all the pending and active Category 3, 4 and 5 public records requests.

(4) **"Standard time period"** means the estimated time, established as goals, to make requested public records available by category of records request.

#### **PRA Rule 050. Processing of public records requests.**

(1) **Providing "fullest assistance."** Mindful of the requirements of RCW 42.56.100, to the extent reasonably possible, the PRO will process requests in the order allowing the most requests to be processed in the most efficient manner. In an effort to better understand the request and provide all responsive records, the PRO can inquire about the purpose for the request but the requestor is not required to answer except to establish whether inspection and copying would violate RCW 42.56.070(9) (see PRA Rule 100 below) or other statute which exempts or prohibits production of specific information or records to certain persons.

(2) **Acknowledging receipt of request.** Within five business days of receipt of the request, not including the day the request was received as provided by RCW 1.12.040, the PRO will do one or more of the following:

(a) Make the records available for inspection or copying;

(b) If copies are requested and payment or payment of a deposit is made as provided in PRA Rule 150 below, or terms of payment are agreed upon, send the copies to the requestor;

(c) Provide a reasonable estimate of any additional time needed to respond to the request and a date by which the records will be produced in whole or in part depending on whether

the records are being provided in installments. The factors used to estimate the additional time needed must be based upon criteria that can be articulated and may be presented in the response estimating the additional time needed. However, additional time is only allowed under the following circumstances:

(i) to request clarification from the requestor if the request is unclear or does not sufficiently identify the requested records. Such clarification may be requested and provided by telephone. If the clarification is made by telephone, the PRO will confirm the scope of the clarification in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requestor responds with a different statement of the scope;

(ii) to locate and assemble the information requested;

(iii) to notify third persons or agencies in the event the requested records contain information that may affect rights of others and may be exempt from production. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request or a statement of the request if no written request was received; or

(iv) to determine whether any of the information requested is exempt from production and that a denial should be made as to all or part of the request; or

(d) deny the request, specifying the reasons for denial.

(3) **Consequences of failure to respond.** If the PRO does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the PRO to determine the reason for the failure to respond.

(4) **Injunction.** Pursuant to RCW 42.56.565, the City may seek to enjoin the inspection or copying of any nonexempt public record by persons serving criminal sentences in state, local, or privately operated correctional facilities.

#### **PRA Rule 060. Managing the queues.**

The Public Disclosure Coordinating Team is primarily responsible for managing the records requests queues based on the following criteria:

- (1) the number of records responsive to a given request;
- (2) the number and size of other records requests in the queue;
- (3) the amount of processing required for the subject request or requests and other requests in the queue;

- (4) the status of a particular request that is waiting for third party review or requestor action; and
- (5) the current volume of other City work, as it affects the amount of staff time that can be devoted to the subject request or requests.

**PRA Rule 070. Categories of requests.**

(1) When a public records request is received, the PRO and/or the designated department representative receiving the records request will categorize the request according to the nature, volume, and availability of the requested records as follows:

- (a) **Category 1** records requests are requests requiring immediate response in the interest of public safety (imminent danger). These requests shall take priority over all other requests.
- (b) **Category 2** records requests are 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 routine requests that involve:
  - (i) a large number of records, and/or
  - (ii) records not easily identified, located and accessible, and
  - (iii) records that require some coordination between departments.
- (d) **Category 4** records requests are 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.

(2) After initial categorization, records requests may be re-categorized in response to unanticipated circumstances or additional information.

**PRA Rule 080. Standard time periods for response.**

(1) The following time standard periods for response to all categories of records requests are established as goals. The City may not be able to comply with the goals, but will notify the requestor if the goal will not be met.

(a) **Category 1 records requests.** Generally, the City will respond to Category 1 records requests immediately or the next business day after the request is received.

(b) **Category 2 records requests.** Generally, the City will respond to Category 2 records requests within five business days. If records cannot be made available within five business days, the City may extend the time to respond as described above.

(c) **Category 3 records requests.** The City will provide a written response to the requestor within five business days with a reasonable estimate of the time necessary to make the records available. The estimate is made on a case-by-case basis. Depending on the nature and scope of the request, Category 3 records requests usually require between 5 and 30 business days.

(d) **Category 4 records requests.** The City will provide a written response to the requestor within five business days with a reasonable estimate of the time necessary to make the records available. The estimate is made on a case-by-case basis. Depending on the nature and scope of the request, Category 4 records requests may require several weeks to several months.

(e) **Category 5 records requests.** The City will provide a written response to the requestor within five business days with a reasonable estimate of the time necessary to make the records available. The estimate is made on a case-by-case basis. Depending on the nature and scope of the request, Category 5 records requests may require several weeks to several months.

**PRA Rule 090. Records requests queues.**

(1) All Category 3, 4, and 5 records requests shall be maintained and tracked in records requests queues with a separate queue for each category. The queues shall identify the status of the records as "pending," "active," or "completed."

(2) Records requests will initially be entered in the respective queues in the chronological order in which they are received by the City. Responding to a records request is not always a sequential process. The PRO will manage the active queues by moving between requests based on circumstances that may include, but are not limited to the following:

- (a) a request is waiting for records to be retrieved from storage;
- (b) a request is waiting for records to be retrieved from persons or entities that hold them on behalf of the City (e.g. employees, consultants);
- (c) a request is waiting for the requestor to respond to a request for clarification;
- (d) a request is waiting for a response after notifying a third party named in a record;
- (e) a request is waiting for the expiration of the time allowed a third party to obtain an order from a court enjoining release of records;
- (f) a request is waiting for resolution of a legal action filed by a third party to enjoin release of records;
- (g) a request is waiting for legal review of records to determine if they meet the definition of a public record or the applicability of exemptions and production of an exemption log;
- (h) a request is waiting for consideration of a petition to review denial of access;
- (i) a request is waiting for the requestor to pay for copies of the records or pay a deposit for copies;
- (j) a request is waiting for external vendor reproduction of records; or
- (k) a request is waiting for the requestor to claim an installment or physically inspect records.

### **PRA Rule 100. Redactions and exemptions.**

(1) **Records exempt from production.** Some records are exempt from production, in whole or in part. If a record is exempt from production and should be withheld, the PRO will state the specific exemption and provide a brief explanation of how the exemption applies to the record being withheld. This explanation should be sufficient to enable the requestor to make a threshold determination of whether the claimed exemption is proper. If only a portion of a record is exempt from production, but the remainder is not exempt, the PRO will redact the exempt portions, produce the nonexempt portions, and indicate to the requestor why portions of the record are being redacted. (For the purposes of these Rules, redact means the exempt information will be covered in some manner and then the record will be photocopied and the photocopy then disclosed.)

The City is also prohibited by statute from producing lists of individuals for commercial purposes. Therefore, if a request is received for any type of list of individuals, an inquiry as to whether the requestor intends to use the list for commercial purposes must be answered before the list can be provided. If the answer is that it will be used for such purposes, the list cannot be produced.

### **PRA Rule 110. Inspection of records.**

#### **(1) Inspection of records.**

(a) Consistent with other demands, the City shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the City to copy or scan, if any, and provide payment for those copies or scans.

(b) The requestor must claim or review the assembled records within 30 days of the PRO'S notification to him or her that the records are available for inspection or copying/scanning. The PRO will notify the requestor, in writing, of this requirement and inform the requestor that he or she should contact the PRO to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the 30-day period or make other arrangements, the PRO may close the request and re-file the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

### **PRA Rule 120. Providing records.**

(1) **Providing records in installments.** When the request is for a large number of records, the PRO may provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that manner. If, within 30 days, the requestor fails to inspect the entire set of records or one or more of the installments, the PRO may stop searching for the remaining records and close the request.

(2) **Closing withdrawn or abandoned request.** When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the PRO will close the request and so inform the requestor.

(3) **Later discovered documents.** If, after the PRO has informed the requestor that he or she has provided all available records, the PRO becomes aware of additional responsive documents existing at the time of the request that had not been provided previously, he or she will promptly inform the requestor of the additional documents and provide them on an expedited basis.

(4) **Identifiable record.** A requestor must request an "identifiable record" or "class of records" before an agency must respond. An identifiable record is one that agency staff can reasonably locate. The Act does not allow a requestor to search through agency files for records which cannot be reasonably identified or described to the agency.

(5) **Requests for information or nonexistent records.** Requests for information are not public records requests. An agency is not required to conduct legal research for a requestor. An agency is not required to create records to respond to a request.

### **PRA Rule 130. Processing of public records requests-electronic records.**

(1) **Requesting electronic records.** The process for requesting electronic public records is the same as for requesting paper public records.

(2) **Providing electronic records.** If public records are requested in an electronic format, the PRO will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the agency and is generally commercially available, or in a format that is reasonably translatable from the format in which the agency keeps the record. Costs for providing electronic records are governed by PRA Rule 150 below.

(3) **Customized access to databases.** With the consent of the requestor, the City may provide customized access under RCW 43.41A.130 and 42.56.120(3) and (4) if the record is not reasonably locatable or not reasonably translatable into the format requested. The City may charge a fee consistent with those statutes for such customized access.

(4) **Retaining electronic copies.** Because an electronic record is usually more susceptible to manipulation and alteration than a paper record, the City will keep, when feasible, an electronic copy of the electronic records it provides to a requestor to be able to show the exact records it provided if necessary.

### **PRA Rule 140. Exemptions provided by other statutes.**

(1) **Exemptions.** The Act provides that a number of records are exempt from public inspection and copying. In addition, documents are exempt from production if any "other statute" exempts or prohibits production. Requestors should be aware of the following exemptions, outside the Act, that may restrict the availability of some records held by the City for inspection and copying/scanning:

RCW 2.64.111	Judicial conduct commission investigations of judges and initial proceedings
RCW 4.24.550	Information on sex offenders
RCW 4.24.601 and .611	Trade secrets and confidential research, development or commercial information re products or business methods
RCW 5.60.060	Privileged communications

RCW 5.60.070	Mediation records
RCW 7.07.070	Mediation records
RCW 7.68.140	Victims' compensation claims
RCW 7.69A.030(4)	Name, address and photograph of child victim or child witness
RCW 7.69A.050	Child victims and witnesses of certain crimes – protection of address
RCW 7.75.050	Records of Dispute Resolution Centers
RCW 9.02.100	Reproductive privacy
RCW 9.41.097(2)	Mental health information re persons buying pistols or applying for CPLs
RCW 9.41.129	Concealed pistol license applications
RCW 9.73.230	Name of confidential informants in written report on wire tapping
RCW 9.51.050	Disclosing transaction of grand jury
RCW 9.51.060	Disclosure of grand jury deposition
RCW 9.73.090(1)(c)	Prohibition on disclosure of law enforcement dash cam videos until final disposition of litigation
RCW 9A.44.138	Offender registration information given to high school or institution of higher education re an employee or student
RCW 9A.82.170	Financial institution records re criminal profiteering act
RCW 10.27.090	Grand jury testimony/evidence
RCW 10.27.160	Grand jury reports – release to public only by judicial order
RCW 10.52.100	Records identifying child victims of sexual assault
RCW 10.77.205	Information re victims, next of kin, or witnesses requesting notice of release of person found not guilty of a sex, violent, or felony harassment offense by reason of criminal insanity and the notice itself
RCW 10.52.100	Records identifying child victim of sexual assault
RCW 10.77.210	Records of persons committed for criminal insanity
RCW 10.97.040	Criminal history information released must include disposition, with some exceptions
RCW 10.97.050	Conviction and criminal history information
RCW 10.97.060	Deletion of certain criminal history record information, conditions
RCW 10.97.070	Disclosure of identity of suspect to victim
RCW 10.97.080	Inspection of criminal record by subject
RCW 10.97.130	Information about victims of sexual assault under age eighteen
RCW 10.101.020(3)	Information given by an accused regarding determination for indigent defense
RCW 13.34.115	Court dependency proceedings
RCW 13.40.217	Juveniles adjudicated of sex offenses – release of information
RCW 13.50.010	Maintenance of and access to juvenile records
RCW 13.50.050	Juvenile offender records
RCW 13.50.100	Juvenile/children records not relating to offenses
RCW 13.60.020	Missing children or endangered person information
RCW 18.04.405	Confidentiality of information gained by CPA
RCW 18.19.060	Notification to clients by counselors



RCW 18.19.180	Confidential communications with counselors
RCW 19.215.020	Destruction of personal health and financial information
RCW 19.34.240(3)	Private digital signature keys
RCW 19.215.030	Compliance with federal rules
RCW 26.04.175	Name and address of domestic violence victim in marriage records
RCW 26.12.170	Reports of child abuse/neglect with courts
RCW 26.23.050	Child support orders
RCW 26.23.120	Child support records
RCW 26.26.041	Uniform Parentage Act – protection of participants
RCW 26.26.450	Confidentiality of genetic testing
RCW 26.33.330	Sealed court adoption records
RCW 26.33.340	Agency adoption records
RCW 26.33.343	Access to adoption records by confidential intermediary
RCW 26.33.380	Adoption – identity of birth parents confidential
RCW 26.44.010	Privacy of reports on child abuse and neglect
RCW 26.44.031	Information related to reports of child abuse or neglect
RCW 26.44.125	Reports, reviews and hearings related to a review of abuse finding
RCW 27.53.070	Records identifying the location of archaeological sites
RCW 29A.08.720	Voter registration records – place of registration and any decision not to register to vote confidential
RCW 29A.08.710	Voter registration records – certain information exempt
RCW 35.102.145	Municipal business and occupation tax – local ordinance can protect return or tax information
RCW 36.28A.060(8)	Tactical and intelligence information provided to WASPC
RCW 39.10.470(2)	Alternative public works – trade secrets or other proprietary information submitted by bidder in connection with an alternative public works transaction if data identified and reasons stated in writing
RCW 39.10.470(3)	Alternative public works – proposals submitted by design-build finalists until notification of highest scoring finalist is made
RCW 42.23.070(4)	Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7)	Identity of local government whistleblower
RCW 42.41.045	Non-disclosure of protected information (whistleblower)
RCW 43.43.762	Contents of statewide criminal street gang database
RCW 46.52.065	State toxicologist records relating to analyses of blood samples
RCW 46.52.080	Traffic accident reports – confidentiality
RCW 46.52.083	Traffic accident reports – available to interested parties
RCW 46.52.120	Traffic crimes and infractions – confidential use by police and courts
RCW 46.52.130(2)	Abstract of driving record – limited disclosure
RCW 48.62.101	Local government insurance/risk management liability reserve funds established to settle claims
RCW 50.13.060	Access to employment security records by local government agencies

RCW 50.13.100	Disclosure of confidential employment security records allowed if identifying information deleted or with consent
RCW 51.28.070	Worker's compensation records confidential – limited disclosure
RCW 51.36.060	Physician information on injured workers
RCW 60.70.040	No duty to disclose record of common law lien
RCW 68.50.105	Autopsy reports – confidential – limited disclosure
RCW 68.50.320	Dental identification records – available to law enforcement agencies
Ch. 70.02 RCW	Medical records – access and disclosure – entire chapter (information from HC providers)
RCW 70.05.170	Child mortality reviews by local health departments
RCW 70.24.022	Public health agency information regarding sexually transmitted disease investigations - confidential
RCW 70.24.024	Transcripts and records of hearings regarding sexually transmitted diseases
RCW 70.28.020	Local health department TB records – confidential
RCW 70.41.200	Hospital quality improvement committee records and accreditation reports
RCW 70.48.100	Jail records and booking photos
RCW 70.58.055	Birth certificates – certain information confidential
RCW 70.58.104	Vital records, research confidentiality safeguards
RCW 70.94.205	Washington Clean Air Act – confidentiality of data.
RCW 70.96A.150	Registration and other records of alcohol and drug abuse treatment programs
RCW 70.123.075	Client records of domestic violence programs
RCW 70.125.065	Records of community sexual assault program and underserved populations provider in discovery
RCW 71.05.425	Notice of release or transfer of committed person after offense dismissal
RCW 71.05.445	Release of mental health information to Dept. of Corrections
RCW 71.05.620	Access to court records related to mental health cases under chapter 71.05 RCW
RCW 71.24.035(5)(g)	Mental health information system – state, county and regional support networks – confidentiality of client records
RCW 71.34.335	Mental health treatment of minors – records confidential
RCW 71A.14.070	Records regarding developmental disability – confidentiality
RCW 72.09.345	Notice to public about sex offenders – department of corrections access to information
RCW 72.09.585	Disclosure of inmate records to local agencies – confidentiality
RCW 73.04.030	Veterans discharge papers exemption (see related RCW 42.56.440)
RCW 74.04.060	Applicants and recipients of public assistance
RCW 74.04.520	Food stamp program confidentiality
RCW 74.13.075(5)	Juvenile's status as a sexually aggressive youth and related info

RCW 74.13.280	Children in out-of-home placements – confidentiality
RCW 74.20.280	Child support enforcement – local agency cooperation, information
RCW 74.34.095	Abuse of vulnerable adults – confidentiality of investigations and reports
RCW 82.32.330	Disclosure of tax information
RCW 84.36.389	Confidential income data in property tax records held by assessor
RCW 84.40.020	Confidential income data supplied to assessor regarding real property
18 USC § 2721 - 2725	Driver and license plate information
20 USC § 1232g	Family Education Rights and Privacy Act
23 USC § 409	Evidence of certain accident reports
42 USC 290dd-2	Confidentiality of substance abuse records
42 USC § 405(c)(2)(C)(viii) (I)	Limits on use and disclosure of social security numbers.
42 USC 654(26)	State plans for child support
42 USC 671(a)(8)	State plans for foster care and adoption assistance
42 USC 1396a(7)	State plans for medical assistance
7 CFR 272.1(c)	Food stamp applicants and recipients
34 CFR 361.38	State vocational rehabilitation services programs
42 CFR Part 2 (2.1 - 2.67)	Confidentiality of alcohol and drug abuse patient records
42 CFR 431.300 - 307	Safeguarding information on applicants and recipients of medical assistance
42 CFR 483.420	Client protections for intermediate care facilities for the mentally retarded
42 CFR 5106a	Grants to states for child abuse and neglect prevention and treatment programs
45 CFR 160-164	HIPAA privacy rule
46 CFR 40.321	USCG regulations regarding confidentiality

**PRA Rule 150. Costs of providing copies of public records.**

- (1) **Costs for copies.** A requestor may obtain copies or scans as provided under RCW 42.56.070(7), 42.56.120 and WAC 44-14-07003; the City will charge for those copies or scans according to the fee schedule below. For records in other forms, the City will charge the actual cost it pays for the medium used to record the record or records provided. Those mediums include, but are not limited to, CDs, DVDs, flash drives, external hard drives and others. The statements providing those costs are the invoices paid to obtain them and are available for public inspection and copying.

<b>City of Kirkland Public Records Request Fee Schedule</b>	
<b>Copies:</b>	
15 cents/page	Photocopies, printed copies of electronic records when requested by the requestor, or for the use of agency equipment to make photocopies.
10 cents/page	Scanned records, or use of agency equipment for scanning.
5 cents/each 4 electronic files or attachments	Records uploaded to email, or cloud-based data storage service, or other means of electronic delivery.
10 cents/gigabyte	Records transmitted in electronic format or for use of agency equipment to send records electronically.
Actual cost	Digital storage media or devices, CD/DVD/Flash Drive/Other
Actual cost	Postage or delivery charges
Actual cost	Any Container or envelope used to mail copies
(Varies)	Records for which other costs are authorized pursuant to specific fee statutes.
↑ <b><i>Copy charges above may be combined to the extent more than one type of charge applies to copies responsive to a particular request.</i></b>	
<b>Additional options for copies:</b>	
Actual cost	Data compilations prepared or accessed as a customized service (cost is in addition to above fees for copies).
Up to \$2 flat fee	As an alternative to the copy charges above, the City of Kirkland may charge a flat fee of up to \$2 for any request when the City reasonably estimates and documents that the costs are equal to or more than \$2. If applied to the initial installment, additional flat fees shall not be charge for subsequent installments.

Before beginning to make copies, the PRO may require a deposit of up to ten percent of the estimated costs of copying or scanning all the records selected by the requestor. The PRO may also require the payment of the remainder of the copying/scanning costs before providing all the records, or the payment of the costs of copying/scanning an installment before providing that installment. The PRO will not charge sales tax when it makes copies or scans of public records but if the records are sent to a third party for copying/scanning, that third party may charge sales tax and the requestor will be responsible for payment of that tax as well as the third party's actual charges for copies or scans.

(2) **Costs of mailing.** The City may also charge actual costs of mailing, including the cost of the shipping container.

(3) **Costs for certification.** The City may also impose a charge of \$5.00 per record for certification.

(4) **Other copying charges.** The Act generally governs copying charges for public records, but several specific statutes govern charges for particular kinds of records. The following non-exhaustive list provides some examples: RCW 46.52.085 (charges for traffic accident reports); RCW 10.97.100 (copies of criminal histories) and RCW 70.58.107 (charges for birth certificates). The City will charge the amount authorized pursuant to these other statutes rather than as provided under the Act.

(5) **Use of outside vendor.** An agency is not required to copy/scan records at its own facilities. An agency can send the project to a commercial copying/scanning center and bill the requestor for the amount charged by the vendor. An agency can arrange with the requestor to pay the vendor directly. An agency cannot charge the default per page copying/scanning charge when its cost at a vendor is less.

(6) **Payment.** Payment may be made by cash, check, debit card, credit card, or money order made payable to the City.

#### **PRA Rule 160. Review of denials of public records requests.**

(1) **Petition for internal administrative review of denial of access.** Any person who objects to the initial denial or partial denial of a records request may petition in writing (including email) to the PRO for a review of that decision. The petition shall include, a copy of or reasonably identify, the written statement by the PRO denying the request.

(2) **Consideration of petition for review.** The PRO shall promptly provide the petition and any other relevant information to the Public Disclosure Steering Team to conduct the review. The Public Disclosure Steering Team will immediately consider the petition and either affirm or reverse the denial within five business days following the City's receipt of the petition, or within such other time as the City and the requestor mutually agree.

(3) **Judicial review.** Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

This document revised and approved on October 3, 2017.

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Kurt Triplett, City Manager



**CITY OF KIRKLAND**  
**Planning and Building Department**  
**123 5th Avenue, Kirkland, WA 98033**  
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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Eric Shields, Planning and Building Director  
Stephanie Croll, Senior Assistant City Attorney  
Tracey Dunlap, Deputy City Manager

**Date:** September 21, 2017

**Subject:** Process for Considering Zoning Code Amendments

**RECOMMENDATION**

Adopt the attached ordinance changing the review process for two potential zoning code amendments. The ordinance would reassign the required public hearing from the Planning Commission to the City Council in order to expedite consideration and adoption of the amendments. The proposed amendments involve required on-site parking for homeless shelters and the required tree retention review process in the Holmes Point Overlay Zone.

**BACKGROUND DISCUSSION**

**Women and Family Shelter**

The City has been working with A Regional Coalition for Housing (ARCH) and other non-profit organizations to site a permanent Eastside shelter in Kirkland for adult women and families with children. On February 14, 2017, the City entered into a Memorandum of Understanding (MOU) regarding the purchase of real property for the future siting and development of a Shelter for adult women and families with children in the City of Kirkland (the "Shelter"). The MOU addressed the steps necessary to secure a site for a permanent shelter on a portion of property owned by Holy Spirit Lutheran Church (HSLC) and occupied by Salt House Church. The property purchase is expected to be completed by December 31, 2017.

The developer of the Shelter is Catholic Housing Services (CHS). In September 2017, CHS submitted applications for funding to public funders for the purpose of obtaining money to use for construction of the Shelter. It is anticipated CHS will be notified of funding awards in December 2017.

The Shelter site presents a challenge in locating all of the required parking on the site, due to the fact that it shares a parking lot with Salt House. The Shelter is expected to purchase a permanent parking easement for 10 parking stalls from Salt House and also enter into a temporary shared parking agreement with Salt House, but the shared

parking agreement will not continue if the Salt House site is redeveloped. On the other hand, the Shelter is located in a unique area of the City that currently has substantial on-street parking on 120<sup>th</sup> Ave. NE. The Kirkland Municipal Cemetery is on the east side of 120<sup>th</sup> Ave. NE across from the site. The property to the north of the site along NE 80<sup>th</sup> Street is Lake Washington High School (LWHS). Analysis shows that neither the Cemetery nor LWHS use much on-street parking on the weekends. The peak parking demand which may exceed the onsite parking for the Shelter is anticipated to be on Saturday afternoons, when on-street parking on 120<sup>th</sup> Ave. NE is readily available.

The design process for the Shelter is expected to begin after funding is confirmed in December 2017. The City of Kirkland will be issuing the permits for the Shelter, and the Shelter will need to be compliant with all relevant and applicable City land use codes, rules and regulations. The Shelter will be the first homeless shelter constructed in the City. As the Zoning Code is now written, the Shelter development falls under the category of "community facilities." The Shelter is not anticipated to meet Zoning Code requirements for on-site parking, due to the unique circumstances of the property where it will be sited, as noted above. Street parking, however, would likely be appropriate parking for the Shelter at its present location, and could count toward parking requirements if the Code is amended to so allow.

Staff recognizes that allowing on-street parking to be counted, even for homeless shelters, is a significant change in policy. However, the Eastside need for shelter for homeless women and homeless families with children is so critical that staff feel the policy change is justified. In addition, facilitating the Shelter construction is a 2017-2018 City Work Program initiative and part of the purpose of placing items on the Work Program is so that regulatory and financial flexibility can be identified and utilized to accomplish these priorities.

Catholic Housing Services needs a level of certainty as to parking requirements in order to proceed with the Shelter's design. Without a change in the Zoning Code's current parking requirements, any development application submitted by CHS, which is anticipated in December 2017, would be vested in the then-existing regulations, which do not allow for street parking to be counted toward required parking.

Given the need to amend the Zoning Code regarding parking requirements by December 2017, staff recommends Council pass an ordinance allowing the City Council to make this amendment without receiving a recommendation and report from the Planning Commission so long as all notice and public hearing procedures are complied with.

### **Tree Retention within the Holmes Point Overlay Zone.**

On July 18, 2017 the City Council adopted Ordinance O-4584 establishing a moratorium on using "phased review" for tree retention plans within the Holmes Point Overlay Zone. This essentially required that tree retention review occur through what is known as an integrated development plan or IDP. The City Council held a public hearing on September 5, 2017, after which it adopted Ordinance O-4601, affirming O-4584. The moratorium has a duration of six months from its initial adoption, expiring on January 14, 2018.



In association with work on the Finn Hill Neighborhood Plan, Planning and Building staff are working on a variety of code amendments, including amendments to tree retention regulations, particularly in the Holmes Point Overlay Zone. One of the proposed amendments will be to require tree retention through an IDP, as temporarily established by the moratorium. At this point in time, it is unlikely that the proposed amendments will be completed prior to the expiration of the moratorium. To avoid the necessity of the Council having to consider a renewal to the moratorium, staff is proposing an amendment to codify the IDP requirement before the end of this year. Additional code amendments concerning tree retention and Holmes Point Overlay Zone regulations will be presented to the City Council early in 2018.

### **Planning Commission Workload**

The Planning Commission has a very busy schedule for the remainder of the year, and it would be difficult to identify time to take on new work tasks. Major projects the City Council has placed before the Commission include: Finn Hill Neighborhood Plan, Holmes Point Overlay Zone and tree regulations, Houghton/Everest Center plan and zoning amendments, comprehensive plan citizen amendment request, annual comprehensive plan amendments, miscellaneous Totem Lake plan and zoning amendments, and temporary sign regulations.

Because of this Commission work load, staff is recommending that the Council adopt the ordinance and reassign the required public hearing from the Planning Commission to the City Council in order to expedite consideration and adoption of the two zoning code amendments.

ORDINANCE O-4610

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, ADOPTING CERTAIN REGULATIONS FOR THE REVIEW PROCESS FOR CITY COUNCIL INITIATED AMENDMENTS TO THE TEXT OF THE ZONING CODE REGARDING TREE PLAN RETENTION REVIEW ON SHORT PLAT AND SUBDIVISION APPLICATIONS IN THE HOLMES POINT OVERLAY ZONE; AND ADDITION OF "SHELTER USE" TO THE ZONING CODE, INCLUDING AMENDMENTS TO PARKING REQUIREMENTS FOR NEW SHELTER USES.

1           WHEREAS, on July 18, 2017, without a public hearing, pursuant  
2 to RCW 35A.63.220 and RCW 36.70A.390, the City Council passed  
3 Ordinance 4584, establishing a moratorium within the Holmes Point  
4 Overlay (HPO) zone regarding short plat and subdivision applications,  
5 prohibiting review of tree retention plans via the phased review process  
6 and instead requiring review via an integrated development plan (IDP)  
7 process; and  
8

9           WHEREAS, on September 5, 2017, the City Council held a public  
10 hearing with regard to the moratorium prohibiting phased review of tree  
11 retention plans in the HPO zone (the "HPO tree moratorium"), and after  
12 the hearing enacted Ordinance 4601, continuing this moratorium; and  
13

14           WHEREAS, pursuant to RCW 35A.63.220 and RCW 36.70A.390,  
15 the HPO tree moratorium is in effect for six months from the date it was  
16 first enacted, i.e., it will be in effect until January 14, 2018, at which  
17 time it will expire by its own terms unless renewed by the City Council  
18 beforehand for another six month period via ordinance after another  
19 public hearing; and  
20

21           WHEREAS, the City is in the process of developing a Finn Hill  
22 Neighborhood Plan to better address impacts that tree removal  
23 associated with development activity will have in the HPO zone and the  
24 surrounding neighborhood, and this Plan is expected to be implemented  
25 in early 2018; and  
26

27           WHEREAS, the City is in the process of studying and amending  
28 its development regulations, including those effective in the HPO zone.  
29 One of the City's goals is to provide improved protection of tree canopy  
30 in the HPO zone and, more importantly, to provide additional protection  
31 to trees in steep slope areas and on land near steep slopes, so as to  
32 help maintain slope stability and help prevent and/or reduce landslides.  
33 These amendments are expected to be implemented in early 2018; and  
34

35           WHEREAS, the City plans to make the requirement for IDP  
36 review of tree retention plans in the HPO zone permanent with its new  
37 Finn Hill Neighborhood Plan and development regulation amendments,  
38 but is concerned the Plan and required amendments will not be final  
39 and adopted before the HPO tree moratorium expires; and

40 WHEREAS, the Kirkland City Council adopted City Work Program  
41 for 2015-2016 included an item to "Partner with A Regional Coalition for  
42 Housing and non-profit organizations to site a permanent Eastside  
43 women's shelter in Kirkland"; and  
44

45 WHEREAS, the Kirkland City Council adopted City Work Program  
46 for 2017-2018 includes an item to "Partner with A Regional Coalition for  
47 Housing, churches and non-profits to construct a permanent women  
48 and family shelter in Kirkland"; and  
49

50 WHEREAS, on February 14, 2017, the City entered into a  
51 Memorandum of Understanding (MOU) with Holy Spirit Lutheran  
52 Church/Salt House to purchase real property for the future siting and  
53 development of a Shelter for adult women and families with children in  
54 the City of Kirkland (the "Shelter"); and  
55

56 WHEREAS, pursuant to the MOU, the real property for the  
57 Shelter is expected to be purchased by December 31, 2017; and  
58

59 WHEREAS, the developer of the Shelter is Catholic Housing  
60 Services (CHS); and  
61

62 WHEREAS, CHS submitted applications for funding to public  
63 funders in September 2017, for the purpose of obtaining funds to use  
64 for construction of the Shelter. It is anticipated CHS will be notified of  
65 funding awards in December 2017; and  
66

67 WHEREAS, the Shelter site presents a challenge in locating all of  
68 the required parking on the site; and  
69

70 WHEREAS, the Shelter site is located in a unique location across  
71 from the Kirkland Municipal Cemetery and Lake Washington High School  
72 and there is substantial on-street parking on 120<sup>th</sup> Ave. NE; and  
73

74 WHEREAS, the Shelter is expected to purchase a permanent  
75 parking easement for 10 parking stalls and enter into a shared parking  
76 agreement with Salt House, but such agreement will not continue if the  
77 Salt House site is redeveloped; and  
78

79 WHEREAS, the peak parking demand is on Saturday afternoon,  
80 a time when the on-street parking is readily available; and  
81

82 WHEREAS, the design process for the Shelter is expected to  
83 begin after funding is confirmed; and  
84

85 WHEREAS, the proposed Shelter will be the first shelter  
86 constructed in the City. As the Zoning Code is now written, the Shelter  
87 development falls under the category of "community facilities." The  
88 Shelter is not anticipated to meet Zoning Code requirements for on-site  
89 parking, due to the unique circumstances of the Shelter's location.  
90 Street parking may be appropriate parking for the Shelter in this  
91 location, however, and may be counted toward the required parking if  
92 the Code is amended to so allow; and

93 WHEREAS, the City's Zoning Code needs to be amended to  
94 address parking requirements for the Shelter where street parking is  
95 readily available. Additionally, CHS needs a level of certainty as to  
96 parking requirements in order to proceed with Shelter design, which is  
97 anticipated to occur as soon as December 2017, and, without this  
98 change, any complete development application would be vested in the  
99 then-existing regulations, which would not allow for street parking to be  
100 counted toward the amount of parking provided for a shelter use; and  
101

102 WHEREAS, the Planning Commission has been assigned an  
103 extensive work program for the fourth quarter of 2017 by the City  
104 Council, including the Finn Hill Neighborhood plan, Holmes Point Overlay  
105 Zone and tree regulations, Houghton/Everest Business District plan and  
106 zoning amendments, comprehensive plan citizen amendment requests,  
107 annual comprehensive plan amendments, miscellaneous Totem Lake  
108 plan and zoning amendments, and temporary sign regulations; and  
109

110 WHEREAS, due to the workload of the Planning Commission and  
111 the time sensitivity of the HPO tree moratorium and the Shelter  
112 development, it would be beneficial to have the City Council conduct the  
113 review of any City Council initiated amendments to the text of the  
114 Zoning Code with regard to these two proposed amendments without  
115 receiving a recommendation and report from the Planning Commission;  
116 and  
117

118 WHEREAS, the City Council finds it in the public interest to adopt  
119 an ordinance which will enable the Council to hold a public hearing and  
120 carefully and thoroughly review Council initiated amendments to the  
121 text of the Zoning Code with regard to these two proposed amendments  
122 without receiving a recommendation and report from the Planning  
123 Commission.  
124

125 NOW, THEREFORE, the City Council of the City of Kirkland do  
126 ordain as follows:  
127

128 Section 1. For amendments to the text of the Kirkland Zoning  
129 Code initiated by the City Council with regard to tree plan review for  
130 subdivisions and short plats in the Holmes Point Overlay zone, the City  
131 Council shall hold a public hearing using the process described in  
132 Kirkland Zoning Code (KZC) 160.40 for notice; KZC 160.45 for staff  
133 report; KZC 160.55, 160.65 and 160.70 for public hearing; and KZC  
134 160.90 for publication and effect. The Planning Official shall notify the  
135 Planning Commission in writing about the proposed amendments to the  
136 Zoning Code at least 14 days before the public hearing.  
137

138 Section 2. For amendments to the Zoning Code initiated by the  
139 City Council with regard to parking requirements for the Shelter where  
140 street parking is readily available, the City Council shall hold a public  
141 hearing using the process described in Kirkland Zoning Code (KZC)  
142 160.40 for notice; KZC 160.45 for staff report; KZC 160.55, 160.65 and  
143 160.70 for public hearing; and KZC 160.90 for publication and effect.  
144 The Planning Official shall notify the Planning Commission in writing

145 about the proposed amendments to the Zoning Code at least 14 days  
146 before the public hearing.

147  
148 Section 3. If any provision of this ordinance or its application to  
149 any person or circumstance is held invalid, the remainder of the  
150 ordinance or the application of the provision to other persons or  
151 circumstances is not affected.

152  
153 Section 4. For amendments to the Zoning Code initiated by the  
154 City Council with regard to allowing for shelter uses in the City, and  
155 specifically providing parking requirements for shelter uses, to the  
156 extent that the subject matter falls within the disapproval jurisdiction of  
157 the Houghton Community Council, the provisions of KZC 160.95 shall  
158 apply.

159  
160 Section 5. This ordinance shall be in force and effect five days  
161 from and after its passage by the Kirkland City Council and publication  
162 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
163 form attached to the original of this ordinance and by this reference  
164 approved by the City Council.

165  
166 Passed by majority vote of the Kirkland City Council in open  
167 meeting this \_\_\_\_ day of \_\_\_\_\_, 2017.

168  
169 Signed in authentication thereof this \_\_\_\_ day of  
170 \_\_\_\_\_, 2017.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

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

Approved as to Form:

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

PUBLICATION SUMMARY  
OF ORDINANCE O-4610

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, ADOPTING CERTAIN REGULATIONS FOR THE REVIEW PROCESS FOR CITY COUNCIL INITIATED AMENDMENTS TO THE TEXT OF THE ZONING CODE REGARDING TREE PLAN RETENTION REVIEW ON SHORT PLAT AND SUBDIVISION APPLICATIONS IN THE HOLMES POINT OVERLAY ZONE; AND ADDITION OF "SHELTER USE" TO THE ZONING CODE, INCLUDING AMENDMENTS TO PARKING REQUIREMENTS FOR NEW SHELTER USES.

SECTION 1. Authorizes the City Council to provide public notice as required by law and a public hearing as required by law, regarding City Council initiated amendments to the zoning code regarding tree retention review on short plat and subdivision applications in the Holmes Point Overlay Zone.

SECTION 2. Authorizes the City Council to provide public notice as required by law and a public hearing as required by law, regarding City Council initiated amendments to the zoning code regarding parking requirements for the proposed development of a shelter for adult women and families with children.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Acknowledges the disapproval jurisdiction of the Houghton Community Council with regard to amendments to the zoning code regarding parking requirements for the proposed new shelter.

SECTION 5. 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 \_\_\_\_\_, 2017.

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

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



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

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

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

**Date:** September 21, 2017

**Subject:** Park Board Interview Process

### **RECOMMENDATION:**

That the City Council appoints three members to an interview selection committee for the current Park Board vacancy.

### **BACKGROUND DISCUSSION:**

Following the resignation acknowledged earlier on Council's consent agenda for this meeting, the City Clerk's office posted a recruitment to fill the seat for the remainder of an unexpired term ending March 31, 2021. Applications are due by 4:00 p.m. on Thursday, October 5, 2017.

The City Council's procedures provide for reducing the number of applicants for interview to three applicants for each vacancy. Council will need to appoint an ad hoc committee of the Council by lot to review and recommend three applicants to be interviewed by the full Council.

If the committee's schedules allow, the committee would meet the week of October 9<sup>th</sup> to determine their recommendation, which would then be presented at Council's next regular meeting on October 17, 2017 for approval or amendment.

Interviews will be scheduled as a special meeting in either late October or at 5 p.m. prior to Council's November 8<sup>th</sup> study session, depending on Council's preference.