



# CITY OF KIRKLAND CITY COUNCIL

Penny Sweet, Mayor • Jay Arnold, Deputy Mayor • Dave Asher • Kelli Curtis  
Tom Neir • Toby Nixon • Jon Pascal • Kurt Triplett, City Manager

## *Vision Statement*

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

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## AGENDA KIRKLAND CITY COUNCIL MEETING City Council Chamber Tuesday, September 3, 2019 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.

**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.

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
  - a. Potential Sustainable Kirkland LLC Partnership
4. *EXECUTIVE SESSION*
5. *HONORS AND PROCLAMATIONS*
  - a. Eastside Welcoming Week Proclamation
  - b. National Recovery Month Proclamation
6. *COMMUNICATIONS*
  - a. *Announcements*
  - b. *Items from the Audience*
  - c. *Petitions*
7. *PUBLIC HEARINGS*
8. *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.

**9. CONSENT CALENDAR**

**a. Approval of Minutes**

(1) August 7, 2019

**b. Audit of Accounts and Payment of Bills and Payroll**

**c. General Correspondence**

**d. Claims**

(1) Claims for Damages

**e. Award of Bids**

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

**g. Approval of Agreements**

**h. Other Items of Business**

(1) Resolution R-5381, Setting Forth Policy Considerations and Procedures Relating to Business Partnerships and Naming Rights of Public Facilities

(2) Resolution R-5382, Approving a Storm Facilities Agreement with Greg Finn and Authorizing the City Manager to Sign Said Agreement on Behalf of the City of Kirkland

(3) Resolution R-5383, Approving a Sewer Facilities Agreement with Larry Scrivanich and Authorizing the City Manager to Sign Said Agreement on Behalf of the City of Kirkland

(4) Performance Management Activities Update

(5) Surplus Fire Apparatus

(6) Procurement Report

**10. BUSINESS**

**a. Ordinance O-4697, Relating to the Multifamily Housing Property Tax Exemption and Providing for Different Requirements in the Event of Rental Unit Projects Providing Substantial Additional Public Benefits**

**b. Police Pro-Act Unit Update**

**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

**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.



- c. School Zone Safety Camera Update
- d. Mental Health and Community Crisis Intervention Framework
- e. 2020 Fire and Emergency Medical Services Community Advisory Group Resolution Discussion
- f. Resolution R-5384, Authorizing the Submittal of Applications for the Greater Downtown Kirkland Urban Center and Adoption of a Consolidated Plan for the Greater Downtown Urban Center
- g. Resolution R-5385, Declaring an Intent to Adopt Legislation to Authorize a Sales and Use Tax for Affordable Housing and Facilities Providing Supportive Services Pursuant to Substitute House Bill 1406 (Chapter 338, Laws Of 2019), and Other Matters Related Thereto
- h. Verizon Communications Master Use Permit Amendment Review

**11. REPORTS**

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

- a. *City Council Regional and Committee Reports*
- b. *City Manager Reports*

- (1) Draft Letter on Seattle/King County Homelessness Governance
- (2) Calendar Update

**12. ITEMS FROM THE AUDIENCE**

**13. ADJOURNMENT**

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

**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:** Jim Lopez, Assistant City Manager  
Dawn Nelson, Planning Manager  
Kevin Raymond, City Attorney

**Date:** August 27, 2019

**Subject:** STUDY SESSION REGARDING PILOT PARTNERSHIP WITH KIRKLAND  
SUSTAINABLE FOR AFFORDABLE HOUSING AND PUBLIC SECTOR EMPLOYEE  
RENTAL HOUSING

**RECOMMENDATION:**

The Council continues discussion of the public sector employee housing pilot partnership with Kirkland Sustainable. The study session will feature a joint presentation from City staff and Robert Pantley, owner of Kirkland Sustainable Investments, LLC and Sustainable Kirkland, LLC (together, "Kirkland Sustainable") to address issues raised at the August 7 Council meeting.

Following the discussion at the study session, staff recommends that the City Council approves the affordable housing initiative. To do so, the Council must approve the attached ordinance, amending the MFTE codes for projects that confer "additional substantial public benefits", authorizing the execution and recording of a contract and covenant for the 23 MFTE units at Plaza, and authorizing City Manager execution of the master lease agreements for Plaza and Arete. A separate memo describing the ordinance changes is included later in the Council packet under the "Business" section of the Council agenda.

**BACKGROUND DISCUSSION:**

The August 7 Council presentation by the City Attorney and the City Manager focused on the details of the proposed MFTE legislative changes and Master Lease Agreement. Comments and questions from the Council highlighted the need for a deeper discussion on the policy issues underpinning the pilot, and on the financial implications of this initiative for both the City of Kirkland and Kirkland Sustainable. The City Manager suggested using the September 3<sup>rd</sup> study session for this deeper discussion and the Council concurred. Information in this memo and the presentation at the study session will therefore focus on the policy and financial issues, rather than the specifics of the legislation.

Providing affordable work force housing has been a City priority for many decades. The City has focused its efforts on creating affordable housing primarily through Kirkland's participation in A Regional Coalition for Housing (ARCH). ARCH housing serves important population categories based on age, income and ability, but not job classification. Because the entire community benefits when talented people select public service, the City Manager initiated conceptual conversations with the Council around exploring an affordable housing pilot for

public sector employees in early 2018. Housing for public sector employees is also a critical issue for the Lake Washington School District and the Lake Washington Institute of Technology.

The City Manager intended for such a pilot to accomplish four things:

1. Identify challenges and barriers to providing public sector employee housing in high cost areas like Kirkland, such as labor issues, public perception, financing and administrative impacts.
2. Provide affordable housing options for Kirkland employees to choose to live in Kirkland and see whether there is actual demand for these options.
3. If possible, create additional affordable housing opportunities for other public sector employees and low-to-moderate income residents as part of the pilot.
4. Create lessons learned and best practices to support future public employee housing programs in Kirkland and the region.

The partnership proposal between the City and Kirkland Sustainable has been negotiated over the past year to accomplish these four goals. The City Attorney has been the lead for Kirkland on development of the MFTE changes and the Master Lease Agreement. The issues were complex as both parties were committed to ensuring any proposal complied with federal and state fair housing laws and relevant tax laws.

### **Evolving Program Elements**

City leadership received a great deal of feedback from employees and Councilmembers about the proposal presented on August 7. Most comments were positive, but some highlighted the issue of whether the City should use the 65% MFTE rebate to discount employee rents as originally proposed. Concerns were expressed about providing discounts to employees at higher income levels such as engineers, managers, or even experienced Police Officers and Firefighters. Equity issues were also raised about the financial benefit accruing only to those in the rental units and not all employees. Finally, comments were received that the money could be better invested to help those without good jobs or housing. This feedback has been very helpful and is part of the goal of identifying barriers such as public perception and labor issues.

In response to that feedback, staff is proposing a key improvement to the program. Staff recommends that no discounts be provided with MFTE revenues to the public employee units set aside in the Master Lease. This recommendation is based on several important factors. First, the Arete and Plaza unit rents are currently "affordable" under the 80% AMI definition. Second, the Master Lease Agreement states that the public employee units will be rent stabilized to increase by no more than 3% per year, so the units should remain affordable to public sector employees. Third, by not providing discounts, the issues of employee equity and subsidy of higher income professionals are both eliminated. Finally, not providing discounts allows to City to encourage higher income employees to rent the units, as there are community benefits and job recruitment and retention benefits for employees of all incomes if they live in Kirkland.

Staff is also proposing to reallocate the City MFTE revenues from the partnership to low-income housing program. The Council can then allocate these funds to different housing programs over time, but initially staff is proposing to dedicate it to housing transition programs in the Women and Family Shelter. The legislation has been amended to include language that allocates the funds for to low-incoming housing programs, including the Women and Family shelter.

By allocating the MFTE revenues to low-income housing programs rather than rent discounts, the housing pilot now provides a continuum of housing for those who need it most. Homeless women and families receive support to transition to stable housing, low-and moderate-income

residents gain access to 23 MFTE AMI restricted units at the Plaza, and public sector employees are provided priority access and rent stability for workforce housing.

### **Additional Information**

Even with the proposed changes, the partnership pilot is still complex. To simplify some of the issues, staff have created a one page "Major Issue Comparison Chart" that shows outcomes for public sector employees, the general population, the City and the owner if the partnership is approved and if it is not approved. That comparison chart is included as **Attachment A**.

Staff have also provided a list that shows the current employee classifications that would qualify for affordable housing units at 80% of the Area Median Income (AMI), which is a commonly used threshold for affordable units. AMI income qualifications are based on a "person per household" basis and income qualification increases as the number of members in the household increase. For one person the current King County 80% AMI is \$60,816. For a four-person household, the 80% AMI is \$86,880. Staff provided the analysis (**Attachment B**) up to four-person households. Based on average salaries, 345 Kirkland employees would qualify if the employee was the sole income earner for a four-person household.

Council also requested information on the financial benefit of the 35% MFTE tax savings to Kirkland Sustainable if the partnership was approved. Kirkland Sustainable has provided a copy of their estimated financial analysis for the MFTE/Master Lease programs. The financial analysis is included as **Attachment C**. Mr. Pantley is prepared to discuss the analysis and answer any questions at the study session. Questions were raised about how this partnership proposal compares to other MFTE projects in Kirkland. A summary (**Attachment D**) of more recent MFTE projects, including the MFTE valuation and the number of affordable units is attached.

Finally, there have been questions about whether providing housing to public sector employees in this manner is consistent with the intent of the MFTE program. Staff believes so, but that is an important Council policy decision. The proposal complies with RCW 84.14.010 governing Multi-family Tax Exemptions. The MFTE RCW definitions are included as **Attachment E**. Most City employees meet the eligibility requirements for a high cost area under the RCW. In high-cost areas, "low-income household" includes income at or below one hundred percent of the median family income. "Moderate-income household" means a household that has an income over one hundred percent, but at or below one hundred fifty percent.

### **Conclusion**

The purpose of the study session is to explore the policy and financial issues surrounding the partnership housing pilot program. But the certificate of occupancy timelines that must be met to qualify Plaza for the MFTE tax reduction mean that the Council needs to approve the related ordinances at the regular Council meeting. Staff and Kirkland Sustainable recognize this is a tight turnaround time for Council action. The background information in this memo is intended to answer many of the questions ahead of time. Staff encourages Councilmembers to contact either the City Manager or Kirkland Sustainable directly before the Council meeting if they need additional information or have questions that are not addressed in the memo.

### **Attachments:**

- Attachment A – Major Issue Comparison Chart
- Attachment B – Employee Job Classification AMI Analysis
- Attachment C – Kirkland Sustainable MFTE Financial Analysis
- Attachment D – Summary of Recent MFTE Projects in Kirkland
- Attachment E – MFTE Definitions in RCW 84.14.010

## Public Sector Employee Housing Pilot – Major Issue Comparison\*

	Partnership	No Partnership
Public Sector Tenants	<ul style="list-style-type: none"> <li>Up to 34 market rate units reserved for 12 years for City or other public sector employees</li> <li>Annual rent increase capped at 3% per year</li> <li>City has some authority over applicant eligibility</li> </ul>	<ul style="list-style-type: none"> <li>No units reserved for City or other public employees</li> <li>Compete for units with 99% occupancy rate</li> <li>No caps on rental rate increases</li> </ul>
Private Sector Tenants	<ul style="list-style-type: none"> <li>23 MFTE units restricted to centers at 80% AMI for 12 years for general public</li> </ul>	<ul style="list-style-type: none"> <li>No MFTE units; all units rented at market rate</li> <li>No cap on rental rate increases</li> <li>No income restrictions</li> <li>Compete for units with 99% occupancy rate</li> </ul>
City of Kirkland	<ul style="list-style-type: none"> <li>Developer shares 65% of MFTE property tax savings with City per year (est. \$98,467 first year) for 12 years</li> <li>City may dedicate 100% of its share of the tax revenue to low income housing programs including the women and family shelter</li> <li>Developer must rent 23 MFTE units at 80% AMI</li> <li>City amends the City's MFTE ordinance to align with state law: <ul style="list-style-type: none"> <li>Eliminates requirement that 10% of units be offered at 50% AMI</li> <li>MFTE units eliminates requirement to be retained for life of project when Council determines project confers additional, substantial public benefits</li> </ul> </li> <li>City must administer a new program</li> <li>Financial exposure for City employees failing to pay rent</li> </ul>	<ul style="list-style-type: none"> <li>No MFTE property tax savings revenues (shared or otherwise)</li> <li>No amendment to the City's MFTE ordinance</li> <li>No administrative responsibility to manage the new program</li> <li>No financial exposure for City employees that fail to pay rent</li> <li>No caps on rents at Plaza</li> <li>No money for low income housing programs or shelter</li> </ul>
Owner	<ul style="list-style-type: none"> <li>23 MFTE units for 12 years at 80% AMI for public</li> <li>Up to 24 non-MFTE units reserved for use by public sector employees and subject to 3% cap on annual rent increases</li> <li>Gains 35% MFTE property tax savings, less expenses, instead of 100%</li> <li>Takes on certain MFTE and master lease administrative costs and requirements</li> </ul>	<ul style="list-style-type: none"> <li>All units rented at market rate with no cap on rental rate increases</li> <li>No obligation to rent to low/moderate income households</li> <li>No MFTE tax benefit</li> <li>No MFTE program administrative costs or requirements</li> <li>No master lease administrative costs or requirements</li> </ul>
Low Income Housing Programs	<ul style="list-style-type: none"> <li>Dedicated funding for up to 12 years from the City for low income housing programs, including homeless shelters and transitional housing programs</li> </ul>	<ul style="list-style-type: none"> <li>65% of MFTE property tax savings not available to fund low income housing programs</li> </ul>

\*Comparison of issues focused on partnership deal points, not on other policy issues such as attracting and retaining employees, benefits to the City from employees living in Kirkland, or broader growth management goals.

**Job Classifications of Positions with Average Salary 80% of AMI**

PPH	80% AMI	Number	Pct. Below
1-PHH	60,816	90	14.2%
2-PHH	69,504	172	27.0%
3-PHH	78,192	260	40.9%
4-PHH	86,880	345	54.2%
Total Active F/T		636	

Job Classification	Avg. Salary	80% AMI
ON CALL SR HR ANALYST	39,116	1-PHH
HUMAN RESOURCES ASSISTANT	45,644	
LABORER	46,416	
RECEPTIONIST/ADMIN CLERK	47,857	
TRAFFIC CONTROL COORD	49,402	
PARK RANGER	51,185	
PARKING ENFORCEMENT OFFICER	51,715	
MAIL CLERK	51,725	
SENIOR OFFICE SPECIALIST	52,597	
GROUND TECHNICAL	53,020	
EVIDENCE TECHNICIAN 1	54,485	
UTILITYPERSON	54,574	
PROGRAM ASSISTANT	55,280	
OFFICE SPECIALIST	55,329	
CUSTOMER ACCOUNTS ASSOCIATE	57,182	
GROUNDSPERSON	57,453	
JUDICIAL SUPPORT ASC 2	57,494	
ELECTRONICS TECH 1	57,668	
ADMIN SUPPORT ASSOCIATE	58,696	
DEPUTY DIRECTOR PW FIN&BUDGET	58,834	
POLICE SUPPORT ASSOCIATE	59,338	
ANIMAL CONTROL OFFICER	61,208	2-PHH
FACILITIES SERVICES TECH 1	61,493	
CUST ACCTS ASSOC BUSINESS LIC	61,703	
SENIOR CRAFTSPERSON	63,782	
CORRECTIONS OFFICER	64,292	
DESIGN SPECIALIST	64,454	
RECORDS MANAGEMENT SPECIALIST	65,350	
ACCOUNTING SUPPORT ASSOC IV	66,126	
PERMIT TECHNICIAN	67,296	
ENGINEERING PRG ASSISTANT	67,353	
WEB & MULTIMEDIA SPECIALIST	67,700	
EVIDENCE TECHNICIAN 2	68,028	
POLICE SUPPORT ASSOCIATE LEAD	68,695	
PLANNING ADMIN SUPERVISOR	69,080	
SENIOR MAINTENANCE	69,262	
ASSISTANT PLANNER	69,851	3-PHH

<b>Job Classification</b>	<b>Avg. Salary</b>	<b>80% AMI</b>
JUDICIAL SUPPORT ASSOC LEAD	69,986	
UTILITY CRAFTSPERSON	70,603	
UTILITY CRAFTSPERSON METERS	70,603	
FACILITIES SERVICES TECH 2	70,764	
POLICE OFFICER	71,203	
ADMINISTRATIVE ASSISTANT	71,218	
POLICE PUBLIC DISC ANALYST	71,330	
PD ADMIN ASSISTANT	71,493	
CUST ACCOUNTS LEAD	71,782	
FIELD ARBORIST	72,432	
YARD MAINT/INV CONTROL	72,614	
SR PLANS EXAMINER	72,663	
SENIOR GROUNDSPERSON	72,698	
PROGRAM COORDINATOR	74,059	
SERVICE DESK ANALYST	74,196	
CORRECTIONS CORPORAL	74,726	
SENIOR ACCOUNTING ASSOCIATE	74,846	
WATER QUALITY SPECIALIST	74,863	
LEGAL ASSISTANT	74,889	
HUMAN RESOURCES COORDINATOR	75,062	
ACCOUNTANT	75,782	
BUYER	76,095	
ENGINEERING TECHNICIAN	76,110	
RECREATION SUPERVISOR	76,503	
DEVELOPMENT REVIEW ARBORIST	76,808	
PLANS EXAMINER I	76,808	
PSA SUPERVISOR	76,927	
ADMINISTRATIVE SUPERVISOR	77,205	
EMERGENCY PREP COORDINATOR	77,305	
DEPUTY CITY CLERK	77,350	
BUDGET ANALYST	77,354	
ASSOCIATE PROJECT ENGINEER	77,498	
FAMILY/YOUTH ADVOCATE	77,502	
SPECIAL PROJECTS COORDINATOR	78,091	
FACILITIES SERVICES TECH 3	78,464	4-PHH
ENVIRO EDUCATION SPECIALIST	78,739	
EXECUTIVE ASSISTANT I CMO	79,430	
FRONT END WEB DESIGNER	79,648	
GIS ANALYST	79,667	
CUSTOMER SERVICE SUPERVISOR	80,033	
PROBATION OFFICER	80,114	
BUILDING INSPECTOR	80,318	
DEVELOPMENT PLANS EXAMINER	80,856	
PAYROLL SYSTEMS COORDINATOR	81,235	
EMERGENCY VEHICLE TECHNICIAN	81,598	
CONSTRUCTION INSPECTOR	81,681	

<b>Job Classification</b>	<b>Avg. Salary 80% AMI</b>
SENIOR DESIGN SPECIALIST	81,973
LEADPERSON	82,181
GREEN KIRKLAND PARTNERSHIP SUP	82,384
ASSOCIATE DEVELOPMENT ENGINEER	82,531
PATROL OFFICER	83,483
CORRECTIONS SERGEANT	83,560
VIDEO PRODUCTION SPECIALIST	83,938
MECHANIC 3	84,014
CUSTOMER SERVICE PROG LEAD	84,265
DESKTOP SYSTEMS ANALYST	84,470
PLANNER	84,769
POLICE ANALYST	84,888
BUSINESS ANALYST	85,944
HR ANALYST	86,255



MFTE / Master Lease Financial Analysis - Estimated

	Legal Fees (to date)	Legal Fees (expected thru 2019)	KSI staff time, materials	Muse staff time,	FNMA legal processing	Financial services processing	Annual ML & MFTE training /adjustments	MFTE/ML paperwork	Corporate management fee (4% rents)	Lost rents (MFTE studios)*	Total
Prior Yr 1	\$26,000		\$93,380	\$14,000	\$0	\$0					\$133,380
Prior Yr 2	\$59,000	\$25,000	\$94,330	\$22,000	\$5,500	\$5,000	\$10,000	\$5,000			\$225,830
MFTE Yr 1							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 2							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 3							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 4							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 5							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 6							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 7							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 8							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 9							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 10							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 11							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
MFTE Yr 12							\$4,000	\$2,000	\$1,795	\$3,396	\$11,191
<b>Total</b>	<b>\$85,000</b>	<b>\$25,000</b>	<b>\$187,710</b>	<b>\$36,000</b>	<b>\$5,500</b>	<b>\$5,000</b>	<b>\$58,000</b>	<b>\$29,000</b>	<b>\$21,540</b>	<b>\$40,752</b>	<b>\$493,502</b>

\*Res suites guaranteed <=80% AMI

MFTE Tax Savings

	To City	To KSI	Total
MFTE Yr 1	\$98,467	\$53,021	\$151,487
MFTE Yr 2	\$98,467	\$53,021	\$151,487
MFTE Yr 3	\$98,467	\$53,021	\$151,487
MFTE Yr 4	\$98,467	\$53,021	\$151,487
MFTE Yr 5	\$98,467	\$53,021	\$151,487
MFTE Yr 6	\$98,467	\$53,021	\$151,487
MFTE Yr 7	\$98,467	\$53,021	\$151,487
MFTE Yr 8	\$98,467	\$53,021	\$151,487
MFTE Yr 9	\$98,467	\$53,021	\$151,487
MFTE Yr 10	\$98,467	\$53,021	\$151,487
MFTE Yr 11	\$98,467	\$53,021	\$151,487
MFTE Yr 12	\$98,467	\$53,021	\$151,487
<b>Total</b>	<b>\$1,181,601</b>	<b>\$636,247</b>	<b>\$1,817,848</b>

Total MFTE Income to KSI (12 Years):

\$142,745

Total MFTE Income to KSI (Annual):

\$11,895

\*\*Does not reflect inflation

**Comparison of Multi-family Property Tax Exemption (MFTE) Projects  
August 23, 2019**

Name/Address	Year Completed	Value of MFTE/Duration	# of Residential Units (affordable/total)	Other Public Funding/Incentives	Notes
The Slater 11415 Slater Ave NE	2010	\$723,702/8 years	5 affordable/52 total	None	Units affordable at 80% Area Median Income (AMI)
Bayshore View/11615 91st Ln NE	2012	\$94,510 through 2019/12 years	4 affordable/20 total	School impact fees waived for four affordable units	3 units affordable at 50% AMI; 1 unit affordable at 60% AMI
Slater 116 11515 124th Ave NE	2013	\$1,429,304	11 affordable/108 total	None	Units affordable at 80% AMI
South Kirkland P&R	2015	\$2,962,068 through 2019/12 years	61 affordable/243 total	The project received funding from several sources, including the ARCH trust fund and City impact fee waivers.	Velocity: 29 at 30% AMI, 15 at 40% AMI, and 14 at 60% AMI Kirkland Crossing: 3 at 70% AMI Public-private partnership involving Metro Transit, which owned the land, sold part for new housing, and redeveloped the surface park-and-ride to structured parking. Velocity was developed by Imagine Housing, a non-profit provider.
Lifebridge Multifamily 11721 NE 117th CT	Not Completed	TBD/8 years	41 affordable/409 total	None	Units affordable at 50% AMI
Lifebridge Senior 11722 NE 117th St	Not Completed	TBD/8 years	15 affordable/151 total	None	Units affordable at 50% AMI
Uptown at Kirkland Urban 425 Urban Plaza	2019	TBD/8 years	19 affordable/185 total	None	Units affordable at 50% AMI
Lennar Apartments 11811 Totem Lake Boulevard	2021 (expected)	TBD/8 years	34 affordable/335 total	None	15 units affordable at 70% AMI, 15 affordable at 60% AMI, and 4 affordable at 50% AMI

## Summary of Affordable Units Types and Maximum Rents in 2019\*

	Unit Type	Quantity	Max. Rent	Avg. Sq. Ft.	Rent/Avg. Sq. Ft.
<b>50% AMI</b>	Studio	15	\$950	474	\$2.00
	Open 1-BR	16	\$1,086	582	\$1.87
	1-BR	53	\$1,086	651	\$1.67
	2-BR	33	\$1,222	944	\$1.29
	3-BR	2	\$1,358	1,220	\$1.11
<b>60% AMI</b>	Open 1-BR	7	\$1,303	639	\$2.04
	1-BR	6	\$1,303	673	\$1.94
	2-BR	3	\$1,466	939	\$1.56
<b>70% AMI</b>	Studio	1	\$1,330	498	\$2.67
	Open 1-BR	7	\$1,520	631	\$2.41
	1-BR	21	\$1,520	707	\$2.15
	2-BR	8	\$1,710	1,075	\$1.59
	3-BR	2	\$1,901	n/a	n/a
<b>80% AMI</b>	Studio	1	\$1,520	571	\$2.66
	Open 1-BR	2	\$1,738	643	\$2.70
	1-BR	12	\$1,738	742	\$2.34
	2-BR	1	\$1,955	1,090	\$1.79

\*Floor area information for Velocity is not included.

**RCW 84.14.010****Definitions.**

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate-income households.

(2) "Campus facilities master plan" means the area that is defined by the University of Washington as necessary for the future growth and development of its campus facilities for campuses authorized under RCW **28B.45.020**.

(3) "City" means either (a) a city or town with a population of at least fifteen thousand, (b) the largest city or town, if there is no city or town with a population of at least fifteen thousand, located in a county planning under the growth management act, or (c) a city or town with a population of at least five thousand located in a county subject to the provisions of RCW **36.70A.215**.

(4) "County" means a county with an unincorporated population of at least three hundred fifty thousand.

(5) "Governing authority" means the local legislative authority of a city or a county having jurisdiction over the property for which an exemption may be applied for under this chapter.

(6) "Growth management act" means chapter **36.70A** RCW.

(7) "High cost area" means a county where the third quarter median house price for the previous year as reported by the Washington center for real estate research at Washington State University is equal to or greater than one hundred thirty percent of the statewide median house price published during the same time period.

(8) "Household" means a single person, family, or unrelated persons living together.

(9) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median family income adjusted for family size, for the county where the project is located, as reported by the United States department of housing and urban development. For cities located in high-cost areas, "low-income household" means a household that has an income at or below one hundred percent of the median family income adjusted for family size, for the county where the project is located.

(10) "Moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is more than eighty percent but is at or below one hundred fifteen percent of the median family income adjusted for family size, for the county where the project is located, as reported by the United States department of housing and urban development. For cities located in high-cost areas, "moderate-income household" means a household that has an income that is more than one hundred percent, but at or below one hundred fifty percent, of the median family income adjusted for family size, for the county where the project is located.

(11) "Multiple-unit housing" means a building having four or more dwelling units not designed or used as transient accommodations and not including hotels and motels. Multifamily units may result from new construction or rehabilitated or conversion of vacant, underutilized, or substandard buildings to multifamily housing.

(12) "Owner" means the property owner of record.

(13) "Permanent residential occupancy" means multiunit housing that provides either rental or owner occupancy on a nontransient basis. This includes owner-occupied or rental accommodation that is leased for a period of at least one month. This excludes hotels and motels that predominately offer rental accommodation on a daily or weekly basis.

(14) "Rehabilitation improvements" means modifications to existing structures, that are vacant for twelve months or longer, that are made to achieve a condition of substantial compliance with existing

building codes or modification to existing occupied structures which increase the number of multifamily housing units.

(15) "Residential targeted area" means an area within an urban center or urban growth area that has been designated by the governing authority as a residential targeted area in accordance with this chapter. With respect to designations after July 1, 2007, "residential targeted area" may not include a campus facilities master plan.

(16) "Rural county" means a county with a population between fifty thousand and seventy-one thousand and bordering Puget Sound.

(17) "Substantial compliance" means compliance with local building or housing code requirements that are typically required for rehabilitation as opposed to new construction.

(18) "Urban center" means a compact identifiable district where urban residents may obtain a variety of products and services. An urban center must contain:

(a) Several existing or previous, or both, business establishments that may include but are not limited to shops, offices, banks, restaurants, governmental agencies;

(b) Adequate public facilities including streets, sidewalks, lighting, transit, domestic water, and sanitary sewer systems; and

(c) A mixture of uses and activities that may include housing, recreation, and cultural activities in association with either commercial or office, or both, use.

[ 2017 c 52 § 16; 2014 c 96 § 3. Prior: 2012 c 194 § 2; prior: 2007 c 430 § 3; 2007 c 185 § 1; 2002 c 146 § 1; 2000 c 242 § 1; 1997 c 429 § 40; 1995 c 375 § 3.]

## NOTES:

**Effective date—2007 c 185:** "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, 2007." [ 2007 c 185 § 3.]

**Severability—1997 c 429:** See note following RCW 36.70A.3201.



**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  
Leslie R. Miller, Human Services Supervisor

**Date:** September 3, 2019

**Subject:** EASTSIDE WELCOMING WEEK PROCLAMATION

### **RECOMMENDATION:**

That Mayor Sweet join the mayors of Bellevue, Issaquah, Redmond and Sammamish in proclaiming September 13 through September 22, 2019 as Eastside Welcoming Week.

### **BACKGROUND DISCUSSION:**

Eastside Welcoming Week is part of the national Welcoming Week created by the organization Welcoming America. The cities of Kirkland, Bellevue, Issaquah, Redmond and Sammamish are joining communities across the country in celebrating the ways that immigrants and refugees make cities stronger economically, socially, and culturally.

Welcoming America recognizes that when American communities create an inclusive and warm environment to newcomers, everyone benefits. Immigrants and refugees are encouraged and enabled to share their many talents and contribute to the life of their neighborhoods.

Welcoming America provides the roadmap and support for communities to become more inclusive toward immigrants and all residents. Launched in 2009, Welcoming America has spurred a growing movement across the United States, with one in eight Americans living in a Welcoming Community.

As our communities change, immigration and demographic shifts create new challenges and opportunities, both for newcomers and long-time residents. Welcoming America believes that in a 21st century world, the strongest communities will be ones where all people can take part in economic, civic, and social life. These places show it is possible to create understanding, acceptance and a bright future for all. Welcoming communities foster a culture and policy environment that makes it possible for newcomers of all backgrounds to feel valued and to fully participate alongside their neighbors in the social, civic, and economic fabric of their adopted hometowns.

Welcoming America's local approach goes beyond a single program or service to work with institutions across the community to reduce the barriers that immigrants face to fully participating and build bridges between newcomers and long-time residents.

The City of Kirkland strives to live up to the values of the Welcoming America. It joined the Welcoming America network in 2017.

More information about Welcoming America and Welcoming Week is available on their website: <https://www.welcomingamerica.org/programs/welcoming-week>.

The Mayor and Councilmembers are invited to participate in Welcoming Week events taking place on the Eastside <http://ericmembers.org/events/>

Please note the two events taking place in Kirkland:

### **WELCOME TO JUANITA**

**Saturday, Sept. 14, 12-3pm**

Hosts: Juanita Neighborhood Association & City of Kirkland

Location: Edith Moulton Park, 108<sup>th</sup> Ave NE and NE 137<sup>th</sup> Pl, Kirkland WA 98034

Description: Newcomers and established residents are invited to join the Welcoming Week celebration. Come learn about community resources, enjoy music and dance from other cultures, and make new friends. Free food, prizes, and much more!

### **BECOMING AMERICAN**

**Welcome to Shelbyville: A Documentary Film and Discussion on our Immigration Experience**

**Tuesday, Sept. 17, 6:30-8:30pm**

Host: King County Library System

Location: Kingsgate Library, 12315 NE 143<sup>rd</sup> ST, Kirkland WA 98034

Description: Join the library for a celebration and film screening for National Welcoming Week, bringing together immigrants, refugees and native-born residents to raise awareness of the benefits of welcoming everyone.

Councilmembers are encouraged to utilize the following suggested social media messages:

- Working together we can make communities stronger economically & culturally. Celebrate #WelcomingWeek Sept 13-22
- Proud to be doing my part to build a nation of neighbors. #WelcomingWeek
- Join us to celebrate #WelcomingWeek Sept 13-22, [welcomingweek.org](http://welcomingweek.org)
- Every day more communities recognize that opening up opportunity for all residents is the right & smart thing to do #WelcomingWeek
- How will you celebrate #WelcomingWeek? Join the growing movement; host or attend an event near you: [welcomingweek.org](http://welcomingweek.org)
- Let's show the world that our communities want to be welcoming to everyone #WelcomingWeek [welcomingweek.org](http://welcomingweek.org)
- "#IWelcome immigrants and refugees because ... " @welcomingusa #WelcomingWeek

Debbie Lacy, with the Eastside Refugee and Immigrant Coalition, will accept the Proclamation.



**PROCLAMATION**

**WHEREAS,** the population on the Eastside continues to grow rapidly, increasing by 36% or over 100,000 residents since 2010; and

**WHEREAS,** over 30% of these newcomers have arrived from places outside the United States; and

**WHEREAS,** more than one-third of Eastside residents now speak a language other than English at home; and

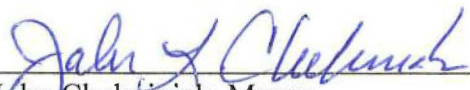
**WHEREAS,** diversity is the lifeblood of our community, bringing fresh perspectives and new ideas, innovation, and entrepreneurial spirit, leadership, and hard workers; and

**WHEREAS,** our success depends on ensuring that all our residents feel welcome here;


**NOW, THEREFORE, WE, THE MAYORS OF BELLEVUE, ISSAQUAH, KIRKLAND, REDMOND, AND SAMMAMISH, WASHINGTON,** proclaim September 13 through 22, 2019, as

**EASTSIDE WELCOMING WEEK**


in our cities and call on all our residents to join together to build stronger communities and participate in one or more of the dozens of Welcoming Week events across the Eastside.

  
John Chelminiak, Mayor  
City of Bellevue

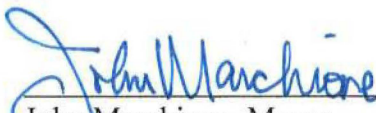
9-3-19  
Date

  
Mary Lou Pauly, Mayor  
City of Issaquah

9-3-19  
Date

  
Penny Sweet, Mayor  
City of Kirkland

9-3-2019  
Date

  
John Marchione, Mayor  
City of Redmond

September 3, 2019  
Date

  
Christie Malchow, Mayor  
City of Sammamish

9-3-2019  
Date





**CITY OF KIRKLAND**  
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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Lynn Zwaagstra, Director  
Leslie R. Miller, Human Services Supervisor  
Regula Schubiger, Program Coordinator

**Date:** September 3, 2019

**Subject:** NATIONAL RECOVERY MONTH PROCLAMATION

### **RECOMMENDATION:**

That the Mayor proclaim September 2019 as National Recovery Month in Kirkland, Washington.

### **BACKGROUND DISCUSSION:**

This year the Substance Abuse and Mental Health Services Administration (SAMHSA) celebrates the 30th anniversary of National Recovery Month (Recovery Month). Recovery Month promotes the message that recovery in all its forms is possible and encourages citizens and communities to take action to help expand, improve, and support the availability of effective recovery services. The theme for this year's Recovery Month is "Join the Voices for Recovery: Together We Are Stronger."

Staff will post the proclamation online and provide a link to additional resources through the City of Kirkland website.

A descriptive list of common mental disorders and misused substances is provided as **Attachment A**. A visual snapshot of the prevalence of mental and substance use disorders (including co-occurring disorders) in the United States is provided as **Attachment B**. More information about Recovery Month is on the Substance Abuse and Mental Health Services Administration website, [www.recoverymonth.gov](http://www.recoverymonth.gov).

All are invited and encouraged to attend King County's annual Behavioral Health Legislative Forum on Thursday, November 18<sup>th</sup> from 6:00 – 8:30 p.m. at the Seattle Center Exhibition Hall. The agenda includes King County's proposed behavioral health legislative priorities for 2020, compelling personal stories from individuals in mental health and addiction, and the perspectives and priorities of legislators and county councilmembers. More information is available on the King County website, [www.kingcounty.gov/depts/community-human-services/mental-health-substance-abuse/legislative-issues/legislative-forum](http://www.kingcounty.gov/depts/community-human-services/mental-health-substance-abuse/legislative-issues/legislative-forum).

Michael Reading, Chief of Operations with the King County Behavioral Health and Recovery Division, will accept the proclamation at the September 3<sup>rd</sup> City Council Meeting.

Attachments: A – Common Mental Disorders and Misused Substances  
B – Recovery Month 2019 Data Visualizations



# COMMON MENTAL DISORDERS AND MISUSED SUBSTANCES

**COMMON MENTAL DISORDERS AND MISUSED SUBSTANCES**

# COMMON MENTAL DISORDERS AND MISUSED SUBSTANCES

Each September, the Substance Abuse and Mental Health Services Administration (SAMHSA) (<https://www.samhsa.gov>), within the U.S. Department of Health and Human Services (HHS) (<https://www.hhs.gov/>), sponsors **National Recovery Month (Recovery Month)** (<https://recoverymonth.gov>). This observance celebrates the millions of Americans who are in recovery from mental and substance use disorders, reminding us that treatment is effective and that people can and do recover. It also serves to help reduce the stigma and misconceptions that cloud public understanding of mental and substance use disorders, potentially which discourages others from seeking help.

The 2019 **Recovery Month** theme, “*Join the Voices for Recovery: Together We Are Stronger*,” emphasizes the need to share resources and build networks across the country to support the many paths to recovery. It reminds us that mental and substance use disorders affect all of us and that we are all part of the solution. The **Recovery Month** observance will highlight inspiring stories to help thousands of people from all walks of life find the path to hope, health, and overall wellness.

During the 30th anniversary of **Recovery Month**, communities across the nation will reflect on their positive strides and their plans to make recovery support services more accessible so people can live meaningful and productive lives. Over the years, recovery-oriented organizations have also played an essential role in states, cities, towns, and neighborhoods to

help countless people start and sustain their recovery.

## Mental and Substance Use Disorder Prevalence in the United States

Millions of people in the U.S. live with a mental or substance use disorder, or both.

- According to the National Survey on Drug Use and Health ([NSDUH](#)), in 2017, an estimated 30.5 million Americans aged 12 or older currently used illicit drugs, and had used an illicit drug in the past month. Additionally, about 1 in 4 people aged 12 or older (or 24.5 percent of this population) currently binge drank alcohol, and an estimated 16.7 million people aged 12 or older had engaged in past-month heavy alcohol use.
  - » In 2017, there were 19.7 million people, or 7.2 percent, aged 12 or older who had a substance use disorder in the past year.

**46.6 million**

adults aged 18 or older had **any mental illness** in the past year.

- In 2017, [NSDUH](#) also reported that 46.6 million adults aged 18 or older (18.9 percent) had any mental illness in the past year.<sup>1,2,a</sup>
  - » Among adults aged 18 or older, 11.2 million adults (4.5 percent) had a

serious mental illness (SMI) in the past year in 2017.<sup>3,b</sup>

- In 2017, an estimated 8.5 million U.S. adults 18 or older reported having co-occurring disorders. This means that within the previous year, they experienced both any mental illness and a substance use disorder.<sup>4</sup>
  - » About 6.9 percent of individuals aged 18 to 25 (2.4 million) had co-occurring mental illness and a substance use disorder.<sup>5</sup>
- According to the 2018 Centers for Disease Control and Prevention’s (CDC) Vital Signs: Suicide Rising Across the U.S. report, suicide is a leading cause of death in the U.S. From 1999 through 2016, suicide rates increased in nearly every state, with half the states increasing by more than 30 percent. In 2016, nearly 45,000 Americans died by suicide. The report also found that:
  - » Mental health conditions are often seen as the cause of suicide, but suicide is rarely caused by any single factor.

- » Other problems often contribute to suicide, such as those related to relationships, substance use, physical health, and job, money, legal, or housing stress.
- » More than half—54 percent—of people who died by suicide did not have a known mental health condition.



**Suicide is a leading cause of death** in the U.S. From 1999 through 2016, suicide rates increased in nearly every state, **with half the states increasing by more than 30 percent.**

Read on to learn about common mental disorders and misused substances; signs, symptoms, and adverse health effects; additional information on prevalence; and the average age of first-time use of a substance.

**To learn more about the most common mental and substance use disorders and how SAMHSA works to reduce their impact on America’s communities, please visit:**

<https://www.samhsa.gov/find-help/disorders>

<sup>a</sup> A person with any mental illness (AMI) is defined as an individual having any mental, behavioral, or emotional disorder in the past year that met Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) criteria (excluding developmental and substance use disorders) See: American Psychiatric Association. (1994). Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) (4th ed.). Washington, DC.

<sup>b</sup> A person with serious mental illness (SMI) is defined as an individual having any mental, behavioral, or emotional disorder that substantially interfered with or limited one or more major life activities. AMI and SMI are not mutually exclusive categories; adults with SMI are included in estimates of adults with AMI.

## COMMON MENTAL DISORDERS

Mental Disorder	Signs and Symptoms <sup>6</sup>	Estimate Description	Surveillance System <sup>7,8,9,10,11,12,13</sup>	Estimate <sup>14</sup>
<b>Anxiety Disorders</b>				
<b>Generalized Anxiety Disorder</b>	Excessive anxiety and worry about a variety of events or activities (e.g., work or school performance) that occurs more days than not, for at least 6 months. People with generalized anxiety disorder find it difficult to control their worry, which may cause impairment in social, occupational, or other areas of functioning.	Lifetime Prevalence in the United States Among Youth (13 to 18 Years Old)  Lifetime Prevalence in the United States Among Adults	NCS-A  NCS-R	2.2% of youth  5.7% of adults
<b>Obsessive Compulsive Disorder (OCD)</b>	Uncontrollable, reoccurring thoughts (obsessions), and behaviors (compulsions) that he or she feels the urge to repeat over and over.	Lifetime Prevalence in the United States Among Adults	NCS-R	2.3% of adults
<b>Panic Disorder</b>	Unexpected and repeated episodes of intense fear accompanied by physical symptoms that may include chest pain, heart palpitations, shortness of breath, dizziness, or abdominal distress. These episodes occur “out of the blue,” not in conjunction with a known fear or stressor.	Lifetime Prevalence in the United States Among Youth (13 to 18 Years Old)  Lifetime Prevalence in the United States Among Adults	NCS-A  NCS-R	2.3% of youth  4.7% of adults
<b>Post-Traumatic Stress Disorder (PTSD)</b>	Can develop after exposure to a potentially traumatic event that is beyond a typical stressor. Events that may lead to PTSD include, but are not limited to, violent personal assaults, natural or human-caused disasters, accidents, combat, and other forms of violence. Exposure to events like these is common. About one half of all U.S. adults will experience at least one traumatic event in their lives, but most do not develop PTSD. People who experience PTSD may have persistent, frightening thoughts and memories of the event(s), experience sleep problems, feel detached or numb, or may be easily startled. In severe forms, PTSD can significantly impair a person’s ability to function at work, at home, and socially.	Lifetime Prevalence in the United States Among Youth (13 to 18 Years Old)  Lifetime Prevalence in the United States Among Adults	NCS-A  NCS-R	5.0% of youth  6.8% of adults

Mental Disorder	Signs and Symptoms <sup>6</sup>	Estimate Description	Surveillance System <sup>7,8,9,10,11,12,13</sup>	Estimate <sup>14</sup>
<b>Anxiety Disorders</b>				
<b>Social Phobia</b>	Persistent fear of one or more social or performance situations in which the person is exposed to unfamiliar people or to possible scrutiny by others. The individual fears that he or she will act in a way (or show anxiety symptoms) that will be embarrassing and humiliating.	Lifetime Prevalence in the United States Among Youth (13 to 18 Years Old) Lifetime Prevalence in the United States Among Adults	NCS-A  NCS-R	9.1% of youth  12.1% of adults
<b>Specific Phobia</b>	Intense, irrational fear of something that poses little or no actual danger. Although adults with phobias may realize that these fears are irrational, even thinking about facing the feared object or situation brings on severe anxiety symptoms.	Lifetime Prevalence in the United States Among Youth (13 to 18 Years Old) Lifetime Prevalence in the United States Among Adults	NCS-A  NCS-R	19.3% of youth  12.5% of adults
<b>Mood Disorders</b>				
<b>Bipolar Disorder</b>	Dramatic shifts in mood, energy, and activity levels that affect a person's ability to carry out day-to-day tasks. These shifts in mood and energy levels are more severe than the normal ups and downs that are experienced by everyone.	Lifetime Prevalence in the United States Among Youth (13 to 18 Years Old) Lifetime Prevalence in the United States Among Adults	NCS-A  NCS-R	2.9% of youth  4.4% of adults
<b>Any Mood Disorder</b> (Major Depressive Disorder, Dysthymic Disorder)	A category of mental illnesses in which the underlying problem primarily affects a person's persistent emotional state (their mood).	Lifetime Prevalence in the United States Among Youth (13 to 18 Years Old) Lifetime Prevalence in the United States Among Adults	NCS-A  NCS-R	14.3% of youth  21.4% of adults

Mental Disorder	Signs and Symptoms <sup>6</sup>	Estimate Description	Surveillance System <sup>7,8,9,10,11,12,13</sup>	Estimate <sup>14</sup>
<b>Other Mental Disorders</b>				
<b>Attention-Deficit/Hyperactivity Disorder (ADD/ADHD)</b>	Difficulty staying focused and paying attention, difficulty controlling behavior, and hyperactivity (over-activity)	Lifetime Prevalence in the United States Among Youth (13 to 18 Years Old)  Lifetime Prevalence in the United States Among Adults	NCS-A  NCS-R	8.7% of youth  4.4% of adults
<b>Schizophrenia</b>	Hallucinations, delusions, and thought disorder (unusual ways of thinking), as well as reduced expression of emotions, reduced motivation to accomplish goals, difficulty in social relationships, motor impairment, and cognitive impairment	Prevalence in the U.S. among adults	NCS-R & others	Between 0.25% and 0.64% of U.S. adults
<b>Personality Disorders</b>	An enduring pattern of inner experience and behavior that deviates markedly from the expectations of the individual's culture	12-month Prevalence in the United States Among Adults	NCS-R	9.1% of adults (Personality disorder)



## COMMON MISUSED SUBSTANCES

Substance: Examples of Other Names for Substances <sup>15</sup>	Negative Immediate Intoxication Effects; Negative Health Effects <sup>16</sup>	Estimate Description	Estimate <sup>17,18</sup>
<b>Alcohol, Inhalants, and Tobacco</b>			
<b>Alcohol:</b> <b>Booze, beer, wine, liquor</b>	<p><b>Immediate Effects:</b> Dizziness, talkativeness, slurred speech, disturbed sleep, nausea, vomiting, impaired judgment and coordination, increased aggression, risky behavior including drunk driving, inappropriate sexual behavior, and impaired judgment</p> <p><b>Health Effects:</b> Irregular heartbeat, stroke, high blood pressure; cirrhosis and fibrosis of the liver; mouth, throat, liver, and breast cancer; and for pregnancy, fetal alcohol spectrum disorders</p>	<p><b>Past-month Use:</b> Percentage Among People Aged 12 and Older</p> <p><b>Past-month Use:</b> Number of People Aged 12 and Older</p> <p><b>Past-month Use:</b> Percentage Among Youth (Aged 12 to 17)</p> <p><b>Past-month Use:</b> Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>51.7% of people aged 12 and older</p> <p>140.6 million people aged 12 and older</p> <p>9.9% of youth</p> <p>2.5 million youth</p> <p>17.6 years</p>
<b>Inhalants (Gases, Nitrites, and Aerosols): Ether, chloroform, nitrous oxide, isobutyl, isoamyl, poppers, snappers, whippets, laughing gas</b>	<p><b>Immediate Effects:</b> Confusion; nausea; slurred speech; lack of coordination; euphoria; dizziness; drowsiness; disinhibition, lightheadedness, hallucinations/delusions; headaches; sudden sniffing death due to heart failure (from butane, propane, and other chemicals in aerosols); death from asphyxiation, suffocation, convulsions or seizures, coma, or choking; Nitrites: enlarged blood vessels, enhanced sexual pleasure, increased heart rate, brief sensation of heat and excitement, dizziness, headache</p> <p><b>Health Effects:</b> Liver and kidney damage; bone marrow damage; limb spasms due to nerve damage; brain damage from lack of oxygen that can cause problems with thinking, movement, vision, and hearing; Nitrites: increased risk of pneumonia; In pregnancy: low birth weight, bone problems, delayed behavioral development due to brain problems, altered metabolism and body composition.</p>	<p><b>Past-month Use:</b> Percentage Among People Aged 12 and Older</p> <p><b>Past-month Use:</b> Number of People Aged 12 and Older</p> <p><b>Past-month Use:</b> Percentage Among Youth (Aged 12 to 17)</p> <p><b>Past-month Use:</b> Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>0.2% of people aged 12 and older</p> <p>556,000 people aged 12 and older</p> <p>0.6% of youth</p> <p>153,000 youth</p> <p>18.9 years</p>

Substance: Examples of Other Names for Substances <sup>15</sup>	Negative Immediate Intoxication Effects; Negative Health Effects <sup>16</sup>	Estimate Description	Estimate <sup>17,18</sup>
<b>Alcohol, Inhalants, and Tobacco</b>			
<b>Tobacco Products: Cigarettes, cigars, bidis, hookahs, smokeless tobacco (snuff, spit tobacco, chew), e-cigarettes</b>	<p><b>Immediate Effects:</b> Increased blood pressure, breathing, and heart rate</p> <p><b>Health Effects:</b> Greatly increased risk of cancer, especially lung cancer when smoked and oral cancers when chewed; chronic bronchitis; emphysema; heart disease; leukemia; cataracts; pneumonia; In pregnancy: miscarriage, low birth weight, stillbirth, learning and behavior problems</p>	<p><b>Past-month Use:</b> Percentage Among People Aged 12 and Older</p> <p><b>Past-month Use:</b> Number of People Aged 12 and Older</p> <p><b>Past-month Use:</b> Percentage Among Youth (Aged 12 to 17)</p> <p><b>Past-month Use:</b> Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>22.4% of people aged 12 and older</p> <p>61.1 million people aged 12 and older</p> <p>4.9% of youth</p> <p>1.2 million youth</p> <p>18.8 cigarettes and 19.8 smokeless tobacco</p>
<b>Illicit Drugs</b>			
<b>Cocaine: Blow, Bump, C, Candy, Charlie, Coke, Crack, Flake, Rock, Snow, Toot</b>	<p><b>Immediate Effects:</b> Narrowed blood vessels; enlarged pupils; increased body temperature, heart rate, and blood pressure; headache; abdominal pain and nausea; euphoria; increased energy, alertness; insomnia, restlessness; anxiety; erratic and violent behavior, panic attacks, paranoia, psychosis; heart rhythm problems, heart attack; stroke, seizure, coma</p> <p><b>Health Effects:</b> Loss of sense of smell, nosebleeds, nasal damage and trouble swallowing from snorting; infection and death of bowel tissue from decreased blood flow; poor nutrition and weight loss; lung damage from smoking; Additionally, risk of HIV, hepatitis, and other infectious diseases from shared needles; In pregnancy: premature delivery, low birth weight, deficits in self-regulation and attention in school-aged children prenatally exposed</p>	<p><b>Past-month Use:</b> Percentage Among People Aged 12 and Older</p> <p><b>Past-month Use:</b> Number of People Aged 12 and Older</p> <p><b>Past-month Use:</b> Percentage Among Youth Aged 12 to 17</p> <p><b>Past-month Use:</b> Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>0.8% of people aged 12 and older</p> <p>2.2 million people aged 12 and older</p> <p>0.1% of youth</p> <p>26,000 youth</p> <p>21.8 years</p>

Substance: Examples of Other Names for Substances <sup>15</sup>	Negative Immediate Intoxication Effects; Negative Health Effects <sup>16</sup>	Estimate Description	Estimate <sup>17,18</sup>
<b>Illicit Drugs</b>			
<b>Ecstasy (a type of hallucinogen): Adam, Clarity, Eve, Lover's Speed, Peace, Uppers</b>	<p><b>Immediate Effects:</b> Lowered inhibition; enhanced sensory perception; increased heart rate and blood pressure; muscle tension; nausea; faintness; chills or sweating; sharp rise in body temperature leading to kidney failure or death</p> <p><b>Health Effects:</b> Long-lasting confusion, depression, problems with attention, memory, and sleep; increased anxiety, impulsiveness; less interest in sex</p>	<p><b>Past-month Use:</b> Percentage Among People Aged 12 and Older</p> <p><b>Past-month Use:</b> Number of People Aged 12 and Older</p> <p><b>Past-month Use:</b> Percentage Among Youth Aged 12 to 17</p> <p><b>Past-month Use:</b> Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>0.2% of people aged 12 and older</p> <p>587,000 people aged 12 and older</p> <p>0.2% of youth</p> <p>41,000 youth</p> <p>21.5 years</p>
<b>Hallucinogens: Acid, boomers, doses, hits, LSD, microdot, peyote, shrooms, sugar cubes, tabs, trips, PCP</b>	<p><b>Immediate Effects:</b> (With LSD) Rapid emotional swings; distortion of a person's ability to recognize reality, think rationally, or communicate with others; raised blood pressure, heart rate, body temperature; dizziness; loss of appetite; tremors; enlarged pupils</p> <p>(With PCP) Delusions, hallucinations, paranoia, problems thinking, a sense of distance from one's environment, anxiety</p> <p><b>Low doses:</b> slight increase in breathing rate; increased blood pressure and heart rate; shallow breathing; face redness and sweating; numbness of the hands or feet; problems with movement; High doses: nausea; vomiting; flicking up and down of the eyes; drooling; loss of balance; dizziness; violence; seizures, coma, and death</p> <p><b>Health Effects:</b> Frightening flashbacks (called Hallucinogen Persisting Perception Disorder); ongoing visual disturbances, disorganized thinking, paranoia, and mood swings</p>	<p><b>Past-month Use:</b> Percentage Among People Aged 12 and Older</p> <p><b>Past-month Use:</b> Number of People Aged 12 and Older</p> <p><b>Past-month Use:</b> Percentage Among Youth Aged 12 to 17</p> <p><b>Past-month Use:</b> Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>0.5% (includes Ecstasy, LSD, and PCP data) of people aged 12 and older</p> <p>1.4 million (includes Ecstasy, LSD, and PCP data) people aged 12 and older</p> <p>0.6% (includes Ecstasy, LSD, and PCP data) of youth</p> <p>143,000 (includes Ecstasy, LSD, and PCP data) youth</p> <p>20.2 years (includes Ecstasy, LSD, and PCP data)</p>

Substance: Examples of Other Names for Substances <sup>15</sup>	Negative Immediate Intoxication Effects; Negative Health Effects <sup>16</sup>	Estimate Description	Estimate <sup>17,18</sup>
<b>Illicit Drugs</b>			
<p><b>Heroin: Brown sugar, China White, Dope, H, Horse, Junk, Skag, Skunk, Smack, White Horse</b></p> <p><b>With OTC cold medicine and antihistamine: Cheese</b></p>	<p><b>Immediate Effects:</b> Euphoria; dry mouth; itching; nausea; vomiting; analgesia; slowed breathing and heart rate</p> <p><b>Health Effects:</b> Collapsed veins; abscesses (swollen tissue with pus); infection of the lining and valves in the heart; constipation and stomach cramps; liver or kidney disease; pneumonia; Additionally, risk of HIV, hepatitis, and other infectious diseases from shared needles; In pregnancy: miscarriage, low birth weight, neonatal abstinence syndrome</p>	<p><b>Past-month Use:</b> Percentage Among People Aged 12 and Older</p> <p><b>Past-month Use:</b> Number of People Aged 12 and Older</p> <p><b>Past-month Use:</b> Percentage Among Youth (Aged 12 to 17)</p> <p><b>Past-month Use:</b> Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>0.2% of people aged 12 and older</p> <p>494,000 people aged 12 and older</p> <p>Less than 0.1% of youth</p> <p>2,000 youth</p> <p>23.2 years</p>
<p><b>Marijuana/Hashish: Blunt, Bud, Dope, Ganja, Grass, Green, Herb, Joint, Mary Jane, Pot, Reefer, Sinsemilla, Skunk, Smoke, Trees, Weed; Hashish: Boom, Gangster, Hash, Hemp</b></p>	<p><b>Immediate Effects:</b> Enhanced sensory perception and euphoria followed by drowsiness/relaxation; slowed reaction time; problems with balance and coordination; increased heart rate and appetite; problems with learning and memory; anxiety</p> <p><b>Health Effects:</b> Mental health problems, chronic cough, frequent respiratory infections; Additionally, in youth: possible loss of IQ points when repeated use begins in adolescence; In pregnancy: babies born with problems with attention, memory, and problem solving</p>	<p><b>Past-month Use:</b> Percentage Among People Aged 12 and Older</p> <p><b>Past-month Use:</b> Number of People Aged 12 and Older</p> <p><b>Past-month Use:</b> Percentage Among Youth Aged 12 to 17</p> <p><b>Past-month Use:</b> Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>9.6% of people aged 12 and older</p> <p>26.0 million people aged 12 and older</p> <p>6.5% of youth</p> <p>1.6 million youth</p> <p>19.7 years</p>

Substance: Examples of Other Names for Substances <sup>15</sup>	Negative Immediate Intoxication Effects; Negative Health Effects <sup>16</sup>	Estimate Description	Estimate <sup>17,18</sup>
<b>Illicit Drugs</b>			
<b>Methamphetamine: Crank, Chalk, Crystal, Fire, Glass, Go Fast, Ice, Meth, Speed</b>	<p><b>Immediate Effects:</b> Increased wakefulness and physical activity; decreased appetite; increased breathing, heart rate, blood pressure, temperature; irregular heartbeat</p> <p><b>Health Effects:</b> Anxiety, confusion, insomnia, mood problems, violent behavior, paranoia, hallucinations, delusions, weight loss, severe dental problems (“meth mouth”), intense itching leading to skin sores from scratching; Additionally, risk of HIV, hepatitis, and other infectious diseases from shared needles; In pregnancy: premature delivery; separation of the placenta from the uterus; low birth weight; lethargy; heart and brain problems</p>	<p><b>Past-month Use:</b> Percentage Among People Aged 12 and Older</p> <p><b>Past-month Use:</b> Number of People Aged 12 and Older</p> <p><b>Past-month Use:</b> Percentage Among Youth Aged 12 to 17</p> <p><b>Past-month Use:</b> Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>0.3% of people aged 12 and older</p> <p>774,000 people aged 12 and older</p> <p>0.1% of youth</p> <p>16,000 youth</p> <p>23.3 years</p>

Substance: Examples of Other Names for Substances <sup>15</sup>	Negative Immediate Intoxication Effects; Negative Health Effects <sup>16</sup>	Estimate Description	Estimate <sup>17,18</sup>
<b>Illicit Drugs</b>			
<p><b>Prescription Pain Relievers:</b> Vike (Vicodin®), oxy, O.C. (Oxycontin®), demmies, percs, octagons, sizzurp, captain cody, Cody, Lean, Schoolboy, Sizzurp, Purple Drank</p> <p><b>With gluteth- imide:</b> Doors &amp; Fours, Loads, Pancakes and Syrup, Apache, China Girl, China White, Dance Fever, Friend, Goodfella, Jackpot, Murder 8, Tango and Cash, TNT, Vike, Watson-387, D, Dillies, Footballs, Juice, Smack, Demmies, Pain Killer, Amidone, Fizzies</p> <p><b>With MDMA:</b> Chocolate Chip Cookies, M, Miss Emma, Monkey, White Stuff, O.C., Oxycet, Oxycotton, Oxy, Hillbilly Heroin, Percs, Biscuits, Blue Heaven, Blues, Mrs. O, O Bomb, Octagons, Stop Signs</p>	<p><b>Immediate Effects:</b> Pain relief, drowsiness, nausea, constipation, euphoria, slowed breathing, death</p> <p><b>Health Effects:</b> Increased risk of overdose or addiction if misused; Additionally, risk of HIV, hepatitis, and other infectious diseases from shared needles; In pregnancy: miscarriage, low birth weight, neonatal abstinence syndrome; In older adults: higher risk of accidental misuse because many older adults have multiple prescriptions, increasing the risk of drug-drug interactions, and breakdown of drugs slows with age; also, many older adults are treated with prescription medications for pain</p>	<p>Past-month misuse: Percentage Among People Aged 12 and Older</p> <p>Past-month misuse: Number of People Aged 12 and Older</p> <p>Past-month misuse: Percentage Among Youth Aged 12 to 17</p> <p>Past-month misuse: Number of People Aged 12 to 17</p> <p>Average Age of First Misuse Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>1.2% of people aged 12 and older</p> <p>3.2 million people aged 12 and older</p> <p>0.9% of youth</p> <p>214,000 youth</p> <p>27.3 years</p>

Substance: Examples of Other Names for Substances <sup>15</sup>	Negative Immediate Intoxication Effects; Negative Health Effects <sup>16</sup>	Estimate Description	Estimate <sup>17,18</sup>
<b>Illicit Drugs</b>			
<p><b>Central Nervous System Depressants (includes sedatives and tranquilizers):</b>  <b>Barbiturates (pentobarbital/ Nembutal®): Barbs, Phennies, Red Birds, Reds, Tooies, Yellow Jackets, Yellows</b></p> <p><b>Benzodiazepines (alprazolam/Xanax®, chlorodiazepoxide/ Librium®, diazepam/ Valium®, lorazepam/ Ativan®, triazolam/ Halicon®): Candy, Downers, Sleeping Pills, Tranks</b></p> <p><b>Sleep medications (Lunesta®, zaleplon/ Sonata®, zolpidem/ Ambien®): Forget-me Pill, Mexican Valium, R2, Roche, Roofies, Roofinol, Rope, Rophies</b></p>	<p><b>Immediate Effects:</b>  Drowsiness, slurred speech, poor concentration, confusion, dizziness, problems with movement and memory, lowered blood pressure, slowed breathing</p> <p><b>Health Effects:</b> Sleep medications are sometimes used as date rape drugs; Risk of HIV, hepatitis, and other infectious diseases from shared needles</p>	<p>Past-month Misuse: Percentage Among People Aged 12 and Older</p> <p>Past-month Misuse: Number of People Aged 12 and Older</p> <p>Past-month Misuse: Percentage Among Youth Aged 12 to 17</p> <p>Past-month Misuse: Number of People Aged 12 to 17</p> <p>Average Age of First Misuse Among People Who Initiated Use in the Past Year, People Age 12-49</p>	<p>0.1% of people aged 12 and older for sedatives</p> <p>0.6% of people aged 12 and older for tranquilizers</p> <p>352,000 people aged 12 and older for sedatives. 1.7 million people aged 12 and older for tranquilizers</p> <p>0.1% of youth for sedatives</p> <p>0.5% of youth for tranquilizers</p> <p>19,000 youth for sedatives</p> <p>128,000 youth for tranquilizers</p> <p>27.3 years for sedatives</p> <p>25.2 years for tranquilizers</p>
<p><b>Stimulants: Amphetamine (Adderall®): Bennies, Black Beauties, Crosses, Hearts, LA Turnaround, Speed, Truck Drivers, Uppers</b></p> <p><b>Methylphenidate (Ritalin®, Concerta®): JIF, MPH, R-ball, Skippy, The Smart Drug, Vitamin R</b></p>	<p><b>Immediate Effects:</b> Increased alertness, attention, energy; increased blood pressure and heart rate; narrowed blood vessels; increased blood sugar; opened-up breathing passages</p> <p><b>Health Effects:</b> Heart problems, psychosis, anger, paranoia; Additionally, risk of HIV, hepatitis, and other infectious diseases from shared needles</p>	<p>Past-month Misuse: Percentage Among People Aged 12 and Older</p> <p>Past-month Misuse: Number of People Aged 12 and Older</p> <p>Past-month Misuse: Percentage Among Youth Aged 12 to 17</p> <p>Past-month Misuse: Number of People Aged 12 to 17</p> <p>Average Age of First Use Among People Who Initiated Misuse in the Past Year, People Age 12-49</p>	<p>0.7% of people aged 12 and older</p> <p>1.8 million people aged 12 and older</p> <p>0.5% of youth</p> <p>123,000 youth</p> <p>23.6 years</p>



**The following is not an exhaustive list of all available resources. Inclusion of websites and resources in this document and on the *Recovery Month* website does not constitute official endorsement by the U.S. Department of Health and Human Services or the Substance Abuse and Mental Health Services Administration.**

<sup>1</sup> Center for Behavioral Health Statistics and Quality. (2018). *Key substance use and mental health indicators in the United States: Results from the 2017 National Survey on Drug Use and Health*, NSDUH Series H-53, HHS Publication No. (SMA) 18- 5068, p. 2. Rockville, MD: Substance Abuse and Mental Health Services Administration. Web. 2 October 2018. Retrieved from <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHFFR2017/NSDUHFFR2017.pdf>

<sup>2</sup> American Psychiatric Association. (1994). *Diagnostic and Statistical Manual of Mental Disorders* (DSM-IV) (4th ed.). Washington, DC.

<sup>3</sup> Center for Behavioral Health Statistics and Quality. (2018). *Key substance use and mental health indicators in the United States: Results from the 2017 National Survey on Drug Use and Health*, NSDUH Series H-53, HHS Publication No. (SMA) 18- 5068, p. 2. Rockville, MD: Substance Abuse and Mental Health Services Administration. Web. 2 October 2018. Retrieved from <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHFFR2017/NSDUHFFR2017.pdf>

<sup>4</sup> Center for Behavioral Health Statistics and Quality. (2018). *Key substance use and mental health indicators in the United States: Results from the 2017 National Survey on Drug Use and Health*, NSDUH Series H-53, HHS Publication No. (SMA) 18- 5068, p. 2. Rockville, MD: Substance Abuse and Mental Health Services Administration. Web. 2 October 2018. Retrieved from <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHFFR2017/NSDUHFFR2017.pdf>

<sup>5</sup> Center for Behavioral Health Statistics and Quality. (2018). *Key substance use and mental health indicators in the United States: Results from the 2017 National Survey on Drug Use and Health*, NSDUH Series H-53, HHS Publication No. (SMA) 18- 5068, p. 41. Rockville, MD: Substance Abuse and Mental Health Services Administration. Web. 2 October 2018. Retrieved from <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHFFR2017/NSDUHFFR2017.pdf>

<sup>6</sup> The National Institute of Mental Health. "Statistics." Web. 30 October 2018. Retrieved from <https://www.nimh.nih.gov/health/statistics/index.shtml>

<sup>7</sup> The National Institute of Mental Health. "Statistics." Web. 30 October 2018. Retrieved from <https://www.nimh.nih.gov/health/statistics/index.shtml>

<sup>8</sup> Harvard Medical School, 2007. "National Comorbidity Survey (NCS)." Web. 30 October 2018. Retrieved from <https://www.hcp.med.harvard.edu/ncs/index.php>

<sup>9</sup> Merikangas KR, He JP, Burstein M, Swanson SA, Avenevoli S, Cui L, Benjet C, Georgiades K, Swendsen J. "Lifetime prevalence of mental disorders in U.S. adolescents: results from the National Comorbidity Survey Replication--Adolescent Supplement (NCS-A)." *J Am Acad Child Adolesc Psychiatry*. 2010 Oct;49(10):980-9. PMID: 20855043

<sup>10</sup> Visser, SN, Danielson, ML, Bitsko, RH, Holbrook, JR, Kogan, MD, Ghandour, RM, Perou, R, and Blumberg, SJ. Trends in the parent-report of health care provider-diagnosed and medicated attention-deficit/hyperactivity disorder: United States, 2003-2011. *J Am Acad Child Adolesc Psychiatry*. 2014 Jan;53(1):34-46.e2. doi: 10.1016/j.jaac.2013.09.001. Web. 30 October 2018. Retrieved from [https://www.ncbi.nlm.nih.gov/pubmed?term=\(Visser%5BAuthor%5D\)%20AND%20parent-report%5BTitle%5D](https://www.ncbi.nlm.nih.gov/pubmed?term=(Visser%5BAuthor%5D)%20AND%20parent-report%5BTitle%5D)

<sup>11</sup> Kessler RC, Birnbaum H, Demler O, Falloon IR, Gagnon E, Guyer M, Howes MJ, Kendler KS, Shi L, Walters E, Wu EQ. "The prevalence and correlates of nonaffective psychosis in the National Comorbidity Survey Replication (NCS-R)." *Biol Psychiatry*. 2005 Oct 15;58(8):668-76. PMID: 16023620

<sup>12</sup> Wu EQ, Shi L, Birnbaum H, Hudson T, Kessler R. "Annual prevalence of diagnosed schizophrenia in the USA: a claims data analysis approach." *Psychol Med*. 2006 Nov;36(11):1535-40. PMID: 16907994

<sup>13</sup> Desai, PR, Lawson, KA, Barner, JC, Rascati, KL. "Estimating the direct and indirect costs for community-dwelling patients with schizophrenia." *Journal of Pharmaceutical Health Services Research*, 2013 Jul;4(4):187-194. doi/10.1111/jphs.12027/epdf

<sup>14</sup> The National Institute of Mental Health. "Statistics." Web. 30 October 2018. Retrieved from <https://www.nimh.nih.gov/health/statistics/index.shtml>

<sup>15</sup> National Institute on Drug Abuse. *NIDA: Commonly Abused Drug Charts*. U.S. Department of Health and Human Services & National Institutes of Health. Web. 15 October 2018. Retrieved from <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>

<sup>16</sup> National Institute on Drug Abuse. *NIDA: Commonly Abused Drug Charts*. U.S. Department of Health and Human Services & National Institutes of Health. Web. 15 October 2018. Retrieved from <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>

<sup>17</sup> Substance Abuse and Mental Health Services Administration. (2018). *Key substance use and mental health indicators in the United States: Results from the 2017 National Survey on Drug Use and Health* (HHS Publication No. SMA 18-5068, NSDUH Series H-53). Rockville, MD: Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration. Web. 15 October 2018. Retrieved from <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHFFR2017/NSDUHFFR2017.pdf>

<sup>18</sup> Center for Behavioral Health Statistics and Quality. (2018). *Results from the 2017 National Survey on Drug Use and Health: Detailed Tables* Substance Abuse and Mental Health Services Administration, Rockville, MD. Web. 15 October 2018. Retrieved from <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHDetailedTabs2017/NSDUHDetailedTabs2017.pdf>



# MENTAL DISORDERS

## AMONG ADULTS



### 4.3%

of adults aged **18 or older** seriously thought about **killing themselves** in 2017.<sup>1</sup>

### 11.2 million

adults had a **serious mental illness** in the past year.<sup>2</sup>



### 1 in 3 adults

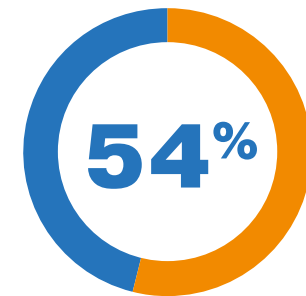
who had serious thoughts about suicide **made suicide plans**.

### 1.4 million

adults who had serious thoughts about suicide **made a suicide attempt**.<sup>3</sup>

### 46.6 million

adults aged 18 or older had **any mental illness** in the past year.<sup>4</sup>



of people who died by suicide **did not** have a **known mental disorder**.<sup>5</sup>

1, 2, 3, 4, 6, 7 Center for Behavioral Health Statistics and Quality. *Key substance use and mental health indicators in the United States: Results from the 2017 National Survey on Drug Use and Health, NSDUH Series H-53, HHS Publication No. (SMA) 18-5068*. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2018. Accessed February 28, 2019. Retrieved from: <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHFFR2017/NSDUHFFR2017.pdf>

# MENTAL DISORDERS

## AMONG YOUTH + YOUNG ADULTS



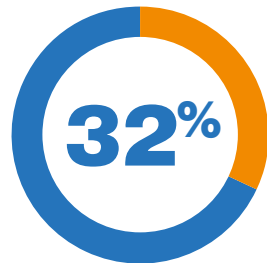
**3.2 million**

adolescents aged **12 to 17** and



**4.4 million**

young adults aged **18 to 25** had a major depressive episode in the past year.<sup>6</sup>



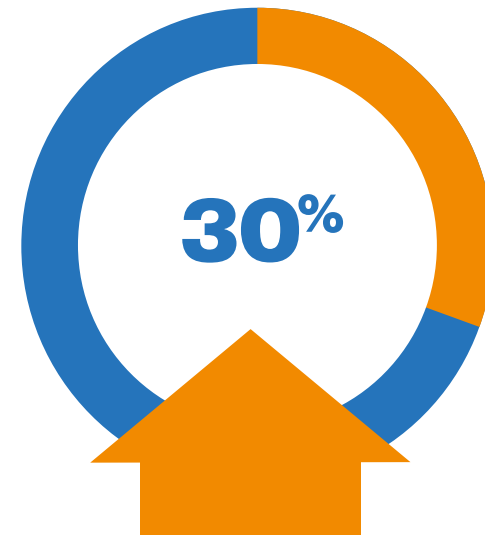
of students felt **consistently sad or hopeless** in 2017, compared to 29% in 2007.<sup>7</sup>



**1 in 5 students**

were bullied in school in 2017.<sup>8</sup>

## SUICIDE



**Suicide is a leading cause of death** in the U.S. From 1999 through 2016, suicide rates increased in nearly every state, **with half the states increasing** by more **than 30 percent**.<sup>9</sup>

<sup>7, 8</sup> Centers for Disease Control and Prevention. *Youth Risk Behavior Survey Data*. 2017. Accessed February 28, 2019. Retrieved from: <https://www.cdc.gov/healthyyouth/data/yrbs/pdf/trendsreport.pdf>

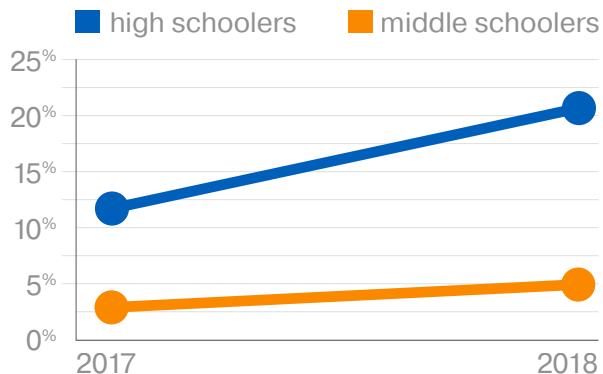
<sup>5, 9</sup> Stone DM, Simon TR, Fowler KA, et al. "Vital Signs: Trends in State Suicide Rates — United States, 1999–2016 and Circumstances Contributing to Suicide — 27 States." *MMWR Morb Mortal Wkly Rep* 2018;67:617–624. Accessed February 28, 2019. Retrieved from: <https://www.cdc.gov/mmwr/volumes/67/wr/mm6722a1.htm#suggestedcitation>

# SUBSTANCE USE

## AMONG YOUTH

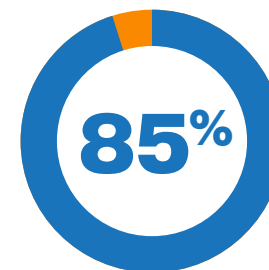


adolescents aged 12 to 17 **used alcohol for the first time** in the past year.<sup>1</sup>



Among high school students, **current e-cigarette use increased by 78%** (from 11.7% to 20.8%), during 2017–2018.

Among middle school students, **current e-cigarette use increased by 48%** (from 3.3% to 4.9%), during 2017–2018.<sup>3</sup>



of high-school seniors say that it is **fairly easy or very easy to gain access to alcohol**.<sup>2</sup>



adolescents aged 12 to 17 **misused opioids** in the past year.<sup>4</sup>

<sup>1,4,5,6,10</sup> Center for Behavioral Health Statistics and Quality. *Key substance use and mental health indicators in the United States: Results from the 2017 National Survey on Drug Use and Health, NSDUH Series H-53, HHS Publication No. (SMA) 18-5068*. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2018. Accessed February 28, 2019. Retrieved from: <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHF2017/NSDUHF2017.pdf>

<sup>2</sup> Miech, RA, Schulenberg, JE, Johnston, LD, Bachman, JG, O'Malley, PM, & Patrick, ME. National Adolescent Drug Trends in 2018. *Monitoring the Future: Ann Arbor, MI*. December 17, 2018. Accessed February 28, 2019. Retrieved from: <http://monitoringthefuture.org/data/18data/18drtbl17.pdf>

<sup>3</sup> Cullen KA, Ambrose BK, Gentzke AS, Apelberg BJ, Jamal A, King BA. "Notes from the Field: Use of Electronic Cigarettes and Any Tobacco Product Among Middle and High School Students — United States, 2011–2018." *MMWR Morb Mortal Wkly Rep* 2018;67:1276–1277. 2018. Accessed February 28, 2019. Retrieved from: [https://www.cdc.gov/mmwr/volumes/67/wr/mm6745a5.htm?s\\_cid=mm6745a5\\_w](https://www.cdc.gov/mmwr/volumes/67/wr/mm6745a5.htm?s_cid=mm6745a5_w)



# SUBSTANCE USE

## TREATMENT

In 2017, an estimated **20.7 million**

people aged 12 or older needed substance use treatment.



Just 4 million people aged 12 or older received any substance use treatment in the past year.<sup>5</sup>

In 2016, the number of admissions to substance use treatment for methamphetamine use aged 12 or older totaled 178,547.



This number has steadily increased since 2011, when there were just 115,244 admissions for methamphetamine use.<sup>8</sup>

## AMONG ADULTS



**11.4 million** people misused **opioids** in 2017, including

**11.1 million** people who misused **prescription pain relievers**

**886,000** people who used **heroin**.<sup>6</sup>



died of a **drug overdose** in 2017.<sup>9</sup>

From July 2016 through September 2017, a total of



**142,557** **emergency department visits** in **45 states** were suspected opioid-involved overdoses.<sup>7</sup>

The most commonly used illicit drug in the past month was **marijuana**, which was used by



**26 million** people aged 12 or older.<sup>10</sup>

<sup>7</sup> Vivolo-Kantor AM, Seth P, Gladden RM, et al. "Vital Signs: Trends in Emergency Department Visits for Suspected Opioid Overdoses — United States, July 2016–September 2017." *MMWR Morb Mortal Wkly Rep* 2018;67:279–285. 2018. Accessed February 28, 2019. Retrieved from: <https://www.cdc.gov/mmwr/volumes/67/wr/mm6709e1.htm>

<sup>8</sup> Center for Behavioral Health Statistics and Quality. "Treatment Episode Data Set (TEDS): 2016. Admissions to and Discharges from Publicly Funded Substance Use Treatment." Rockville, MD: Substance Abuse and Mental Health Services Administration, 2018. Accessed February 28, 2019. Retrieved from: [https://www.samhsa.gov/data/sites/default/files/2016\\_Treatment\\_Episode\\_Data\\_Set\\_Annual.pdf](https://www.samhsa.gov/data/sites/default/files/2016_Treatment_Episode_Data_Set_Annual.pdf)

<sup>9</sup> Ahmad FB, Rossen LM, Spencer MR, Warner M, Sutton P. Centers for Disease Control and Prevention National Center for Health Statistics. *Provisional drug overdose death counts*. Accessed February 28, 2019. Retrieved from: <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

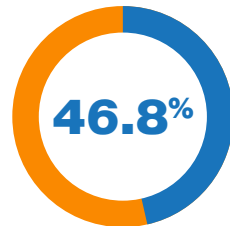


# CO-OCCURRING MENTAL AND SUBSTANCE USE DISORDERS

## AMONG YOUTH + YOUNG ADULTS

### 5.1 million

young adults aged 18 to 25 had a **substance use disorder** in the past year.



of the **5.1 million** young adults with a substance use disorder had any mental illness in the past year.

## TREATMENT

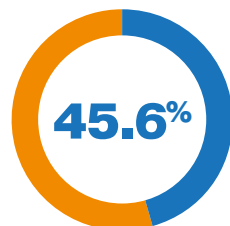


adults with co-occurring serious mental illness and a substance use disorder **did not receive either mental health care or specialty substance use treatment.**

## AMONG ADULTS

### 19.7 million

adults experienced a substance use disorder in the past year.



of the **19.7 million** adults with a past year substance use disorder had any mental illness in the past year.



of adults with co-occurring disorders did not receive **both mental health care and specialty substance use treatment.**

Center for Behavioral Health Statistics and Quality. Key substance use and mental health indicators in the United States: Results from the 2017 National Survey on Drug Use and Health, NSDUH Series H-53, HHS Publication No. (SMA) 18-5068. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2018. Accessed February 28, 2019. Retrieved from: <https://www.samhsa.gov/data/sites/default/files/cbhsq-reports/NSDUHFRR2017/NSDUHFRR2017.pdf>



## A PROCLAMATION OF THE CITY OF KIRKLAND

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### Proclaiming September 2019 as “National Recovery Month” in Kirkland, Washington

**WHEREAS**, behavioral health is an essential part of health and one’s overall wellness; and

**WHEREAS**, prevention of mental and substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

**WHEREAS**, preventing and overcoming mental and substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

**WHEREAS**, we must encourage relatives and friends of people with mental and substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

**WHEREAS**, an estimated 400,000 people in King County are affected by mental and substance use disorders; and

**WHEREAS**, we recognize four dimensions of recovery from mental health and substance use disorders: health, home, purpose, and community; and

**WHEREAS**, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), the Washington State Department of Social and Health Services and King County Behavioral Health and Recovery Division invite all residents of Kirkland, Washington to participate in National Recovery Month;

**NOW, THEREFORE**, I, Penny Sweet, Mayor of the City of Kirkland, do hereby proclaim September 2019 as “*National Recovery Month*” in the City of Kirkland, Washington and call upon the community to observe this month by supporting and participating in appropriate programs, activities, and ceremonies supporting this year’s Recovery Month theme, “*Join the Voices for Recovery: Together We Are Stronger.*”

Signed this 3<sup>rd</sup> day of September 2019

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Penny Sweet, Mayor



KIRKLAND CITY COUNCIL SPECIAL MEETING MINUTES  
August 7, 2019

1. CALL TO ORDER

- a. Mayor Sweet called the study session to order at 6 p.m. and called the regular meeting to order at 7:30 p.m.

2. ROLL CALL

Motion to Excuse Councilmember Pascal's absence due to travel.

Moved by Councilmember Tom Neir, seconded by Councilmember Kelli Curtis

Vote: Motion carried 6-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

ROLL CALL:

Members Present: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

Members Absent: Councilmember Jon Pascal.

3. STUDY SESSION

- a. Parks and Community Services Resource Allocation Model

Joining the Council for the discussion were City Manager Kurt Triplett, Parks and Community Services Director Lynn Zwaagstra, Deputy Director of Operations John Lloyd, Park Operations Manager Jason Filan, Park Planning and Development Manager Mary Gardocki, and Administrative Assistant Heather Lantz-Brazil.

4. EXECUTIVE SESSION

- a. To Discuss Potential Acquisition of Real Property

Mayor Sweet announced that Council would enter into executive session to discuss the potential acquisition of real property and would return to the regular meeting at 7:30 p.m.; City Clerk Kathi Anderson announced at 7:28 and again at 7:33 that Council would require additional time in increments of five minutes. Council returned to regular meeting at 7:38 p.m. Also attending were City Manager Kurt Triplett, Deputy City Manager Tracey Dunlap, City Attorney Kevin Raymond, Parks and Community Services Director Lynn Zwaagstra and Park Planning and Development Manager Mary Gardocki.

5. HONORS AND PROCLAMATIONS

None.

6. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience

Michael Friedline  
Brena Gattuccio  
Brian Whicker  
John Sheller

- c. Petitions

7. PUBLIC HEARINGS

None.

8. SPECIAL PRESENTATIONS

- a. Evergreen Health/Totem Lake Traffic Study

Transportation Solutions, Inc. President Victor Salemann provided an overview of the results of the Evergreen Health/Totem Lake Traffic Study and responded to questions from the Council.

- b. Future Metro RapidRide 1027

Transportation Planner Kimberly Scrivner introduced King County Metro Rapid Ride Program Director Hannah McIntosh and Transit Service Planner Grace Carlson, who provided a briefing about the planned King County Metro RapidRide line 1027 from Totem Lake to south Bellevue/Eastgate.

9. CONSENT CALENDAR

- a. Approval of Minutes

(1) July 16, 2019

This item was pulled for consideration as Business item 10.f.

- b. Audit of Accounts and Payment of Bills and Payroll

Bills: \$7,338,727.85  
Payroll: \$8,147,640.07  
CA 190717 Wire #95  
CA 190718  
CA 190724 Wire #96  
CA 190730

Checks #706788 - 707026  
Checks #707027 - 707032  
Checks #707034 - 707124  
Checks #707125 - 707186



CA 190731    Wire #101, 102    Checks #707187 - 707380  
CA 802B      Wire #100  
CA 802C      Wire #97, 99  
LB 725A      Wire #98  
P-Card        ACH

c.    General Correspondence

d.    Claims

(1)    Claims for Damages

Claims received from Clifford Hou and Jenny Chang, and Ryan Davis were acknowledged via approval of the consent calendar.

e.    Award of Bids

(1)    Advance Mitigation Project Maintenance

The five-year construction contract was awarded to lowest responsible bidder OMA Construction, Inc., of Maple Valley, Washington in the amount of \$236,715.00 via approval of the consent calendar.

f.    Acceptance of Public Improvements and Establishing Lien Period

(1)    1st Street Sewer Main Replacement Project

The work on the 1st Street Sewer Main Replacement project performed by Rodarte Construction, Inc., of Auburn Washington, was accepted, thereby establishing the statutory lien period, and the return of \$427,767.00 fund balance to the Water/Sewer Construction Reserve was approved via approval of the consent calendar.

(2)    6th Street South Water and Sewer Main Replacement Project

The work on the 6th Street South Water and Sewer Main Replacement project, performed by Shoreline Construction Company of Woodinville, Washington was accepted, thereby establishing the statutory lien period, and the return of \$55,870.00 in surplus funds to the Water/Sewer Construction Reserve via approval of the consent calendar.

(3)    Neighborhood Safety Program – 2018 Projects

The work on the 2018 Neighborhood Safety Program (NSP) projects completed by Road Construction Northwest, Inc., of Renton, Washington was accepted, thereby establishing the statutory lien period, and the transfer of remaining funds at the time of final projects close-out to the

2019 NSP projects fund was approved via approval of the consent calendar.

g. Approval of Agreements

h. Other Items of Business

- (1) Resolution R-5380, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SUBDIVISION AND FINAL PLAT OF BRIDGEWOOD ESTATES (FORMERLY NAMED BRIDLESTONE ESTATES) BEING PLANNING AND BUILDING DEPARTMENT FILE NO. SUB15-00572 AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBDIVISION AND FINAL PLAT SHALL BE SUBJECT."

The resolution was approved via approval of the consent calendar.

- (2) Cultural Arts Commission Resignation and Appointment

The resignation of Katie Wiederholt was accepted, and the remainder of the vacant term was filled by appointing alternate Kim Radcliffe to the seat ending March 31, 2023 via approval of the consent calendar.

- (3) Surplus Vehicles

The list of equipment/vehicles declared surplus and to be disposed of, as presented, was approved via the consent calendar.

<b>Fleet #</b>	<b>Year</b>	<b>Make &amp; Model</b>	<b>License</b>	<b>Miles</b>
V-03	2006	International / Aquatech	43219D	139,491
V-04	2006	International / Aquatech	43220D	173,243
P139	2014	Ford Interceptor AWD	56599D	68,342
P140	2014	Ford Interceptor AWD	56600D	74,930
P145	2015	Ford Interceptor AWD	48989D	68,719
P146	2015	Ford Interceptor AWD	58988D	61,100
P147	2016	Ford Interceptor SUV AWD	58922D	48,190
P152	2016	Ford Interceptor SUV AWD	49721D	53,854
P153	2016	Ford Interceptor SUV AWD	59715D	37,574

Motion to Approve the consent calendar with the exception of item 9.a.(1)., which was pulled for consideration as Business item 10.f.

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

Vote: Motion carried 6-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

10. BUSINESS

- a. Potential Initiative with Kirkland Sustainable for Affordable Housing and City Employee Rental Housing

City Manager Kurt Triplett, City Attorney Kevin Raymond and Assistant City Manager James Lopez provided an overview of the potential initiative and responded to Council questions and feedback.

Council recessed for a short break.

- b. I-405/NE 85th Street Inline Bus Rapid Transit Station and Interchange Letter of Support and 85th Street Discussion

Transportation Division Manager Joel Pfundt reviewed the elements of the station/interchange project and the revised proposed letter of support for Council consideration. In addition, Mr. Pfundt and Public Works Director Kathy Brown both responded to Council questions.

Motion to Authorize the Mayor to sign and send a letter on behalf of the City of Kirkland to Sound Transit supporting the I-405/NE 85th Street Inline Bus Rapid Transit Station and Interchange Project.

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Kelli Curtis  
Vote: Motion carried 6-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

Deputy Mayor Arnold departed the meeting following Item 10.b. due to a travel commitment.

- c. Water System Plan Extension and Model Update

Motion to Authorize City staff to request that the State of Washington extend the due date for an update to the City's Water System Plan by two years from 2021 to 2023.

Moved by Councilmember Tom Neir, seconded by Councilmember Toby Nixon  
Vote: Motion carried 5-0

Yes: Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

- d. Totem Lake Gateway Project – Award Contract

Senior Project Engineer George Minassian reviewed the background and project scope for Council consideration.

Motion to Award the construction contract for the Totem Lake Gateway Project to Marshbank Construction, Inc. of Lake Stevens, Washington in the amount of

\$5,344,017.80 and in support thereof to authorize additional project funding of \$845,000.00 from Transportation Impact Fees and \$845,000.00 from REET Reserve funds, totaling \$1,690,000.00 in additional funding.

Moved by Councilmember Toby Nixon, seconded by Councilmember Tom Neir  
Vote: Motion carried 5-0

Yes: Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

e. Rose Point Lift Station Improvement Project – Award Contract

Capital Projects Manager Rod Steitzer reviewed the background and project scope for Council consideration.

Motion to Award the construction contract for the Rose Point Lift Station Improvement Project to Gary Harper Construction Inc. in the amount of \$2,173,164.81 and in support thereof to authorize a budget increase in the amount of \$882,000.00 to fully fund the project.

Moved by Councilmember Kelli Curtis, seconded by Councilmember Tom Neir  
Vote: Motion carried 5-0

Yes: Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

f. Approval of Minutes: July 16, 2016 City Council regular meeting

Motion to Strike all but the first sentence of the second paragraph in the July 16, 2019 meeting minutes under item 11.a.

Moved by Councilmember Dave Asher, seconded by Councilmember Kelli Curtis  
Vote: Motion carried 6-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

11. REPORTS

a. City Council Regional and Committee Reports

Councilmembers shared information regarding the Eastrail activation event; a Port of Seattle Commission meeting hosted at Kirkland City Hall; the 2019 Junior League Softball World Series; an Association of Washington Cities Legislative Priorities Subcommittee meeting; a ribbon-cutting event at the new QFC at Kirkland Urban; a number of National Night Out block party events; Councilmember Nixon's appointment to the board of Attain Housing; the North Rose Hill neighborhood picnic; KidZone at Kirkland Summerfest; a visit to the Cedar Hills Regional Landfill; and a Sound Cities Association briefing on the King County Community and Human Services draft concept.

Motion to Authorize the Mayor to sign a proposed letter of support of HR 2247 to the Committee Chair and Ranking Member on the Committee on Transportation and Infrastructure.

Moved by Councilmember Tom Neir, seconded by Councilmember Kelli Curtis  
Vote: Motion carried 5-0

Yes: Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

b. City Manager Reports

City Manager Kurt Triplett requested and received direction to prepare a proposal for funding the Kirkland Downtown Association flower pots for potential action in December.

(1) Calendar Update

City Manager Kurt Triplett requested and received direction to move the study session on the Capital Improvement Program to September 17 and use the September 3rd study session to continue the discussion on affordable housing and city employee rental housing.

12. ITEMS FROM THE AUDIENCE

None.

13. ADJOURNMENT

The Kirkland City Council special meeting of August 7, 2019 was adjourned at 10:36 p.m.

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Kathi Anderson, City Clerk

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Penny Sweet, Mayor



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

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## MEMORANDUM

**To:** Kurt Triplett, City Manager  
**From:** Kathi Anderson, City Clerk  
**Date:** August 22, 2019  
**Subject:** CLAIMS FOR DAMAGES

## RECOMMENDATION

It is recommended that the City Council acknowledge receipt of the following Claims 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 Claims for Damages from:

- (1) Dana Nunnelly  
11020 127<sup>th</sup> Place NE  
Kirkland, WA 98033

**Amount:** \$TBD

**Nature of Claim:** Claimant states damage to her residential fence occurred resulting from the encroachment of adjacent City trees.

- (2) Jane Hasson  
12515 109<sup>th</sup> Ct NE #B203  
Kirkland, WA 98034

**Amount:** \$494.30

**Nature of Claim:** Claimant states damages resulted due to the tow/impound of her vehicle following an arrest.

- (3) Matthew Laughlin  
11725 NE 137<sup>th</sup> St  
Kirkland, WA 98034

**Amount:** \$175.00

**Nature of Claim:** Claimant states damage to vehicle occurred resulting from storm drain/asphalt work performed by a City crew on NE 137<sup>th</sup> Street.

- (4) Noble House Hotels & Resorts  
600 Sixth Street South  
Kirkland, WA 98033

**Amount:** \$1,201.20

**Nature of Claim:** Claimant states damage occurred to water meter pipe and sprinkler line resulting from the 6<sup>th</sup> Street Improvement construction project.

- (5) George Luke Painumkal  
1222 Kirkland Ave  
Kirkland, WA 98033

**Amount:** \$6,258.05

**Nature of Claim:** Claimant states damage to vehicle occurred as a result of illegally parked construction vehicles on Kirkland Avenue obstructing driveway access.

- (6) Puget Sound Energy  
PO Box 97034  
Bellevue, WA 98009

**Amount:** \$7,231.07

**Nature of Claim:** Claimant states damage occurred to an electrical transformer on NE 144<sup>th</sup> Court resulting from the adjacent use of a stump grinder by a City crew.

- (7) Robert Wessels  
4114 118<sup>th</sup> Ave  
Kirkland, WA 98033

**Amount:** \$1,599.00

**Nature of Claim:** Claimant states damage to his electric bicycle occurred when he struck a pothole in fresh asphalt in the bicycle lane on 124<sup>th</sup> Avenue NE.

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



**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, Parks and Community Services  
Kevin Raymond, City Attorney

**Date:** September 3, 2019

**Subject:** Business Partnership and Naming Rights Policy

## **RECOMMENDATION**

City Council approves the attached Resolution authorizing the City Manager to implement the Business Partnerships and Naming Rights Policy.

By acting on this Resolution as part of the approval of the Consent Calendar, the Council is authorizing the City Manager to implement the policy.

## **BACKGROUND**

On April 5, 2018, City staff presented a revised Business Partnership and Naming Rights Policy (policy) to Council. This policy was brought forward in recognition of the potential to use business partnerships and naming rights as a strategy to raise funding for large capital projects like the Totem Lake Connector Bridge, a future Aquatic, Recreation and Community Center or public art. City Council felt that the policy needed additional work, which has since occurred. After much review and an additional conversation with Council on [July 2, 2019](#), the City Attorney again reviewed the policy to ensure language was consistent with Council direction. The final policy is included with the Resolution. There are two primary changes. The first change adds non-alignment with City "policies" as a reason the City could withdraw from a partnership or naming rights agreement in addition to non-alignment with the mission and values of the City. The second change which strengthens the legal underpinnings of the policy consolidates several categories that allowed for the City to withdraw into one primary category, which is now if the partner no longer aligns with the mission, values and policies of the City.

Business partnerships and naming rights have the potential to further the City's mission and values while enhancing the delivery of important infrastructure, services and programs. For the City to enter into a Business Partnership, public benefits must exist. Public benefits, e.g. City and community benefits, include, but are not limited, to the following:

- Creation of a higher level of service or needed new service for community members.
- Making alternative funding sources available for public amenities and services.
- Delivering services more efficiently by allowing for collaborative business solutions.



The practice is an extension and augmentation of the longtime City practice of taking in small donations for parks, recreation programs and event sponsorships. A recent example was the donation of new scoreboards at Everest Park by the Lee Johnson Auto Family, Little League International and Kirkland American Little League. These organizations collectively donated 4 scoreboards together with their installation; a value of approximately \$75,000. In return, all three organizations have their names and logos on the scoreboards for the duration of their useful life. Another example includes the health and wellness programs offered by Evergreen Health at Peter Kirk Community Center. Through a collaborative partnership, dozens of health, nutrition, wellness and education programs are offered annually with the expertise of Evergreen Health's qualified professionals.

City staff consulted with MRSC on the City's ability to seek naming rights and financial support through partnerships. MRSC advised that code cities have an inherent authority to sell naming rights and there are no significant legal constraints on seeking financial support. Recommended practices include having a clear policy and agreement; an example agreement was provided, and staff are crafting a version for City use.

For Council review, the redline version editing the July 2, 2019 version of the policy is located in **Attachment A**. It is followed by the clean version of the final policy and the resolution to adopt the policy.

By acting on this memo during the approval of the Consent Calendar, City Council is authorizing the City Manager to implement the policy.

**Attachment A** – Redline Version Business Partnership and Naming Rights Policy

**Attachment B** – Clean Version Business Partnership and Naming Rights Policy

**Attachment C** – Resolution Adopting the Business Partnership and Naming Rights Policy

**Attachment ~~A1~~ – Redline Version****Business Partnership and Naming Rights Policy****Chapter 3, Finance****Policy 3-6****Effective Date: ~~July xx~~ September 3, 2019****SCOPE:**

The purpose of the Business Partnership and Naming Rights Policy ("policy") is to outline the guidelines and procedures for the City of Kirkland ("City") to enter into private sector business partnership agreements ("Business Partnerships") that may include naming rights ("Naming Rights").

This policy is not applicable to gifts, grants or unsolicited donations to the City in which there is no benefit granted to the business and where no business partnership exists. This policy is also not applicable to honorary naming rights of public parks and facilities as outlined in Resolution R-4799.

The policy is primarily intended for Business Partnerships valued over \$7,500, which among other things must be approved by the City Council. Individual ~~d~~Department ~~d~~Directors ~~will~~ have the authority to enter into Business Partnerships, at their discretion, under the identified threshold. All partnerships that include Naming Rights opportunities, however, no matter the dollar value, will follow the process identified in this policy, ~~however~~.

This policy is not intended to cover or address transactions outside the scope of this policy, actions taken by the City in a regulatory capacity, or the City's participation in multi-party (e.g. regional economic development) efforts.

**GOAL:**

Kirkland is a vibrant, attractive, green and welcoming place to live, work and play. Civic engagement, innovation and diversity are highly valued. The City is committed to being respectful, fair and inclusive. We also strive to be a model sustainable City that values preserving and enhancing our natural environment for ~~the our~~ enjoyment of present and future generations. The City welcomes private sector partnership opportunities that furthers its mission and values while enhancing the delivery of important infrastructure, services and programs.

~~Business partnerships will be pursued where mutual benefits exist.~~ For the City to enter into ~~such~~ a Business Ppartnership, ~~a-public community~~ benefits must exist. Public benefits, e.g. City and community benefits, include, but are not limited, to the following:

- Creation of a higher level of service or needed new service for community members.
- Making alternative funding sources available for public amenities and services.
- Delivering services more efficiently by allowing for collaborative business solutions.

**DEFINITIONS:****Business Partner ("Partner")**

A Partner is an individual, group of individuals, non-profit organization, for profit organization, business association, taxing district, government entity, or the like. A Partner is an entity desiring a business partnership relationship ("Business Partnership") with the City.

### **Business Partnership**

A Business Partnership is a contract-based cooperative venture between a Partner and the City with a common goal utilizing and the complementary resources to establish a common mutual direction or complete a mutually beneficial project (i.e. a clear public benefit with an ancillary private benefit). Examples include the provision of financial support, in-kind services or other resource to the City in return for advertising, recognition or naming rights. Business Partnerships may be formed to support one or more of the City's programs, projects, events, facilities or activities.

A Business Partnership is distinct from donations, gifts or grants to the City for which there is no recognition or compensation.

### **Partnership Categories**

Site-specific Business Partnership: An agreement in which a Partner sponsors a time-limited event or program at an individual City facility or public space, including street rights-of-way.

*e.g. – A special event hosted at Marina Park in which all expenses are paid by the Partner in return for some/all event advertising rights.*

City-wide Business Partnership: An agreement in which a Partner sponsors a time-limited program that is held at multiple City facilities or public spaces, or which has a citywide presence.

*e.g. – A ride your bike to work program with multiple sites hosting activities, games, prizes and refreshments on various days throughout the bike riding season for which the Partner receives some/all advertising rights related to the program.*

Temporary Logo or Recognition Display Partnership: An agreement that includes a display of recognition on City property for more than seven calendar days and less than one year in exchange for financial support and/or goods or services.

*e.g. – A year-long wellness program provided by EvergreenHealth Hospital as a service using City facilities where the recreation brochure and website contain the EvergreenHealth logo.*

Long-Term Business Partnership: An agreement that includes a business relationship for more than one year.

*e.g. – A lease to operate a City facility in order to provide needed services to the community.*

*e.g. – The scoreboard at a City baseball field Lee Johnson Baseball Field displaying a company's name or their logo.*

**Naming Rights:** A Business Partnership in which the contributing party receives the rights to name a facility, portion of a facility, or program for a specified period of time in return for a substantial contribution to the cost of the facility, portion of facility or program.

*e.g. – A primary sponsor for a new indoor recreation center receiving naming rights for said facility.*

### **Administrative Review**

A City staff review group, ~~which will include members~~ appointed by the City Manager, which reviews all Business Partnership and Naming Rights requests and proposals.

### **Request for Partnership**

A Request for Partnership is an open and competitive process whereby the City solicits proposals from qualified persons or organizations that may be interested in participating in a partnership opportunity. All Requests for Partnerships will include a summary of the partnership opportunity, the public benefits of participation, and a description of the competitive process and selection criteria. At the direction of the City Manager, a direct solicitation can be utilized for entering into a Business Partnership.

### **Partnership Agreement**

A document that outlines the terms of the Business Partnership, contributions and responsibilities of each party, the terms and conditions for oversight and management of the partnership, and pertinent regulatory requirements. A Partnership Agreement may include Naming Rights.

### **POLICY:**

It is the policy of the City that:

- City Council approval must be obtained prior to execution of a Partnership Agreement for contributions valued in excess of \$7,500 and all such agreements involving Naming Rights opportunities.
- Business Partnerships shall further the mission, values and policies of the City as articulated above and provide a defined public benefit even if there is an ancillary private benefit.
- A Business Partnership may also provide a public benefit to a specified department within the City provided it is and should be consistent with the mission, values, policies, goals and/or service levels specific to that department.
- Business Partnerships shall will not result in any loss of the City's jurisdiction or regulatory authority, or result in public expenses inconsistent with the goals of this policy.
- Business Partnerships shall will not result in the loss of City-owned space for public use or hamper that use.
- ~~Partners can be individuals, families, businesses, non-profit organizations or others provided that these contributors have a positive public image and demonstrated integrity.~~
- Business Partnerships may be site specific or citywide; temporary or long-term; and may involve naming rights. The Partnership Agreement shall specify all relevant ~~the~~ terms of the partnership.

- A Naming Rights partnership shall involve a substantial contribution to the cost and/or maintenance of identified City infrastructure (e.g., building, outdoor area, space or the like), programs or services. A substantial contribution is a targeted amount of legal tender or other valued commodity, identified individually for qualifying projects, authorized by the City Manager and/or City Council, as appropriate.
- Naming Rights actions shall further the mission, values and policies of the City as articulated above, and shall not detract from the City's values, dignity, integrity, or reputation, nor shall any such actions create a conflict of interest, or the appearance of a conflict of interest, or confer special privileges other than the ancillary private benefits contemplated hereunder.
- Only the City can enter into a Business Partnership or Naming Rights agreement utilizing City infrastructure, programs or services.
- The City shall maintain the final authority to accept, ~~or decline~~ or revoke any Business Partnership or Naming Rights opportunity.
- All Partnership Agreements shall be subject to all state, federal and local laws, ordinances, rules and regulations.
- In the event of changed circumstances that makes it apparent that a Business Partnership or Naming Rights agreement is no longer consistent with the mission, values and policies of the City~~brings the partner into conflict with this or other City policies,~~ the City, through the City Manager in consultation with the City Council, reserves the right to withdraw the recognition and terminate affected agreements.
- ~~The City shall also maintain the ability to discontinue a Business Partnership or Naming Rights agreement if there is potential harm to City or public interests, as determined by the City Manager through consultation with the City Council.~~

In cases where a Partner's name is publicly used (e.g. ballfield scoreboard), the number of years during which the infrastructure, program or service to be named after a Partner should be limited commensurate with the value of the contribution. The proposed number of years for naming the project will be identified when it is presented to the City Manager. If Naming Rights are involved, a Partnership Agreement will specify the number of years during which the infrastructure, program or service will be so named and it will include ~~a~~ the clause that approval of any name changes proposed by a Partner during that period will be at the City's sole discretion, ~~subject to approval by the City Manager~~. The name may appear on City owned infrastructure, with appropriate signage as determined by the City, and other documents in City approved lettering. Signage will be at the expense of the Partner and follow applicable City sign codes and Public Works and procurement laws.

#### **PROCEDURES:**

The City Council will approve by resolution Partnership Agreements with a value exceeding \$7,500 and all such agreements involving Naming Rights.

The City Manager (or designee) is authorized to enter into Council-approved Partnership Agreements for partnerships in excess of \$7,500.

Department Directors are authorized to enter into Partnership Agreements, through this policy, for partnerships valued at less than \$7,500.

The City Manager shall consult with City Boards and Commissions and affected departments to seek recommendations as necessary and appropriate.

The Finance and Administration Department will coordinate and track all ~~B~~business ~~P~~partnership agreements for the City, assuring a consistent, competitive and non-duplicative process. This includes arranging for a mutually agreed-upon transfer of funds as identified in the agreement.

The City Attorney's Office will develop and maintain an agreement form to be used for all Business Partnership agreements. The form shall include the contractual relationship, terms, renewal, consideration of mutual value, description of programs, projects and activities, partnership rights and benefits, and revocation and termination provisions.

The City Attorney's Office will review the agreement and corresponding attachments to help ensure that no partnership will impair or diminish the authority of the City and its responsibilities or constitute an unlawful gift of public funds.

Partnership Agreement proceeds are generally intended to be allocated to a designated City department or area, which is generally anticipated to be accepted as the department or area involved with the partnership. The allocation will be determined as part of the ~~P~~partnership Agreement.

#### **PROCESS FOR DEVELOPING BUSINESS PARTNERSHIPS:**

The City Manager or designee will meet on an as-needed basis with appropriate Department Directors to review all Business Partnership solicitations and Naming Rights agreements.

Partnership levels or categories for appropriate events, facilities, programs and venues will be developed by assigned staff to best maximize business partnership opportunities.

Each department soliciting a partnership will define the scope of the ~~B~~business ~~P~~partnership program or project, including a description of the community or other public ~~benefits~~need, financial goals and general marketing strategy, and will coordinate this with the City Manager ~~or~~ designee.

The City may elect to advertise a Request for Partnership and implement an open and competitive bidding process for interested partners, at the City Manager ~~or~~ designee's discretion.

The City Manager ~~or~~ designee and other staff, as assigned, will review and analyze all responsive proposals received through the Request for Partnership process and may reject or approve proposals received in accordance with any criteria set forth in the request.

Each Business Partnership agreement will be routed consistent with current City contract routing procedures, including approval by the City Attorney's office.

Each department administering a Business Partnership agreement will be responsible for:

- Coordinating efforts with the City Manager, ~~or designee,~~ for approval of each Business Partnership.
- Reporting all Business Partnerships entered into by said department to the Finance and Administration Department for tracking purposes and to ensure consistency of business practices.
- Ensuring all Business Partnerships agreements are reviewed by the City Attorney's office for consistency with the intent of this policy and compliance with applicable laws and codes.
- Ensuring all donated products, materials, services and financial contributions meet applicable laws and codes as well as specifications and standards used by the City in the purchase of similar materials.
- Ensuring that all signage, displays and advertising proposed by sponsor are reviewed by the City Manager and the Planning and Building Department.

#### **SELECTION CRITERIA:**

The City will determine and use selection criteria, based upon the nature and character of each proposed agreement, to evaluate potential Business Partnership and Naming Rights opportunities. The selection criteria used to evaluate a prospective partnership should include, but are not limited to:

- The compatibility of the ~~P~~partner's mission, goals, reputation, prior relationship with the City, products, customers and promotional goals with the City's mission, values and ~~policies~~goals.
- The ability of the partnership to benefit the community and/or meet an articulated need that the City could not otherwise provide or efficiently provide.
- The operating and maintenance costs associated with the proposed partnership.
- The ability of the ~~P~~partner to perform its partnership responsibilities.
- The actual value of the funds, in-kind goods or services given to the City.

#### **RESTRICTIONS OF PARTNERSHIPS:**

The City shall not enter into Business Partnerships or Naming Rights opportunities with any of the following:

- Partners that do not align with the ~~City's mission, values and policies of the City~~mission, values, goals, policies, or planning documents.
- Business models not aligned with the public interest intent of this policy, -such as, but not limited to, -tobacco firms or marketers; groups advocating hate or violence; firms or groups advocating illegal or inappropriate use of drugs or other illegal activities; businesses or

entities promoting adult materials or services or with sexual associations such as escort services or establishments featuring, for show or sale, X-rated or pornographic movies or materials; false, misleading or deceptive sponsorships/underwriters; businesses or entities whose materials, services or products are harmful to children.

- Parties involved in any stage of negotiations or a process for a City contract or regulatory approval when the proposed Business Partnership could reasonably be viewed as having an impact on the contract negotiations or regulatory approval process.

DRAFT



**Attachment B****Business Partnership and Naming Rights Policy****Chapter 3, Finance****Policy 3-6****Effective Date: September 3, 2019****SCOPE:**

The purpose of the Business Partnership and Naming Rights Policy ("policy") is to outline the guidelines and procedures for the City of Kirkland ("City") to enter into private sector business partnership agreements ("Business Partnerships") that may include naming rights ("Naming Rights").

This policy is not applicable to gifts, grants or unsolicited donations to the City in which there is no benefit granted to the business and where no business partnership exists. This policy is also not applicable to honorary naming rights of public parks and facilities as outlined in Resolution R-4799.

The policy is primarily intended for Business Partnerships valued over \$7,500, which among other things must be approved by the City Council. Individual department directors have the authority to enter into Business Partnerships, at their discretion, under the identified threshold. All partnerships that include Naming Rights opportunities, however, no matter the dollar value, will follow the process identified in this policy.

This policy is not intended to cover or address transactions outside the scope of this policy, actions taken by the City in a regulatory capacity, or the City's participation in multi-party (e.g. regional economic development) efforts.

**GOAL:**

Kirkland is a vibrant, attractive, green and welcoming place to live, work and play. Civic engagement, innovation and diversity are highly valued. The City is committed to being respectful, fair and inclusive. We also strive to be a model sustainable City that values preserving and enhancing our natural environment for the enjoyment of present and future generations. The City welcomes private sector partnership opportunities that further its mission and values while enhancing the delivery of important infrastructure, services and programs.

For the City to enter into a Business Partnership, public benefits must exist. Public benefits, e.g. City and community benefits, include, but are not limited, to the following:

- Creation of a higher level of service or needed new service for community members.
- Making alternative funding sources available for public amenities and services.
- Delivering services more efficiently by allowing for collaborative business solutions.

**DEFINITIONS:****Business Partner ("Partner")**

A Partner is an individual, group of individuals, non-profit organization, for profit organization, business association, taxing district, government entity, or the like. A Partner is an entity desiring a business partnership relationship ("Business Partnership") with the City.

### **Business Partnership**

A Business Partnership is a contract-based cooperative venture between a Partner and the City with a common goal utilizing complementary resources to establish a common direction or complete a mutually beneficial project (i.e. a clear public benefit with an ancillary private benefit). Examples include the provision of financial support, in-kind services or other resource to the City in return for advertising, recognition or naming rights. Business Partnerships may be formed to support one or more of the City's programs, projects, events, facilities or activities.

A Business Partnership is distinct from donations, gifts or grants to the City for which there is no recognition or compensation.

### **Partnership Categories**

Site-specific Business Partnership: An agreement in which a Partner sponsors a time-limited event or program at an individual City facility or public space, including street rights-of-way.

*e.g. – A special event hosted at Marina Park in which all expenses are paid by the Partner in return for some/all event advertising rights.*

City-wide Business Partnership: An agreement in which a Partner sponsors a time-limited program that is held at multiple City facilities or public spaces, or which has a citywide presence.

*e.g. – A ride your bike to work program with multiple sites hosting activities, games, prizes and refreshments on various days throughout the bike riding season for which the Partner receives some/all advertising rights related to the program.*

Temporary Logo or Recognition Display Partnership: An agreement that includes a display of recognition on City property for more than seven calendar days and less than one year in exchange for financial support and/or goods or services.

*e.g. – A year-long wellness program provided by EvergreenHealth Hospital as a service using City facilities where the recreation brochure and website contain the EvergreenHealth logo.*

Long-Term Business Partnership: An agreement that includes a business relationship for more than one year.

*e.g. – A lease to operate a City facility in order to provide needed services to the community.*

*e.g. – The scoreboard at a City baseball field displaying a company's name or logo.*

Naming Rights: A Business Partnership in which the contributing party receives the rights to name a facility, portion of a facility, or program for a specified period of time in return for a substantial contribution to the cost of the facility, portion of facility or program.

*e.g. – A primary sponsor for a new indoor recreation center receiving naming rights for said facility.*

### **Administrative Review**

A City staff review group appointed by the City Manager which reviews all Business Partnership and Naming Rights requests and proposals.

### **Request for Partnership**

A Request for Partnership is an open and competitive process whereby the City solicits proposals from qualified persons or organizations that may be interested in participating in a partnership opportunity. All Requests for Partnerships will include a summary of the partnership opportunity, the public benefits of participation, and a description of the competitive process and selection criteria. At the direction of the City Manager, a direct solicitation can be utilized for entering into a Business Partnership.

### **Partnership Agreement**

A document that outlines the terms of the Business Partnership, contributions and responsibilities of each party, the terms and conditions for oversight and management of the partnership, and pertinent regulatory requirements. A Partnership Agreement may include Naming Rights.

### **POLICY:**

It is the policy of the City that:

- City Council approval must be obtained prior to execution of a Partnership Agreement for contributions valued in excess of \$7,500 and all such agreements involving Naming Rights opportunities.
- Business Partnerships shall further the mission, values and policies of the City as articulated above and provide a defined public benefit even if there is an ancillary private benefit.
- A Business Partnership may also provide a public benefit to a specified department within the City provided it is consistent with the mission, values, policies, goals and/or service levels specific to that department.
- Business Partnerships shall not result in any loss of the City's jurisdiction or regulatory authority or result in public expenses inconsistent with the goals of this policy.
- Business Partnerships shall not result in the loss of City-owned space for public use or hamper that use.
- Business Partnerships may be site specific or citywide; temporary or long-term; and may involve naming rights. The Partnership Agreement shall specify all relevant terms of the partnership.
- A Naming Rights partnership shall involve a substantial contribution to the cost and/or maintenance of identified City infrastructure (e.g., building, outdoor area, space or the like), programs or services. A substantial contribution is a targeted amount of legal tender or other valued commodity, identified individually for qualifying projects, authorized by the City Manager and/or City Council, as appropriate.
- Naming Rights actions shall further the mission, values and policies of the City as articulated above, and shall not create a conflict of interest, or the appearance of a conflict of interest, or confer special privileges other than the ancillary private benefits contemplated hereunder.

- Only the City can enter into a Business Partnership or Naming Rights agreement utilizing City infrastructure, programs or services.
- The City shall maintain the final authority to accept, decline or revoke any Business Partnership or Naming Rights opportunity.
- All Partnership Agreements shall be subject to all state, federal and local laws, ordinances, rules and regulations.
- In the event of changed circumstances that makes it apparent that a Business Partnership or Naming Rights agreement is no longer consistent with the mission, values and policies of the City, the City, through the City Manager in consultation with the City Council, reserves the right to withdraw the recognition and terminate affected agreements.

In cases where a Partner's name is publicly used (e.g. ballfield scoreboard), the number of years during which the infrastructure, program or service to be named after a Partner should be limited commensurate with the value of the contribution. The proposed number of years for naming the project will be identified when it is presented to the City Manager. If Naming Rights are involved, a Partnership Agreement will specify the number of years during which the infrastructure, program or service will be so named and it will include a clause that approval of any name changes proposed by a Partner during that period will be at the City's sole discretion. The name may appear on City owned infrastructure, with appropriate signage as determined by the City, and other documents in City approved lettering. Signage will be at the expense of the Partner and follow applicable City sign codes and public works and procurement laws.

#### **PROCEDURES:**

The City Council will approve by resolution Partnership Agreements with a value exceeding \$7,500 and all such agreements involving Naming Rights.

The City Manager (or designee) is authorized to enter into Council-approved Partnership Agreements for partnerships in excess of \$7,500.

Department Directors are authorized to enter into Partnership Agreements, through this policy, for partnerships valued at less than \$7,500.

The City Manager shall consult with City Boards and Commissions and affected departments to seek recommendations as necessary and appropriate.

The Finance and Administration Department will coordinate and track all Business Partnership agreements for the City, assuring a consistent, competitive and non-duplicative process. This includes arranging for a mutually agreed-upon transfer of funds as identified in the agreement.

The City Attorney's Office will develop and maintain an agreement form to be used for all Business Partnership agreements. The form shall include the contractual relationship, terms, renewal, consideration of mutual value, description of programs, projects and activities, partnership rights and benefits, and revocation and termination provisions.

The City Attorney's Office will review the agreement and corresponding attachments to help ensure that no partnership will impair or diminish the authority of the City and its responsibilities or constitute an unlawful gift of public funds.

Partnership Agreement proceeds are generally intended to be allocated to a designated City department or area, which is generally anticipated to be the department or area involved with the partnership. The allocation will be determined as part of the Partnership Agreement.

**PROCESS FOR DEVELOPING BUSINESS PARTNERSHIPS:**

The City Manager or designee will meet on an as-needed basis with appropriate Department Directors to review all Business Partnership solicitations and Naming Rights agreements.

Partnership levels or categories for appropriate events, facilities, programs and venues will be developed by assigned staff to best maximize business partnership opportunities.

Each department soliciting a partnership will define the scope of the Business Partnership program or project, including a description of the community or other public benefits, financial goals and general marketing strategy, and will coordinate this with the City Manager.

The City may elect to advertise a Request for Partnership and implement an open and competitive bidding process for interested partners, at the City Manager's discretion.

The City Manager and other staff, as assigned, will review and analyze all responsive proposals received through the Request for Partnership process and may reject or approve proposals received in accordance with any criteria set forth in the request.

Each Business Partnership agreement will be routed consistent with current City contract routing procedures, including approval by the City Attorney's office.

Each department administering a Business Partnership agreement will be responsible for:

- Coordinating efforts with the City Manager for approval of each Business Partnership.
- Reporting all Business Partnerships entered into by said department to the Finance and Administration Department for tracking purposes and to ensure consistency of business practices.
- Ensuring all Business Partnerships agreements are reviewed by the City Attorney's office for consistency with the intent of this policy and compliance with applicable laws and codes.
- Ensuring all donated products, materials, services and financial contributions meet applicable laws and codes as well as specifications and standards used by the City in the purchase of similar materials.
- Ensuring that all signage, displays and advertising proposed by sponsor are reviewed by the City Manager and the Planning and Building Department.

### **SELECTION CRITERIA:**

The City will determine and use selection criteria, based upon the nature and character of each proposed agreement, to evaluate potential Business Partnership and Naming Rights opportunities. The selection criteria used to evaluate a prospective partnership should include, but are not limited to:

- The compatibility of the Partner's mission, goals, reputation, prior relationship with the City, products, customers and promotional goals with the City's mission, values and policies.
- The ability of the partnership to benefit the community and/or meet an articulated need that the City could not otherwise provide or efficiently provide.
- The operating and maintenance costs associated with the proposed partnership.
- The ability of the Partner to perform its partnership responsibilities.
- The actual value of the funds, in-kind goods or services given to the City.

### **RESTRICTIONS OF PARTNERSHIPS:**

The City shall not enter into Business Partnerships or Naming Rights opportunities with any of the following:

- Partners that do not align with the mission, values and policies of the City.
- Business models not aligned with the public interest intent of this policy, such as, but not limited to, tobacco firms or marketers; groups advocating hate or violence; firms or groups advocating illegal or inappropriate use of drugs or other illegal activities; businesses or entities promoting adult materials or services or with sexual associations such as escort services or establishments featuring, for show or sale, X-rated or pornographic movies or materials; false, misleading or deceptive sponsorships/underwriters; businesses or entities whose materials, services or products are harmful to children.
- Parties involved in any stage of negotiations or a process for a City contract or regulatory approval when the proposed Business Partnership could reasonably be viewed as having an impact on the contract negotiations or regulatory approval process.

RESOLUTION R-5381

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND  
SETTING FORTH POLICY CONSIDERATIONS AND PROCEDURES  
RELATING TO BUSINESS PARTNERSHIPS AND NAMING RIGHTS OF  
PUBLIC FACILITIES.

1           WHEREAS, the City recognizes the opportunity for outside  
2 agencies and private entities to support City approved programs,  
3 projects, events, facilities and activities; and  
4

5           WHEREAS, these opportunities include the creation of a higher  
6 level of service or needed new service for community members, making  
7 alternative funding sources available for public amenities and services,  
8 and delivering services more efficiently by allowing for collaborative  
9 business solutions; and  
10

11           WHEREAS, the City has previously entered into agreements with  
12 agencies and private entities by taking in small donations for parks,  
13 recreation programs and event sponsorships; and  
14

15           WHEREAS, the City Council believes that infrastructure projects  
16 such as the Totem Lake Connector and a future Aquatic, Recreation and  
17 Community Center, could benefit from the participation of agencies and  
18 private entities by means of naming rights of public facilities; and  
19

20           WHEREAS, the City Council believes that business partnership  
21 and/or naming right agreements should be thoroughly examined and  
22 approached thoughtfully to determine their compliance with the  
23 mission, values and policies of the City; and  
24

25           WHEREAS, the City Council further believes that the setting forth  
26 of policy considerations and procedures relating to business  
27 partnerships and naming rights is in the public interest.  
28

29           NOW, THEREFORE, be it resolved by the City Council of the City  
30 of Kirkland as follows:  
31

32           Section 1. The City Council authorizes the City Manager to enter  
33 into business partnerships and naming right agreements  
34 ("Agreements") for the purpose of supporting City infrastructure and  
35 operations, provided that all naming rights agreements and any  
36 business partnerships generating over seven thousand five hundred  
37 dollars in revenue shall be approved by the Council.  
38

39           Section 2. The City Manager will adopt a policy which outlines  
40 the general purpose, goal, and procedure for entering into such  
41 Agreements.

42           Section 3. The City Manager shall consult with City Boards and  
 43 Commissions and affected departments to seek recommendations  
 44 related to such Agreements as necessary and appropriate.

45  
 46           Section 4. The Finance and Administration Department will  
 47 coordinate and track all business partnerships and naming rights  
 48 Agreements for the City, assuring a consistent, competitive, and non-  
 49 duplicative process.

50  
 51           Section 5. The City Attorney’s Office will develop an agreement  
 52 form to be used for all Agreements. The form shall include the  
 53 contractual relationship, terms, renewal, consideration of mutual value,  
 54 description of programs, projects and activities, partnership rights and  
 55 benefits, and revocation and termination provisions.

56  
 57           Passed by majority vote of the Kirkland City Council in open  
 58 meeting this \_\_\_\_ day of \_\_\_\_\_, 2019.

59  
 60           Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_,  
 61 2019.

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

Attest:

\_\_\_\_\_  
 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:** Jamie Ward, Development Engineer  
John Burkhalter, Development Engineering Manager  
John Starbard, Deputy Director of Public Works  
Kathy Brown, Director of Public Works

**Date:** August 22, 2019

**Subject:** LATECOMER AGREEMENT WITH GREG FINN—STORM WATER FACILITIES

**RECOMMENDATION:**

It is recommended that City Council approve the proposed Resolution authorizing the City Manager to enter into a Storm Facilities Agreement with Greg Finn.

**BACKGROUND AND DISCUSSION:**

Property developers sometimes are required to install public infrastructure that is of a greater capacity or a longer distance than is needed for that developer's project alone because of the location, or other factor, of the property that is being developed. In such a case, State law allows the developer the option to enter into a latecomer agreement with the municipality in which the property is located that enables the developer to be proportionally reimbursed over time by future development that connects to that infrastructure. Latecomer agreements are available for street improvements (RCW 35.72) and utility improvements (RCW 35.91).

A utility latecomer agreement must be at least twenty years in duration, and it establishes the latecomer fee(s) that the municipality will charge to and collect from future developers whose project connects to or uses the main line infrastructure. The municipality may retain a reasonable fee for administering the agreement, then remits the balance of the fee to the developer who caused the infrastructure to be built. Utility-related latecomer agreements may be for domestic water, sanitary sewer, or storm water infrastructure.

Latecomer fees are calculated by dividing the total number of lots or properties being served—now or projected to be in the future—into the total cost that was paid by the developer for the utility main extension. This yields the latecomer charge per lot. Properties being served are categorized as receiving either "direct benefit," meaning a future lot can tap directly into the new main and thus receive a benefit equal to one of the developer's lots, or "general benefit," meaning a future lot will need to extend the main line further to make a connection for that lot and perhaps others. General benefit latecomer fees are less than direct benefit latecomer fees. Fifteen percent of the latecomer fee is retained by the City for administering the agreement, and eighty-five percent of the fee is remitted to the developer. Kirkland uses the terms "latecomer agreement" and "facilities agreement" interchangeably.

**Public Infrastructure Installed**

Greg Finn redeveloped one single-family home at 345-10<sup>th</sup> Avenue (Attachment A). As a condition of approval, Mr. Finn was required to install 166 linear feet of storm drainage main extension in the alleyway between 9<sup>th</sup> Avenue and 10<sup>th</sup> Avenue (Exhibit A). The new storm drainage main serves Mr. Finn's property and can serve three neighboring parcels ("Benefit Area").

Mr. Finn paid a total of \$23,296 for the storm drainage extension, \$5,824 of which is a direct benefit to Mr. Finn's property. As shown in the Latecomers Assessment Roll attached to the Agreement, a total of four lots could be served by this new public infrastructure, including Mr. Finn's, and all four do or would receive a direct benefit. Over the twenty-year term of the Agreement, Mr. Finn may recover an additional \$14,851.20 and the City may collect \$2,620.80 in administrative fees. Property owners listed on the Latecomers Assessment Roll who apply for connection to the storm drainage main will pay the amount identified in the Agreement plus usual Kirkland connection fees. All new development or redevelopment in the Benefit Area will need to connect to the storm drainage main, though existing developed properties that are not planning redevelopment will have the choice to connect.

Upon approval of the proposed resolution via approval of the consent calendar and subsequent signing of the agreement by the City Manager, the agreement will be sent to King County for recording. Finally, notice of latecomer connection charges will be sent to each property owner included in the agreement.

Attached: Vicinity Map  
Proposed Resolution  
Exhibit A: Storm Drainage Facilities Agreement



RESOLUTION R-5382

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A STORM FACILITIES AGREEMENT WITH GREG FINN AND AUTHORIZING THE CITY MANAGER TO SIGN SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND.

1           WHEREAS, the improvement of public health is furthered by  
2 adequate storm water control systems; and  
3

4           WHEREAS, the Washington State Legislature enacted the  
5 Municipal Water and Sewer Facilities Act (RCW 35.91.010 et seq.) in  
6 furtherance of this goal and authorizing municipalities to enter into  
7 agreements of this nature; and  
8

9           WHEREAS, The City of Kirkland concludes entering into this  
10 agreement will promote this goal.  
11

12           NOW, THEREFORE, be it resolved by the City Council of the City  
13 of Kirkland as follows:  
14

15           Section 1. The City Manager is hereby authorized and directed  
16 to execute on behalf of the City, the Storm Facilities Agreement between  
17 the City and Greg Finn. A copy of this Agreement is attached as Exhibit  
18 A.  
19

20           Passed by majority vote of the Kirkland City Council in open  
21 meeting this 3<sup>rd</sup> day of September, 2019.  
22

23           Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_,  
24 2019.

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

Attest:

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

# Greg Finn Storm Facilities Agreement



## **STORM FACILITIES AGREEMENT PURSUANT TO CHAPTER 35.91 REVISED CODE OF WASHINGTON**

---

THIS AGREEMENT made and entered into this day, pursuant to RCW Chapter 35.91, between the City of Kirkland, a non-charter optional code city, hereinafter referred to as “City” and Greg Finn hereinafter referred to as “Developer”:

WITNESSETH

Section 1. Developer does hereby agree to construct, at its sole expense, the STORM FACILITIES described in EXHIBIT 1, attached hereto and by this reference incorporated herein, all in accordance with the specifications and standards of the City of Kirkland pertaining to STORM construction and installation.

Section 2. Upon completion of said storm facilities to the satisfaction of the Kirkland Director of Public Works, and acceptance thereof by the City of Kirkland, said facility shall become the property of the City of Kirkland and a part of its storm system with full power of the City of Kirkland to charge for its use such storm connection and service rates and charges as the City of Kirkland may be authorized by law to establish, and all further maintenance operation costs of said facility shall be borne by the City of Kirkland.

Section 3. The benefit area to be served by said facility is described and designated on EXHIBIT 1 attached to this agreement and by this reference incorporated herein. Said Exhibit is a map showing the total benefit area and delineating thereon that portion of the benefit area owned by Developer. EXHIBIT 2 attached to this agreement and by this reference incorporated herein is a listing of each lot or parcel within the benefit area including the lot or parcel legal description and the lot of parcel's "pro rata share" of the cost of construction of the storm facilities. EXHIBIT 2 identifies those lots or parcels owned by Developer and not subject to the provisions of Section 4 of this agreement.

Section 4. Any owner of any real property located within the benefit area (other than those properties designated in EXHIBIT 1 as Developer’s properties) who shall hereafter tap into or use said storm facility (including not only connecting directly into, but also to users connecting laterals or branches connected thereto) shall, prior to such tap in or use, pay to the City of Kirkland, in addition to any connection or other change required by the ordinances of the City of Kirkland to be paid upon connecting to a storm facility, their fair pro rata share of the cost of construction of said facility.

Section 5. For the purposes of determining such “fair pro rata share” the cost of construction of said facility shall be considered to be \$23,296.00 provided, however, the City may adjust said cost to reflect the true and final cost of construction of said facility. The “FAIR PRO RATA SHARE” of the cost of construction as designated on EXHIBIT 2, and is hereby approved by the City of Kirkland.

Section 6. Within sixty (60) days after receipt by the City of any "fair pro rata share," the City shall disburse said sum, less fifteen (15) percent thereof to be retained by the City of Kirkland to cover costs of administering the provisions of this agreement, to Developer at Greg Finn, 345 10<sup>th</sup> Ave Kirkland, WA 98033, until such time as Developer shall have received the total sum of \$14,851.20, or the expiration of twenty (20) years from the date of this agreement, whichever event shall first occur. Thereafter, any amount of charge made or received by the City to tap into or use said facility shall be retained by the City. It shall be the duty of the Developer to advise the City of any change in the Developer's mailing address.

Section 7. The provisions of this agreement shall not be effective as to any owner of real property designated in EXHIBIT 2, other than Developer, until such time as this agreement shall have been recorded in the Office of the King County Department of Elections and Records and then only as to such real property owners as tap into or connect into said facility subsequent to such recording. City shall not be required to disburse any "fair pro rata share" to Developer which may not be lawfully collected from such real property owner at the time said real property taps into or connects to said facility.

Section 8. In the event the cost, or any part thereof, of a or storm improvement, whether local or general, is or will be assessed against the owners of real property and such improvement will be connected into or will make use of the facility constructed pursuant to this agreement and the cost thereof was not contributed to by the owners of said real property, there shall be included in the Engineer's estimate for the hearing or any such improvement, separately itemized, and in such assessments, a sum equal to the amount provided for in this agreement as a fair pro rata share due from such owners in accordance with the provisions of this agreement.

Section 9. No person, firm, or corporation, other than Developer's, as to the real property identified as owned by Developer in EXHIBIT 2 hereto, shall be granted a permit or authorized to tap into or use said facility or extensions thereof without first paying their fair pro rata share as herein provided.

DATED at Kirkland, Washington, this 21 day of AUGUST, 2019.

CITY OF KIRKLAND:

DEVELOPER:

\_\_\_\_\_  
CITY MANAGER FOR THE City of Kirkland  
KIRKLAND WHO IS AUTHORIZED TO  
EXECUTE THIS AGREEMENT ON  
BEHALF OF SAID CITY BY VIRTUE  
OF RESOLUTION NO. \_\_\_\_\_

GREGORY S CONNIE FINN  
\_\_\_\_\_  
By: [Signature]  
By: [Signature]



(Sign in blue ink)

(Individuals Only)

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

[Signature]

[Signature]



(Individuals Only)

STATE OF WASHINGTON )

County of King ) SS.

On this 21<sup>st</sup> day of August, 2019, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Gregory Finn and Connie Finn to me known to be the individual(s) described herein and who executed the Storm Facilities Agreement and acknowledged that they signed the same as themselves free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

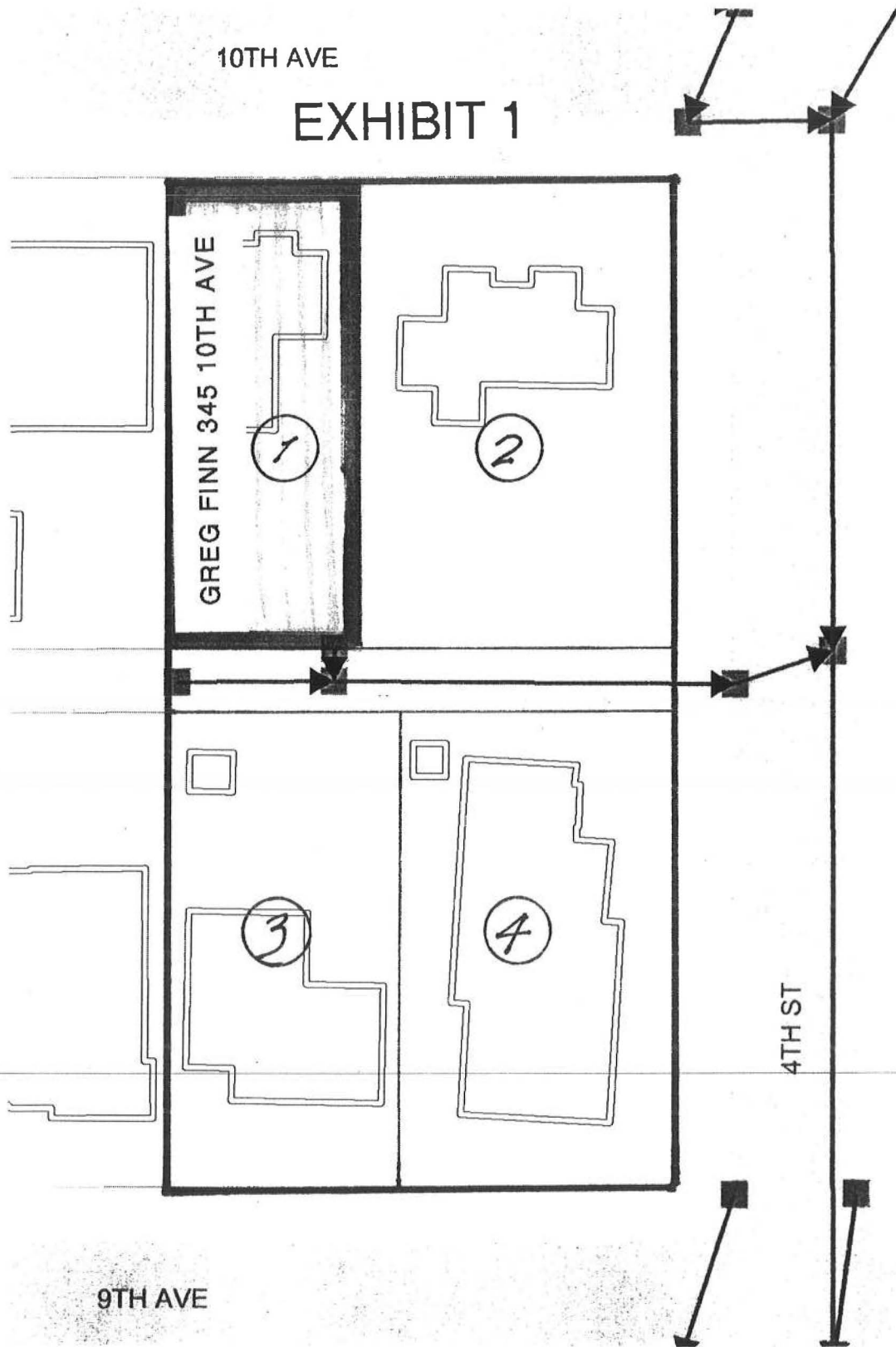
[Signature]  
 Notary's Signature

marla c. Oswald  
 Print Notary's Name

Notary Public in and for the State of Washington, Residing at:

Gold Bar, WA  
 My commission expires: 4/15/2023





Greg Finn Developer's Assessment Roll

EXHIBIT 12

Ref No.	Tax/Parcel No.	Owner/Address	Abbreviated Legal Description	Lot Area	Direct Benefit Total LF	General Benefit Total LF	Direct Benefit Cost	General Benefit Cost	Total Cost	Reimburse Developer @ 85%	Reimburse City @ 15%
1	124500-3660	Grag Finn, 345 10th Ave Kirkland WA 98033	Lot A of Kirkland LLA, LL94-37, Recorded under KC. Rec. No. 9407121502	6,000	6,000				\$5,824.00		
2	124500-3665	Douglas Chickering, 349 10th Ave, Kirkland, WA 98033	Lots 11 and 12, Block 141, Burke & Farra's addn, Vol 21 of Plats, Page 90, KC	9,600	9,600		\$5,824.00		\$ 5,824.00	\$ 4,950.40	\$ 873.60
3	388580-5055	Roy Kunz, 340 9th ave Kirkland, WA 98033	Lots 33 and 34, Block 166, Town of Kirkland, Vol 6 of Plats, Page 6, KC	7,200	7,200		\$5,824.00		\$ 5,824.00	\$ 4,950.40	\$ 873.60
4	388580-05065	Zus Khosh, 907 4th ST, Kirkland, WA, 98033	Lots 35 and 36, Block 166, Maps of Kirkland, Vol 6 of Plats, Page 83 KC, WA	8,400	8,400		\$5,824.00		\$ 5,824.00	\$ 4,950.40	\$ 873.60
<b>TOTALS</b>				<b>31,200</b>	<b>31,200</b>	<b>0</b>	<b>\$17,472.00</b>	<b>\$ -</b>	<b>\$ 23,296.00</b>	<b>\$ 14,851.20</b>	<b>\$ 2,620.80</b>

**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:** Tuan Phan, Development Engineering Supervisor  
John Burkhalter, Development Engineering Manager  
John Starbard, Deputy Director of Public Works  
Kathy Brown, Director of Public Works

**Date:** August 22, 2019

**Subject:** LATECOMER AGREEMENT WITH LARRY SCRIVANICH—SEWER FACILITIES

**RECOMMENDATION:**

It is recommended that City Council approve the proposed Resolution authorizing the City Manager to enter into a Sewer Facilities Agreement with Larry Scrivanich.

**BACKGROUND AND DISCUSSION:**

Property developers sometimes are required to install public infrastructure that is of a greater capacity or a longer distance than is needed for that developer's project alone because of the location, or other factor, of the property that is being developed. In such a case, State law allows the developer the option to enter into a latecomer agreement with the municipality in which the property is located that enables the developer to be proportionally reimbursed over time by future development that connects to that infrastructure. Latecomer agreements are available for street improvements (RCW 35.72) and utility improvements (RCW 35.91).

A utility latecomer agreement must be at least twenty years in duration, and it establishes the latecomer fee(s) that the municipality will charge to and collect from future developers whose project connects to or uses the main line infrastructure. The municipality may retain a reasonable fee for administering the agreement, then remits the balance of the fee to the developer who caused the infrastructure to be built. Utility-related latecomer agreements may be for domestic water, sanitary sewer, or storm water infrastructure.

Latecomer fees are calculated by dividing the total number of lots or properties being served—now or projected to be in the future—into the total cost that was paid by the developer for the utility main extension. This yields the latecomer charge per lot. Properties being served are categorized as receiving either "direct benefit," meaning a future lot can tap directly into the new main and thus receive a benefit equal to one of the developer's lots, or "general benefit," meaning a future lot will need to extend the main line further to make a connection for that lot and perhaps others. General benefit latecomer fees are less than direct benefit latecomer fees. Fifteen percent of the latecomer fee is retained by the City for administering the agreement, and eighty-five percent of the fee is remitted to the developer. Kirkland uses the terms "latecomer agreement" and "facilities agreement" interchangeably.

**Public Infrastructure Installed**

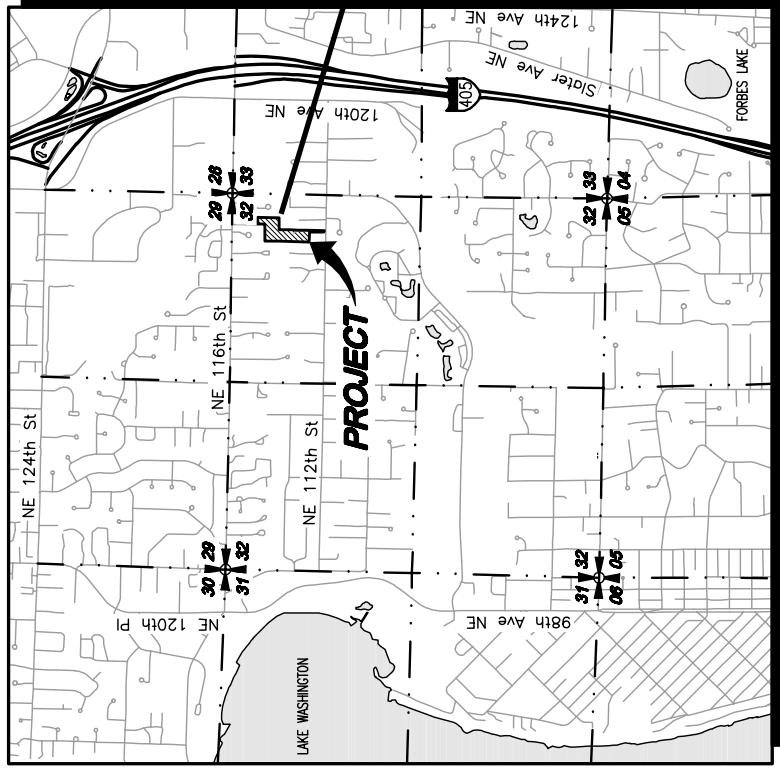
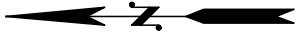
Larry Scrivanich is the developer of a 27-lot subdivision called "The Bridges" (Attachment A). As a condition of approval, Mr. Scrivanich was required to install 1,800 linear feet of sanitary sewer main extension within 114<sup>th</sup> Place NE and continuing into 115<sup>th</sup> Avenue NE. The mains were extended from NE 112<sup>th</sup> Street and NE 116<sup>th</sup> Street, respectively (Exhibit A). The new sanitary sewer main serves all lots in The Bridges and also thirteen existing or anticipated neighboring lots (the "Benefit Area").

Mr. Scrivanich paid a total of \$270,790 for the sanitary sewer main extension, \$234,782 of which is a direct benefit to The Bridges. As shown on the Latecomers Assessment Roll attached to the Agreement, forty lots will be served by this new public infrastructure; twenty-nine lots will receive a direct benefit while eleven will receive a general benefit. Over the twenty-year term of the Agreement, Mr. Scrivanich may recover an additional \$30,607 and the City may collect \$5,401 in administrative fees. Property owners listed on the Latecomers Assessment Roll who apply for connection to the sanitary sewer main will be required to pay the amount identified in the Agreement plus usual Kirkland sewer connection fees. All new development or redevelopment in the Benefit Area will need to connect to the new main, though properties served by existing septic facilities may continue to use them until either those facilities fail or the property owner otherwise chooses to connect.

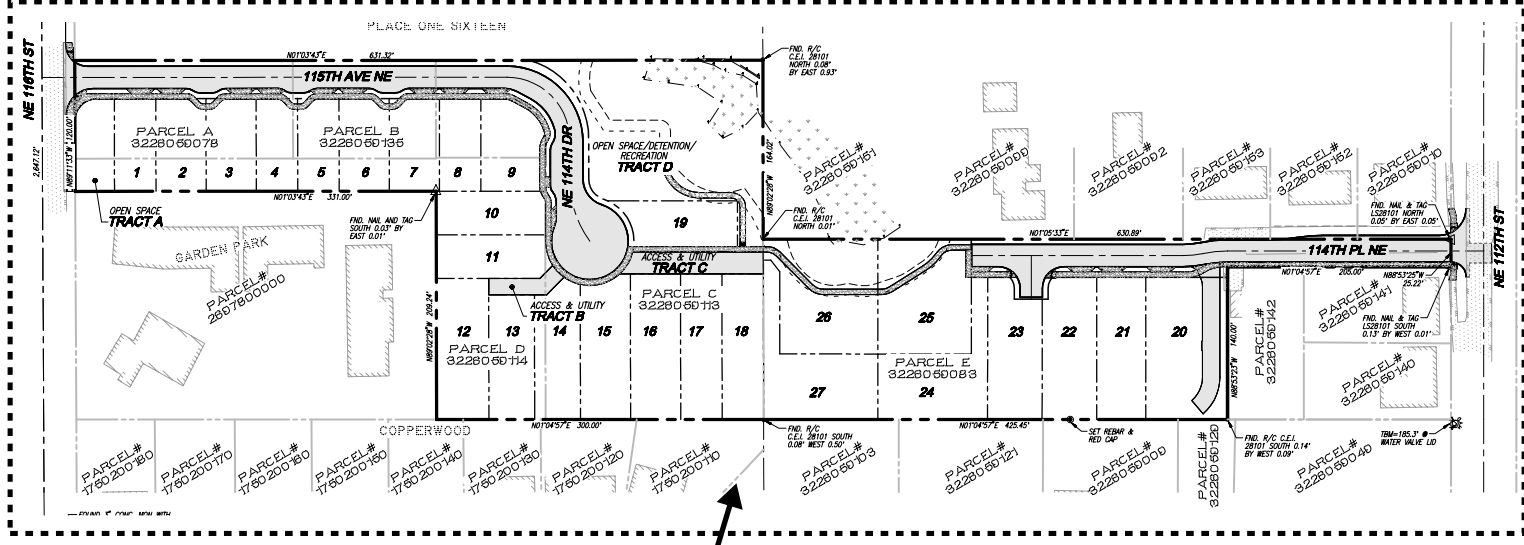
Upon approval of the proposed resolution via approval of the consent calendar, and subsequent signing of the agreement by the City Manager, the agreement will be sent to King County for recording. Finally, notice of latecomer connection charges will be sent to each property owner included in the agreement.

Attached: Vicinity and Site Maps  
Proposed Resolution  
Exhibit A: Sewer Facilities Agreement

# Attachment A: VICINITY MAP



VICINITY MAP



RESOLUTION R-5383

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A SEWER FACILITIES AGREEMENT WITH LARRY SCRIVANICH AND AUTHORIZING THE CITY MANAGER TO SIGN SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND.

1 WHEREAS, the improvement of public health is furthered by  
2 adequate sanitary sewer systems; and  
3

4 WHEREAS, the Washington State Legislature enacted the  
5 Municipal Water and Sewer Facilities Act (RCW 35.91.010 et seq.) in  
6 furtherance of this goal and authorizing municipalities to enter into  
7 agreements of this nature; and  
8

9 WHEREAS, The City of Kirkland concludes entering into this  
10 agreement will promote this goal.  
11

12 NOW, THEREFORE, be it resolved by the City Council of the City  
13 of Kirkland as follows:  
14

15 Section 1. The City Manager is hereby authorized and directed  
16 to execute on behalf of the City, the Sewer Facilities Agreement between  
17 the City and Larry Scrivanich. A copy of this Agreement is attached as  
18 Exhibit A.  
19

20 Passed by majority vote of the Kirkland City Council in open  
21 meeting this \_\_\_ day of \_\_\_\_\_, 2019.  
22

23 Signed in authentication thereof this \_\_\_ day of \_\_\_\_\_,  
24 2019.

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

Attest:

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

# Scrivanich Sewer Facilities Agreement



## SEWER FACILITIES AGREEMENT PURSUANT TO CHAPTER 35.91 REVISED CODE OF WASHINGTON

---

THIS AGREEMENT made and entered into this day, pursuant to RCW Chapter 35.91, between the City of Kirkland, a non-charter optional code city, hereinafter referred to as "City" and Bridges 116 LLC AND Bridges 112 LLC hereinafter referred to as "Developer":

WITNESSETH

Section 1. Developer does hereby agree to construct, at its sole expense, the SEWER FACILITIES described in **EXHIBIT 1**, attached hereto and by this reference incorporated herein, all in accordance with the specifications and standards of the City of Kirkland pertaining to sewer construction and installation.

Section 2. Upon completion of said sewer facilities to the satisfaction of the Kirkland Director of Public Works, and acceptance thereof by the City of Kirkland, said facility shall become the property of the City of Kirkland and a part of its sewer system with full power of the City of Kirkland to charge for its use such sewer connection and service rates and charges as the City of Kirkland may be authorized by law to establish, and all further maintenance operation costs of said facility shall be borne by the City of Kirkland.

Section 3. The benefit area to be served by said facility is described and designated on **EXHIBIT 1**, attached to this agreement and by this reference incorporated herein. Said Exhibit is a map showing the total benefit area and delineating thereon that portion of the benefit area owned by Developer. **EXHIBIT 2** attached to this agreement and by this reference incorporated herein is a listing of each lot or parcel within the benefit area including the lot or parcel legal description and the lot's "pro rata share" of the cost of construction of the sewer facilities. **EXHIBIT 3** identifies those lots or parcels owned by Developer and not subject to the provisions of Section 4 of this agreement.

Section 4. Any owner of any real property located within the benefit area (other than those properties designated in **EXHIBIT 3** as Developer's properties) who shall hereafter tap into or use said sewer facility (including not only connecting directly into, but also to users connecting laterals or branches connected thereto) shall, prior to such tap in or use, pay to the City of Kirkland, in addition to any connection or other charge required by the ordinances of the City of Kirkland to be paid upon connecting to a sewer facility, their fair pro rata share of the cost of construction of said facility.

Section 5. For the purposes of determining such "fair pro rata share" the cost of construction of said facility shall be considered to be **\$270,790.00**, provided, however, the City may adjust said cost to reflect the true and final cost of construction of said facility. The "FAIR PRO RATA SHARE" of the cost of construction as designated on **EXHIBIT 2**, and is hereby approved by the City of Kirkland.



Section 6. Within sixty (60) days after receipt by the City of any "fair pro rata share," the City shall disburse said sum, less fifteen (15) percent thereof to be retained by the City of Kirkland to cover costs of administering the provisions of this agreement, to Developer at Woodinville WA until such time as Developer shall have received the total sum of **\$30,607.00**, or the expiration of twenty (20) years from the date of this agreement, whichever event shall first occur. Thereafter, any amount of charge made or received by the City to tap into or use said facility shall be retained by the City. It shall be the duty of the Developer to advise the City of any change in the Developer's mailing address.

Section 7. The provisions of this agreement shall not be effective as to any owner of real property designated in **EXHIBIT 2**, other than Developer, until such time as this agreement shall have been recorded in the Office of the King County Department of Elections and Records and then only as to such real property owners as tap into or connect into said facility subsequent to such recording. City shall not be required to disburse any "fair pro rata share" to Developer which may not be lawfully collected from such real property owner at the time said real property taps into or connects to said facility.

Section 8. In the event the cost, or any part thereof, of a or sewer improvement, whether local or general, is or will be assessed against the owners of real property and such improvement will be connected into or will make use of the facility constructed pursuant to this agreement and the cost thereof was not contributed to by the owners of said real property, there shall be included in the Engineer's estimate for the hearing or any such improvement, separately itemized, and in such assessments, a sum equal to the amount provided for in this agreement as a fair pro rata share due from such owners in accordance with the provisions of this agreement.

Section 9. No person, firm, or corporation, other than Developer's, as to the real property identified as owned by Developer in **EXHIBIT 3** hereto, shall be granted a permit or authorized to tap into or use said facility or extensions thereof without first paying their fair pro rata share as herein provided.

DATED at Kirkland, Washington, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

CITY OF KIRKLAND:

DEVELOPER:

\_\_\_\_\_  
CITY MANAGER FOR THE City of Kirkland  
KIRKLAND WHO IS AUTHORIZED TO  
EXECUTE THIS AGREEMENT ON  
BEHALF OF SAID CITY BY VIRTUE  
OF RESOLUTION NO. \_\_\_\_\_

\_\_\_\_\_  
By: \_\_\_\_\_  
By: \_\_\_\_\_

(Corporations Only)

OWNER(S) OF REAL PROPERTY

Bridges 112 LLC  
(Name of Corporation)

Larry Seminich MANAGING MEMBER



(Corporations Only)

STATE OF WASHINGTON )

County of King ) SS.

On this 28<sup>th</sup> day of June, 2019, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared

Larry Seminich and

to me, known to be the President and Secretary, respectively, of Bridges 112 LLC, the corporation that executed the Sewer Facilities Agreement and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.

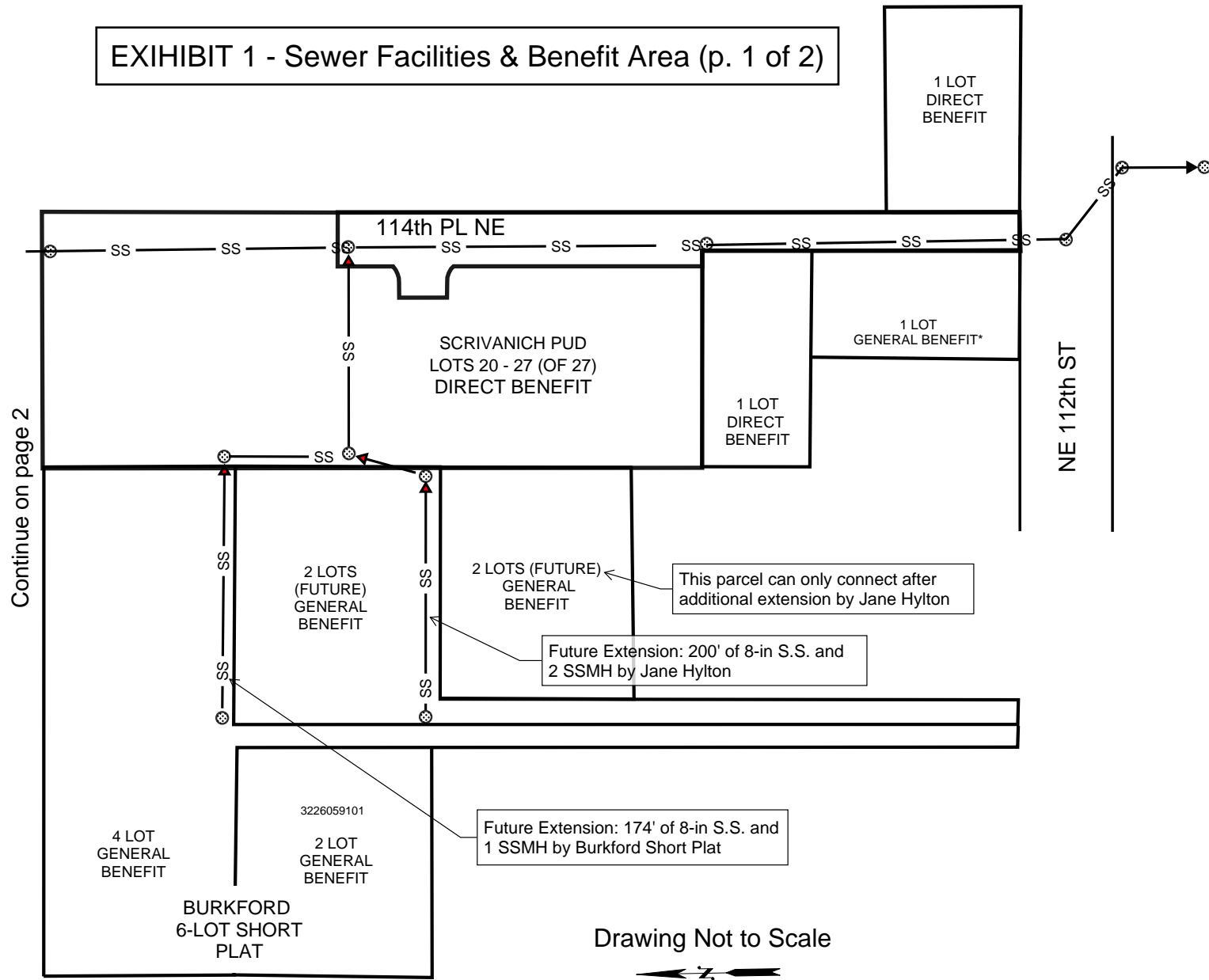
[Signature]  
Notary's Signature

Samuel Patrick Scivanich  
Print Notary's Name

Notary Public in and for the State of Washington, Residing at:

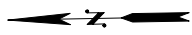
9215 NE Juniper Blvd #1006 98029  
My commission expires: 03/03/2021

EXIHIBIT 1 - Sewer Facilities & Benefit Area (p. 1 of 2)

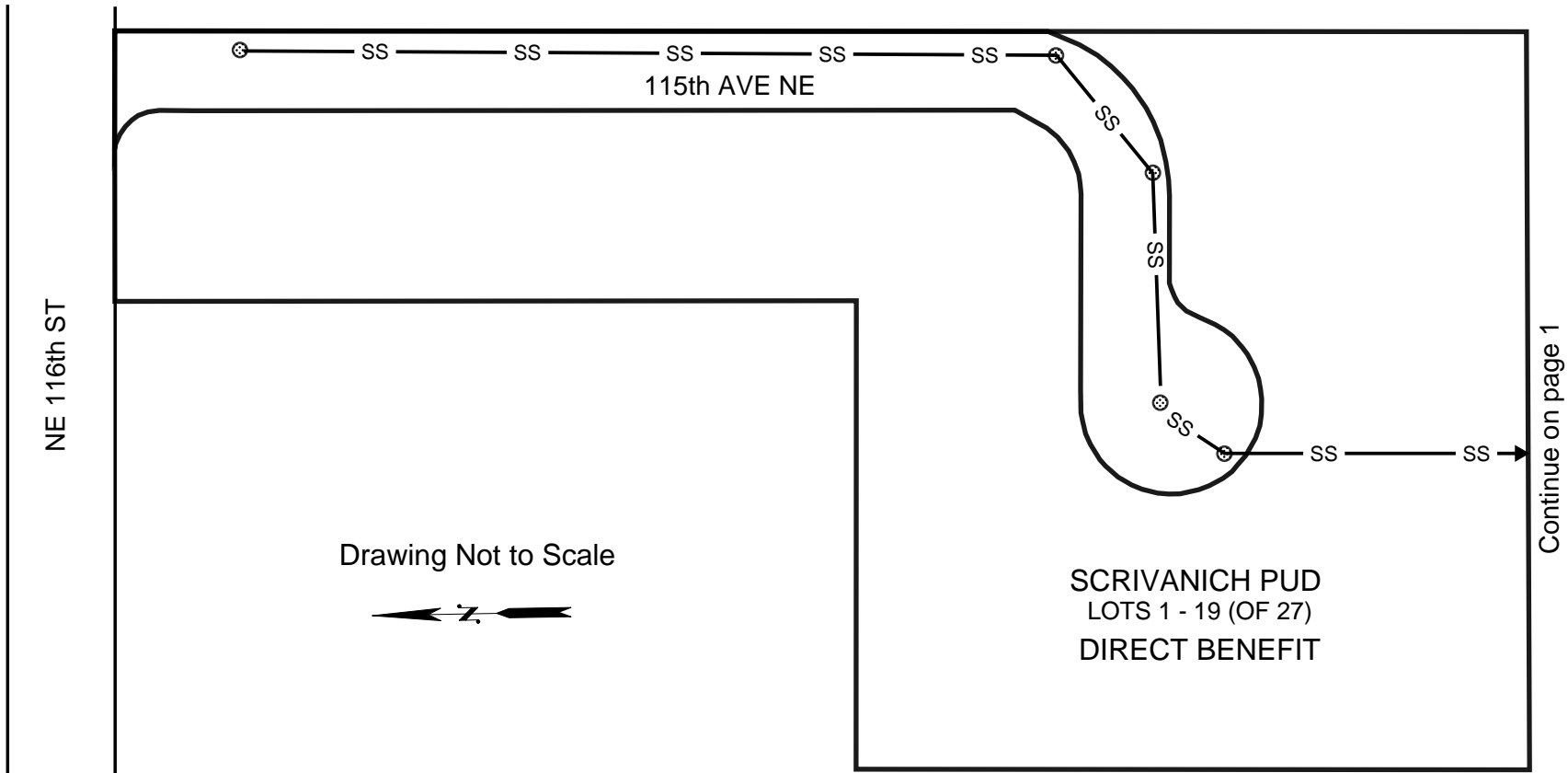


Continue on page 2

Drawing Not to Scale



EXIHIBIT 1 - Sewer Facilities & Benefit Area (p. 2 of 2)



Scrivanich (THE BRIDGES) Subdivision - LATECOMERS ASSESSMENT ROLL										EXHIBIT 2	
Ref No.	Tax/Parcel No.	Owner/Address	Abbreviated Legal Description	Total Lots	Direct Benefit Lots	General Benefit Lots	Direct Benefit Cost	General Benefit Cost	Total Cost	Reimburse Scrivanich (85%)	Kirkland Administrative Fee (15%)
<b>Developer's Property</b>		Scrivanich Subdivision (aka: The Bridges) (Larry Scrivanich, "Developer") 27 lots (Full Benefit = General + Direct)	Scrivanich PUD, Subdivision # SUB15-02157	27.0	27.0	27.0	\$189,086	\$45,696	\$234,782	<b>Developer's Property</b>	
1	322605-9010	FUNG, ANDREW AND CHUDYK, CHERYL 11420 NE 112TH ST, 98033 Single lot (Full Benefit) No potential to subdivide	PARCEL A KIRKLAND SHORT PLAT 73-6-14 (EP) REC AF # 78051 10493 SD PLAT DAF - W 135 FT OF S 272 FT OF E 1/2 OF W 330 FT OF E 660 FT OF S 1/2 OF NE 1/4 OF NE 1/4 LESS POR LY WITHIN 112 TH ST	1.0	1.0	1.0	\$7,003	\$1,692	\$8,696	\$7,391	\$1,304
2	322605-9141	NG, KA KIN 1410 NE 112TH ST 98033 (General Benefit due to obligation for future extension on NE 112th St.) No potential to subdivide.	E 70 FT OF W 140 FT OF N 135 FT OF S 165 FT OF W 1/4 OF SE 1/4 OF NE 1/4 OF NE 1/4	1.0	0.0	1.0	\$0	\$1,692	\$1,692	\$1,439	\$254
3	322605-9142	O'DONNELL, JOSEPH AND APRIL 11414 NE 112TH ST 98033 Single lot (Full Benefit) No potential to subdivide.	W 140 FT OF N 70 FT OF S 235 FT OF W 1/4 OF SE 1/4 OF NE 1/4 OF NE 1/4	1.0	1.0	1.0	\$7,003	\$1,692	\$8,696	\$7,391	\$1,304
4	322605-9121	HYLTON, JANE 11250 NE 112TH ST 98033 <i>Potential</i> 2-lot short plat (General Benefit) Additional extension required to connect to SS.	S 132 FT OF N 258 FT OF W 165 FT OF E 825 FT OF S 1/2 OF NE 1/4 OF NE 1/4 ALSO W 15 FT OF POR OF SD E 825 FT LY S OF SD N 258 FT LESS CO RD	2.0	0.0	2.0	\$0	\$3,385	\$3,385	\$2,877	\$508
5	322605-9009	YUAN, WANG YU 11252 NE 112TH ST 98033 <i>Potential</i> 2-lot short plat (General Benefit) Connect to SS after extension by Jane Hylton	W 150 FT OF E 810 FT OF S 1/2 OF NE 1/4 OF NE 1/4 LESS N 258 FT LESS S 282 FT	2.0	0.0	2.0	\$0	\$3,385	\$3,385	\$2,877	\$508
6	322605-9103 AND 322605-9101	1996 REFORD FAMILY PARTNERS (BURKFORD SHORT PLAT) Approved 6-lot short plat (General Benefit) Additional extension required to connect to SS.	N 126 FT OF W 330 FT OF E 990 FT OF S 1/2 OF NE 1/4 OF NE 1/4 ALSO W 15 FT OF E 840 FT OF SD SUBD LESS N 126 FT LESS CO RD, TOGETHER WITH, W 150 FT OF E 990 FT OF S 126 FT OF N 252 FT OF S 1/2 OF NE 1/4 OF NE 1/4	6.0	0.0	6.0	\$0	\$10,155	\$10,155	\$8,631	\$1,523
<b>TOTALS</b>				<b>40.0</b>	<b>29.0</b>	<b>40.0</b>	<b>\$203,092</b>	<b>\$67,697</b>	<b>\$270,790</b>	<b>\$30,607</b>	<b>\$5,401</b>
							<u>75%</u>	<u>25%</u>			
<b>Sewer Construction Cost Incurred by Scrivanich PUD (BRIDGES)</b>				<b>Notes:</b>							
Construction Cost (Invoices Paid)		\$195,417	Lots already connected to Public Sanitary Sewer: 11416, 11422, 11430, 11438 NE 112TH ST (no latecomer for these lots). Parcel 322605-9151 cannot develop due to wetland. (no latecomer)								
Engineering (10%)		\$19,542									
Easement Acquisition (offsite)		\$10,000									
Pavement Restoration (offsite)		\$28,533									
Power Pole Hold (offsite)		\$17,298									
<b>Total Cost:</b>		<b>\$270,790</b>									

Scrivanich (THE BRIDGES) Subdivision - LOTS OWNED BY THE DEVELOPER										EXHIBIT 3	
Ref No.	Tax/Parcel No.	Owner/Address	Abbreviated Legal Description	Total Lots	Direct Benefit Lots	General Benefit Lots	Direct Benefit Cost	General Benefit Cost	Total Cost	Reimburse Scrivanich (85%)	Kirkland Administrative Fee (15%)
		Developer's Property	Scrivanich Subdivision (aka: The Bridges) (Larry Scrivanich, "Developer") 27 lots (Full Benefit = General + Direct)	Scrivanich PUD, Subdivision # SUB15-02157	27.0	27.0	27.0			\$234,782	Developer's Property
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**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.kirklandwa.gov

**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Tracey Dunlap, Deputy City Manager

**Date:** August 9, 2019

**Subject:** Update on Performance Management Activities

**RECOMMENDATION:**

Council receives an update on the City's Performance Management program. Approval of the consent calendar will acknowledge that Council has received the update.

**BACKGROUND DISCUSSION:**

At the February 2018 City Council Retreat, staff presented information on the City's processes and the strategic planning cycle, including an update on the City's next steps related to Performance Management. As part of a service package approved in the 2017-2018 budget, Council set aside resources to hire a consultant to evaluate the City's performance management strategy and provide focus group and process improvement training, including assisting the City with applying those skills to specific topics. The City engaged consultant Bill Bott of the Change and Innovation Agency (CIA) to provide these services. The first deliverable of that work, an assessment of the City's Performance Management Report, was provided at that Retreat and is included as Attachment A.

Based on that work, the training took place and topics were selected for the follow-up work:

- The focus group topic selected was "Community Policing" and the results of those focus groups to date are summarized in Attachment B. **A short presentation summarizing the community policing focus group and survey results will be provided at the September 3 Council meeting along with the Pro-Act Unit update presentation during the "Business" section of the meeting.**
- The process improvement element was entitled "Kirkland Police Department Mental and Emotional Health Response Improvement Team". The results of that effort are included as Attachment C **and will be presented to Council separately as part of an update on how Proposition 1 Mental Health Professional funding will be deployed.**

The focus group training received by staff in Planning, Police, Public Works and the City Manager's Office as part of this process has helped inform the approach that the Engagement Team is using for Community Engagement. The process improvement training reinforced the Lean techniques that the City had been previously trained in using by the State Auditor's Center for Government Innovation and provided a useful perspective on the interplay of community input with performance improvements. Since working with the State Auditor's Office in 2015 on the City Hall Customer Experience, the staff members that were trained have applied their skills in projects within their departments. In addition, we have engaged the Center for Government Innovation to facilitate two additional Lean processes related to Police Records and Council Committees.

A final area of focus on this topic has been active participation by Deputy City Manager Tracey Dunlap in the Government Performance Consortium (GPC) as a "Dashboard Champion" and her role on the Advisory Committee of the Municipal Dashboard of Community Indicators. The GPC Municipal Dashboard Community of Practice is a social learning network for government practitioners seeking to transform government from the inside out by effectively using data to inform improvement. An excerpt regarding their purpose:

*"Cultivating and sustaining measurable performance improvement in government takes more than just data, technology, and best practices books and guidelines. It takes an authentic learning community where people who share a concern or passion for doing this work can engage in regular interactions, share stories and resources, and learn how to do it better. We believe that many public sector performance management programs and initiatives in the last three decades have not quite lived up to their promise because we did not fully grasp the importance of social learning, or peer to-peer connections in the context of a community of practice, in helping people overcome barriers and sustain motivation in doing the hard work of measuring performance and improving results."*

GPC is sponsored by the Washington State Auditor's Office, the University of Washington Tacoma, the Municipal Service Research Center, and several city and county partners. A variety of Kirkland staff members have participated in events hosted by GPC. As a Dashboard Champion, the Deputy City Manager has been part of a group that receives early access to the training, toolkits and access to our latest research and leading practices. The overall aim is "to accelerate the learning journey for all local governments across Washington State so they can more consistently use *measures that really matter* to inform decisions and make improvements in service delivery to the customers and citizens we serve".

Links to two of the publication of the GPC are provided below for reference.

- [GPC Municipal Dashboard Practitioners' Handbook](#)
- [Strategies for a More Joyful Government, 2nd Edition](#)

An excerpt from the first publication is included as Attachment D containing a brief article regarding Kirkland's Healthcare journey based on comments made as part of a panel discussion in April 2019 by Deputy City Manager Dunlap, supplemented by subsequent interviews with Tracey and Assistant City Manager James Lopez. Kirkland's Performance Measure Report was one of the featured documents in the presentation at that convening.

The 2018 Performance Measure Report has been delayed by the stabilization period for the new Finance system, but 2018 financials were recently finalized. Staff is gathering the 2018 information and expects to present the report as part of the packet for the November 1, 2019 Budget Retreat.

Performance management is a journey rather than a destination. By staying current with trends and assessing how they best meet Kirkland's needs, the City can continue to be a leader in this arena. In addition, by training line staff in process improvement techniques, the City ensures that efficiency and effectiveness becomes a focus as part of our day-to-day work and we appreciate the Council's support of these efforts.



February 15, 2018

Mr. Kurt Triplett  
City Manager  
123 5th Avenue  
Kirkland, WA 98033

Dear Mr. Triplett,

The Change & Innovation Agency's (CIA) goal is to help government increase its capacity to do more good. As a company, we work only with government agencies to apply the best practices in management and process improvement to areas such as human services, transportation, public safety, health, and community development. We are dedicated to sharing what we have learned working in and with all levels of government to help the public sector improve and operate efficiently and effectively.

Several months ago, we began a dialog with the City of Kirkland focused on the development and use of their performance measures. Having reviewed the previous two reporting cycles, it is apparent that the city has taken great effort to objectively and transparently demonstrate how operations are working to meet the goals of the City Council and deliver quality services to community members.

The logic model used to develop these reports provides a wonderfully detailed story of how areas such as budget and planning are used to determine actionable steps that eventually lead to broader goals that are designed to make Kirkland the safe, vibrant, attractive, green, and welcoming place to live, work, and play as laid out in the City Council's vision statement.

The wealth of information in each key area is valuable for understanding how today's budgets, service usage rates, and initiatives are moving the city toward their vision as well as providing the foundation for strategic direction and planning. By tracking the data over several years, progress is easily defined, and leadership can review direction and identify trends.

Overall, the performance measures offer a balanced look at the city and provide an abundance of critical data in an easy-to-follow, easy-to-understand format. Many government organizations struggle to provide even the most basic measures and tie them to strategic goals in a meaningful way, and with this report the City of Kirkland continues to make admirable strides in being open and accessible.

While the data in this report ties outputs to vision and is key to sharing the story annually with residents, it is the operational performance measures that drive true improvement within the departments. Leaders within the city ranks need day-to-day measures of workflow and capacity in order to fully understand and manage their areas. The first evolution of measurement in government is to enhance our big picture metrics with operational process-based knowledge that leads to improvements and efficiencies.

The next evolution is to exploit the work done to date in order to drive efficiencies and increase constituent satisfaction. Measures, when used correctly, can educate us on current performance, but the act of measuring alone does not increase performance or productivity. Increased performance only comes from changing the way in which the work is being done. The measures, in turn, reflect the changes and can give us an accurate look at how our efforts are paying off. While the measures help you manage performance, in order to drive community satisfaction, you need a command understanding of what residents require of government and an intimate knowledge of their expectations.

One of the unique things about government work is the symbiotic relationship we have with constituents and community members. Unlike the private sector, where the key motivating factor is to get customers to spend money in order to make profit, government does not

measure success purely in dollars. Success is measured in matters such as safe and healthy communities, educated children, prosperous cities, strong infrastructure, and clean air and water. These outcomes are harder to measure than dollars and require a different type of community involvement. Providentially, our constituents almost universally desire these same outcomes and want government to be successful in providing them. This creates a unique relationship rarely seen outside of government. When you go to buy a car, you want to spend the least amount of money for the car you chose, so you spend all your time negotiating with a company who is trying to get the most money out of you. You argue over the outcome. When you go to a clinic to get your child vaccinated, everyone agrees that we want the same outcome: a healthy community. What we end up arguing about is how to get there.

The vast majority of complaints we hear about government have nothing to do with the outcomes we want to accomplish. Commonly, we hear government is too slow, too costly, too bureaucratic, and too antiquated to be productive, but these generalizations are vague and only address past interactions. If we want to enhance the symbiotic relationship, we have to change the conversation from what is not working to how we can work together to achieve more. Measuring true community member satisfaction is not about keeping a scorecard or collecting surveys on past performance, but about building relationships with residents to fully understand expectations and then changing our work to better meet the needs of our community.

The first step is understanding who our community members really are. While everyone living in Kirkland is a member, you are only a customer when you are using a service or product of the city. For example, while every resident and visitor benefits from the work fire marshals do to inspect businesses and new construction, most of these people are not the customer of the final report. That report is for building owners, and construction foremen, to make changes in order to be compliant with current fire codes. If we want more buildings to be compliant, we must focus on building the relationship between fire marshals, building owners, and builders. Customers are defined by the service or product being used. To fully understand their expectations, we need to be sure we are talking to the right community

members to understand what they need to make our systems produce more of the outcomes we both want.

The second step is to engage with your constituents in order to gain a better understanding of their priority outcomes and attributes. This can be done through focus groups, interviews, and interactive observation. How and when we talk to these community members is less important than what we talk to them about. In the second step, we need to get past the complaints of how things are done today and move the conversation to what our constituents need in order to do more. In the example of the fire marshal, both government and community agree we want safe buildings in which to live and work. If that is the goal, then the conversation needs to focus on what a successful fire inspection looks like from the customer's point of view. Often these conversations yield information such as, "inspections are consistent, timely, and easy to understand."

Step three is defining these attributes in measurable terms and defining community member-based satisfaction targets when applicable. For "timely," members may want to measure the number of days from request for an inspection until the inspection is completed. They might then set a target of 10 days or less. For "easy to understand," they may want to measure the number of findings they can correct the first time with a goal of 100%. As we gather this information, patterns will emerge and give the fire marshals a better understanding of what their customer would like to see.

Step four takes these community member-based measures and compares them to current performance. The fire marshal may pull the last 20 inspections and see that it took an average of 50 days to complete the reports. The gap between the customer target of 10 and current performance of 50 suggests that in order to improve satisfaction we need to develop a process that cuts as many of those days as possible.

That leads to step five, running process improvement teams to close the gap. Process improvement teams are a group of content experts facilitated by a trained Change Agent tasked with redesigning a process. The tools and methodology used may vary based on

what the team is trying to accomplish, but the goal is to change how we work to get as close to the expectation as possible. For the fire marshal, a redesigned process may include new ways of scheduling inspections, working with builders up front to increase the number of inspections that pass the first time, training additional staff to conduct inspections, new standardized reporting templates, and more thorough recommendations to achieve compliance.

The final step is adding system-specific performance measures that ensure the new processes are closing the gaps and educating managers on how well the work is flowing. It's these measures, combined with the operational measures you already have in place, that move your organization forward and can clearly demonstrate how your efforts are impacting your outcomes, your community expectations, and your operations.

In order to grow from the outcome and output measures you have in place to community member-driven improvements and process performance measures, you need two critical resources: Community Engagement Specialists to facilitate customer relationships and Change Agents to lead teams.

Community Engagement Specialists need to be trained in identifying key processes, defining customer groups, setting up and leading focus groups and interviews, and developing community member-based measures. C!A will conduct a workshop for a set of Kirkland employees covering the tools and methodology outlined in Ken Miller's "The Change Agent's Guide to Radical Improvement" that will ready them to facilitate their first focus group within a month of completing the training. C!A will also help mentor participants from setting up their first real focus group to turning the information into community member-based measures of satisfaction.

When choosing employees to participate in this workshop, the city should look for individuals who are comfortable speaking in front of groups of people, can remain neutral during debate, are organized, and who have a pattern of consistently following through on tasks such as follow-up phone calls, writing meeting synopses, and addressing questions in

a timely fashion. The skillset needed to become an internal Change Agent can be taught, but it also requires experience to master. Finding radical improvement opportunities and reengineering processes is both a science and an art.

To share the science of improvement, C!A will teach Kirkland staff how to:

- + Charter a project with leadership
- + Pick productive team members
- + Map workflow and measure work time and elapsed time
- + Identify improvement opportunities
- + Brainstorm improvement recommendations
- + Build a compelling case for change
- + Present recommendations to leadership
- + Develop effective implementation plans
- + Develop process-based performance measures that ensure proper workflow

Honing the art of improvement comes from experience using the tools and working with teams over several projects. To jump start this learning, potential Change Agents will work alongside a skilled C!A specialist as they facilitate an improvement effort for the city. By seeing the tools in action and living through a team progression from chartering through implementation, participants should be prepared to run their first improvement team within days of completion.

Best regards,

Bill Bott  
Consulting Partner  
Change & Innovation Agency



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## MEMORANDUM

**To:** Kurt Triplett, City Manager

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

**Date:** August 21, 2019

**Subject:** COMMUNITY POLICING ENGAGEMENT FINDINGS

### **EXECUTIVE SUMMARY:**

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

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

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

### **Police Strategic Plan**

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

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

### **BACKGROUND:**

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

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

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

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

## **OUTREACH METHODOLOGY**

### **STRATEGIC APPROACH TO CIVIC ENGAGEMENT**

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

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



## TECHNIQUES USED TO COLLECT FEEDBACK

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

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

Table 1: In-Person Techniques

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

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

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

Table 2: Digital Outreach Techniques

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

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

\*\*\*\* Data unavailable.

**FINDINGS**

**NEIGHBORHOOD-SPECIFIC PUBLIC SAFETY PRIORITIES**

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

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

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

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

Figure 1: Percentage of survey respondents' identified public safety categories by neighborhood of residence

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

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

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

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

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

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

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

## QUALITATIVE INSIGHTS

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

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

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

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

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

## Themes

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

### Theme 1: Seek feedback from the community.

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

### **Possible Strategy 1.1: Annual online survey and focus groups**

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

*Performance measures:* number of participants; satisfaction levels and trends

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

**Possible Strategy 1.2: Promote alternative reporting methods**

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

*Performance measures:* increased number of online reporting using the portal

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

**Possible Strategy 1.3: Continue Neighborhood Association meeting attendance**

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

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

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

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

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

**Possible Strategy 2.1: Continue Community Policing events and programs**

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

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

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

**Possible Strategy 2.2: Patrol officer video series with safety tips**

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

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

*Performance measure:* number of video views

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

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

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

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

#### **Possible Strategy 3.1: Publish a regular crime report dashboard**

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

*Performance measure:* number of views

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

### Theme 4: Patrol Officer visibility and accessibility.

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

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

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

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

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

Theme 5: Empower the community to help prevent crime.

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

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

**Possible Strategy 5.2: Explore implementation of a Neighborhood Watch program**

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

*Performance measure:* number of participants in prevention programs

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

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

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

Appendix A: Demographic Profile of Survey Responses

Appendix B: Open-Ended Survey Responses

Appendix C: Focus Group Notes

Appendix D: Interest Group Meeting Notes

Appendix E: Education Topics Identified by Community Members

## Appendix F: Written Public Comments

**Appendix A: Demographic Profile of Survey Responses**

<b>DEMOGRAPHIC CATEGORY</b>	<b>Survey Responses<sup>1</sup></b>	<b>Census Estimates<sup>2</sup></b>
<b>Neighborhood<sup>3</sup></b>		
North	36.7%	56.2%
Central	35.8%	19.5%
South	26.3%	24.3%
Outside Kirkland	1.2%	--
<b>Housing Situation</b>		
Rent	9.9%	36.1%
Own	89.6%	63.9%
Unhoused	0.5%	--
<b>Age<sup>4</sup></b>		
Under 20	0%	22.3%
25-35	7.5%	22.2%
35-50	32.7%	22.5%
50-65	36.0%	19.9%
65+	23.8%	13.1%
<b>Race/ethnicity<sup>5</sup></b>		
American Indian and Alaska Native	2.6%	0.3%
Asian	7.6%	17.4%
Black or African American	1.8%	2.4%
Native Hawaiian and Other Pacific Islander	0.3%	0.5%
Hispanic or Latino	2.9%	7.0%
White	84.1%	81.9%
Some other race	0.8%	2.3%

<sup>1</sup> Excluding those who chose not to answer the optional demographic questions

<sup>2</sup> Source: 2017 American Community Survey (ACS), Demographic and Housing Estimates

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

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

<sup>5</sup> Survey data collection methods differed from Census methods.



## Appendix B: Open-Ended Survey Responses

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

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

### Burglary

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

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

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

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

#### **Vehicle Break-In / Theft (Car prow)**

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

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

- Not sure. Maybe encourage more neighborhood watch groups? Encourage better lighting or security cameras on private property.
- Neighborhood watch and reporting of prowlers
- Is it on the "community" to better partner with law enforcement or is it on law enforcement to better partner with communities?
- Make sure people are encouraged to contact police with concerns. I think people tend to talk themselves out of getting involved.
- public contact with suspicious activity
- Keep an eye out for odd events or people
- If you see something, say something, and get to know your community.
- don't leave valuables in autos
- Make more neighborhood known officers available
- No idea, more slow driving through neighborhoods, windows rolled down, invite conversation
- neighborhood watch
- Report
- Evening patrol.
- reporting behavior that appears suspect
- Same
- Quicker way to report directly to KPD instead of going through NorCom
- Citizens should become more comfortable calling 911.
- Surveillance cameras
- All community police need to walk a beat, get to know their citizens. instead of arresting a homeless person or putting them on bus to Seattle take them to a shelter or food bank. need a mens shelter here. Tent City 3 not enough. Take drug users to Evergreen Public hospital instead of arresting them for drug possession or sales. try to get these people help rather than filling up our jails and courts. TALK to people of color, homeless, drug users - try to help them rather than harass or arrest them. Be proactive rather than reactive (911). need to walk a beat and meet and talk to the people. be a part of our community - not driving around in a car handing out tickets.
- Patrols. The downtown library is a known drug hangout and car breakins
- not to leave valuables or garage door openers in the car and inform police about the break-in or theft
- vigilance & reporting
- Neighbor patrols at night and middle of the day.
- From my perspective, Kirkland is a safe place to live and pretty well managed. I walk my dog around downtown Kirkland at all hours and never feel insecure, even though there were few homeless people taking shelter where they can.
- Fast reporting/response of suspicious persons via app or 911
- Motion lights, security cameras
- Establish a small police station in each Kirkland neighborhood
- Be visible - in areas where crime is . 2. Start ticketing on State ST and Lake WA blvd. 3. Mobilize a Moss bay interest group (volunteers) to identify the partnership and role in scope. 4. Identify the vision, create strategy.
- Communication via technology- emails etc. This may exist. I am new to the area.
- More frequent patrols day and night on neighborhood streets. Increased visibility of police. Moss bay includes fountain bars. A presence to discourage alcohol field fights, drunk driving and noise would be helpful.
- Lock doors
- Give a phone number we can call to get a car drive by when we think something is up without it being an emergency number. Park off the street with better lighting usage. More street lights
- Don't leave valuables in plain sight in your car and lock your vehicle!
- Get Ring Cam or other device.
- Locking our cars, not leaving valuables in cars.
- Lock cars, illuminate parking areas
- More presence of police cars patrolling various areas of the neighborhood.
- More police officers informally walking around the neighborhood and engaging with people, especially around Peter Kirk school.
- Train some citizens to deal directly with low risk crimes. Increase engagement and awareness levels (attendance today is only 16)

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

#### Traffic

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

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



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

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

#### **Theft / Larceny**

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

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

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

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

#### **Disturbing the Peace**

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

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

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

#### **Drugs / Alcohol Violations**

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

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

**Other**

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

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

#### **Fraud & Identity Theft**

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

#### **Robbery**

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

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

#### **Weapons**

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

#### **DUI**

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



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

#### **Vandalism**

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

#### **Animal Services**

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

#### **Sex Crimes**

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

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

#### **Assault**

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

#### **Collisions**

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

#### **Motor Vehicle Theft**

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

**None of the above**

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

**Homicide**

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

**Arson**

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

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

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

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

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

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

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

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



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

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

**Question: Any other thoughts you have about community policing?**

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

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

- How is this budgeted? It's a great idea and could cut down on crime, but I just don't see it working without significant resources.
- I'm usually in favor of taxes for public services, but I'm still mad we're paying more in property taxes for drug enforcement and putting cops in schools. Neither of those things should be happening.
- I love the idea of sharing the responsibility. We live in a (reasonably) safe environment where police and community can share the responsibility. Thank you, all!
- The Kirkland police should expand the use of police K9's like Bellevue does. Not only are they valuable police tools, they would also be a positive element when profiled on social media or public demonstrations (everyone loves dogs).
- Visibility of police is so important! That's why I feel reporting suspicious behavior is key
- reducing access to weapons
- I think your doing a great job. Thanks for your service
- no
- I am happy to see the department leading this conversation. Trust is vital to building relationships. There should be clear policies governing when officers are allowed to use deception or dishonesty. Events where the public can learn from officers would benefit the community as well as increase understanding and foster relationships.
- I always think it's the small stuff that makes a big impact in terms of policing, especially in less crime areas and neighborhoods. Because we don't necessarily have serious crimes, the little things, like resolving traffic incidence or parking violators, can have big impacts to a community and neighbors.
- Please enforce the leash laws. Dogs are walking off leash in Kirkland and on the Cross Kirkland Trail. This is dangerous and very frightening especially for anyone who has been previously attacked by dogs. Thank you.
- Would like to see more enforcement of pets on leashes.
- You're doing a great job in Houghton. Thanks!!
- Children need to see police cars around the neighborhood and meet police officers at public gatherings. I like the black and white cars over the nondescript ones
- Thanks
- Make sure you are monitoring park activities including dogs off leash , drinking and drug use. Be out in force for all festivals and celebrations to catch DUI.
- Thank you.
- The more, the better.
- . Add gun violence at schools to the list. .Letting the community know what to look for (example, on social media) and how to report concerning activities to Kirkland Police
- I've lived in this neighborhood for 30 years, and I have never seen a police vehicle simply on patrol, or officers engaging the public other than after a crime is reported. If patrols are too costly or impractical, at least arrange for periodic dates when community police officers will come out to visit residents and businesses, similar to the "coffee with a cop" meetups.
- Its great that you are focused on this!
- We hope city allocates sufficient resources to ensure prompt response times. Response time to date has been excellent.
- Thank you for your service :-)
- Kirkland police do a great job!
- Tell the officers that want to act like Rambo to knock it off and act like Adam 12 or Dragnet.
- I live in a fairly safe neighborhood. My biggest concerns are package theft, burglary and speeding. My biggest pet peeve is the fireworks that are supposed to be illegal. M80's explode for days and hours on end during the 4th and New Year's. I don't get it. Illegal fireworks illegally exploding everywhere around us ... sounds like we're in a war zone. We did ask our neighbors to stop a few years ago and that has worked. With King Co unincorporated so close, I don't know if anything can be done ... unless fireworks are made illegal in King County. I'm proud to live in Kirkland and I appreciate the wonderful job the police do!
- The police not be judgemental towards anyone regardless of their situation

- I have seen this work, helped activate the storm lake tree. Would love to be a part of it for my Kirkland community. I am so grateful for our men and women that serve to protect us!
- I believe the police are doing a good job and appreciate their efforts.
- More working together meetings.
- Make sure your officers are well versed in being "customer service" when speaking to folks in the community.
- Great to see the presence within the community. Good tool to educate people on how to reduce crime.
- not sure what community members can do
- The police department is not political ... do not allow "political correctness" steer the department
- Focus on driving all cases to closure.
- It's not there job someone' is going to get hurt
- MORE PATROLS! We hardly ever see any police units here until a crime has occurred and then they respond with more than are necessary.
- No
- It's a good way to improve tracking on theft and unsafe driving. If you (the kirkland PD) have any guidance on how to best send pics or be a good neighbor, for these efforts, please let us know. People speed and don't tolerate drivers who drive below or at the speed limit. It would be nice to know how to improve that. Also the speed limit if 84th. Street, where there are 3 kirkland schools in a row, is too high for walkers.
- Friendly presence outside of vehicle is inviting positive interaction, as opposed to staying in vehicle or not being visible in the community
- Citizens want law and order! We support the police doing their jobs!! We do not want crime and drugs to prevail and ruin our city and communities!! Please help us stay safe!
- It's good to be visible and interact as much as possible with the community. We support you!
- Generally police do well, just need to keep the drug addicts and criminal homeless out of the area, but that's in the hands of the city council. For various reasons we don't want a lot of homeless in the area, even in shelters. If people aren't working, and are doing drugs, they're stealing or panhandling to get money.
- Community and police need good communication. I don't think a 911 call is enough contact. Emergencies might be prevented if we all cooperate a bit.
- No, I personally think KPD does a wonderful job
- Not at this time
- Increase presence.
- No
- Please continue to always be working on being a resource we can be proud of and hold out to our children as an example of fairness for all. It's important concept.
- No
- I'm concerned that the verbiage implies community members are empowered to act as police in their neighborhoods. I'm concerned this will lead to more targeting of racial, lgbtq, and religious minorities. I am certain there needs to be clear boundaries and expectations. Even after reading and watching your video I don't have any idea exactly what you mean by the term.
- No
- Police presence is not welcoming to most. Being aware of the history of the police and being sensitive to various communities histories and the current environment especially when it comes to immigrants. People don't need to be more afraid.
- I would like a report, at least quarterly, summarizing the most reported crimes, average police response times, steps taken by the police to address these crimes, and results.
- I think I've said enough above.
- Visible police presence can act as a deterrent but balanced against the impression of becoming a police state. Create a rotating schedule of visits to neighborhoods using patrol cars. Maybe create an alternative to calling 911 for non-emergency reports. Lobby Olympia to require delivery services and transit services to have visible identification on vehicles.
- Friendlier approach when initiating conversation with public
- Most recently the fireworks have gotten out of control. They are illegal and yet that law is not enforced at all. The loudness seems to have increased exponentially this year. I understand Bellevue has an app to report - we need one of those. We also need very stiff fines for those that break the law.
- Keep the coffee thing going.

- The Department seems to have created some social barriers that prevent effective communication between officers and members of the community. Officers may benefit from training in more effective communication skills with members of the public.
- Intersection cameras to record/monitor traffic and vehicles.
- We need more patrols. The KPD is great, but we do need more of them.
- Seems good
- Don't treat the police with PC gloves, let them do their job.
- Outside of Highlands - more policing if possible to curtail litter & loitering (specifically) in Walgreens/Safeway parking lot due to homeless/transient activity. Got better for awhile now mess & discomfort at times (evening) increasing again.??
- I would love to call in suspicious behavior as I see it happening at times (on my walks), but calling the 911 line, even for non-emergencies is sort of a nightmare and I refuse to do it anymore.
- City council needs to let the police enforce the law regarding loitering and vagrancy.
- I was very concerned by the statement that community policing is handled by specialists. If the point of community policing is for me to build trust with the police, I don't want to be engaging with people who are specialized at engaging, I want to be engaging with the people on patrol - the people actually doing the policing. I am more concerned about trust with active duty police specifically than I am with trust with the police department as a whole. If there's one piece of information that I want to convey most strongly in this survey, this is it.
- Most Kirkland police officers are great. Some need more training on implicit bias and community relations.
- Be more visible. We have had tons of package thefts, burglaries and car break-ins lately.
- More visibility on graveyard shifts
- Continue trying to find new ways for public to meet officers at informal settings.
- I am sorry this lands on police. But I hope you can find a route that feels productive to de-escalate the situations you are called to.
- Learn to listen
- The difference between myself and armed police makes me reluctant to engage in any way with police.
- Seems like a good thing.
- Don't reduce patrols.
- Keep up the good work
- Better lighting on internal streets
- I appreciate the emphasis on building relationships because where I grew up police had an adversarial approach, especially with teenagers, so I tend to just avoid cops now. I want to feel like they'll support me, not ignore me. (I once called in to report the bike lane being blocked by like 20 vehicles and they blew me off because I wouldn't read off all the license plates to them.)
- Would like to have more to keep our area safe.
- Tell people they need an appointment to speak to an officer. They had to come to my house for this.
- I like to see them out and about.
- I feel like I can contact you for non-emergent business. Make sure that number is out there for people to call with concerns or questions. Do we have a crime app for our area? Thanks
- Homeowners taking care of their sidewalks and curb landscaping. Most of the time cannot walk on sidewalk due to overgrown weeds like blackberries and ivy.
- More transparency re: what local police do would be helpful. When I see them pull into my neighborhood, turn around two blocks in and leave every other week it feels like they're ticking off a quota vs. doing anything useful. The police blotter in the Kirkland Reporter reads like a joke half the time. I would appreciate real information about the crime taking place and what police are doing about it.
- no
- Yes, I think there is a lot for Kirkland Police to learn about how to serve and protect as opposed to condescending and patronizing the people that pay their taxes. I've lived all over the country, and I've never experienced the antagonizing, arrogant behavior from police officers like I have from the KPD. Improvement is needed. The first thing that needs to happen is that the city should provide a channel to complain when police act out of sorts.
- I think more department/neighborhood partnership would be tremendous.
- Establish useful metrics that track the effectiveness of crime prevention and enforcement strategies to assure plans are sustainably successful and result in a safer City for all.
- I understand that the police plan to patrol this area more often as they are able, which I appreciate.

- The quaint old days of foot patrols are long over - I get it - and they died when I was a little kid (Gen X here). Seeing foot patrols, and having officers at least appear approachable and accessible would go a long way. Community policing starts with being a part of the community, even if that is just perception.
- Property crimes appear to be a low priority regardless of the actual amount stolen or damaged.
- Invite homeowners and business owners to the station a few times a year to learn the officers and for them to learn and hear from the home owners in a smaller casual setting
- Send out specific mailer detailing what residents should do about package theft. Have Kirkland Courier publish safety action updates. If dogs should not be using Juanita Beach due to the health issues there, begin a campaign of posting signage. The Don't Feed the Wildlife signs are too small and too few. New signs can incorporate explanations about why dogs are a problem.
- Go to where the people are rather than vice-versa. Fred Meyer, public events (like Wednesday market, 4th July parade and fireworks show), etc
- I would go back to enhancing communication. Outside of attending community events (which is great), many of us want timely communication about what's happening in our communities - if I see 15 police vehicles drive by, I want to be able to easily access real time info on what is happening in our community (as opposed to hoping the local paper will pick it up days later, or someone in the neighborhood shares what they know in one of the social media platforms). I encourage the police force to utilize their social media pages for this - utilize technology to engage with us!
- Concerned with mail theft! and do not think the answer is locked mail boxes - I consider that suggestion similar to saying bars on your windows are the answer to burglaries .
- Concerned for mail theft , trespassing/ loitering , sex crimes. Relationships require human contact. How can our community increase regular ( weekly/daily) contact with law enforcement ? Seeing a police car does not count.
- Traffic speeding causes collisions
- Engagement with schools is important.
- Kirkland is doing a great job.
- Don't let council politics drive away good police officers. Allow the police to use their abilities and tools to do their job. Don't apologize to the public before the facts are known! "Menchies"
- in general, more diversity on force, more diversity training, and housing for officers in the community- how can they afford to live here?
- While building relationships is critical, don't forget that enforcement against violators is also community-based policing. It keeps the law abiding members of the community safer from those who break the law and improves overall quality of life.
- Officers generally very good and approachable, but would like to see police management focus more on issues listed above.
- We need civilian oversight of police misconduct.
- Keep up the good work.
- No
- I grew up in Canada, Vancouver area where they had a nice police volunteer program to assist police at community events and safety walks/ bike rides in the community. It could be a good recruiting tool for you too
- Concerned for fast driving in neighborhoods
- Response time has been concerning when I have reached out to the PD on 2 separate incidents. I expect more
- Kirkland has grown, but police presence in busy areas like Lake Washington Blvd seems relatively minimal. Many speeders during night and early morning hours.
- We love seeing officers around the community and wish there were more of them to be able to help control some of the parking, crowds and trash that gather along the lake front beaches.
- Intimidation. Cars sitting in neighborhood with lights on to intimidate residents, police say can not do anything until something happens- someone hurt! They sit to hurt.
- I want police to stay away from my community and neighborhoods, and not to patrol looking for people to arrest or harass.
- It's a great idea. Don't let crime take hold in a community.
- I think its a great idea. Police need to be on bikes or foot and know the communities and the people who live and work there so they know when something is abnormal.
- would be nice to see more police presence in and around the community

- We live near Kiwanis Park and often see illegal drug use which makes the park feel unsafe for families. We'd like to be able to easily report these incidents and have quick follow up by police for a safer community.
- No
- Focus on kids. Respond and follow up when called.
- I hope officers will get to know residents.
- Try it , measure, adjust.
- We need police officers on the street. Market St outside the wild Rover is full of loud drunks every Thurs, Fri, Sat, Sun night until 2:30-3am. Yelling & fighting.
- I walk or bike every day, and every day, at nearly every interaction, nearly every car does not stop, and those that do, do not so where they are required to. It's especially discouraging to see city, county and other government vehicles, including the USPS, ignoring traffic safety.
- no
- To see more police patrolling the area.
- Experienced vehicle break in once. More major intersection cameras for vehicle monitoring- post signs.
- would love to eventually have a SRO in the elementary schools too - or have the middle school SRO once a week at elementary schools.
- get out of the classroom and out of your cars and walk a beat and talk to people. proactive vs 911 reactive.
- Be more visible!!
- Seek police help to ticket cars that do not stop for Ped Flag users.
- Police to be better monitoring our sidewalks that are becoming unsafe due to scooters coming up behind walkers and making it unsafe.
- Transparency.
- More events that let the community meet with our officers and have everyone get to know each other, and what the officers expect from us.
- Drivers in downtown Kirkland are a public nuisance and dangerous. We get too many loud cars and motorcycles driving through that don't meet noise regulations. There are numerous cars that will stop early at a light and floor it on green to see how fast they can get before spamming on the break without any safety regards for pedestrians.
- good idea - I like seeing the officers often enough to develop relationship with them
- Provide services to homeless and drug addicts - not bussing to Seattle or arresting them for drug use and possession. Proactive policing to help these people will go along way to preventing crime. realize these are human beings with family. these people are not trash to be discarded. give addicts transport to Evergreen public hospital for exam and treatment recommendations. provide homeless with rides to shelters or food banks or other services that can help them find employment, food, new clothes and a place to live. we are not solving the homeless and drug problem by putting people in jail. we need to change our attitudes towards these people and provide them with assistance because ignoring the problem is leading to more property crime. proactive community policing to help solve a problem before it turns into a property crime. Police need Evergreen public hospital to provide social workers and mental health counselors and MDs for Rx. we need more shelters for men with lockers for their belongings. we need sz safe parking lots for urban campers currently living in neighborhoods. Tent City 3 is not enough. The new shelter in Bridal Trails is for women and kids. This isnt just a Seattle problem. time to get serious about cleaning up our streets with proactive policing not arrests for drug use or possession. that does nothing to fix problem. get out of schools and onto the streets where police are desperately needed. If I see police helping people downtown I will know its working. If I hear of a mens shelter or urban camper parking lot I will know its working.
- I think community policing is very good here and I feel Kirkland is a very safe community.
- Set up programs to interact with young people so there are positive relationships.
- I think periodic reporting is essential - for example we just approved an MHP, how is that individual measured, what's success , case studies.
- It's a good idea to head off 911 calls that could be prevented by protective work.
- I do volunteering and have found that the police to be dedicated and approachable.
- See more police walking / biking around Moss Bay town.
- I have lived/worked in Kirkland for only 2 years. I would be curious to see the stats, but it seems that there is more drug use/sales in the park by Kirkland Urban and in the parking lot that houses Safeway/Walgreens. It also seems like the homeless population has grown and I have seen multiple people walking around not only downtown, but through the neighborhoods inebriated and/or agitated and yelling or talking angrily to themselves. I used to walk my dog alone at night or early in the morning in my neighborhood, but now I am not confident doing so. I also don't like

going to the library alone, for the same reason. I'm not sure what the solution is...I'd like to see these people get the help that they need so that they can be healthy and so the neighborhood can feel safe.

- Police are not our friends. They are the people who will take money to enforce any law passed. They lack patience and act as if they are above the law and their fellow citizens. They speed yet pull you over for the same. They park illegally to shop, yet have you towed for the same. They don't know the law they are enforcing and make threats to arrest for things that aren't laws (e.g. "you look suspicious. Give me your ID or you're going to jail.") police need less "enforcement" and more "assistance" attitudes.
- There's the domestic violence we don't always see because it's inside homes and people don't want to get involved. Try to support people who report DV and keep alert for the repeat offenders who don't stop...they just get away with it too often.
- I have not thought about this much.
- May be create sub posts and strong neighborhood watch programs. Thank you for your service and community support. Be safe. Speeding is a concern.
- Have them attend our events and just mingle.
- Seeing you walking , not just in cars would be nice and all of us to approach you without having to call 911.
- Stalking. The police force should definitely reflect the community in terms of gender and race
- Police officers dealing with non violent offenses should keep a more casual attitude. This is Kirkland we don't need our cops being full intimidation power Dynamics to random teenagers
- Sometimes I have general questions, not about a specific incident. I'll try asking at a booth if they have one at an event.
- Create touch points with the community that create positive connections with those you're serving.
- Would to know if patrols are increased when neighborhoods report an increase in crime (which has occurred on our street recently - 8th Ave).
- More cars driving the neighborhoods instead of only on the main drags. I can't remember the last time I saw a police presence on my street.
- Visibility of uniformed officers in the community, engaging in positive interactions is valuable
- When out in your service area cut through the near by neighborhoods, to make your presence seen, I know that it certainly helped our areas neighborhood.
- We appreciate City of Kirkland's efforts on this, and only wish there was still a police station at City Hall. We had more-frequent patrols, especially late at night, which helped us feel safe.
- What role should home security means play ? How to check speed of cars on 13th avenue heading towards the school. Concerned for weapons especially at new Peter kirk school.
- 1 Please enforce no smoking laws downtown. 2 Animal services (Jennifer) has been great. 3 We used to get more police driving through Norkirk when the station was here and we miss seeing them around.
- I am very concerned about how an emphasis on community policy would impact African-American, Hispanic, and other visible minorities in our community. I'd rather stick with "no policy" than have my friends be harassed for existing. The Kirkland police response to the yogurt shop was completely inadequate and inappropriate, both initially and in follow-up. It was a disgrace to this city, and you need to do better.
- It needs to be publicized and repeated over time in all the neighborhoods.
- Need more officers roaming the neighborhoods. Willing to pay more in taxes for more officers presence.
- Whatever you are doing today isn't working. Crime is up exponentially in Kirkland
- quite satisfied with all interactions I've had with Kirkland police over my 22 year tenure in this city - a house burglary, a building contractor committing fraud (as it turns out not a matter for L&I but rather for the police), and a call or two from police regarding potential issues at vacant house listing (I am a real estate agent) - much appreciated heads up.
- This should have been asked long ago...QUIT BUILDING APARTMENTS! We do not have the resources to support them (police, fire departments, schools, roads, parking, etc.) The City is ruining what once was an AMAZING place to live!
- Making friends and knowing the area are important so having regular person always be the point person.
- higher accountability and transparency to the things that occur/matter every day, not just on the headline making events
- Not at this time
- Nothing major at this time, but my garage was raided once several years ago.
- Need to see more police around the neighborhood
- Lets make it happen.
- Authentic, relationship based community policing is great once it is established, but takes a long time to do right.



- Have to get things like this communicated Please come to table at our summer picnic for North Rose Hill ( Woodland Park - Sat 7/20)
- Police department open house. Get to know members of police force.
- Police presence in the community. All the listed crime concerns are important.
- It is a proven component of "SAFE" neighborhoods.
- Ask and teach people about the value of reporting vs fear of retribution
- I'm in favor! I'd love to see and interact with the police more often.
- Like that the police cars are painted so there are noticeable.
- The employee/public parking in the library is a dangerous place. Consistently there are people doing drugs/urinating/etc in the garage. I have never seen a police officer down there, but have smelled/seen drugs quite often. It would be nice to have a safe area to park as an employee in Kirkland.
- They seem to respond very quickly to calls but I never hear of the police actually catching the burglars and vehicle prowlers. What makes them so hard to catch?
- No.
- Not at this time.
- I have been very pleased over the years with the responsiveness and professionalism of the Kirkland Police Department. I would like to have a clearly defined way for neighborhoods to consult with officers about ongoing problems.
- Anticipating and addressing future issues, for example, people renting rooms in their house on AirB&B causing neighborhood issues. More ideas for getting neighbors together to know each other and to learn about disaster preparedness and what to do in an emergency.
- All of the police officers that we have encountered in our neighborhood have been more than helpful and friendly.
- We need more police presence on NE 70th Street due to speeding, or we need more metering tools like stop lights, roundabouts etc to slow traffic down.
- I think it would help if police were more people-like in the community so the community members could talk to them like people. It would be helpful if members of the community knew each other, residential, business, religious, governmental, traffic, police.
- I personally very much like the idea of our police having body cams, but I realize this may be a difficult topic to make fast progress on.
- Lack of police and fire presence. The city is ignoring some neighborhoods and focusing resources and money emerging in the annexed neighborhoods.
- Discussion meetings rather than presentation meetings. Vandalism along driving routes. My three issues are all first world issues- not to build a department around.
- Harshly enforce car prowling convictions and burglaries with hard time behind bars to reduce the more serious crimes and to chase the culprits out of our region. Give addiction treatment if needed when in jail.
- I think it will hopefully help people view police officers as helpful resources that protect the community. Currently some have negative, stereotypical views of police officers and this may be based off of one poor interaction. If officers partner more with organizations and have other opportunities to interact with community members (not due to a crime or being accused of a crime) then relations will improve).
- I only have a few data points, but I have been impressed with what I have seen and heard of the respect with which Kirkland police approach and handle disruptive and "unknown quantity" persons.
- Could Police Explorers have a more active role in neighborhood presence?
- We should utilize/ leverage technology better in a collaborative effort. For instance, we should be able to coordinate the wage of cameras ( Nest ) to focus on streets at a minimum near all entry points of streets for us to be able to better identify those who pose a threat or identify unsafe conditions. I would be interested in being involved with further conversations regarding community policing. email :- JohnnyLmarsh@gmail.com Name - John Marsh
- Perhaps community members can be more vigilant when out and about to their surroundings and call the police if they see something suspicious.
- Kirkland is mostly safe, except bled over from Seattle's drug problem. I find needles in my local park every couple of months.
- Enforce existing laws & keep vagrants/drug abusers out of the area, preferably in jail
- So like, you wouldn't need a staff increase if you weren't going all Broken Windows aggressive enforcement. It may make Pam from the PTA happy to see a homeless person get arrested for existing in public, but it feels like most

traffic actions and day to day actions are about revenue collection than they are keeping it safer. Most cops also don't really need firearms in my opinion. Or body armor. It's a show and intimidation thing.

- No
- More education about guns and counseling our youth to ensure that they do not escalate gun crime. Register students who are using antidepressants.
- We see a lot of people with behavioral health issues. It can be unsettling. It'd be nice to know more about the role of the police in these situations and when to call for help.
- As a hospital employee I have had multiple occasions to engage with police departments across the country. KPD is by far the most professional, respectful, and responsive department I've had the opportunity to work with. I really feel they are doing a tremendous job.
- Stop racial profiling
- There are officers who are down to earth, approachable, and open to input. Others are aloof and may come across as arrogant. Officers are public servants first and foremost, so when they aren't approachable it does nothing for community policing.

## Appendix C: Focus Group Notes

Prompt: The City is seeking effective ways for residents and businesses to better partner with the police to: 1. enhance proactive crime prevention strategies; and 2. strengthen trusting relationships that make our community safer.

- Phone calls for solicitation - one call from ICE. Fearful to go places. What if someone came to the door and said they were ICE?
- Education and communication - Facebook user. Information sharing, including follow-up communication.
- "1. tougher city on crime, prosecuting and sentencing for convicted criminals. Cess pool across the water due to lack of prosecution of petty crimes. Transient communities
- 2. community events"
- "Communication - Nextdoor, Be Neighborly (helping community members know what's happening)
- Volunteer position to help share information on social media"
- "2. Supporting police officers to have building relationships as part of job expectations.
- Education - sharing information about different communities with the new social worker w/ PD (and others as a potential)"
- Clear communication and authority to share info about origination of suspects and criminals
- Accountability; bias on calls; local laws and accountability
- School (traffic control interactions and active shooter drills); uncomfortable with active shooter drills (not clear communication with parents); parents not clear on rates of risk for various - could use real numbers to inform parenting decisions
- Cascade Rising - more awareness for large scale earthquake; Kirkland Practice Day - companies that want to participate can go through a drill; educating on stereotypes and bias; meets and greets at hours that most community members can attend; farmers markets
- we trust people we know - the better we know our police officers the more trust we'll have; "management by walking around" (example bike patrol); delivery drivers are some of the most visible and potentially aware - how to strengthen relationships between PD and delivery drivers
- go to the people who can't make it to meetings (overworked, etc.) - find out what they're afraid of?
- Awareness Days - bring PD out to meet and greet out somewhere in the community; knowledge of how PD functions, focus, etc.
- Fire Department does really well with Fire Prevention Week; PD - how to do things (install car seats); "Best of Kirkland" Day - reps from Fire, PD, Animal Control, social workers, booths, teachers, waste management where people share how to do safety-related topics (focus on education and awareness-building around safety)
- Media and TV stereotypes - education, meet and greet to humanize the officers (while maintain authority-based respect); more likely to talk to bicycle officers than car-based officers
- Mental illness - explain to community members about how mental illness might influence their court process (Mental Health Court); communication would help community members how to respond and also support; focus on information sharing - people need to know what happened and why (closing the loop);
- Go where people are who can't get to community meetings (parking lot of Fred Meyer for car seat installation); multichannel promotion (not just social, maybe flyers with children through the schools); success looks like wide diversity of people who come and interact with officers (race/ethnicity, socioeconomic status, religion, age, etc.)
- Strengthen awareness of tent city and police officers - before city permits a tent city, ensure that women can reach out to police
- Visibility (farmers market, touch a truck at Summerfest); Coffee with a Cop; Neighborhood Resource Officer more visible; Nextdoor feedback and visibility campaign; NRO relationship with bigger businesses (Kirkland Urban as example); police in cars does not build trust - outside of cars; HOA meet and greet
- "Community Helpers Curriculum" in grade K-2 (social studies curriculum) - police officers in schools has been helpful (active shooter drill's have been terrifying for kids - lost opportunity for honest awareness); how to safely ride a bike, how to cross a crosswalk - empower people
- Social media - Kirkland is unique: our problems are unique to here; understanding who your neighbor is;
- Neighborhood Watch
- Kirkland neighbors used to wave, say hi, make eye contact; encourage neighbors to meet each other; respect and humanizing officers (DARE program helped) - boot camp for K-12 day-in-the-life of various officers

- Sometimes getting to know your neighbors can be hard; support for meeting new neighbors
- Having a response when a mistake happens; having honest communication; politicians not necessarily taking King County's lead; closing the loop is very important to build trust;
- Police Department could be more on City's communication channels; crime stories in This Week in Kirkland (Redmond does police blotter; Kirkland Report used to) - short bullets (close the loop, how the community helped)
- Better information sharing (a lot of negative information about police at large - federal, Seattle, etc.) - sharing crime data to demonstrate what's happening
- Importance of family role in morals and values; laws applied evenly; officers educating in schools (high/middle)
- Concerns around SRO relate to it not being a fair problem (what tools/strategies are police using?) - the city/school district could improve clarifying the role of the SRO position - share information about the program
- "Peace Officers" vs. "Police" - language can influence perspectives
- Talk to business owners of ethnic restaurants to see about having a meet and greet there (focus on other parts of city not just downtown); build relationships with foreign-born community members to help build trust
- Getting the message across beyond what's required
- Police Explorers as ambassadors
- Do we have a mental health professional on staff/call to support police officers - helpful, but make sure not just a bandaid
- Ensure accountability when officers bring mental health calls to hospitals - follow up calls by mental health professional; "Kirkland Cares"; education for how we all can be ambassadors
- Police officers can't police everything - refer mental health calls (with accountability)- police officers can be fear-inducing; programs like TACID in Tacoma where individuals in the community get education/training or can otherwise get support (transportation available for those that can't drive themselves)
- LWS Foundation focusing on mental health awareness - overlaps with police might end up getting involved down the road
- Any possible involvement of community members in mental health responses/follow-up?
- Education for community members of mental health topics/issues - Facebook to help generate volunteer interest
- Nextdoor is a good platform
- Platforms through organization networks - flyers, take-away cards; specifically churches and other faith-based organizations; Coffee with a Cop pairing with youth; reaching youth: Instagram, Snapchat, posting at grocery stores (Starbucks)
- Building on existing civic and faith-based organizations;
- School handouts; Hopelink backpacks (could use for flyers)
- Contact through schools - great opportunity, everybody is there, could target specific geographic areas; classroom or project with a police officer - lunch with an officer, Q&A, bring the police to interact with youth; cops become students for a day - don't necessarily need to talk about "cop stuff", just interacting; reference DAWG program (Dads...); simply dropping by would be helpful
- Ease out the bad stereotypes - how to have kids take photo with a cop and put on Instagram
- How also to reach out to renters?
- Coffee with a Cop - Saturday mornings (9am) for working parents
- Police interactions at community events
- Officers outside of their cars
- Picking a neighborhood and setting up shop (lemonade stands) for community visibility
- Police officers at Neighborhood Association meetings is positive (but NA still a very selective segment)
- Physical presence at commercial areas (QFC, etc.) just hanging out as part of their normal job duties
- Nextdoor users who have experienced a crime but say they haven't reported it to the PD - tips or education/awareness on crime prevention for specific crimes
- Ways to upload security video in a helpful way for PD to use; online platform with map (ref: PSE outage map)
- Online Crime Mapping - promotion of program
- Ways to have community members reach out (i.e. it's not just on the City and PD)
- Police box (ref: Japan, India) or "Bobby Station" in England; even having officers there at community events; change of culture for community members to think to invite police officers; Edith Moulton Pet-apoolza was well liked; how to invite City/PD to your event; "Cop in a Box" at Summer Sundays
- Condos/HOA monthly meetings - any way to have PD have notice of those meetings, came a gave brief summary of crime issues that had been going on in the area along with crime prevention tips

- Working through community member reluctance to report
- Text/message option for low-level crime reporting
- Ride-alongs with cops for community members - particularly with underrepresented community members; proactive calls from a local cop "just checking in, see what's going on?"
- Crime data and trends; promote newsletter more
- Dunk tank with police - other ways to have fun together
- Pop-up "Cop in a box", a few hours every couple weeks, rotating around the city (ref: mobile police unit at Alki); Farmers Market, Totem Lake Plaza - beyond 8-5 M-F, Kirkland Urban, QFC on Finn Hill, Dairy Queen/Goodwill in Juanita, Safeway in Kingsgate, Bridle Trails Center, OO Denny Park, Edith Moulton, 132nd Sq. Park
- Animals - canine-in-training is a magnet, especially at schools; partnership with shelters; if same dog, becomes a mascot or celebrity; "Kittens and Cops"
- Wine tastings with Cops "Cops & Corks" "Cops Uncorked"
- Paw Patrol reference
- Barrier-free ways to outreach - accessible and welcoming "fireside chat" sort of feel; maintaining respect of the officers while also humanizing them - ways to minimize gear would help decrease intimidation
- Community Academy - show and tell version, drop-in options; Quarterly Clinics (example: firearm storage)
- Ways to communicate and stronger partnerships between KPD and mental health agencies and institutions - would need to work out HIPPA issues
- Emergency financial assistance (rent & car repair), child homelessness - issues and stressed on people's lives are much larger than just police
- Congregations for the Homeless - have a police officer show up there to build relationships (would need to be introduced and handled well to avoid intimidation and have police officers have orientation of best way to interact); officers serving food or providing some other support - so it's not just a cold walk through
- How to support officer relationship-building given that officers rotate in their assignments
- Perf. Measure: external validation, leading by example (other jurisdictions are noticing we're doing something well); news story
- Perf. Measure: knowing officers by name (meeting via a positive interaction); wave a cop
- How to foster police officers wanting to live in Kirkland - the neighbor factor
- Perf. Measure: non-response interactions; community presence
- Perf. Measure: take snapshot of current conditions prior to implementing new strategies - measurable metrics for crime reports, calls
- Study efficacy of satellite stations - Crossroads great opportunity, especially for diverse communities; storefront options in lieu of mobile (could be helpful for businesses)
- Postcard to all residences about how to sign up for the newsletter
- Awareness for officers and community at large for mental illness and the effects mental illness can have
- Cops & Crafts, "Pottery Police"
- Beat cop, especially through Downtown core - just having a police presence with appearance of monitoring an area acts as a deterrent - builds relationships with merchants, businesses
- Ref: Redmont Town Center - RPD patrol around regularly (hourly) in cars
- Walking, biking, horse - more open and accessible; cars act as separation
- Police uniform looks aggressive - SWAT look (all black); visually look more approachable
- Interviewing officers who are more outgoing (ref. NRO Lansing); seeing how to have patrol officers say more hello, drop in in shops and checking in - coaching officers on how to be more accessible
- Body language; letting down guard as a part of trust-building - conversation, engage with population that's there, to be honest; need to commit to strategies for an X-year plan (5 year example); not "Off. Hanson, it's 'Jim'", informal relationship (almost friendship)
- Officers putting in effort to get to know the neighborhood, so they know when something is off; getting to know the ebb and flow of the businesses and owners; response times and potential criminals knowing there are swift response times
- SPD: "it's up to you - community - to approach us" is counter to Obama-administration Community Policing; training to let one's guard down
- Expectations between potential police officers (like they're going to war) as opposed to reality (social workers with guns) - Kirkland-specific training parameters; KPD hiring practices to support out-going behavior

- More presence and more familiarity - come in and introduce themselves (familiarity is key); every interaction matters - connections; why do we know our mail delivery person and none of our police officers? Getting to know an officer will get around any personality trends (stoic)
- Looking at KPD as a customer service, with safety as the product - the customer service tools already exist
- Coffee with a Cop hits a very small percentage of the population (is it successful from a cost benefit perspective?)
- Non traffic stop activities (nation-wide 60% involve a gun); body cameras can lead to apprehension from officers - jobs can be threatened by escalating situations
- Different strategies for different parts of the city - Downtown more like a mall therefore walking around might work (as opposed to Rose Hill, etc.);
- Property crime higher concern; sending out crime data; promote Crime Mapping more
- It's not the PD's responsibility to babysit everyone - crime data helps empower residents and businesses to help protect themselves - Top Ten Tips (retail-focused)
- Publicizing post-Menchie's incident - reassure businesses that when they call KPD it won't escalate
- Dispatching needs to provide more options regarding "unwanted persons" calls
- Metropolitan Improvement District (Seattle) - helps handle things of such a low level that it doesn't rise to PD (Ref: Seattle) - community relationship professionals for homeless outreach (one element of MID)
- KPD should have a mobile mental health professional on staff; KPD supporting awareness of mental health concerns and support;
- Downtown employee parking concerns; library garage feels unsafe, as a result they park in customer parking; lower level door is broken, signage would be helpful - more communication to business community would be helpful about what changes are happening; smells, filthy, dark; officers (beat cops) getting to know the homeless youth population that are in that area;
- Ref: West Virginia opioid problem - social workers providing options for help for when an effected community member wants help; social worker helps with the relationship-building - reaching out to those in recovery if they want to support
- PD connections with youth (through schools, etc.) - soccer, softball games - connectivity pieces; PD as sports coaches; events that help humanize the officers; being in the schools just to connect with students; Command staff involvement? Principals meeting with the Chief to help strategize
- Police departments should be ahead of the curve in regards to diversity (ahead of the population trends) - if you see people that look like you, you feel better; intentional hiring around diversity
- Festivals - not just policing, but set up an activity for a public relations function
- Perf. Meas: word of mouth from the residents
- PM: not just a one-time outreach; seeing more police presence that's not just intimidating or call resposne (relational feel); reduction in crime; getting out message that Kirkland's not the place to commit crimes
- PM: when there's activity with police, community members speak about it (police therefore feel more welcome);
- PM: officers are known by name by residents / businesses
- PM: some positive stories about downtown KPD beyond parking tickets (changing the downtown narrative)
- Downtown parking warning system

## Appendix D: Interest Group Meeting Notes

### Business Roundtable Notes

- Police on bicycles and on walk routines
- Thoughts and plans with Kirkland Urban policing and responses
- Will Kirkland urban and park lane have own security?
- Fires are being set in parking garages – Brenda Nunes office SEPA office
- What are thoughts on RING
- Could the city put out options for security cameras both home based and commercial with best practices or tips?
- Coordinate a property managers conversation to go over resources or tips for security
- Could we have design guidelines with planning, so garages are built to best practices to reduce crime
- PSE wants to partner with City on owned properties and encampments
- Update on Implicit bias training and other training for businesses ?
- What resources are going to be available to the business community?
- Federal way – putting up security cameras that registered with the police department.
- Coordinated effort between business community and police on best practices.
- Let “Me” know if want to be part of the process.

### Kirkland Senior Council

- Police liaison helpful to homeowner association
- Actual officer came out and proposed solutions – very satisfying
- Community police – opportunity to develop relationships with different segments of community
- Explore ways to proactively provide guidance on robo calls and scams – i.e. Property Taxes forum last year, 150 people showed up; PD program rather than AG Office
- Isolated seniors – identify people who are isolated, help with outreach
- Neighborhood Association still assigned – this is good
- Kids doing drugs – police don’t respond
- Attend block parties
- Citizens night at police department

## **Appendix E: Education Topics Identified by Community Members**

- How and when to call the police
  - Emergency – what they'll ask you, what it will be like, etc.
  - Non-emergency – when to call, when not to call, etc.
- How to provide camera footage to support an investigation
- Tips on crime-specific prevention strategies
  - Avoiding vehicle break-ins / protecting against car prowls
  - How to have effective home security systems – helpful installation techniques for alarms, cameras, and other non-technology options like landscaping
- Mental health calls and ways for the community to support
- Traffic laws
- Pedestrian safety (how to cross a crosswalk, Kirkland Wave)
- Firearm safety
- Responsible pet ownership



## Appendix F: Written Public Comment

### Email received August 1, 2019

Thank you for your energy and ability to engage everyone at the table.

It was a very diverse group of people with a variety of ideas, solutions, beginning of ideas to further add on to.

We too have an autistic and partially deaf, missing an ear (birth defect) 6 year old grandson who wears identification, would run off of police or stranger approached him.

Our daughter had a huge brain tumor growing when she was pregnant. (Surgery removed and she now is in education field )

Sue ashenbrenner.

Long time kirkland resident with 3 sons who own homes here too, wants to attend next forum.

Her 98 year old WW11 veteran Dad passed or she would have attended.

Having multiple scerolsis sometimes makes my messages incomplete.

I want to clarify as I know the one lady had different information

I see TWO very LARGE and dangerous problems.

1. Political agenda of some that trickles down and it isn't factual, accurate or truthful.
2. Hiding truth from the public allowed many vulnerable senior church members to end up victims.

The TRUTH is the police cases !

I read them through a public disclosure request

Plus heard from several of the victims.

We also were helping the homeless in tent cities.

Due to the Politicians, pastors, church friends all saying that the tent city people were just people who fell on hard times.

Our Family stepped up with money donations, in kind donations, time, meals and resource support.

We are in our 60s and law abiding.

We do not condone the crimes we became aware of that victimized Kirkland residents.

Here are a few examples of factual data. Not gossip or NIMBY rumors.

1. Sandi Hunt LWUM senior citizen had her credit cards taken by Steve Wiggins she claimed and there was a report. Steve admitted he stole for 10 years from church members while living in tent cities to support drug habit. This habit was ignored and took his life and he left behind a high school son at Seattle's Hale.
2. A Redmond/woodinville senior lady Yates had her car and checkbook taken. She spent thousands of her retirement funds trying to help people.
3. Holy Spirit senior had her checkbook taken by homeless tent city 4 lady who she allowed in her home. Karen Morris has documents. Court case her children filed.
4. Margaret S hired a couple men to do gardening and her rings were taken and she located them on Emily Easter's fingers directly across street from city hall.

Margaret also have SHARE tent city 4 a grant for \$5,000 for KC metro bus tickets where KC charged 20% cost to non profits. ( it's now gone down to 10%). Multiple churches and business give SHARE the cash for bus tickets. Homeless were NOT getting the bus tickets.

5. Father Ramon Santa Cruz had his bowling ball, liquor and communion kit and cash taken at his church the last time they hosted.

6. Kirkland fire department went to tent on fire. THEY were cooking drugs Holy Spirit. The fire dept was lied to and told it was just a candle caused fire. Documented.

2012 we were able to obtain inside documents from SHARE tent cities This had a bar list of hundreds of homeless women who were permanently barred.

Reasons were

Missing a security shift

Missing a protest

Missing a city council meeting mandatory Calling 911. Sexual assault.

Having too many blankets

Getting mail at church

Talking to church members without permission

This was shown to king county council in 2014.

Along with multiple sexual assaults and rapes that occurred.

SHARE has a harvest auction every October and homeless must gift a donation of something of \$30 or more value June, July and August.

A homeless man videotaped the meeting

Homeless were told IF they didn't donate this \$30 a month they were barred. Evicted for a month. This was in writing which is available.

They were told

Shoplift an item

Steal packages off porches

Sell your EBT card

Beg for someone to buy you a gift card.

Whatever but you must produce.

They also told volunteers they were told stealing packages is a victimless crime That Nordstrom's, fed ex. UPS ALL replace the value from insurance. Wealthy companies

I don't see it that way. My medication is \$5,500.00 a month and 3 months is delivered at a time. My insurance won't replace. I stay home and try to meet delivery. If it's stolen it affects my health.

Other people get sentimental baby quilt delivered or other personal items.

We stepped up in 2012 in November when Scott morrow kicked homeless off the church grounds in winter with NO donated supplies No bus tickets, tents, tarps, sleeping bags, food

Kirkland police TRIED to advocate for the homeless and asked SHARE management to allow homeless to take some of the donated supplies.

I HAD just gifted 80 blankets I sewed with 4 yards each of fleece I bought.

We also gifted Kirkland police 50 blankets for patrol cars and stuffed animal.

The drugs cooked and sold at local high schools from church property WAS unfair to local parents and teachers.

Ron and I have paid for  
GED TESTING  
professional license fee  
Work boots  
Meals  
Mended clothing.  
Hemmed jeans  
Laundry  
Moved the tent city

Drove people to doctors. Hospital. Dentist Babysat homeless children Bought clothes. Shoes. School supplies  
Replaced identification Paid for eye glasses.  
Hired in 2012 at \$15-\$20 an hour for yard work Helped out on job fair Helped out on pizza and free haircut day

It still is NOT acceptable for pastors, politicians, homeless advocates to spin the facts.

The tent cities had MANY problems.  
A lot of domestic violence.  
Sexual assaults. Several rapes 2004-2015 Pimps selling young girls.  
THIS IS NOT ACCEPTABLE!

A disabled deaf lady Brenda was raped directly across from city hall at church. No one knew until month later.

Kirkland leaders have to BALANCE helping homeless with protecting children, handicapped, elderly.  
The dishonesty and spin of that everything is safe is dangerous.

As you saw last night the one lady wanted none of the facts to be true. She had her opinion that she talked to people they said things were safe.

Most informed churches have moved to helping homeless in better ways.

2004. I suspected that tent cities were not self managed. That it was a political activism and keeping homeless homeless.  
Not only did SHARE not provide case management. They turned down offers of help for those living homeless on their behalf.

2012 when sec offender of child arrested in Kirkland. YOUNG PARENTS had concerns.

Tent city Scott morrow said "he didn't give a damn. About the children His job was to make sure homeless civil rights protected."

Kirkland leaders and police MUST give a damn about the children's safety, truth and balancing protecting all groups of people.

In closing. King county kept saying

1. The tent city residents had background checks.  
Truth for a carton of cigarettes to security you could get this waived.

2. These are local residents.

Data collected asked. What is the zip code you slept in last night ?

If we all go to Hawaii and sleep on the beach one night. We still have homes in Kirkland.

The question of  
53

Where did you attend school. ?  
Where did you work?  
Where have you rented. Lived. ?  
Where are your families?

In conversations of volunteering we met a total of 3 people who had lived, worked and had family in king county.  
The rest were from  
Alaska, Texas, Arizona, New York, california. Florida, Michigan, Mexico, Nebraska, North Carolina.

Our solutions

1. Earlier intake appointments

Who is homeless

Where. Why. What are there needs.

2. Separate the people THAT volunteers. Church members can help. People who need a job. Help back to independence.

3. Professional drug counselors for those in need.

4. Professional mental health people for those in need.

5. Invest in seasoned social workers.

TRAIN the volunteers to do the things we can do.

KC declared homelessness an emergency.

Funding is up, laws changed, public land moving to non profits.

Proper services in a timely manner are missing

Without proper services in the first year a person experiencing homelessness gives up HOPE.

we as a family want to help. We learned our volunteering needs to be in a controlled safe organized system.

Communication is very important.

As a mixed race Family we find today's climate very sad.

We have cousins, children, nephews and nieces that are Black, Native American, Latino, White.

I have 2 half brothers that are Asian.

We love them all and want them all to be law abiding productive members of their communities, volunteer, and have fair opportunities at education and careers.

**Email received August 14, 2019**

[https://mynorthwest.com/1479917/rantz-homeless-drug-use-south-lake-union-tiny-home-village/?](https://mynorthwest.com/1479917/rantz-homeless-drug-use-south-lake-union-tiny-home-village/)

2012 a group of us VOLUNTEERS told  
King county  
Seattle and Kirkland councils

Our personal experience of trying to help people living as homeless. We became aware through visual and hearing on site conversations.

1. Sexual abuse of women
2. Evicted if they called 911
3. Drugs. Meth and heroin WHICH in our late 50s. We were all STUNNED we had no idea about the cooking and addiction.

We were there to

Provide meals

Clothing

Job applications

Tutor for GED

4. The crime element.

5. FORCED protesting. Activism

Attending meetings

6. Missing donations. Taken by management away from the tent city residents that the donations were donated for.

Basically CRIMINALS are using vulnerable people

1. City and county funds

2. Push a false narrative they care about those experiencing homeless.

3. EXPENSIVE in kind donations sold secondary markets. Or returned for money.

Computers. Surge protectors. Tents. Sleeping bags. Costco batteries. Tide pods. Generators.

4. Using homeless to commit crimes

Examples. Sell EBT cards.

Steal packages off porches

Steal jewelry and pills. Checkbooks. Cameras from church members.

Pastors with greater church council have TOLD CHURCH MEMBERS NOT to report crimes to police.

Criminals POSING as homeless advocates are victimizing real homeless.

The sex abuse of the women has been heartbreaking.

There's also cases where women went to Seattle city to complain.

They were sent to nick licata assistant Lisa herbold now a council member.

Lisa took notes on computer about abuse

Forced protesting

Evictions for not protesting

Evictions of women for calling 911

Crimes

Missing money and donations

Bus tickets with held

Donated. Orca cards taken away from homeless that were donated for homeless.

Lisa Herbold has decades old friendship

With SHARE/nicklesville Scott morrow.

Seattle tenants union is known to CONTACT her if homeless or LIHI tenants call city to complain.

2009-2010. 2 brave women wrote Seattle civil rights complaints.

Desiree Krautkreamer wrote a 4 page email

Lisa herbold contacted Scott morrow who then evicted Desiree for writing city on a Sunday night. She was booted on a Sunday night from Kirkland's Holy Spirit church and walked to the beach where she sat and prayed and cried. And thought dark thoughts. Thank goodness she did nothing more as she said it crossed her mind.

Dominque Trudel was living at the bunkhouse SEATTLE PAYS \$600,00.00 to SHARE and KC gives \$625,000.00, a van, waived land use permits and \$50,000.00 for SHARE through CCS.

Dominque was being sexually harassed by a convicted rapist. KC sex offender hired to be the SITE MANAGER of a women's shelter.

She reached out to Seattle police and was evicted.

Filed Seattle civil rights complaint

Was harassed and ended up at Swedish hospital

Brenda deaf and special needs raped. Ray K

When she told she was beaten and taken to harbor view.

Women April 2013 raped at nicklesville

Seattle police case when Seattle police Officer Larry Langley arrived THE SHOW OF FORCE security team was chasing her with tools used as weapons.

UW tent city 3 stay. Security is a man Clint wade crowley who beats a woman Bonnie Harvey.

She gets KC protection order.

This man was on SHARE board. Security at college campus. STATE OF WASHINGTON medical lake hospital deemed him a danger to society. Long time criminal. News articles from tri cities court cases.

He's using cash donations to take homeless women who feel they have no choice to hotel rooms. Paid by charity gifts to tent city.

Young ladies sold back page ads.

I took the photos I WAS GIVEN by a concerned volunteer and homeless man. I took them to Olympia.

My Husband told Larry gossett.

I took all this to Rod debowski.

8 of us asked Rod debowski to meet with us in 2013. He refused.

I went to shoreline town meeting.

Sheriff John urquart wasn't interested made reference that homeless women don't report rapes. WOW. wonder why. Beaten or evicted

Rod debowski admired my passion he said

Rod DID when shown evidence about evictions for calling 911 say this is against state law.

Said it can't happen in unincorporated KC.

It's still happening all over KC.

IVE BEEN TALKING since 2012.

7 years later. NOTHING has changed except it's gotten worse.

I'm sure you can find my past emails.

Sanctuary county may be a haven for criminals.

## OVERVIEW

The Kirkland Police Department Mental and Emotional Health Response Improvement Team charter was designed to accomplish six primary goals:

1. Maintain service to individuals experiencing a mental or emotional health crisis
2. Streamline the process for dispatch, response, and reporting
3. Reduce the number of calls
4. Reduce repeat offenders
5. Reduce duplication of response and reporting
6. Increase officer unallocated time

During their three-day intensive kaizen session, fourteen recommendations were developed to meet these objectives, provide a clear career path for the approved mental health professional, and establish performance measures to ensure the city is providing value-added services to this population.

## METHODOLOGY

The team, led by a facilitator from the Change and Innovation Agency, used system mapping and process analysis tools to represent the work as it is done today and to begin identifying potential areas for improvement. These ideas were then further explored and we relied on both existing data, as well as the expertise of the team to estimate work time for each process and call volume, to help evaluate potential solutions. The discussion surrounding mapping and analysis resulted in a number of potential ideas that were researched to validate their feasibility and potential impact. Those ideas with both high feasibility and impact became the team's final recommendations, which are documented in this report.

## FINDINGS

Calls to NORCOM, even from the most common sources, can be nearly impossible to fully diagnose over the phone and often require a police officer to investigate further. The time between a dispatched call and a response can vary, but in general, most are seen within an hour, and the safeguard of having NORCOM contact a supervisor for pending calls that have been holding for an hour seems to be effective in ensuring a prompt response. Depending on the shift, the group estimated anywhere between 15% to 45% of calls fall into the non-emergency category with 30% of those mental health-related calls, sometimes associated with a suicidality. Despite the fact that many calls turn out to be non-emergency and non-law enforcement, for the safety of the caller, the subject, and any third parties who may be involved or become involved, the team felt strongly that all calls should continue to be dispatched.

Each mental/emotional contact made by a police officer typically results in at least one of the following:

- Field Investigation Report (FIR): Often completed for routine contacts, this documentation takes anywhere from five to 15 minutes to complete in the system and is usually entered just after the contact with the subject concludes.
- Full Report: Required for more severe contacts, these reports take between 30 and 60 minutes to complete, and may not be immediately available until after a supervisory review, which can take up to one day.

- Behavioral Health Report/Crisis Template: The documentation takes approximately five minutes and is currently emailed to supervisors to be forwarded to the MHP coordinator.
- Notes in the Call: The most common data entry involves adding a brief summary of the call, typed by the officer, and entered into the Computer Aided Dispatch (CAD) system by the officer. This documentation typically takes a couple of minutes to complete and is usually entered just after the call is handled.

Most of these interactions are concluded and merged between the systems by the next day, and any collateral information is disseminated at that point. Overall, the difference between the time tasks take and the total time is so minuscule that streamlining becomes very difficult without removing tasks. Because each task is designed to ensure safety and effective police interactions, the team was not comfortable lowering the overall time to complete a task by reducing the actual work. Instead they began to focus on improvements in four areas:

1. Before the call: What steps could be taken by the city and police department to limit the volume of mental and emotional response calls?
2. At the call: What information and steps could be taken during an initial call to help the contact go more smoothly?
3. At the contact: What could be done during a mental and emotional response to both ensure safety and provide quality services to the subject?
4. After the contact: What system changes could be made after the initial contact to ensure adequate follow up and long-term success with repeat callers?

## RECOMMENDATIONS

Many of these recommendations are dependent on a full-time MHP being on staff as a position not contingent on grant funding. The team recommends hiring an MHP as soon as possible and getting in front of the larger plan to share an MHP pool with other cities.

A second NRO/CIT Officer would also increase the effectiveness and ease of implementing these recommendations; however, the team recognizes the lag between hiring and when such a position can be in place and contributing.

### Before the Call

**Recommendation 1 – Business Outreach:** Kirkland businesses would benefit from a program designed to prepare them for encounters with people who are not traditional customers, such as people who remain in the business despite no intent to purchase a good or service. The outreach would educate them on their rights as business owners, potential signage and policies to have in place, and strategies to deal with unwanted individuals in their facility. The goal of this idea is to better inform businesses so they are better prepared to handle issues that are non-law enforcement in nature. The main advantage for the city is empowering business owners to properly handle non-public safety issues at their level, therefore reducing the number of non-law enforcement calls. While resources to conduct regular outreach are scarce, the team felt that if the city could identify the most common types of businesses impacted, and work with organizations such as the Chamber of Commerce, they could provide regular, targeted training.

*\*\*This effort could easily fit into a Community Policing Model\*\**



**Recommendation 2 – Community Outreach:** In an effort to curb unnecessary calls to the Kirkland Police Department, this program will cover the most common types of contacts that do not require law enforcement and how citizens can determine when to call for assistance. In addition to strengthening community relations, this recommendation aims to reduce calls for non-public safety issues by educating citizens on when and how to appropriately contact law enforcement. For issues such as suicide prevention and wellness checks, curriculum could be reinforced through school resource officers. The largest identified issue with this recommendation is finding ways to reach the community and sustain that outreach. Through active neighborhood groups and other similar outreach efforts, a curriculum could be developed to be regularly shared.

*\*\*This effort could easily fit into a Community Policing Model\*\**

**Recommendation 3 – Officer Training:** Officers may be able to improve the outcomes of their responses if they receive further training in handling mental and emotional health issues, the resources available to them, strategies for resolution, proper documentation, and how to appropriately code these calls. Local resources for this population change annually and a thorough training on how to best interact with CIT calls may not only benefit the subject, but also help ensure officer safety and reduce the likelihood of use of force. If field supervision can monitor best practices and ensure officers have time for the training, this recommendation should provide proficient and effective responses to these calls.

**Recommendation 4 – Proactively Check on Repeat Callers and/or Their Caregiver:** If someone qualified to deal with this unique population contacted known subjects once per week to engage them in a conversation geared toward preventing future calls, we may be able to get in front of issues prior to them impacting other citizens and ultimately reduce calls that are non-law enforcement in nature. By establishing a proactive relationship with the most common callers, we may be able to ease their mental and emotional state and deal with common problems before they are escalated to a call. This idea will not work for repeat callers dealing with paranoia, or those who have a negative reaction to law enforcement, and would require someone with the proper skills and credentials to conduct the calls. Research for liability issues and whether this might be a good use for volunteers or MHP interns is needed. Because the impact may be low, this recommendation should be implemented on a trial basis to accurately judge feasibility.

*\*\*This effort could easily fit into a Community Policing Model\*\**

**Recommendation 5 – Strengthen Relationship with Evergreen and Other Partners:** Often, drop offs at Evergreen do not result in adequate care for an individual, but do result in further calls and law enforcement interactions. Working with Evergreen, the Kirkland Police Department may be able to influence how both voluntary and involuntary subjects get better care and resolve the issues that necessitate further interactions. If we look at Evergreen and our other partners as customers of our process, receiving from us both information and the subject in need, then we can strengthen that relationship using the same focus group tools trained in 2018. A third party from the city should meet with Evergreen social workers to discuss the

results of a successful transfer and the desired attributes of this regular transaction. The goal is to validate or ensure we are providing Evergreen what they need in order to provide better service to this population.

### At the Call

**Recommendation 6 – NORCOM Improvements at Intake:** If NORCOM could make every effort to enter the subject's name and information into the "add people" section of CAD, officers would be better prepared when responding to a mental and emotional health call. Eventually, NORCOM should also include response plan information and ensure officers are aware if a response plan exists. This additional information will help officers in responding today, but will become increasingly vital as the CIT/MHP response plans are developed and require easy accessibility. While the extra input necessitates a more consistent willingness of all dispatchers, the advisory board could easily oversee adoption of this recommendation and better prepare us for these calls.

**Recommendation 7 – Curb Nuisance 911 Calls:** Explore law changes to curb repeat calls to 911 where no law enforcement interaction is required. This is a difficult recommendation to enforce unless we have an avenue, such as Recommendation 13 (Resource Court), where repeat offenders can be funneled to structured treatment instead of traditional prosecution. In the long term, this idea is a tool that can be used to help repeat offenders, but it has not proven widely successful in curbing repeat calls. Over time, if treatment proves successful it will reduce calls and free up officer time.

### At the Contact

**Recommendation 8 – Design Field Cards for Officers with Current Service and Reporting Guidelines:** Develop cards for officers responding to these calls that include reminders on steps to take, resources available to them, current phone numbers (potentially including fire and volunteer services), and how to properly report activity. An annual update to these cards will ensure local resource information is regularly updated, and that officers are following any new or revised protocols.

**Recommendation 9 – MHP Respond at Location Once Secure:** When possible, the new MHP position should work with officers at the scene to offer resolution support, filter options, develop referrals, and provide direction. Having a trained expert at the scene should improve resolutions and assist when involuntary hospitalization is required. One of the most promising recommendations is to use this new position to better communicate and understand the needs of subjects in crisis. As a social work expert, this individual can serve as a witness to what they evaluate in the "natural habitat" and look for long-term solutions that are not readily known to law enforcement. This position will free up officer time by ensuring more productive interactions, sometimes allowing the MHP to replace officers at ITA court, and making appropriate contacts with APS, DCRs, etc. Over time, by jointly addressing these calls, officers may also improve their own CIT skills with tactics observed from the MHP. Additionally, the MHP should gain a stronger understanding of law enforcement. Both of these should, in turn, improve overall call

response. There were, however, several issues identified with the implementation of this recommendation:

- Safety and liability issues must be addressed, as well as training for when an MHP must defer to an officer.
- As a new position, policies, call signs, and expectations must all be developed.
- Finding the right person to work in this environment may prove difficult.

Overall, if these challenges can be proactively addressed, this idea should have an immediate impact on helping deal with these calls that will only increase as the trust between the MHP and officers grow.

#### **Recommendation 10 – MHP Designs Response Plans to be Used with Repeat Callers:**

After the MHP full-time person is identified, they should build response plans for individuals identified for having numerous and/or noteworthy calls involving law enforcement. These plans would include a history, triggers, steps to take, family and caseworker supports and contact information, and other information an officer could use to assist during a future call. Overall, this recommendation aims to provide better, more consistent responses to known subjects with known issues. While any known issue can escalate, many times officers can deescalate the situation if they are aware of local support networks such as a mother or sibling in the area, how to avoid certain triggers such as questioning the existence of an imaginary pet, and known strategies to calm a subject. The formation of such response plans is reliant on an MHP position, but must include officer collaboration. Partnerships with fire and MIH should be explored as many of the subjects are known by various responding agencies, and consistency and format may need to be standardized for cross-sharing of information. NORCOM will also need a mechanism for alerting officers when a plan is available at the time of response. While extensive research will need to be conducted, these plans will benefit subjects and responding agencies by providing strategies for timely resolution, when applicable.

#### **After the Contact**

#### **Recommendation 11 – Develop New Clearing Codes (H – Henry) to Accurately Track Mental and Emotional Response Calls and Begin Using Dual Clearing Codes When Applicable:**

In an effort to collect reliable data and assist in the building of response plans, new clearing codes need to be developed to identify calls with a mental and emotional health component. Dual codes may be required to capture calls with more than one outcome. (For example, a call resulting in transportation for an involuntary mental health evaluation involves a mental/emotional health component and a report). One of the issues identified by this team is the lack of data surrounding the volume and response times for these calls. This is due to a multitude of call types having a mental/emotional component. Therefore, it is not possible to track the quantity of calls accurately by type alone. In order to better track and analyze this data, and communicate it to city council and other stakeholders, these codes need to replace (or supplement; dual code option is feasible) the more generic clearing codes used today. This data is also vital to future grants and resource allocation.

**Recommendation 12 – Develop New Reporting Guidelines to Help MHP:** When dealing with mental and emotional calls, proper documentation is needed to build response plans and to

quickly give officers a look at history. A more focused format will save time for officers and allow for easier review while providing the information needed by MHP and local hospitals. Going forward, Recommendation 5 information should be collected first to ensure involuntary mental health evaluation reports include criteria established from external customer feedback (from Evergreen and other providers).

On crisis intervention calls, if officers take a case report, or there is a master case report, they should upload the Behavioral Health Report/Crisis Template to the documents tab in LERMS. If they don't take a case report, they should upload the form to the incident jacket in LERMS. NORCOM or the officer must enter the name of the subject as a person in the incident (see Recommendation 6; this is the only way the name will be associated with the incident).

**Recommendation 13 – Develop a Community Court and Resource Model:** A Community Court is an alternative problem-solving court. It differs from traditional court in that it seeks to identify and address the underlying challenges of court participants that may contribute to further criminal activity. Its goal is to build stronger and safer neighborhoods and reduce recidivism. A Community Resource Center is an integral component of a Community Court. This Resource Center will consist of community partners who provide a wide array of services. The Community Resource Center will be available to all members of the public in addition to the Community Court participants. A structured avenue for routing people to services with some judicial authority should improve services and eventually reduce repeat calls. While success in surrounding areas has been difficult to measure, the impact is generally perceived as positive. This idea should reduce the use of jail, recidivism, and crime for these subjects. By addressing the root cause of these issues, those impacted may integrate back into the community more positively, and the community may have a better attitude toward the process. Judicial buy-in is necessary and logistical concerns such as timing, funding, location, space needed, and staffing will need to be worked out.

*The team recommends passing this idea to Kirkland judicial officials to partner with them to consider what is being done in surrounding areas (e.g., Redmond Community Court).*

**Recommendation 14 – MHP to Follow Up:** The new MHP will provide follow up to referrals and work with individuals to reduce repeat calls by attempting to ensure services are being used. The main goal is to ensure our community members who routinely struggle with mental and emotional health get the help they need and avoid unnecessary interactions with law enforcement. By having an MHP follow up on service referrals, subjects not only get better help, but officers are freed up to respond to calls that require law enforcement. This extra time includes the anticipated reduction in call volume and the alleviated time needed for officers to get subpoenaed to ITA court. Knowing this is a time-consuming task, there are many issues surrounding implementation including:

- Building MHP capacity to accurately follow up and follow all HIPPA rules
- Determining implications for policy, procedures, and data storage to be HIPAA-compliant
- A mechanism for sharing information with officers and response plans
- General policies and guidelines on how MHPs will handle this commitment

## CONCLUSION

Due to the unique nature of the mental and emotional health calls and the lack of historical data, it is difficult to quantify these recommendations in order to predict savings. However, the team agreed that by formalizing portions of the process and taking the steps outlined in this report, progress can be made and information can start being collected to help future efforts more accurately measure impact. The table that follows documents the team's feedback on how each recommendation will impact the desired charter outcomes.

	Maintain Services	Streamline Process	Reduce Calls	Reduce Repeat Offenders	Reduce Duplication of Response and Reporting	Increase Officer Unallocated Time
<b>Recommendation 1:</b> Business Outreach			X			X
<b>Recommendation 2:</b> Community Outreach			X	X		X
<b>Recommendation 3:</b> Officer Training	X	X	X	X	X	X
<b>Recommendation 4:</b> Proactively Check on Repeat Callers	X		X	X		X
<b>Recommendation 5:</b> Strengthen Relationship with Evergreen			X	X		
<b>Recommendation 6:</b> NORCOM Improvements at Intake	X	X			X	
<b>Recommendation 7:</b> Curb Nuisance 911 Calls			X			
<b>Recommendation 8:</b> Design Field Cards for Officers	X	X		X		
<b>Recommendation 9:</b> MHP Respond at Location Once Secure	X	X	X	X		X
<b>Recommendation 10:</b> MHP Designs Response Plans	X	X	X	X		
<b>Recommendation 11:</b> Develop New Clearing Code					X	
<b>Recommendation 12:</b> Develop New Reporting Guidelines					X	
<b>Recommendation 13:</b> Develop a Community Court Model	X		X	X		X
<b>Recommendation 14:</b> MHP to Follow Up	X		X	X		X

We suggest that leadership carefully review the recommendations that the team has developed and consider the feasibility and impact of each. Once a determination has been made about which recommendations will move forward, the team can reconvene to begin developing a roadmap and timeline to implement the changes. If after review leadership determines that changes or additional investigation is needed on a particular recommendation, the team can meet to discuss and present this information.

## ACTION PLAN

Recommendation Action Item	Deliverable	Point of Contact	Due Date
<b>THE MHP POSITION</b>			
Hire a full-time MHP not dependent on grant or temporary funding	Full-time person on board	Services LT	?
<b>MHP Respond at Location Once Secure (Recommendation 9)</b>			
Policy developed for when an MHP should respond	Policy	Professional Standards	Ongoing
Training for the MHP	Lesson plan	Professional Standards	4 weeks from hire
Training for officers on when to use an MHP	Lesson plan	Professional Standards	4 weeks from hire
Equipment assigned	Sign out	Quartermaster	4 weeks from hire
<b>MHP Designs Response Plans (Recommendation 10)</b>			
Build template for plans	Template	MHP/CIT	8 weeks from hire
Identify regular callers	List of people to have plans for	MHP/CIT	8 weeks from hire
<b>MHP to Follow Up (Recommendation 14)</b>			
Develop policy for follow up	Policy	Professional Standards	Ongoing after approval – 6 weeks
Develop procedure for officers to communicate follow up needs to MHP	Procedural guidance	Supervisors	6 weeks in conjunction with policy
Develop a contact list for follow up	First follow-up call conducted under new policy	MHP/CIT	1 week from procedures developed
<b>BEFORE THE CALL</b>			
<b>Business Outreach (Recommendation 1)</b>			
Determine which businesses would benefit most from this outreach and recruit them for an event	List of businesses	NRO/Economic Development	2 weeks
Develop curriculum	Lesson plan	NRO	2 weeks



Conduct meetings	First meeting	NRO/Community Outreach	4 weeks
<b>Community Outreach (Recommendation 2)</b>			
Identify associations to educate	List of community groups	NRO/Neighborhood Services	1 week
Develop curriculum	Lesson plan	NRO	2 weeks
Conduct meetings	First meeting	NRO	Dependent on association schedule
<b>Officer Training (Recommendation 3)</b>			
Develop curriculum	Lesson plan	Christian Hemion/Lorraine Rohrback	2 weeks
Conduct training	Training	Training Unit to schedule	4 weeks
<b>Proactively Check on Repeat Callers (Recommendation 4)</b>			
Develop policy with a complete liability and legal review to ensure staff are aware of any issues to implementation	Policy	Professional Standards	8 weeks from MHP hired
Identify who will conduct proactive calls and how often they should occur (MHP/CIT)	Job descriptions	MHP Coordinator	8 weeks from MHP hired
Training on proactive calling	Lesson plan	MHP/CIT	12 weeks from MHP hired
Identify who we should contact	System that tracks proactive calls	MHP/CIT	12 weeks from MHP hired
<b>Strengthen Relationship with Evergreen (Recommendation 5)</b>			
High-level discussions on the goals of strengthening relationships and reducing the amount of disagreements when an officer brings someone in	Agreement to develop what a successful transfer looks like	Bosses	4 weeks
Conduct focus groups with Evergreen and other partners to determine the successful attributes of a transaction	Focus group report	Change Agents	6 weeks from agreement
Change procedures to ensure successful transactions when applicable	Procedural changes	Training Unit	8 weeks from agreement
<b>AT THE CALL</b>			
<b>NORCOM Improvements at Intake (Recommendation 6)</b>			
Bosses meet to discuss the need for NORCOM changes	Agreement on changes	Chief	4 weeks
Adjust policy at NORCOM	New information entered	NORCOM	12 weeks

<b>Curb Nuisance 911 Calls (Recommendation 7)</b>			
Develop ordinance for nuisance calls	New ordinance	City Manager	?
<b>AT THE CONTACT</b>			
<b>Design Field Cards for Officers (Recommendation 8)</b>			
Update services contact list	Updated list	Loraine Rohrback/Human Services Coordinator	4 weeks
Distribute to officers	New list	Supervisors	1 week after updated list complete
<b>AFTER THE CONTACT</b>			
<b>Develop New Clearing Code (Recommendation 11)</b>			
Work with NORCOM and other partners to agree to designate and use H	Agreement	Chief/Executive Board	4 weeks
Add clearing code to mobile		IT	?
Adjust policy to clear with H	Policy	Professional Standards	?
Train officers	Training	Supervisors	1 week from policy and IT complete
<b>Develop New Reporting Guidelines (Recommendation 12)</b>			
Approval to begin and training	Officers attaching report in LERMS	Supervisors	1 week from approval
<b>Develop a Community Court Model (Recommendation 13)</b>			
Agreement with judges to build a community court	Decision	All the Bosses	?
Develop and move to the new model	First case trial in the new model	Courts	?

#





# Transforming Employee Healthcare at City of Kirkland

Told by Tracey Dunlap, Deputy City Manager, City of Kirkland  
Edited by Chelsea Lei

I have a fact-based decision example that is fascinating, because it's not part of our performance measures or dashboards. But it's probably the best example I can think of.

We overhauled our healthcare program four years ago. At the time, we were seeing a lot of people with double digit growth every year in their healthcare cost. At the rate of growth we would have been liable for what's called the "Cadillac tax" under the Affordable Healthcare Act in 2018. That's upwards of \$1.5 million.

The City Manager Kurt Triplett, the HR director Jim Lopez, and I were on a team looking into this. Kurt and Jim wanted to be bold given their successful healthcare overhaul at King County. I was the finance director at the time and asked lots of questions. What we did was we sat down with the data that we had about what's driving up our cost. Thinking about the urban legends in this, we found it wasn't emergency room visits. It wasn't expensive surgeries. It was office visits. We just had tons of office visits!

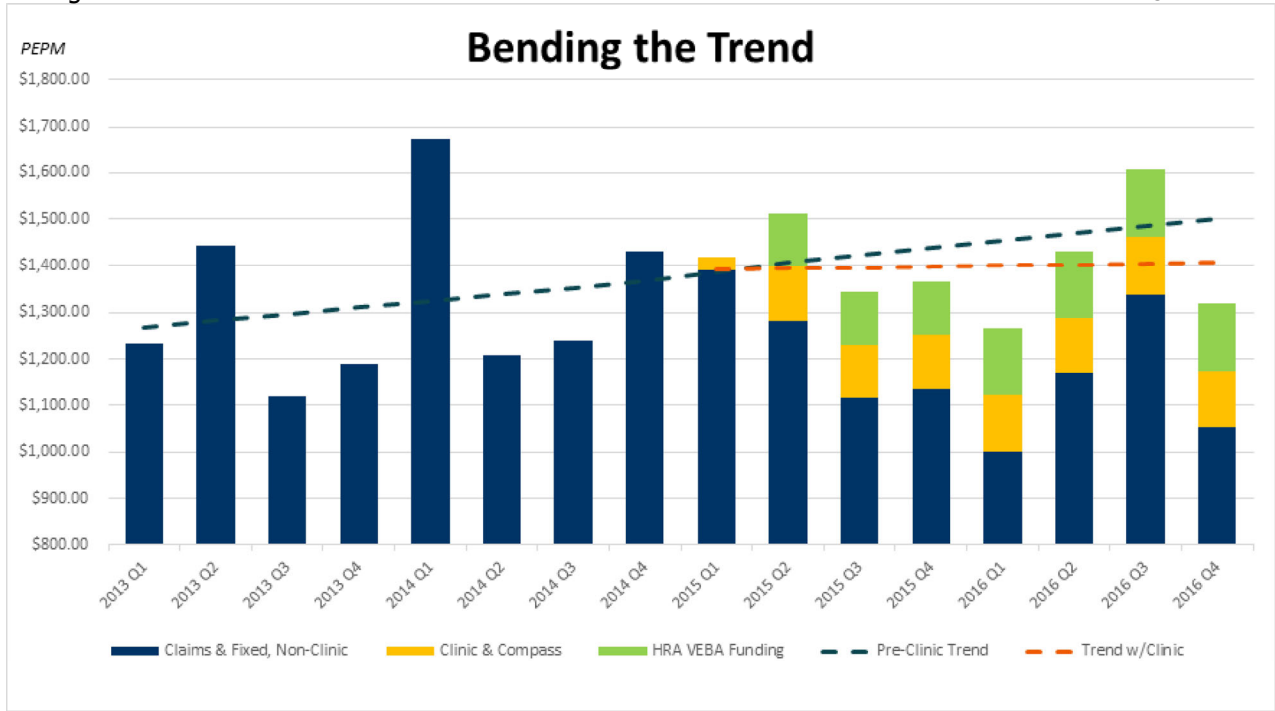
On-site clinics, or having your own clinic, was becoming a trend. It's a way to convert office visits to a fixed cost. For it to be successful we'd have to make it free to our employees. So we took a risk of doing that. We had a good partner - a startup care provider in fact - and we were their first major government client. We also designed what we called a "full systems approach" to give people economic incentives to make healthy choices and participate in wellness activities in addition to free unlimited primary care.

Since we started the new program in 2015, we've actually seen an increase in office visits, but it's a fixed cost. People were going in when they need to go in. So the quality of care stayed the same and in some cases got better, and our healthcare costs didn't grow at all for three years in a row. Everybody doesn't believe it but it's true.

I'm proud of the fact that while each element of our new program has been done successfully somewhere in the United States, our approach was unique in implementing each of these elements together, and at the same time, as interdependent parts of a full health care delivery system.

The other thing is the symbolic elements of it. This is very much an integrated wellness program. Our city manager needed to lose some weight. He decided when we were doing this he was going to commit to the coaching element. He did, and the transformation was fast and very noticeable. What we've seen is walking the talk. I can name half a dozen people who were inspired by that and did the same thing. One of them was one of our council members.

This was scary. We were really changing the way we were delivering healthcare. We needed to go all in. It all started with looking at the data. What made it successful was people really buying in and demonstrating commitment in a visible way to the organization.



Introducing the Healthy Kirkland employee health plan in 2015 led to bending the trend of growing healthcare costs ("Trend A") to a sustainable level ("Trend B"). Source: City of Kirkland.



Kirkland's on-site clinic. Source: City of Kirkland.

## Timeline of Healthy Kirkland Initiative<sup>1</sup>

- **2011** Kirkland becomes self-insured (which helps make the city's health care cost data available)
- **2013** City Council and City staff from HR, Finance and City Manager's Office conduct study sessions focused on employee healthcare issues and recognize an unsustainable trend in claims growth, which would trigger the Affordable Health Care Act "Cadillac Tax" in 2018. City Council directs the City to take all necessary action to avoid paying the Cadillac Tax.
- **2014** City leadership sets goal of continuing to provide City employees with a quality healthcare plan while containing costs to a sustainable level.

Healthy Kirkland Initiative is introduced as a "full systems approach" to meeting the goal.

Principal elements of the program included:

1. Individual economic incentives to better empower individuals to make more informed medical decisions and improve the likelihood of health savings;
2. Increased market transparency so employees could be more informed in those decisions;
3. Unlimited primary care services, free to employees and qualified dependents, to promote proactive healthy behavior.

- **2015** City's new employee health plan goes into effect.

The City's AFSCME, PSEU and Teamster bargaining units and Management and Confidential staff join the program.

2015-2016 Budget assumes zero percent growth in health benefits fund as a result of higher than expected cash reserves from early results of the program and in anticipation of continued success of Healthy Kirkland Plan.

- **2016** Remaining police bargaining units join the program.

Overall health care "Per Employee Per Month" contribution decreased by 4.5% in 2016 (For interpretation: compare to 6% increase in national average in health care costs, and a 9.1% increase for 2016 with Association of Washington Cities high deductible health plan similar to the City's.)

- **2017** 2017-2018 Budget assumes no increase to the contribution to the health care fund in 2017 and a 2% increase in 2018 (well below national average and AWC plan increases)
- **2018** Participation in the free on-site clinic and wellness incentive programs at highest levels seen by the provider.

Employee balances in their health care saving accounts are in excess of \$3.7 million as of September.

<sup>1</sup> Based on Tracey Dunlap's healthcare program update memo to City Manager Kurt Triplett on September 27, 2018, and Jim Lopez's healthcare update and 5-year benefits framework memo to City Manager Kurt Triplett on November 19, 2015.

<https://www.kirklandwa.gov/Assets/Finance+Admin/2019-2020+Budget/Healthcare+Program+Update.pdf>

<https://www.kirklandwa.gov/Assets/Finance+Admin/2019-2020+Budget/Healthcare+Program+Update.pdf>

**CITY OF KIRKLAND**

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

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

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Archie Ferguson, Fleet Manager  
Ray Steiger, P.E., Superintendent  
Kathy Brown, Public Works Director

**Date:** August 22, 2019

**Subject:** SURPLUS OF EQUIPMENT RENTAL VEHICLES/EQUIPMENT

**RECOMMENDATION:**

It is recommended that the City Council approve the surplus of one piece of fire apparatus, thus removing it from the City's Equipment Rental Replacement Schedule.

Approval of the consent calendar will authorize a vehicle surplus action.

**BACKGROUND DISCUSSION:**

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

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

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

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

The accounting life of a vehicle is the number of years of anticipated useful life to City operations. It is determined by historical averages and replacement cycles of actual City

vehicles. The accounting life provides a timeline basis for the accrual of vehicle Replacement Reserve charges so that, at the end of that timeline, there should be sufficient funds in the Replacement Reserve Fund to purchase a similar replacement vehicle. The accounting life is a guideline only, and the actual usage of vehicles typically vary from averages.

The City of Kirkland standard accounting life for a vehicle, which is also consistent with the industry standard, is eight years or 80,000 miles, whichever comes first. This life is also supported by FleetAnswers.com which recently published Municipal Vehicle Replacement Trends. Among cities, the average age of replacement for cars is 6.7 years, for class 1-5 trucks it is 7.7 years, and for police vehicles it is four years. The City's standard for Fire Engines/Pumpers and for Fire Ladder/Aerial apparatus is 18 years. The life cycle for a pull behind Air Compressor is 12 years.

The recommendation that is the subject of this staff report is to surplus a 1999 fire pumper truck that has exceeded its anticipated useful life by about one year. The total actual mileage on the apparatus is 97,572. However, the instrument cluster needed to be replaced a few years ago and the original odometer was part of it. Because of that, the current odometer reads only 18,304. These facts will be noted on the back of the title and disclosed prior to surplussing.

The following equipment is recommended for surplus:

Fleet#	Dept.	Year	Make & Model	License	Miles	Comments
F610	Fire Operations	1999	Spartan H&W Pumper	29064D	97,572 (Actual)	Exceeded normal anticipated useful life by about one year.



## CITY OF KIRKLAND

Department of Finance & Administration  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100  
www.kirklandwa.gov

### MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Greg Piland, Financial Operations Manager

**Date:** August 22, 2019

**Subject:** REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF SEPTEMBER 3, 2019

This report is provided to apprise the Council of recent and upcoming procurement activities where the cost is estimated or known to be in excess of \$50,000. The "Process" column on the table indicates the process being used to determine the award of the contract.

The City's major procurement activities initiated since the last report dated July 2, 2019 are as follows:

	Project/Purchase	Process	Estimate/Price	Status
1.	2019 Annual Striping Program	Invitation for Bids	\$567,571.00	Contract awarded to Specialized Pavement Marking, Inc. of Tualatin, OR.
2.	3 <sup>rd</sup> Street Water Main Improvements Project	Invitation for Bids	\$855,118.07	Contract awarded to Shoreline Construction Company of Woodinville, WA.
3.	2019 Slurry Seal Project	Invitation for Bids	\$344,000.00	Contract awarded to Intermountain Slurry Seal, Inc. of Reno, NV.
4.	2019 School Walk Routes Construction Support	Request for Qualifications	\$149,461.00	Contract awarded to Akana of Portland, OR. based on qualifications per RCW 39.80.
5.	Goat Hill Storm Drainage CIP 1 Project	Invitation for Bids	\$567,863.05	Contract awarded to Grade, Inc. of Woodinville, WA.
6.	Explore Kirkland Tourism Website Re-design Project	Request for Proposals	\$89,000.00	Contract awarded to Simpleview LLC of Tucson, AZ.
7.	124 <sup>th</sup> AVE NE/NE 116 <sup>th</sup> ST Intersection Improvements Project	Invitation for Bids	\$108,671.64	Change order awarded to NPM Construction Co. of Maple Valley, WA.

8.	6 <sup>th</sup> Street Rehabilitation Project	Invitation for Bids	\$1,489,979.00	Contract awarded to Lakeside Industries, Inc. of Issaquah, WA.
9.	3 <sup>rd</sup> Street Water Main Improvements Construction Support	Request for Qualifications	\$76,871.00	Amended contract awarded to Tetra Tech, Inc. of Denver, CO. based on qualifications per RCW 39.80
10.	Totem Lake Gateway Construction Support	Request for Qualifications	\$639,930.00	Contract awarded to Perteet, Inc. of Everett, WA. based on qualifications per RCW 39.80
11.	Washington Conservation Corps Service Projects	Cooperative Agreement	\$188,600.00	Contract awarded to the Washington State Department of Ecology.
12.	Local Source Control Business Audits	Request for Proposals	\$117,997.00	Amended contract awarded to BEA Environmental, LLC of Seattle, WA.
13.	132 <sup>nd</sup> Square Park Stormwater Retrofit Facility Flow Monitoring	Request for Qualifications	\$55,899.00	Amended contract awarded to Aspect Consulting, LLC of Seattle, WA.
14.	Cloud storage charge	Cooperative Purchase	\$98,861.53	Purchase order issued to SHI International Corporation of Somerset, NJ.

Please contact Greg Piland if you have any questions regarding this report.

**CITY OF KIRKLAND**

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

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

**To:** Kurt Triplett, City Manager

**From:** Jim Lopez, Assistant City Manager  
Kevin Raymond, City Attorney

**Date:** August 27, 2019

**Subject:** INITIATIVE WITH KIRKLAND SUSTAINABLE FOR AFFORDABLE HOUSING AND CITY EMPLOYEE RENTAL HOUSING

**RECOMMENDATION:**

Following the discussion at the September 3<sup>rd</sup> Study Session, it is recommended that the City Council approves the affordable housing initiative between the City of Kirkland ("City") and two related limited liability companies, Kirkland Sustainable Investments, LLC and Sustainable Kirkland, LLC (together, "Kirkland Sustainable") for new affordable rental housing units and City (and other public sector) employee rental housing units located in Downtown Kirkland. Kirkland Sustainable owns and operates the Arete multifamily development at 450 Central Way and is nearing completion of the construction of the Plaza multifamily development at 330 4<sup>th</sup> Street, both in Kirkland.

The initiative includes amendments to the City's Multifamily Housing Property Tax Exemption ("MFTE") ordinance, Chapter 5.88 of the Kirkland Municipal Code ("KMC"), to provide for 23 new affordable rental housing units at Plaza. It also requires Council approval of the execution by the City Manager and the recording by City staff of a contract and covenant for recording related to the 23 MFTE units at Plaza. Finally, the initiative includes the execution of master lease agreements with Kirkland Sustainable providing for up to an additional 34 units of rental housing that would be set aside for City employees or other public sector employees such as employed by the Lake Washington School District or the Lake Washington Institute of Technology.

To implement the initiative, the Council must approve the attached ordinance, amending the MFTE ordinance for projects of this kind only, authorizing the execution and recording of a contract and covenant for the 23 MFTE units at Plaza, and authorizing City Manager execution of the master lease agreements for Plaza and Arete.



## **BACKGROUND DISCUSSION:**

### **MFTE Ordinance Amendments and Master Lease Agreements**

#### 1. MFTE Ordinance Amendments

Implementation of the initiative requires amendment of the City's Multifamily Housing Property Tax Exemption Ordinance, KMC 5.88, but only for projects of this kind as determined by the Council.

The initiative contemplates two amendments to the City's MFTE ordinance.

The first proposed amendment relates to the financial eligibility of MFTE unit renters at Plaza. Under the present code, and in order to qualify for MFTE property tax savings under the City's MFTE ordinance, (1) at least ten percent of the Plaza units (i.e. 11 units) would need to be made available to households with annual household income that is not in excess of 50% of the King County median household income ("AMI"), and (2) at least a second 10 percent of the units (i.e. 11 additional units for a total of 22 units) would need to be made available at no more than 80% of AMI. State law requires only that the MFTE units meet the 80% AMI standard, but allows local governments like Kirkland to impose additional requirements. Under the initiative, and in consideration for both the MFTE units and the master lease agreements described in greater detail below, the first proposed code amendment requires that all MFTE unit households associated with this project meet only the 80% AMI requirement. As drafted, this change would apply only to projects where, like here, the Council has specifically *"determined the project confers additional, substantial public benefits in the form of additional rental housing units made available for city or other public entity employees in the city and funding for housing programs to help individuals experiencing homelessness and low-income residents to successfully transition to stable, affordable housing."*

The second proposed code amendment would permit the MFTE units at Plaza to be marketed at fair market rental rates at the expiration of the 12-year MFTE property tax savings period. Under the City's MFTE ordinance, developers are required to maintain the affordable housing status of MFTE rental units "for the life of the project," which is anticipated to be longer than 12 years. As is true for the first proposed code amendment, the "life of project" is a requirement imposed by the City and is not a requirement of state law. And like the first proposed amendment, this change would apply only in the limited circumstances described above, e.g. council determination of substantial additional public benefits.

#### 2. MFTE Contract and Covenant

In order to approve the MFTE application of Kirkland Sustainable in support of the 23 MFTE units referred to above, the Council must, through the ordinance, authorize the City Manager execution of a contract and covenant, utilizing ARCH templates, for recording with King County. Importantly, this must occur in advance of the issuance of any certificate of occupancy for Plaza pursuant to KMC 5.88.040(7). The construction of Plaza is nearing completion and so the Council must make a final decision in September of this year.

#### 3. Master Lease Agreements

Two draft master lease agreements have been negotiated with Kirkland Sustainable, one each for Plaza and Arete. The agreements are complementary and virtually identical, except that the Plaza agreement includes MFTE provisions. The ordinance would authorize the City Manager to execute these agreements.

A short summary of the major terms of the master lease agreements follows:

- Twelve-year term, terminable annually by City with notice.
- Plaza agreement includes 23 MFTE units at 80% of AMI and commitment to pay City amount equal to 65% of its MFTE property tax savings each year.
- City opts for up to 34 additional units reserved for City or other public sector employees; landlord to accommodate unit type mix requested by the City based on employee preferences.
- Number of units agreed to each year for following year; no minimum number of units required.
- City can "release" units for private rental by Kirkland Sustainable but then "get them back" at end of private rental term.
- The City employees pay fair market rent, but the rent is stabilized to increase by no more than 3% per year.
- Primary contractual relationship is landlord-tenant (i.e. Kirkland Sustainable and City employees via lease).
- City responsible for unpaid rent by City employees after remedies under employee leases exhausted; City employee pays rent via automatic payroll payment;
- City employees must meet Kirkland Sustainable tenant criteria; however, City may direct Kirkland Sustainable to waive its normal tenant financial criteria on a case-by-case basis.
- Rent cannot increase more than 3% per year but is to be negotiated.
- City has right to assign some of its units to other public entities in Kirkland (e.g. Lake Washington School District or Lake Washington Institute of Technology).

### **City Employee Agreements**

While the details of the program are still being developed, initially all City employees will be eligible to participate in the program. Participation is completely voluntary. If there is more interest than available units, then income levels of employees may become a key criterion and City employees likely would be determined on a lottery basis. The details of this program are still being developed. The rationales for providing City employees with a discount on fair market rent are (1) employee recruitment and retention and (2) quicker employee response times (e.g. ability to get to City Hall during an emergency or snowstorm). City employees must be determined to be "eligible" to participate in the program and then must retain that eligibility. Each eligible City employee will sign a contract with the City including at least the following:

- City employee is and remains in good standing with the City.
- Meets Kirkland Sustainable tenant screening criteria (financial criteria can be waived at the request of the City in individual cases).
- Signs and abides by standard lease at Plaza or Arete.
- Agrees to automatic payroll payment of City employee rent.

The form of this contract is currently being developed.

### **Conclusion and Next Steps**

The Arete and Plaza units are not a housing solution for many City employees. Nor is this pilot the only affordable housing concept being explored. But City staff is excited about this initiative and has appreciated the opportunity to work with Robert Pantley and other Kirkland Sustainable representatives over the past year and more. This initiative represents not only an opportunity to gain an additional 23 MFTE units for the next 12 years without making any changes of general application to the City's MFTE ordinance; it also represents an opportunity for up to 34 City employees to live near where they work, with rent increases stabilized at no more than 3% per year for 12 years. Staff recommends Council approval of the ordinance.

ORDINANCE O-4697

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE MULTIFAMILY HOUSING PROPERTY TAX EXEMPTION AND PROVIDING FOR DIFFERENT REQUIREMENTS IN THE EVENT OF RENTAL UNIT PROJECTS PROVIDING SUBSTANTIAL ADDITIONAL PUBLIC BENEFITS.

1           WHEREAS, Kirkland Sustainable Investments, LLC ("KSI") is in  
2 the process of completing construction of a 111-unit multi-family project  
3 known as "Plaza" at 330 4<sup>th</sup> Street in Kirkland, across Central Way from  
4 Kirkland Urban and only several blocks from Kirkland City Hall; and

5  
6           WHEREAS, Sustainable Kirkland, LLC ("Sustainable Kirkland")  
7 previously developed the 290-unit multi-family project known as "Arete"  
8 at 450 Central Way and located immediately adjacent to Plaza; and

9  
10           WHEREAS, Robert Pantley is the managing member of the  
11 majority member of each of KSI and Sustainable Kirkland; and

12  
13           WHEREAS, KSI wishes to dedicate 23 of its Plaza units,  
14 consisting of 21 residential suites and 2 studio apartments, as affordable  
15 housing units to households whose household annual income does not  
16 exceed eighty percent (80%) of the King County median household  
17 income, adjusted for household size, for a period of at least twelve years  
18 in exchange for certain multifamily housing property tax exemption  
19 ("MFTE") savings on the value of the improvements for that same twelve  
20 year period as provided for under Chapter 84.14 RCW; and

21  
22           WHEREAS, Chapter 84.14 RCW, in "high cost areas" like  
23 Kirkland, and while authorizing local governments to include additional  
24 requirements, requires only that developers of multi-family rental  
25 developments seeking MFTE property tax savings commit to renting at  
26 least twenty percent (20%) of such rental units to low-income and  
27 moderate-income households, ranging from (1) at or below one  
28 hundred percent (100%) AMI in the case of low-income households and  
29 (2) more than one hundred percent (100%) AMI and below one hundred  
30 and fifty percent (150%) AMI in the case of moderate-income families;  
31 and

32  
33           WHEREAS, each of KSI and Sustainable Kirkland have negotiated  
34 separate master lease agreements with the City of Kirkland ("City")  
35 providing, at the option of the City, for the dedication of up to a  
36 combined total of 34 additional units, anticipated to include  
37 approximately 23 units at Plaza and 11 units at Arete, for employees of  
38 the City, and possibly other public, non-profit entities in Kirkland, such  
39 as the Lake Washington School District and the Lake Washington  
40 Institute of Technology, for a period of at least twelve years; and

41  
42           WHEREAS, the 23 MFTE rental units at Plaza are separate and  
43 distinct from the up to 34 master lease agreements units at Plaza and  
44 Arete; and

45 WHEREAS, the City believes the ability, through the master lease  
46 agreements, to offer units in addition to the MFTE units at Plaza to City  
47 employees will create substantial, additional public benefits by making  
48 it easier for City employees to live near where they work, making it  
49 easier to recruit and retain excellent employees and to provide for  
50 quicker employee response times during events such as snow storms or  
51 emergencies where special city resources are needed, and potentially  
52 providing similar benefits to other public sector employers and  
53 employees; and

54  
55 WHEREAS, KSI has agreed to pay the City an annual amount  
56 equal to sixty-five percent (65%) of the annual property tax savings  
57 realized through its participation in the MFTE program at Plaza for a  
58 period of at least twelve years, estimated to be approximately \$98,000  
59 in first year dollars; and

60  
61 WHEREAS, the City wishes to dedicate such annual payments  
62 from KSI to provide housing programs for low-income residents, initially  
63 including operational funding to the new Eastside Women and Family  
64 Shelter in Kirkland, particularly with respect to such shelter's transitional  
65 housing services to help individuals experiencing homelessness  
66 successfully transition to sustainable affordable housing; and

67  
68 WHEREAS, in consideration for the substantial, additional public  
69 benefits associated with (1) the additional units provided for public  
70 employee housing under the master lease agreements and (2) the  
71 payment to the City of 65% of KSI's property tax savings for use by the  
72 City to invest in low-income housing programs and in support of the  
73 Eastside Women and Family Shelter, it is in the public interest to amend  
74 KMC 5.88 to revise two of the City's MFTE requirements that exceed the  
75 requirements of the state MFTE statute and that would otherwise apply  
76 to the Plaza project: (1) to remove the requirement that the Plaza MFTE  
77 units remain available on an affordable basis for the "life of the project"  
78 in favor of a requirement that such units remain affordable for at least  
79 as long as the multifamily housing property tax exemption period  
80 applicable to the project; (2) to revise the requirement that at least ten  
81 percent (10%) of the MFTE units be reserved for occupancy to  
82 households at or below fifty percent (50%) AMI in favor of a  
83 requirement that at least twenty percent (20%) of the MFTE units be  
84 reserved for occupancy to households at or below eighty percent (80%)  
85 AMI.

86  
87 NOW, THEREFORE, the City Council of the City of Kirkland do  
88 ordain as follows:

89  
90 Section 1. Kirkland Municipal Code Section 5.88.020 is amended  
91 to read as follows:

92  
93 **5.88.020 Definitions.**

94 (a) "Affordable" means:

95 (1) For an owner-occupied dwelling unit, housing reserved for  
96 occupancy by eligible households and affordable to households whose  
97 household annual income does not exceed the following percentages of

98 the King County median household income, adjusted for household size,  
99 as determined by the United States Department of Housing and Urban  
100 Development (HUD), and where no more than thirty percent of the  
101 monthly household income is paid for monthly housing expenses  
102 (mortgage and mortgage insurance, property taxes, property insurance  
103 and homeowner's dues):

104 (A) Eighty percent in zoning districts where additional building  
105 height is allowed in exchange for the creation of affordable housing  
106 units; or

107 (B) One hundred percent in zoning districts where additional  
108 dwelling units are allowed in exchange for the creation of affordable  
109 housing units.

110 (2) Except as otherwise provided for in Section 5.88.090(b)(4), for  
111 ~~For~~ a renter-occupied dwelling unit, housing reserved for occupancy by  
112 eligible households and affordable to households whose household  
113 annual income does not exceed fifty percent of the King County median  
114 household income, adjusted for household size, as determined by HUD,  
115 and where no more than thirty percent of the monthly household income  
116 is paid for monthly housing expenses (rent and an appropriate utility  
117 allowance).

118 (3) For rental units for senior citizen households and assisted  
119 living units, housing reserved for occupancy by eligible households and  
120 affordable to households whose household annual income does not  
121 exceed fifty percent of the King County median household income,  
122 adjusted for household size, as determined by HUD, and where no more  
123 than sixty percent of the monthly household income is paid for monthly  
124 housing and service expenses (including rent and an appropriate utility  
125 allowance, and services such as prepared daily meals, regular  
126 housekeeping for living units, transportation, personal care, and  
127 supportive health services). The actual percentage of monthly  
128 household income allowed shall be determined by city staff on a case-  
129 by-case basis following an analysis of the extent of services provided in  
130 the rental contract. The amount shall not be less than thirty percent nor  
131 greater than sixty percent. Assisted living facilities may satisfy this  
132 requirement if they accept Medicaid payments as payment in full for  
133 assisted living units. In no case shall an entrance, community or other  
134 buy-in fee be charged as a condition of renting an affordable unit.

135 In the event that HUD no longer publishes median income figures  
136 for King County, the city may use or determine such other method as it  
137 may choose to determine the King County median income, adjusted for  
138 household size.

139 (b) "Assessor" means the King County assessor.

140 (c) "Assisted living facility" means a state-licensed multi-unit  
141 establishment which provides living quarters and a variety of limited  
142 personal care and at least a minimal amount of supportive health care  
143 to individuals who are unable to live independently due to infirmity of  
144 age, physical or mental handicap, but who do not need the skilled  
145 nursing care of a convalescent center or nursing home. Supportive  
146 health care may include health care monitoring, such as assistance with  
147 medication, but is limited to health care services which may be provided  
148 by a boarding home licensed under Chapter [18.20](#) RCW. These facilities  
149 may consist of individual dwelling units with a full kitchen, partial kitchen  
150 or no kitchen. In addition, these facilities may have a communal dining  
151 area, recreational facilities (library, lounge, game room, open space),

152 and/or laundry facilities. Assisted living facilities do not include adult  
153 family homes, as defined in Chapter [70.128](#) RCW.

154 (d) "Assisted living unit" means a living unit in an assisted living  
155 facility in which a resident receives medical or health care services. A  
156 bedroom is the equivalent of a unit for the purpose of calculating the  
157 number of assisted living units.

158 (e) "Director" means the director of the city's planning and  
159 building department, or any other city office, department or agency that  
160 shall succeed to its functions with respect to this chapter, or his or her  
161 authorized designee.

162 (f) "Eligible household" means one or more adults and their  
163 dependents who, as set forth in the regulatory agreement referenced in  
164 Section [5.88.040](#)(7), certify that their household annual income does  
165 not exceed the applicable percent of the median household income for  
166 King County, adjusted for household size, as determined by the United  
167 States Department of Housing and Urban Development (HUD); and who  
168 certify that they meet all qualifications for eligibility, including, if  
169 applicable, any requirements for recertification on income eligibility.

170 (g) "Household annual income" means the aggregate annual  
171 income of all persons over eighteen years of age residing within the  
172 same household for a period of at least four months.

173 (h) "Multifamily housing" means a building or townhouse project  
174 having four or more dwelling units designed for permanent residential  
175 occupancy resulting from new construction or rehabilitation or  
176 conversion of vacant, underutilized, or substandard buildings.

177 (i) "Owner" means the property owner of record.

178 (j) "Permanent residential occupancy" means multifamily housing  
179 that provides either rental or owner occupancy for a period of at least  
180 one month, and excludes hotels and motels that predominately offer  
181 rental accommodation on a daily or weekly basis.

182 (k) "Rehabilitation improvements" means:

183 (1) Modifications to an existing structure, the residential portion  
184 of which has been vacant for at least twelve months prior to application  
185 for exemption under this chapter, that are made to achieve a condition  
186 of substantial compliance with the applicable building and construction  
187 codes contained in Title [21](#); or

188 (2) Modifications to an existing occupied residential structure, or  
189 mixed use structure that contains occupied residential units, that add at  
190 least four multifamily dwelling units.

191 (l) "Rental units for senior citizen households" means dwelling  
192 units qualifying for the "Housing for Older Persons" exemption under  
193 the Fair Housing Act.

194 (m) "Residential targeted area" means an area within an urban  
195 center as defined by Chapter [84.14](#) RCW and the city that has been so  
196 designated by the city council pursuant to this chapter.

197 (n) "Substantial compliance" means compliance with the  
198 applicable building and construction codes contained in Title [21](#) that is  
199 typically required for rehabilitation as opposed to new construction.

200

201 Section 2. Kirkland Municipal Code Section 5.88.040 is amended  
202 to read as follows:

203

204 **5.88.040 Project eligibility.**

205 To be eligible for exemption from property taxation under this  
206 chapter, the property shall satisfy all of the following requirements:

207 (1) The property must be located in a residential targeted area.

208 (2) The project must be multifamily housing consisting of at least  
209 four dwelling units within a residential structure or as part of a mixed  
210 use development, in which at least fifty percent of the space within such  
211 residential structure or mixed use development is intended for  
212 permanent residential occupancy.

213 (3) For new construction, a minimum of four new dwelling units  
214 must be created; for rehabilitation or conversion of existing occupied  
215 structures, a minimum of four additional dwelling units must be added.

216 (4) Existing dwelling units proposed for rehabilitation shall have  
217 been unoccupied for a minimum of twelve months prior to submission  
218 of an application and shall fail to comply with one or more requirements  
219 of the building code as set forth in Title [21](#) of this code.

220 (5) No application may result in the net loss of existing affordable  
221 housing which receives housing assistance through federal low or  
222 moderate income housing programs (e.g., HUD Section 8 program).

223 (6) Affordable housing shall be provided in the project as  
224 described in Section [5.88.090](#).

225 (7) Prior to issuing a certificate of occupancy, an agreement in a  
226 form acceptable to the city attorney that addresses price restrictions,  
227 eligible household qualifications, long-term affordability, and any other  
228 applicable topics of the affordable housing units shall be recorded with  
229 the King County recorder's office. This agreement shall be a covenant  
230 running with the land and shall be binding on the assigns, heirs and  
231 successors of the applicant. Housing units identified for households with  
232 household annual income restrictions that are provided under this  
233 section shall continue to be made available to households with the  
234 identified household annual income restrictions for a minimum of fifty  
235 years from the date of initial owner occupancy for ownership affordable  
236 housing units and for the life of the project for rental affordable housing  
237 units; provided, however, that the requirement that such units continue  
238 to be made available to households with the identified household annual  
239 income restrictions for the life of the project for rental affordable  
240 housing units shall not apply when such units remain affordable for at  
241 least as long as the multifamily housing property tax exemption period  
242 applicable to the project and the city council has determined the project  
243 confers additional, substantial public benefits in the form of additional  
244 rental housing units made available for city or other public entity  
245 employees in the city and funding for housing programs to help  
246 individuals experiencing homelessness and low-income residents to  
247 successfully transition to stable, affordable housing.

248 (8) The mix and configuration of housing units (e.g., studio, one-  
249 bedroom, two-bedroom, etc.) used to meet the requirement for  
250 affordable units under Section [5.88.090](#) shall be substantially  
251 proportional to the mix and configuration of the total housing units in  
252 the project.

253 (9) For owner-occupied projects, the contract with the city  
254 required under Section [5.88.060](#) shall identify those units that shall be  
255 eligible per Section [5.88.090](#).

256 (10) The project shall comply with all applicable zoning  
257 requirements, land use regulations, and building and housing code  
258 requirements contained in Titles [21](#) and [23](#) of this code.

259 (11) New construction of multifamily housing and rehabilitation  
260 improvements must be scheduled to be completed within three years  
261 from the date of approval of the application, or within an authorized  
262 extension of this time limit.

263  
264 Section 3. Kirkland Municipal Code Section 5.88.090 is amended  
265 to read as follows:

266  
267 **5.88.090 Exemption—Duration—Affordability requirements—**  
268 **Limits.**

269 (a) The value of all new housing construction in the YBD 1 zoning  
270 district shall be exempt from ad valorem property taxation for eight  
271 years if not less than twenty percent nor more than fifty percent of the  
272 residential units in the zoning district are affordable, as defined in  
273 subsection (a)(1) of this section. For owner-occupied projects, the  
274 exemption shall apply only to those units that are affordable. For renter-  
275 occupied projects, a minimum of ten percent of the total residential units  
276 shall be affordable at a maximum of fifty percent of the King County  
277 median household income. For renter-occupied projects, the exemption  
278 shall extend to twelve years if at least twenty-five percent of the  
279 residential units in the zoning district are affordable, with no less than  
280 fifteen percent of the residential units affordable at a maximum of fifty  
281 percent of the King County median household income. The following  
282 standards apply to exemptions in this zoning district:

283 (1) "Affordable" means housing reserved for occupancy by eligible  
284 households and affordable to households whose household annual  
285 income meets the following percentages of the King County median  
286 household income, adjusted for household size, as determined by the  
287 United States Department of Housing and Urban Development (HUD),  
288 and no more than thirty percent of monthly household income is paid  
289 for monthly housing expenses:

290 (A) For renter-occupied dwelling units, not more than seventy  
291 percent; and

292 (B) For owner-occupied dwelling units, not more than eighty  
293 percent, or that have such other comparable level of affordability as  
294 provided for in KZC [56.10](#). In the event that HUD no longer publishes  
295 median income figures for King County, the city may use another  
296 method to determine the King County median income, adjusted for  
297 household size.

298 (2) "Monthly housing expenses" includes rent and an appropriate  
299 utility allowance for renter-occupied dwelling units. It includes  
300 mortgage, mortgage insurance, property taxes, property insurance and  
301 homeowners' dues for owner-occupied dwelling units.

302 (3) If the percentage of affordable units in the project required is  
303 a fraction, then the number of required affordable units shall be rounded  
304 up to the next whole number (unit) if the fraction of the whole number  
305 is at least 0.66.

306 (4) The residential units may be developed in phases and, subject  
307 to the approval of the director, the affordable units may all be located  
308 in one of the phases. If phasing is approved, the director may allow  
309 separate contracts for each phase.

310 (5) The exemption begins January 1st of the year immediately  
311 following the calendar year of issuance of the certificate.



312 (b) In all zoning districts except YBD 1, the value of new housing  
313 construction and rehabilitation improvements qualifying under this  
314 chapter shall be exempt from ad valorem property taxation for:

315 (1) Eight successive years beginning January 1st of the year  
316 immediately following the calendar year of issuance of the certificate for  
317 rental projects where at least ten percent of the units are affordable as  
318 defined in Section [5.88.020\(a\)](#), or have such other comparable level of  
319 affordability as provided for in the city's affordable housing incentive  
320 program, as regulated through Chapter [112KZC](#). Projects where  
321 affordable units are provided through a payment to the city in lieu of  
322 construction, as allowed in Chapter [112KZC](#), are eligible to apply for an  
323 exemption. If the percentage of affordable units in the project required  
324 is a fraction, then the number of required affordable units shall be  
325 rounded up to the next whole number (unit) if the fraction of the whole  
326 number is at least 0.66. To the extent allowed by Chapter [84.14](#) RCW,  
327 the city may grant a partial exemption in zoning districts where  
328 additional building height is allowed instead of a density bonus in  
329 exchange for the creation of affordable housing units. In making its  
330 decision on the amount of the partial exemption, the city will consider  
331 the value of the height increase allowed and any fee waivers.

332 (2) Eight successive years beginning January 1st of the year  
333 immediately following the calendar year of issuance of the certificate for  
334 rental projects not subject to the affordable housing requirements of  
335 the Kirkland Zoning Code where at least ten percent of the units are  
336 affordable to households whose household annual income does not  
337 exceed eighty percent of the King County median household income,  
338 adjusted for household size, as determined by HUD, and no more than  
339 thirty percent of the monthly household income is paid for monthly  
340 housing expenses (rent and an appropriate utility allowance). In the  
341 event that HUD no longer publishes median income figures for King  
342 County, the city may use or determine such other method as it may  
343 choose to determine the King County median income, adjusted for  
344 household size. If the percentage of affordable units in the project  
345 required is a fraction, then the number of required affordable units shall  
346 be rounded up to the next whole number (unit) if the fraction of the  
347 whole number is at least 0.66. To the extent allowed by  
348 Chapter [84.14](#) RCW, the city may grant a partial exemption if a lesser  
349 amount of affordability is provided. The amount of the partial exemption  
350 shall be proportional to the amount of affordability provided relative to  
351 that required for a full exemption. (For example, if a project includes  
352 five percent of the units affordable at fifty percent of median income,  
353 the property will receive an exemption on fifty percent of the residential  
354 portion of the project.)

355 (3) Eight successive years beginning January 1st of the year  
356 immediately following the calendar year of issuance of the certificate for  
357 owner-occupied projects. The property tax exemption shall apply only  
358 to those units that are affordable as defined in Section [5.88.020\(a\)](#) or  
359 that have such other comparable level of affordability as provided for in  
360 the city's affordable housing incentive program, as regulated through  
361 Chapter [112](#) KZC.

362 (4) Twelve successive years beginning January 1st of the year  
363 immediately following the calendar year of issuance of the certificate for  
364 rental projects where at least ten percent of the units are affordable as  
365 defined in Section [5.88.020\(a\)](#) and at least an additional ten percent of

366 the units are affordable to households whose household annual income  
367 does not exceed eighty percent of the King County median household  
368 income, adjusted for household size, as determined by HUD, and no  
369 more than thirty percent of the monthly household income is paid for  
370 monthly housing expenses (rent and an appropriate utility allowance);  
371 provided, however, that rental projects determined by the city council  
372 to confer additional, substantial public benefits in the form of additional  
373 housing units for city or other public entity employees in the city and  
374 funding for housing programs to help individuals experiencing  
375 homelessness and low-income residents to successfully transition to  
376 stable, affordable housing shall meet the requirements of this  
377 subsection so long as at least twenty percent of the units are affordable  
378 to households whose annual household income does not exceed eighty  
379 percent of the King County median household income, adjusted for  
380 household size. In the event that HUD no longer publishes median  
381 income figures for King County, the city may use or determine such  
382 other method as it may choose to determine the King County median  
383 income, adjusted for household size. Projects where affordable units are  
384 provided through a payment to the city in lieu of construction, as  
385 allowed in Chapter [112](#) KZC, are eligible to apply for an exemption. If  
386 the percentage of affordable units in the project required is a fraction,  
387 then the number of required affordable units shall be rounded up to the  
388 next whole number (unit) if the fraction of the whole number is at least  
389 0.66. To the extent allowed by Chapter [84.14](#) RCW, the city may grant  
390 a partial exemption in zoning districts where additional building height  
391 is allowed instead of a density bonus in exchange for the creation of  
392 affordable housing units. In making its decision on the amount of the  
393 partial exemption, the city will consider the value of the height increase  
394 allowed and any fee waivers.

395 (5) Twelve successive years beginning January 1st of the year  
396 immediately following the calendar year of issuance of the certificate for  
397 owner-occupied projects where at least ten percent of the units are  
398 affordable as defined in Section [5.88.020\(a\)](#) and at least an additional  
399 ten percent of the units are affordable to households whose household  
400 annual income is no greater than thirty percentage points higher than  
401 the applicable King County median household income defined in  
402 Section [5.88.020\(a\)](#), adjusted for household size, as determined by  
403 HUD, and no more than thirty percent of the monthly household income  
404 is paid for monthly housing expenses. In the event that HUD no longer  
405 publishes median income figures for King County, the city may use or  
406 determine such other method as it may choose to determine the King  
407 County median income, adjusted for household size. If the percentage  
408 of affordable units in the project required is a fraction, then the number  
409 of required affordable units shall be rounded up to the next whole  
410 number (unit) if the fraction of the whole number is at least 0.66. The  
411 property tax exemption shall apply only to those units that are  
412 affordable as defined in Section [5.88.020\(a\)](#) or this subsection.

413 (c) The exemption does not apply to the value of land or to the  
414 value of improvements not qualifying under this chapter, to increases in  
415 assessed valuation of land and nonqualifying improvements, or to  
416 increases made by lawful order of the King County board of equalization,  
417 Washington State Department of Revenue, State Board of Tax Appeals,  
418 or King County, to a class of property throughout the county or a specific  
419 area of the county to achieve uniformity of assessment or appraisal as

420 required by law. In the case of rehabilitation of existing buildings, the  
421 exemption does not include the value of improvements constructed prior  
422 to submission of the completed application required under this chapter.

423  
424 Section 4. The City Manager is authorized and directed to  
425 execute the Master Leases with KSI and Sustainable Kirkland related to  
426 the Plaza and Arete developments, respectively, in substantially the  
427 form attached hereto as Exhibits A and B.

428  
429 Section 5. The City Manager is authorized and directed to  
430 execute the Multifamily Housing Limited Property Tax Exemption  
431 Contract and Declaration of Affordable Housing Covenants with KSI  
432 related to the Plaza development and to thereafter record such contract  
433 and covenant with the King County recorder’s office prior to the issuance  
434 of a certificate of occupancy for Plaza, which contract and covenant shall  
435 be in substantially the form attached hereto as Exhibits C and D.

436  
437 Section 6. If any provision of this ordinance or its application to  
438 any person or circumstance is held invalid, the remainder of the  
439 ordinance or the application of the provision to other persons or  
440 circumstances is not affected.

441  
442 Section 7. This ordinance shall be in force and effect five days  
443 from and after its passage by the Kirkland City Council and publication  
444 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
445 form attached to the original of this ordinance and by this reference  
446 approved by the City Council.

447  
448 Passed by majority vote of the Kirkland City Council in open  
449 meeting this \_\_\_\_ day of \_\_\_\_\_, 2019.

450  
451 Signed in authentication thereof this \_\_\_\_ day of  
452 \_\_\_\_\_, 2019.

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

Attest:

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

Approved as to Form:

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

PLAZA  
MASTER LEASE

BETWEEN

KIRKLAND SUSTAINABLE INVESTMENTS, LLC,

as Lessor

and

THE CITY OF KIRKLAND,

as Lessee

**BASIC MASTER LEASE TERMS**

**Date of Lease:** \_\_\_\_\_, 2019

**Lessor:** KIRKLAND SUSTAINABLE INVESTMENTS, LLC, a Washington limited liability company

**Lessor's Address:** Kirkland Sustainable Investments, LLC  
450 Central Way  
Kirkland, WA 98033  
Attn: Robert Pantley

**Lessee:** The City of Kirkland, a Washington municipal corporation

**Lessee's Address:** 123 - 5<sup>th</sup> Avenue, Kirkland, WA 98033

**Premises:** Not more than twenty-three (23) workforce housing units (each, a “**Unit**”) located in the building commonly known as Plaza (the “**Building**”), located at 330 – 4th Street, City of Kirkland, King County, Washington, 98033. The Premises and Building are situated on property legally described on Exhibit A attached hereto (the “**Property**”), and the Units are listed on Exhibit B attached hereto. The maximum number of Units shall be subject to revision from time to time as the parties may hereafter mutually agree, provided that, except to the extent the parties may otherwise agree, in no event shall the total number of Units in the Building and in the “Areté Project” defined below exceed thirty-four (34).

**Term:** One (1) year; automatically renewed for up to eleven (11) additional one (1) year terms (each, an “**Extension Term**”) unless Lessee elects not to so renew the Term.

**Commencement Date:** The last to occur of (i) receipt of a certificate of occupancy for the Building by Lessor and (ii) issuance and filing with the King County Assessor of the MFTE Certificate (as defined below) for the Building. The “**Projected Commencement Date**” is January 1, 2020. Upon occurrence of the actual Commencement Date, the parties shall cooperate to execute a written confirmation thereof consistent with terms of this Lease.

**Termination Date:** December 31, 2020 (subject to automatic annual renewal as provided below).

**Rent Due from Lessee:** As set forth in Section 7 below.

**Rent Credit For MFTE** As set forth in Section 7.4 below.

**Tax Savings:**

**Security Deposit:** None.

**Plaza MFTE Agreement:** That certain Multifamily Housing Limited Property Tax Exemption Agreement by and between Lessor and Lessee, and recorded on \_\_\_\_\_, 2019 under Auditors' File No. \_\_\_\_\_, Official Records of King County, Washington, concerning the Building. In connection with the Plaza MFTE Agreement, the Director of Lessee's Planning & Community Development Department has or will issue a final certificate of tax exemption for the Plaza Project (the "**MFTE Certificate**") pursuant to Chapter 5.88 of the Kirkland Municipal Code ("**KMC**") and Chapter 84.14 RCW.

**Areté Master Lease:** That certain Arété Master Lease Agreement of even date herewith by and between SUSTAINABLE KIRKLAND, LLC, a Washington limited liability company ("**Areté Owner**") as "Lessor" thereunder and Lessee as the "Lessee" thereunder, concerning certain existing property and improvements on property legally described in Arété Master Lease and having a street address at 450 Central Way, Kirkland, Washington 98033 (the "**Areté Project**").

This Lease is a master lease of those Units at the Premises identified on Exhibit B attached hereto by Lessor to Lessee, as Exhibit B may be modified or changed from time to time by the Lessor and Lessee.

**Exhibits:**

- |           |   |
|-----------|---|
| Exhibit A | Legal Description of the Property           |
| Exhibit B | Schedule of Units and Rents                 |
| Exhibit C | Description of Property Management Services |
| Exhibit D | Lessor's Form Residential Lease             |

**GENERAL LEASE TERMS**

**1. Definitions.** The capitalized terms used in this Lease shall have the meanings ascribed thereto in the Basic Master Lease Terms or as otherwise specifically defined herein. Any

reference to “**Units**” in this Lease shall mean those residential workforce housing units located in the Premises and identified on Exhibit B attached hereto and incorporated herein, as Exhibit B may be modified or changed from time to time by the Lessor and Lessee pursuant to the procedures set forth elsewhere in this Lease (the “**Schedule of Units and Rents**”).

**2. Agreement to Lease; Condition of Units.** For and in consideration of Lessee’s performance of its covenants herein provided, Lessor does hereby master lease to Lessee, and Lessee does hereby master lease from Lessor, all of the Units. Lessee’s lease rights hereunder in and to the Units shall be limited to the right, in Lessee’s sole and absolute discretion, to identify, select and direct Qualified Residents (defined below) to Lessor, whereupon, subject to compliance with the other terms and conditions of this Lease, such Qualified Residents shall then execute direct individual residential rental agreements with Lessor on Lessor’s Form Residential Lease (as defined below) for the Units (each, a “**Unit Lease**”). The typical term of Lessor’s Form Residential Lease is one (1) year.

**3. Selection of and Changes to the Schedule of Units and Rents.**

**3.1 General.** The specific Units that are subject to this Lease shall be initially selected by the parties as described below and are subject to periodic revision by the parties not less frequently than annually as provided below.

**3.2 Initial Selection of Units.** The Schedule of Units and Rents attached hereto as Exhibit B is the initial schedule showing the initial Units subject to this Lease, which Units have been selected based on their anticipated availability as of the Projected Commencement Date. Exhibit B also sets forth the applicable Scheduled Unit Rent (defined below) payable by Qualified Residents as to each such Unit, and the Market Rent as to each such Unit.

**3.3 Annual Updates.** The Schedule of Units and Rents shall be reviewed and updated as may be necessary by the parties at least on an annual basis. Commencing in June of each calendar year during the Term, the parties shall begin exchanging information concerning the number of Units desired by the Lessee, existing and prospective new Qualified Residents and existing and prospective new Units, including consideration of changing market conditions and increases or decreases in rents, and anticipated lease expirations of current and projected future Units. The parties will use diligent, good faith efforts to negotiate and update the Schedule of Units and Rents with any changes to the Units, Scheduled Unit Rents, and Market Rents on or before September 30 of each calendar year during the Term, with such revised Schedule of Units and Rents to be effective during the next succeeding calendar year, subject to amendment as described in this Lease. If, despite diligent, good faith efforts, the parties are unable to agree to any changes to the then-current Schedule of Units and Rents, the then-current Schedule of Units and Rents shall remain in effect until December 31 of the next succeeding calendar year, except that Lessor may unilaterally change the Market Rents as to one or more Units applicable during such calendar year by not more than the average of (a) the percentage of increase in the CPI defined below during the prior calendar year, and (b) the average of the percentage increase in Market Rents for the units at the Premises not subject to this Lease, and the matter shall be subject to mediation and arbitration as set forth in Section 18.13 below. As used herein, the “**CPI**” shall mean the Revised Consumer Price Index for All Urban Consumers (CPI-U): Seattle-Tacoma-Bremerton WA Area, all items index (Reference Base 1982-84 = 100) published by the Bureau of

Labor Statistics of the United States Department of Labor. If the CPI is no longer published, it shall be replaced by a comparable index reasonably selected by Lessor. For the avoidance of doubt, any changes (i.e., increase or decrease) in the number of Units covered by any particular annual Schedule of Units and Rents shall not be binding on the parties in subsequent calendar years during the Term, and Lessee shall have the right to increase and/or decrease, on an annual basis, and from time to time as set forth in Section 3.4 and 3.5 hereof, the number of Units included within the Premises each calendar year when the Schedule of Units and Rents is next renegotiated, subject to the maximum number of Units set forth above.

**3.4 Procedures for New Units.** The parties anticipate that most Qualified Residents shall lease Units on a calendar year basis (i.e., with each Unit Lease term to commence on January 1). However, if a Unit is not available for rent to a Qualified Resident on the projected availability date for that Unit, notwithstanding such Unit's inclusion on the Schedule of Units and Rents in effect for such calendar year, Lessor shall notify Lessee when such Unit becomes available, and such Unit shall be deemed added to this Lease on the first (1<sup>st</sup>) day of the next succeeding calendar month, whether or not a Qualified Resident has been selected for or actually moves into such Unit on such date. Furthermore, with respect to any Unit that becomes vacant and thus available for lease prior to the date on which such Unit was originally scheduled to be added to the Premises hereunder, Lessor shall promptly notify Lessee of such early vacancy/availability, and with the consent of the Lessee, such Unit shall be deemed added to the Premises the first (1<sup>st</sup>) day of the next succeeding calendar month. Although Lessee may at any time request that additional Units not already appearing on the then-effective Schedule of Units and Rents be reserved for rental by Qualified Residents, Lessor shall not be obligated to provide any such additional Units.

**3.5 Procedures for Vacant Units.** If despite good faith efforts, Lessee is unable to direct Qualified Residents for all Units appearing on the then-effective Schedule of Units and Rents, Lessee may direct Lessor to lease said Unit(s) as quickly as possible to any third party on Lessor's Form Residential Lease, but otherwise on such terms and conditions (including as to rent) as Lessor may elect in its sole discretion, and in such case said Unit(s) shall be removed from the Schedule on the first (1<sup>st</sup>) day of the next succeeding calendar month. Furthermore, Lessor may at any time during the calendar year for which a Schedule of Units and Rents is then in effect (but not more frequently than once per month), elect to delete (but not add) vacant Units from the Schedule, such removal to be effective on a date chosen by Lessee during that calendar year that is the last day of a calendar month that is at least thirty (30) days after the date of Lessee's notice of deletion.

**3.6 Procedures for Surrendered Units.** With respect to Units which will not be included in the new Schedule of Units and Rents for the next succeeding calendar year, unless Lessor elects in its sole discretion to continue leasing such Unit to the then-current Qualified Resident on such terms and conditions as to which Lessor may agree, Lessee shall use reasonable efforts to cause such Qualified Resident to vacate such Unit on or before December 31 of such year, or such later date reflected as the last day of such Qualified Resident's lease term, as reflected in such Qualified Resident's Unit Lease (such later date, the "**Unit Lease Expiration Date**") and to surrender the same in the condition required by the Form Residential Lease. Lessee shall remain responsible for all Rent due under this Lease as such Unit through December 31 of such year or the Unit Lease Expiration Date, if later, regardless when the Qualified Resident actually vacates



same, unless Lessor is able to re-rent such Unit to another resident. For any portion of a Qualified Resident's Unit Lease extending beyond the Term of this Lease, Lessor shall have the right to require such Qualified Resident to pay Lessor's then-market rental amount as to the applicable Unit for the remainder of such Qualified Resident's Unit lease term.

#### **4. Selection and Qualification of Qualified Residents.**

**4.1 Qualified Resident Criteria.** Lessee shall have the right to require Lessor to rent the Units included on the Schedule only to "**Qualified Residents**", which for purposes of this Lease are prospective Unit tenants who satisfy (i) Lessor's prospective tenant criteria, to be determined and applied in Lessor's sole discretion ("**Lessor's Qualified Resident Criteria**"), including financially-related tenant selection criteria relating to creditworthiness, net worth, income, or other financial-related considerations (the "**Financial Standards**"), provided, however, that Lessor shall consider its Financial Standards with reference to such Qualified Resident's ability to pay the Scheduled Unit Rent (not the Market Rent) as to the Unit which such Qualified Resident is seeking to rent, and (ii) Lessee's prospective tenant criteria, to be determined and applied in Lessee's sole discretion ("**Lessee's Qualified Resident Criteria**"). Without limiting the generality of the foregoing, Lessee shall be solely responsible for determining the standards and criteria of Lessee's Qualified Resident Criteria, including without limitation Financial Standards that may be less stringent than the Financial Standards included in Lessor's Qualified Resident Criteria, which Lessee may alter or amend at any time in Lessee's sole discretion. Lessor shall be solely responsible for determining the standards and criteria of Lessor's Qualified Resident Criteria, including without limitation background checks, which Lessor may alter or amend at any time in Lessor's sole discretion. For the avoidance of doubt, Lessee may also at any time in its sole discretion waive any prospective Qualified Resident's compliance with Lessee's Qualified Resident Criteria but not Lessor's Qualified Resident Criteria (except as noted in Section 4.2 below), and Lessor may at any time in its sole discretion waive any prospective Qualified Resident's compliance with Lessor's Qualified Resident Criteria but not Lessee's Qualified Resident Criteria.

**4.2 Identification of Prospective Qualified Residents.** From time to time, Lessee shall identify and/or refer potential tenant applicants to Lessor who meet Lessee's Qualified Resident Criteria. Lessor shall, promptly and in good faith, confirm with Lessee whether the prospective tenant satisfies Lessor's Qualified Resident Criteria (and thus is a Qualified Resident) and may, in its discretion, impose additional commercially reasonable tenant screening and application procedures and requirements, so long as the same are consistent with prudent industry practices, including without limitation application fees, typical refundable and non-refundable deposits, and credit and background checks and otherwise consistent with Lessor's screening and application procedures and requirements for residential units at the Building. If Lessor intends to reject a proposed Qualified Resident due to its failure to satisfy Lessor's Qualified Resident Criteria, Lessor shall promptly advise Lessee of the reasons therefor, to the extent Lessor is permitted to do so pursuant to applicable Laws (as defined below). On a case-by-case basis, Lessee shall have the right to require Lessor accept a proposed Qualified Resident who meets all of Lessor's Qualified Resident Criteria except for the Financial Standards. Upon approval of such Qualified Resident by Lessor, each such Qualified Resident (but not Lessee) shall be required to execute and deliver to Lessor a Unit Lease on Lessor's standard residential apartment tenant lease form (the "**Form Residential Lease**"), the current form of which is attached hereto as Exhibit D,

prior to its entry into and occupancy of the Unit, provided that (i) the monthly rent payable by such Qualified Resident shall not exceed the Scheduled Unit Rent as to such Unit as reflected in Exhibit B, and (ii) the Qualified Resident shall pay all other fees and charges for such Unit, including without limitation any parking fees, storage unit charges, utility charges, and the like, all as may be set forth in the Form Residential Lease.

**4.3 Change in Status during Unit Lease Term.** Lessee shall promptly notify Lessor at any time it becomes aware a Qualified Resident then occupying a Unit no longer satisfies Lessee's Qualified Resident Criteria. If more than one (1) month remains on the term of such former Qualified Resident's Unit Lease, Lessor shall have the right, in its sole discretion, upon thirty (30) days' prior written notice to such former Qualified Resident, to require such Former Qualified Resident to pay Lessor's then-market rental amount as to the applicable Unit for the remainder of such Former Qualified Resident's lease term. Furthermore, if Lessor and such former Qualified Resident shall desire to renew or extend the term of such party's Unit Lease, such Unit shall thereafter no longer be considered one of the "Units" subject to the terms of this Lease, and Exhibit B shall be accordingly updated as part of the next Annual Update.

**5. Property Management.** Lessor shall either provide or contract with a third-party property manager to provide property management services to the Units as described in Exhibit C (collectively, the "**Property Management Services**") in connection with this Lease and the Unit Leases at no additional fee or charge to Lessee. Lessor shall have the right to select and change from time to time the property manager for the Building/Property, which may be affiliated with Lessor.

**6. Term; Termination; Surrender of Units.** The Lease shall be for the Term indicated in the Basic Master Lease Terms and shall automatically renew annually (each such annual extension, an "**Extension Term**") on a calendar year to calendar year basis (i.e., from January 1 to the next succeeding December 31) for up to the maximum number of Extension Terms provided in Basic Master Lease Terms, unless Lessee elects, by written notice given to Lessor on or before September 30 of any year, to not extend the Term of this Lease beyond the end of the following calendar year. Upon the expiration or earlier termination of this Lease, Lessee shall surrender possession of all of the Units to Lessor free from possessory rights of all Qualified Residents or any other third party, on a rolling basis as part of a "**Ramp Down Period**". The Ramp Down Period shall commence on the Termination Date and during the Ramp Down Period, Lessee shall surrender or cause each Qualified Resident to surrender possession of the Units to Lessor in accordance with the surrender requirements in such Qualified Resident's Unit Lease, on the later of December 31 of such year, or the Unit Lease Expiration Date, if later, as to each Unit. During the Ramp Down Period, Lessee shall continue to comply with all of the terms and conditions the Lease with respect to each Unit that Lessee has not yet surrendered possession of.

**7. Rent; Rent Credits.**

**7.1 Market Rent; Scheduled Unit Rent.** Lessee covenants and agrees to pay Lessor the Market Rents as to each Unit set forth on Exhibit B (as it may be amended from time to time pursuant to the terms of this Lease) attached hereto during the Term hereof (the fair market rent as to each specific Unit which Lessee is required to pay is sometimes referred to hereafter as the "**Market Rent**," the amount which Qualified Residents are obligated to pay as to such Unit is

sometimes referred to hereinafter as the “**Scheduled Unit Rent**”, and all amounts payable or guaranteed by Lessee to Lessor hereunder are collectively referred to as “**Rent**”), regardless of whether any such Unit is then leased or occupied; provided, that prior to Lessee paying Scheduled Unit Rent to Lessor, Lessor agrees to use good faith, commercially reasonable efforts to enforce the terms of each Qualified Resident’s Unit Lease, including attempting to collect unpaid Scheduled Unit Rent owed and promptly commencing and diligently prosecuting to conclusion unlawful detainer actions if reasonably necessary to recover possession of a Unit from defaulting Qualified Residents as soon as reasonably possible.

**7.2 Receipt of Qualified Resident Rentals; Reconciliation Payment by Lessee.** On or before the fifth (5<sup>th</sup>) day of each calendar month throughout the Term, or as soon thereafter as reasonably possible, Lessor shall provide a detailed written statement to Lessee showing all Scheduled Unit Rent payments received from Qualified Residents of Units and reasonably allocable to such calendar month, and stating any new delinquencies for that calendar month as well as any outstanding delinquencies for prior calendar months. Within fourteen (14) days after Lessee’s receipt of such monthly statement, Lessee shall pay to Lessor an amount equal to the net positive difference (if any) between the Rent due hereunder (i.e., the sum of Market Rents as to all Units for such month, whether or not leased or vacant) and the sum of all Scheduled Unit Rent payments received by Lessor from Qualified Residents for such Units for such month. Within thirty (30) days after the end of each calendar year during the Term (including upon occurrence of the Termination Date of this Lease), or as soon thereafter as reasonably possible, Lessor shall prepare and deliver to Lessee an annual reconciliation of all such rental amounts received by Lessor from Lessee and from Qualified Residents, and within ten (10) days thereafter, Lessee shall pay any underpaid portion to Lessor or Lessor shall refund any overpayment to Lessee, as applicable. Amounts due hereunder from Lessee shall be paid to Lessor without further notice, demand, deduction or offset, in lawful money of the United States of America, at Lessor’s address listed in the Basic Master Lease Terms or such other place as Lessor may from time to time designate to Lessee in writing. Upon receipt of the foregoing payment by Lessee to Lessor, Lessor shall assign to Lessee any right Lessor may then have to collect any outstanding and then-unpaid rents or other charges owed by Qualified Residents to Lessor. Notwithstanding the foregoing, prior to making a demand to Lessee for payment of unpaid amounts, Lessor agrees to use good faith, commercially reasonable efforts to enforce the terms of each Qualified Resident’s Unit Lease, including attempting to collect unpaid Scheduled Unit Rent owed and promptly commencing and diligently prosecuting to conclusion unlawful detainer actions if reasonably necessary to recover possession of a Unit from defaulting Qualified Residents as soon as reasonably possible.

**7.3 Late Charges.** Lessee acknowledges that late payment of Rent or other sums due hereunder will cause Lessor to incur costs not contemplated by this Lease, the exact amount of which will be extremely difficult to ascertain. Such costs include, but are not limited to, processing charges and late charges which may be imposed upon Lessor by terms of any mortgage or deed of trust covering the Units. Accordingly, if any Rent shall not be received by Lessor or Lessor’s designee within thirty (30) days after it is due and after Lessor has provided written notice to a Qualified Resident and to Lessee of such failure and such failure has not been resolved within ten (10) additional days, Lessee shall pay to Lessor, on behalf of a Qualified Resident with respect to Scheduled Unit Rent and on its own behalf, a late charge equal to the amount calculated with interest on the unpaid amount at twelve percent (12%) per annum (the

“**Default Rate**”), on a daily basis based on a 365 day year, plus any attorneys’ fees incurred by Lessor by reason of Qualified Resident’s or Lessee’s failure to pay Rent or other charges when due hereunder. Such calculation for the late charge shall begin to accrue on the date immediately following the date that such Rent is due. Acceptance of late Rent without collecting a late charge shall not be a waiver of Lessor’s rights under this section.

**7.4 Rent Credit for MFTE Tax Savings.** Pursuant to the MFTE Certificate, Lessor shall receive an exemption from a portion of the real property taxes otherwise payable by Lessor as to the Property. The annual amount of the real property tax savings realized as a result of such exemption is hereinafter referred to as the “**Annual MFTE Tax Savings.**” Each calendar year throughout the Term of this Lease, Lessee shall receive an amount equal to sixty-five percent (65%) of the Annual MFTE Tax Savings (the “**MFTE Rent Credit**”) which it intends to use either (a) as a credit against all Rent payable under this Lease, as described in the following paragraph, or (b) for other purposes as determined by the City in its sole discretion and communicated in writing to Lessor.

On or before January 1, 2020, and on or before January 1 of each subsequent calendar year during the Term of this Lease, Lessor shall provide to Lessee a written estimate of the Annual MFTE Tax Savings projected to be realized by Lessor for such calendar year, and Lessee shall receive a credit on a monthly basis equal to one-twelfth (1/12th) of this estimated amount against amounts otherwise required to be paid by Lessee pursuant to Sections 7.1 and 7.2 above. On or about August 31 (for the prior time period from January 1 through and including June 1) and on or about the last day in February of the next year (for the prior time period from July 1 through and including December 31), Lessor shall notify Lessee of the actual amount of the Annual MFTE Tax Savings realized by Lessor for such portion of the year (and, with respect to the statement to be provided at the end of February, including a reconciliation for the entire prior year). If such statement shows that (i) the sum of the estimated monthly amounts credited to Lessee above during such partial year period were less than the actual MFTE Rent Credit for such partial year period, the uncredited portion thereof shall be applied against Rent next coming due, subject to the terms of the next grammatical sentence; or (ii) the sum of the estimated monthly amounts credited to Lessee above during such partial year period exceeded the actual MFTE Rent Credit for such partial year period, Lessee shall pay the amount of the deficiency within thirty (30) days thereafter. However, any portion of the MFTE Rent Credit not fully utilized by Lessee in any single calendar year (for example, due to fewer than expected Qualified Residents leasing Units from Lessor during that year, or due to lower-than-anticipated differences between Market Rents and Scheduled Unit Rents for Units leased by Lessee during that year) may be applied against Rent due and owing hereunder for only the next succeeding calendar year. Additionally, Lessor agrees to consider reasonably and in good faith any request by Lessee to amend the Schedule of Units and Rents (for example, to increase the net positive difference between Scheduled Unit Rents and Market Rents for one or more Units) in order to facilitate Lessee’s ability to realize the full benefit of the total MFTE Rent Credit for each calendar year during the Term.

## **8. Use of Units.**

**8.1 Permitted Uses.** Lessee shall take reasonable steps to advise its Qualified Residents to use the Units solely for residential uses as per Lessor’s Form Residential Lease, as

the same may be amended by Lessor from time to time in its sole discretion. Lessee shall use reasonable efforts to advise its Qualified Residents to not use and to not permit the Units to be used for any other purpose without the prior written consent of Lessor.

**8.2 Compliance with Laws.** Lessee shall comply with and shall use reasonable efforts to advise and thereby cause its Qualified Residents to comply with all laws, statutes, ordinances and governmental rules, regulations or requirements now in force or which may hereafter be in force and with the requirements of any board of fire insurance underwriters or other similar bodies now or hereafter constituted, relating to, or affecting the condition, use or occupancy of the Units (collectively, "**Laws**"), including without limitation those relating to the Fair Housing Act of 1968, as amended, and the Washington Residential Landlord-Tenant Act, Chapter 59.18 RCW. Lessee will not ask, direct or seek Lessor to take any action or to refrain from taking any action where such action or inaction would, in Lessor's reasonable opinion, cause it or the Property to be in violation of any applicable Laws. Furthermore, Lessee will support, and will take reasonable steps to cause all Qualified Residents to support, Lessor's efforts to comply with applicable Laws concerning fair housing and anti-discrimination.

**9. Maintenance.** Lessor shall keep the Units and every part thereof in good condition and repair, including, without limitation, the maintenance, replacement and repair of any doors and door hardware, windows, plumbing, pipes, electrical wiring and conduits within the Units, as well as the common and public areas and facilities of the Units, water, sewer, fire protection and mechanical and electrical distribution systems and equipment serving the Units and the structural portions of the Premises, and otherwise in accordance with all applicable Laws.

**10. Insurance.** The parties acknowledge that Lessor shall require all Qualified Residents to carry Renter's Insurance meeting Lessor's minimum standards pursuant to Lessor's Form Residential Lease. If any Qualified Resident fails to do so, and such failure continues for ten (10) days after notice from Lessor, then Lessor shall provide written notice thereof to Lessee and, unless Lessee causes such Qualified Resident to cure any such failure within twenty (20) days after receipt of written notice from Lessor, Lessee shall be deemed to be providing such Renter's Insurance (provided that Lessee may self-insure for such risks in its sole discretion).

**11. Reconstruction of Damage by Casualty.**

**11.1 Damage.** If all or any portion of the Premises is damaged by fire or other insured casualty, Lessor shall repair the damage, this Lease shall remain in effect, Lessee shall pay all Rent due hereunder, subject to appropriate abatement to the extent one or more Units are not reasonably occupiable and the affected Qualified Resident does not in fact occupy such Unit, and Lessor shall continue to provide the Services as provided herein to the extent reasonably possible under the circumstances.

**11.2 Cancellation of Lease.** Notwithstanding the foregoing, if more than fifty percent (50%) of the Units then being occupied by Qualified Residents are damaged, then Lessor and Lessee both shall have the right to terminate this Lease upon notice given to the other party within thirty (30) days after the date of the damage. This Lease shall be deemed terminated thirty

(30) days after receipt of such notice of termination. If neither party elects to terminate the Lease as provided herein, then this Lease shall continue in full force and effect.

**11.3 Settlement of Insurance Claims.** Lessor shall have the exclusive right to settle and adjust all insurance claims with respect to any damage to the Units and to either retain, all such insurance proceeds and/or repair the damage, all as Lessor shall determine in Lessor's sole discretion.

**12. Eminent Domain.**

**12.1 Total Condemnation.** If the whole of the Units shall be acquired or condemned by eminent domain for any public or quasi-public use or purpose, then the term of this Lease shall terminate and cease as of the date that title or possession shall be transferred in such proceeding, whichever shall first occur, and all rent shall be paid up to that date and Lessee shall have no claim against Lessor for the value of any unexpired term of this Lease.

**12.2 Partial Condemnation.** If a portion (but less than all) of the Premises is appropriated or condemned by eminent domain, then Lessor and Lessee both shall have the right to terminate this Lease upon notice to the other party within thirty (30) days after being notified of the appropriation or condemnation. This Lease shall be deemed terminated as of the date title or possession shall be transferred to the condemning authority, whichever shall first occur. If neither party elects to terminate the Lease as provided herein, then this Lease shall continue in full force and effect.

**12.3 Lessor's Damages.** In the event of any condemnation or taking, whether whole or partial, Lessee shall not be entitled to any part of the award as damages or otherwise for such condemnation, Lessee hereby expressly waiving any claim or right to any part thereof. Lessor shall be entitled to all awards and damages in condemnation, to apply in such manner at Lessor determines in Lessor's sole discretion.

**12.4 Voluntary Sale.** A voluntary sale by Lessor to any public body or agency having the power of eminent domain, either under threat of condemnation or while condemnation proceedings are pending, shall be deemed to be a taking under the power of eminent domain.

**13. Lessee's Default.** The occurrence of any one or more of the following events shall constitute a default and breach of this Lease by Lessee:

(a) Lessee's failure to make any payment of undisputed Rent or any other payment required to be made by Lessee hereunder, as and when due, where such failure shall continue for a period of ten (10) days after written notice thereof by Lessor to Lessee.

(b) Except as provided in (a) and (c) of this section, any failure by Lessee to observe or perform any of the material covenants, conditions or provisions of this Lease to be observed or performed by Lessee where such failure shall continue for a period of sixty (60) days after written notice thereof by Lessor to Lessee; provided, however, that if the nature of Lessee's default is such that more than sixty (60) days are reasonably required for its cure, then Lessee shall

not be deemed to be in default if Lessee commences such cure within ten (10) days after Lessor's notice and thereafter diligently prosecutes such cure and it is completed within one hundred twenty (120) days thereafter.

(c) Any assignment or subletting by Lessee in violation of this Lease.

**14. Lessor's Remedies Upon Default.** In the event of any material default under or breach of this Lease by Lessee, Lessor may, at any time thereafter, with or without notice or demand and without limiting any right or remedy which Lessor may have by reason of such default or breach, exercise any of the following remedies (all of the following rights and remedies of Lessor shall be subject to the existing rights of Residents pursuant to their respective Unit Leases):

(a) Lessor may continue this Lease in full force and effect, and this Lease shall continue in full force and effect as long as Lessor does not terminate this Lease, and Lessor shall have the right to collect Rent and other amounts when due.

(b) Lessor may terminate Lessee's right to possession of the Units at any time by giving written notice to that effect. No act by Lessor other than giving written notice to Lessee shall terminate this Lease.

(c) Lessor may perform or provide a cure to such default or breach, and shall, together with the costs of such cure (the "**Cure Costs**") collect interest on such Cure Costs accruing at the lesser of (i) the Default Rate, or (ii) the maximum rate permitted by applicable Law, computed from the date of Lessor's payment of such costs to the date of reimbursement. Cure Costs shall be limited to the actual, out-of-pocket expenses incurred by Lessor in curing such default or breach, and shall not include any other related expenses, including, but not limited to, legal fees related thereto.

(d) Lessor may have a receiver appointed for Lessee to take possession of the Units and to apply any rent collected from the Units and to exercise all other rights and remedies granted to Lessor as an attorney-in-fact for Lessee.

(e) Lessor may pursue any other remedy now or hereafter available to Lessor under the laws or judicial decisions of the State of Washington. Lessor may sue periodically to recover damages as they accrue under this Lease, and no one action for accrued damages shall be a bar to a later action for damages subsequently accruing.

**15. Lessor's Default.** Lessor shall not be in default unless Lessor fails to perform material obligations required of Lessor (including without limitation such obligations arising under the Unit Leases with Qualified Residents) within a reasonable time, but in no event later than sixty (60) days after written notice by Lessee to Lessor and to the holder of any first mortgage or deed of trust covering the Building or Property whose name and address shall have theretofore been furnished to Lessee in writing and specifying how Lessor has failed to perform such obligations and the acts required to cure the same; provided, however, that if the nature of Lessor's obligation is such that more than sixty (60) days are required for performance, Lessor shall not be in default if Lessor commences performance within such sixty (60) day period and thereafter diligently

prosecutes the same to completion; subject to existing rights of Qualified Residents pursuant to their respective Unit Leases. As of the date of mutual execution hereof, Lessor's lenders' address for notices is as follows:

Washington Trust Bank  
Builder Services Western WA Region  
10500 NE 8th St, Suite 1100  
Bellevue, WA 98004  
Attn: Ken Paauw, Senior Vice President

And to:

FNMA  
c/o Hunt Mortgage  
11501 Outlook, Ste. 300  
Overland Park, KS 66211  
Attn: Hunt Servicing

**16. Lessee's Remedies Upon Default.** Lessee shall have the right to recover its actual damages caused by any default of Lessor under this Lease. In no event shall Lessee have the right to engage in self-help remedies as a result of Lessor's default. Lessee shall have the right to revoke the MFTE Certificate for Plaza in the event of a continuing event of material default by Lessor under this Lease following due notice and an opportunity to cure as set forth in Section 15.

**17. Assignment and Subletting.** Lessee shall not, without the prior written consent of Lessor, which will not be unreasonably withheld, conditioned, or delayed, assign or hypothecate this Lease or any interest herein or sublet all or substantially all of the Units, or permit the use of the Units by any party other than Lessee and Qualified Residents. Any of the foregoing acts without Lessor's prior written consent as aforesaid shall be void and shall, at the option of Lessor, terminate this Lease. This Lease shall not, nor shall any interest of Lessee herein, be assignable by operation of law without the written consent of Lessor. Notwithstanding the foregoing, (a) Lessor consents and agrees that Lessee may propose as Qualified Residents employees of the Lake Washington School District, the Lake Washington Institute of Technology and/or another public entity (the "**Approved Entities**"); and (b) any proposed assignment, subletting, or other transfer of Lessee's rights hereunder to any Approved Entities shall be subject to Lessor's reasonable prior consent (and the consent of any Lender of Lessor, as defined in Section 18.12 below) and Lessor's approval of (and execution by the applicable Approved Entities and Lessee of) commercially reasonable sublease, assignment and assumption, or other transfer documentation.

**18. General Provisions.**

**18.1 Interpretation.**

**18.1.1 Plats and Riders.** Clauses, plats, riders and addendums, if any, affixed to this Lease are a part hereof.



**18.1.2 Construction as Covenants.** Wherever in this Lease it is provided that either party shall or will make any payment or perform or refrain from performing any act or obligation, each such provision shall, even though not so expressed, be construed as an express covenant to make such payment or to perform, or not to perform, as the case may be, such act or obligation.

**18.1.3 Section Headings.** The section headings and article titles of this Lease shall have no effect upon the construction or interpretation of any part hereof.

**18.1.4 Time of Performance.** Time is of the essence of this Lease and each and all of its provisions in which performance is a factor.

**18.1.5 Partial Invalidity.** Any provision of this Lease which is held to be invalid, void or illegal by any court of competent jurisdiction shall in no way affect, impair or invalidate any other provision hereof.

**18.1.6 United States Funds.** All sums herein mentioned shall be conclusively deemed to refer to the lawful currency of the United States.

**18.1.7 Choice of Law.** This Lease shall be governed by the Laws of the State of Washington.

## **18.2 Legal Relationships.**

**18.2.1 Authority of Parties.** Each individual executing this Lease on behalf of Lessor and Lessee represents and warrants that he or she is duly authorized to execute and deliver this Lease and that this Lease is binding upon Lessor and Lessee, as applicable, in accordance with its terms.

**18.2.2 No Partnership.** This Lease shall not be construed as establishing a partnership or joint venture between Lessor and Lessee, and neither party shall be liable for the debts or obligations of the other, except to the extent specifically and expressly agreed to herein. Except as provided herein, neither party hereto may make any representation or create any liability on behalf of the other, and no rights in any third party shall arise by virtue of these presents.

**18.2.3 Successors and Assigns.** The covenants and conditions herein contained, subject to the restrictions upon assignments, apply to and bind the heirs, successors, executors, administrators and assigns of the parties hereto.

## **18.3 Remedies and Liability.**

**18.3.1 Cumulative Remedies.** No remedy or election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies available at law or in equity.

**18.3.2 No Waivers.** No express or implied waiver by Lessor of any event of default shall in any way be or be construed to be a waiver of any future or subsequent event of default. The written waiver by Lessor of any term, covenant or condition herein contained shall

not be deemed to be a waiver of such term, covenant or condition or any subsequent breach of the same or any other term, covenant or condition herein contained. The subsequent acceptance of rent hereunder by Lessor shall not be deemed to be a waiver of any preceding default by Lessee of any term, covenant or condition of this Lease, other than the failure of Lessee to pay the particular rental so accepted, regardless of Lessor's knowledge of such preceding default at the time of the acceptance of such rent.

**18.3.3 Inability to Perform.** Any delays in the performance of any obligation of either party under this Agreement shall be excused to the extent that such delays are caused by wars, national emergencies, natural disasters, strikes, labor disputes, utility failures, governmental regulations, riots, adverse weather, and other similar causes not within the control of such party, and any time periods required for performance shall be extended accordingly.

**18.3.4 Sale of the Building or Property.** In the event of any sale of the Building and Property by Lessor, this Lease shall remain in full force and effect according to its terms. However, in the event a condominium is established for all or any part of the Building or Property, then any Units that are to be included in any such condominium shall be released from this Lease.

**18.3.5 Limitation on Liability.** Anything in this Lease to the contrary notwithstanding, no shareholder, trustee, officer, employee or agent of Lessor shall be personally liable for any debt, claim, demand, judgment, decree, liability or obligation of any kind (in tort, contract or otherwise) of, against or with respect to Lessor arising out of any action taken or omitted to be taken for or on behalf of Lessor under and pursuant to this Lease, and resort shall be made solely to Lessor's interest in the Premises, Building and Property for the payment or performance thereof.

**18.3.6 Attorneys' Fees.** If any action or proceeding is brought by either party against the other under this Lease, each party shall bear their own costs and fees.

**18.4 Brokers.** Lessee warrants that it has had no dealings with any real estate broker or agent in connection with the negotiation of this Lease and it knows of no real estate broker or agent who is entitled to a commission in connection with this Lease. Although Robert Pantley, the Manager of the Managing Member of Lessor, is a licensed real estate broker in the State of Washington, he is not acting in any broker capacity in connection with this Lease.

**18.5 Venue.** The venue of any action brought to interpret or enforce any of the terms of this Lease or otherwise adjudicate the rights or liabilities of the parties hereto shall be laid in King County, Washington.

**18.6 Notices.** All notices and demands which may or are to be required or permitted to be given hereunder shall be in writing. All notices and demands by a party to the other shall be effective only if hand delivered, sent by recognized overnight courier service (e.g., FedEx), or sent by U.S. mail, postage prepaid, addressed to Lessor or Lessee, as applicable, at its address listed below or to such other place as such parties may from time to time designate in a written notice to the other party. The parties' initial addresses for notices shall be as stated in the Basic Master Lease Terms. Notices hand delivered or sent by overnight courier shall be effective

upon receipt or refusal to receive; notices sent by U.S. mail shall be effective on the third (3<sup>rd</sup>) day after depositing same in the U.S. mails.

**18.7 Recordation.** Notwithstanding that the Plaza MFTE Agreement itself shall be recorded, neither Lessor nor Lessee may record this Lease.

**18.8 Counterparts.** This Lease may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Lease or any counterpart may be executed and delivered by facsimile or email/.pdf transmission with an executed hard copy to follow.

**18.9 Waiver of Jury Trial.** Lessor and Lessee desire and intend that any disputes arising between them with respect to or in connection with this Lease be subject to expeditious resolution in a court trial without a jury. Therefore Lessor and Lessee each hereby waive the right to a trial by jury of any cause of action, claim, counter claim or cross complaint in any action, proceeding or other hearing brought by either Lessor against Lessee or Lessee against Lessor on any matter whatsoever arising out of, or in any way connected with, this Lease, the relationship of Lessor and Lessee concerning the subject matter of this Lease or the documents related thereto or any claim of injury or damage, or the enforcement of any remedy under any Law now or hereafter in effect concerning such agreements.

**18.10 Entire Agreement.** This Lease contains all of the agreements of the parties hereto with respect to any matter covered or mentioned in this Lease, and no prior agreements or understanding pertaining to any such matters shall be effective for any purpose. No provision of this Lease may be amended or added to except by an agreement in writing signed by the parties hereto or their respective successors in interest. This Lease shall not be effective or binding upon any party until fully executed by both parties hereto.

**18.11 Termination of Plaza MFTE Agreement.** Notwithstanding anything to the contrary elsewhere herein, if the Plaza MFTE Agreement or MFTE Certificate shall expire or be terminated during the Term hereof, then, at Lessor's election, except to the extent the parties otherwise agree, this Lease shall terminate without further renewal at the end of the then-effective calendar year. In such event, with respect to all Qualified Residents then occupying Units: (a) each such Qualified Resident shall remain in possession of such Unit until the expiration of the Term as to such Qualified Resident's Unit Lease; and (b) from and after the effective date of termination of this Lease, Lessor may elect to require each such Qualified Resident to pay then-Market Rent as to such Qualified Resident's Unit.

**18.12 Estoppel Certificates.** Lessee shall, upon at least ten (10) days' prior written notice, provide to Lessor, any person or entity acquiring Lessor's interest in the Building or Property, or any lender of either (a "**Lender**"), a certificate of estoppel stating: (a) that this Lease is unmodified and in full force and effect (or if there have been modifications, that this Lease is in full force and effect as modified and stating the modifications); (b) the Term of the Lease including any extensions thereto; (c) the dates to which the Rent and any other charges hereunder have been paid by Lessee; (d) the amount of any security deposit (if any) delivered to Lessor; (e) whether or not, to Lessee's actual knowledge, Lessor is in default (or whether any event or condition exists which, with the passage of time, would constitute an event of default by Lessor

under this Lease; (f) the address to which notices to Lessee should be sent; and (g) any other factual information concerning this Lease or the Premises as may be reasonably required by the recipient.

### **18.13 Lender Protections.**

**18.13.1 Lender Approval.** This Lease is subject to the approval of Lessor's Lender, which Lessor shall use good faith, diligent efforts to obtain. If Lessor has not satisfied or waived the foregoing requirement within one hundred twenty (120) days after mutual execution hereof, despite Lessor's diligent, good faith efforts, then Lessor may elect to terminate this Lease by written notice to Lessee, in which event the parties shall have no further rights or obligations hereunder.

**18.13.2 Lessor's Assignment of Lease.** Lessee acknowledges that Lessor has the right to transfer all or any portion of its interest in the Property or Building and in this Lease, and Lessee agrees that in the event of any such transfer (other than a transfer solely for security purposes), Lessor shall automatically be released from all liability under this Lease and Lessee agrees to look solely to such transferee for the performance of Lessor's obligations hereunder after the date of transfer and such transferee shall be deemed to have fully assumed and be liable for all obligations of this Lease to be performed by Lessor, and Lessee shall attorn to such transferee. Lessee further acknowledges that Lessor may assign its interest in this Lease to its Lender as additional security and agrees that such an assignment shall not release Lessor from its obligations hereunder and that Lessee shall continue to look to Lessor for the performance of its obligations hereunder. Lessee hereby consents to any such assignment for security purposes and agrees to promptly execute at no cost to Lessor any additional commercially reasonable documentation required by Lessor or its Lender to document Lessee's consent to such assignment for the benefit of such lender and its assigns.

**18.13.3 Subordination, Non-Disturbance, and Attornment.** This Lease shall be subject and subordinate to all present and future ground or underlying leases of the Building or Property and to the lien of any mortgage, trust deed or other encumbrances now or hereafter in force against the Building or Property or any part thereof, if any, and to all renewals, extensions, modifications, consolidations and replacements thereof, and to all advances made or hereafter to be made upon the security of such mortgages or trust deeds (each of which, a "**Loan**"), unless the holders of such Loans or the lessors under such ground lease or underlying leases (each of whom, for purposes of this Section 18.13, shall be deemed a "**Lender**") require in writing that this Lease be superior thereto. Lessee covenants and agrees, upon written notice from Lender after the occurrence of an event of default by Lessor under such Lender's Loan, to pay all Rent payable hereunder to Lender, and acknowledges that this Lease and all rights of Lessee hereunder are expressly subordinate to the Loan. In the event any proceedings are brought for the foreclosure of any such mortgage or deed in lieu thereof (each of which, a "**Foreclosure**") (or if any such ground lease or underlying lease is terminated), to attorn, without any deductions or set-offs whatsoever, to the lienholder or purchaser or any successors thereto upon any such Foreclosure, or to the ground lessor, if applicable (each of which, a "**Purchaser**"), if so requested to do so by such Purchaser, and to recognize such Purchaser as the lessor under this Lease, provided such Purchaser shall agree to accept this Lease and not terminate this Lease or disturb Lessee's occupancy, so long as Lessee timely pays the rent and observes and performs the terms and conditions of this Lease to be observed and performed by Lessee, or except as may otherwise be provided in an executed SNDA

(described below). The foregoing attornment shall be self-executing and shall be effective upon acquisition of title to the Building or Property by Lender or such other Purchaser, provided that Lessee agrees, within fourteen (14) days after request, to execute a subordination, nondisturbance, and attornment agreement (“**SNDA**”) or such other further instruments or assurances as Lender or any Purchaser may reasonably deem necessary to evidence or confirm the subordination or superiority of this Lease to any such Loans and/or the subordination, nondisturbance, and attornment provisions set forth above.

**18.14 Mediation or Arbitration of Certain Disputes.** In the event of any dispute arising under this Lease, the parties shall make their best efforts to resolve disputes as expeditiously as possible through negotiations at the lowest possible decision-making level, and in the event such negotiations are unsuccessful, to first participate in good faith in the mediation process described below.

**18.14.1 Involvement of Mediator & Mediator’s Consultants.** In the event an issue cannot be resolved by negotiations between the parties for a period of thirty (30) days, the parties shall meet during the immediately succeeding ten (10) days to select a mediator to assist in the resolution of such dispute. If the parties cannot agree upon a mediator within such 10-day period, either party may apply to the American Arbitration Association or the Judicial Arbitration & Mediation Service for the appointment of a mediator according to the process that is established by such entity for such action. The parties shall share equally the cost charged for the mediation of any dispute. The mediator shall have the authority to engage one or more expert consultants with knowledge in the field(s) or area(s) involved in the matter(s) that are in dispute to assist the mediator and the parties to evaluate their respective claims and resolve their dispute.

**18.14.2 Continuation of Efforts in Event of Dispute; No Litigation without Mediation.** Notwithstanding the existence of any dispute between them, the parties shall continue to carry out, without unreasonable delay, all of their respective responsibilities under this Lease which are not affected by the dispute. Neither party to this Lease shall commence any litigation against the other with respect to any claim or dispute arising hereunder without first participating, in good faith, in mediation as contemplated in this Section.

**18.14.3 Binding Arbitration.** In the event of any dispute hereunder concerning the determination of Market Rents or Scheduled Unit Rents that is not satisfactorily resolved via mediation as described above, the matter will be promptly resolved through binding arbitration as follows:

(a) All disputes between the parties arising solely under this Section shall be decided by arbitration in accordance with the then applicable rules of the American Arbitration Association, unless the parties mutually agree otherwise. Notice of the demand for arbitration shall be filed in writing with the other party to this Lease and with the American Arbitration Association. The demand shall be made within a reasonable time after the dispute, or other matter in question, has arisen. This agreement to arbitrate shall be specifically enforceable under prevailing state or federal arbitration law. A single arbitrator experienced in commercial real property leases shall arbitrate the dispute, provided that in the event that the parties cannot agree on an arbitrator, each party shall select an arbitrator and the two arbitrators so selected shall select a third arbitrator. The panel of three arbitrators shall then arbitrate the dispute.

(b) Except as may be otherwise agreed by the parties to this Lease, the rules governing the issuance of subpoenas and discovery shall be those used by the United States District Courts which are commonly termed the Federal Rules of Civil Procedure. Those rules shall be reasonably adapted to a proceeding before the American Arbitration Association. Any pre-hearing disputes as to subpoenas or discovery shall be resolved by the arbitrator who is assigned to hear the claims, disputes and other matters in question. Only the arbitrator is authorized to issue subpoenas and may do so on the request of any party to the arbitration. Any award rendered by the arbitrator shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction. Venue of any arbitration conducted pursuant to the Lease shall be in King County, Washington.

(c) Notwithstanding anything to the contrary herein, no provision or, nor exercise of any rights under, the foregoing arbitration procedure shall limit the right of Lessor, and the Lessor shall have any right during any dispute to seek, use and employ ancillary or preliminary remedies, judicial or otherwise, for the purpose of preserving, protecting, or evicting Lessee or any Qualified Resident from the Premises. The institution and maintenance of any such actions, remedies, or rights or the pursuit of any such ancillary or provisional remedies or self-help shall not constitute a waiver of Lessor's right to submit a dispute to arbitration as permitted in this Section.

[Signature Page Follows.]

IN WITNESS WHEREOF, the parties have executed this Lease as of the day and year first above written.

**LESSOR:** KIRKLAND SUSTAINABLE INVESTMENTS, LLC, a Washington limited liability company

By: Green Solar Investments, LLC, a Washington limited liability company, its Manager

By: \_\_\_\_\_  
Robert Pantley, its Managing Member

Date: \_\_\_\_\_

**LESSEE:** THE CITY OF KIRKLAND, a Washington municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF WASHINGTON

ss.

COUNTY OF KING

I certify that I know or have satisfactory evidence that Robert Pantley is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Managing Member of Green Solar Investments, LLC, a Washington limited liability company, the Manager of KIRKLAND SUSTAINABLE INVESTMENTS, LLC, a Washington limited liability company, to be the free and voluntary act of such limited liability company for the uses and purposes mentioned in the instrument.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
(Signature of Notary)

\_\_\_\_\_  
(Legibly Print or Stamp Name of Notary)

Notary public in and for the State of Washington, residing at \_\_\_\_\_

My appointment expires \_\_\_\_\_

STATE OF WASHINGTON

ss.

COUNTY OF KING

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the \_\_\_\_\_ of the City of Kirkland, a Washington municipal corporation, to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
(Signature of Notary)

\_\_\_\_\_  
(Legibly Print or Stamp Name of Notary)

Notary public in and for the State of Washington, residing at \_\_\_\_\_

My appointment expires \_\_\_\_\_



**Exhibit A**

**Legal Description of the Property**  
**(PLAZA)**

**Parcel 1:**

Lots 1, 2, 3, 4 and 5, Block 96, Kirkland Terrace, according to the plat thereof, recorded in Volume 21 of Plats, Page(s) 42, in King County, Washington;

Together with that portion of vacated alley, which alley was vacated pursuant to City of Kirkland Ordinance No. 996, recorded under recording number 5974155, adjacent to and lying Southerly of said Lots 1, 2, 3, 4 and 5, Block 96, Kirkland Terrace, according to the plat thereof recorded in Volume 21 of Plats, Page 42, in King County, Washington, said portion more particularly described as follows:

The Northerly 2.50 feet of said vacated alley and the Southerly 2.75 feet of the Northerly 5.25 feet of the Westerly 57.60 feet of said vacated alley;

Situate in the County of King, State of Washington.

**Parcel 2:**

An easement for shared access and utilities as established by instrument recorded under recording number 20160811001442.

**Exhibit B**

**Schedule of Units and Rents**

*[\*note to draft: attach\*]*

**Exhibit C**

**Property Management Services**

*[\*note to draft: attach\*]*

**Exhibit D**

**Form Residential Lease**

*[\*note to draft: attach\*]*

MASTER LEASE FOR ARETÉ  
FINAL DRAFT - JUNE 13, 2019

ARETÉ

MASTER LEASE

BETWEEN

SUSTAINABLE KIRKLAND, LLC,

as Lessor

and

THE CITY OF KIRKLAND,

as Lessee

## BASIC MASTER LEASE TERMS

**Date of Lease:** \_\_\_\_\_, 2019

**Lessor:** SUSTAINABLE KIRKLAND, LLC, a Washington limited liability company

**Lessor's Address:** Sustainable Kirkland, LLC  
450 Central Way  
Kirkland, WA 98033  
Attn: Robert Pantley

**Lessee:** The City of Kirkland, a Washington municipal corporation

**Lessee's Address:** 123 - 5<sup>th</sup> Avenue, Kirkland, WA 98033

**Premises:** Not more than eleven (11) workforce housing units (each, a “**Unit**”) located in the building commonly known as Areté (the “**Building**”), located at 450 Central Way, City of Kirkland, King County, Washington, 98033. The Premises and Building are situated on property legally described on Exhibit A attached hereto (the “**Property**”), and the Units are listed on Exhibit B attached hereto. The maximum number of Units shall be subject to revision from time to time as the parties may hereafter mutually agree, provided that, except to the extent the parties may otherwise agree, in no event shall the total number of Units in the Building and in the “Plaza Project” defined below exceed thirty-four (34).

**Term:** One (1) year; automatically renewed for up to eleven (11) additional one (1) year terms (each, an “**Extension Term**”) unless Lessee elects not to so renew the Term.

**Commencement Date:** The last to occur of (i) receipt of a certificate of occupancy for the Plaza Project (defined below) by the Plaza Owner (as defined below); and (ii) issuance and filing with the King County Assessor of the MFTE Certificate (as defined below) for the Plaza Project. The “**Projected Commencement Date**” is January 1, 2020. Upon occurrence of the actual Commencement Date, the parties shall cooperate to execute a written confirmation thereof consistent with terms of this Lease.

**Termination Date:** December 31, 2020 (subject to automatic annual renewal as provided below).

**Rent Due from Lessee:** As set forth in Section 7, below.

**Security Deposit:** None.

**Plaza MFTE Agreement:** That certain Multifamily Housing Limited Property Tax Exemption Agreement by and between KIRKLAND SUSTAINABLE INVESTMENTS, LLC, a Washington limited liability company (the “**Plaza Owner**”) and Lessee, and recorded on \_\_\_\_\_, 2019 under Auditors’ File No. \_\_\_\_\_, Official Records of King County, Washington, concerning certain property and improvements to be constructed on property legally described in the Plaza MFTE Agreement having a street address at 330 – 4<sup>th</sup> Street, Kirkland, Washington 98033 (the “**Plaza Project**”). In connection with the Plaza MFTE Agreement, the Director of Lessee’s Planning & Community Development Department has or will issue a final certificate of tax exemption for the Plaza Project (the “**MFTE Certificate**”) pursuant to Chapter 5.88 of the Kirkland Municipal Code (“**KMC**”) and Chapter 84.14 RCW.

**Plaza Master Lease:** That certain Plaza Master Lease Agreement of even date herewith by and between Plaza owner as “Lessor” thereunder and Lessee as the “Lessee” thereunder.

This Lease is a master lease of those Units at the Premises identified on Exhibit B attached hereto by Lessor to Lessee, as Exhibit B may be modified or changed from time to time by the Lessor and Lessee.

**Exhibits:**

- Exhibit A                      Legal Description of the Property
- Exhibit B                      Schedule of Units and Rents
- Exhibit C                      Description of Property Management Services
- Exhibit D                      Lessor’s Form Residential Lease

**GENERAL LEASE TERMS**

**1. Definitions.** The capitalized terms used in this Lease shall have the meanings ascribed thereto in the Basic Master Lease Terms or as otherwise specifically defined herein. Any reference to “**Units**” in this Lease shall mean those residential workforce housing units located in

the Premises and identified on Exhibit B attached hereto and incorporated herein, as Exhibit B may be modified or changed from time to time by the Lessor and Lessee pursuant to the procedures set forth elsewhere in this Lease (the “**Schedule of Units and Rents**”).

**2. Agreement to Lease; Condition of Units.** For and in consideration of Lessee’s performance of its covenants herein provided, Lessor does hereby master lease to Lessee, and Lessee does hereby master lease from Lessor, all of the Units. Lessee’s lease rights hereunder in and to the Units shall be limited to the right, in Lessee’s sole and absolute discretion, to identify, select and direct Qualified Residents (defined below) to Lessor, whereupon, subject to compliance with the other terms and conditions of this Lease, such Qualified Residents shall then execute direct individual residential rental agreements with Lessor on Lessor’s Form Residential Lease (as defined below) for the Units (each, a “**Unit Lease**”). The typical term of Lessor’s Form Residential Lease is one (1) year.

**3. Selection of and Changes to the Schedule of Units and Rents.**

**3.1 General.** The specific Units that are subject to this Lease shall be initially selected by the parties as described below and are subject to periodic revision by the parties not less frequently than annually as provided below.

**3.2 Initial Selection of Units.** The Schedule of Units and Rents attached hereto as Exhibit B is the initial schedule showing the initial Units subject to this Lease, which Units have been selected based on their anticipated availability as of the Projected Commencement Date. Exhibit B also sets forth the applicable Scheduled Unit Rent (defined below) payable by Qualified Residents as to each such Unit, and the Market Rent as to each such Unit.

**3.3 Annual Updates.** The Schedule of Units and Rents shall be reviewed and updated as may be necessary by the parties at least on an annual basis. Commencing in June of each calendar year during the Term, the parties shall begin exchanging information concerning the number of Units desired by the Lessee, existing and prospective new Qualified Residents and existing and prospective new Units, including consideration of changing market conditions and increases or decreases in rents, and anticipated lease expirations of current and projected future Units. The parties will use diligent, good faith efforts to negotiate and update the Schedule of Units and Rents with any changes to the Units, Scheduled Unit Rents, and Market Rents on or before September 30 of each calendar year during the Term, with such revised Schedule of Units and Rents to be effective during the next succeeding calendar year, subject to amendment as described in this Lease. If, despite diligent, good faith efforts, the parties are unable to agree to any changes to the then-current Schedule of Units and Rents, the then-current Schedule of Units and Rents shall remain in effect until December 31 of the next succeeding calendar year, except that Lessor may unilaterally change the Market Rents as to one or more Units applicable during such calendar year by not more than the average of (a) the percentage of increase in the CPI defined below during the prior calendar year, and (b) the average of the percentage increase in Market Rents for the units at the Premises not subject to this Lease, and the matter shall be subject to mediation and arbitration as set forth in Section 18.13 below. As used herein, the “**CPI**” shall mean the Revised Consumer Price Index for All Urban Consumers (CPI-U): Seattle-Tacoma-Bremerton WA Area, all items index (Reference Base 1982-84 = 100) published by the Bureau of Labor Statistics of the United States Department of Labor. If the CPI is no longer published, it



shall be replaced by a comparable index reasonably selected by Lessor. For the avoidance of doubt, any changes (i.e., increase or decrease) in the number of Units covered by any particular annual Schedule of Units and Rents shall not be binding on the parties in subsequent calendar years during the Term, and Lessee shall have the right to increase and/or decrease, on an annual basis, and from time to time as set forth in Section 3.4 and 3.5 hereof, the number of Units included within the Premises each calendar year when the Schedule of Units and Rents is next renegotiated, subject to the maximum number of Units set forth above.

**3.4 Procedures for New Units.** The parties anticipate that most Qualified Residents shall lease Units on a calendar year basis (i.e., with each Unit Lease term to commence on January 1). However, if a Unit is not available for rent to a Qualified Resident on the projected availability date for that Unit, notwithstanding such Unit's inclusion on the Schedule of Units and Rents in effect for such calendar year, Lessor shall notify Lessee when such Unit becomes available, and such Unit shall be deemed added to this Lease on the first (1<sup>st</sup>) day of the next succeeding calendar month, whether or not a Qualified Resident has been selected for or actually moves into such Unit on such date. Furthermore, with respect to any Unit that becomes vacant and thus available for lease prior to the date on which such Unit was originally scheduled to be added to the Premises hereunder, Lessor shall promptly notify Lessee of such early vacancy/availability, and with the consent of the Lessee, such Unit shall be deemed added to the Premises the first (1<sup>st</sup>) day of the next succeeding calendar month. Although Lessee may at any time request that additional Units not already appearing on the then-effective Schedule of Units and Rents be reserved for rental by Qualified Residents, Lessor shall not be obligated to provide any such additional Units.

**3.5 Procedures for Vacant Units.** If despite good faith efforts, Lessee is unable to direct Qualified Residents for all Units appearing on the then-effective Schedule of Units and Rents, Lessee may direct Lessor to lease said Unit(s) as quickly as possible to any third party on Lessor's Form Residential Lease, but otherwise on such terms and conditions (including as to rent) as Lessor may elect in its sole discretion, and in such case said Unit(s) shall be removed from the Schedule on the first (1<sup>st</sup>) day of the next succeeding calendar month. Furthermore, Lessor may at any time during the calendar year for which a Schedule of Units and Rents is then in effect (but not more frequently than once per month), elect to delete (but not add) vacant Units from the Schedule, such removal to be effective on a date chosen by Lessee during that calendar year that is the last day of a calendar month that is at least thirty (30) days after the date of Lessee's notice of deletion.

**3.6 Procedures for Surrendered Units.** With respect to Units which will not be included in the new Schedule of Units and Rents for the next succeeding calendar year, unless Lessor elects in its sole discretion to continue leasing such Unit to the then-current Qualified Resident on such terms and conditions as to which Lessor may agree, Lessee shall use reasonable efforts to cause such Qualified Resident to vacate such Unit on or before December 31 of such year, or such later date reflected as the last day of such Qualified Resident's lease term, as reflected in such Qualified Resident's Unit Lease (such later date, the "**Unit Lease Expiration Date**") and to surrender the same in the condition required by the Form Residential Lease. Lessee shall remain responsible for all Rent due under this Lease as such Unit through December 31 of such year or the Unit Lease Expiration Date, if later, regardless when the Qualified Resident actually vacates same, unless Lessor is able to re-rent such Unit to another resident. For any portion of a Qualified

Resident's Unit Lease extending beyond the Term of this Lease, Lessor shall have the right to require such Qualified Resident to pay Lessor's then-market rental amount as to the applicable Unit for the remainder of such Qualified Resident's Unit lease term.

#### **4. Selection and Qualification of Qualified Residents.**

**4.1 Qualified Resident Criteria.** Lessee shall have the right to require Lessor to rent the Units included on the Schedule only to "**Qualified Residents**", which for purposes of this Lease are prospective Unit tenants who satisfy (i) Lessor's prospective tenant criteria, to be determined and applied in Lessor's sole discretion ("**Lessor's Qualified Resident Criteria**"), including financially-related tenant selection criteria relating to creditworthiness, net worth, income, or other financial-related considerations (the "**Financial Standards**"), provided, however, that Lessor shall consider its Financial Standards with reference to such Qualified Resident's ability to pay the Scheduled Unit Rent (not the Market Rent) as to the Unit which such Qualified Resident is seeking to rent, and (ii) Lessee's prospective tenant criteria, to be determined and applied in Lessee's sole discretion ("**Lessee's Qualified Resident Criteria**"). Without limiting the generality of the foregoing, Lessee shall be solely responsible for determining the standards and criteria of Lessee's Qualified Resident Criteria, including without limitation Financial Standards that may be less stringent than the Financial Standards included in Lessor's Qualified Resident Criteria, which Lessee may alter or amend at any time in Lessee's sole discretion. Lessor shall be solely responsible for determining the standards and criteria of Lessor's Qualified Resident Criteria, including without limitation background checks, which Lessor may alter or amend at any time in Lessor's sole discretion. For the avoidance of doubt, Lessee may also at any time in its sole discretion waive any prospective Qualified Resident's compliance with Lessee's Qualified Resident Criteria but not Lessor's Qualified Resident Criteria (except as noted in Section 4.2 below), and Lessor may at any time in its sole discretion waive any prospective Qualified Resident's compliance with Lessor's Qualified Resident Criteria but not Lessee's Qualified Resident Criteria.

**4.2 Identification of Prospective Qualified Residents.** From time to time, Lessee shall identify and/or refer potential tenant applicants to Lessor who meet Lessee's Qualified Resident Criteria. Lessor shall, promptly and in good faith, confirm with Lessee whether the prospective tenant satisfies Lessor's Qualified Resident Criteria (and thus is a Qualified Resident) and may, in its discretion, impose additional commercially reasonable tenant screening and application procedures and requirements, so long as the same are consistent with prudent industry practices, including without limitation application fees, typical refundable and non-refundable deposits, and credit and background checks and otherwise consistent with Lessor's screening and application procedures and requirements for residential units at the Building. If Lessor intends to reject a proposed Qualified Resident due to its failure to satisfy Lessor's Qualified Resident Criteria, Lessor shall promptly advise Lessee of the reasons therefor, to the extent Lessor is permitted to do so pursuant to applicable Laws (as defined below). On a case-by-case basis, Lessee shall have the right to require Lessor accept a proposed Qualified Resident who meets all of Lessor's Qualified Resident Criteria except for the Financial Standards. Upon approval of such Qualified Resident by Lessor, each such Qualified Resident (but not Lessee) shall be required to execute and deliver to Lessor a Unit Lease on Lessor's standard residential apartment tenant lease form (the "**Form Residential Lease**"), the current form of which is attached hereto as Exhibit D, prior to its entry into and occupancy of the Unit, provided that (i) the monthly rent payable by such

Qualified Resident shall not exceed the Scheduled Unit Rent as to such Unit as reflected in Exhibit B, and (ii) the Qualified Resident shall pay all other fees and charges for such Unit, including without limitation any parking fees, storage unit charges, utility charges, and the like, all as may be set forth in the Form Residential Lease.

**4.3 Change in Status during Unit Lease Term.** Lessee shall promptly notify Lessor at any time it becomes aware a Qualified Resident then occupying a Unit no longer satisfies Lessee's Qualified Resident Criteria. If more than one (1) month remains on the term of such former Qualified Resident's Unit Lease, Lessor shall have the right, in its sole discretion, upon thirty (30) days' prior written notice to such former Qualified Resident, to require such Former Qualified Resident to pay Lessor's then-market rental amount as to the applicable Unit for the remainder of such Former Qualified Resident's lease term. Furthermore, if Lessor and such former Qualified Resident shall desire to renew or extend the term of such party's Unit Lease, such Unit shall thereafter no longer be considered one of the "Units" subject to the terms of this Lease, and Exhibit B shall be accordingly updated as part of the next Annual Update.

**5. Property Management.** Lessor shall either provide or contract with a third-party property manager to provide property management services to the Units as described in Exhibit C (collectively, the "**Property Management Services**") in connection with this Lease and the Unit Leases at no additional fee or charge to Lessee. Lessor shall have the right to select and change from time to time the property manager for the Building/Property, which may be affiliated with Lessor.

**6. Term; Termination; Surrender of Units.** The Lease shall be for the Term indicated in the Basic Master Lease Terms and shall automatically renew annually (each such annual extension, an "**Extension Term**") on a calendar year to calendar year basis (i.e., from January 1 to the next succeeding December 31) for up to the maximum number of Extension Terms provided in Basic Master Lease Terms, unless Lessee elects, by written notice given to Lessor on or before September 30 of any year, to not extend the Term of this Lease beyond the end of the following calendar year. Upon the expiration or earlier termination of this Lease, Lessee shall surrender possession of all of the Units to Lessor free from possessory rights of all Qualified Residents or any other third party, on a rolling basis as part of a "**Ramp Down Period**". The Ramp Down Period shall commence on the Termination Date and during the Ramp Down Period, Lessee shall surrender or cause each Qualified Resident to surrender possession of the Units to Lessor in accordance with the surrender requirements in such Qualified Resident's Unit Lease, on the later of December 31 of such year, or the Unit Lease Expiration Date, if later, as to each Unit. During the Ramp Down Period, Lessee shall continue to comply with all of the terms and conditions the Lease with respect to each Unit that Lessee has not yet surrendered possession of.

**7. Rent.**

**7.1 Market Rent; Scheduled Unit Rent.** Lessee covenants and agrees to pay Lessor the Market Rents as to each Unit set forth on Exhibit B (as it may be amended from time to time pursuant to the terms of this Lease) attached hereto during the Term hereof (the fair market rent as to each specific Unit which Lessee is required to pay is sometimes referred to hereafter as the "**Market Rent**," the amount which Qualified Residents are obligated to pay as to such Unit is sometimes referred to hereinafter as the "**Scheduled Unit Rent**", and all amounts payable or

guaranteed by Lessee to Lessor hereunder are collectively referred to as “**Rent**”), regardless of whether any such Unit is then leased or occupied; provided, that prior to Lessee paying Scheduled Unit Rent to Lessor, Lessor agrees to use good faith, commercially reasonable efforts to enforce the terms of each Qualified Resident’s Unit Lease, including attempting to collect unpaid Scheduled Unit Rent owed and promptly commencing and diligently prosecuting to conclusion unlawful detainer actions if reasonably necessary to recover possession of a Unit from defaulting Qualified Residents as soon as reasonably possible.

**7.2 Receipt of Qualified Resident Rentals; Reconciliation Payment by Lessee.** On or before the fifth (5<sup>th</sup>) day of each calendar month throughout the Term, or as soon thereafter as reasonably possible, Lessor shall provide a detailed written statement to Lessee showing all Scheduled Unit Rent payments received from Qualified Residents of Units and reasonably allocable to such calendar month, and stating any new delinquencies for that calendar month as well as any outstanding delinquencies for prior calendar months. Within fourteen (14) days after Lessee’s receipt of such monthly statement, Lessee shall pay to Lessor an amount equal to the net positive difference (if any) between the Rent due hereunder (i.e., the sum of Market Rents as to all Units for such month, whether or not leased or vacant) and the sum of all Scheduled Unit Rent payments received by Lessor from Qualified Residents for such Units for such month. Within thirty (30) days after the end of each calendar year during the Term (including upon occurrence of the Termination Date of this Lease), or as soon thereafter as reasonably possible, Lessor shall prepare and deliver to Lessee an annual reconciliation of all such rental amounts received by Lessor from Lessee and from Qualified Residents, and within ten (10) days thereafter, Lessee shall pay any underpaid portion to Lessor or Lessor shall refund any overpayment to Lessee, as applicable. Amounts due hereunder from Lessee shall be paid to Lessor without further notice, demand, deduction or offset, in lawful money of the United States of America, at Lessor’s address listed in the Basic Master Lease Terms or such other place as Lessor may from time to time designate to Lessee in writing. Upon receipt of the foregoing payment by Lessee to Lessor, Lessor shall assign to Lessee any right Lessor may then have to collect any outstanding and then-unpaid rents or other charges owed by Qualified Residents to Lessor. Notwithstanding the foregoing, prior to making a demand to Lessee for payment of unpaid amounts, Lessor agrees to use good faith, commercially reasonable efforts to enforce the terms of each Qualified Resident’s Unit Lease, including attempting to collect unpaid Scheduled Unit Rent owed and promptly commencing and diligently prosecuting to conclusion unlawful detainer actions if reasonably necessary to recover possession of a Unit from defaulting Qualified Residents as soon as reasonably possible.

**7.3 Late Charges.** Lessee acknowledges that late payment of Rent or other sums due hereunder will cause Lessor to incur costs not contemplated by this Lease, the exact amount of which will be extremely difficult to ascertain. Such costs include, but are not limited to, processing charges and late charges which may be imposed upon Lessor by terms of any mortgage or deed of trust covering the Units. Accordingly, if any Rent shall not be received by Lessor or Lessor’s designee within thirty (30) days after it is due and after Lessor has provided written notice to a Qualified Resident and to Lessee of such failure and such failure has not been resolved within ten (10) additional days, Lessee shall pay to Lessor, on behalf of a Qualified Resident with respect to Scheduled Unit Rent and on its own behalf, a late charge equal to the amount calculated with interest on the unpaid amount at twelve percent (12%) per annum (the “**Default Rate**”), on a daily basis based on a 365 day year, plus any attorneys’ fees incurred by

Lessor by reason of Qualified Resident's or Lessee's failure to pay Rent or other charges when due hereunder. Such calculation for the late charge shall begin to accrue on the date immediately following the date that such Rent is due. Acceptance of late Rent without collecting a late charge shall not be a waiver of Lessor's rights under this section.

**8. Use of Units.**

**8.1 Permitted Uses.** Lessee shall take reasonable steps to advise its Qualified Residents to use the Units solely for residential uses as per Lessor's Form Residential Lease, as the same may be amended by Lessor from time to time in its sole discretion. Lessee shall use reasonable efforts to advise its Qualified Residents to not use and to not permit the Units to be used for any other purpose without the prior written consent of Lessor.

**8.2 Compliance with Laws.** Lessee shall comply with and shall use reasonable efforts to advise and thereby cause its Qualified Residents to comply with all laws, statutes, ordinances and governmental rules, regulations or requirements now in force or which may hereafter be in force and with the requirements of any board of fire insurance underwriters or other similar bodies now or hereafter constituted, relating to, or affecting the condition, use or occupancy of the Units (collectively, "**Laws**"), including without limitation those relating to the Fair Housing Act of 1968, as amended, and the Washington Residential Landlord-Tenant Act, Chapter 59.18 RCW. Lessee will not ask, direct or seek Lessor to take any action or to refrain from taking any action where such action or inaction would, in Lessor's reasonable opinion, cause it or the Property to be in violation of any applicable Laws. Furthermore, Lessee will support, and will take reasonable steps to cause all Qualified Residents to support, Lessor's efforts to comply with applicable Laws concerning fair housing and anti-discrimination.

**9. Maintenance.** Lessor shall keep the Units and every part thereof in good condition and repair, including, without limitation, the maintenance, replacement and repair of any doors and door hardware, windows, plumbing, pipes, electrical wiring and conduits within the Units, as well as the common and public areas and facilities of the Units, water, sewer, fire protection and mechanical and electrical distribution systems and equipment serving the Units and the structural portions of the Premises, and otherwise in accordance with all applicable Laws.

**10. Insurance.** The parties acknowledge that Lessor shall require all Qualified Residents to carry Renter's Insurance meeting Lessor's minimum standards pursuant to Lessor's Form Residential Lease. If any Qualified Resident fails to do so, and such failure continues for ten (10) days after notice from Lessor, then Lessor shall provide written notice thereof to Lessee and, unless Lessee causes such Qualified Resident to cure any such failure within twenty (20) days after receipt of written notice from Lessor, Lessee shall be deemed to be providing such Renter's Insurance (provided that Lessee may self-insure for such risks in its sole discretion).

**11. Reconstruction of Damage by Casualty.**

**11.1 Damage.** If all or any portion of the Premises is damaged by fire or other insured casualty, Lessor shall repair the damage, this Lease shall remain in effect, Lessee shall pay all Rent due hereunder, subject to appropriate abatement to the extent one or more Units are not

reasonably occupiable and the affected Qualified Resident does not in fact occupy such Unit, and Lessor shall continue to provide the Services as provided herein to the extent reasonably possible under the circumstances.

**11.2 Cancellation of Lease.** Notwithstanding the foregoing, if more than fifty percent (50%) of the Units then being occupied by Qualified Residents are damaged, then Lessor and Lessee both shall have the right to terminate this Lease upon notice given to the other party within thirty (30) days after the date of the damage. This Lease shall be deemed terminated thirty (30) days after receipt of such notice of termination. If neither party elects to terminate the Lease as provided herein, then this Lease shall continue in full force and effect.

**11.3 Settlement of Insurance Claims.** Lessor shall have the exclusive right to settle and adjust all insurance claims with respect to any damage to the Units and to either retain, all such insurance proceeds and/or repair the damage, all as Lessor shall determine in Lessor's sole discretion.

**12. Eminent Domain.**

**12.1 Total Condemnation.** If the whole of the Units shall be acquired or condemned by eminent domain for any public or quasi-public use or purpose, then the term of this Lease shall terminate and cease as of the date that title or possession shall be transferred in such proceeding, whichever shall first occur, and all rent shall be paid up to that date and Lessee shall have no claim against Lessor for the value of any unexpired term of this Lease.

**12.2 Partial Condemnation.** If a portion (but less than all) of the Premises is appropriated or condemned by eminent domain, then Lessor and Lessee both shall have the right to terminate this Lease upon notice to the other party within thirty (30) days after being notified of the appropriation or condemnation. This Lease shall be deemed terminated as of the date title or possession shall be transferred to the condemning authority, whichever shall first occur. If neither party elects to terminate the Lease as provided herein, then this Lease shall continue in full force and effect.

**12.3 Lessor's Damages.** In the event of any condemnation or taking, whether whole or partial, Lessee shall not be entitled to any part of the award as damages or otherwise for such condemnation, Lessee hereby expressly waiving any claim or right to any part thereof. Lessor shall be entitled to all awards and damages in condemnation, to apply in such manner as Lessor determines in Lessor's sole discretion.

**12.4 Voluntary Sale.** A voluntary sale by Lessor to any public body or agency having the power of eminent domain, either under threat of condemnation or while condemnation proceedings are pending, shall be deemed to be a taking under the power of eminent domain.

**13. Lessee's Default.** The occurrence of any one or more of the following events shall constitute a default and breach of this Lease by Lessee:

(a) Lessee's failure to make any payment of undisputed Rent or any other payment required to be made by Lessee hereunder, as and when due, where such failure shall continue for a period of ten (10) days after written notice thereof by Lessor to Lessee.

(b) Except as provided in (a) and (c) of this section, any failure by Lessee to observe or perform any of the material covenants, conditions or provisions of this Lease to be observed or performed by Lessee where such failure shall continue for a period of sixty (60) days after written notice thereof by Lessor to Lessee; provided, however, that if the nature of Lessee's default is such that more than sixty (60) days are reasonably required for its cure, then Lessee shall not be deemed to be in default if Lessee commences such cure within ten (10) days after Lessor's notice and thereafter diligently prosecutes such cure and it is completed within one hundred twenty (120) days thereafter.

(c) Any assignment or subletting by Lessee in violation of this Lease.

**14. Lessor's Remedies Upon Default.** In the event of any material default under or breach of this Lease by Lessee, Lessor may, at any time thereafter, with or without notice or demand and without limiting any right or remedy which Lessor may have by reason of such default or breach, exercise any of the following remedies (all of the following rights and remedies of Lessor shall be subject to the existing rights of Residents pursuant to their respective Unit Leases):

(a) Lessor may continue this Lease in full force and effect, and this Lease shall continue in full force and effect as long as Lessor does not terminate this Lease, and Lessor shall have the right to collect Rent and other amounts when due.

(b) Lessor may terminate Lessee's right to possession of the Units at any time by giving written notice to that effect. No act by Lessor other than giving written notice to Lessee shall terminate this Lease.

(c) Lessor may perform or provide a cure to such default or breach, and shall, together with the costs of such cure (the "**Cure Costs**") collect interest on such Cure Costs accruing at the lesser of (i) the Default Rate, or (ii) the maximum rate permitted by applicable Law, computed from the date of Lessor's payment of such costs to the date of reimbursement. Cure Costs shall be limited to the actual, out-of-pocket expenses incurred by Lessor in curing such default or breach, and shall not include any other related expenses, including, but not limited to, legal fees related thereto.

(d) Lessor may have a receiver appointed for Lessee to take possession of the Units and to apply any rent collected from the Units and to exercise all other rights and remedies granted to Lessor as an attorney-in-fact for Lessee.

(e) Lessor may pursue any other remedy now or hereafter available to Lessor under the laws or judicial decisions of the State of Washington. Lessor may sue periodically to recover damages as they accrue under this Lease, and no one action for accrued damages shall be a bar to a later action for damages subsequently accruing.

**15. Lessor's Default.** Lessor shall not be in default unless Lessor fails to perform material obligations required of Lessor (including without limitation such obligations arising under the Unit Leases with Qualified Residents) within a reasonable time, but in no event later than sixty (60) days after written notice by Lessee to Lessor and to the holder of any first mortgage or deed of trust covering the Building or Property whose name and address shall have theretofore been furnished to Lessee in writing and specifying how Lessor has failed to perform such obligations and the acts required to cure the same; provided, however, that if the nature of Lessor's obligation is such that more than sixty (60) days are required for performance, Lessor shall not be in default if Lessor commences performance within such sixty (60) day period and thereafter diligently prosecutes the same to completion; subject to existing rights of Qualified Residents pursuant to their respective Unit Leases. As of the date of mutual execution hereof, Lessor's lenders' address for notices is as follows:

Washington Trust Bank  
Builder Services Western WA Region  
10500 NE 8th St, Suite 1100  
Bellevue, WA 98004  
Attn: Ken Paauw, Senior Vice President

And to:

FNMA  
c/o Hunt Mortgage  
11501 Outlook, Ste. 300  
Overland Park, KS 66211  
Attn: Hunt Servicing

**16. Lessee's Remedies Upon Default.** Lessee shall have the right to recover its actual damages caused by any default of Lessor under this Lease. In no event shall Lessee have the right to engage in self-help remedies as a result of Lessor's default.

**17. Assignment and Subletting.** Lessee shall not, without the prior written consent of Lessor, which will not be unreasonably withheld, conditioned, or delayed, assign or hypothecate this Lease or any interest herein or sublet all or substantially all of the Units, or permit the use of the Units by any party other than Lessee and Qualified Residents. Any of the foregoing acts without Lessor's prior written consent as aforesaid shall be void and shall, at the option of Lessor, terminate this Lease. This Lease shall not, nor shall any interest of Lessee herein, be assignable by operation of law without the written consent of Lessor. Notwithstanding the foregoing, (a) Lessor consents and agrees that Lessee may propose as Qualified Residents employees of the Lake Washington School District, the Lake Washington Institute of Technology and/or another public entity (the "**Approved Entities**"); and (b) any proposed assignment, subletting, or other transfer of Lessee's rights hereunder to any Approved Entities shall be subject to Lessor's reasonable prior consent (and the consent of any Lender of Lessor, as defined in Section 18.12 below) and Lessor's approval of (and execution by the applicable Approved Entities and Lessee of) commercially reasonable sublease, assignment and assumption, or other transfer documentation.



**18. General Provisions.**

**18.1 Interpretation.**

**18.1.1 Plats and Riders.** Clauses, plats, riders and addendums, if any, affixed to this Lease are a part hereof.

**18.1.2 Construction as Covenants.** Wherever in this Lease it is provided that either party shall or will make any payment or perform or refrain from performing any act or obligation, each such provision shall, even though not so expressed, be construed as an express covenant to make such payment or to perform, or not to perform, as the case may be, such act or obligation.

**18.1.3 Section Headings.** The section headings and article titles of this Lease shall have no effect upon the construction or interpretation of any part hereof.

**18.1.4 Time of Performance.** Time is of the essence of this Lease and each and all of its provisions in which performance is a factor.

**18.1.5 Partial Invalidity.** Any provision of this Lease which is held to be invalid, void or illegal by any court of competent jurisdiction shall in no way affect, impair or invalidate any other provision hereof.

**18.1.6 United States Funds.** All sums herein mentioned shall be conclusively deemed to refer to the lawful currency of the United States.

**18.1.7 Choice of Law.** This Lease shall be governed by the Laws of the State of Washington.

**18.2 Legal Relationships.**

**18.2.1 Authority of Parties.** Each individual executing this Lease on behalf of Lessor and Lessee represents and warrants that he or she is duly authorized to execute and deliver this Lease and that this Lease is binding upon Lessor and Lessee, as applicable, in accordance with its terms.

**18.2.2 No Partnership.** This Lease shall not be construed as establishing a partnership or joint venture between Lessor and Lessee, and neither party shall be liable for the debts or obligations of the other, except to the extent specifically and expressly agreed to herein. Except as provided herein, neither party hereto may make any representation or create any liability on behalf of the other, and no rights in any third party shall arise by virtue of these presents.

**18.2.3 Successors and Assigns.** The covenants and conditions herein contained, subject to the restrictions upon assignments, apply to and bind the heirs, successors, executors, administrators and assigns of the parties hereto.

### **18.3 Remedies and Liability.**

**18.3.1 Cumulative Remedies.** No remedy or election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies available at law or in equity.

**18.3.2 No Waivers.** No express or implied waiver by Lessor of any event of default shall in any way be or be construed to be a waiver of any future or subsequent event of default. The written waiver by Lessor of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition or any subsequent breach of the same or any other term, covenant or condition herein contained. The subsequent acceptance of rent hereunder by Lessor shall not be deemed to be a waiver of any preceding default by Lessee of any term, covenant or condition of this Lease, other than the failure of Lessee to pay the particular rental so accepted, regardless of Lessor's knowledge of such preceding default at the time of the acceptance of such rent.

**18.3.3 Inability to Perform.** Any delays in the performance of any obligation of either party under this Agreement shall be excused to the extent that such delays are caused by wars, national emergencies, natural disasters, strikes, labor disputes, utility failures, governmental regulations, riots, adverse weather, and other similar causes not within the control of such party, and any time periods required for performance shall be extended accordingly.

**18.3.4 Sale of the Building or Property.** In the event of any sale of the Building and Property by Lessor, this Lease shall remain in full force and effect according to its terms. However, in the event a condominium is established for all or any part of the Building or Property, then any Units that are to be included in any such condominium shall be released from this Lease.

**18.3.5 Limitation on Liability.** Anything in this Lease to the contrary notwithstanding, no shareholder, trustee, officer, employee or agent of Lessor shall be personally liable for any debt, claim, demand, judgment, decree, liability or obligation of any kind (in tort, contract or otherwise) of, against or with respect to Lessor arising out of any action taken or omitted to be taken for or on behalf of Lessor under and pursuant to this Lease, and resort shall be made solely to Lessor's interest in the Premises, Building and Property for the payment or performance thereof.

**18.3.6 Attorneys' Fees.** If any action or proceeding is brought by either party against the other under this Lease, each party shall bear their own costs and fees.

**18.4 Brokers.** Lessee warrants that it has had no dealings with any real estate broker or agent in connection with the negotiation of this Lease and it knows of no real estate broker or agent who is entitled to a commission in connection with this Lease. Although Robert Pantley, the Manager of the Managing Member of Lessor, is a licensed real estate broker in the State of Washington, he is not acting in any broker capacity in connection with this Lease.

**18.5 Venue.** The venue of any action brought to interpret or enforce any of the terms of this Lease or otherwise adjudicate the rights or liabilities of the parties hereto shall be laid in King County, Washington.

**18.6 Notices.** All notices and demands which may or are to be required or permitted to be given hereunder shall be in writing. All notices and demands by a party to the other shall be effective only if hand delivered, sent by recognized overnight courier service (e.g., FedEx), or sent by U.S. mail, postage prepaid, addressed to Lessor or Lessee, as applicable, at its address listed below or to such other place as such parties may from time to time designate in a written notice to the other party. The parties' initial addresses for notices shall be as stated in the Basic Master Lease Terms. Notices hand delivered or sent by overnight courier shall be effective upon receipt or refusal to receive; notices sent by U.S. mail shall be effective on the third (3<sup>rd</sup>) day after depositing same in the U.S. mails.

**18.7 Recordation.** Notwithstanding that the Plaza MFTE Agreement itself shall be recorded, neither Lessor nor Lessee may record this Lease.

**18.8 Counterparts.** This Lease may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Lease or any counterpart may be executed and delivered by facsimile or email/.pdf transmission with an executed hard copy to follow.

**18.9 Waiver of Jury Trial.** Lessor and Lessee desire and intend that any disputes arising between them with respect to or in connection with this Lease be subject to expeditious resolution in a court trial without a jury. Therefore Lessor and Lessee each hereby waive the right to a trial by jury of any cause of action, claim, counter claim or cross complaint in any action, proceeding or other hearing brought by either Lessor against Lessee or Lessee against Lessor on any matter whatsoever arising out of, or in any way connected with, this Lease, the relationship of Lessor and Lessee concerning the subject matter of this Lease or the documents related thereto or any claim of injury or damage, or the enforcement of any remedy under any Law now or hereafter in effect concerning such agreements.

**18.10 Entire Agreement.** This Lease contains all of the agreements of the parties hereto with respect to any matter covered or mentioned in this Lease, and no prior agreements or understanding pertaining to any such matters shall be effective for any purpose. No provision of this Lease may be amended or added to except by an agreement in writing signed by the parties hereto or their respective successors in interest. This Lease shall not be effective or binding upon any party until fully executed by both parties hereto.

**18.11 Termination of Plaza MFTE Agreement.** Notwithstanding anything to the contrary elsewhere herein, if the Plaza MFTE Agreement or MFTE Certificate shall expire or be terminated during the Term hereof, then, at Lessor's election, except to the extent the parties otherwise agree, this Lease shall terminate without further renewal at the end of the then-effective calendar year. In such event, with respect to all Qualified Residents then occupying Units: (a) each such Qualified Resident shall remain in possession of such Unit until the expiration of the Term as to such Qualified Resident's Unit Lease; and (b) from and after the effective date of termination of this Lease, Lessor may elect to require each such Qualified Resident to pay then-Market Rent as to such Qualified Resident's Unit.

**18.12 Estoppel Certificates.** Lessee shall, upon at least ten (10) days' prior written notice, provide to Lessor, any person or entity acquiring Lessor's interest in the Building

or Property, or any lender of either (a “**Lender**”), a certificate of estoppel stating: (a) that this Lease is unmodified and in full force and effect (or if there have been modifications, that this Lease is in full force and effect as modified and stating the modifications); (b) the Term of the Lease including any extensions thereto; (c) the dates to which the Rent and any other charges hereunder have been paid by Lessee; (d) the amount of any security deposit (if any) delivered to Lessor; (e) whether or not, to Lessee’s actual knowledge, Lessor is in default (or whether any event or condition exists which, with the passage of time, would constitute an event of default by Lessor under this Lease; (f) the address to which notices to Lessee should be sent; and (g) any other factual information concerning this Lease or the Premises as may be reasonably required by the recipient.

### **18.13 Lender Protections.**

**18.13.1 Lender Approval.** This Lease is subject to the approval of Lessor’s Lender, which Lessor shall use good faith, diligent efforts to obtain. If Lessor has not satisfied or waived the foregoing requirement within one hundred twenty (120) days after mutual execution hereof, despite Lessor’s diligent, good faith efforts, then Lessor may elect to terminate this Lease by written notice to Lessee, in which event the parties shall have no further rights or obligations hereunder.

**18.13.2 Lessor’s Assignment of Lease.** Lessee acknowledges that Lessor has the right to transfer all or any portion of its interest in the Property or Building and in this Lease, and Lessee agrees that in the event of any such transfer (other than a transfer solely for security purposes), Lessor shall automatically be released from all liability under this Lease and Lessee agrees to look solely to such transferee for the performance of Lessor’s obligations hereunder after the date of transfer and such transferee shall be deemed to have fully assumed and be liable for all obligations of this Lease to be performed by Lessor, and Lessee shall attorn to such transferee. Lessee further acknowledges that Lessor may assign its interest in this Lease to its Lender as additional security and agrees that such an assignment shall not release Lessor from its obligations hereunder and that Lessee shall continue to look to Lessor for the performance of its obligations hereunder. Lessee hereby consents to any such assignment for security purposes and agrees to promptly execute at no cost to Lessor any additional commercially reasonable documentation required by Lessor or its Lender to document Lessee’s consent to such assignment for the benefit of such lender and its assigns.

**18.13.3 Subordination, Non-Disturbance, and Attornment.** This Lease shall be subject and subordinate to all present and future ground or underlying leases of the Building or Property and to the lien of any mortgage, trust deed or other encumbrances now or hereafter in force against the Building or Property or any part thereof, if any, and to all renewals, extensions, modifications, consolidations and replacements thereof, and to all advances made or hereafter to be made upon the security of such mortgages or trust deeds (each of which, a “**Loan**”), unless the holders of such Loans or the lessors under such ground lease or underlying leases (each of whom, for purposes of this Section 18.13, shall be deemed a “**Lender**”) require in writing that this Lease be superior thereto. Lessee covenants and agrees, upon written notice from Lender after the occurrence of an event of default by Lessor under such Lender’s Loan, to pay all Rent payable hereunder to Lender, and acknowledges that this Lease and all rights of Lessee hereunder are expressly subordinate to the Loan. In the event any proceedings are brought for the foreclosure of any such mortgage or deed in lieu thereof (each of which, a “**Foreclosure**”) (or if any such ground

lease or underlying lease is terminated), to attorn, without any deductions or set-offs whatsoever, to the lienholder or purchaser or any successors thereto upon any such Foreclosure, or to the ground lessor, if applicable (each of which, a “**Purchaser**”), if so requested to do so by such Purchaser, and to recognize such Purchaser as the lessor under this Lease, provided such Purchaser shall agree to accept this Lease and not terminate this Lease or disturb Lessee’s occupancy, so long as Lessee timely pays the rent and observes and performs the terms and conditions of this Lease to be observed and performed by Lessee, or except as may otherwise be provided in an executed SNDA (described below). The foregoing attornment shall be self-executing and shall be effective upon acquisition of title to the Building or Property by Lender or such other Purchaser, provided that Lessee agrees, within fourteen (14) days after request, to execute a subordination, nondisturbance, and attornment agreement (“**SNDA**”) or such other further instruments or assurances as Lender or any Purchaser may reasonably deem necessary to evidence or confirm the subordination or superiority of this Lease to any such Loans and/or the subordination, nondisturbance, and attornment provisions set forth above.

**18.14 Mediation or Arbitration of Certain Disputes.** In the event of any dispute arising under this Lease, the parties shall make their best efforts to resolve disputes as expeditiously as possible through negotiations at the lowest possible decision-making level, and in the event such negotiations are unsuccessful, to first participate in good faith in the mediation process described below.

**18.14.1 Involvement of Mediator & Mediator’s Consultants.** In the event an issue cannot be resolved by negotiations between the parties for a period of thirty (30) days, the parties shall meet during the immediately succeeding ten (10) days to select a mediator to assist in the resolution of such dispute. If the parties cannot agree upon a mediator within such 10-day period, either party may apply to the American Arbitration Association or the Judicial Arbitration & Mediation Service for the appointment of a mediator according to the process that is established by such entity for such action. The parties shall share equally the cost charged for the mediation of any dispute. The mediator shall have the authority to engage one or more expert consultants with knowledge in the field(s) or area(s) involved in the matter(s) that are in dispute to assist the mediator and the parties to evaluate their respective claims and resolve their dispute.

**18.14.2 Continuation of Efforts in Event of Dispute; No Litigation without Mediation.** Notwithstanding the existence of any dispute between them, the parties shall continue to carry out, without unreasonable delay, all of their respective responsibilities under this Lease which are not affected by the dispute. Neither party to this Lease shall commence any litigation against the other with respect to any claim or dispute arising hereunder without first participating, in good faith, in mediation as contemplated in this Section.

**18.14.3 Binding Arbitration.** In the event of any dispute hereunder concerning the determination of Market Rents or Scheduled Unit Rents that is not satisfactorily resolved via mediation as described above, the matter will be promptly resolved through binding arbitration as follows:

(a) All disputes between the parties arising solely under this Section shall be decided by arbitration in accordance with the then applicable rules of the American Arbitration Association, unless the parties mutually agree otherwise. Notice of the demand for

arbitration shall be filed in writing with the other party to this Lease and with the American Arbitration Association. The demand shall be made within a reasonable time after the dispute, or other matter in question, has arisen. This agreement to arbitrate shall be specifically enforceable under prevailing state or federal arbitration law. A single arbitrator experienced in commercial real property leases shall arbitrate the dispute, provided that in the event that the parties cannot agree on an arbitrator, each party shall select an arbitrator and the two arbitrators so selected shall select a third arbitrator. The panel of three arbitrators shall then arbitrate the dispute.

(b) Except as may be otherwise agreed by the parties to this Lease, the rules governing the issuance of subpoenas and discovery shall be those used by the United States District Courts which are commonly termed the Federal Rules of Civil Procedure. Those rules shall be reasonably adapted to a proceeding before the American Arbitration Association. Any pre-hearing disputes as to subpoenas or discovery shall be resolved by the arbitrator who is assigned to hear the claims, disputes and other matters in question. Only the arbitrator is authorized to issue subpoenas and may do so on the request of any party to the arbitration. Any award rendered by the arbitrator shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction. Venue of any arbitration conducted pursuant to the Lease shall be in King County, Washington.

(c) Notwithstanding anything to the contrary herein, no provision or, nor exercise of any rights under, the foregoing arbitration procedure shall limit the right of Lessor, and the Lessor shall have any right during any dispute to seek, use and employ ancillary or preliminary remedies, judicial or otherwise, for the purpose of preserving, protecting, or evicting Lessee or any Qualified Resident from the Premises. The institution and maintenance of any such actions, remedies, or rights or the pursuit of any such ancillary or provisional remedies or self-help shall not constitute a waiver of Lessor's right to submit a dispute to arbitration as permitted in this Section.

[Signature Page Follows.]

IN WITNESS WHEREOF, the parties have executed this Lease as of the day and year first above written.

**LESSOR:** SUSTAINABLE KIRKLAND, LLC, a Washington limited liability company

By: Green Sustainable Investments, LLC, its Managing Member

By: \_\_\_\_\_  
Robert Pantley, its Manager

Date: \_\_\_\_\_

**LESSEE:** THE CITY OF KIRKLAND, a Washington municipal corporation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF WASHINGTON

ss.

COUNTY OF KING

I certify that I know or have satisfactory evidence that Robert Pantley is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Manager of Green Sustainable Investments, LLC, a Washington limited liability company, the Managing Member of Sustainable Kirkland, LLC, a Washington limited liability company, to be the free and voluntary act of such limited liability company for the uses and purposes mentioned in the instrument.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
(Signature of Notary)

\_\_\_\_\_  
(Legibly Print or Stamp Name of Notary)

Notary public in and for the State of Washington, residing at

My appointment expires \_\_\_\_\_

STATE OF WASHINGTON

ss.

COUNTY OF KING

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the \_\_\_\_\_ of the City of Kirkland, a Washington municipal corporation, to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
(Signature of Notary)

\_\_\_\_\_  
(Legibly Print or Stamp Name of Notary)

Notary public in and for the State of Washington, residing at

My appointment expires \_\_\_\_\_



Exhibit A

Legal Description of the Property  
(ARETÉ)

PARCEL A:

LOTS 31, 32, 33 AND 34, BLOCK 96, KIRKLAND TERRACE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 21 OF PLATS, PAGE 42, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF SOUTH HALF OF VACATED ALLEY ADJOINING, WHICH ATTACHED THERETO BY OPERATION OF LAW PURSUANT TO CITY OF KIRKLAND ORDINANCE NO. 996, RECORDED UNDER RECORDING NUMBER 5974155.

PARCEL B:

LOTS 6 THROUGH 14, BLOCK 96, KIRKLAND TERRACE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 21 OF PLATS, PAGE 42, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF NORTH HALF OF VACATED ALLEY ADJOINING, WHICH ATTACHED THERETO BY OPERATION OF LAW PURSUANT TO CITY OF KIRKLAND ORDINANCE NO. 996, RECORDED UNDER RECORDING NUMBER 5974155;

TOGETHER WITH THAT PORTION OF VACATED 4TH AVENUE ADJOINING, WHICH UPON VACATION, ATTACHED TO SAID PROPERTY BY OPERATION OF LAW AS VACATED BY CITY OF KIRKLAND ORDINANCE NUMBER 2580, RECORDED UNDER RECORDING NUMBER 8410190421;

AND

LOTS 35, 36 AND 37, BLOCK 96, KIRKLAND TERRACE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 21 OF PLATS, PAGE 42, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF SOUTH HALF OF VACATED ALLEY ADJOINING, WHICH ATTACHED THERETO BY OPERATION OF LAW PURSUANT TO CITY OF KIRKLAND ORDINANCE NO. 996, RECORDED UNDER RECORDING NUMBER 5974155.

EXHIBIT A

**Exhibit B**

**Schedule of Units and Rents**

*[\*note to draft: attach\*]*

**Exhibit C**

**Property Management Services**

*[\*note to draft: attach\*]*

**Exhibit D**

Form Residential Lease

*[\*note to draft: attach\*]*

**MULTIFAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION CONTRACT****PLAZA**

THIS CONTRACT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, between the City of Kirkland, a State of Washington municipal corporation ("City") and Kirkland Sustainable Investments LLC, a Washington limited liability company ("Applicant"), and incorporated attachments and exhibits, contains all terms and conditions agreed to by the City and the Applicant to undertake the activities described herein.

**RECITALS**

1. Applicant has applied for a limited property tax exemption as provided for in Chapter 84.14 of the Revised Code of Washington (RCW) and Chapter 5.88 of the Kirkland Municipal Code (KMC) for multifamily residential rental housing ("Multifamily Housing") in the Central Kirkland Residential Target Area, and the City's Director of Planning and Building ("Director") has approved the application; and
2. Applicant has submitted to the City preliminary site plans and floor plans for new Multifamily Housing to be constructed as part of a 111-unit project ("Project") on property situated at 330 4th Street in Kirkland, Washington ("Property"), and as more particularly described in **Exhibit A** which is attached hereto, and incorporated by reference herein; and
3. Applicant is the owner of the Property; and
4. No existing rental housing building that contained four (4) or more occupied dwelling units was demolished on the Property within eighteen (18) months prior to Applicant's submission of its application for limited property tax exemption; and
5. The City has determined that the Multifamily Housing will, if completed, occupied, and owned as proposed, satisfy the requirements for a Final Certificate of Tax Exemption ("Final Certificate").
6. This Contract is entered into pursuant to City Council action taken on \_\_\_\_\_.

NOW, THEREFORE, in consideration of the mutual promises herein, City and Applicant do mutually agree as follows:

1. Definitions.

a. Words and terms capitalized in this Contract, unless explicitly defined in this Contract, shall have the meanings ascribed them by Chapter 5.88 KMC as of the date this Contract was executed or as they are hereafter amended.

b. "Eligible Household." One or more adults and their dependents, which adults certify that their household income does not exceed the applicable percent of the King County Median Income given in Section 4.a. of this Contract.

c. "King County Median Income." The median family income for the Seattle-Bellevue, WA HUD Metro FMR Area as most recently determined by the Secretary of Housing and Urban Development (HUD) under Section 8 of the United States Housing Act of 1937, as amended. In the event that HUD no longer publishes median family income figures for King County, the City may estimate the King County Median Income in such manner as the Director shall determine.

2. Conditional Certificate of Acceptance of Tax Exemption.

City agrees, upon execution of this Contract following approval by the City Council, to issue a Conditional Certificate of Acceptance of Tax Exemption ("Conditional Certificate"), which Conditional Certificate shall expire three (3) years from the date of approval of this Contract by the Council, unless extended by the Director as provided in KMC 5.88.070.

3. Agreement to construct Multifamily Housing.

a. Applicant agrees to construct the Project on the Property, including the Multifamily Housing, substantially as described in the site plans, floor plans, and elevations attached hereto in **Exhibit B**, subject to such modifications thereto as may be required to comply with applicable codes and ordinances, including the design review process. In no event shall Applicant provide fewer than four new dwelling units designed for permanent residential rental or ownership occupancy, nor shall permanent residential housing comprise less than fifty percent (50%) of the gross floor area of the Project constructed pursuant to this Contract.

b. Applicant agrees to construct the Project on the Property, including the Multifamily Housing, and to comply with all applicable zoning requirements, land use regulations, and building and housing code requirements contained in Titles 21, 22, 23, and 25 KMC or other applicable law. Applicant further agrees that approval of this Contract by the City Council, its execution by the Director, or issuance of a Conditional Certificate by the City pursuant to KMC 5.88.060 in no way constitutes approval of proposed improvements on the Property with respect to applicable provisions of Titles 21, 22, 23, and 25 KMC or other applicable law or obligates the City to approve proposed improvements.

c. Applicant agrees that the Multifamily Housing will be completed within three years from the date of approval of this Contract by the Council, unless extended by the Director for cause as provided in KMC 5.88.070.

4. Agreement to provide affordable housing.

Applicant agrees to provide twenty-three (23) dwelling units (“Affordable Units”) for rent, reserved for occupancy by Eligible Households and having a monthly housing expense, including rent, one parking space, utilities or an applicable utility allowance, and other expenses required by the Owner as a condition of tenancy, that is no greater than thirty percent (30%) of the monthly average of the King County Median Income given in the table, adjusted for household size.

Affordability Level		Affordable Units
Income Level	Percent of King County Median Income	
Moderate Income	80%	23

5. Location and design of Affordable Units – Affordability Covenant – Conversion.

a. The Affordable Units shall be those units indicated in **Exhibit C**. The Applicant may propose to change the particular units dedicated for the Affordable Units, provided that a total of 23 units are designated for Affordable Units, and the same unit mix and minimum sizes of Affordable Units is maintained. The Applicant shall request in writing the City's approval of any proposed change to the units dedicated for the Affordable Units. The City will review the proposed changes and shall base its approval or disapproval of the proposed changes upon the criteria set forth in this section.

b. The exterior designs of the Affordable Units are to be compatible and comparable with the market rate units. The interior finish of the Affordable Units shall at a minimum include standard features and result in a totally finished and livable home.

c. Prior to issuing a certificate of occupancy, an agreement in a form acceptable to the city attorney (“Covenant”) and substantially in the form of **Exhibit D** that addresses price restrictions, Eligible Household qualifications, long-term affordability, and any other applicable topics of the Affordable Units shall be recorded with the King County department of records and elections. This agreement shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the Applicant. Affordable Units that are provided under this section shall remain as affordable housing for twelve (12) years.

d. In the event the Project is proposed for conversion to condominium, owner-occupied, or non-rental residential use, the Applicant must submit to the City for its approval a plan for preserving the Affordable Units. The City can consider options which would convert the Affordable Units to owner-occupied Affordable Units. In the event a condominium conversion

occurs during the period of the property tax exemption and owner-occupied Affordable Units are provided at the affordability levels as defined in KMC 5.88.020(a) or that have such other comparable level of affordability as provided for in the city's affordable housing multifamily tax exemption incentive program, as regulated through Chapter 112 of the Kirkland Zoning Code, per Section 6 of this Contract, the Affordable Units will continue to be eligible for the property tax exemption for the balance of the exemption period or for the period of time the conversion allows, whichever is appropriate. The balance of the Project would no longer be eligible for the exemption, and City will not cancel the Final Certificate as provided in Section 11 of this Contract.

6. Agreement to Provide Additional Public Benefits.

Pursuant to KMC 5.88.040(7), Applicant agrees to provide additional, substantial public benefits in the form of additional rental housing units made available for City or other public entity employees in the city and/or funding for housing programs to help individuals experiencing homelessness and low income residents to successfully transition to stable, affordable housing, in accordance with the Master Lease between the Applicant and the City dated \_\_\_\_\_.

7. Requirements for Final Certificate of Tax Exemption.

Applicant may, upon completion of the Project and upon issuance by the City of a temporary or permanent certificate of occupancy, request a Final Certificate of Tax Exemption. The request shall be in a form approved by the City and directed to the City's Planning and Building Department and at a minimum include the following:

- a. A statement of expenditures made with respect to the overall Project and the residential and non-residential portions of the Project.
- b. A description of the completed work, including floor area of residential and non-residential area, and a statement of qualification for the exemption.
- c. Documentation that the Multifamily Housing was completed within the required three-year period or any authorized extension and in compliance with the terms of this Contract.
- d. Information regarding Applicant's compliance with the affordability requirements in KMC 5.88.090 and this Contract, which shall include the following:

- (1) Identification of all Affordable Units, whether rented or held vacant to be rented by Eligible Households, the size of the Affordable Units, and the maximum rents and household incomes for each affordable unit at time of initial leasing;
- (2) Rents (or offering rents, as applicable) for all Affordable Units;
- (3) A copy of the application and income verification form used for rental of Affordable Units; and



(4) A copy of the form of lease or rental agreement to be used for Affordable Units; and

e. Any such further information that the Director deems necessary or useful to evaluate eligibility for the Final Certificate.

8. Agreement to Issue Final Certificate.

The City agrees to issue a Final Certificate granting a limited property tax exemption for a period of twelve years, and to file said Final Certificate with the King County Assessor within forty (40) days of submission of all materials required by Paragraph 6, if Applicant has:

- a. Successfully completed the Multifamily Housing in accordance with the terms of this Contract and Chapter 5.88 KMC;
- b. Filed a request for a Final Certificate with the Director and submitted the materials described in Paragraph 6 above;
- c. Paid to the City a fee in the amount necessary to cover the Assessor's administrative costs; and
- d. Met all other requirements provided in Chapter 5.88 KMC for issuance of the Final Certificate.

9. Annual certification.

Within thirty (30) days after the first anniversary of the date the City filed the Final Certificate of Tax Exemption and each year thereafter for the term of the Covenant, Applicant agrees to file a certification or declaration with the Director, verified upon oath or affirmation, with respect to the accuracy of the information provided therein, containing at a minimum the following:

- a. A statement of the occupancy and vacancy of the Multifamily Housing units during the previous year; and
- b. A statement that the Multifamily Housing has not changed use since the date of filing of the Final Certificate; and
- c. A statement that the Multifamily Housing continues to be in compliance with this Contract and the requirements of Chapter 5.88 KMC; and
- d. A description of any improvements or changes to the Project made after the filing of the Final Certificate or the previous certification; and
- e. A statement of the change in ownership of all or any part of the property since the Final Certificate was filed; and

f. Information and documentation sufficient to demonstrate, to the satisfaction of the Director, compliance with the affordability requirements of KMC 5.88.090 and this Contract, which shall, at minimum, include the following:

(1) Identification of each Affordable Unit, and any substitution of Affordable Units during the previous year and for each Affordable Unit, the current Household Income limits and maximum allowed rent.

(2) For each Affordable Unit that was initially occupied or that had a change of tenancy during the previous year, the date of each tenant's initial occupancy, the household size and Household Income of each tenant household at initial occupancy, and the rent charged at initial occupancy.

(3) For each Affordable Unit that was occupied by the current tenant prior to the previous year, the date of each tenant's initial occupancy, the tenant's current Household Income, the tenant's Household Income at initial occupancy, and current contract rent.

g. Information and documentation sufficient to demonstrate, to the satisfaction of the Director, compliance with the agreement to provide additional, substantial public benefits set forth in Section 6, above.

10. No violations for duration of exemption.

For the duration of the exemption granted under Chapter 5.88 KMC, Applicant agrees that the Project and that portion of the Property on which the Project is constructed will have no violations of applicable zoning requirements, land use regulations, and building and housing code requirements contained in KMC Titles 21, 22, 23, and 25 or other applicable law for which the Planning and Building Department or its functional successor shall have issued a notice of violation, citation or other notification that is not resolved by a certificate of compliance, certificate of release, withdrawal, or another method that proves either compliance or that no violation existed, within the time period for compliance, if any, provided in such notice of violation, citation or other notification or any extension of the time period for compliance granted by the Director.

11. Notification of transfer of interest or change in use.

Applicant agrees to notify the Director within thirty (30) days of any transfer of Applicant's ownership interest in the Project or that portion of the Property on which the Project is constructed. Applicant further agrees to notify the Director and the King County Assessor within sixty (60) days of any change of use of any or all of the Multifamily Housing on the Property to another use. Applicant acknowledges that such a change in use may result in cancellation of the tax exemption and imposition of additional taxes, interest and penalties pursuant to State law.

12. Cancellation of exemption - Appeal.

a. The City reserves the right to cancel the Final Certificate if at any time the Multifamily Housing, the Project or that portion of the Property on which the Project is constructed no longer complies with the terms of this Contract or with the requirements of Chapter 5.88 KMC, or for any other reason no longer qualifies for an exemption.

b. If the exemption is canceled for non-compliance, Applicant acknowledges that state law requires that an additional real property tax is to be imposed in the amount of: (1) the difference between the tax paid and the tax that would have been paid if it had included the value of the non-qualifying improvements, dated back to the date that the improvements became non-qualifying; (2) a penalty of 20% of the difference calculated under paragraph (a) of this paragraph; and (3) interest at the statutory rate on delinquent property taxes and penalties, calculated from the date the tax would have been due without penalty if the improvements had been assessed without regard to the exemptions provided by Chapter 84.14 RCW and 5.88 KCW. Applicant acknowledges that, pursuant to RCW 84.14.110, any additional tax owed, together with interest and penalty, become a lien on that portion of the Property on which the Project is constructed and attach at the time the portion of the Property is removed from multifamily use or the amenities no longer meet applicable requirements, and that the lien has priority to and must be fully paid and satisfied before a recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the Property may become charged or liable. Applicant further acknowledges that RCW 84.14.110 provides that any such lien may be foreclosed in the manner provided by law for foreclosure of liens for delinquent real property taxes.

c. Upon determining that a tax exemption is to be canceled, the Director, on behalf of the City Council, shall notify the property owner by certified mail, return receipt requested. The property owner may appeal the determination in accordance with KMC 5.88.100(h).

13. Amendments.

No modification of this Contract shall be made unless mutually agreed upon by the parties in writing and unless in compliance with the provisions of KMC 5.88.065.

14. Binding effect.

The provisions, covenants, and conditions contained in this Contract are binding upon the parties hereto and their legal heirs, representatives, successors, assigns, and subsidiaries.

15. Audits and inspection of records.

Applicant understands and agrees that the City has the right to audit or review appropriate records to assure compliance with this Contract and Chapter 5.88 KMC and to perform evaluations of the effectiveness of the Multifamily Limited Property Tax Exemption program. Applicant agrees

to make appropriate records available for review or audit upon seven days' written notice by the City.

16. Notices.

All notices to be given pursuant to this Contract shall be in writing and shall be deemed given when hand-delivered within normal business hours, when actually received by facsimile transmission, or two business days after having been mailed, postage prepaid, to the parties hereto at the addresses set forth below, or to such other place as a party may from time to time designate in writing.

APPLICANT: Kirkland Sustainable Investments LLC  
450 Central Way, Suite 3000  
Kirkland, WA 98033  
Attn: Angela Rozmyn

CITY: City of Kirkland  
Planning and Building Department  
City of Kirkland  
123 Fifth Avenue  
Kirkland, WA 98033  
Attn: Director

With a copy to:

A Regional Coalition for Housing (ARCH)  
16255 NE 87<sup>th</sup> Street, Suite A-3  
Redmond, WA 98052

17. Severability.

In the event that any term or clause of this Contract conflicts with applicable law, such conflict shall not affect other terms of this Contract that can be given effect without the conflicting terms or clause, and to this end, the terms of the Contract are declared to be severable. However, if the severable term prevents the City from receiving the benefits of having affordable housing as set forth in Chapter 84.14 RCW and Chapter 5.88 KMC, then this Contract shall be deemed terminated, or may be terminated, as soon as possible in compliance with any applicable law.

18. Exhibits.

The following exhibits are attached to this Contract and incorporated herein by this reference:

<b>Exhibit A</b>	<b>Legal Description</b>
<b>Exhibit B</b>	<b>Project Site Plan</b>
<b>Exhibit C</b>	<b>Designation of Affordable Units</b>
<b>Exhibit D</b>	<b>Form of Declaration of Affordable Housing Covenants</b>

IN WITNESS WHEREOF, the parties hereto have executed this Contract on the dates indicated below.

THE CITY OF KIRKLAND

APPLICANT

\_\_\_\_\_  
Tracey Dunlap  
Its: Deputy City Manager

\_\_\_\_\_  
Angela Rozmyn  
Its: Agent

Approved as to Form

\_\_\_\_\_  
City Attorney

STATE OF WASHINGTON            }  
  }  
COUNTY OF KING                }        ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_ of the CITY OF KIRKLAND, who executed the foregoing document on behalf of said City, and acknowledged the said document to be the free and voluntary act and deed of said City, for the uses and purposes therein mentioned, and on oath stated that s/he was authorized to execute said document.

IN WITNESS WHEREOF I have given under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Washington.  
Print Name \_\_\_\_\_  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_



**EXHIBIT A**

**LEGAL DESCRIPTION**



**EXHIBIT B**  
**PROJECT SITE PLAN**

Attached.

14



LEVEL 2

STUDIO  
TYPE A  
222  
504 SF

221  
182 SF

220  
179 SF

219  
179 SF

218  
179 SF

217  
179 SF

216  
179 SF

215  
176 SF

214  
178 SF

STUDIO  
230  
317 SF

229  
182

228  
182

227  
187 SF

226  
175 SF

225  
196 SF

224  
196 SF

223  
200 SF

COMMONS  
2H  
123 SF

STUDIO  
209  
300 SF

TRASH  
21

STAIR A  
2A

210  
205 SF

211  
205 SF

212  
190 SF

213  
190 SF

ELEVATOR  
2C

STAIR B  
2B

HALL  
2D

LAUNDRY  
2J

HALL  
2F

HALL  
2G

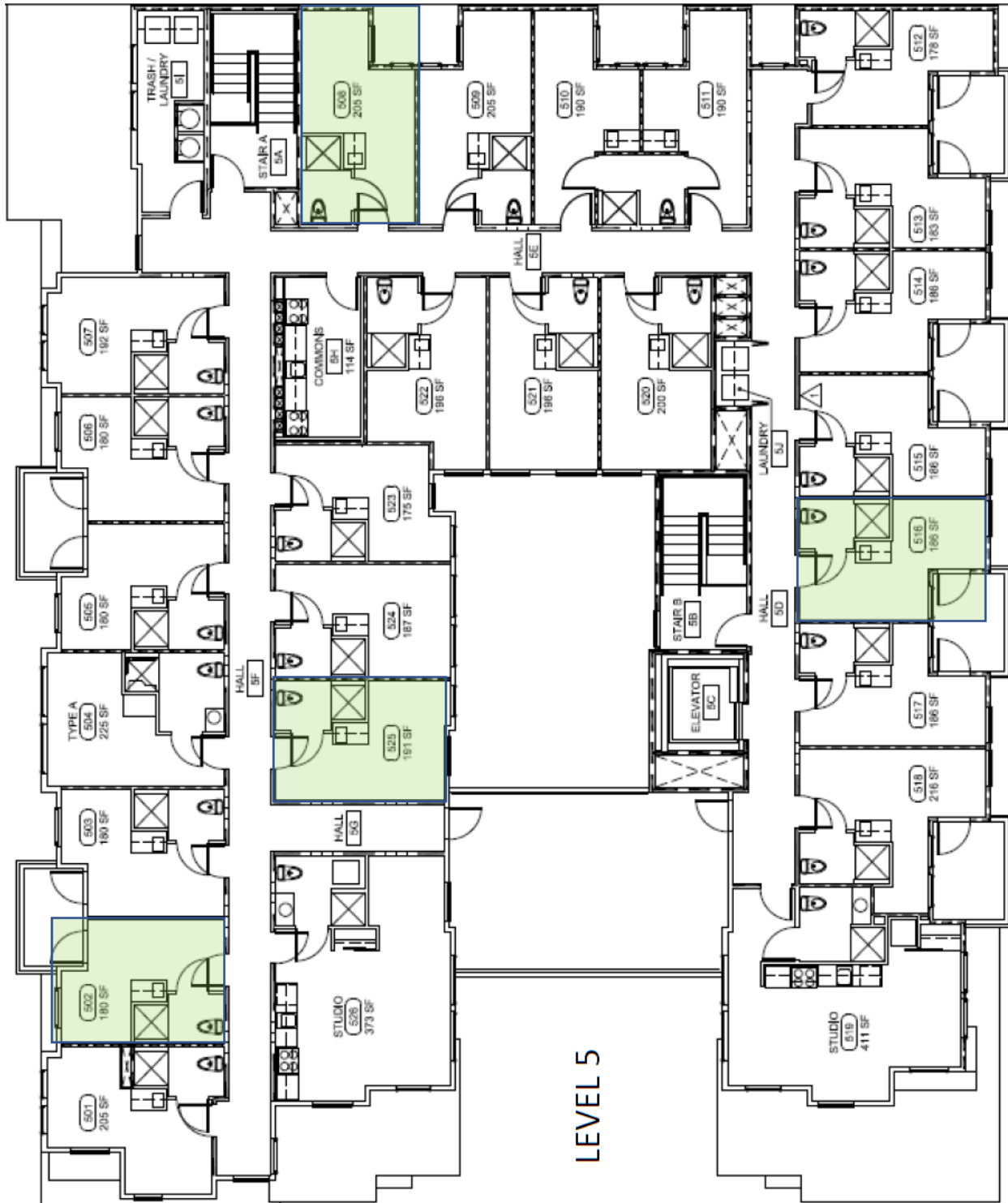
HALL  
2E

15





LEVEL 4



**EXHIBIT C****DESIGNATION OF AFFORDABLE UNITS**

<b>Unit Number</b>	<b>Unit Type</b>	<b>Unit Size (sq ft)</b>
204	Residential Suite	186
205	Residential Suite	207
211	Residential Suite	205
217	Residential Suite	179
219	Residential Suite	179
228	Residential Suite	182
306	Residential Suite	180
312	Residential Suite	190
316	Residential Suite	186
323	Residential Suite	196
325	Residential Suite	175
403	Residential Suite	180
407	Residential Suite	192
409	Residential Suite	205
417	Residential Suite	186
421	Residential Suite	196
425	Residential Suite	191
502	Residential Suite	180
508	Residential Suite	205
516	Residential Suite	186
525	Residential Suite	191
209	Studio	300
308	Studio	308

See attached drawing(s).



**EXHIBIT D**

**FORM OF DECLARATION OF AFFORDABLE HOUSING COVENANTS**

Attached.



WHEN RECORDED, MAIL TO:

City of Kirkland  
 123 Fifth Avenue  
 Kirkland, Washington 98033  
 ATTN: City Clerk  
 Planning Dept Housing Planner

**WASHINGTON STATE COUNTY AUDITOR/RECORDER/S INDEXING FORM**

<b>Document Title(s)</b> <i>(or transactions contained therein):</i> <b>DECLARATION OF AFFORDABLE HOUSING COVENANTS--PLAZA</b>		
<b>Grantor(s)</b> <i>(Last name first, then first name and initials):</i>  1. <u>KIRKLAND SUSTAINABLE INVESTMENTS LLC</u>  <input type="checkbox"/> Additional names on page ___ of document.		
<b>Grantee(s)</b> <i>(Last name first, then first name and initials):</i>  1. <u>CITY OF KIRKLAND</u>  <input type="checkbox"/> Additional names on page ___ of document.		
<b>Legal Description:</b> Section 5, Township 25 North, Range 5 East, Quarter Section NW <u>KIRKLAND TERRACE ADD TGW POR VAC ALLEY ADJ. PLAT BLOCK: 96. PLAT LOT: 1 THRU 5.</u>  <b>Other Details:</b>  <input checked="" type="checkbox"/> The complete or remaining legal description is on Exhibit "A" of document.		
<b>Assessor's Property Tax Parcel Account Number(s):</b>  <u>390010-1390</u>		
<b>Reference Number(s) of Documents assigned or released:</b>  <input type="checkbox"/> Additional reference numbers on page _____ of document.		
<b>City Contact:</b> Dawn Nelson	<b>Phone:</b> 425-587-3230	<b>City I.D. #</b> 15576 <input type="checkbox"/> CAO

*The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document.*

DECLARATION OF AFFORDABLE HOUSING COVENANTS

**PLAZA**

SECTION 1 —	DEFINITIONS AND INTERPRETATION
SECTION 2 —	RESIDENTIAL RENTAL PROPERTY
SECTION 3 —	AFFORDABLE UNITS FOR ELIGIBLE HOUSEHOLDS
SECTION 4 —	REPORTING REQUIREMENTS
SECTION 5 —	SECTION 8 CERTIFICATE HOLDERS
SECTION 6 —	LEASE PROVISIONS
SECTION 7 —	SALE OR TRANSFER OF THE PROJECT
SECTION 8 —	TERM
SECTION 9 —	NO DISCRIMINATION
SECTION 10 —	COVENANTS RUN WITH LAND
SECTION 11 —	ENFORCEMENT
SECTION 12 —	SUBORDINATION, TERMINATION, RIGHTS RESERVED BY HUD
SECTION 13 —	ESTOPPEL CERTIFICATE
SECTION 14 —	AGREEMENT TO RECORD
SECTION 15 —	RELIANCE
SECTION 16 —	GOVERNING LAW
SECTION 17 —	NO CONFLICT WITH OTHER DOCUMENTS
SECTION 18 —	AMENDMENTS
SECTION 19 —	NOTICES
SECTION 20 —	MULTIFAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION AGREEMENT
SECTION 21—	SEVERABILITY
SECTION 21 —	CONSTRUCTION
SECTION 22 —	TITLES AND HEADINGS

EXHIBITS

"A"	LEGAL DESCRIPTION OF PROPERTY
"B"	DESIGNATION OF AFFORDABLE UNITS
"C"	CERTIFICATE OF HOUSEHOLD ELIGIBILITY
"D"	ANNUAL PROJECT CERTIFICATION

**DECLARATION OF AFFORDABLE HOUSING COVENANTS  
PLAZA**

THIS DECLARATION OF AFFORDABLE HOUSING COVENANTS (the "Covenant") is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the CITY OF KIRKLAND, a Municipal Corporation of the State of Washington (the "City"); and KIRKLAND SUSTAINABLE INVESTMENTS LLC, a Washington limited liability company (the "Owner").

**WITNESSETH:**

This Covenant is predicated upon the following facts:

1) The Owner is the owner of property located at 330 4th Street in Kirkland, Washington. Owner intends to develop said property by constructing and renting one hundred eleven (111) dwelling units (the "Project") subject to City approval and such other approvals by State and local agencies, as required.

2) The Owner's proposed Project shall include twenty-three (23) affordable rental units for Moderate-Income Households ("Eligible Households," as the term is defined below). Such affordable rental units shall be of such bedroom quantity and quality as are in proportion to the overall proportion of bedroom quantity and quality of all of the rental units in the Project.

3) The City finds that the Project will benefit the City by providing affordable rental housing for Eligible Households.

4) The Owner has indicated its willingness to accept certain conditions affecting the use of the Property. It is the purpose of this Covenant to set forth the conditions under which the City has approved the Project and to impose enforceable restrictions on the use and occupancy of the rental portion of the Project.

5) This Covenant is entered into pursuant to Chapter 112 of the Kirkland Zoning Code, which implements the Affordable Housing policies of the City.

6) Owner has applied for a limited property tax exemption for twelve (12) years as provided for in Chapter 84.14 RCW and Chapter 5.88 KMC for multi-family residential rental housing ("Multifamily Housing") in the Central Kirkland Residential Targeted Area, and the Director of Planning and Building ("Director") has approved the application.

NOW, THEREFORE, for and in consideration of the mutual promises aforesaid and made and relied upon by the parties hereto, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and the City agree as follows:

**SECTION 1 — DEFINITIONS AND INTERPRETATION**

Capitalized terms used herein shall have the following meanings unless the context in which they are used clearly requires otherwise.

"Affordable Rent" means a monthly housing expense, including Utilities or an applicable Utility Allowance for tenant-paid utilities and any expenses required by the Owner as a condition

of tenancy (including but not limited to renter’s insurance, pest control, and sewer system capacity charges), that is no greater than thirty percent (30%) of the monthly King County Median Income level(s) for Eligible Households, as shown in the following table, as adjusted for Household Size. If a tenant pays for Utilities separately from rent, the Affordable Rent shall be reduced by the amount of the applicable Utility Allowance.

**Affordable Rent Levels**

	<b>Percent of King County Median Income</b>
Moderate Income	80%

“Affordable Units” means the 23 units in the Project as selected by the Owner and as approved by the City or its Designee, as set forth in **Exhibit B**, and reserved for occupancy by Eligible Households pursuant to Section 3.

“City” means the City of Kirkland.

“Completion Date” means the date of the completion of the acquisition, construction, purchase, reconstruction and equipping, as the case may be, of the Project, as that date shall be certified as provided in Section 4.

“Covenant” means this Declaration of Affordable Housing Covenants between the City and the Owner.

“Designee” means A Regional Coalition for Housing (“ARCH”) or such other agency as may be designated by the City in writing to the Owner. The City shall notify the Owner of any determination not to utilize ARCH as its Designee for purposes of this designation.

“Eligible Household” means one or more adults and their dependents, which adults certify that they meet the qualifications for eligibility set forth below in this definition, in Section 3.F. of this Covenant, and as set forth in the Certificate of Household Eligibility attached hereto as Exhibit C and incorporated by reference herein, and who certify that their Household Income does not exceed the applicable percent of the King County Median Income, as set forth in this definition and Section 3.F. of this Covenant, adjusted for Household Size.

**Maximum Household Income at Initial Occupancy**

<b>Income Level</b>	<b>Percent of King County Median Income</b>
Low Income Households	50%
Moderate Income Households	80%

“Household Income” means all income from all household members over the age of 18 residing in the household. Income consists of those items listed in **Exhibit C**, Certificate of Household Eligibility (e.g. wages, interest income, etc.). Income of dependents who reside within a household for less than four (4) months of the year will not be counted toward Household Income.

"Household Size" means the average household size assumed for purposes of calculating Affordable Rents as follows:

<u>UNIT TYPE</u>	<u>AVERAGE HOUSEHOLD SIZE</u>
Studio	1 Person
1 Bedroom	1.5 Persons
2 Bedroom	3 Persons
3 Bedroom	4.5 Persons

"King County Median Income" means the median family income for the Seattle-Bellevue, WA HUD Metro FMR Area as most recently determined by the Secretary of Housing and Urban Development ("HUD") under Section 8(f)(3) of the United States Housing Act of 1937, as amended. In the event that HUD no longer publishes median family income figures for King County, the Director may estimate the King County Median Income in such manner as the Director shall determine.

"Lender" means HUD/FHA, Veterans Administration ("VA"), Federal National Mortgage Association ("FNMA"), Federal Home Loan Mortgage Corporation ("FHLMC"), or another party acquiring such loan upon foreclosure of a deed of trust or mortgage ("Deed of Trust") insured, made or held by HUD/FHA, VA, FNMA, FHLMC; or an institutional third-party lender or investor.

"Owner" means Kirkland Sustainable Investments LLC and its successors and assigns, and any surviving, resulting or transferee entity.

"Owner Representative" means the person or persons (who may be employees of the Owner) designated from time to time to act hereunder on behalf of the Owner in a written certification furnished to the City or its Designee, containing a specimen signature of such person or persons and signed by the Owner or on behalf of the Owner by a duly authorized representative of the Owner.

"Project" means the building, structures and other improvements to be constructed on the Property, and all equipment, fixtures and other property owned by the Owner and located on, or used in connection with, such buildings, structures and other improvements and all functionally related and subordinate facilities.

"Property" means the real property which will be devoted to the Project as more particularly described in Exhibit A which is attached hereto, and incorporated by reference herein, and all rights and appurtenances thereunto appertaining.

"Property Tax Exemption Agreement" means that agreement titled Multifamily Housing Limited Property Tax Exemption Agreement between the City and Owner dated \_\_\_\_\_.

"Qualified Project Period" means twelve (12) years from the Completion Date.

"Utilities" means basic residential utility services, including heat, gas, electricity, water, sewer, and solid waste and recycling services, but excluding sewer system capacity charges and telephone, internet, and television services.

"Utility Allowance" means a deduction to Affordable Rent, established by the City or its Designee, for tenant-paid Utilities.

SECTION 2 — RESIDENTIAL RENTAL PROPERTY

A. General Description. The Owner will acquire and construct the Project for purposes of providing multifamily housing, and neighborhood retail uses, and the Owner shall own, manage, and operate (or cause the management and operation of) the Project to provide multifamily housing comprising a building or structure or several inter-related buildings or structures, each consisting of more than one dwelling unit and neighborhood retail uses and facilities functionally related and subordinate thereto, and no other facilities. As used herein facilities functionally related and subordinate to the Project shall include facilities for use by the tenants, including, for example, recreational facilities, parking areas, and other facilities which are reasonably required for the Project, for example, heating and cooling equipment, trash disposal equipment, or units of resident managers or maintenance personnel. The multi-family rental housing shall be scheduled to be completed within three (3) years from the date of City approval of the application for multi-family housing property tax exemption, or within a longer period if authorized by the City.

B. Similar Quality Construction. The interior finish and quality of construction of the Affordable Units shall at a minimum be comparable to entry level rental housing in the city of Kirkland, and each dwelling unit in the Project shall contain facilities for living, sleeping, eating, cooking and sanitation for a single person or a household which are complete, separate and distinct from other dwelling units in the Project and will include a sleeping area, separate bathing facility, and a cooking range, refrigerator and sink.

C. Conversion to Condominium. In the event the Project is proposed for conversion to condominium, owner-occupied, or non-rental residential use, the Owner must submit to the City for its review a plan for preserving the Affordable Units. The City can consider options which would convert the Affordable Units to owner occupancy by Eligible Households. The Owner must receive authorization from the City prior to conversion to condominium, owner-occupied, or non-rental residential use. This section does not waive the Owner's obligations to comply with any other law or regulations pertaining to conversion to ownership use.

SECTION 3 — AFFORDABLE UNITS FOR ELIGIBLE HOUSEHOLDS

A. Number of Affordable Units. The Owner shall lease or rent, or make available for lease or rental, to the general public, all of the Affordable Units in the Project. The Owner shall designate all of the Affordable Units, reserved for occupancy by Eligible Households, as follows:

**Dwelling Units**

Unit Type (Bedrooms)	Affordable Units	Total Units
	Moderate-Income	
Residential Suites	21	101
Studio	2	10
Open 1-bedroom	0	0

1-bedroom	0	0
2-bedroom	0	0
Total	23	111

B. Designation/Re-designation of Affordable Units. The Owner agrees to rent the dwelling unit(s) designated in **Exhibit B** as Affordable Unit(s). Units so designated shall have substantially the same equipment and amenities as other dwelling units in the Project with the comparable number of rooms. The Affordable Unit(s) shall be intermingled with all other dwelling units and shall have a unit mix comparable to the overall mix of units in the Project. The City or its Designee shall approve or deny the proposed Affordable Units based upon the criteria set forth in this section.

The Owner, from time to time, may propose to change the particular units designated as Affordable Units, provided that at all times at least 23 of all of the residential units in the Project are designated as Affordable Units, and provided that at all times the same unit mix is retained. The Owner shall notify the City or its Designee of the proposed change in writing for the City's or its Designee's approval. The City or its Designee will review the proposed changes and shall approve or deny the proposed changes based upon the criteria set forth in this Section.

C. Affordable Units Rent Level. The monthly rent for the Affordable Units occupied by Eligible Households shall not exceed the applicable Affordable Rents, and for each specific tenant, shall be adjusted no more than once every twelve (12) months, and in no event within the first twelve months of occupancy.

D. Renting Affordable Units to Eligible Households. During the Qualified Project Period, the Owner shall rent or lease the Affordable Units to Eligible Households and, if at any time the Owner is unable to rent or lease the Affordable Units, the Affordable Units shall remain vacant pending rental or lease to Eligible Households.

E. Equal Access to Common Facilities. Tenants in the Affordable Units shall have equal access to enjoyment of all common facilities of the Project.

F. Qualifying Eligible Household Income for Affordable Units at Initial Occupancy and Recertification. Qualifying Eligible Household Income at time of occupancy may not exceed the applicable percent of King County Median Income set forth in the table below, adjusted for Household Size. At time of annual recertification, a household will remain eligible for an Affordable Unit as long as Household Income does not exceed the Maximum Recertification Income set forth in the table below, adjusted for Household Size. If at the time of recertification Household Income exceeds the Maximum Recertification Income limit for the income level initially qualified for by a household, then within 90 days either such household must either pay market rent and the next available comparable market rate unit must be rented as an Affordable Unit; or the household must vacate the unit, unless otherwise prohibited by law, to make it available for an Eligible Household.

### Maximum Permitted Income Levels

Income Level(s)	Maximum Income at Initial Occupancy	Maximum Recertification Income
Moderate Income	80%	100%

G. Household Size Limits for Affordable Units. The Owner shall utilize the following occupancy standards for Affordable Units:

<u>Unit Size</u>	<u>Household Size</u>
Studio	1–2 Persons
1 Bedroom	1–2 Persons
2 Bedroom	2–4 Persons
3 Bedroom	3–6 Persons

#### SECTION 4 — REPORTING REQUIREMENTS

A. Notice of Occupancy Permit. Within thirty (30) days of issuance of any final inspection or, if applicable, occupancy permits, the Owner shall notify the City's Planning and Building Department [Attn: Housing Planner] and its Designee of receipt of the first certificate of occupancy for the Project.

B. City Mailing List. The City or its Designee maintains a mailing list of households interested in occupying Affordable Units. From time to time the City or its Designee will provide to the Owner the names of persons from the mailing list. In determining which eligible applicants shall be rented Affordable Units, the Owner shall, subject to Section 4.C. below, reasonably consider persons on the mailing list, and when they were placed on the mailing list.

C. Completion of Certificate of Household Eligibility. Prior to allowing any household to occupy any Affordable Unit, the Owner shall require the prospective tenant to complete a Certificate of Household Eligibility that shall be substantially in the form set forth in **Exhibit C**. The Owner shall also undertake a good faith effort to verify the applicant's Household Income, as reported on the completed Certificate. The Owner's obligation to verify the reported Household Income shall be limited to requesting copies of and reviewing the applicant's federal income tax returns, unless the Owner has actual knowledge, or reason to believe, that the information provided by the applicant is materially inaccurate. In the event federal income tax returns are not available, the Owner shall verify Household Income using wage or salary statements, or other income records that the City or its Designee may consider appropriate.

D. Annual Recertification of Residents. On an annual basis, the Owner shall require all households occupying Affordable Units to complete and return to the Owner an updated Certificate of Household Eligibility. The Owner shall undertake a good faith effort to verify the reported Household Income, as reported in the completed Certificate. The Owner's obligation to verify the Household Income shall be limited to obtaining a copy of and reviewing the tenant's



federal income tax returns, unless the Owner has actual knowledge or reason to believe that the information provided by the household is materially inaccurate. In the event federal income tax returns are not available, the Owner shall verify Household Income using wage or salary statements, or other income records the City or its Designee may consider appropriate.

The Owner shall file certifications with the City or its Designee, by attachment to the Annual Project Certification required pursuant to Subsection E of this Section. The City or its Designee may investigate independently to verify certifications submitted by the Owner.

E. Annual Project Certification. After the Completion Date and until 90% of the rental units are occupied, the Owner shall, on a quarterly basis, file with the City or its Designee an Annual Project Certification, in substantially the form of **Exhibit D**. Thereafter, the Owner shall file such certification annually on or before March 31<sup>st</sup>, which must set forth the required information for the preceding year.

F. Maintain Complete Records. The Owner shall maintain complete and accurate records pertaining to the Affordable Units and shall permit any duly authorized representative of the City, including, without limitation, its Designee, to inspect the books and records of the Owner pertaining to the Affordable Units, and if applicable, incomes of Eligible Households residing in the Project. The Owner's failure to maintain such records or failure to allow examination by the City or any duly authorized representative shall constitute a default hereunder.

G. Form of Certification. Notwithstanding anything in this Section to the contrary, the Owner shall submit all documentation required by this Section on the forms designated herein, which may be modified by the City or its Designee from time to time. Changes to forms by the City or its Designee shall not significantly enlarge the Owner's obligations hereunder.

H. Monitoring Fee. The City may assess, and the Owner agrees to pay fees to cover the costs of monitoring the Owner's compliance with income and affordability restrictions of this Covenant.

## SECTION 5 — SECTION 8 CERTIFICATE HOLDERS

The Owner shall accept as tenants for Affordable Units, on the same basis as all other prospective households, households who are recipients of Federal certificates for rent subsidies pursuant to the existing program under Section 8 of the United States Housing Act of 1937, as amended. The Owner shall not apply, or permit the application of, management policies or lease provisions with respect to the Project which have the effect of precluding occupancy of Units by holders of Section 8 certificates.

## SECTION 6 — LEASE PROVISIONS

A. It is the Owner's responsibility to screen and select tenants for desirability and credit worthiness. Except as restricted in this Covenant, such selection is within the Owner's discretion. If written management policies exist, or exist in the future, with respect to the Project, the City or its Designee may review such written policies and may require changes in such policies, if necessary, so that they comply with the requirements of this Covenant.

B. All leases for Affordable Units shall contain clauses wherein each individual lessee: (i) certifies the accuracy of the statements made in the Certificate of Household Eligibility, (ii) agrees that the household income and other eligibility requirements shall be deemed substantial and material obligations of the tenancy, and (iii) agrees that misrepresentation in the certification is a material breach of the lease, entitling the Owner to terminate the lease for the Affordable Unit.

#### SECTION 7 — SALE OR TRANSFER OF THE PROJECT

The Owner hereby covenants and agrees not to sell, transfer or otherwise dispose of the Project or any portion thereof without first providing a written notice from the purchaser stating that the purchaser understands, and will comply with the Owner's duties and obligations under this Covenant. Such notice must be received by the City or its Designee at least 10 days prior to the close of escrow.

#### SECTION 8 — TERM

This Covenant shall become effective upon its execution and delivery and shall continue in full force and effect throughout the Qualified Project Period, unless sooner modified or terminated in accordance with Section 12 hereof.

#### SECTION 9 — NO DISCRIMINATION

The Owner shall not discriminate on the basis of race, creed, religion, color, sex, sexual orientation, age, national origin, marital status, or presence of any mental or physical handicap as set forth in RCW 49.60.030, as now existing and as may be amended, in the lease, use, or occupancy of the Project or in connection with the employment or application for employment of persons for the operation and management of the Project.

#### SECTION 10 — COVENANTS RUN WITH LAND

The City and Owner hereby declare their understanding and intent that the covenants, conditions and restrictions set forth herein directly benefit the land (i) by enhancing and increasing the enjoyment and use of the Project by certain Eligible Households, and (ii) by furthering the public purposes of providing housing for Eligible Households.

The City and the Owner hereby declare that the covenants and conditions contained herein shall bind and the benefits shall inure to, respectively, the Owner and their successors and assigns and all subsequent owners of the Project or any interest therein, and the City and its successors and assigns, all for the Qualified Project Period. Except as provided in Section 12 of this Covenant, each and every contract, deed or other instrument hereafter executed conveying the Project or any portion thereof or interest therein shall contain an express provision making such conveyance subject to the covenants and conditions of this Covenant, provided however,

that any such contract, deed or other instrument shall conclusively be held to have been executed, delivered and accepted subject to such covenants and conditions, regardless of whether or not such covenants and conditions are set forth or incorporated by reference in such contract, deed or other instrument.

## SECTION 11 — ENFORCEMENT

A. Enforcement Provisions. The Owner shall exercise reasonable diligence to comply with the requirements of this Covenant and shall correct any such noncompliance within sixty (60) days after such noncompliance is first discovered by the Owner or would have been discovered by the exercise of reasonable diligence, or within 60 days after the Owner receives notice of such noncompliance from the City or its Designee; provided however, that such period for correction may be extended by the City if the Owner is exercising due diligence to correct the noncompliance. If such noncompliance remains uncured after such period, then the Owner shall be in default and the City on its own behalf may take any one or more of the following steps:

1) By any suit, action or proceeding at law or in equity, require the Owner to perform its obligations under this Covenant or the Property Tax Exemption Agreement, or enjoin any acts or things which may be unlawful or in violation of the rights of the City hereunder; it being recognized that the beneficiaries of the Owner's obligations hereunder cannot be adequately compensated by monetary damages in the event of the Owner's default;

2) Have access to, and inspect, examine and make copies of, all of the books and records of the Owner pertaining to the Project. Provided, however, the City or its Designee shall not divulge such information to any third party unless required by law or unless the same is necessary to enforce the City's rights hereunder; and

3) Take such other action at law or in equity as may appear necessary or desirable to enforce the obligations, covenants, conditions and agreements of the Owner under this Covenant.

4) The Owner hereby grants to the City or the Designee the option, upon Owner's default under this Covenant, for the Qualified Project Period to lease up to 23 of the units in the Project as mutually selected by the City or its Designee and the Owner for the purpose of subleasing such units to Eligible Households, but only to the extent necessary to comply with the provisions of this Covenant. The City or its Designee may lease from the Owner the units at the Affordable Rent level less a reasonable management fee to reimburse the City or its Designee for any expenses incurred in connection with such sublease. The City or its Designee may terminate its lease of the units in the Project upon determination that the Owner is no longer in default pursuant to this Covenant.

B. Hold Harmless. The Owner shall defend, indemnify, and hold the City, its officers, officials, employees, volunteers and its Designee and any other party authorized hereunder to enforce the terms of this Covenant, harmless from any and all claims, injuries, damages, losses, or suits, including attorney fees, arising out of or resulting from this Covenant.

C. No Third-Party Beneficiaries. The provisions of this Covenant and of the documents to be executed and delivered in connection herewith are and will be for the benefit of the Owner, the City and its Designee only and are not for the benefit of any third party (including, without limitation, any tenants or tenant organizations), and accordingly, no third party shall have the right to enforce the provisions of this Covenant or of the documents to be executed and delivered in connection herewith.

#### SECTION 12 — SUBORDINATION, TERMINATION, RIGHTS RESERVED BY HUD

A. Notwithstanding any provision in this Covenant to the contrary, all of the provisions of this Covenant shall terminate and have no further force and effect upon the occurrence of one of the following events:

1) Foreclosure of a HUD/FHA insured loan is initiated under which the Project is held as a security.

2) Title to the Project is acquired by Lender or HUD/FHA by deed in lieu of foreclosure of the Deed of Trust.

3) Title to the Project is acquired by HUD/FHA, Veterans Administration ("VA"), Federal National Mortgage Association ("FNMA"), Federal Home Loan Mortgage Corporation ("FHLMC") or another party upon foreclosure of a deed of trust or mortgage ("Deed of Trust") insured, made or held by HUD/FHA, VA, FNMA, FHLMC; or an institutional, third-party lender or investor (collectively, "Lender").

4) The Deed of Trust, if insured by HUD/FHA, is assigned to HUD/FHA.

5) Notwithstanding anything in this Covenant to the contrary, enforcement of this Covenant shall not serve as a basis for (i) default under the Deed of Trust insured by HUD/FHA or any other Lender, or (ii) an acceleration of the loan secured by the Deed of Trust ("Loan"), or result in any claim against the Project, the Loan proceeds, any reserve or deposit required by HUD/FHA or any other Lender in connection with the Loan transaction or the rents or other income from the Project other than from available surplus cash as that term is defined by HUD/FHA or any other Lender.

B. Notwithstanding anything in this Covenant to the contrary:

1) All of the provisions of this Covenant are subordinate and subject to the Deed of Trust, the Loan, and all documents relating to the Loan ("Loan Documents"), if any, as well as all applicable HUD/FHA mortgage insurance regulations, related HUD/FHA administrative requirements, Section 8 of the U.S. Housing Act of 1937, as amended, and the regulations thereunder, as amended, and the rights of the Lender thereunder. In the event of any conflict between this Covenant and the provisions of any applicable HUD/FHA mortgage insurance regulations, related HUD/FHA administrative requirements, Section 8 of the U.S. Housing Act of 1937, as amended, and the regulations thereunder, as amended, the applicable HUD/FHA mortgage insurance regulations, related HUD/FHA administrative requirements, Section 8 of the U.S. Housing Act of 1937, as amended, and the regulations thereunder, as amended, will control.

2) Lender shall take no role in monitoring compliance with state and federal use and occupancy requirements; nor shall Lender be required to provide notice to third parties of actions under the Deed of Trust, if any.

3) No amendment to this Covenant will be effective without the prior written consent of Lender, if any.

4) The Owner, its successors or assigns, will take all steps necessary to comply with this Covenant; provided that the Owner, its successors or assigns, shall not be required to take action prohibited by, or to refrain from action required by Lender, pursuant to the National Housing Act (as amended), applicable HUD/FHA mortgage insurance regulations, related administrative requirements, Section 8 of the Housing Act of 1937, as amended, and the regulations thereunder, as amended, or the Loan and the Loan Documents.

#### SECTION 13 — ESTOPPEL CERTIFICATE

The City agrees, upon the request of the Owner or its successor in interest, to promptly execute and deliver to the Owner or its successor in interest or to any potential or actual purchaser, mortgagor or encumbrance of the Project, a written certificate stating, if such is true, that the City has no knowledge of any violation or default by the Owner of any of the covenants or conditions of this Covenant, or if there are such violations or defaults, the nature of the same.

#### SECTION 14 — AGREEMENT TO RECORD

The Owner shall cause this Covenant to be recorded in the real property records of King County, Washington. The Owner shall pay all fees and charges incurred in connection with such recording and shall provide the City or its Designee with a copy of the recorded document.

#### SECTION 15 — RELIANCE

The City and the Owner hereby recognize and agree that the representations and covenants set forth herein may be relied upon by City and the Owner. In performing its duties and obligations hereunder, the City may rely upon statements and certificates of the Owner and Eligible Households, and upon audits of the books and records of the Owner pertaining to occupancy of the Project. In performing its duties hereunder, the Owner may rely on the Certificates of Household Eligibility unless the Owner has actual knowledge or reason to believe that such Certificates are inaccurate.

#### SECTION 16 — GOVERNING LAW

This Covenant shall be governed by the laws of the State of Washington, except to the extent such laws conflict with the laws of the United States or the regulations of federally insured depository institutions or would restrict activities otherwise permitted in relation to the operation of federally insured depository institutions.



Any party may change its address for notices upon ten (10) days prior written notice to the other parties. Legal counsel for a party may deliver notices on behalf of the represented party and such notice shall be deemed delivered by such party.

SECTION 20 — MULTIFAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION AGREEMENT

This Covenant is subject to the terms and conditions of the Limited Property Tax Exemption Agreement. In the event of any conflict between the terms of this section and the terms of the Property Tax Exemption Agreement, the terms of the Property Tax Exemption Agreement shall control. All amounts payable hereunder shall be paid without any set-off or deduction of any nature. This provision shall survive termination of the Covenant prior to expiration of the Qualified Project Period.

SECTION 21 — SEVERABILITY

If any provision of this Covenant shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.

SECTION 22 — CONSTRUCTION

Unless the context clearly requires otherwise, words of the masculine, feminine or neuter gender shall be construed to include each other gender when appropriate and words of the singular number shall be construed to include the plural number, and vice versa, when appropriate. All the terms and provisions hereof shall be construed to effectuate the purposes set forth in this Covenant and to sustain the validity hereof.

SECTION 23 — TITLES AND HEADINGS

The titles and headings of the sections of this Covenant have been inserted for convenience of reference only, are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof or be considered or given any effect in the construing this document or any provision hereof or in ascertaining intent, if any question of intent shall arise.

[Signature page follows.]

IN WITNESS WHEREOF, the Owner and City have each executed the Declaration of Affordable Housing Covenants on the Date first above written.

Owners:

City:

---

Angela Rozmyn  
Its Agent

---

Tracey Dunlap  
Its: Deputy City Manager

Approved as to Form:

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City Attorney





STATE OF WASHINGTON }  
 }  
COUNTY OF KING } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared \_\_\_\_\_, to me known to be the \_\_\_\_\_ of \_\_\_\_\_, corporation, who executed the foregoing instrument on behalf of the said corporation, and acknowledged the said document to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that s/he was authorized to execute said document.

IN WITNESS WHEREOF I have given under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Washington.  
Print Name \_\_\_\_\_  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**EXHIBIT A**

**LEGAL DESCRIPTION**

Parcel 1:

Lots 1, 2, 3, 4 and 5, Block 96, Kirkland Terrace, according to the plat thereof, recorded in Volume 21 of Plats, Page(s) 42, in King County, Washington;

Together with that portion of vacated alley, which alley was vacated pursuant to City of Kirkland Ordinance No. 996, recorded under recording number 5974155, adjacent to and lying Southerly of said Lots 1, 2, 3, 4 and 5, Block 96, Kirkland Terrace, according to the plat thereof recorded in Volume 21 of Plats, Page 42, in King County, Washington, said portion more particularly described as follows:

The Northerly 2.50 feet of said vacated alley and the Southerly 2.75 feet of the Northerly 5.25 feet of the Westerly 57.60 feet of said vacated alley;

Situate in the County of King, State of Washington.

Parcel 2:

An easement for shared access and utilities as established by instrument recorded under recording number 20160811001442.

**EXHIBIT B****DESIGNATION OF AFFORDABLE UNITS**

<b>Unit Number</b>	<b>Unit Type</b>	<b>Approx. Unit Size (sq ft)</b>
204	Residential Suite	186
205	Residential Suite	207
211	Residential Suite	205
217	Residential Suite	179
219	Residential Suite	179
228	Residential Suite	182
306	Residential Suite	180
312	Residential Suite	190
316	Residential Suite	186
323	Residential Suite	196
325	Residential Suite	175
403	Residential Suite	180
407	Residential Suite	192
409	Residential Suite	205
417	Residential Suite	186
421	Residential Suite	196
425	Residential Suite	191
502	Residential Suite	180
508	Residential Suite	205
516	Residential Suite	186
525	Residential Suite	191
209	Studio	300
308	Studio	308

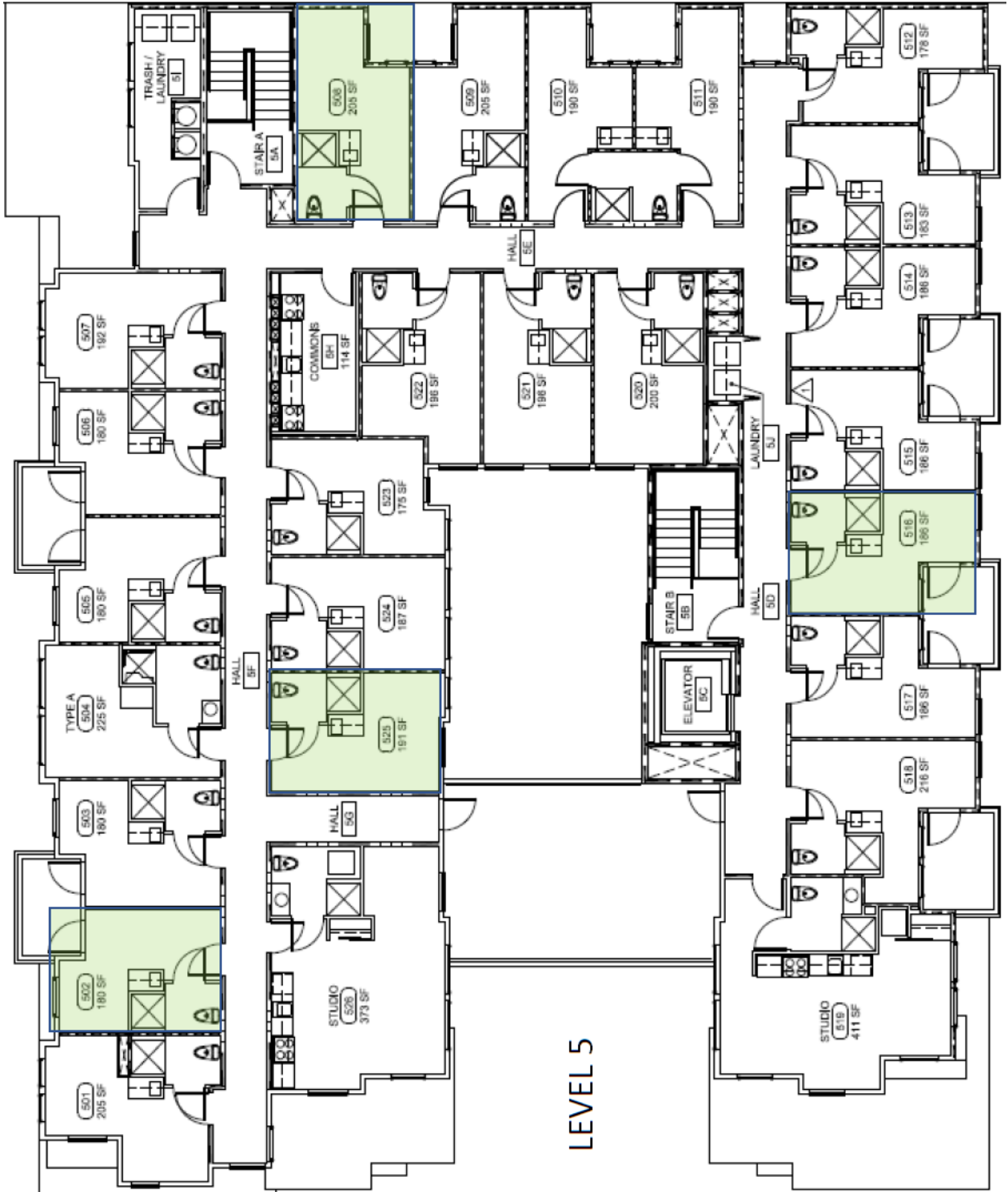
See attached diagram.

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Mailing Address \_\_\_\_\_ Phone \_\_\_\_\_

**INCOME COMPUTATION**

"Household income" includes all items listed below, from all household members over the age of 18. Income of dependents over 18, who reside in the unit for less than four (4) months of the year will not be counted toward household income.

For the previous 12-month period, indicate income received from the following sources:

- a) The full amount, before any payroll deductions, of wages, salaries, overtime pay, commissions, fees, tips, bonuses and other compensation for personal services, and payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay and any earned income tax credit to the extent that it exceeds tax liability; \_\_\_\_\_
  - b) Net income from operations of a business or profession or net income of any kind from real or personal property; \_\_\_\_\_
  - c) Interest and dividends; \_\_\_\_\_
  - d) The full amount of periodic payments received from Social Security, pensions, retirement funds, annuities, insurance policies, disability or death benefits, alimony, child support, or any similar type of periodical payments, and any regular contributions or gifts from persons not residing in the unit; \_\_\_\_\_
  - e) Public assistance payments; \_\_\_\_\_
  - f) Regular and special allowances and pay of a member of the Armed Forces who is a spouse or head of the family. \_\_\_\_\_
- TOTAL \$ \_\_\_\_\_

(NOTE: The following are not considered income: occasional, infrequent gifts of money; one-time payments from insurance policies or an inheritance settlement; scholarships or student loans for tuition, fees or books; foster child care payments; the value of Food Stamp coupons; hazardous duty pay to a member of the Armed Forces; relocation payments; assistance received under the Low-Income Home Energy Assistance Program or any similar program).

**EXHIBIT D**

FORM OF ANNUAL PROJECT CERTIFICATION

**ANNUAL PROJECT CERTIFICATION**

Project: \_\_\_\_\_

Address: \_\_\_\_\_

The undersigned hereby certifies that during the annual Reporting Period ending \_\_\_\_\_, \_\_\_\_\_ units or \_\_\_\_\_ percent of the residences in the Project were utilized as Affordable housing, as required in the Regulatory Agreement, in the following manner:

- a) \_\_\_\_\_ units or \_\_\_\_\_ percent of units in the Project were rented to Tenants who did not exceed the applicable income limits of \_\_\_\_\_% or \_\_\_\_\_% of area median income;
- b) \_\_\_\_\_ units or \_\_\_\_\_ percent of units in the Project were rented to Tenants who exceeded \_\_\_\_\_% or \_\_\_\_\_% of area median income but were below \_\_\_\_\_% or \_\_\_\_\_% of area median income;
- c) \_\_\_\_\_ units or \_\_\_\_\_ percent of units in the Project were rented to Tenants who now exceed \_\_\_\_\_% or \_\_\_\_\_% of area median income, and therefore can no longer be considered eligible for Affordable units;
- d) \_\_\_\_\_ units or \_\_\_\_\_ percent of units in the Project are being held vacant for eligible Tenants.

The above information and that on the attached sheet(s) has been verified as required by the Regulatory Agreement between the City of \_\_\_\_\_ and

Owner (Company) Name: \_\_\_\_\_

\_\_\_\_\_  
Name of Owner

\_\_\_\_\_  
Signature of Owner

Date: \_\_\_\_\_, 20\_\_\_\_

**TENANT QUALIFICATION SUMMARY**

# of Units	A. Low-Income: Tenants whose household incomes do not exceed _____% of the King County Median Family Income, adjusted for Household Size.
	1. Qualified during the Reporting Period;
	2. Previously qualified, and still qualifies (household income does not exceed _____% of Median Income);
	3. Overqualified (household income exceeds _____% of Median Income), and:
	a. Vacated the Affordable Unit.
	b. Tenant remains in unit, now paying Low-Moderate- or Moderate-Income rent if qualified (and another unit has been substituted as a Low-Income unit).
	B. Low-Moderate-Income: Tenants whose household income does not exceed _____% of Median Income, adjusted for Household Size.
	1. Qualified during the Reporting Period;
	2. Previously qualified, and still qualifies (household income does not exceed _____% of Median Income);
	3. Overqualified (household income exceeds _____% of Median Income), and,
	a. Vacated the Affordable Unit.
	b. Tenant remains in unit, now paying Moderate-Income rent if qualified (and another unit has been substituted as a Low-Moderate-Income unit).
	C. Moderate-Income Household: Tenants whose household income does not exceed _____% of the Median Income, adjusted for Household Size.
	1. Qualified during the Reporting Period (i.e., new tenants);
	2. Previously qualified, and still qualifies (household income does not exceed _____% of Median Income);
	3. Overqualified (household income exceeds _____% of Median Income), and vacated (or will vacate) Affordable Unit.

**ANNUAL PROJECT CERTIFICATION**

PROJECT NAME \_\_\_\_\_

REPORTING PERIOD: \_\_\_\_\_ through \_\_\_\_\_.

Does Contract Rent include:								Are residents required to buy:			
Electricity & Gas?	Yes No	Water & Sewer?	Yes No	Garbage?	Yes No	Renter's insurance?	Yes No	One Parking Space?	Yes No	Renter's insurance?	Yes No
<b>For each "No" enter the Allowance or Fee below (except Renter's Insurance, if it's not required).</b>											

Unit #	Tenant Name	Family Size	Move-in Date	Current Lease Date	Current HH Income*	Unit Type (BRs)	Affrd Level	Max Housing Expense**	Electric & Gas Allowance	Water & Sewer Allowance ***	Garbage Allowance (or Fee)	Insurance Allowance	Parking Fee	Max Rent	Current Contract Rent
															\$0
															\$0
															\$0
															\$0
															\$0
															\$0
															\$0
															\$0
															\$0

\* As of report date or when current lease was signed.

\*\* Find on "Rental and Income Guidelines."

\*\*\* Maximum Housing Expenses also include water, sewer, and garbage. If these are paid for directly by the tenant (in addition to rent), the maximum rent must be reduced by the typical costs to the tenant of such utilities, or a set allowance established by the city (or ARCH).

ARCH Electric & Gas Allowances:

- Studio
- 1-bedroom
- 2-bedroom
- 3-bedroom
- 4-bedroom
- 5-bedroom

Water & Sewer Allowances:

- Studio
- 1-bedroom
- 2-bedroom
- 3-bedroom
- 4-bedroom
- 5-bedroom

Vacancy Status: The following units are vacant as of \_\_\_\_\_ and are being held vacant for eligible Tenants.

PUBLICATION SUMMARY  
OF ORDINANCE NO. O-4697

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE MULTIFAMILY HOUSING PROPERTY TAX EXEMPTION AND PROVIDING FOR DIFFERENT REQUIREMENTS IN THE EVENT OF RENTAL UNIT PROJECTS PROVIDING SUBSTANTIAL ADDITIONAL PUBLIC BENEFITS.

SECTION 1. Amends the definition of "affordable" as it relates to multi-family housing property tax exemptions.

SECTION 2. Sets forth project eligibility requirements for multi-family housing property tax exemptions.

SECTION 3. Amends the exemption duration criteria for multifamily housing property tax exemption requirements.

SECTION 4. Authorizes the City Manager to execute Master Lease Agreements.

SECTION 5. Authorizes the City Manager to execute the MFTE Contract and Covenant.

SECTION 6. Provides a severability clause for the ordinance.

SECTION 7. 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 \_\_\_\_\_, 2019.

I certify that the foregoing is a summary of Ordinance O-4697 approved by the Kirkland City Council for summary publication.

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

**CITY OF KIRKLAND****Police Department**11750 NE 118<sup>th</sup> Street, Kirkland, WA 98034-7114 425.587.3400[www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Mike St. Jean, Captain  
Cherie Harris, Chief of Police

**Date:** August 22, 2019

**Subject:** PRO-ACT UNIT UPDATE

**Recommendation**

To provide the Council an update on the status of the Pro-Act Unit within the Police Department. The presentation will be followed by an update on findings from the Community Policing Engagement process.

**Background**

City Council referred an enhanced police services and community safety sales tax ballot measure (Proposition 1) as part of the November 6, 2018, general election. As part of this ballot measure, which was approved by the residents of Kirkland, a new, dedicated proactive police unit is being formed, utilizing additional officers funded by the measure. The new team's main focus will be on property and drug-related crimes and will be called the Pro-Act Unit.

During the 2019-2020 budget approval process, Council approved the immediate hiring of the additional officers as approved by the voters. It should be noted that the sales tax revenue from Proposition 1 was not available until June 2019, but thanks to the foresight shown by the Council, the Police Department has already completed the recruitment and hiring of all new officers as authorized and funded by Proposition 1. All newly hired Proposition 1 officers are either at the Basic Law Enforcement Academy or will be attending soon. Upon graduation, they will begin their four-month training program to prepare them for solo patrol.

In close consultation with the City Manager, the Police Department has developed a strategy, utilizing strategically scheduled overtime to backfill patrol shifts, to begin Pro-Act operations beginning September 3, 2019. We have completed the selection process for this team, which will consist of a Sergeant, Corporal and three experienced officers. Members of this team have already attended training applicable to this new unit with additional training scheduled.

**Next Steps**

The Sergeant, Corporal and one of the officers selected for the Pro-Act Unit will be transferred from the Patrol Unit, effective September 1, and will begin operations September 3, again utilizing overtime to ensure patrol shift coverage. The other two officers selected for this team are currently Detectives within the Investigations Unit. The Department is currently testing to replace these positions and they will join the Pro-Act Unit sometime later in September.



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

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## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** James Lopez, Assistant City Manager  
Cherie Harris, Police Chief

**Date:** August 22, 2019

**Subject:** SCHOOL ZONE SAFETY CAMERA UPDATE

### RECOMMENDATION:

City Council receives an update on the implementation of the School Safety Zone Camera program.

### BACKGROUND:

On March 5, 2019 the City Council approved Ordinance O-4681 authorizing the use of photo enforcement cameras in school zones, Resolution R-5359 (as amended) establishing fines for photo-enforced school zone violations and Resolution R-5360 authorizing the City Manager to enter into an agreement with American Traffic Solutions Inc. (ATS) to install and monitor traffic safety cameras in two school zones in Kirkland.

On June 4, 2019 the City Council received an update on the status of the School Safety Zone Camera program. During the discussion, Council indicated a preference to use 2019 speed study data as a baseline for comparison rather than data from 2018. With the installation of beacons in February 2019, comparisons can be made for February to May 2019 and the same period for 2020. Overall, Council provided support to proceed with the program.

Following is a report on completed and in-progress tasks.

### **Progress of Workplan Items:**

- The **ATS Contract** was fully executed in March 2019. Since then the Public Works Department met with ATS to discuss permitting requirements for installation of the cameras, permits were submitted and approved, and all cameras have been fully installed with power at all locations.
- **Schools zone signage** including flashing beacons notifying drivers that they are entering an active school zone and signs indicated the end of the school zone are installed and operational at Rose Hill Elementary and John Muir Elementary/Kamiakin Junior High. A radar speed sign south of John Muir Elementary (part of the Neighborhood Safety Program) has been installed and is active. State law requires the



City to install signage at least thirty days prior to the activation of the cameras warning drivers that they are entering a zone where traffic laws are enforced by an automated traffic safety camera. All signage needed to fulfill this requirement was installed by August 1, 2019.

- The **citation form** has been approved by the Administrative Office of the Courts.
- The **warning letter** which will be used during the first 30 days of enforcement has been finalized.
- **Additional speed studies** were conducted the week of May 13 following the installation of the new signage. This study was to determine the impact of signage alone on speeds and to provide a benchmark for future speed studies. As per Council direction at the June 4, 2019 Council Meeting, this speed study will be used for comparison data.
- ATS and Police and Municipal Court staff held a **business meeting** in June and finalized workflows and responsibilities between ATS and the City.
- City Communications staff developed materials in **coordination with the Lake Washington School District** which were sent out in June prior to the close of the school year. Those informational materials were sent out by the District's Director of Communication as well as the Principals of the affected schools.
- Staff provided an overview of the program to the **Kirkland Alliance of Neighborhoods** in March and have been introducing the program as part of the Police Department's participation at **neighborhood association meetings**. In particular, staff attended the March 12 South Rose Hill/Bridle Trails and the June 19 Evergreen Hill meetings.

### **Current and Upcoming Activities** Communications

Police Department and City Manager's Office staff have collaborated to publish several informational materials related to the program. The first phase of outreach occurred in February and March of 2019 through the City's social media, newsletter, and press release channels, and it included the creation of an informational webpage detailing the program. The next phase of outreach was targeted communication through the District's communication networks prior to school ending in June. The most recent round of outreach focused on a video about school zone safety and details of the new program that was published on social media on August 21, 2019. An accompanying press release was sent out and a planned newsletter article will further promote the program. A fourth round of outreach is planned for the latter part of September, with an emphasis on the transition from the 30-day warning period to citations. The informational webpage will continue to be updated as needed to provide additional details about the program.

The Communications Program Manager will continue to serve as the primary point of contact for any questions or comments received from the public. The Police Traffic Sergeant will continue to be the point of contact for community member questions and complaints about

speeding in school zones. The Municipal Court will be the point of contact regarding any citations that are issued once the program is implemented and the City moves from the 30-day warning period to citations.

In October the Public Works Department will have a proclamation declaring October as "Walk Your Child to School Month." The presentation will also provide an opportunity to further introduce the program.

### **Conclusion**

The School Safety Camera program is proceeding as planned and will be implemented on time. Further updates will be provided as the program proceeds through the school year.

**Attachment A**

**Recommended Newsletter, Twitter and Facebook Content and Talking Points for School Personnel**

**Newsletter Content:**

Pedestrian and bicycle safety is one of the City of Kirkland's highest priority especially in school zones. Enhanced enforcement is one way to slow down traffic and create greater awareness. The City wants to make you aware of a new photo enforcement program what will be implemented in September 2019 at Rose Hill Elementary School and Kamiakin Middle School/John Muir Elementary School. The City of Kirkland wants you to be aware of this coming program. Please assist us in also informing your older students about these cameras so that they slow down if they use this route to drive to or from school.

The safety cameras will only issue warnings for the first 30 days that the cameras are in operation. Beginning in early October, the safety cameras will issue a citation to vehicles exceeding the school zone speed limit of 20 mph. The fine for speeds over 25 mph will be \$136 per incident. A graduated fine of \$250 per incident will be issued for speeds over 30 mph. Any speeding offense incurred as a result of the school zone safety cameras will not impact the violator's driving record.

Photo enforcement cameras will operate 30 minutes before and after the start of school and 30 minutes before and after the end of school. The timing will be based on individual school start and stop times. Cameras near John Muir Elementary and Kamiakan Middle School will overlap to allow enforcement consistent with each school's start and stop times. Cameras will not operate when school is not in session, and at each school zone will indicate when the 20 mph school zone speed limit is in effect.

All fines will be used by the City to cover the cost of the enforcement program. Any revenue in excess of the cost of program will go to be used to fund traffic safety programs, personnel and projects in the Transportation Capital Improvement Plan, Neighborhood Safety Program, and Safer Routes to School Action Plans that improve school safety and pedestrian and bicycle safety.

The two pilot locations were chosen based on traffic studies that measured traffic volumes and speeds as well as feedback from traffic enforcement officers. Based on the data, two schools' zones were recommended as sites for automated traffic safety cameras – John Muir Elementary/Kamiakin Middle School and Rose Hill Elementary. These two locations had the highest traffic volumes and incidence of excessive speed. Reducing excessive speeding significantly decreases the likelihood that a traffic collision will result in a serious injury or fatality.

For more information please see the FAQ on the City website, <http://bit.ly/SchoolZoneCameraFAQ>, or contact Kellie Stickney, Communications Program Manager, at [kstickney@kirklandwa.gov](mailto:kstickney@kirklandwa.gov).

## **Social Media Posts:**

### **Facebook**

School zone safety cameras will be coming to Rose Hill Elementary School and Kamiakin Middle School/John Muir Elementary School in September at the beginning of the 2019-2020 school year. The cameras will issue warnings for the first 30 days that the cameras are in operation and will issue citations after the warning period. Photo enforcement cameras will operate when schools are in session for 30 minutes before and after the start of school and 30 minutes before and after the end of school. For more information please see the FAQ on the City website, <http://bit.ly/SchoolZoneCameraFAQ>, or contact Kellie Stickney at [kstickney@kirklandwa.gov](mailto:kstickney@kirklandwa.gov).

### **Twitter:**

School zone safety cameras will be coming to Rose Hill Elementary School and Kamiakin Middle School/John Muir Elementary School in September at the beginning of the 2019-2020 school year. For more information please see the FAQ on the City website, <http://bit.ly/SchoolZoneCameraFAQ>.

### **Talking points for admins:**

1. The program will not begin until the first day of the 2019-2020 school year. The City will work with the School District to send out a reminder at the beginning of the school year.
2. Signs have already been installed that clearly indicate where the school zone begins and ends when the cameras will be active.
3. Photo enforcement cameras will operate 30 minutes before and after the start of school and 30 minutes before and after the end of school (based on individual school start and stop times).
4. Warnings will be issued for the first 30 days of the program. Citations will be issued after the thirty-day warning period.
5. The cameras will not capture images of children
6. The two pilot locations were chosen based on traffic volumes, speed data and feedback from traffic enforcement officers.
7. For more information please see the FAQ on the City website, <http://bit.ly/SchoolZoneCameraFAQ>, or contact Kellie Stickney at [kstickney@kirklandwa.gov](mailto:kstickney@kirklandwa.gov).

**CITY OF KIRKLAND**

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

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

**To:** Kurt Triplett, City Manager

**From:** Tracey Dunlap, Deputy City Manager  
Cherie Harris, Police Chief  
Kevin Raymond, City Attorney

**Date:** August 9, 2019

**Subject:** Mental Health and Community Crisis Intervention Framework

**RECOMMENDATION:**

Council receives a report on the framework for investing a variety of funds related to addressing mental health issues and intervening with community members in crisis and provides feedback. Council also receives an update on the Martin V. Boise Ninth Circuit Court of Appeals decision and current Kirkland Police Department practices when interacting with individuals experiencing homelessness. The court decision summary and current practices are included in a separate memo included in this document as Attachment E.

**BACKGROUND DISCUSSION:**

The voters of Kirkland approved Proposition 1 – Enhanced Police Services and Community Safety Ballot Measure in November 2018, a part of which was funding for an additional Neighborhood Resource Officer to be paired with a dedicated Mental Health Professional (MHP) to help resolve police and fire calls with mental health complications including domestic violence, suicide attempts, assisting homeless persons and nonemergency calls. Proposition 1 also included enhanced human services funding and operating funds for the Women and Family Shelter in Kirkland expected to open in 2020.

These resources will be in addition to MHPs that Kirkland shares with four neighboring jurisdictions (Bothell, Kenmore, Lake Forest Park, and Shoreline), termed the North Sound RADAR Program (Response, Awareness, De-escalation, And Response). These activities were funded from a grant from the Washington Association of Sheriffs and Police Chiefs (WASPC) through mid-2019 and will be funded by King County Mental Illness and Drug Dependency (MIDD) levy funds through the end of 2020. The City of Kirkland is also scheduled to receive funding in 2020 for a Mobile Integrated Healthcare unit with successful passage of the King County EMS levy in November 2019. The MIH program is a method for managing the impact of low-acuity calls on the EMS system by having a dedicated response team rather than Basic Life Support units responding. The prior EMS levy had a similar pilot program called Community Medical Technicians.

Given the new resources, several efforts were initiated to determine best practices associated with programs of this type and evaluate the best way to invest the resources:

- As part of a service package, Council set aside resources to hire a consultant to evaluate the City's performance management strategy and provide focus group and process improvement training, including assisting the City with applying those skills to specific topics. The focus group topic selected was "Community Policing" and the results of that work are summarized in a separate staff report. The process improvement element was entitled "Kirkland Police Department Mental and Emotional Health Response Improvement Team." This team was comprised of a core group from the Police Department (Lt. Lisa Brouelette, Sgt. Gary Eggleston, Patrol Officer Christian Hemion, Neighborhood Resource Officer Deana Lansing, Patrol Officer Lorraine Rohrback, and Police Support Associate Marilyn Parish), supported by staff with Lean training from other departments (Christian Geitz, Sara Mallamo, and David Wolbrecht), and facilitated by consultant Bill Bott of the Change and Innovation Agency (C!A).

The report summarizing the results of that effort is included as Attachment A and contains 14 specific recommendations on how to best deploy the new resources to meet the needs of the Police Department and accomplish six primary goals:

- Maintain service to individuals experiencing a mental or emotional health crisis,
  - Streamline the process for dispatch, response, and reporting,
  - Reduce the number of non-emergency calls to 911,
  - Reduce repeat offenders,
  - Reduce duplication of response and reporting, and
  - Increase officer unallocated time.
- In a separate effort, the City engaged an expert in the field of mental health to assist in structuring the MHP function and job description in a way to optimize its effectiveness, not only within the Police Department but in coordinating related activities in the City as a whole. Anura Shah, LICSW, MHA of Beyond Force, LLC has been working with the North Sound RADAR Program to help structure that program. Her approach to this work was to review the C!A report, Proposition 1 information, other items, and to interview key individuals within the City. Her report is included as Attachment B and contains specific tasks recommended for a "Neighborhood Resource Social Worker" position, as well as key qualifications and potential salary comparables.
  - Many of the tasks recommended for the Neighborhood Resource Social Worker to undertake are important to the foundation of this program to include fostering interagency relationships, assessing training needs for the Department and the community, and identifying gaps in service delivery but should be accomplished in partnership with the Neighborhood Resource Officer. Coordinating and managing stakeholder groups is being discussed later in this paper but participation from this team of NRO and Neighborhood Resource Social Worker should be a priority. Recommendations to "conduct ongoing, comprehensive needs assessments by gathering and analyzing data from a variety of sources will be supported by the Department's Crime Analyst and will also occur while conducting work in the field. This not only supports the creation of a dashboard to track those most in need but also to provide feedback to the City Manager and Council for future policy making decisions and initiatives.

The Department expects to deploy the additional Neighborhood Resource Officer in January 2020 along with the Neighborhood Resource Social Worker, utilizing the consultant's recommendations for experience, knowledge and qualifications.

- The Deputy City Manager and Police Chief met with Chief Zaro of the Lakewood Police Department to discuss Lakewood's experiences with their "Behavioral Health Contact Team," a very similar program implemented in 2015 that pairs an officer with an MHP. Lakewood saw immediate results from the program in the form of reduced calls for service from repeat callers that were not actual emergencies. This team has allowed them to proactively engage with members of the community in crisis and assist them with finding services to address their needs. The program is extremely popular with the Police officers and the community. Background information related to the Lakewood program is included as Attachment C.
- Chief Harris attended an informational session presentation (Attachment D) by the King County Prosecutor's Office and Public Defender Association about the Law Enforcement Assisted Diversion (LEAD) model, which provides community-based care and coordination for people whose criminal activity is due to behavioral health issues using arrest diversion and social contact referral.

This information is being used to inform the Police departments development of the job description and recruitment of the funded positions in Proposition 1 and definition of program elements.

Recognizing that each of these programs strive to assist community members in crisis, the Deputy City Manager, City Attorney, Fire and Police Chiefs, Parks & Community Services Director, and Public Works Director have been meeting to discuss the best way to coordinate these efforts City-wide. The recommendation is to establish a Community Crisis Intervention Service Team that is made up of the key individuals working with the community (the NRO, Neighborhood Resources Social Worker, EMS Captain, and Human Services Supervisor), supplemented by a steering team made up of the Directors listed above. The Service Team will meet twice a month and be joined by the steering team at one of those meetings to address policy issues that arise. Once hired, the Neighborhood Resource Social Worker is envisioned to lead the meetings. In the meantime, City Attorney Kevin Raymond will convene the steering team to discuss issues related to homelessness and related impacts on City operations.

The graphic that follows is intended to provide a visual representation of the recommended approach. Everyone involved in these discussions to date is excited to deploy these resources in a coordinated manner that will provide better service to the most vulnerable members of the community and better utilize City resources. Staff is seeking feedback from the Council prior to finalizing the program elements for implementation in January of 2020.

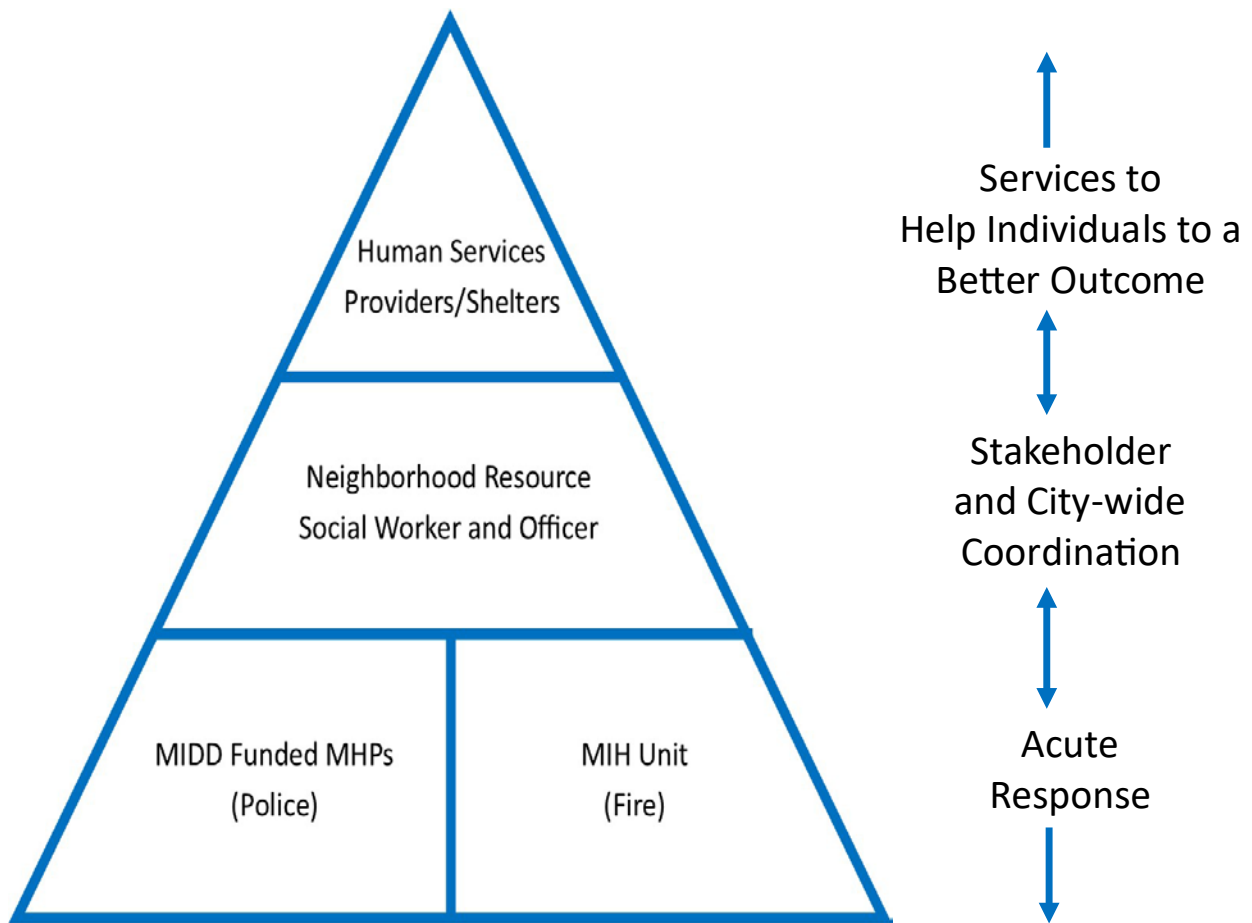
## Community Crisis Intervention Framework

Governance: Service Team Supported by Steering Team

### Key Stakeholders:

Hospitals  
Schools (SROs)  
Municipal Court  
Prosecutors

Businesses  
Neighborhoods  
Service Providers





## OVERVIEW

The Kirkland Police Department Mental and Emotional Health Response Improvement Team charter was designed to accomplish six primary goals:

1. Maintain service to individuals experiencing a mental or emotional health crisis
2. Streamline the process for dispatch, response, and reporting
3. Reduce the number of calls
4. Reduce repeat offenders
5. Reduce duplication of response and reporting
6. Increase officer unallocated time

During their three-day intensive kaizen session, fourteen recommendations were developed to meet these objectives, provide a clear career path for the approved mental health professional, and establish performance measures to ensure the city is providing value-added services to this population.

## METHODOLOGY

The team, led by a facilitator from the Change and Innovation Agency, used system mapping and process analysis tools to represent the work as it is done today and to begin identifying potential areas for improvement. These ideas were then further explored and we relied on both existing data, as well as the expertise of the team to estimate work time for each process and call volume, to help evaluate potential solutions. The discussion surrounding mapping and analysis resulted in a number of potential ideas that were researched to validate their feasibility and potential impact. Those ideas with both high feasibility and impact became the team's final recommendations, which are documented in this report.

## FINDINGS

Calls to NORCOM, even from the most common sources, can be nearly impossible to fully diagnose over the phone and often require a police officer to investigate further. The time between a dispatched call and a response can vary, but in general, most are seen within an hour, and the safeguard of having NORCOM contact a supervisor for pending calls that have been holding for an hour seems to be effective in ensuring a prompt response. Depending on the shift, the group estimated anywhere between 15% to 45% of calls fall into the non-emergency category with 30% of those mental health-related calls, sometimes associated with a suicidality. Despite the fact that many calls turn out to be non-emergency and non-law enforcement, for the safety of the caller, the subject, and any third parties who may be involved or become involved, the team felt strongly that all calls should continue to be dispatched.

Each mental/emotional contact made by a police officer typically results in at least one of the following:

- Field Investigation Report (FIR): Often completed for routine contacts, this documentation takes anywhere from five to 15 minutes to complete in the system and is usually entered just after the contact with the subject concludes.
- Full Report: Required for more severe contacts, these reports take between 30 and 60 minutes to complete, and may not be immediately available until after a supervisory review, which can take up to one day.

- Behavioral Health Report/Crisis Template: The documentation takes approximately five minutes and is currently emailed to supervisors to be forwarded to the MHP coordinator.
- Notes in the Call: The most common data entry involves adding a brief summary of the call, typed by the officer, and entered into the Computer Aided Dispatch (CAD) system by the officer. This documentation typically takes a couple of minutes to complete and is usually entered just after the call is handled.

Most of these interactions are concluded and merged between the systems by the next day, and any collateral information is disseminated at that point. Overall, the difference between the time tasks take and the total time is so minuscule that streamlining becomes very difficult without removing tasks. Because each task is designed to ensure safety and effective police interactions, the team was not comfortable lowering the overall time to complete a task by reducing the actual work. Instead they began to focus on improvements in four areas:

1. Before the call: What steps could be taken by the city and police department to limit the volume of mental and emotional response calls?
2. At the call: What information and steps could be taken during an initial call to help the contact go more smoothly?
3. At the contact: What could be done during a mental and emotional response to both ensure safety and provide quality services to the subject?
4. After the contact: What system changes could be made after the initial contact to ensure adequate follow up and long-term success with repeat callers?

## RECOMMENDATIONS

Many of these recommendations are dependent on a full-time MHP being on staff as a position not contingent on grant funding. The team recommends hiring an MHP as soon as possible and getting in front of the larger plan to share an MHP pool with other cities.

A second NRO/CIT Officer would also increase the effectiveness and ease of implementing these recommendations; however, the team recognizes the lag between hiring and when such a position can be in place and contributing.

### Before the Call

**Recommendation 1 – Business Outreach:** Kirkland businesses would benefit from a program designed to prepare them for encounters with people who are not traditional customers, such as people who remain in the business despite no intent to purchase a good or service. The outreach would educate them on their rights as business owners, potential signage and policies to have in place, and strategies to deal with unwanted individuals in their facility. The goal of this idea is to better inform businesses so they are better prepared to handle issues that are non-law enforcement in nature. The main advantage for the city is empowering business owners to properly handle non-public safety issues at their level, therefore reducing the number of non-law enforcement calls. While resources to conduct regular outreach are scarce, the team felt that if the city could identify the most common types of businesses impacted, and work with organizations such as the Chamber of Commerce, they could provide regular, targeted training.

*\*\*This effort could easily fit into a Community Policing Model\*\**

**Recommendation 2 – Community Outreach:** In an effort to curb unnecessary calls to the Kirkland Police Department, this program will cover the most common types of contacts that do not require law enforcement and how citizens can determine when to call for assistance. In addition to strengthening community relations, this recommendation aims to reduce calls for non-public safety issues by educating citizens on when and how to appropriately contact law enforcement. For issues such as suicide prevention and wellness checks, curriculum could be reinforced through school resource officers. The largest identified issue with this recommendation is finding ways to reach the community and sustain that outreach. Through active neighborhood groups and other similar outreach efforts, a curriculum could be developed to be regularly shared.

*\*\*This effort could easily fit into a Community Policing Model\*\**

**Recommendation 3 – Officer Training:** Officers may be able to improve the outcomes of their responses if they receive further training in handling mental and emotional health issues, the resources available to them, strategies for resolution, proper documentation, and how to appropriately code these calls. Local resources for this population change annually and a thorough training on how to best interact with CIT calls may not only benefit the subject, but also help ensure officer safety and reduce the likelihood of use of force. If field supervision can monitor best practices and ensure officers have time for the training, this recommendation should provide proficient and effective responses to these calls.

**Recommendation 4 – Proactively Check on Repeat Callers and/or Their Caregiver:** If someone qualified to deal with this unique population contacted known subjects once per week to engage them in a conversation geared toward preventing future calls, we may be able to get in front of issues prior to them impacting other citizens and ultimately reduce calls that are non-law enforcement in nature. By establishing a proactive relationship with the most common callers, we may be able to ease their mental and emotional state and deal with common problems before they are escalated to a call. This idea will not work for repeat callers dealing with paranoia, or those who have a negative reaction to law enforcement, and would require someone with the proper skills and credentials to conduct the calls. Research for liability issues and whether this might be a good use for volunteers or MHP interns is needed. Because the impact may be low, this recommendation should be implemented on a trial basis to accurately judge feasibility.

*\*\*This effort could easily fit into a Community Policing Model\*\**

**Recommendation 5 – Strengthen Relationship with Evergreen and Other Partners:** Often, drop offs at Evergreen do not result in adequate care for an individual, but do result in further calls and law enforcement interactions. Working with Evergreen, the Kirkland Police Department may be able to influence how both voluntary and involuntary subjects get better care and resolve the issues that necessitate further interactions. If we look at Evergreen and our other partners as customers of our process, receiving from us both information and the subject in need, then we can strengthen that relationship using the same focus group tools trained in 2018. A third party from the city should meet with Evergreen social workers to discuss the

results of a successful transfer and the desired attributes of this regular transaction. The goal is to validate or ensure we are providing Evergreen what they need in order to provide better service to this population.

### At the Call

**Recommendation 6 – NORCOM Improvements at Intake:** If NORCOM could make every effort to enter the subject's name and information into the "add people" section of CAD, officers would be better prepared when responding to a mental and emotional health call. Eventually, NORCOM should also include response plan information and ensure officers are aware if a response plan exists. This additional information will help officers in responding today, but will become increasingly vital as the CIT/MHP response plans are developed and require easy accessibility. While the extra input necessitates a more consistent willingness of all dispatchers, the advisory board could easily oversee adoption of this recommendation and better prepare us for these calls.

**Recommendation 7 – Curb Nuisance 911 Calls:** Explore law changes to curb repeat calls to 911 where no law enforcement interaction is required. This is a difficult recommendation to enforce unless we have an avenue, such as Recommendation 13 (Resource Court), where repeat offenders can be funneled to structured treatment instead of traditional prosecution. In the long term, this idea is a tool that can be used to help repeat offenders, but it has not proven widely successful in curbing repeat calls. Over time, if treatment proves successful it will reduce calls and free up officer time.

### At the Contact

**Recommendation 8 – Design Field Cards for Officers with Current Service and Reporting Guidelines:** Develop cards for officers responding to these calls that include reminders on steps to take, resources available to them, current phone numbers (potentially including fire and volunteer services), and how to properly report activity. An annual update to these cards will ensure local resource information is regularly updated, and that officers are following any new or revised protocols.

**Recommendation 9 – MHP Respond at Location Once Secure:** When possible, the new MHP position should work with officers at the scene to offer resolution support, filter options, develop referrals, and provide direction. Having a trained expert at the scene should improve resolutions and assist when involuntary hospitalization is required. One of the most promising recommendations is to use this new position to better communicate and understand the needs of subjects in crisis. As a social work expert, this individual can serve as a witness to what they evaluate in the "natural habitat" and look for long-term solutions that are not readily known to law enforcement. This position will free up officer time by ensuring more productive interactions, sometimes allowing the MHP to replace officers at ITA court, and making appropriate contacts with APS, DCRs, etc. Over time, by jointly addressing these calls, officers may also improve their own CIT skills with tactics observed from the MHP. Additionally, the MHP should gain a stronger understanding of law enforcement. Both of these should, in turn, improve overall call

response. There were, however, several issues identified with the implementation of this recommendation:

- Safety and liability issues must be addressed, as well as training for when an MHP must defer to an officer.
- As a new position, policies, call signs, and expectations must all be developed.
- Finding the right person to work in this environment may prove difficult.

Overall, if these challenges can be proactively addressed, this idea should have an immediate impact on helping deal with these calls that will only increase as the trust between the MHP and officers grow.

#### **Recommendation 10 – MHP Designs Response Plans to be Used with Repeat Callers:**

After the MHP full-time person is identified, they should build response plans for individuals identified for having numerous and/or noteworthy calls involving law enforcement. These plans would include a history, triggers, steps to take, family and caseworker supports and contact information, and other information an officer could use to assist during a future call. Overall, this recommendation aims to provide better, more consistent responses to known subjects with known issues. While any known issue can escalate, many times officers can deescalate the situation if they are aware of local support networks such as a mother or sibling in the area, how to avoid certain triggers such as questioning the existence of an imaginary pet, and known strategies to calm a subject. The formation of such response plans is reliant on an MHP position, but must include officer collaboration. Partnerships with fire and MIH should be explored as many of the subjects are known by various responding agencies, and consistency and format may need to be standardized for cross-sharing of information. NORCOM will also need a mechanism for alerting officers when a plan is available at the time of response. While extensive research will need to be conducted, these plans will benefit subjects and responding agencies by providing strategies for timely resolution, when applicable.

### **After the Contact**

#### **Recommendation 11 – Develop New Clearing Codes (H – Henry) to Accurately Track Mental and Emotional Response Calls and Begin Using Dual Clearing Codes When Applicable:**

In an effort to collect reliable data and assist in the building of response plans, new clearing codes need to be developed to identify calls with a mental and emotional health component. Dual codes may be required to capture calls with more than one outcome. (For example, a call resulting in transportation for an involuntary mental health evaluation involves a mental/emotional health component and a report). One of the issues identified by this team is the lack of data surrounding the volume and response times for these calls. This is due to a multitude of call types having a mental/emotional component. Therefore, it is not possible to track the quantity of calls accurately by type alone. In order to better track and analyze this data, and communicate it to city council and other stakeholders, these codes need to replace (or supplement; dual code option is feasible) the more generic clearing codes used today. This data is also vital to future grants and resource allocation.

**Recommendation 12 – Develop New Reporting Guidelines to Help MHP:** When dealing with mental and emotional calls, proper documentation is needed to build response plans and to



quickly give officers a look at history. A more focused format will save time for officers and allow for easier review while providing the information needed by MHP and local hospitals. Going forward, Recommendation 5 information should be collected first to ensure involuntary mental health evaluation reports include criteria established from external customer feedback (from Evergreen and other providers).

On crisis intervention calls, if officers take a case report, or there is a master case report, they should upload the Behavioral Health Report/Crisis Template to the documents tab in LERMS. If they don't take a case report, they should upload the form to the incident jacket in LERMS. NORCOM or the officer must enter the name of the subject as a person in the incident (see Recommendation 6; this is the only way the name will be associated with the incident).

**Recommendation 13 – Develop a Community Court and Resource Model:** A Community Court is an alternative problem-solving court. It differs from traditional court in that it seeks to identify and address the underlying challenges of court participants that may contribute to further criminal activity. Its goal is to build stronger and safer neighborhoods and reduce recidivism. A Community Resource Center is an integral component of a Community Court. This Resource Center will consist of community partners who provide a wide array of services. The Community Resource Center will be available to all members of the public in addition to the Community Court participants. A structured avenue for routing people to services with some judicial authority should improve services and eventually reduce repeat calls. While success in surrounding areas has been difficult to measure, the impact is generally perceived as positive. This idea should reduce the use of jail, recidivism, and crime for these subjects. By addressing the root cause of these issues, those impacted may integrate back into the community more positively, and the community may have a better attitude toward the process. Judicial buy-in is necessary and logistical concerns such as timing, funding, location, space needed, and staffing will need to be worked out.

*The team recommends passing this idea to Kirkland judicial officials to partner with them to consider what is being done in surrounding areas (e.g., Redmond Community Court).*

**Recommendation 14 – MHP to Follow Up:** The new MHP will provide follow up to referrals and work with individuals to reduce repeat calls by attempting to ensure services are being used. The main goal is to ensure our community members who routinely struggle with mental and emotional health get the help they need and avoid unnecessary interactions with law enforcement. By having an MHP follow up on service referrals, subjects not only get better help, but officers are freed up to respond to calls that require law enforcement. This extra time includes the anticipated reduction in call volume and the alleviated time needed for officers to get subpoenaed to ITA court. Knowing this is a time-consuming task, there are many issues surrounding implementation including:

- Building MHP capacity to accurately follow up and follow all HIPPA rules
- Determining implications for policy, procedures, and data storage to be HIPAA-compliant
- A mechanism for sharing information with officers and response plans
- General policies and guidelines on how MHPs will handle this commitment

## CONCLUSION

Due to the unique nature of the mental and emotional health calls and the lack of historical data, it is difficult to quantify these recommendations in order to predict savings. However, the team agreed that by formalizing portions of the process and taking the steps outlined in this report, progress can be made and information can start being collected to help future efforts more accurately measure impact. The table that follows documents the team's feedback on how each recommendation will impact the desired charter outcomes.

	Maintain Services	Streamline Process	Reduce Calls	Reduce Repeat Offenders	Reduce Duplication of Response and Reporting	Increase Officer Unallocated Time
<b>Recommendation 1:</b> Business Outreach			X			X
<b>Recommendation 2:</b> Community Outreach			X	X		X
<b>Recommendation 3:</b> Officer Training	X	X	X	X	X	X
<b>Recommendation 4:</b> Proactively Check on Repeat Callers	X		X	X		X
<b>Recommendation 5:</b> Strengthen Relationship with Evergreen			X	X		
<b>Recommendation 6:</b> NORCOM Improvements at Intake	X	X			X	
<b>Recommendation 7:</b> Curb Nuisance 911 Calls			X			
<b>Recommendation 8:</b> Design Field Cards for Officers	X	X		X		
<b>Recommendation 9:</b> MHP Respond at Location Once Secure	X	X	X	X		X
<b>Recommendation 10:</b> MHP Designs Response Plans	X	X	X	X		
<b>Recommendation 11:</b> Develop New Clearing Code					X	
<b>Recommendation 12:</b> Develop New Reporting Guidelines					X	
<b>Recommendation 13:</b> Develop a Community Court Model	X		X	X		X
<b>Recommendation 14:</b> MHP to Follow Up	X		X	X		X

We suggest that leadership carefully review the recommendations that the team has developed and consider the feasibility and impact of each. Once a determination has been made about which recommendations will move forward, the team can reconvene to begin developing a roadmap and timeline to implement the changes. If after review leadership determines that changes or additional investigation is needed on a particular recommendation, the team can meet to discuss and present this information.

## ACTION PLAN

Recommendation Action Item	Deliverable	Point of Contact	Due Date
<b>THE MHP POSITION</b>			
Hire a full-time MHP not dependent on grant or temporary funding	Full-time person on board	Services LT	?
<b>MHP Respond at Location Once Secure (Recommendation 9)</b>			
Policy developed for when an MHP should respond	Policy	Professional Standards	Ongoing
Training for the MHP	Lesson plan	Professional Standards	4 weeks from hire
Training for officers on when to use an MHP	Lesson plan	Professional Standards	4 weeks from hire
Equipment assigned	Sign out	Quartermaster	4 weeks from hire
<b>MHP Designs Response Plans (Recommendation 10)</b>			
Build template for plans	Template	MHP/CIT	8 weeks from hire
Identify regular callers	List of people to have plans for	MHP/CIT	8 weeks from hire
<b>MHP to Follow Up (Recommendation 14)</b>			
Develop policy for follow up	Policy	Professional Standards	Ongoing after approval – 6 weeks
Develop procedure for officers to communicate follow up needs to MHP	Procedural guidance	Supervisors	6 weeks in conjunction with policy
Develop a contact list for follow up	First follow-up call conducted under new policy	MHP/CIT	1 week from procedures developed
<b>BEFORE THE CALL</b>			
<b>Business Outreach (Recommendation 1)</b>			
Determine which businesses would benefit most from this outreach and recruit them for an event	List of businesses	NRO/Economic Development	2 weeks
Develop curriculum	Lesson plan	NRO	2 weeks



Conduct meetings	First meeting	NRO/Community Outreach	4 weeks
<b>Community Outreach (Recommendation 2)</b>			
Identify associations to educate	List of community groups	NRO/Neighborhood Services	1 week
Develop curriculum	Lesson plan	NRO	2 weeks
Conduct meetings	First meeting	NRO	Dependent on association schedule
<b>Officer Training (Recommendation 3)</b>			
Develop curriculum	Lesson plan	Christian Hemion/Lorraine Rohrback	2 weeks
Conduct training	Training	Training Unit to schedule	4 weeks
<b>Proactively Check on Repeat Callers (Recommendation 4)</b>			
Develop policy with a complete liability and legal review to ensure staff are aware of any issues to implementation	Policy	Professional Standards	8 weeks from MHP hired
Identify who will conduct proactive calls and how often they should occur (MHP/CIT)	Job descriptions	MHP Coordinator	8 weeks from MHP hired
Training on proactive calling	Lesson plan	MHP/CIT	12 weeks from MHP hired
Identify who we should contact	System that tracks proactive calls	MHP/CIT	12 weeks from MHP hired
<b>Strengthen Relationship with Evergreen (Recommendation 5)</b>			
High-level discussions on the goals of strengthening relationships and reducing the amount of disagreements when an officer brings someone in	Agreement to develop what a successful transfer looks like	Bosses	4 weeks
Conduct focus groups with Evergreen and other partners to determine the successful attributes of a transaction	Focus group report	Change Agents	6 weeks from agreement
Change procedures to ensure successful transactions when applicable	Procedural changes	Training Unit	8 weeks from agreement
<b>AT THE CALL</b>			
<b>NORCOM Improvements at Intake (Recommendation 6)</b>			
Bosses meet to discuss the need for NORCOM changes	Agreement on changes	Chief	4 weeks
Adjust policy at NORCOM	New information entered	NORCOM	12 weeks

<b>Curb Nuisance 911 Calls (Recommendation 7)</b>			
Develop ordinance for nuisance calls	New ordinance	City Manager	?
<b>AT THE CONTACT</b>			
<b>Design Field Cards for Officers (Recommendation 8)</b>			
Update services contact list	Updated list	Loraine Rohrback/Human Services Coordinator	4 weeks
Distribute to officers	New list	Supervisors	1 week after updated list complete
<b>AFTER THE CONTACT</b>			
<b>Develop New Clearing Code (Recommendation 11)</b>			
Work with NORCOM and other partners to agree to designate and use H	Agreement	Chief/Executive Board	4 weeks
Add clearing code to mobile		IT	?
Adjust policy to clear with H	Policy	Professional Standards	?
Train officers	Training	Supervisors	1 week from policy and IT complete
<b>Develop New Reporting Guidelines (Recommendation 12)</b>			
Approval to begin and training	Officers attaching report in LERMS	Supervisors	1 week from approval
<b>Develop a Community Court Model (Recommendation 13)</b>			
Agreement with judges to build a community court	Decision	All the Bosses	?
Develop and move to the new model	First case trial in the new model	Courts	?

#

PUBLIC SAFETY INITIATIVE RECOMMENDATIONS  
CITY OF KIRKLAND  
JULY 2019



Anura Shah, LICSW, MHA  
BEYOND FORCE, LLC [www.beyond-force.com](http://www.beyond-force.com)



### **Comprehensive recommendations for the City of Kirkland, Public Safety Initiatives (Prop 1), Mental Health Professional**

The City of Kirkland acquired funding to enhance public safety priorities developed through public processes, to include a police “ProAct” unit (four full-time officers and one support position) to focus on property and drug-related crimes; the City’s share of costs for four full-time school resource officers in Kirkland middle schools; one neighborhood resource officer (focusing on community policing and mental health emergency support); **and the services of one full-time mental health professional**. Additional funds will enhance funding for grants to programs that improve social and emotional health of children and teenagers; programs that provide suicide prevention, domestic violence prevention and drug addiction services; programs for firearms safety and safe storage training, including subsidized trigger locks and gun safes; and additional support for shelter operations for women and families experiencing homelessness.

With this funding comes the need for coordination of these priorities to ensure continuity of services, to implement performance-based rating criteria, and to serve as the point-of-contact for public inquiries relating to this funding. Moreover, Kirkland has a unique opportunity to design a one-of-a-kind position that utilizes the expertise of a mental health professional to streamline these processes. This report provides thorough recommendations on how best the City of Kirkland can leverage the funding for the mental health professional position. The assessment is based on review and analysis of multiple sources of information listed in the *References* section of this document, interviews with



various Kirkland staff members and the author's expert knowledge of new and existing social service programs and systemic gaps in King County.

Author's contact information and brief bio:

Anura Shah, LICSW, MHA anura@beyondforcellc.com 206.920.0138 www.beyond-force.com

Ms. Anura Shah founded Beyond Force in 2015 as a response to the growing need for customized education and training regarding crisis management. She has more than 13 years of professional experience in the industry and provides executive-level consultation services to corporate managers and leaders, elected and appointed officials including sheriffs and chiefs of police and health care providers nationwide.

As a CIT Instructor (Crisis Intervention Team Training) with the Washington State Criminal Justice Training Commission (WSCJTC) since 2016, Anura teaches the 4-hour curriculum on mental health basics and pharmacology for non-prescribers, and two distinct 8-hour courses.

Anura is an Associate Faculty member at Shoreline Community College in the Criminal Justice Department. She has created the first Professional Navigator Certificate program in the nation; a 60-hour continuing education curriculum designed to train and prepare non-law enforcement professionals to work with law enforcement. She is also a member of the Criminal Justice Advisory Board at the College.

Prior to starting Beyond Force, Anura spent 11 years as a social worker and manager at the Department of Veteran's Affairs. During her tenure, she served as Director, Workplace Violence Prevention Program at VA Puget Sound Health Care System, a department that she founded in 2012 and has been replicated nationwide. It was in this capacity that she served as a Navigator embedded with law enforcement.

Anura is a graduate of the Brown School of Social Work (MSW) as well as the School of Medicine Health Administration Program (MHA) at Washington University in St. Louis. She is a licensed independent clinical social worker (LICSW).



**Recommendation 1: Hire a Neighborhood Resource Social Worker\*.** As soon as possible, hire a full-time, experienced mental health professional with a strong background in data analytics and community relations, to do the following, immediately:

- 1) Partner with the new Neighborhood Resource Officer.
  
- 2) Coordinate and administratively manage several small, focused interagency teams that align key stakeholders in the following areas of greatest concern: homelessness and those who are at risk of becoming homeless (including cost-burdened households), violence prevention, and youth mental health and resiliency.
  - Fostering key interagency relationships would include, at a minimum: Kirkland Fire/EMS, Municipal Court, prosecutors, community corrections, local hospitals and urgent care centers, area mental health providers serving children, youth, adults and families, long-term care facilities, community and recreation centers and homeless shelters
  
- 3) Conduct ongoing, comprehensive needs assessments by gathering and analyzing data from the following sources, at a minimum:
  - Hospital admission, discharge and readmission rates for individuals coded with IDC-9 code “persons with potential health hazards related to socioeconomic and psychosocial circumstances” and other related codes



- CAD data, as it relates to mental and emotional distress calls (adding qualitative data where appropriate)
- Navigator data (adding qualitative data where appropriate)
- EMS and Fire data, as it relates to mental and emotional distress calls (adding qualitative data where appropriate)
- SRO and school nurse/counselor interviews to understand statistics and core issues around trauma, truancy, the disparity in high school graduation rates, and those identified as homeless or “at risk”
- Probation/Parole/CCO to understand the needs of justice-involved individuals and their families
- APS/CPS high-risk/repeat call case manager lists
- Interview other public-facing departments and organizations such as Code Enforcement, Animal Control, Social Security Administration, Food Banks, Thrift Stores, loss prevention staff, Chamber of Commerce, businesses.

4) In close collaboration with the identified stakeholders, assess training needs for employers, employees, community members.

Identify gaps in service and seek opportunities for resource sharing and create and manage an internal dashboard that aims to track individuals who are most in need.



- Implement all aspects of training such as Mental Health First Aid, NAMI Family-to-Family, ASIST and AMSR (suicide prevention), Trauma Informed Care, Compassionate Schools initiatives, crisis intervention and de-escalation, critical incident stress debriefing.
  - Provide real-time, in-person (preferred) or telephonic follow-up to employers, employees, and community members following a disruptive or dangerous situation
  - Conduct pre- and post- surveys to inform future programmatic practices
- 5) Provide ongoing analytical and financial consulting to city officials in support of Kirkland’s services, policy decisions, and initiatives.

**Recommendation 2: For the new Neighborhood Resource Social Worker\* position, include very specific requirements in the experience, qualifications, knowledge and skills section of the job description:**

- Relevant education includes coursework and/or degree/s in social work, psychology, nursing, public administration, business administration, economics, statistics, political science, or other related areas. Relevant experience includes progressively responsible experience in one or more of the following areas: program/policy evaluation, business planning and/or performance management.
- Experience performing research, analyzing data, and providing advice on complex issues, including evaluation of options and recommendations.





- Demonstrated ability to manage projects – plan, organize, and get things done.
- Demonstrated ability to effectively present complex information to diverse audiences.
- Demonstrated problem solving and decision-making skills along with the ability to identify and take action on core social issues.
- Experience interpreting, analyzing, and recommending changes to policies and procedures to simplify and improve process.
- Commitment to work proactively to dismantle systems of privilege and oppression that have led to persistent inequities.

### **Recommendation 3: Salary/pay scale**

\$71,439.45 - \$77,821.28 annually, based on a similar job in the City of Seattle (Community Engagement Coordinator)

Work schedule includes frequent evening and weekend community meetings and events

### **References**

After conducting a thorough literature review, interviewing stakeholders and researching existing programs, it is clear that Kirkland voters are very supportive of providing psychosocial services to the entire community, namely to its most vulnerable residents. The City has made an impressive effort, partnering with a variety of service providers, to bring social support services and innovative partnerships to the community. Hiring a mental health professional to partner with the Neighborhood Resource Officer will only enhance the current efforts by ensuring that a data-driven, evidence-based, coordinated approach is implemented throughout the entire City.

[https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/011519/9h3\\_OtherItemsOfBusiness.pdf](https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/011519/9h3_OtherItemsOfBusiness.pdf)

<https://kingcounty.gov/~media/depts/health/emergency-medical-services/documents/ems-community-medical-technician-pilot-3-project-evaluation.ashx?la=en>



[https://www.kirklandwa.gov/Residents/Public\\_Safety/Enhanced\\_Police\\_Services\\_and\\_Community\\_Safety\\_Ballot\\_Measure.htm](https://www.kirklandwa.gov/Residents/Public_Safety/Enhanced_Police_Services_and_Community_Safety_Ballot_Measure.htm)

Kirkland Police Department Mental and Emotional Health Response Improvement Team report

\* RCW 18.320.010 Representation as social worker. An individual may not address him/herself as a social worker unless qualified as a social worker as defined in RCW 18.320.010.

# Lakewood Police Department

## Memo



Date: 10-30-13

To: Chief Farrar

Cc:

From: Asst. Chief Michael Zaro

Subject: Mental Health Response Team Proposal

Chief Farrar,

The purpose of this memo is to recommend a solution to an issue that is taxing our patrol resources as well as hospital and jail space. At issue is our ability to adequately and effectively respond to mentally ill citizens in crisis and the homelessness that often accompanies mental illness.

Until recently we have not tracked mental health calls through CAD. However, if we look at the number of mental health commit forms the officers have completed from July 2012 through September 2013 we find that there were 259 documented commitments. Those include both voluntary and involuntary commitments and frequently involve a multiple officer response with a transport to a hospital or other facility. This number does not include incidents that involve a mentally ill person who either does not meet the criteria for commitment or one for whom another solution was found. Given that underreporting, it is safe to say patrol officers respond to an incident involving a mentally ill citizen at least once per day.

The proposal to address this problem is the creation of a Mental Health Response Team. This team would consist of a Police Officer and a Mental Health Professional. Their responsibilities would be as follows:

- Respond to calls for service involving mentally ill citizens.
- Stabilize the person and scene.
- Conduct a risk assessment.
- Provide resources and alternatives most suitable for the individual at hand.
- Conduct follow-up with individuals and housing units within days of initial incident.
- Contact homeless people with offers of housing resources and mental health resources if appropriate.

We would provide the officer from existing staffing in the neighborhood policing unit. This may reduce our traditional NPO coverage, however, the overall benefit would counter any loss of productivity in those duties.

The Mental Health Professional (MHP) would be provided by Greater Lakes Mental Health (GLMH) under a contract for services. This is a natural partnership with GLMH being a Lakewood business and a provider of mental health resources in the city. The estimated total cost of one MHP, as provided by GLMH, is \$88,000. We are currently exploring grant opportunities; however, there is nothing out there that specifically provides for this type of program. Another option is to apply for Human Services funding through the City of Lakewood. The next application period for that will be in the summer of 2014. A third option is to reallocate existing City funds.

In evaluating the effectiveness of the program we could look at the calls for service that patrol responds to involving mental health. Theoretically we should see a reduction in that number. Measuring mental health commitments would also provide an assessment as one of the goals is to provide more effective resources for the people in crisis. Finally, anecdotal observations by patrol and others on the number of homeless people on the streets of Lakewood would provide feedback on the amount of sheltering resources of which people are able to take advantage.

Respectfully submitted,

Michael Zaro  
Assistant Chief

- 10 high service users reviewed
- Average calls for service per year *per person* was 35.7 dating back to January 2014
- Within an average of 5.8 months of initial contact by the BHCT they were reduced to 0 calls for service.
- The longest amount of time it took to get to 0 calls was 12 months and the shortest being immediately after 1<sup>st</sup> contact



# CONTRACT ROUTING FORM

1. ORIGINATING DEPT./DIV: Police DATE: 2/6/2019

2. ORIGINATING STAFF PERSON: \_\_\_\_\_ EXT: \_\_\_\_\_ 3. DATE REQUESTED BY: \_\_\_\_\_

4. TYPE OF DOCUMENT (CHECK ONE):
- PUBLIC WORKS CONSTRUCTION CONTRACT
  - SMALL OR LIMITED PUBLIC WORKS CONTRACT
  - GOODS AND SERVICE AGREEMENT
  - PROFESSIONAL SERVICES AGREEMENT
  - CONTRACT AMENDMENT No. \_\_\_\_ (ORIGINAL CONTRACT#): \_\_\_\_\_
  - OTHER \_\_\_\_\_
  - CDBG/HOME
  - HUMAN SERVICES
  - LEASE
  - REAL ESTATE DOCUMENT
  - GRANT AGREEMENT
  - INTERLOCAL
  - MAINTENANCE AGREEMENT
  - OFF DUTY POLICE SERVICES

5. PROJECT NAME: Mental Health Professional

6. NAME OF CONTRACTOR: Greater Lakes Mental Healthcare

ADDRESS: 9330 59th Ave SW Lakewood WA 98499 TELEPHONE \_\_\_\_\_

E-MAIL: \_\_\_\_\_ FAX: \_\_\_\_\_

AUTHORIZED SIGNATURE NAME: Terri Card TITLE President

7. EXHIBITS AND ATTACHMENTS:  SCOPE, WORK OR SERVICES  COMPENSATION  INSURANCE REQUIREMENTS/CERTIFICATE

ALL OTHER REFERENCED EXHIBITS  PRIOR CONTRACT/AMENDMENTS  PROOF OF AUTHORITY  E-VERIFY  W-9

8. TERM: COMMENCEMENT DATE: 1/1/2019 COMPLETION DATE: 12/31/2020

9. TOTAL COMPENSATION \$ 160,000.42

CHARGE TO EDEN BARS EXPENDITURE ACCOUNT : \_\_\_\_\_

10. DOCUMENT/CONTRACT REVIEW	INITIAL / DATE REVIEWED	INITIAL / DATE APPROVED
<input type="checkbox"/> PROJECT MANAGER	_____	_____
<input type="checkbox"/> DIRECTOR	_____	_____
<input type="checkbox"/> LEGAL	_____	_____

11. COUNCIL APPROVAL DATE (IF APPLICABLE) Motion 2019-07

12. CONTRACT SIGNATURE ROUTING

SENT TO VENDOR/CONTRACTOR DATE SENT: \_\_\_\_\_ DATE REC'D SIGNED BY CONTRACTOR: \_\_\_\_\_

ATTACH: INSURANCE CERTIFICATE, LICENSES, EXHIBITS

	INITIAL / DATE SIGNED
<input checked="" type="checkbox"/> CITY CLERK (ROUTE)	<u>2/6/2019</u>
<input type="checkbox"/> CITY ATTORNEY	<u>2/6/19</u>
<input type="checkbox"/> CITY MANAGER	<u>2/6/19</u>
<input type="checkbox"/> CITY CLERK/ CONTRACT# <u>2019-012</u>	_____
<input type="checkbox"/> SIGNED COPY TO ORIGINATING DEPT & A/P	<u>3/4/19</u>

COMMENTS: \_\_\_\_\_



**CONTRACT BETWEEN THE CITY OF LAKEWOOD AND GREATER LAKES  
MENTAL HEATHCARE**

**THIS AGREEMENT** is entered into this 7<sup>th</sup> day of February, 2019 by and between the City of Lakewood, Washington, a code city duly organized and existing pursuant to laws of the State of Washington, hereinafter referred to as the "City" and Greater Lakes Mental Health Foundation, doing business as Greater Lakes Mental Healthcare, hereinafter referred to as the "Agency".

**WHEREAS**, the City has determined the need to have certain human services performed for its citizens; and,

**WHEREAS**, the City desires to have the Agency perform such services pursuant to certain terms and conditions;

**NOW THEREFORE, IN CONSIDERATION OF** the mutual benefits and conditions hereinafter contained, the parties hereto agree as follows:

- I. Scope of Services to be performed by Agency. The Agency shall provide the services of a Mental Healthcare Professional (MHP). This individual shall work in the field with Neighborhood Police Officers on calls involving mentally unstable persons.

The MHP will work in the field to assess, stabilize, and provide alternatives, if possible, to jailing or hospitalizing a person with mental illness that is the subject of a call for police service. The **MHP** and/or GLMHC will provide training to police officers, first responders and managers of hotel/motel group.

In performing such services, the Agency shall at all times comply with all Federal, State, and local statutes, ordinances and rules applicable to the performance of such services and the handling of any funds used in connection therewith. The Agency shall request, in writing, prior approval from the City whenever the Agency desires to amend the scope of services.

2. Compensation and Methods of Payment. The City shall pay the Agency for services rendered. The total amount to be paid shall not exceed \$79,188.79 in 2019 and \$82,811.63 in 2020.

Payment will be made on a reimbursement basis no more than monthly and no less than quarterly for the duration of this project. The Agency will provide proof of hours worked and report data according to the list of deliverables listed in Exhibit A.

The requests for such payment shall be processed for payment by the City in the normal course after that date, in accordance with the terms hereof.

3. Agency Budget. The Agency shall apply the funds received under this Agreement with

The maximum limits set forth in this Contract solely to the services specified in Paragraph I, above, and according to the approved budget of the Agency. Prior approval from the City is required whenever the Agency desires to amend its budget by transferring funds among the budget categories.

4. Duration of Contract. This Contract shall be in full force and effect for a period commencing on the 1st day of January, 2019 and ending on the 31st day of December, 2020, unless sooner terminated under the provisions hereinafter specified.
5. Independent Contractor. The Agency and City agree that the Agency is an independent contractor with respect to the services provided pursuant to this Contract. Nothing in this Contract shall be considered to create the relationship of employer and employee between the parties hereto. Neither the Agency nor any employee of the Agency shall be entitled to any benefits accorded City employees by virtue of the services provided under this Contract. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security payments or contributing to the State Industrial Insurance Program, or otherwise assuming the duties of an employer with respect to the Agency, or any other employee of the Agency.
6. Indemnification and Defense. The Agency shall defend and indemnify, and save harmless the City, its agents and employees, from and against any and all liability arising from injury or death to persons or omissions of the Agency, its agents, servants, officers or employees, irrespective of whether in connection with such act or omission it is alleged or claimed that an act of the City, or its agents or employees caused or contributed thereto. In the event that the City shall elect to defend itself against any claim or suit arising from such injury, death or damage, the Agency shall, in addition to indemnifying and holding the City harmless from any liability, indemnify the City for any and all expense incurred by the City in defending such claim or suit, including attorney's fees.
7. Insurance.
  - A. The Agency shall procure and maintain in full force throughout the duration of the Contract commercial comprehensive general liability insurance with a minimum coverage of \$1,000,000.00 per occurrence combined single limit and \$2,000,000.00 in the aggregate for personal injury and property damage and non-owned automobile. The said policy shall name the City as an additional named insured on the insurance policies, and **A COPY OF THE ENDORSEMENT NAMING THE CITY AS AN ADDITIONAL INSURED SHALL BE ATTACHED TO THE CERTIFICATE OF INSURANCE.**
  - B. In addition to the insurance provided for in Paragraph A above, the Agency shall maintain or insure that its professional employees or contractors maintain professional liability insurance in the event that services delivered pursuant to this Contract, either directly or indirectly, involve providing professional services. Such professional liability insurance shall be maintained in an amount not less than \$500,000.00 combined single limit per claim and in the aggregate. For the purposes of this paragraph "professional service" shall mean services provided by a physician, licensed psychologist, or other licensed professional.



- C. Certificates of coverage as required by Paragraph A and B above shall be delivered to the City within fifteen (15) days of execution of this contract. Further, it is the responsibility of the Agency to ensure a valid certificate of insurance is in effect at all times throughout the course of this contract. Requests for reimbursement under this contract may be withheld until such time as a valid certificate of insurance is provided to the City.
8. Record Keeping and Reporting.
- A. The Agency shall maintain accounts and records, including personnel, property, financial and programmatic records which sufficiently and properly reflect all direct and indirect costs of any nature expended and services performed in the performance of this Contract and other such records as may be deemed necessary to the City to ensure proper accounting for all funds contributed by the City for the performance of this Contract and compliance with this Contract. The Agency shall notify the City within ten (10) days of any change in program personnel.
- B. These records shall be maintained for a period of seven (7) years after termination hereof unless permission to destroy them is granted by the office of the archivist in accordance with Chapter 40.14 RCW and by the City.
- C. The Agency shall provide quarterly activity reports to the City containing actual outcomes, indicators and an evaluation of the program. The goals, activities to accomplish those goals and outcome-based metrics shall be mutually agreed upon by the parties and are outlined in Exhibit A.
- D. The Agency, at the request of the City, shall make public presentations regarding the program funded by the City. Such presentation shall be prepared in advance and approved by the City.
- E. The City of Lakewood places a high priority on collaboration. As such, the Agency shall provide representation at the monthly Collaboration Meeting.
9. Audits and Inspections. The records and documents with respect to all matters covered by this Contract shall be subject at all times to inspection, review or audit during the performance of this Contract. The City shall have the right to an annual audit of the Agency's financial statements and condition. In addition, the Agency is subject to an Annual site monitor of the systems supporting Outcomes Based Evaluation. The City shall have the right to an annual inspection of the Agency's data systems for tracking outcome achievement. Areas of default noted during the annual inspection may demand additional site monitoring(s).
10. Termination. The City of Lakewood may suspend or terminate this Agreement in whole or in part for convenience, upon 15 days written notice to the Agency. If the Agency's insurance coverage is canceled for any reason, the City shall have the right to terminate this Contract immediately. If for any reason an agency does not comply with all aspects of this contract, including mandatory reports, such non-compliance may jeopardize the agency's ability to receive future funding.

Further: This Contract may be terminated upon evidence of the following conditions:

- I. Agency is no longer operating. The Contract shall be terminated within 10 days of notification that the Agency is no longer operating and performing the duties identified in "Exhibit A" Scope of Services.
  - L Change in Scope of Services: Should the Agency no longer provide services identified in "Exhibit A" Scope of Services, the contract may be terminated for non-performance.
11. Discrimination Prohibited. The Agency shall not discriminate against any employee, applicant for employment, or any person seeking the services of the Agency to be provided under this Contract on the basis of race, color, religion, creed, sex, age, national origin, marital status or presence of any sensory, mental or physical handicap.
  12. Assignment and Subcontract. The Agency shall not assign or subcontract any portion of the services contemplated by this Contract without the written consent of the City.
  13. Entire Agreement. This Contract contains the entire agreement between the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or bind any of the parties hereto. Either party may request changes in the Contract. Proposed changes which are mutually agreed upon shall be incorporated by written amendments to this Contract.
  14. CONTRACTOR'S EMPLOYEES EMPLOYMENT ELIGIBILITY REQUIREMENTS. The Agency and any subcontractors shall comply with E-Verify as set forth in Lakewood Municipal Code Chapter 1.42. E-Verify is an Internet-based system operated by United States Citizenship and Immigration Services in partnership with the Social Security Administration. E-Verify is free to employers and is available in all 50 states. E-Verify provides -an automated link to federal databases to help employers determine -employment-eligibility-of new hires and the validity of their Social Security numbers. The Contractor shall enroll in, participate in and document use of E-Verify as a condition of the award of this contract. The Contractor shall continue participation in E-Verify throughout the course of the Contractor's contractual relationship with the City. If the Contractor uses or employs any subcontractor in the performance of work under this contract, or any subsequent renewals, modifications or extension of this contract, the subcontractor shall register in and participate in E-Verify and certify such participation to the Contractor. The Contractor shall show proof of compliance with this section, and/or proof of subcontractor compliance with this section, within three (3) working days of the date of the City's request for such proof.
  15. Notices. Notices required by terms of this Contract shall be sent to the other party at the following addresses, unless otherwise requested, in writing, by one of the parties hereto:

TO THE CITY  
 City of Lakewood  
 Attn: Mike Zaro  
 Police Department  
 6000 Main St SW  
 Lakewood, Washington 98499

TO THE AGENCY:  
 Terri Card  
 President and CEO  
 Greater Lakes Mental Healthcare  
 (253) 620-5135  
[Terric@glmhc.org](mailto:Terric@glmhc.org)



- 16. Applicable Law, Venue, Attorney's Fees. This Contract shall be Governed by and construed in accordance with the laws of the State of Washington. In the event any suit, arbitration, or other proceeding is instituted to enforce any term of this Contract, the parties specifically understand and agree that venue shall be properly laid in Pierce County, Washington. The prevailing party in any such action shall be entitled to its attorney's fees and costs of suit.

IN WITNESS WHEREOF THE PARTIES HERETO EXECUTED THIS CONTRACT AS OF THE DATE AND YEAR FIRST ABOVE WRITTEN.

CITY OF LAKEWOOD

*John J. Caulfield*

John J. Caulfield  
City Manager

GREATER LAKES MENTAL HEALTH FOUNDATION

*Terri L. Card*

Terri Card  
President and CEO

Attest:

*Briana Schumacher*

Briana Schumacher, City Clerk

Approved as to Form:

*Heidi Ann Wachter*

Heidi Ann Wachter, City Attorney

Exhibit A

Goal	Activity	Immediate/Short Term Disposition
Provide Alternatives to use of Emergency Room and Jails	MHP will provide structured assistance to persons in crisis	Client remains at home Client referred to shelter Client referred to crisis bed Client referred to Recovery Innovations Client arrested/jail Client taken to ED Client referred to current Mental Health Center/Case Manager Client detained to Evaluation and Treatment Center Other
Goal	Activity	Follow-Up/Long Term Disposition
Improved Treatment for residents with mental illness	MHP will provide follow up services and document outcome status	Client contacted by MHP Client could not be reached/located Client declined assistance Client enrolled in mental health services Client provided with housing referrals Other
Goal	Activity	Outcome
More effective interaction between police and citizens with mental illness	Mental Health Training & Education	Who provided the training What was the focus of the training How many attended Duration

# Law Enforcement Assisted Diversion (LEAD)

**City of Kirkland Informational Session**

**LEAD King Co project management team**

Lisa Daugaard and Tracy Gillespie, Public  
Defender Association ; Leandra Craft, King  
County Prosecutor's Office

June 28, 2019

# Origins of LEAD

- Resolution of years of litigation over selective enforcement in Seattle drug arrests
- Each partner had their own reasons for wanting to try something new
- Responsive to community calls for something more humane and fair that is a more relevant response not “less”
- Launched in Seattle/King County October 2011 with grant funding

# What is LEAD?

- Law Enforcement Assisted Diversion (LEAD)
- Community-based care & coordination for people whose criminal activity is due to behavioral health issues
  - Arrest diversion
  - Social contact referral
- Law enforcement is the primary portal

# What is LEAD?

- Case manager & participant agree on an individual intervention plan
- Only requirements for participation: complete psychosocial intake & sign release of information
- Key feature after program entry: comprehensive coordination of all “touches” with the LEAD participant, especially by prosecutors



# Core Principles of LEAD

- Harm reduction framework
  - abstinence is not required
  - Housing First
- No one “fails” LEAD
- Goal is reduced law violations related to behavioral health issues

# Core Principles of LEAD

- Operational partners make the choice that is empirically most likely to achieve behavior change
- Continuous community engagement is essential politically and operationally

# Who are the partners in LEAD?

Cross sector collaboration, including:

- **Law Enforcement:** Police, Sheriff's Office, County and City Prosecutors
- **Community:** Public Safety Groups, Civil Rights Groups, Business Community
- **Political Officials:** Mayor's Office, County Executive, City & County Councils
- **Public Defense**
- **Service Providers:** Harm Reduction Providers

# Relationship to Courts

- Original diverted case does not go before a court -- but, most LEAD participants have other cases both pre & post program entry
- Prosecutors reconcile those cases with the individual intervention plan; supporting that plan wherever possible & appropriate
- Judges: continue cases, grant prosecutors' release motions & consider LEAD information outside the context of a "compliance" framework

# Outcomes

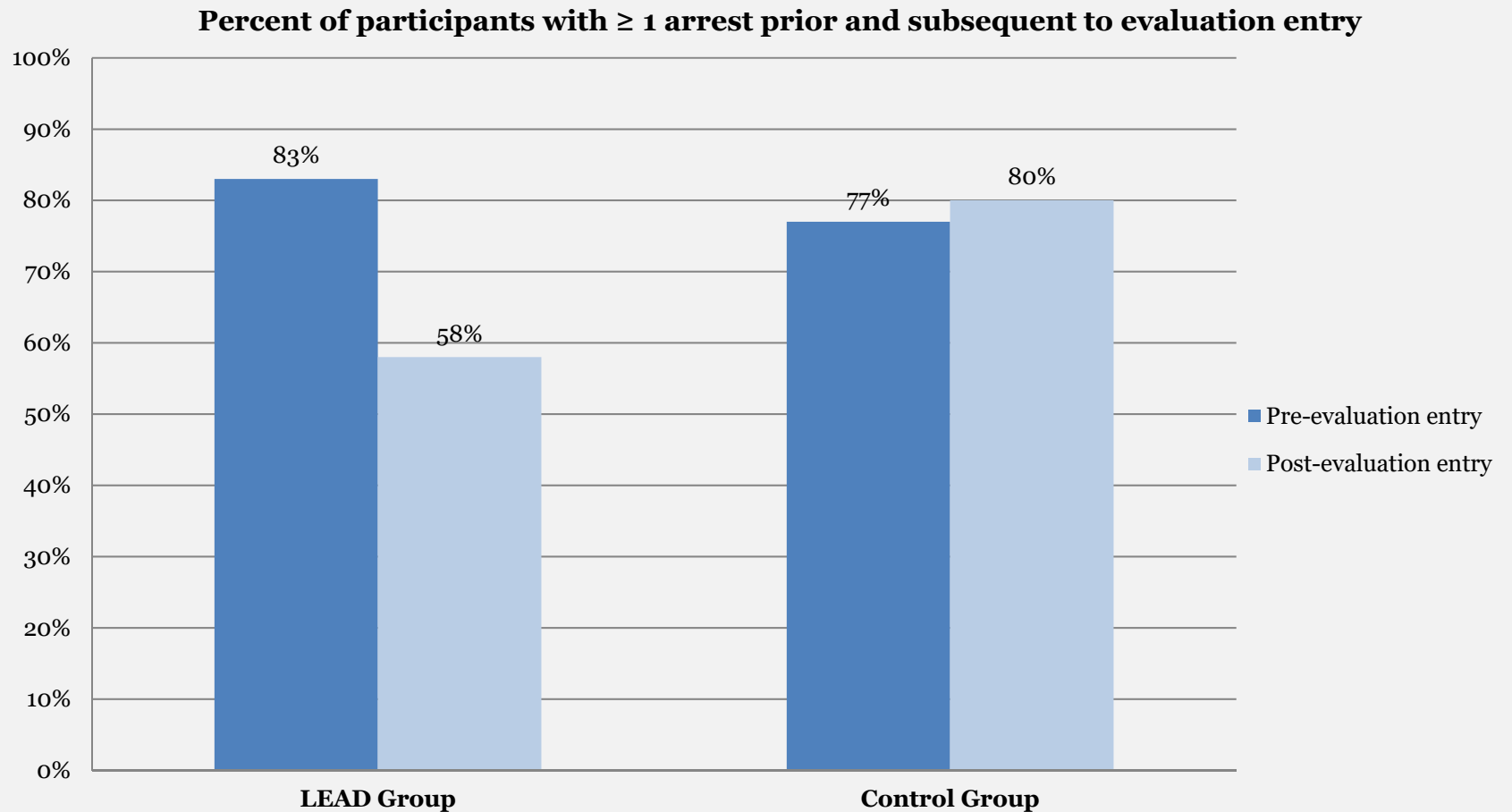
- Independent evaluation by University of Washington research team funded by Arnold Foundation
- Findings published in peer-reviewed journals 2017-2018
- Quasi-randomized control design showing causation
- Ongoing evaluation planned

# Outcomes

58%

LEAD PARTICIPANTS WERE 58% LESS  
LIKELY TO BE ARRESTED AFTER  
ENROLLMENT IN THE LEAD PROGRAM IN  
SEATTLE, COMPARED TO THOSE WHO  
WENT THROUGH THE "SYSTEM AS USUAL"  
CRIMINAL JUSTICE PROCESSING.

# Recidivism Effects



# Cost Savings

- Program costs less than system-as-usual processing, with savings estimated conservatively
- Costs can fall further
- In Seattle, costs are now about \$350/month per participant





# Replication

- Primary barrier to LEAD implementation is funding
- Jurisdictions that have implemented Medicaid expansion can leverage ACA dollars to pay for many LEAD services
  - e.g., chemical dependency treatment, mental health care, health and dental care

# State & Federal Funding Developments

- Federal CARA funding through BJA
- HB 1767 through WASPC
  - 1.4 million each FY in the biennium
- HB 5380 Governor's Opioid Response Bill through PDA (excludes King County)
  - 2.9 million for each FY in the biennium
- State RFPs summer 2019

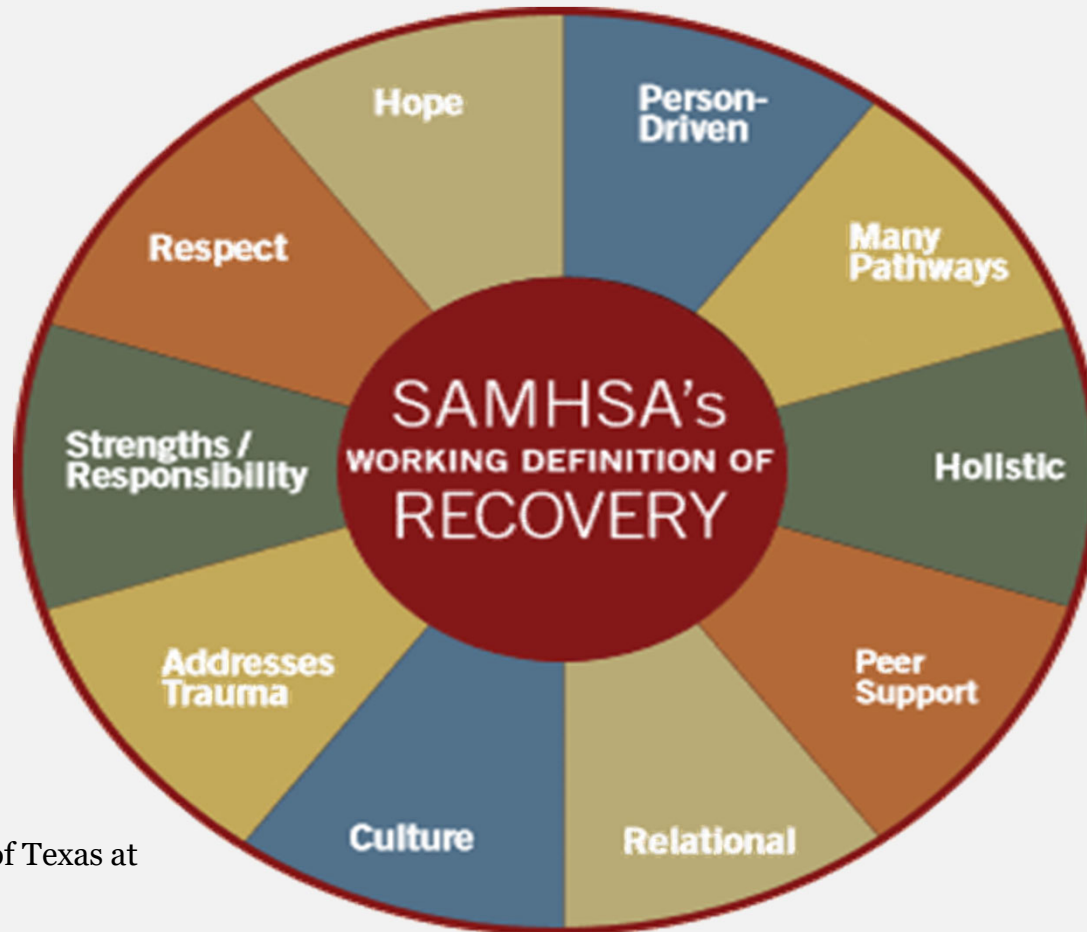
# Paradigm Shift

- If fully implemented, LEAD allows communities to reserve police, prosecutors, and courts for where they are most needed
- Facilitates the shift to using public health strategies for public health problems, including:
  - Trauma-informed engagement
  - Harm Reduction
  - Housing First
  - Sustained Relationships

# Paradigm Shift

- Recognizes the harm done by charging and/or convicting someone of a crime if that is not necessary or helpful in achieving behavior change
- Katherine Beckett [article](#) in Harvard Law & Policy Review on “Harm Reduction Policing” & Reconciliation Impact on LEAD

# LEAD Helps to Support Recovery



Source: Hogg Foundation U of Texas at Austin

## Contact Information

# LEAD King County project management team

[info@leadkingcounty.org](mailto:info@leadkingcounty.org)

Program Director Tara  
Moss:

[tara.moss@defender.org](mailto:tara.moss@defender.org)

**CITY OF KIRKLAND**

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

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

**To:** Kurt Triplett, City Manager

**From:** Kevin Raymond, City Attorney  
Heidi Brown, Innovation Intern

**Date:** August 29, 2019

**Subject:** UPDATE ON MARTIN V. BOISE NINTH CIRCUIT COURT OF APPEALS DECISION AND KIRKLAND POLICE DEPARTMENT PRACTICES WHEN INTERACTING WITH INDIVIDUALS EXPERIENCING HOMELESSNESS IN KIRKLAND

**RECOMMENDATION:**

It is recommended that City Council receive an update on the recent Ninth Circuit Court of Appeals decision in the matter of *Martin et al. v. City of Boise*, 902 F.3d 1031 (2018), particularly as it relates to current practices followed by the Kirkland Police Department ("KPD") when interacting with individuals experiencing homelessness in Kirkland.

**BACKGROUND DISCUSSION:**

In *Martin*, the Ninth Circuit ruled that police may not cite or arrest an individual experiencing homelessness for camping overnight in a public park unless there is adequate shelter space available for that individual. The Court reasoned that it would be cruel and unusual under the Eighth Amendment to the United States Constitution to effectively criminalize conduct that is an unavoidable consequence to being homeless, such as sleeping in public when an individual has no access to adequate shelter. To cite or arrest a person under these circumstances, the Court reasoned, would violate that person's constitutional rights.

While *Martin* involved a public park, it seems evident from the opinion that the Court would extend its ruling to other public properties, including sidewalks and other public spaces. However, the ruling does not prevent police from taking all actions related to individuals experiencing homelessness. For example, if a person experiencing homelessness is obstructing pedestrian traffic, thereby creating safety issues, then an officer may ask them to move. If a person experiencing homelessness is committing a crime, then an officer may make an arrest for that crime. Similarly, an individual experiencing homelessness may be cited for civil infractions, such as those related to noise or littering. Those examples do not involve unavoidable consequences of being homeless. Finally, it is worth noting that the decision is explicitly limited to individuals truly experiencing homelessness. It does not apply to those who have adequate shelter available or the means to pay for such shelter.

The *Martin* case has altered the landscape of law enforcement responses to individuals experiencing homelessness throughout the region. Cities and counties are working to determine the correct responses to this important new case. In addition to determining the



appropriate legal responses, these jurisdictions, including Kirkland, are likely also considering the appropriate public policy and human responses. For example, it may be legal to limit the ability of an individual experiencing homelessness to camp overnight in a public park if there are available shelter beds, but what is the best response if the individual lacks the ability to transition to the shelter or if that individual is suffering from a mental illness and does not want access to that shelter bed or other human service resources?

The balance of this memorandum briefly summarizes the approach KPD is presently taking when interacting with individuals experiencing homelessness in Kirkland. This is a "work in progress" that staff believes will benefit significantly from the addition of new resources associated with Proposition 1, including the hiring of a mental health professional to help provide mental health services to individuals experiencing homelessness.

When a KPD officer receives a call regarding an individual experiencing homelessness, the officer typically responds first by offering resources to that individual, such as the location and contact information for local shelters and other human service resources.

If there is adequate shelter space available, and the homeless person is camping overnight in a public place (but is not blocking pedestrian right-of-way, committing a crime), then the officer generally provides notice to the person that they have 72 hours to relocate, ideally to a shelter. At the end of the 72 hours, an officer follows up to reevaluate the situation. While the officer could at that point cite or arrest the person for trespassing if there is adequate shelter space available, an arrest is not the goal and such an arrest has not occurred to date. Rather, the purpose of the 72 hours is primarily to begin a dialogue, and the time can be extended depending on such factors as shelter availability and the person's individual needs. To date, this protocol has been successful, and extensions of time have not been necessary.

The initial City response to *Martin* focused primarily on Kirkland parks, which are closed after 10 or 11 each evening until the next morning. Sidewalks, on the other hand, do not have "hours of operation," but obstruction on a basis that impacts public safety is never permissible. Increasingly, KPD's responses are focused on the right responses to individuals experiencing homelessness in all public places. As noted above, part of this response is determining what is legally allowable after *Martin*, but an equally important component is making sure the City responds humanly and with compassion, in part by continuing to assemble the resources necessary to connect such individuals to the resources that can help them transition to stable housing situations.



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

**Date:** August 22, 2019

**Subject:** ESTABLISHING A COMMUNITY ADVISORY GROUP TO EXPLORE OPTIONS TO BE CONSIDERED IN THE 2020 FIRE AND EMERGENCY MEDICAL SERVICES BALLOT MEASURE

**RECOMMENDATION:**

That the City Council provides direction on the draft work plan and resolution establishing:

1. A Community Advisory Group to review and recommend to the Council capital and operating elements and funding mechanisms for a November 2020 ballot measure for Fire and Emergency Medical Services.
2. A preliminary list of Community Advisory Group stakeholders, curriculum topics, and timeline for placing the measure on the November 2020 ballot.

Once staff have received Council input and direction, the updated resolution and stakeholder list will be brought back to the September 17, 2019 Council meeting for final adoption.

**BACKGROUND DISCUSSION:**

As one key component of keeping the Kirkland community safe, the Council completed a Fire Strategic Plan in 2012 (Attachment A). This Plan identified needed investments in staffing, equipment and technology to provide for better response times for Fire and Emergency Medical Services (EMS), as well as needed renovation and expansion of existing fire stations. At the February 21, 2017 Council Meeting, the Council adopted Resolution R-5239 which directed the City's 2017-2018 Work Program to "explore potential ballot measures for fire station modernization and public safety operations to further the goals of Public Safety, Dependable Infrastructure, and Financial Stability."

In December of that same year, the Council adopted Resolution R-5290 to defer this exploration to at least 2020 to respond to the community concerns regarding the cumulative financial impact of property tax increases due to state and regional actions. However, these capital and operating investments are increasingly necessary as fire stations age, and Kirkland experiences

unprecedented economic growth and redevelopment. This prosperity brings new jobs, new shops and restaurants, new services, and new housing options. But along with that prosperity comes more people, more businesses, more traffic and new types of buildings to protect.

Based on Council feedback at the May 24, 2018 Fiscal Retreat, staff proposed a two-phased approach to enhance public safety that was adopted at the June 5, 2018 Council meeting. Phase 1 of the two-phased approach included a voter-approved sales tax measure investing in police and community safety initiatives ([Proposition 1 landing page](#)). An update on Proposition 1 implementation is also being provided at the September 3<sup>rd</sup> Council meeting. Phase 2 was proposed to include a bond or levy lid lift for fire station seismic renovation, capacity expansion, additional firefighter/EMT staffing, and possibly training facilities.

Historically, voter-approved bonds have funded the building and renovation of all fire stations in the City, except for the recent renovation of Fire Station 25 in 2018. Fire Station 25 was renovated through the fire station consolidation project between Fire District 41 and the City's interlocal agreement that the City provide fire and emergency services to the annexed areas. A bond submitted to the voters by Fire District 41 for \$545,000 passed in 1972 and funded the replacement and relocation of Fire Station 25 from central Finn Hill to the current location on the corner of Juanita Drive and Holmes Point Drive. That same bond also allowed for the construction of a new Fire Station 27 at NE 132<sup>nd</sup> St. and 112<sup>th</sup> Ave NE, about a block away from the current Fire Station 27. Fire Station 22 was funded through a 1978 voter-approved bond for \$790,000 and entered service in 1980.

Fire Station 21 was built in 1992 through the passage of a \$4.8 million-dollar bond, which also funded the replacement of Fire Station 26. Voter-approved bonds are enhanced by Kirkland's AAA credit rating which allows the City to issue debt and borrow money at lower interest rates.

At the February 19, 2019 Council Meeting, the City Council adopted the City's 2019-2020 Work Program which ranked "exploring a potential ballot measure in 2020 to fund Fire Station modernization and enhanced operations to further the goal of Public Safety" as its number one priority. Concurrently, the City is experiencing unprecedented growth and redevelopment. With new types of commercial and residential structures that need fire/EMS services, it is a challenge to continue providing public safety services that match the economic growth, and it is further challenged by the expiration of the annexation sales tax credit in 2021, resulting in the loss of nearly four million dollars annually from the City's general fund. To sustainably fund these critical fire and EMS investments, the City must either identify new revenues or significantly reprioritize existing general fund programs such as parks maintenance and street maintenance that also rank as high priorities with Kirkland residents.

Below is a table showing the year each fire station was built, what general updates are needed for firefighter health, seismic stability, code compliance, and the estimated costs. The costs associated with each fire station differ significantly depending on the year they are built. Staff are still developing a preferred station construction sequence assuming a ballot measure passes in 2020. Cost estimates therefore shown for both 2021 and 2026 to provide the range of costs depending on when each station is constructed. Estimates do not include staffing option costs, training facility costs, nor the cost of acquiring the Totem Lake property for new Fire Station 27.

FS	Built	Status	Estimated Cost in 2021	Estimated Cost in 2026
21	1992	<ul style="list-style-type: none"> <li>- Replacing fire alarm notification system</li> <li>- Adding dedicated room for medical gas storage</li> <li>- Replacing building systems, including HVAC, source capture exhaust for bays, heaters in bay</li> <li>- Bringing Decontamination room up to code</li> <li>- General long-term maintenance such as flooring, painting, counters, and repairs to roofing and insulation</li> <li>- Seismic Upgrades</li> </ul>	\$5,602,064	\$6,815,767
22	1978	<ul style="list-style-type: none"> <li>- Adding NFPA 13 fire sprinkler system and fire notification system</li> <li>- Adding dedicated room for medical gas storage</li> <li>- Adding dedicated decontamination room</li> <li>- Adding dedicated bunker storage room</li> <li>- Replacing building systems, including HVAC, source capture exhaust for bays, heaters in bay</li> <li>- Adding furring and insulation to existing brick; address moisture problem.</li> <li>- Reconfiguring restrooms for crew efficiency</li> <li>- General long-term maintenance such as flooring, painting, counters, windows, and repairs to roofing and insulation</li> <li>- Seismic Upgrades</li> </ul>	\$8,727,353	\$10,618,159
24	2021	In Design/Response Coverage	No costs associated in 2020 ballot measure	
25	1974	Renovated in 2018 for Modernization	No costs associated in 2020 ballot measure	
26	1994	<ul style="list-style-type: none"> <li>- Replacing fire alarm notification system</li> <li>- Adding dedicated bunker storage room</li> <li>- Replacing building systems, including HVAC, source capture exhaust for bays, heaters in bay</li> <li>- General long-term maintenance such as flooring, painting, counters, and repairs to roofing and insulation, driveways and parking areas.</li> <li>- Replacing water heaters and water pumps.</li> <li>- Seismic Upgrades</li> </ul>	\$7,730,141 modernization \$3,217,788 apparatus storage	\$9,404,899 modernization \$3,914,931 apparatus storage
27	1974	To be Replaced w/new FS 27	\$19,184,867	\$23,341,324
<b>Total</b>			<b>\$44,462,212</b>	<b>\$54,095,080</b>

Fire and EMS services are a critical public safety component of the quality of life for all residents, businesses and visitors to the City. These services belong to the entire community and it is critical that the entire community understand and support the need for these new investments for any ballot measure to be successful. For that reason, staff recommends establishing a Community Advisory Group (CAG) to identify the capital and operating elements to be included in fire/EMS ballot measure and the funding mechanisms to be placed on the ballot. The CAG should be comprised of the following stakeholders, and any additional stakeholders suggested by Council. This Community Advisory Group is modelled after the 2012 Park Funding Exploratory Committee (PFEC) that resulted in the successful 2012 voter-approved Park Levy. The PFEC was Chaired by Councilmember Amy Walen to keep a strong connection between the group and the City Council. Staff recommends that a similar approach be taken with the CAG and that one or two Councilmembers Chair or Co-chair the group. The CAG would meet for the duration of October 2019 to March 2020 as outlined in the timeline included later in the memo. Staff further recommends that each group select their delegate to represent them over the five month period. An alternative would be for the Council to appoint the individual delegates from each group.

<b>Preliminary List: Community Advisory Group</b>	
Delegate from each of the 13 neighborhood associations	Chair – Kirkland Councilmember (current or retired)
Kirkland Downtown Association	Rotary
Kirkland Chamber of Commerce	Kirkland Safe
Northwest University	Kirkland Indivisible
Lake WA Institute of Tech	Google
Lake WA School District	Realtor
Kirkland Interfaith Network	Builder/Developer
Merrill Gardens	Aegis Living Kirkland
Kiwanis	Sophia’s Way
Evergreen Hospital	Hopelink
<b>Others?</b>	

Staff recommends the following meeting dates and high-level curriculum topics for the Council to consider. Staff recognizes that coordinating schedules of such a large group will be extremely challenging, and so proposes to establish the meeting dates now so that Advisory Group members know what is expected and whether they can attend. Dates were selected based on avoiding conflicts with the following meetings:

- Boards & Commission meetings
- Neighborhood Association meetings
- School Board meetings
- City Council meetings
- National holidays

Date	Curriculum/Timeline
--	<b>2019</b>
September 3	Council provides direction on draft resolution and workplan
September 17	Council adopts resolution
--	<b>Community Engagement Begins</b>
October 3	Fire/EMS 101 – What do we do and how - facilities, staffing
October 17	Tour of Facilities
November 7	Potential capital and operating ballot measure elements and costs
November 21	Kirkland Budget Overview/How property tax works, funding options
December 19	Evaluate Options 1 – Needed investments and how to pay for them
--	<b>2020</b>
January 16	Evaluate Options 2
January 30	Draft Recommendations
February 20	Final Recommendations
March 5	If Needed
--	<b>Council Involvement Begins</b>
March 3 or 17	Council to Hear Recommendations from CAG
July 7 or 21	Ballot Measure Public Hearing
July 7	Pro/Con Committee Appointments Authorized
July 21	Pro/Con Committee Appointments Confirmed
July 21	Ballot Measure Ordinance Approved
August 4	Ballot Measure Resolution due to King County
August 7	Explanatory Statement Due
August 11	Pro/Con Statements Due
November 3	General Election

### **QUESTIONS FOR THE COUNCIL**

Is there any additional information that Council needs prior to September 17?

Does the Council have feedback on:

- The resolution
- The list of stakeholders
- Councilmembers as Chair or Co-chairs of the Community Advisory Group
- Naming the Community Advisory Group to more specifically reflect their charter
- The high-level curriculum topics
- The timeline
- Any additional issues

### **NEXT STEPS:**

Next steps consist of incorporating the Council's feedback into the resolution and stakeholder list and returning to the September 17, 2019 Council Meeting for final adoption. With Council concurrence on September 3, staff will begin contacting stakeholders' organizations to initiate delegate selection.



**Emergency Services Consulting**  
*International*

www.esci.us ♦ info@esci.us ♦ 800.757.3724

## Letter of Transmittal

August 27, 2012

Mr. Kurt Triplett  
City Manager  
City of Kirkland  
123 5th Ave.  
Kirkland, Washington 98033

Dear Mr. Triplett:

Enclosed please find the final report in response to your request for an organizational evaluation, future plan, feasibility of cooperative service delivery, and organizational strategic plan for the Kirkland Fire & Building Department. The associates of ESCI have appreciated the opportunity to work with the community, city staff, and employees of the Kirkland Fire & Building Department in the completion of this project.

We have presented this report in three major sections: organizational and community overview, fire and building department findings and recommendations, and strategic plan recommendations and priorities. A number of appendices are attached that will provide helpful information for the city and fire department.

It is our intent to meet and exceed your expectations and to be available to you after the project is complete. Should you have questions do not hesitate to contact me at our headquarters office in Wilsonville, Oregon, at (503) 570-7778. It has been our pleasure to work with the professional and highly dedicated staff of the Kirkland Fire & Building Department.

Sincerely,

A handwritten signature in black ink that reads "Jack W. Snook". The signature is written in a cursive, flowing style.

Jack W. Snook  
President, COO





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## Executive Summary

Emergency Services Consulting International (ESCI) was retained by the City of Kirkland, Washington, to conduct an organizational evaluation, future planning and feasibility of cooperative service delivery study, and an organizational strategic plan for the Kirkland Fire & Building Department (KF&BD).

Initiated in January 2012, the project involved a review of a substantial amount of background



information and data supplied by the City of Kirkland and KF&BD staff. ESCI's associates spent four days on-site conducting stakeholder interviews with personnel from all levels of the City and the fire and building department. ESCI's methodologies included a detailed analysis of collected data. This information was combined with interviews of key staff members and the affected stakeholders, as well as direct

observation of facilities and apparatus, and became the foundation for the in-depth study of all aspects of the administrative, operational, and support services of the KF&BD's current service delivery.

### **Scope, Purpose, and Report Conventions**

The purpose of the study was to provide a third party independent organizational evaluation, a plan for the future, an assessment of the feasibility of cooperative efforts, and facilitation of the development of an organizational strategic plan for the KF&BD (Kirkland Fire & Building Department). Officials desired to understand how well the fire and EMS (emergency medical services) system is working and whether the fire department can provide services more efficiently. Specifically, the scope of services requested by the City of Kirkland included:

- A comprehensive review of the current conditions of the KF&BD, including a baseline assessment and current service delivery performance analysis
- A focused, objective analysis of overall fire department emergency response operations
- Development of an inventory of opportunities under which the KF&BD (Kirkland Fire & Building Department) and its neighboring emergency response agencies can work more closely together to increase efficiency and effectiveness.

- Identification and analysis of the feasibility of strategies
- Based on the identified cooperative service delivery options:
  - Findings and the feasibility of each option
  - Identification of the preferred option or options
  - Description of governing body actions and necessary policy action
  - Implementation timelines and recommendations
  - Process issues including legal considerations, management and governance, and funding
- Facilitate the development of a KF&BD strategic plan document involving:
  - A local planning team (12 to 20 persons) including representatives of city management and various levels of the agency itself
  - A two-day strategic planning retreat
  - An analysis of the strengths, weaknesses, opportunities for, and threats to the organization
  - Identification of critical issues
  - Development of a vision, mission, and values statements
  - Establishment of goals and objectives
  - Establishment of performance measures

### Report Layout

The organizational evaluation, assessment of current conditions, findings, feasibility of cooperative efforts, and strategic planning is catalogued into the following subject areas:

- Organizational and Community Overview
  - Kirkland Community Description and Demographics
  - City of Kirkland Organization Description
  - Fire and Building Department
- Fire and Building Department Findings and Recommendations
  - Summary of Stakeholder Input
  - Department Mission and Values
  - Management Components
  - Emergency Management (Disaster Preparedness)
  - Fire Prevention Bureau
  - Fire and Emergency Medical Services (Emergency Response)
  - Accountability and Reporting
- Strategic Plan Recommendations and Priorities

- Major Findings and Recommended Priority Goals
- Strategic Goals
- Appendices

Each section in the report provides the reader with general information about that element, as well as observations and analysis of any significant issues or conditions. ESCI's observations are supported by data collected as part of the document review and interview process. Specific recommendations are included to address identified issues and opportunities for service improvement, efficiencies, and future cost avoidance.

The purpose of this review and evaluation is twofold: First, it provides the KF&BD and City with a valuable assessment of the organization, its assets, and service delivery methods. Secondly, the review equips ESCI staff with a detailed and comprehensive understanding of the KF&BD, which is essential to the strategic planning process and determining potential cooperative service delivery efforts with other emergency service providers.

### **General Assessment**

It is the professional opinion of ESCI that the Kirkland Fire and Building Department is a high-quality organization with the potential to become a great organization. The staffs are dedicated and skilled professionals committed to providing the City of Kirkland's citizens and visitors with the highest possible level of service. Elected officials for the City of Kirkland all recognize the high degree of importance of these services in ensuring the public safety of their community. Citizens and visitors can be assured that the members of the KF&BD are professional in the delivery of fire and emergency medical services. The level at which service is delivered is commensurate with other fire departments in the region.

An operational tension has developed between the KF&BD and other City departments. While there is no single reason for the division, the divisive relationship is hampering the Finance and Administration Department, Human Resources and Performance Management Department, City Manager's Office, and the Fire & Building Department from operating as efficiently as possible. To a lesser degree the rapport is challenged with other departments. During the time of this study the City administration has initiated corrective actions to improve relations. The process of improving working relationships will take time and effort but is necessary for the City departments to operate effectively.



ESCI found other areas of concern that impede the efficient operation of the KF&BD, primarily in the administration and support level. Work efforts of the two deputy fire chiefs should be directed at the highest level of administration and oversight of the fire department. Presently a large percentage of time is dedicated to work unrelated to administration. Updating job descriptions and affirming the expectations of administration and support staff is required.

It is our opinion that the number of KF&BD support staff is inadequate to meet the needs of the fire department and the expectations of the City. While it is possible to assign a staff person responsibility to work directly with the fire department from finance, IT, or HR, so far this approach has not been effective. Even if this assignment arrangement were successful, the KF&BD requires additional administrative and support positions. Support staffing has remained static or decreased even as the number of emergency operations personnel and the services of the fire department have increased.

An issue compounding the administration and support staffing problem has been KF&BD's inability to harness technology. Without integration of technology tools, the fire department will continue to struggle to provide information for analysis and benchmarking performance based outcomes. Successful implementation of the New World CAD by NORCOM is seen as one of the primary solutions to the problem.

An Efficiency and Effectiveness Study commissioned by the City of Kirkland and King County Fire District #41 was conducted on the KF&BD in 2008. Many of the study's major findings and major recommendations have not been addressed and are still outstanding.<sup>1</sup> They include:

- The high level of EMS responses has the unintended consequence of lowering the level of fire protection.
- KF&BD is totally dependent upon mutual and automatic aid response for marine rescue/firefighting.
- The measurement of response time standard is flawed and overly ambitious.
- EMS response crew size should be reduced from three to two.
- KF&BD failed to meet response time standard 50 percent of the time from 2004-2007.

To discourage this organizational evaluation, feasibility, and strategic plan from lying fallow, ESCI recommends the Kirkland City Council prioritize and adopt the goals found in this report. To have a fruitful outcome of the recommended top priority goals requires the KF&BD to have

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<sup>1</sup> See Appendix B: Management Advisory Group, Recommendations and Findings.

the authority, resources, responsibility, and accountability for implementation. To that end each strategic plan goal includes:

- Goal Statement
- Recommended Actions
- Implementation Metrics
- Resources Required

All of the pieces are in place for the KF&BD to become the organization, “known for consistently meeting our citizens’ needs and epitomizing a winning “major league” team; our efforts build community ownership and pride in our brand.<sup>2</sup>”

### **Fire and Building Department Findings and Recommendations**

A total of 90 recommendations are provided throughout this report. The following sections summarize the major findings and key recommendations related to each.

#### *Organizational and Community Overview*

Organizational and community overview is a summary of basic information about the City of Kirkland, Washington, and the Kirkland Fire and Building Department. It includes an overview of City governance; organizational structure; service area size; the community environment; resources dedicated to the fire and emergency medical services (EMS), the building division, and emergency management; and a financial survey. Significant findings include:

- ❖ Kirkland’s 2011 population is estimated to be 80,505, a 62.24 percent increase from 2010. The increase is connected to the annexation of Fire District #41, a portion of Fire District #36 (Woodinville), and a small area of Fire District #34 (Redmond). Annexation increased the service area slightly as KF&BD already provided contracted service to King County FD #41 prior to the annexation.
- ❖ KF&BD’s organizational structure, while atypical in that the director has oversight of building services, emergency management, and the fire department, is functioning well.
- ❖ KF&BD’s most recent survey by the WSRB (Washington Surveying and Rating Bureau) was in June 1995. Improvements in staffing, apparatus, and fire stations suggest that KF&BD would benefit from a re-evaluation by WSRB.
- ❖ Kirkland has developed financial long-term plans for operating KF&BD that include a CIP (capital improvement plan) for the acquisition of major assets for the fire department.
- ❖ In March of 2011, KF&BD began charging for BLS (basic life support) EMS transports from medical incidents.

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<sup>2</sup> Source: KF&BD Strategic Goal No. 1, Goal Statement.

### Fire and Building Department

The single largest change to occur for the City of Kirkland in years was the annexation in June 2011. KF&BD was already providing contract fire and emergency services to Fire District #41 and added coverage to a portion of Fire District #36 (Woodinville) and a small area of Fire District #34 (Redmond) as a result of the annexation. While KF&BD added emergency response personnel to serve the annexed area, there was no corresponding increase in administration and support. Recommended actions include:

- ❖ Amend job descriptions to accurately reflect roles and expectations for administration and support staff.
- ❖ Increase emergency operations by adding a BLS aid unit staffed between 8:00 AM and 8:00 PM to maintain adequate personnel for a moderate risk fire event.
- ❖ Annually conduct a detailed analysis of revenue versus expenditure to validate that EMS transportation activity is meeting stated goals established by the City.
- ❖ Bill for EMS transport when responding and transporting patients outside of the City of Kirkland.
- ❖ Add one FTE administrative assistant for EMS and one FTE financial analyst to administrative support functions.

### Summary of Stakeholder Input

To validate the mission, vision, and values of the KF&BD, ESCI solicited input from internal and external stakeholders (City Council, City Management, KF&BD Members, neighboring service providers) through two separate venues: one-on-one interviews conducted by the ESCI team during the initial data gathering process and a citizens group formed to participate in the strategic planning process. As part of the interview process, the internal and external stakeholders were asked to identify their perspectives on the department's strengths and weaknesses, as well as the challenges facing the department and critical issues it needs to address. The most frequently reported input for each was:

- Organizational Strengths
  - Community satisfied with service
  - Best trained and highest morale in the area
  - Training division is good; personnel are well trained
  - Department has good people and a good leader
- Organizational Weaknesses
  - Geography; jurisdictional boundaries
  - Money
  - Need for a fireboat

- Stability and predictability in costs; any incident will generate overtime
- Containing growth of call volume; growing number of non-emergency calls
- External political forces
- Challenges
  - Response time
  - Slow growth of expenses
  - Funding, leadership, too few administrative staff
  - Overpricing of service
  - Housing prices down
  - Underprepared for a disaster
- Critical Issues
  - Coverage in annexation area
  - Funding that is sustainable for all city departments
  - Funding, levy approval for Medic One program
  - Ongoing workload/cultural shift
  - Need to be more community connected; need to be more agile in addressing change

### Department Mission and Values

A validated mission statement is clearly stated and intentionally simplistic; the Kirkland Fire Department *Mission* accurately describes the organization's general purpose. The Mission Statement for the Kirkland Fire Department validated during this study is:

*Providing timely, emergency response and safeguarding the lives, property, and environment of our community.*

### Management Components

Fundamental tools necessary for organizational management are inadequate. ARs (administrative rules) and SOGs (standard operating guidelines) specific to the fire department were generally outdated. Additionally, variations exist between City and KF&BD AR documents including safety, purchasing, and public access to records and document retention. There should be a sense of urgency given to developing a complete set of documents.

Internal tension between the KF&BD and Finance and Administration (F&A) is concerning, though recent moves on the part of the two directors has made what is described as "improvement" to the working relationship.

KF&BD's management of external communication efforts has been reduced to reacting to media worthy events.

Highlights and ESCI recommendations for management components include:

- ❖ Outsource development and maintenance of Administrative Rules and Standard Operating Guidelines to a third party. Development and maintenance of Administrative Rules and Standard Operating Guidelines should include involvement of the City human resource department.
- ❖ Prioritize media messaging. Use "Currently Kirkland" and other media outlets as a tool to leverage the reach and impact of fire department public information and education messages.
- ❖ Develop a procedure and policy for reporting and retaining all employee exposure records.
- ❖ Establish a medical baseline for new firefighters at the time of hire/appointment.
- ❖ Provide a fire service-related occupational and health program.

#### Emergency Management (Disaster Preparedness)

Given the number of tasks and functions required of managing an emergency management program, KF&BD is performing well considering the lack of FTEs allocated to the program. However, this comes at an opportunity cost to the fire department by squeezing out other program needs (financial, HR, and IT services to name a few) that would otherwise be provided by the deputy chief of administration. Acquiring additional staff to provide the daily work necessary to maintain a state of readiness would free the deputy chief to perform other essential tasks directly related to the administration of the fire department, relegating the emergency management workload to providing management guidance and gravitas to the program.

Highlights and ESCI recommendations for emergency management include:

- ❖ Develop and implement a plan outlining how volunteers will be used and managed during emergency events.
- ❖ Identify a location and develop a dedicated EOC; apply for a matching grant from the Washington EMD Emergency Operations Center Grant Program (requires a 25 percent local match).
- ❖ Complete and publish the Continuity of Operations (COOP) and Continuity of Government (COG) plans.
- ❖ Develop a Hazard Identification and Vulnerability Assessment and a Hazard Mitigation Plan. Submit to King County for inclusion as an annex to the County plan.
- ❖ Hire a full-time City emergency manager, shifting daily responsibilities from the Deputy Chief of Administration to the emergency manager.

### Fire Prevention Bureau

The City of Kirkland's process for construction permitting delivers a higher level of service than is commonly seen by involvement of the fire and building departments from pre-application conference for commercial developments and continuing throughout the construction process.

KF&BD current completion rate for scheduled annual inspections of an estimated 20 percent may expose emergency services personnel and public to unacceptable risk during a fire event.

Fire and life-safety public education efforts of the KF&BD were limited to outside special requests that have since been discontinued.

Highlights and ESCI recommendations for the fire prevention bureau include:

- ❖ Integrate KF&BD fire prevention records management with the EnerGov RMS software used by the Building Division.
- ❖ Conduct a fire and life-safety inspection of all inspectable occupancies in the next 12 months. If necessary use emergency services personnel to complete inspections.
- ❖ Develop and adopt a plan for the maintenance, repair, and flow testing of all fire hydrants in the City of Kirkland.
- ❖ Acquire and deploy electronic tablet devices for field data entry and rapid downloading to the records management system.
- ❖ Adopt a local residential sprinkler ordinance for new residential construction.

### Fire and Emergency Medical Services (Emergency Response)

The hierarchal structure of the KF&BD operates as intended with the building services manager. In contrast, ESCI found that in practice the fire chief is the direct report for any number of other fire department personnel and activities. Deputy fire chiefs routinely perform administrative, technician, and clerical tasks. Time devoted to activities outside of essential functions and principal accountabilities have reduced the deputy chiefs' availability to perform job critical administrative and supervisory duties.

Given the number of FTEs dedicated to emergency operations (a minimum staffing of 19 per day, 30 personnel assigned to each shift), KF&BD's use of overtime is appropriate. Leave time use categorized as sick leave and injury is considered to be high.

EMS is expected to continue as the predominate factor affecting service demand. ESCI recommends that the KF&BD move forward and analyze the feasibility of contracting ALS response services with Medic One.

Capital facilities, apparatus, and capital equipment for the KF&BD constitute a large investment. Planning for remodels and the replacement of fire stations is a major capital expense and requires long-range planning. With two fire stations nearing their life expectancy, ESCI recommends that a capital plan for the rebuild or replacement of fire stations be developed. It is further recommended that KF&BD develop an internal long-term plan for funding the maintenance and replacement apparatus and capital equipment that aligns with the City CIP. The KF&BD pay rates into internal service fund reserves for facility and vehicle replacements and a sinking fund for replacement of equipment is being developed in cooperation with the Finance Department.

KF&BD relies on automatic aid to have adequate personnel for most fire incidents. Over the past two years, each of the neighboring fire and EMS agencies has gone through some reduction of fire stations, staffed apparatus, or personnel. To mitigate the reduction and improve coverage to the northwest (Finn Hill) area of the City, ESCI recommends that the KF&BD construct and staff a joint fire station with the Northshore Fire Department.

There are two alternative methods for KF&BD to meet the current adopted response time objectives. First, change the response time objectives to match the response that the fire department is able to meet. Second, add facilities, emergency response units, and personnel to the department to the level that will meet the response objectives. For Kirkland to increase resources requires a large capital investment and ongoing expenditures. Capital requirements involve the addition of two fire stations, one in the Finn Hill neighborhood and a second in the southern section of the City. Each fire station would need an engine and aid unit and a minimum of six personnel per day to cross-staff the units.

Of the potential partnerships with neighboring fire and EMS service providers, ESCI considers Northshore and Bellevue fire departments to be feasible partners. Consolidation of fire and EMS into a single operational unit, either through Interlocal Agreement (ILA) or the formation of an RFA would provide increased fire and emergency service efficiency in the areas served by the three fire departments.

ESCI developed 34 cooperative efforts strategies that the KF&BD could pursue. They are judged as being feasible and most likely to result in significant improvement to systems and/or programs. These strategies should be acted on regardless of action on a regional partnership.

Highlights and ESCI recommendations for fire and emergency medical services include:



- ❖ Store personnel protective equipment (PPE) in a separate, well ventilated room.
- ❖ Establish a minimum requirement for annual company and individual training evaluations. Include shift battalion chief involvement in annual evaluations.
- ❖ Jointly construct and staff a new fire station with Northshore FD. The fire station should be located in an area to serve the Finn Hill neighborhood and Northshore FD.
- ❖ Provide Advanced Life Support (ALS) services within the City of Kirkland via the King County Medic One program.
- ❖ Modify the EMS response protocol of sending three responders to medical incidents. Redeploy with dedicated staffing of two-person aid units, or single person quick response unit for low priority EMS incidents.
- ❖ Expand the current partnership with the King County Sheriff's Marine Unit and the Seattle Fire Department to provide a joint, coordinated response to marine firefighting and rescue incidents.

### Accountability and Reporting

While the KF&BD is mostly meeting accountability and reporting requirements, there is a need for improvement. The accreditation process is one way for a fire department to make certain it is covering all of the accountability and reporting bases. The process of becoming an accredited agency is a time consuming, labor intensive, costly process. Therefore ESCI has recommended that the KF&BD make accreditation a long-term item and focus on other issues first.

In the last *Response Time Objectives Report* submitted (2010), KF&BD did not define the geographic areas where requirements are not being met, or explain predictable consequences, or the steps necessary to achieve compliance. KF&BD is meeting its stated response performance goals (including turn out time) approximately 50 percent of the time. KF&BD has not developed options to improve response performance. Without action to improve response time performance, subsequent reports will include similar results.

Tools for the reporting and archiving of data and information of KF&BD activities are labor intensive. This is exemplified by the number of staff hours required to capture background information for this study. Most of the improvements to reporting hinge on deployment of the New World CAD. Efforts should be directed at the implementation of the CAD system.

ESCI recommends that KF&BD disseminate reports (information) in a dashboard display customized for the end user.

Highlights and ESCI recommendations for accountability and reporting include:



- ❖ Adopt a two tiered response time objectives for fire, EMS, hazardous materials, technical rescue, and specialized rescue incidents.
- ❖ Develop and adopt response time intervals, benchmark, and review at a minimum annually.
- ❖ NORCOM – Establish communication center performance measurement benchmarks that meet national standards.
- ❖ Adopt turnout time standards based on incident type and time of day.
- ❖ Integrate the New World RMS (records management system) with emergency management plans, records, and reports.

### **Major Findings and Recommended Priority Goals**

ESCI's recommended priority goals for the KF&BD result from stakeholder interviews with community members, policymakers, administration, KF&BD, neighboring fire department leadership, the organizational evaluation, and ESCI's analysis and experience. Recommended priority goals were developed in recognition of what is important to the public. Initiatives and key priorities were assigned recommended actions and implementation metrics to track progress over time. The goals are ambitious but realistic targets that are achievable.

#### **Goal No. 1: Administrative Infrastructure**

Goal Statement: Build an administrative infrastructure that efficiently provides administration and support functions for KF&BD. (Administrative and support staff realignment, administrative rules, and guidelines)

#### **Goal No. 2: Staffing and Deployment**

Goal Statement: Increase the ready availability of fire apparatus and personnel. (Swing staffing of aid units and engine/ladder companies and staffing levels)

#### **Goal No. 3: Outreach and Education**

Goal Statement: Provide contemporary, practical fire prevention, EMS, and emergency management education and informational services to the community. (PIO, PEO, and community preparedness)

#### **Goal No. 4: Performance**

Goal Statement: Develop, measure, and meet response and measurable performance benchmarks. (Response time)

**Goal No. 5: Partnerships**

Goal Statement: Develop partnerships with neighboring fire and EMS agencies to improve services and the level of service in a cost efficient manner. (Training, maritime response, joint staffing of fire stations, RFA)

**Strategic Goals**

The following are ESCI's recommended strategic goals internal to the KF&BD. Community members, policymakers, administration, and KF&BD personnel participated in a two day process to assist in developing priorities for the Kirkland Fire Department strategic plan. Five of the seven are incorporated as top priority goals. The remaining two are internal strategic organizational goals that meld with the validated mission, vision, and values of the KF&BD.

**Strategic Organizational Goal No. 1: KF&BD Branding**

Goal Statement: Create an attractive brand for KF&BD to inform and market our services

**Strategic Organizational Goal No. 2: KF&BD Internal (City) Relationships**

Goal Statement: Enhance a positive culture with internal customers; Kirkland Fire Department and other City Departments



## Organizational and Community Overview

### Kirkland Community Description and Demographics

The Organizational and Community Overview section provides information and establishes a starting point of facts about the City of Kirkland, Washington, and the Kirkland Fire & Building Department (KF&BD). It includes an overview of City governance; organizational structure; service area size; the community environment; resources dedicated to the fire and emergency medical services (EMS), the building division, and emergency management; and a financial survey. A detailed analysis of the service delivery system is provided in a subsequent section. *(Historical statistical information and data on population, demographics, annexation, and land-use in the overview are used in the service demand forecast for KF&BD.)*

#### Service Area Population and Demography

Located on the eastern shore of Lake Washington east of Seattle, Kirkland has a unique downtown waterfront (the only Eastside downtown frontage along Lake Washington's shoreline),<sup>3</sup> lined with restaurants, galleries, a performing arts center, public parks,<sup>4</sup> and beaches. Kirkland is considered a suburban city, surrounded by other suburban cities and pockets of unincorporated King County. Major transportation routes serving the area include Interstate 405, Washington State Route 520, and Interstate 5. These routes connect the City economically and socially to the greater Seattle area.<sup>5</sup>



Kirkland was founded in 1890 by Peter Kirk (1860–1916), an established steel mill owner from Workington, England.<sup>6</sup> Since only U.S. citizens were allowed to own property, Kirk with the help of Leigh A. J. Hunt, publisher of the *Seattle Post-Intelligencer* in June of 1888, purchased 5,000 acres. Streets were platted and homes were built for the workers that would be needed to run the mill. Modeled after Kirk's mill in England, it would employ thousands of workers who would

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<sup>3</sup> Peyton Whitely (1998-02-25). "Kirkland's downtown dilemma rules to save local flavor could price it out of existence". *The Seattle Times*, Retrieved March 21, 2012.

<sup>4</sup> Photograph of Marina Park, permission granted for use, GNU Free Documentation License.

<sup>5</sup> Source: City of Kirkland, Washington Comprehensive Annual Financial Report, For the Fiscal Year Ended December 31, 2010, Tracey Dunlap, Director of Finance and Administration, page 4.

<sup>6</sup> A Look To The Past: Kirkland: From wilderness to high-tech - Kirkland history in 50 vignettes, Matthew, W. McCauley, CreateSpace (November 23, 2010).

live in the city that would grow around it. Proclaimed as the "The Pittsburgh of the West", the mill never produced any steel or iron but a city had been born.

From the 5,000 original acres in 1890, Kirkland grew to 10.70 square miles over the next 120 years (1890 to 2010). In 2011 through an annexation of the Juanita, Finn Hill, and Kingsgate neighborhoods, Kirkland is now approximately 17.90 square miles.<sup>7</sup> A chronological history of annexations and geographic growth of the City of Kirkland shows that it has grown in size on 12 different occasions (Figure 1).

**Figure 1: City of Kirkland Annexation History**

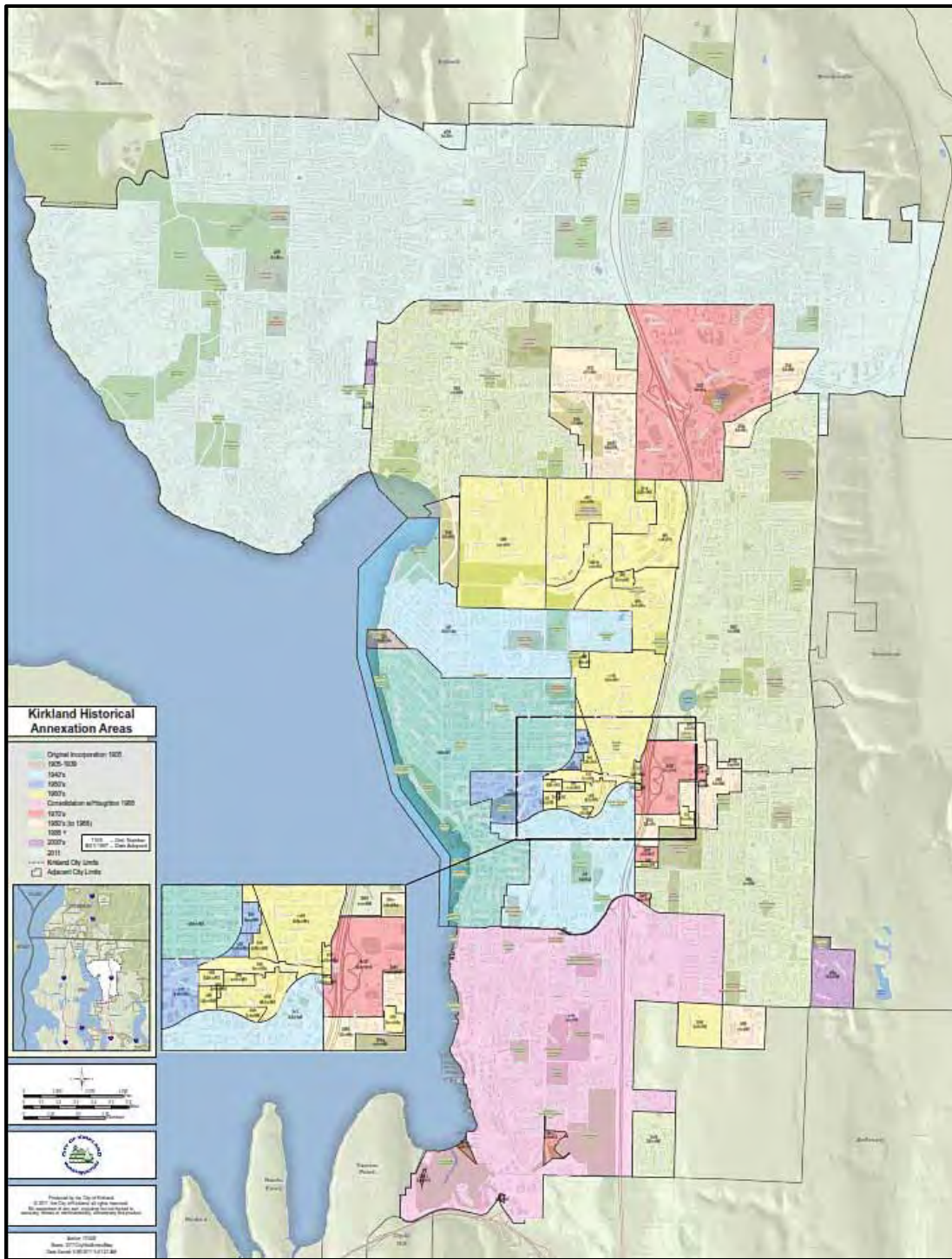
Years	Square Miles Annexed	Cumulative Square Miles
1905 – 1910	0.88	0.88
1910 – 1920	0.00	0.88
1920 – 1930	0.01	0.89
1930 – 1940	0.00	0.89
1940 – 1950	1.00	1.89
1950 – 1960	0.11	2.00
1960 – 1970	3.39	5.39
1970 – 1980	0.84	6.23
1980 – 1990	4.19	10.42
1990 – 2000	0.00	10.42
2000 – 2010	0.00	10.42
2010 – 2011	7.80	17.90

Figure 2 is a visual depiction of annexations to the City of Kirkland.<sup>8</sup>

<sup>7</sup> City of Kirkland background data lists 17.9 square miles in the City.

<sup>8</sup> Source: City of Kirkland GIS Administrator, Karl Johansen.

**Figure 2: City of Kirkland Annexation History Map**



While the City's footprint grew significantly in 2011, the area served by KF&BD increased only marginally. Under terms of a contractual relationship KF&BD already provided fire, EMS, and emergency response services to King County Fire Protection District #41 (KCFD #41). The new service area for KF&BD involved two smaller areas previously served by Woodinville and



Redmond. Figure 3 is a view of the June 2011 annexation area<sup>9</sup> and its relationship to the City of Kirkland.

**Figure 3: Annexation Area, June 2011**



The 2011 population of Kirkland is estimated to be 80,505, a 62.24 percent increase from 2010. The increase is connected to the annexation of Fire District #41, a portion of Fire District #36 (Woodinville), and a small area of Fire District #34 (Redmond).

As of the 2010 U.S. Census, there were 22,445 households and 12,014 families residing in Kirkland.<sup>10</sup> The population density was 4,762 people per square mile (1,628.8/km<sup>2</sup>). There were 24,345 housing units at an average density of 2,336 per square mile (789.2/km<sup>2</sup>).

<sup>9</sup> Community and Annexation Area map, City of Kirkland, Planning and Community Development.

<sup>10</sup> U.S. Census, 2010 Demographic Profile Data, City of Kirkland, WA.

## **City of Kirkland Organization Description**

### **Type of Government**

Kirkland is a charter city with a council-manager form of government. City Council is Kirkland's governing body and is comprised of seven non-partisan members elected by registered voters serving "at large" (not representing a district or ward). Council members are elected every two years, serving staggered four-year terms. The mayor and deputy mayor are elected among the members to serve two-year terms. Day-to-day oversight of the city is the responsibility of a City Manager hired by the city council.

### **Organizational Structure**

A well-designed organizational structure should reflect the lines of responsibility and authority within the agency, provide for the equitable distribution of the workload, and clearly define the official path of internal communication. The lines of an organizational chart visually clarify accountability, coordination, and supervision. Detailed job descriptions should provide the particulars of each job within the organization, helping to ensure that each individual's specific role is clear and focused on the overall organization mission.

Span of control, also known as span of management, is a human resources management term that refers to the number of subordinates a supervisor can effectively manage. Developed in the United Kingdom in 1922 by Sir Ian Hamilton, the concept of span of control evolved from the assumption that managers have finite amounts of time, energy, and attention to devote to their jobs. In his research of British military leaders, Hamilton found that leaders could not effectively control more than three to seven people directly.

This generally accepted rule of thumb for span of control is still considered relevant today and applies not only to the military, but correspondingly to the fire service. It is important to note that all managers experience a decrease in effectiveness as their span of control exceeds the optimal level. In other words, the limitations implied by span of control are not shortcomings of individual managers but rather of managers in general. In addition, it is important to understand that span of control refers only to direct reports rather than to an entire corporate hierarchy (i.e., all personnel in the fire department).



*Extending span of control beyond the recommended limits engenders poor morale, hinders effective decision-making, and may cause loss of the agility and flexibility that give many entrepreneurial firms their edge.<sup>11</sup>*

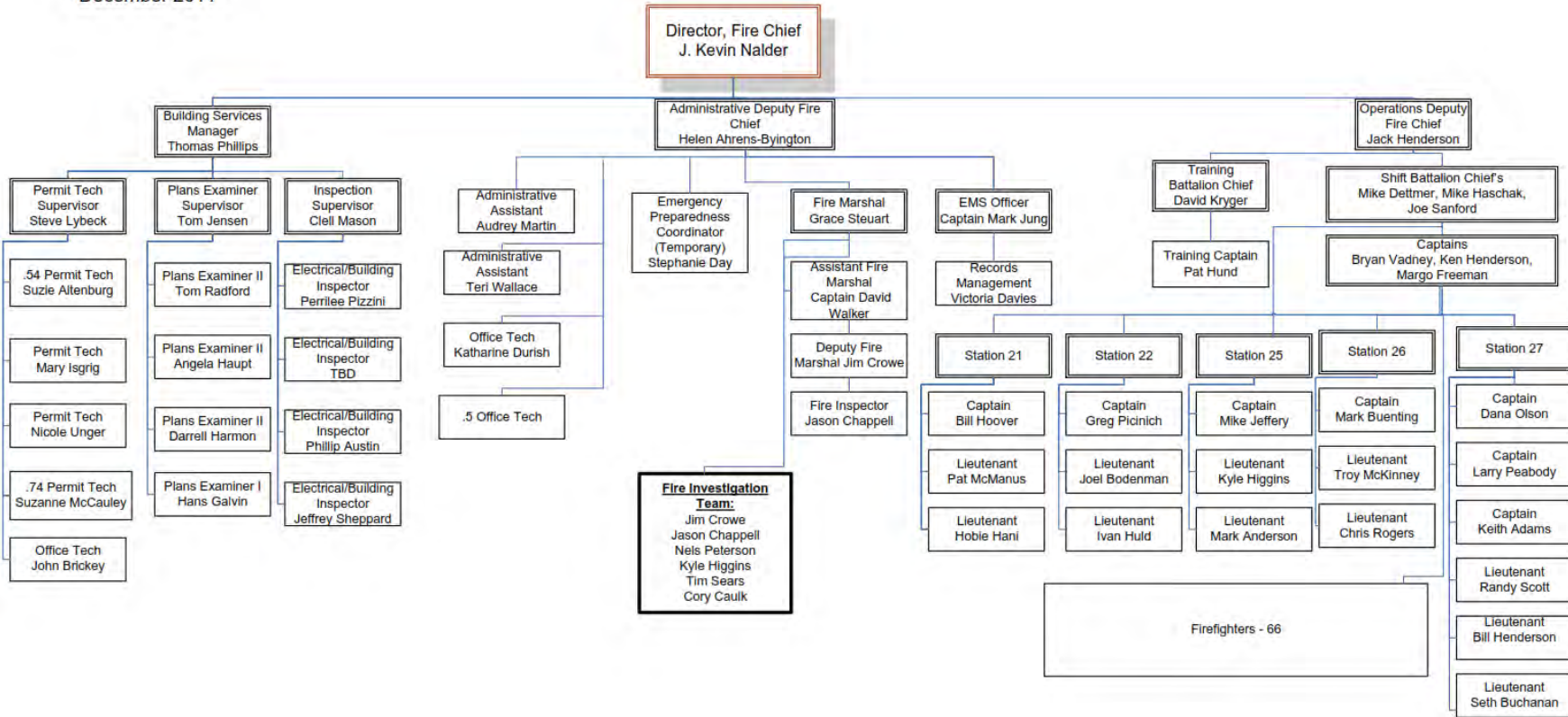
KF&BD's organizational structure is atypical in that the director has oversight of building services, emergency management, and the fire department. The fire department stem of the organization is a typical top-down hierarchy found in most public emergency service providers. The following figure (Figure 4) shows the current Kirkland Fire & Building Department organizational structure.

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<sup>11</sup> Hendricks, Mark, *Span Control*, Entrepreneur, January 2001.

Figure 4: Kirkland Fire & Building Department Organizational Chart

City of Kirkland  
 Fire & Building Department  
 December 2011



## Operating Budget

The current housing crisis and the reduction in appraised taxable value has caused a general slowing of or reduction in property tax revenue in some government agencies and municipalities. However, in the City of Kirkland, property tax revenue has not decreased but has grown at 1 percent per year due to the optional levy increase plus new construction ranging from 0.25 percent to 4 percent in the past five years, with projections assuming 1 percent for future new construction. This growth is forecast to continue as the City, with a 2012 levy rate of 1.36766 and a bond levy rate of 0.08976, is considerably below the maximum allowed for Washington cities (\$3.10 for Kirkland, since the City is annexed into the King County Library District).

Other factors impacting many cities are lack of economic growth and a flattening or decrease of revenue from fees for service and sales tax that are often a significant basis of revenue for cities. The City of Kirkland is facing some of these same issues. As one cost element in the City's budget, the fire and building department is competing with other departments for a contracting revenue stream. In the City's 2011 – 2012 \$231.5 million general fund biennial budget, fire and building represents 16.6 percent or \$38.3 million of the total general fund budget. Note that the total budget figure includes \$14.1 million in general government reserve balances; excluding those reserves, the fire and building department represents 17.6 percent of the general fund budget. The operation of the fire and building department is somewhat unique in that fire operations are primarily funded by the City general fund; the building division is partially funded with fees that are collected for its services, with the balance of the revenue from general fund resources. If budgeted fees for service are inadequate to support the building division's budget, then the division's costs may be reduced to meet revenue expectations and workload requirements.

The initial information in the analysis will display the historical review of costs of the Kirkland Fire Department. The second segment is a projection of costs through 2017.

### *Historical Financial Information Kirkland Fire and Building Department (KF&BD)*

KF&BD is operating as a cost center or department of the City of Kirkland. Funding for the department is through fees charged for services, primarily EMS-related and charges to King County Fire District #41 (prior to June 2011), and regional EMS levy and grants, with the balance of revenue being resourced from the City's general purpose revenues. KF&BD must

compete for these resourced funds with all other city departments and revenue is not increasing at the pace previously experienced.

### KF&BD Revenue

The following figure provides a historical view of KF&BD actual revenue from 2008 through 2011 and budgeted revenue for 2012.

**Figure 5: KF&BD Revenue, 2008 – 2012**

Description	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Property Tax District #34, #36, #41	0	0	0	2,313,161	0
WFLSD Asset Transfer	0	0	0	0	1,426,568
Firework Permits	120	100	150	179	100
Recreational Fire Permits	0	0	474	316	79
Grants – FEMA	0	0	0	408	0
Grants – EMPG	0	58,287	88,714	103,130	50,000
Intergovernmental – Fire Control Service	0	12,690	648	65,174	0
Intergovernmental – District #41	3,439,879	3,904,235	3,580,280	2,083,640	0
Intergovernmental – EMS	793,023	838,397	831,434	840,146	866,729
Emergency Transport Fee	0	0	0	556,877	845,210
MBP Service Fee	0	0	0	44,430	33,000
City General Fund Resource	10,357,564	10,923,225	11,200,596	11,283,300	14,635,959
<b>Total Revenue</b>	<b>14,590,586</b>	<b>15,736,934</b>	<b>15,702,297</b>	<b>17,290,760</b>	<b>17,857,645</b>
Percent City General Fund Resource Increase		5.46%	2.54%	0.74%	29.71%

The City's general fund resourcing of the fire department has increased every year since 2008. Average annual general fund contributions increased 9.61 percent over the four years. Annual fluctuations during the period 2010 to 2012 can largely be attributed to the annexation which became effective June 1, 2011. Revenue that was received as intergovernmental charges for service from Fire District #41 through the District's separate levy ended in 2011. Funding is now provided by the City's regular property tax levy, causing a shift to the contribution of General Fund resources. Likewise, one-time revenue received from Fire District #41 and Woodinville Fire and Rescue were received during this period, further skewing actual revenue figures.

In March of 2011, KF&BD began charging for BLS (basic life support) EMS transports of patients from medical incidents. Since KF&BD has only been providing BLS transport services for a year, there is not enough history to develop a financial trend. ESCI recommends that a

detailed analysis of BLS transport revenue versus expenditure be conducted to validate that EMS transportation activity is meeting established City goals.

The figure below provides a snapshot of EMS transportation revenue from March 2011 through January 2012:

**Figure 6: KF&BD EMS Transportation Revenue, March 2011 – January 2012**

Month 2011	Transport Tickets	Gross Charges	Payments	Collection Percent	Levy Funding	Disallowed	Uncollected	Pending
March	180	116,099	(63,866)	55%	(5,591)	(35,463)	(6,473)	4,705
April	168	107,535	(58,186)	54%	(8,691)	(31,421)	(3,248)	5,990
May	169	108,667	(64,169)	59%	(6,395)	(30,611)	(628)	6,864
June	204	130,875	(68,436)	52%	(8,720)	(38,448)	(159)	15,112
July	195	125,119	(69,006)	55%	(8,001)	(32,701)	(1,335)	14,075
August	189	120,586	(64,729)	54%	(5,831)	(32,350)	(1,299)	16,376
September	195	125,591	(62,912)	50%	(6,855)	(39,803)	(2,362)	13,660
October	203	129,909	(63,500)	49%	(9,696)	(35,028)	0	21,684
November	184	118,551	(56,551)	48%	(3,736)	(33,663)	(0)	24,600
December	179	115,181	(39,747)	35%	(793)	(23,818)	0	50,823
Month 2012	Transport Tickets	Gross Charges	Payments	Collection Percent	Levy Funding	Disallowed	Uncollected	Pending
January	217	139,140	(7,325)	5%	0	(1,713)	0	130,102
<b>Total</b>	<b>2,083</b>	<b>1,337,253</b>	<b>(618,428)</b>	<b>54%</b>	<b>(64,310)</b>	<b>(335,020)</b>	<b>(15,505)</b>	<b>303,991</b>

The collection rate was forecast at 52 percent and the actual percentage for the first six months of the program was 54.88 percent. ESCI finds that collections exceeding forecast are positive indication of the benefit of the program. The amount of uncollected billings is considered to be in the low range. The lower collection percent in the most recent months is attributed to the lag time between billing and payment. Disallowed is the difference between the gross charges and what is allowable under insurance, primarily Medicare.

**Kudos 1:** *The City of Kirkland's decision to begin billing for BLS services is allowing KF&BD to capture available monies that were previously uncollected.*

The original plan decision included a proviso of not billing when KF&BD transported patients in neighboring jurisdictions if that department was not charging for the service. Recent changes in the billing practices of Bellevue Fire Department make it an appropriate time to revisit the subject. ESCI recommends that KF&BD bill for EMS when responding and transporting patients outside of the City of Kirkland.

KF&BD Expenditures

The figure below provides a historical view of KF&BD expenditures from 2008 through the 2012 budget year.

**Figure 7: KF&BD Expenditures by Department, 2008 – 2012**

Description	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Administration	881,929	1,065,297	1,056,591	1,233,046	1,314,428
Suppression	12,530,756	13,237,963	13,300,369	14,571,901	15,145,445
Training	470,273	577,057	498,593	631,666	547,632
Prevention	549,924	634,653	599,988	673,012	698,112
Emergency Preparedness	157,704	221,965	246,756	181,136	152,028
<b>Total Expenditures</b>	<b>14,590,586</b>	<b>15,736,934</b>	<b>15,702,297</b>	<b>17,290,760</b>	<b>17,857,645</b>

KF&BD total expenditures have increased by 22.39 percent since 2008. The annexation in 2011 resulted in the addition of an engine and cross staffed aid car to serve the area previously served by Woodinville. The cost of serving Fire District #41 was already included in the fire budget. After factoring out the annexation-related increase, the net increase was approximately 13.6 percent.

In Figure 8 KF&BD's expenditures are segregated by cost category from 2008 through 2012:

**Figure 8: KF&BD Expenditures by Cost Category, 2008 – 2012**

Description	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Salaries and Wages	9,138,030	9,688,144	9,853,930	10,055,150	10,592,947
Benefits and Taxes	2,690,799	3,156,578	2,937,976	3,629,545	3,801,592
Supplies	200,468	205,644	150,686	639,643	269,915
Other Services and Charges	394,503	383,538	412,477	387,207	366,390
Inter-fund Operating Leases	1,811,715	1,860,919	1,882,894	2,116,624	2,224,137
Intergovernmental Fund	355,071	442,111	464,333	462,592	595,664
Capital	0	0	0	0	7,000
<b>Total Expenditures</b>	<b>14,590,586</b>	<b>15,736,934</b>	<b>15,702,297</b>	<b>17,290,760</b>	<b>17,857,645</b>

The next figure provides a percentage breakdown of KF&BD expenditures by cost categories from 2008 through 2012:

**Figure 9: KF&BD Expenditure Percentage by Cost Category, 2008 – 2012**

Description	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Salaries and Wages	62.630%	61.563%	62.755%	58.153%	59.319%
Benefits and Taxes	18.442%	20.058%	18.710%	20.991%	21.288%
Supplies	1.374%	1.307%	0.960%	3.699%	1.511%
Other Services and Charges	2.704%	2.437%	2.627%	2.239%	2.052%
Inter-fund Operating Leases	12.417%	11.825%	11.991%	12.241%	12.455%
Intergovernmental Fund	2.434%	2.809%	2.957%	2.675%	3.336%
Capital	0.000%	0.000%	0.000%	0.000%	0.039%
<b>Total Expenditures</b>	<b>100.000%</b>	<b>100.000%</b>	<b>100.000%</b>	<b>100.000%</b>	<b>100.000%</b>
<b>Benefits &amp; Taxes as % of Wages</b>	<b>29.446%</b>	<b>32.582%</b>	<b>29.815%</b>	<b>36.096%</b>	<b>35.888%</b>

Approximately 81 percent of total costs are related to employee salaries, wages, benefits, and taxes. Inter-fund or governmental transfers account for 15.79 percent of total costs. Intergovernmental charges and allocations are actual expenditures of the City, although they are not directly controlled by the department. In tough financial times, inter-departmental charges should be examined independently from the fire department budget prior to discussing potential cost cutting strategies.

The next figure provides a percentage breakdown of the benefit and taxes line item from Figure 9 above.

**Figure 10: KF&BD Percentage of Benefits and Taxes, 2008 – 2012**

Description	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Medical, Dental, and Vision	15.039%	15.938%	15.306%	19.708%	20.532%
Pension	5.931%	5.906%	5.663%	5.701%	5.480%
Industrial Insurance	1.405%	1.498%	1.663%	2.553%	2.321%
MEBT	5.429%	5.478%	5.494%	5.517%	5.268%
Taxes and Other	1.642%	3.762%	1.690%	2.618%	2.134%
<b>Benefits &amp; Taxes as % of Wages</b>	<b>29.446%</b>	<b>32.582%</b>	<b>29.815%</b>	<b>36.096%</b>	<b>35.888%</b>

The fastest growing benefit cost, as a percentage of wages, is medical, dental, and vision increasing from 15.04 percent in 2008 to 20.53 percent in 2012's budget.



KF&BD Summary of Operational Finances

Figure 11 provides a historical summary of KF&BD operational revenue and expenditures from 2008 through 2012.

**Figure 11: KF&BD Summary of Operational Finances, 2008 – 2012**

Description	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
<b>Revenue</b>					
Revenue w/o General Fund Resources	4,233,022	4,813,709	4,501,701	6,007,461	3,221,686
City General Fund Resource	10,357,564	10,923,225	11,200,596	11,283,300	14,635,959
<b>Total Revenue</b>	<b>14,590,586</b>	<b>15,736,934</b>	<b>15,702,297</b>	<b>17,290,760</b>	<b>17,857,645</b>
<b>Expenditures</b>					
Salaries & Wages	9,138,030	9,688,144	9,853,930	10,055,150	10,592,947
Benefits & Taxes	2,690,799	3,156,578	2,937,976	3,629,545	3,801,592
Supplies	200,468	205,644	150,686	639,643	269,915
Other Services & Charges	394,503	383,538	412,477	387,207	366,390
Inter-fund Operating Leases	1,811,715	1,860,919	1,882,894	2,116,624	2,224,137
Intergovernmental Fund Capital	355,071	442,111	464,333	462,592	595,664
Capital	0	0	0	0	7,000
<b>Total Expenditures</b>	<b>14,590,586</b>	<b>15,736,934</b>	<b>15,702,297</b>	<b>17,290,760</b>	<b>17,857,645</b>

KF&BD Debt

KF&BD debt is paid through the City of Kirkland General Government Debt Service Fund. As of December 31, 2011, three debt obligations impact the fire department.<sup>12</sup> Figure 12 summarizes these transactions:

**Figure 12: KF&BD Debt Summary**

Description	Funding Source	Origination Date	Maturity Date	Origination Principal Amount	Principal Loan Balance of 12/31/11
North Rose Hill Fire Station	1992 UGOB	Refunded 7/6/2001	12/2/2012	1,730,000	185,000
Forbes Creek Fire Station	1995 UGOB	8/1/1995	12/1/2014	1,020,000	240,000
KCFPD #41 Bond	LGOB	5/26/2011	12/1/2021	4,000,000	4,000,000
<b>Total Debt</b>				<b>6,750,000</b>	<b>4,425,000</b>

The next table (Figure 13) displays the amortization schedule for these debt issues:

<sup>12</sup> KCFPD #41 debt obligation remains with District property owners.



**Figure 13: KF&BD Debt Amortization Schedule**

Loan Description	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Forbes Creek Fire Station Principal and Interest</b>										
Principal	75,000	80,000	85,000	0	0	0	0	0	0	0
Interest	88,643	89,405	89,845	0	0	0	0	0	0	0
<b>Total Cost</b>	<b>163,643</b>	<b>169,405</b>	<b>174,845</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>KCFPD #41 Principal and Interest</b>										
Principal	345,313	356,451	367,949	379,817	392,069	404,715	417,770	431,245	445,156	459,515
Interest	125,259	64,021	102,623	90,755	78,503	65,857	52,802	39,327	25,416	11,058
<b>Total Cost</b>	<b>470,572</b>	<b>420,472</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>
<b>North Rose Hill Fire Station</b>										
Principal	185,000	0	0	0	0	0	0	0	0	0
Interest	193,603	0	0	0	0	0	0	0	0	0
<b>Total Cost</b>	<b>378,603</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Combined Principal and Interest Cost</b>										
Principal	605,313	436,451	452,949	379,817	392,069	404,715	417,770	431,245	445,156	459,515
Interest	407,505	153,426	192,468	90,755	78,503	65,857	52,802	39,327	25,416	11,058
<b>Total Cost</b>	<b>1,012,818</b>	<b>589,877</b>	<b>645,417</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>	<b>470,572</b>

Debt on the North Rose Hill Fire Station will be retired in the current budget year and on the Forbes Creek Fire Station in fiscal year 2014.

### Unfunded Liabilities

Three primary unfunded liabilities are normally applicable to the fire service: 1) open litigations or workers' compensation claims 2) accrued time as allowed by contract for vacation, sick leave, Kelly days, etc., and 3) unfunded actuarial accrued liabilities for pension and medical benefits.

- 1) Open litigation or workers' compensation claims: Information provided by Kirkland indicated that a summary of any open tort claims against KF&BD's liability policy, worker compensation policy, or other pending legal action is zero (0).
- 2) Accrued time as allowed by contract for vacation, sick leave, Kelly days, etc.: The City of Kirkland pays for the fire department employees' accrued vacation pay (and a portion of sick leave under certain conditions) upon separation from current employment. The liability is recorded in the City's annual financial statements.
- 3) Unfunded actuarial accrued liabilities for pension and medical benefits: On page 104 of the City of Kirkland 2010 Comprehensive Annual Financial Reporting (CAFR) document, the position for firefighter's pension and LEOFF1 retiree and medical/long-term care are reported. Figure 14 lists the actuarial liability of the firefighter pension from January 1, 2001, to January 1, 2010 (date of the most recent report).

**Figure 14: KF&BD Firefighter Pension**

Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liabilities	Unfunded Actuarial Liabilities	Funding Ratio
January 1, 2001	901,000	385,000	(516,000)	234%
January 1, 2004	1,015,000	547,000	(468,000)	186%
January 1, 2006	1,090,000	533,000	(557,000)	205%
January 1, 2008	1,305,000	469,000	(836,000)	278%
January 1, 2010	1,527,000	420,000	(1,107,000)	364%

The KF&BD firefighter pension fund funding ratio was 364 percent (overfunded) of actuarial liabilities as of January 1, 2010.

Figure 15 shows the actuarial liability of the unfunded LEOFF I medical/long-term care from January 1, 2006, to January 1, 2010 (date of the most recent report).

**Figure 15: KF&BD Unfunded LEOFF I Medical/Long-Term Care**

Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liabilities	Unfunded Actuarial Liabilities	Funding Ratio
January 1, 2006	0	11,360,000	11,360,000	0%
January 1, 2008	0	12,505,000	12,505,000	0%
December 31, 2009	0	10,724,000	10,724,000	0%
December 31, 2010	0	10,070,000	10,070,000	0%

The City has made a decision to make the LEOFF1 medical payments an operational expense with estimated cost of premiums and direct medical payments budgeted as an ongoing expense in a non-department budget. The City's actuaries have pointed out that any unused pension reserve (which is overfunded) can be made available for use toward the OPEB (Other Post Employment Benefits) liability. In addition, the City has set aside \$619,000 in a reserve toward this purpose (which does not show in the liability table because it is not a trust account). The LEOFF I liability has and will continue to decrease over the ensuing years.

### Capital and Vehicle Replacement Plans

Kirkland uses a six-year CIP (capital improvement plan) to forecast the acquisition of major assets for the fire department. The plan is formally adopted by the City Council with the annual budget. Capital apparatus and equipment for KF&BD from the 2011 to 2016 CIP is shown in Figure 16 and Figure 17.

**Figure 16: KF&BD CIP Vehicle Replacement, 2012 – 2016**

Vehicle ID	Year	Description	Useful Life	2012	2013	2014	2015	2016
F609	1995	Seagraves Pumper	18	0	598,193	0	0	0
F213	2006	Chevy Suburban	8	0	0	74,192	0	0
F314	2006	Ford Aid Vehicle	8	0	0	210,682	0	0
F315	2006	Ford Aid Vehicle	8	0	0	210,682	0	0
F316	2007	Ford Aid Vehicle	8	0	0	0	218,000	0
F506	1997	Simon LTI Aerial	18	0	0	0	1,163,314	0
F216	2008	Chevy Suburban	8	0	0	0	0	84,439
F317	2008	Ford Aid Vehicle	8	0	0	0	0	225,630
<b>Total</b>				<b>0</b>	<b>598,193</b>	<b>495,556</b>	<b>1,381,314</b>	<b>310,069</b>

**Figure 17: KF&BD CIP Equipment Replacement, 2012 – 2016**

Project Number	Project Title	2012	2013	2014	2015	2016
PS 0066	Thermal Imaging Camera Replacement	133,000	0	0	0	0
PS 0067	Dive Rescue Equipment Replacement	0	58,900	0	0	0
PS 0071	SCBA Equipment Replacement	0	0	305,500	316,100	0
<b>Total</b>		<b>133,000</b>	<b>58,900</b>	<b>305,500</b>	<b>316,100</b>	<b>0</b>

### Economic Indicators

Economic indicators specific to Washington, King County, and the local area will provide the historical basis for projecting future costs that affect the operation of the fire department. Information in this section is provided to substantiate the forecast and projected increases in TAV, revenue, and expenditures. To perform these projections, ESCI reviewed historical home retail sales information, unemployment statistics, and the ten-year CPI-W history.

### Historic Residential Property Sales

State of Washington assessors use recent residential home sales to establish increases or decreases in new appraised values. Figure 18 is the number of home sales and the median value by quarter from 2006 through 2011 for the City of Kirkland.<sup>13</sup>

<sup>13</sup> <http://www.city-data.com/city/Kirkland-Washington.html>.

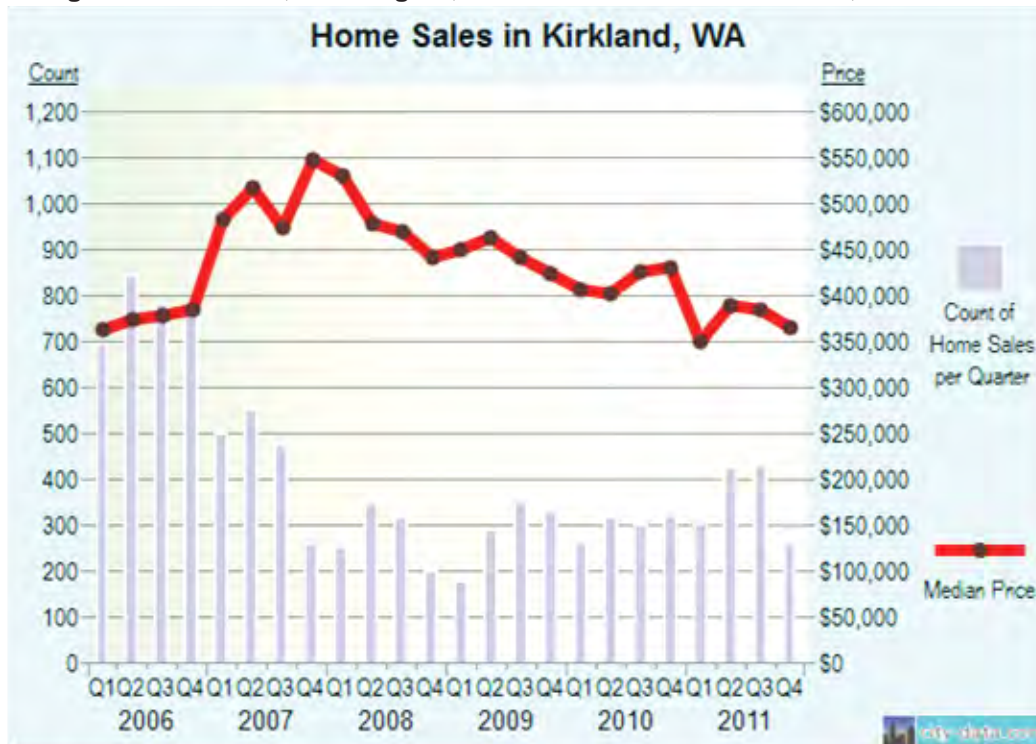
**Figure 18: Kirkland, Washington, Median Value and Home Sales, 2006 – 2011**

Figure 18 shows that the number of retail home sales declined significantly in 2007 and has not yet returned to the levels of 2006. The median sales price of existing homes has dropped from the 2007 high level of approximately \$550,000 to approximately \$355,000 in the fourth quarter of 2011. Note that a portion of this drop reflects the inclusion of the annexation area in the 2011 figure.

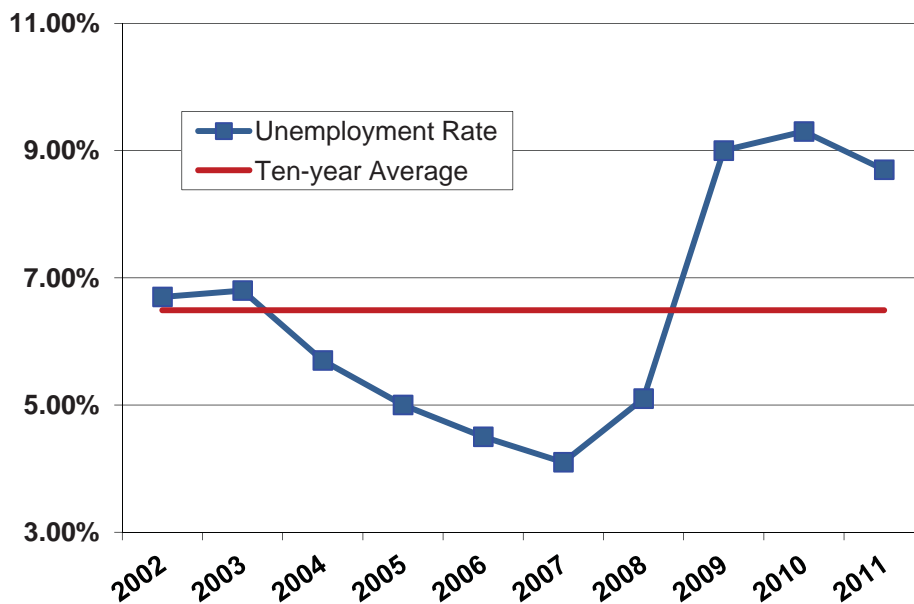
#### Historic Unemployment Rate

The level of employment in the region can potentially impact the number of homes being sold and the ultimate sales price. In Figure 19, the ten-year and average historic unemployment rates are shown for the Seattle-Tacoma-Bellevue area:

**Figure 19: Unemployment Percentage, 2002 – 2011<sup>14</sup>**

Year	Unemployment Rate	Ten-year Average
2002	6.70%	6.49%
2003	6.80%	6.49%
2004	5.70%	6.49%
2005	5.00%	6.49%
2006	4.50%	6.49%
2007	4.10%	6.49%
2008	5.10%	6.49%
2009	9.00%	6.49%
2010	9.30%	6.49%
2011	8.70%	6.49%

Historical unemployment percentages are graphically displayed in the following figure.<sup>15</sup>

**Figure 20: Unemployment, 2002 – 2011**

### Annual Inflation Rate

Inflation is also an important consideration when forecasting cost. For the purpose of this analysis, ESCI will use the Consumer Price Index for all urban consumers (CPI-W), reported from June 2002 through June 2011 period for the Seattle-Tacoma-Bremerton Statistical Area as

<sup>14</sup> CPI-W historical information was provided by client.

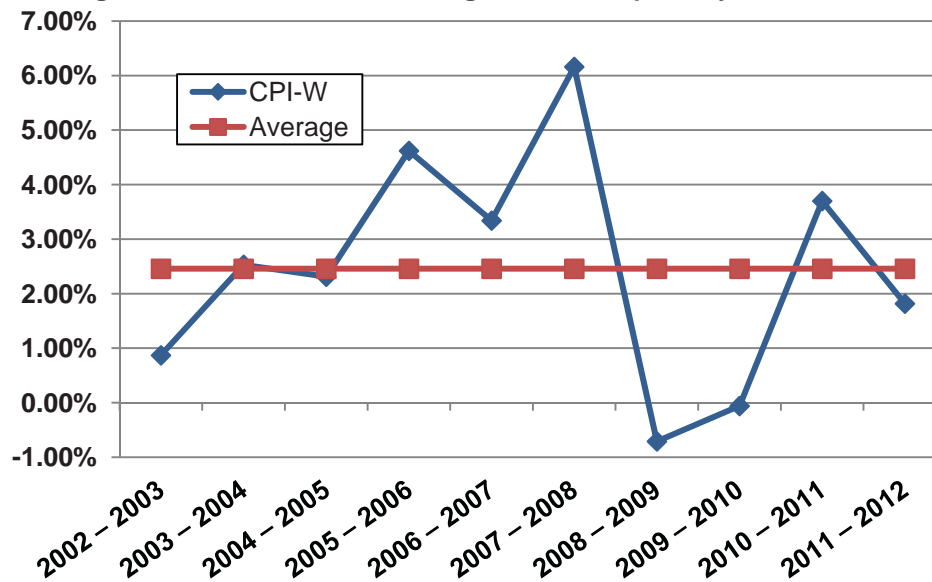
<sup>15</sup> An increasing unemployment rate from 2007 through 2011 provides a strong indicator that the housing market will not improve significantly over the next few years.

compiled by the U.S. Department of Labor, with the June 2011 to April 2012 average used for an approximation for 2012.<sup>16</sup> This measure is identified in the City's labor contracts. The information is displayed in both table and graphical format (below).

**Figure 21: Historical and June to June CPI-W Table, 2002 – 2012<sup>17</sup>**

Year	CPI-W	AVG
2002 – 2003	0.87%	2.458%
2003 – 2004	2.53%	2.458%
2004 – 2005	2.31%	2.458%
2005 – 2006	4.62%	2.458%
2006 – 2007	3.34%	2.458%
2007 – 2008	6.16%	2.458%
2008 – 2009	-0.71%	2.458%
2009 – 2010	-0.06%	2.458%
2010 – 2011	3.70%	2.458%
2011 – 2012	1.82%	2.458%

**Figure 22: Historical and Average CPI-W Graphically, 2002 – 2012**



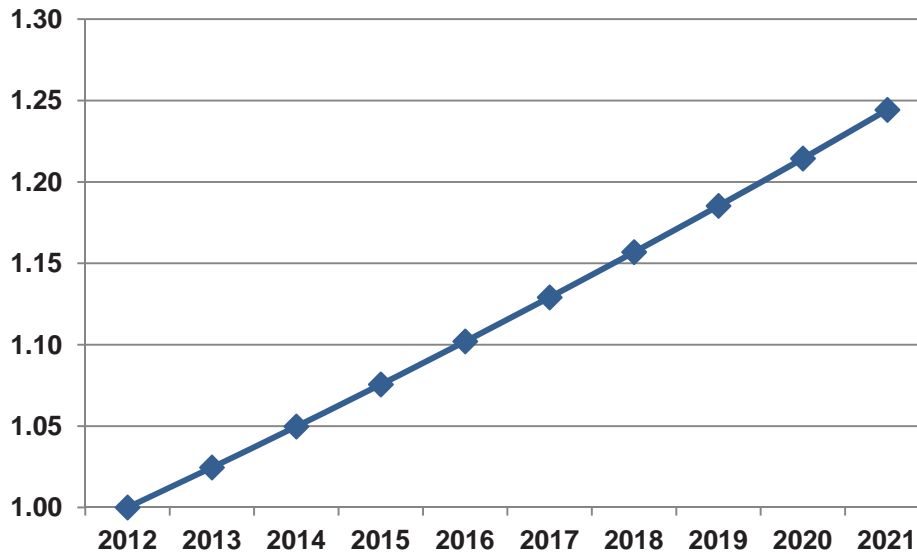
A historical review of the ten-year Consumer Price Index – Urban (CPI-W) shows that the prices were increasing an average 2.458 percent per year. This rate is used for analytical purposes in this financial review. The use of this value is an estimate to project potential cost trends in future years; however, the actual CPI-W for a given year could be higher or lower.

<sup>16</sup> U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index—All Urban Consumers, Series Id: CWURA423SA0 Not Seasonally Adjusted, Seattle-Tacoma-Bremerton.

<sup>17</sup> The full year CPI-W has been released for 2011 – 2012 since the completion of this study.

Historical data was used to develop an inflation index for the years 2012 through 2021 as shown below. The CPI-W average increase will be applied to other revenue and expense categories of the 2012 budget to develop the forecast impact on the organization's future financial stability.

**Figure 23: CPI-W Forecast Budget Impact, 2012 – 2021**



Expenditures in 2021 are projected to be approximately \$1.244 for each of today's dollars.

#### Forecast Taxable Assessed Value

*Taxable Assessed Value (Re-assessment of existing property):* The county assessor's office reviews and assigns revised property tax values annually with a legally mandated requirement for a site visit every six years. A projection for 2013 by the King County Assessor forecasts that 2013 residential values in the County will decline by approximately 1.25 percent. The King County Assessor projects that TAV will be flat in 2014 and then experience a slight growth of around 1 percent per year. The inflation assumptions used for TAV are shown in Figure 24 and the forecast TAV is provided in Figure 25:

**Figure 24: TAV Growth Rates, 2013 – 2017**

Year	TAV Change Percent
2013	-1.25%
2014	0.00%
2015	1.00%
2016	1.00%
2017	1.00%

**Figure 25: Forecast TAV, 2012 – 2017**

Description	2012 Budget	2013	2014
City of Kirkland	14,672,056,829	14,488,656,119	14,488,656,119
Description	2015	2016	2017
City of Kirkland	14,633,542,680	14,779,878,107	14,927,676,888

Revenue Forecast

In the 2012 budget, KF&BD generated approximately 18 percent of its revenue from non-city general fund resources. When projecting revenues categories ESCI used the ten-year average CPI-W of 2.458 percent for all non-city general fund resource line items.

**Figure 26: KF&BD Revenue Forecast, 2012 – 2017**

Description	2012 Budget	2013	2014	2015	2016	2017
Property Tax District #34, #36, #41	0	0	0	0	0	0
WFLSD Asset Transfer	1,426,568	0	0	0	0	0
Firework Permits	100	102	105	108	110	113
Recreational Fire Permits	79	81	83	85	87	89
Grants – FEMA	0	1,000	1,025	1,050	1,076	1,102
Grants – EMPG	50,000	51,229	52,488	53,778	55,100	56,455
Intergovernmental – Fire Control Serv.	0	0	0	0	0	0
Intergovernmental – District #41	0	0	0	0	0	0
Intergovernmental – EMS	866,729	888,033	909,861	932,225	955,140	978,617
Emergency Transport Fee	845,210	865,985	887,271	909,080	931,425	954,320
MBP Service Fee	33,000	33,811	34,642	35,494	36,366	37,260
City General Fund Resource	14,635,959	16,655,767	17,274,398	17,918,587	18,589,536	19,288,508
<b>Total Revenue</b>	<b>17,857,645</b>	<b>18,496,009</b>	<b>19,159,873</b>	<b>19,850,407</b>	<b>20,568,840</b>	<b>21,316,464</b>
Percent City General Fund Resource Increase	29.71%	13.80%	3.71%	3.73%	3.74%	3.76%

The financial impact of annexation is seen in the 29.71 percent increase in City general fund resources as funding shifted from District #41 contract payments to property taxes. The 13 percent increase in 2013 reflects the one-time asset transfer from Woodinville in 2012 that does not recur in the following years.



Expenditures Forecast

Forecast expenditures for KF&BD (2013 to 2017) rely upon the following assumptions and calculations:

- All wage and benefit expense categories were inflated at 2.458 percent, medical costs were increased by 7.00 percent per year.
- Inter-fund vehicle replacement expenses have remained at the 2012 budget level of \$491,943 increased by the ten-year average CPI-W of 2.458 percent.
- All other expense categories were increased at the ten-year average CPI-W of 2.458 percent.

**Figure 27: KF&BD Expenditure Forecast, 2012 – 2017**

Description	2012 Budget	2013	2014	2015	2016	2017
Salaries and Wages	10,592,947	10,959,251	11,338,222	11,730,298	12,135,931	12,555,592
Benefits and Taxes	3,801,592	3,995,455	4,200,385	4,417,076	4,646,261	4,888,721
Supplies	269,915	276,010	282,242	288,615	295,132	301,796
Other Services and Charges	366,390	374,663	383,123	391,774	400,620	409,666
Inter-fund Operating						
Leases	2,224,137	2,274,358	2,325,713	2,378,228	2,431,928	2,486,841
Intergovernmental						
Fund	595,664	609,114	622,868	636,932	651,314	666,021
Capital	7,000	7,158	7,320	7,485	7,654	7,827
<b>Total Expenditures</b>	<b>17,857,645</b>	<b>18,496,009</b>	<b>19,159,873</b>	<b>19,850,407</b>	<b>20,568,840</b>	<b>21,316,464</b>

Summary Expense Fund Balance

The following figure depicts the projected summary for each fund to provide a snapshot of the fund balance in the years 2012 through 2017.

**Figure 28: KF&BD Forecast Summary, 2012 – 2017**

Description	2012 Budget	2013	2014	2015	2016	2017
<b>Revenue</b>						
Revenue w/o General Fund Resources	3,221,686	1,840,242	1,885,475	1,931,820	1,979,304	2,027,956
City General Fund Resource	14,635,959	16,655,767	17,274,398	17,918,587	18,589,536	19,288,508
<b>Total Revenue</b>	<b>17,857,645</b>	<b>18,496,009</b>	<b>19,159,873</b>	<b>19,850,407</b>	<b>20,568,840</b>	<b>21,316,464</b>
<b>Expenditures</b>						
Salaries and Wages	10,592,947	10,959,251	11,338,222	11,730,298	12,135,931	12,555,592
Benefits and Taxes	3,801,592	3,995,455	4,200,385	4,417,076	4,646,261	4,888,721
Supplies	269,915	276,010	282,242	288,615	295,132	301,796
Other Services and Charges	366,390	374,663	383,123	391,774	400,620	409,666
Inter-fund Operating Leases	2,224,137	2,274,358	2,325,713	2,378,228	2,431,928	2,486,841
Intergovernmental Fund Capital	595,664	609,114	622,868	636,932	651,314	666,021
	7,000	7,158	7,320	7,485	7,654	7,827
<b>Total Expenditures</b>	<b>17,857,645</b>	<b>18,496,009</b>	<b>19,159,873</b>	<b>19,850,407</b>	<b>20,568,840</b>	<b>21,316,464</b>

Changes in the assumptions used for TAV, CPI-W, and wages and benefits could alter the overall projection of these values. While the assumptions and results above do not include any costs for the replacement of department vehicles, capital replacement is fully funded. Capital expenditures are funded by the fire department as transfers to reserves.

#### Cost Avoidance Planning

KF&BD maintains adequate internal controls over expenditures with all costs being applied for providing fire service to the residents of the service area. In looking at the detailed line item expenditures, the majority of the costs are from salaries and benefits. The major cost increases in these categories result from annual wage and medical benefit cost increases.

Future expenses should, to the extent possible, be indexed to projected revenues, other than service level enhancements. Expense growth in excess of revenue growth exacerbates the fiscal decline and is not sustainable. Another avenue to control and potentially reduce costs would be through a process of collaboration with neighboring agencies.

## **Fire and Building Department**

### **Overview of Fire and Building Department Services Provided**

Under the direction of the Director of the Fire and Building, Kirkland Fire & Building Department (KF&BD) provides a variety of non-emergency and emergency response services. Non-emergency services include:

- Plan review and permit issuance for construction
- Pre-submittal conferences
- Permitting – permit application routing and processing
- Construction inspections
- Issuance of operational permits for regulated activities
- Annual fire safety and life safety inspections in existing buildings
- Fire origin and cause determination
- Emergency management – community preparedness activities
- Code violation investigations
- Code and policy development and interpretation

Emergency response services include:

- Fire suppression
- Emergency Medical Services (EMS) response and Basic Life Support (BLS) transport
- Hazardous materials emergency response
- Entrapment and other technical rescue
- Emergency management
- Other specialized rescue services

The delivery of fire suppression and rescue services is no more effective than the sum of its parts. It requires efficient notification of an emergency, rapid response from well-located facilities, appropriate apparatus, with sufficient staffing, following a well-practiced plan of action. The most visible and valued of the services provided by the KF&BD is the response to and control of emergency events.

To operate in the emergency response environment effectively, fire departments must capitalize on managing various aspects of a large business enterprise. A lion's share of this effort goes

into supporting the primary mission, including those components shown in the list above. However, there are additional requirements that have to be met and a substantial infrastructure that must exist in order for the organization to function at its best.

### **Staffing by Function**

Kirkland Fire & Building Department is a service provider to a diverse urban community within a larger urban metropolitan area. This poses a challenge in that community growth and demand for services often outpaces organizational growth and available resources. The burden placed on management can be daunting. In addition to either matching or managing community expectations, the management of the business of a fire department always presents unique issues involving the administration of financial and personnel resources, the setting of goals and objectives, internal and external communications, information management, and security. This section of the report examines KF&BD's current management efforts and preparation for the future of the organization.

#### Department Staffing

One of the primary responsibilities of the KF&BD's administrative and support staff is to ensure that the operational elements of the organization have the ability and means to accomplish the emergency mission. Effective administration and support are vital to the success of the department. Without enough oversight, planning, documentation, training, and maintenance, the department will struggle to meet its operational commitments. On the other hand, if too many of the organization's resources are committed to administration and support, the operational element will likely suffer.

#### Administrative and Support

Comparing the ratio of administrative and support jobs to the total number of positions in the department helps to establish an understanding of the proper balance between internal and external services. Maintaining an appropriate proportion between the two is important to the success of the department's mission and responsibilities. Kirkland Fire & Building Department is comprised of six organizational functions:<sup>18</sup> one provides direct emergency service to the community (emergency services), and the other five augment or otherwise support that effort-- administrative services, fire prevention, emergency management, training, and building services. There are three direct reports to the fire and building department director/fire chief

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<sup>18</sup> Department Overview, City of Kirkland Fire & Building Department, City of Kirkland 2011 – 2012 Budget Document (final), page 222.

(Figure 4 on page 21): the building services manager, the administrative deputy fire chief, and the operations deputy fire chief.

Statistical information provided in the next section relating to FTEs by division and program is used when comparing KF&BD to other regional fire agencies (Appendix F: Comparable Providers).

The following table summarizes the personnel resources and full-time equivalents (FTEs) assigned to administration, management, and support functions of the KF&BD.

**Figure 29: Administrative and Support Staffing Summary**

<b>Career – Position Title</b>	<b>Number (FTE)</b>
Director of Fire and Building, Fire Chief	1.00
Deputy Fire Chief, Administration <sup>19</sup>	1.00
Deputy Fire Chief, Operations	1.00
Battalion Chief, Training	1.00
Captain, Training	1.00
Fire Marshal	1.00
Assistant Fire Marshal	1.00
Fire Inspector	2.00
Captain, EMS Billing	1.00
Administrative Assistant	2.00
Office Technician	1.50
<b>Sub-Total</b>	<b>13.50</b>
<b>Sub-Total, Percentage of Administrative and Support Staff to Total Personnel</b>	<b>13.04%</b>
<b>Emergency Management – Position Title</b>	<b>Number (FTE)</b>
Emergency Preparedness Coordinator (Temporary)	1.00
AmeriCorps, VISTA (Volunteer)	1.00
Records Management Specialist – Transport Fee (Temporary Position Ends 12/30/2012)	0.50
<b>Total Administrative and Support FTEs</b>	<b>16.00</b>
<b>Percentage of Administrative and Support Staff to Total Personnel</b>	<b>15.46%</b>

Three of the positions (2.5 FTEs) are of limited duration: emergency preparedness coordinator, AmeriCorps VISTA (Volunteers in Service to America), and a records management specialist (transport fee). Administration and support staff of KF&BD is comprised of 13.5 FTEs; operational jobs include 90 authorized FTEs. Consequently, the administrative and support function presently includes about 13.0 percent of available human resources. Based on our experience with similar organizations (i.e., medium-sized municipal fire departments using full-

<sup>19</sup> Deputy Chief of Administration is effectively spending 0.50 FTE with responsibilities associated with managing the City of Kirkland Emergency Management program.

time employees to provide all normal services plus fire prevention, fire training, and emergency medical transport), the expected ratio of administrative and support staff to operational staff usually falls somewhere between 15 and 20 percent.<sup>20</sup> While there is no definitive standard for the ratio between administration and operational roles, this suggests that KF&BD has fewer administrative and support personnel than comparable fire departments.

KF&BD is providing BLS (basic life support), EMS transport, fire and life safety plan review and inspections, hazardous materials response, fire training, emergency management, and a limited public education program with a relatively few number of administrative and support positions. In our experience, we find that fire departments often will provide one or two additional or advanced services. KF&BD is among a select few that offer virtually all aspects of emergency services with a minimum of non-emergency staff.

***Kudos 2:*** *Kirkland Fire and Building Department provides or provides for virtually all emergency services that are available and offered by municipal fire departments.*

### Staffing by Division and Program

KF&BD uses an internal budgetary framework to define the division of tasks, resource deployment, and coordination of activities. Divisions have authority, responsibility, and accountability for programs. Figure 30 summarizes the distribution of the 13.5 career FTEs in administration and support by division and program.

**Figure 30: Administration and Support FTEs by Division and Program**

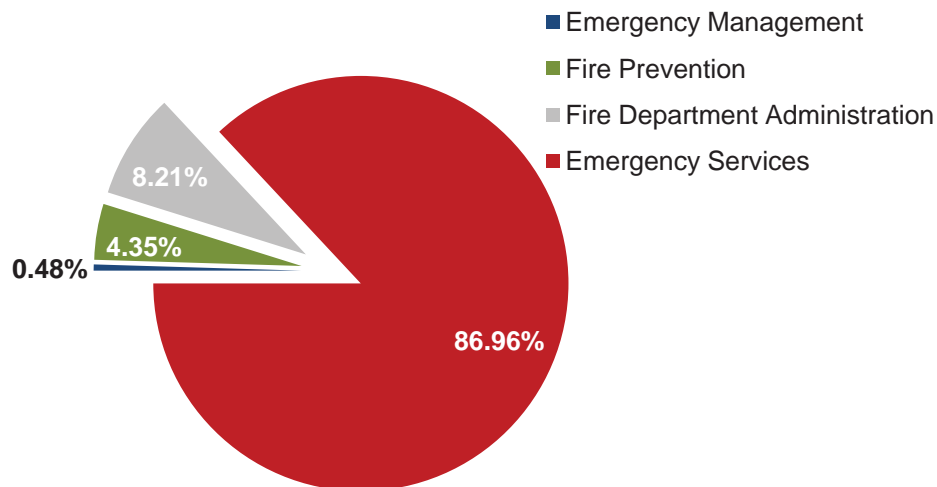
Division or Program	FTEs
Fire Department	7.0
Fire Prevention	4.5
Training	2.0
EMS	0.0

In the City budget, under the umbrella of the fire and building department, each of the divisions and programs provides a detail of functions (responsibilities), accomplishments, objectives, and budget highlights. A division/program summary lists a review, projection, and changes in

<sup>20</sup> Based on ESCI's experience with 800 plus clients.

staffing and budget.<sup>21</sup> The percentage of the FTEs devoted to each budgetary division and program (taken from the City's adopted budget) is summarized by the following pie chart.

**Figure 31: KF&BD Staffing by Division and Program**



As is expected, the majority of the department's FTEs (approximately 87 percent) are dedicated to the delivery of fire suppression and emergency medical services. Noticeably absent from the staffing figure is a lack of personnel dedicated to management of emergency medical services. As a general rule, fire departments serving a community of similar size and character that provide EMS and transport services have a full-time staff person dedicated to managing the medical services program.

City budget documents for the fire department do not include administrative functions as a division. Administrative services include those functions necessary to support the operation of the other divisions in a department and assure quality control. The budget document for the City of Kirkland separates administrative services for some departments such as planning and community development and the police department. To better quantify the administrative services function for the Kirkland Fire & Building Department, we recommend that an administrative division budget for the department have two categories: 1) fire and 2) building.

<sup>21</sup> Source: *Fiscal year 2011 – 2012 Final Budget*, City of Kirkland, page 222.

The next table lists the staffing for the fire and building department according to the City of Kirkland fiscal year 2011 – 2012 budget by division/program and the change from fiscal year 2007 – 2008.<sup>22</sup>

**Figure 32: Position Summary FTEs, Fiscal Year 2007 – 2008 and 2011 – 2012**

Divisions and Programs	2008 FTEs	2012 FTEs	Change
Administration	6.00 <sup>23</sup>	6.00	0.00
Emergency Services	79.00	93.00	14.00
Fire Prevention	4.00	3.50	(0.50)
Building Services	20.53	18.28	(2.25)
Emergency Management	0.00	0.00	0.00
<b>Total</b>	<b>109.53</b>	<b>120.78</b>	<b>11.25</b>

KF&BD saw a net increase of 11.25 FTEs between fiscal year 2007 – 2008 and fiscal year 2011 – 2012 according to the City budget. With 14.00 additional FTEs budgeted, emergency services had the largest increase; administration static, while two other programs lost FTEs (fire prevention and building services). Nine of the emergency services FTEs are a result of the City's 2011 annexation of a portion of the Woodinville service area. Fire department administration has seen an actual decrease in personnel with the loss of one FTE administrative support position that was funded by King County Fire District #41. This administrative support position was eliminated at the time of annexation.

KF&BD has no internal capacity for the analysis of data and implementing of outcomes. The problem is seen as two-fold. First, is the limited availability and integration of electronic data. Second is the lack of an analyst or administrative staffer with the knowledge and skill set to perform analysis. ESCI recommends that one FTE administrative assistant for EMS and one FTE analyst be added to the administrative support function of the KF&BD.

### Emergency Operations

It takes an adequate and well-trained staff of emergency service responders to put the apparatus and equipment to its best use in mitigating an emergency incident. Too few workers at an emergency scene lessen the effectiveness of the response and increase the risk of injury to those at the scene.

<sup>22</sup> Ibid.

<sup>23</sup> 0.8 FTE was provided by King County Fire District #41. This administrative support position was eliminated at the time of annexation.



Direct customer services in emergency operations are provided by 90 career personnel. The following figure lists the number of emergency operations personnel by position and rank.

**Figure 33: Emergency Operations Staffing**

Position	FTEs
Battalion Chief	3
Captain	10
Lieutenant	11
Firefighter & Firefighter/EMT	66
<b>Total Authorized</b>	<b>90</b>

The 2011 – 2012 budget of the City called for “elimination of the remaining 0.45 FTE Community Education and Information Specialist position; institute “rolling brown outs” when staffing falls below minimum levels. Note that if the EMS Transport Fees are approved, the funds could be used to restore this reduction.” Subsequent to budget adoption, approval was received to implement the EMS transport fee in order to maintain a minimum emergency daily staffing level of 19 personnel (18 plus 1 for annexation).

#### Staffing by Risk

Time matters a great deal in the achievement of an effective outcome to an emergency event. Time, however, isn't the only factor. Delivering sufficient numbers of properly trained, appropriately equipped personnel within the critical time period completes the performance metric. For medical emergencies this can vary based on the nature of the emergency. Many medical emergencies are not time critical. However, for serious trauma, cardiac arrest, or conditions that may lead to cardiac arrest, response time is very critical.

Equally critical is delivering enough personnel adequately equipped to the scene to perform all of the concurrent tasks required to deliver quality emergency care. For a cardiac arrest this can be up to six medical personnel; two to perform CPR, one or two to set up and operate advanced medical equipment, one to record the actions taken by emergency care workers, and one to direct patient care. Thus, for a medical emergency the real test of performance is the time it takes to provide the personnel and equipment needed to deal effectively with the patient's condition, not necessarily the time it takes for the first person to arrive.

Fire emergencies are even more resource critical. Again, the true test of performance is the time it takes to deliver sufficient personnel to initiate application of water on the fire. This is the only practical method to reverse the continuing internal temperature increases and ultimately

prevent flashover. The arrival of one person with a portable radio does not provide fire intervention capability and should not be counted as “arrival” by the fire department. Effective operations at the scene of fire emergencies also depend on the arrival of enough trained personnel to perform all of the duties and tasks required to control a fire event. Tasks that must be performed can be broken down into two key components; life safety, and fire flow.

Life safety tasks are based on the number of building occupants, their location, status, and ability to take self-preservation action. Life safety tasks involve the search, rescue, and evacuation of victims. The fire flow component involves delivering sufficient quantities of water to extinguish the fire, and creating an environment within the building that allows entry by firefighters.

The number and types of tasks needing simultaneous action will dictate the minimum number of firefighters required to combat different types of fires. In the absence of adequate personnel to perform concurrent action, the command officer must prioritize the tasks, completing some in chronological order rather than at the same time, reducing overall emergency scene effectiveness. These tasks include: command, scene safety, search and rescue, fire attack, water supply, pump operation, ventilation, back-up line, and staffing a rapid intervention team (RIT). The following table is an illustration of fire ground staffing based on level of risk. The following definitions apply to the table (below):

- Low Risk – Fires involving small sheds and other outbuildings, larger vehicles and similar—characterized by sustained attack fire flows typically less than 250 gallons per minute.
- Moderate Risk – Fires involving single-family dwellings and equivalently sized commercial office properties—sustained attack fire flows range between 250 gallons per minute to 1,000 gallons per minute.
- High Risk – Fires involving larger commercial properties with sustained attack fire flows between 1,000 gallons per minute and 2,500 gallons per minute
- Maximum Risk – Fires in buildings with unusual hazards such as high-rise buildings, hazardous materials facilities, very large buildings, and high life risk properties (nursing homes, hospitals, etc.). Though they may not require large sustained attack fire flows they do require more personnel to perform tasks required for effective control.

**Figure 34: Number of Firefighting Personnel Based Upon Level of Risk**

Task	Maximum Risk	High Risk	Moderate Risk	Low Risk
Attack Line	4	4	2	2
Search and Rescue	4	2	2	N/A
Ventilation	4	2	2	N/A
Back-Up Line/Rapid Intervention Team	8	6	4	2
Pump Operator	1	1	1	1
Water Supply	1	1	1	N/A
Utilities Support	1	1	1	N/A
Command/Safety*	2	2	2	1
Forcible Entry**	N/A	N/A	N/A	N/A
Salvage**	N/A	N/A	N/A	N/A
Overhaul**	N/A	N/A	N/A	N/A
Communication**	1	N/A	N/A	N/A
Operations Section Chief	1	N/A	N/A	N/A
Logistics	1	N/A	N/A	N/A
Planning**	1	N/A	N/A	N/A
Staging**	1	N/A	N/A	N/A
Rehabilitation	1	N/A	N/A	N/A
Division/Group Supervisors**	2	N/A	N/A	N/A
High Rise Evacuation**	10	N/A	N/A	N/A
Stairwell Support**	10	N/A	N/A	N/A
<b>Totals</b>	<b>53</b>	<b>19</b>	<b>15</b>	<b>6</b>

\* Can often be handled by the first due officer.

\*\* At maximum and high-risk fires, additional personnel may be needed.

Delivering sufficient numbers of personnel to the scene to accomplish all the various tasks required to effectively control an emergency is essential. As is shown by the preceding figure (Figure 34), national criteria suggests at least 15 personnel be on scene of a fire in a single family home for safe and effective operations. More personnel are needed as the size of the structure, the complexity of the incident, or the life safety risk increases or when special hazards exist. At minimum daily staffing levels, KF&BD has 19 emergency personnel available for immediate response to emergencies.

In communities around the country, the number of fire calls has declined over the past decade. Yet as the frequency of fires has diminished, in part due to stricter fire codes and an emphasis on safety education, the workload of fire departments has risen sharply—medical calls, hazardous materials calls, and every sort of household emergency is now addressed by fire departments. Therefore, although the frequency of fires has diminished, the need for a ready group of firefighters has increased.

Although modern codes tend to make fires in newer structures less frequent, today's energy-efficient construction (designed to hold heat during the winter) also tends to confine the heat of a hostile fire. In addition, research has shown that modern furnishings generally burn hotter (due to synthetics), and roofs collapse sooner because prefabricated roof trusses separate easily after a very short exposure to flame. In the 1970s, scientists at the NIST (National Institute of Standards and Technology) found that after a fire breaks out, building occupants had about 17 minutes to escape before being overcome by heat and smoke. Today, that estimate is three minutes.<sup>24</sup> The necessity of firefighters arriving on the scene of a fire in the shortest span of time is more critical now than ever.

Along with a quick response, a robust, well-trained, and appropriately equipped complement of emergency workers is needed to successfully mitigate structural fires. Too few firefighters at an emergency scene decreases effectiveness and increase the risk to both the citizens and the firefighters.

The time required to place workers on the scene of an emergency is crucial to the quality of service. Longer response times occur in the more remote areas of the City, during the morning and evening commute (heavy traffic), and when incidents occur simultaneously. A higher percentage of calls occur between the hours of 8:00 AM and 8:00 PM. KF&BD uses a static or constant staffing model with the same number of personnel available all hours of the day. Based on 15 personnel to accomplish the tasks of a moderate risk fire event, KF&BD emergency operations staffing is at a minimum. ESCI recommends that the City add career personnel during periods of higher call volume to maintain adequate personnel to staff for a moderate risk fire event.

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<sup>24</sup> National Institute of Standards and Technology, *Performance of Home Smoke Alarms, Analysis of the Response of Several Available Technologies in Residential Fire Settings*, Bukowski, Richard, et al.

## Current Service Delivery Infrastructure

The delivery of fire suppression and rescue services is no more effective than the sum of its parts. It requires efficient notification of an emergency, rapid response from well-located facilities, appropriate apparatus, with sufficient staffing, following a well-practiced plan of action. The most visible and valued of the services provided by the KF&BD is the response to and control of emergency events.

To operate in the emergency response environment effectively, fire departments must capitalize on managing various aspects of a large business enterprise. A lion's share of this effort goes into supporting the primary mission. However, there are additional requirements that have to be met and a substantial infrastructure that must exist in order for the organization to function at its best. A key component of an agency's service delivery infrastructure is its equipment and fire stations. The following table summarizes KF&BD's capital facilities and apparatus resources:

**Figure 35: Service Delivery Infrastructure**

Resource	Number
Fire Stations	6
Engines, Front Line	5
Engines, Reserve	2
Ladder (Aerial) Trucks	1
Ladder (Aerial) Trucks, Reserve	0
Aid Units, Front Line	6
Aid Units, Reserve	2
Command	1
Command, Reserve	1
Boats	0
Air Units	1
Water Tenders	0

A comparison of resources between KF&BD and five other fire agencies in Washington that provide service to similar sized communities is found in Appendix F: Comparable Providers.

### WSRB (Washington Surveying and Rating Bureau)

The WSRB (Washington Surveying and Rating Bureau) evaluates all Washington communities for their fire protection/suppression capability using a schedule approved by the Washington State Office of the Insurance Commissioner. WSRB assigns each community a Protection Class of 1 through 10, where 1 indicates exemplary fire protection capabilities and 10 indicates the capabilities, if any, are insufficient for insurance credit. The insurance classification developed under the schedule is one of several elements used in the development of fire insurance rates. Although the schedule provisions may be of assistance to municipal officials

when used in conjunction with their analysis of local needs, capabilities, and priorities, the schedule is not intended to serve as a primary planning guide for local fire protection. WSRB recommendations offered in connection with insurance classifications are helpful to municipal officials when reviewed in combination with more specific studies of local needs by consultants, staff, or local task forces in arriving at fire protection decisions based upon an analysis of local priorities and financial capabilities.<sup>25</sup>

The grading process is conducted on both a request and non-request basis. To determine a community's Protection Class WSRB objectively evaluates four major areas:<sup>26</sup>

- Fire Department – WSRB reviews engine companies, ladder companies, distribution of fire stations and fire companies, automatic aid received, response to alarms, equipment carried on apparatus, apparatus maintenance, pumping capacity, reserve apparatus, department personnel and training.
- Water Supply – Water supplies used are reviewed to determine their adequacy for fire-suppression purposes. The review involves calculating required fire flows (gpm) for buildings and conducting flow tests to measure water pressures (psi) and volume (gpm). We also consider hydrant size, type, and installation, as well as the inspection frequency and condition of fire hydrants.
- Emergency Communications Systems – The 9-1-1 system is evaluated including facilities, handling and dispatching fire alarms, dispatch personnel and training.
- Fire Safety Control – Fire prevention activities such as fire code enforcement, public education and building code enforcement are reviewed.

After completing the field survey, WSRB analyzes the data and calculates the Protection Class based on a total maximum of 5,000 points of deficiency (see Figure 36 below). The community receives a notification letter identifying the new Protection Class along with a summary report of findings.

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<sup>25</sup> WSRB Grading Schedule and Commentary for Municipal Fire Protection, WSRB (Washington Surveying and Rating Bureau), 2006.

<sup>26</sup> Protection Class Evaluation Overview, WSRB (Washington Surveying and Rating Bureau), Retrieved March 28, 2012.

**Figure 36: Points of Deficiency and Community Class**

Community Class	Points of Deficiency
1 <sup>st</sup> Class	0 to 500 Points
2 <sup>nd</sup> Class	501 to 1,000 Points
3 <sup>rd</sup> Class	1,001 to 1,500 Points
4 <sup>th</sup> Class	1,501 to 2,000 Points
5 <sup>th</sup> Class	2,001 to 2,500 Points
6 <sup>th</sup> Class	2,501 to 3,000 Points
7 <sup>th</sup> Class	3,001 to 3,500 Points
8 <sup>th</sup> Class	3,501 to 4,000 Points
9 <sup>th</sup> Class	4,001 to 4,500 Points
10 <sup>th</sup> Class	More than 5,000 Points

KF&BD's most recent survey by WSRB was in June 1995. Figure 37 is a summary of the survey listed by area, points of deficiency, relative values, and classification.

**Figure 37: KF&BD Grading Schedule, June 1995**

Area	Point of Deficiency	Relative Values
Water Supply	435	1,950
Fire Department	692	1,950
Fire Service Communications	49	450
Fire Safety Control	445	650
Climatic Conditions	52	
Divergence between Water Supply and Fire Department	0	
<b>Total Points</b>	<b>1,673</b>	<b>5,000</b>
<b>Classification</b>	<b>4</b>	

KF&BD is currently rated as a Class 4 by the WSRB for properties within five miles of a fire station. The largest point of deficiency was related to the fire department (35.49 percent). Since the survey in 1995, improvements in staffing, apparatus, and fire stations (Fire Station No. 26 [North Rose Hill] and Fire Station No. 21 [Forbes Creek]) suggest that the KF&BD would benefit from a re-evaluation by WSRB. Also relevant is the annexation of June 2011 that increased the size of the City.

ESCI recommends that a request be made to WSRB to conduct an evaluation of the fire and suppression capabilities of KF&BD. The request must be signed by the mayor and should include a brief explanation of improvements made that would warrant a new evaluation.

### **Conclusion – Fire and Building Department**

The single largest change to occur for the City of Kirkland in years was the annexation in June 2011 of a large area and expansion by 7.8 square miles. City population increased from 2010



by an estimated 62.24 percent to 80,505. KF&BD was already providing contract fire and emergency services to Fire District #41 and added coverage to a portion of Fire District #36 (Woodinville) and a small area of Fire District #34 (Redmond) as a result of the annexation. While KF&BD added emergency response personnel to serve the annexed area, there was no corresponding increase in administration and support. With three KF&BD administration and support positions being of limited duration the personnel resources dedicated to supporting service delivery will decrease. There was a loss of the 0.8 FTE provided by King County Fire District #41. This administrative support position was eliminated at the time of annexation.

KF&BD's greatest percent of calls for service are related to emergency medical incidents and in 2011 the department began the practice of billing for EMS transport services. Emergency agencies of like size and character commonly have staff dedicated to supporting EMS, KF&BD does not. ESCI believes that given the increases in operational personnel and EMS responsibilities there is a need to increase administrative support personnel in a ratio equal to added services and emergency service personnel.

### **Recommendation Summary – Fire and Building Department**

- ❖ Recommendation 1: Amend job descriptions to accurately reflect roles and expectations for administration and support staff. (Implementation Order 1)
- ❖ Recommendation 2: Create a budget category for administrative services for the fire and for building departments. (Implementation Order 7)
- ❖ Recommendation 3: Increase emergency operations by adding a BLS aid unit staffed between 8:00 AM and 8:00 PM to maintain adequate personnel for a moderate risk fire event. (Implementation Order 5)
- ❖ Recommendation 4: Request WSRB to conduct an evaluation of the fire and suppression capabilities of KF&BD. (Implementation Order 8)
- ❖ Recommendation 5: Annually conduct a detailed analysis of revenue versus expenditure to validate that EMS transportation activity is meeting stated goals established by the City. (Implementation Order 6)
- ❖ Recommendation 6: Add a Medical Service Administrator (MSA) at the rank of division chief to manage the medical division. (Implementation Order 2)
- ❖ Recommendation 7: Bill for EMS transport when responding and transporting patients outside of the City of Kirkland. (Implementation Order 4)
- ❖ Recommendation 8: Add one FTE administrative assistant for EMS and one FTE financial analyst to administrative support functions. (Implementation Order 3)





## Fire and Building Department Findings and Recommendations

### Summary of Stakeholder Input

ESCI solicited input from internal and external stakeholders through two separate venues: one-on-one interviews conducted by the ESCI team during the initial data gathering process and a citizens group formed to participate in the strategic planning process. As part of the interview process, the internal and external stakeholders were asked to identify their perspectives on the department's strengths and weaknesses, as well as the challenges facing the department and critical issues it needs to address.



### Internal and External Stakeholders

#### Organizational Strengths

It is important for any organization to identify its strengths in order to assure it is capable of providing the services requested by customers and to ensure that strengths are consistent with the issues facing the organization. Often, identification of organizational strengths leads to the channeling of efforts toward primary community needs that match those strengths. Programs that do not match organizational strengths or the primary function of the business should be seriously reviewed to evaluate the rate of return on precious staff time. In the course of ESCI's stakeholder interviews, the strengths of the Kirkland Fire and Building Department were identified by both internal stakeholders (representatives of the City Council, city management, and department directors, and the fire department) and a select group of external stakeholders (neighboring emergency service providers). They are listed below as stated by those interviewed.

Organizational Strengths as Identified by:			
City Council	City Management & Department Directors	KF&BD Members	Neighboring Providers
Community satisfied with service	Best trained and highest morale in the area	Training division is good, personnel are well trained	Department has good people and a good leader

Organizational Strengths as Identified by:			
City Council	City Management & Department Directors	KF&BD Members	Neighboring Providers
Good department...they work well with each other and know how to cooperate	The fact that it is a city service—it is personal and available to the public	Comprehensive system that has identified hazards and appropriate resources	Good relations with KF&BD staff
Personnel are devoted and well trained	Service is excellent and well-coordinated	Building division is not under direction of Planning Department	Partnership in mutual aid and NORCOM
Provides good service and delivers what the public expects	Good quality service and effective	Good people who are interested and dedicated	
Good relationship between labor and management		Good neighbors that we train with	
Department is trusted and respected by the public		Good follow through on calls	
		Cohesive staff—no grandstanding	
		We do a lot with less	
		People are treated well by their peers	
		Good people	
		Citizens really appreciate the service	
		Training has improved significantly	
		Chief is motivated and provides leadership	
		Apparatus/equipment/PPE are in good shape	
		Our people work hard	
		Training is really good, troops are very professional	

### Organizational Weaknesses

Performance or lack of performance within an organization depends greatly on the identification of weaknesses and how they are confronted. While it is not unusual for these issues to be at the heart of the organization's overall problems, it is unusual for organizations to be able to identify and deal with these issues effectively on their own.

For any organization to either begin or to continue to move progressively forward it must not only be able to identify its strengths but also those areas where it does not function well. These

areas of needed enhancements are not the same as challenges, but rather those day-to-day issues and concerns that may slow or inhibit progress.

<b>Organizational Weaknesses as Identified by:</b>			
<b>City Council</b>	<b>City Management &amp; Department Directors</b>	<b>KF&amp;BD Members</b>	<b>Neighboring Providers</b>
System has never met response time goals	City departments don't see that finances are now really difficult; there is a new normal	Hard to say no to new projects	Rumor that KF&BD wants own paramedics—this will hurt regional strength
The issue of overtime	Loss of public information/education and outreach capabilities	Economy forces FDs to decrease resources and become over reliant on mutual aid	Redundancies among neighbors
Huge department with very few fires—most calls are for EMS; many people are sitting around waiting for something to happen	Public education loss is serious	No comprehensive wellness and fitness program	Government can be a barrier
Concerns about sustainability of the system		Struggle with relationships with other City Departments	Procedural differences; they seem to be out of position quite a bit (Engine 25)
Location of fire stations—difficult to serve Kingsgate and Finn Hill		Low company staffing	
Having building and fire under the same department is wrong		Struggle to maintain facilities	
		We struggle with appropriate discipline	
		Lack of buy-in on the importance of prevention by some operations personnel	
		Very limited ability to change	
		Uncertainties	
		Declining money	
		Officer training is non-existent	
		Lack of standards	
		Lack of administrative control	
		No support to take corrective action	

Challenges

To draw the strong suit and gain full benefit of any opportunity, the challenges to the organization must also be identified. By recognizing potential challenges, an organization can greatly reduce the potential for future setbacks. In this particular exercise, stakeholders were asked to identify up to three challenges facing KF&BD.

Organizational Challenges as Identified by:			
City Council	City Management & Department Directors	KF&BD Members	Neighboring Providers
<ul style="list-style-type: none"> <li>• Geography; jurisdictional boundaries</li> <li>• Money</li> </ul>	<ul style="list-style-type: none"> <li>• Need for a fireboat</li> <li>• Stability and predictability in costs</li> <li>• Any incident will generate overtime</li> </ul>	<ul style="list-style-type: none"> <li>• Containing growth of call volume</li> <li>• Number of non-emergency calls</li> </ul>	External political forces
Political issues	<ul style="list-style-type: none"> <li>• Getting people to engage in safe practices/emergency preparedness</li> <li>• Firefighters at risk from injuries and age</li> </ul>	<ul style="list-style-type: none"> <li>• Fees are not enough to finance Building Division</li> <li>• Adding new permit tracking software</li> </ul>	
<ul style="list-style-type: none"> <li>• Coverage</li> <li>• Competition for financial resources</li> <li>• Possibility of RFA</li> </ul>		<ul style="list-style-type: none"> <li>• Budget support</li> <li>• Connecting to the community</li> </ul>	
Staffing levels		Need more staff (in prevention)	
		<ul style="list-style-type: none"> <li>• Building good relationships with neighbors</li> <li>• Act/ behave like the size city we are</li> </ul>	
		<ul style="list-style-type: none"> <li>• Reserve program is gone</li> <li>• Finn Hill Station</li> </ul>	
		Annexation impacts	

Critical Issues

After organizational strengths and weaknesses and challenges posed by the current environs, ESCI asked stakeholders to identify the critical issues they perceive the agency is facing. The following reflect the critical issues that the respondents felt pose the greatest risk today to the success KF&BD's service delivery. As with the organizational challenges, each stakeholder was asked to identify up to three critical issues.

Critical Issues as Identified by:			
City Council	City Management & Department Directors	KF&BD Members	Neighboring Providers
Response time	Slow growth of expenses	Funding, leadership, too few administrative staff	<ul style="list-style-type: none"> <li>• Cost of service</li> <li>• Housing prices down</li> <li>• Dramatically underprepared for a disaster</li> </ul>
Coverage in annexation area	Funding that is sustainable for all city departments	Funding, levy approval for Medic One program	<ul style="list-style-type: none"> <li>• Money</li> <li>• Ongoing workload/cultural shift—need to be more community connected</li> <li>• Need to be more agile in addressing change</li> </ul>
Financial stability	Annexations, revenue, change in building stock	Budget challenge	King County EMS Levy Declining economy
Funding		Administrative support resources (for data extraction and analysis) IT support	<ul style="list-style-type: none"> <li>• Revenues</li> <li>• Controlling expenses</li> </ul>
Building codes are overwhelming		<ul style="list-style-type: none"> <li>• Organizational communications</li> <li>• No recognizable vision—old strategic plan not implemented</li> </ul>	
		<ul style="list-style-type: none"> <li>• Strategic planning</li> <li>• Organizational communication—most information comes via the rumor mill</li> </ul>	
		Lack of communication between fire and building	
		Team building	
		<ul style="list-style-type: none"> <li>• Chief's decisions will set tone for organizational culture</li> <li>• Administration is understaffed Operations chief is overwhelmed</li> </ul>	
		<ul style="list-style-type: none"> <li>• Structure and accountability for offenders</li> <li>• Staffing issue at the line (Fire Station No. 27)</li> <li>• Battalion aid needs to be staffed 24/7</li> </ul>	

## **Community Members**

A citizens' group consisting of local business owners and representatives of several neighborhood associations were invited to participate in the strategic planning session facilitated by ESCI; a total of 11 community members attended the session. Rather than focusing on the organization's strengths, weaknesses, challenges, and critical issues, the community members were asked to identify their priorities, expectations, and concerns with regard to the department and its services.

### Customer Priorities

In order to dedicate time, energy, and resources on services most desired by its customers, the Kirkland Fire and Building Department needs to understand the community's priorities. To assist with the overall strategic planning process, members of the citizens' group were asked to review a short list of planning considerations and rank them through a direct comparison process. The results of that ranking appear below (in priority order):

- Technical competence of firefighters and emergency medical personnel
- Ensuring that facilities and equipment are reliable and functional
- Improving the response time of the first engine or ambulance to arrive at a scene
- Maintaining the existing response times of the first engine or ambulance
- Compassion, empathy, and customer service of emergency responders
- Expanding the types of services offered by the Kirkland Fire and Building Department
- Keeping Kirkland Fire and Building Department costs and tax rates as low as possible

### Customer Expectations

Understanding what the community expects of its fire and emergency services organization is critically important to developing a long-range perspective. With this knowledge, internal emphasis may need to be changed or bolstered to fulfill the customer needs. The following are the expectations identified by several members of the citizens' group.

- Well trained, competent, professional personnel
- Fast response times
- Reliable, appropriate equipment and facilities
- Community education and training for disaster preparedness
- Adaptable to changing conditions; willingness to consider alternative delivery methods

### Areas of Customer Concern

The Customer Centered Strategic Planning process would fall short and be incomplete without an expression from the customers of their concerns about the organization. Some areas of concern may, in fact, be a weakness within the delivery system. However, they may also be perceptions of the customers based on limited knowledge.

- Does it have a sustainable structure? Can it adapt to changes in resources?
- How can services be provided equally across the city? Shift in City resources/personnel away from certain neighborhoods
- Accountable and efficient. Do they have what they need to do the job? Training, equipment, etc.
- Lack of public outreach; communication skills could be improved.

### Positive Customer Feedback

For a strategic plan to be valid, the customer views on the strengths and image of the emergency services organization must be established. Needless efforts are often put into over-developing areas that are already successful. However, utilization and promotion of the customer-identified strengths may often help the organization overcome or offset some of the identified weaknesses.

- Personnel are professional, well trained, experienced, and knowledgeable
- Equipment and facilities are appropriate, adequate for the job, and well maintained
- The department enjoys good leadership
- KF&BD firefighters/EMTs are visibly committed to their community

### Other Thoughts and Comments

The citizens' group participants were asked to share any other comments they had about the Kirkland Fire and Building Department or its services. The response that appeared most often was an appreciation for the opportunity to participate in the process and a desire to improve and enhance the partnership that exists between KF&BD and the community it serves.



## Department Mission and Values

### Mission (Vision) Statement



Mission and vision statements, goals, and objectives provide key organizational management foundations. Development of such organizational underpinnings is important, but communication of them is paramount. Leaders and workers alike need to understand why the organization exists, where it is headed, and how to identify success. While the mission of a fire department may seem obvious, if the organization's purpose is left to an individual's imagination, many individual missions will result--which in the end may cause agency members to work at cross-purposes.

The City of Kirkland City Council has established a vision and goals for the City. The stated purpose of the City Council Goals is:

*...to articulate key policy and service priorities for Kirkland. Council goals guide the allocation of resources through the budget and capital improvement program to assure that organizational work plans and projects are developed that incrementally move the community towards the stated goals.*

The goal for public safety is to ensure that all those who live, work and play in Kirkland are safe and the ascribed Council Goal is:

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

The Kirkland Fire and Building Department has an adopted vision statement that provides the compass for the organization. The current KF&BD vision statement states:

*The Kirkland Fire Department is committed to the protection of life and the preservation of property and the environment from the adverse effects of fire, medical, and all hazardous conditions through sustained training, progressive education, proactive prevention and a dedicated diligence to provide the highest level of customer service to our Community.*

The Kirkland Fire and Building Department mission, vision, and value statement was reviewed as one element of the strategic planning process.

## Mission, Vision, and Values Validation

The strategic planning process accomplished more than just the gathering of input and a document. It challenged elected officials, city staff, the membership of the KF&BD, and the community to look critically at paradigms, values, philosophies, beliefs, and desires. It challenged individuals to work in the best interest of the “team.” In addition, it provided the membership with an opportunity to participate in the development of their organization’s long-term direction and focus. The members of the KF&BD strategic planning team and the citizen’s advisory group did an outstanding job in committing to this important project and seeing it to final form.

### Mission

Clearly stated and intentionally simplistic, the Kirkland Fire Department *Mission* accurately describes the organization’s general purpose. The validated Mission Statement for the Kirkland Fire Department is:

*Providing timely, emergency response and safeguarding the lives, property, and environment of our community.*

### Vision

Building on this mission, the stakeholders identified a *Vision* for the department, thus establishing targets of excellence for the future. The proposed *Vision* for the Kirkland Fire Department is illustrated in the following:

*The Kirkland Fire Department is a respected partner in our community and an innovative leader in the nation.*

- *We inspire a culture of esprit de corps.*
- *We offer opportunity for personal and professional growth.*
- *We demonstrate professionalism, competency, compassion and a readiness to respond.*
- *We listen to, understand and keep the public informed.*
- *We provide fiscally prudent preventive and emergency services.*
- *Above all, we earn the confidence, trust and respect of the community we serve.*

### Values

Recognizing that its collective personality and the values of its members enhance the organization, the stakeholders declared the following *Values* for the KF&BD:

- **Service** – *Demonstrated innovation and understanding of our internal and external customers’ needs.*

- **Professionalism** – Upholding industry standards and honoring the expectation of a professional firefighter both on and off the job.
- **Integrity** – Maintaining consistency between actions and words at all times.
- **Respect** – Being accountable and demonstrating mutual trust and respect.
- **Innovation** – Providing a supportive work environment that encourages and empowers innovation and risk taking within the norms of the department and the City.
- **Trust** – Trusting other and being trustworthy.
- **Teamwork** – Finding strength in diversity and working together for a common goal.

### **Conclusion – Department Mission and Values**

KF&BD's appraisal, review, and update of its organizational mission, vision and values is consistent with best practices. ESCI recommends that upon completion of this study 2012 Strategic Plan it be validated by KF&BD and adopted by the City of Kirkland City Council.

### **Recommendation Summary – Department Mission and Values**

- ❖ Recommendation 9: KF&BD review and validate the mission, vision, and values following completion of the 2012 strategic plan. (Implementation Order 1)
- ❖ Recommendation 10: Display the adopted mission, vision, and organizational values in City Hall and fire department facilities. (Implementation Order 2)

## **Management Components**

ESCI reviewed management of the Kirkland Fire & Building Department, including an examination of philosophical ideals as expressed by its mission, vision, and values statements. We look to assure that such visionary principles conform to the core values of managers and members and address several other important questions: Are goals and objectives consistent with the City's direction? Are staffing levels adequate to meet City and organizational goals? Do human resource and administration systems meet legal requirements and department needs? Are appropriate financial controls in place?



Communication internal to the City and KF&BD was checked, as was external communication to the community. A review of security issues concerning hard records, electronic data, offices, and buildings was conducted as well as to ensure that all necessary reports and records were produced, completed, and maintained. Last, ESCI describes the merit, benefits and costs associated with fire department accreditation.

### **Staffing and Reporting Relationships**

The position of director of fire and building/fire chief is appointed by, works for, and is under direct supervision of the City Manager. The city charter states that the fire chief shall be head of the fire department and shall have charge and supervision over all matters relating to the prevention and extinguishment of fires and of all measures necessary to guard and protect all persons and property impaired thereby.<sup>27</sup>

### **Deployment**

KF&BD operates six fire stations (five with career staffing) with 12 frontline units and has established a minimum daily staffing level of 19 personnel.<sup>28</sup> *KF&BD Department Manual Directive Number 3.001* dated February 1, 2000, states that the minimum staffing shall be 15

<sup>27</sup> Kirkland Municipal Code, City Charter, Title 3, Chapter 3.16 City Manager-Administrative Departments.

<sup>28</sup> Source: Minimum staffing design as compared to total staff assigned per shift, 02/15/2012.

with 1 being an officer and 14 firefighters. This directive needs to be updated to accurately represent current minimum staffing.

Figure 38 lists minimum staffing by unit and position in January 2012.

**Figure 38: Minimum Staffing by Unit and Position, January 2012**

Unit	Battalion Chief	Officer (Captain or Lieutenant)	Driver Operator	Firefighter
Engine 21		1	1	1
Engine 22		1	1	1
Engine 25		1	1	1
Engine 26		1	1	1
Engine 27		1	1	1
Aid 21		Cross-staffed with Engine 21		
Aid 22		Cross-staffed with Engine 22		
Aid 25		Cross-staffed with Engine 25		
Aid 26		Cross-staffed with Engine 26		
Aid 27		Cross-staffed with Engine 27		
Aid 29		Cross-staffed with Ladder 27		
Air Unit 21		Cross-staffed with Engine 22		
Ladder 27		1	1	1
Battalion Chief	1			
Shift Captain (Swing Position) <sup>29</sup>		1		
<b>Total</b>	<b>1</b>	<b>6</b>	<b>6</b>	<b>6</b>

A total of 30 personnel are assigned to each shift with minimum daily staffing set at 19. In the minimum staffing matrix, the swing staff position is not identified.

### Human Resources Management

The Kirkland Human Resources and Performance Management Department (HR) develop, manage, administer, and is the information source for employee programs. Many of the human resource activities involve KF&BD:

- Recruitment and selection of new employees – KF&BD with HR involvement
- Civil service program management for public safety employees (police and fire) – HR
- Organizational training and career development – KF&BD
- Employee relations and contract interpretation – HR
- New hire orientation – HR

<sup>29</sup> Not included in minimum staffing total.

- Benefits administration – HR
- Compensation and classification – HR
- Performance evaluation tracking – KF&BD, HR records management
- LEOFF I Disability Board – HR
- Employee safety and risk management services – HR
- Tuition reimbursement – KF&BD
- Policies and procedures – KF&BD internal, HR City policies
- Diversity program – HR and KF&BD
- Wellness program – HR for day staff other departments
- Employee recognition and service awards – HR and KF&BD

The City's human resource department programs, documents, and processes appear to be all-inclusive and in-line with best practices. Human resource documents were not reviewed for legal compliance but appear to contain the depth and breadth of information to comply with federal and state requirements.

Fire department rules and regulations and standard operational guideline documents were reviewed for content, relevancy, and applicability to KF&BD's emergency operations. ESCI found that ARs (administrative rules) and SOGs (standard operating guidelines)<sup>30</sup> specific to the fire department were generally outdated. Additionally, variations were found between City and KF&BD AR documents including safety, purchasing, and public records access, and document retention. KF&BD reported that a limited number of ARs and SOGs have been updated and the department has plans to complete a total revision in 2012. The last time that comprehensive updates of the policies were completed was in 2000 with many dated from the 1990s.

The time and expertise to maintain, update, and verify legal compliance of ARs and SOGs is extensive. ESCI has recommended that a complete set of ARs and SOGs be developed and maintained by periodic review and updating on a set timetable. Review of ARs and SOGs should include involvement and oversight of the City Human Resources and Performance Management Department. However, the time and expertise to maintain, update, and verify legal compliance of ARs and SOGs for the fire department is extensive. Given the importance of creating a complete set of ARs and SOGs, ESCI recommends development and maintenance be outsourced to a third party.

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<sup>30</sup> KF&BD uses the terms P & P (policies and procedures) and R & R (rules and regulations).



### Succession Planning (Development)

A succession plan should be ongoing and provide a pool of trained, experienced, and promotable personnel to succeed current officers. Succession development is a process whereby a fire department can ensure that employees are recruited and developed to fill each key role within the organization. Actively pursuing succession planning ensures that personnel are constantly being prepared to fill each needed role. As KF&BD key employees retire or accept promotional opportunities, succession development guarantees that there will be officers and firefighters ready and available to fill new roles. Effective, proactive succession development leaves KF&BD well prepared for the loss of a key employee, filling a newly created position, employee promotions, and organizational redesign.

Through succession development, KF&BD can better retain superior personnel because they appreciate the time, attention, and development invested in them. Employees are motivated and engaged when they can see a potential for continued growth and development. KF&BD can use such practices as providing opportunities for assignment to special projects, smaller leadership roles, progressively increasing management roles, and both internal and external training opportunities.

KF&BD should identify and understand the developmental desires of personnel. It is not necessary nor does everyone need or want to be the fire chief. Ensure that firefighters understand the promotional paths and the roles that are available for them to aspire. Focus resources on retaining key personnel and having individuals ready to step up.

Keep succession planning and development simple. At times fire departments have created excessively complex criteria for the succession development process. Keep it simple: It is more important that individuals have a competent coach.

There are several factors typically found in successful succession development initiatives. Examples include:

- Personal involvement of the fire chief and senior officers.
- Senior officers hold themselves accountable for developing future leaders.
- Personnel are committed to their own self-development.
- Success is based on long-term department needs.
- Succession is linked to master planning, strategic planning, and an investment in the future.

- Leadership skill sets and competencies are identified and used when developing future department leaders.
- A pool of talent is identified and developed early for long-term needs.

Many of the costs for succession development are soft costs associated with a commitment of time by the current KF&BD leadership. Other expenditures involve a commitment of funds for internal and external training courses.

ESCI recommends that the KF&BD develop a succession plan to ensure employees are recruited and developed to fill each key role within the organization.

## **Financial Management**

### Budgeting

Beginning in 2004, the City of Kirkland changed from an annual to a biennial budget process. State law requires that the first year of a biennial budget be an odd numbered year. Accordingly, the preparation of the biennial budgeting process occurs during an even numbered year, beginning in June and continuing through the end of the year.

The City Council holds a mid-year budget review meeting in June and receives a status report on the current biennial budget and an updated six-year financial forecast, with an emphasis on the coming biennium. Additionally, the City Manager requests input from the City Council about budget priorities and overall direction. The following are key steps that the City takes to prepare its budget.

- 1) In July, the director of Finance & Administration (F&A) makes the official “budget call” to all department directors requesting expenditure and revenue estimates for the current year and the coming two years.
- 2) F&A prepares all general purpose revenue estimates, consisting mostly of taxes, state shared revenues and entitlements, and intergovernmental service revenues, during the first half of August. Additionally, the F&A department receives and reviews departmental revenue estimates during the same time period. Departmental expenditure estimates for the current year and “basic budget” requests for the coming biennium, which represent the estimated cost of maintaining the current service level, are received and reviewed by the F&A department during the second half of August.
- 3) In late August, the director of F&A meets with each department to review their basic budget requests.
- 4) In early September, departments submit additional funding requests (called “service packages”) for new positions, equipment, and projects which are over and above their basic budgets. F&A reviews all service package requests by mid-September.



- 5) In mid-September, the City Manager meets with each department to review their basic budget and service package requests. The City holds a public hearing in mid-September to gather citizen input on proposed revenue sources for the coming biennium.
- 6) The City Manager finalizes the preliminary budget proposal, which includes recommended service packages, by the end of September. In early October, the City Manager and director of F&A brief the council finance committee on the preliminary budget proposal.
- 7) In October, the F&A department prepares and prints the preliminary budget document for the coming biennium. By November 1st, the preliminary budget document is filed with the city clerk, distributed to the City Council and the departments, and made available to the public.
- 8) The City Council holds a series of budget study sessions in November to review the City Manager's proposed budget and to determine if there are any changes they wish to make.
- 9) The City holds a public hearing in mid-November to gather citizen input on the preliminary budget as well as on any changes made by the City Council during their budget deliberations.
- 10) In December, the City Council adopts the final property tax levy for the coming year and the final budget for the coming biennium each by ordinance via a simple majority of the members present. The appropriation approved by the City Council is at the individual fund level.
- 11) The F&A department publishes the final budget document during the first quarter of the following year, distributes the document to the City Council and the departments, and makes copies available to the public.

Interviewees described to ESCI a "tension" between the KF&BD and F&A. Concerns were expressed that the fire department:

- Has a "mind-set" of spending it all each year; if they have money they will spend it to the limit.
- Other City departments have gotten better results by involving F&A on process, budgeting, and making a budget case for fire department programs.

Stakeholder portrayals of the relationship between KF&BD and F&A included some recent positive elements. Affirmation included how the KF&BD successfully handled the EMS transport billing issue and training on internal financial controls of fire officers by F&A.

A new level of cooperation between KF&BD and other City departments is viewed as a positive outcome that is a result of direction from the City Manager's office.

### Purchasing Management

KF&BD spends approximately \$500,000 per year purchasing supplies and services. City purchasing policies reflect best practices calling for separation of duties assigning buying functions to different people, obtaining appropriate authorizations and approvals, securing assets, and verifying charges. With proper segregation, no single person has complete control over all buying activities. KF&BD follows the adopted City purchasing policy for the acquisition of goods and services.

The City issues P-Cards (purchasing cards) to the training division, and fire department administration that have source and product limitations. Regardless of vendor or amount of purchase, all procurements require a P.O. (purchase order) to be generated in the City purchasing system. KF&BD participates in cooperative purchasing in particular for capital apparatus. As defined in City purchasing policy, high value items involve a bid process and assistance from F&A with the process; the fire department develops the specifications.

Adequate controls are in place to ensure fiduciary responsibilities for purchasing items and services for KF&BD are met.

### Equipment Replacement Funding

KF&BD has reserve funds dedicated for the replacement of some capital equipment. The City currently funds replacement reserves for facility systems replacement, vehicles, and personal computers using a “sinking fund” approach, which sets aside funds each year through the operating budget toward the anticipated replacement of that equipment.

ESCI recommends that items with an individual value below capital threshold minimums that are generally purchased in volume and have a total value over \$5,000 be aggregated and included in capital replacement funding. Items generally below capital threshold minimums but acquired in bulk include:

- PPE (Personal Protective Equipment)
- Firefighting hose
- SCBA (self-contained breathing apparatus)
- Radio (portable and mobile)
- Firefighting appliances (nozzles and adaptors)
- Uniforms
- Disaster preparedness equipment (Ham radios, and emergency provisions)

- Generators, fans, and saws

Establishing these items as a capital asset and contributing to an annual replacement fund is appropriate. While a single set of firefighter PPE is approximately \$2,000, acquiring 20 complete sets would exceed \$40,000. It is understood that funding would need to follow the normal budget process, but anticipating the purchase requirement is prudent.

### **Records Keeping**

Records management is a critical function for any organization. A variety of uses are made of written records. Misplaced, stolen, or lost documents can have serious consequences, so it is important that their integrity be protected. RCW 42.56.070 requires public access to certain documents and data.<sup>31</sup> The Kirkland City Council, through approval of Resolution 4669, adopted Public Records Act Rules. A simple, straight-forward link on the City website launches a public records request form for citizens to complete with a stated goal to provide a response within five business days.

Fire department hard copy records are protected in either secured file drawers, secured offices, or both. Computer files are routinely backed up. Electronic files are password and level of authority protected, preventing access by unauthorized personnel.

### Security

The citizens of the City of Kirkland have made a significant financial investment in facilities, apparatus, and capital equipment for the KF&BD. Protecting these assets is a fiduciary responsibility of the City and KF&BD and an expectation of the community which funded them. Fire stations were observed by ESCI and reported to be consistently locked and secure from unauthorized entry. Public access to the buildings is limited to community rooms and/or, when accompanied by an employee, business areas. Access to fire stations is via a coded keyless entry system.

KF&BD maintains a current inventory of capital assets. An asset tag and inventory control system is based on the value of an item and for items identified as “attractive assets.” No business-related cash is routinely kept on the premises, reducing the risks associated with burglary and theft. City Purchase Cards (P-Cards), such as VISA™ or MASTERCARD™ credit cards, with limited distribution, strict account controls, and low credit limits are issued for fire

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<sup>31</sup> RCW Sections 42.56.040, 42.56.070 and 42.56.100, Documents and indexes to be made public.

department use. A formal City purchasing policy and procedures for the acquisition of services and items are in place and strictly enforced.

### **Management Reporting**

KF&BD uses an RMS (records management software) to enter and store emergency incident information. The software is compliant with NFIRS (National Fire Incident Reporting System) standards and incidents are entered appropriately. Exposure records for blood and airborne pathogens are recorded in HealthForce – Workplace Health Solutions. However, there is no formal process for managing other types of exposure records. Appropriate records are maintained for documenting the testing of self-contained breathing apparatus (SCBA), hose, ladder, pump, breathing air, vehicles, gas monitor, and radiological detection equipment.

ESCI recommends that the KF&BD and the Human Resources and Performance Management Department develop a procedure and policy for reporting and retaining all employee exposure records.

Periodic reports on the financial activities of KF&BD are provided to the City's elected officials by the Finance and Administration Department. Fire department operational reports are delivered to the City Council on a request basis. An annual report is produced and includes emergency response data analysis. The annual report is distributed to the City Council, City Manager, and others on an as-requested basis. At the time of this study the 2011 annual reported had not been completed.

Fire department personnel records are retained by the City Human Resources and Performance Management Department. They are maintained in a manner that protects private medical information in compliance with HIPPA (Health Insurance Portability and Accountability Act) requirements. Records retention includes documents related to an employee's relationship with the City (employment history), discipline, commendation, performance evaluation, work assignment, injury, exposure, and leave use.

### **Internal and External Communications**

#### Media Relations/PIO

KF&BD's external communication effort is not robust. Due to budget decisions the KF&BD Community Information and Education Specialist position that served as the department public information officer (PIO) was eliminated at the end of 2010. KF&BD relies on the City's Communications Program Manager (CPM) to manage external messaging to the media. The

(CPM) reported to ESCI that it is too early to tell if dependence on this position will be effective long term. A barrier identified to the success is the availability of KF&BD administrative staff to respond promptly to CPM requests for information or when a time sensitive story must be approved prior to release. Messaging must be timely, especially when using the media as the vehicle for dissemination of material. A lack of available management personnel to draft, review and approve press releases which reduces the effectiveness of the message and may relegate the message to a footnote. KF&BD does not dedicate personnel to staff a media sector at emergency incidents.

The City CIO is the public affairs producer of “Currently Kirkland,” a local government channel that provides local news, information on community activities, and special features about the City of Kirkland. This medium could be leveraged by KF&BD as an outlet for telling its story and distributing public safety messages to the community. While viewership may not rival network television, these types of government access programs have a high percentage of actively engaged citizens who will multiply the message by their activism.

A recent example of the problem inherent in a passive approach to external communication and community outreach was Finn Hill Fire Station controversy. This community conflict could have been managed more effectively by anticipating where the controversy might lead, understanding what the key points of conflict are, and “getting ahead” of the story. Anticipating the spread of a controversy affords the fire department and City an opportunity to develop message points and get them out to the community to prevent a conflict or at a minimum avoid being placed in a defensive posture.

Proactive messaging can include public interest stories that are not time sensitive and can be run “on a slow news day” or in concert with a global news event that provides a local angle. These messages can be developed as staff has time to develop them and be kept on file until the fire department can leverage the story to the greatest advantage.

A dynamic, contemporary, up-to-date, and useful website provides an additional avenue of distributing information and communicating with the public. KF&BD’s web presence appears to be kept up to date in some areas and significantly out of date in others. Citizen interest is maintained in a website that is continuously changing to meet the needs of the community. The website could be enhanced by producing and adding citizen training videos to the site. Expanding the use of interactive components such as surveys and downloadable documents

(fire escape plans, preparedness, and self-help checklists) will help to keep the community engaged. Potential benefits include a reduction in community risk through education, and a multiplied impact of staff-hours dedicated to educational endeavors. To keep content fresh and relevant, a regular schedule of updating and maintenance of the fire department website is recommended.

ESCI recommends that the KF&BD make media messaging a priority and use “Currently Kirkland” and other media outlets as a tool to leverage the reach and impact of fire department public information and education messages. This should include a proactive message file where the subject is not time-sensitive, but timely release may position the message to its greatest advantage.

### Internal Communications

Quality communication requires continuous attention and effort for any organization. At the KF&BD, the administration and operations chiefs conduct monthly meetings with staff. The building official and both deputy chiefs (executive staff) meet on a weekly basis and all chief officers attend company officer meetings once a month. The fire chief meets with the labor group (labor management) once a month and visits fire stations two to three times a month. Minutes for internal meetings are taken by a meeting attendee.

Fire departments should have a systematic method for distribution of written communications established and maintained in order to make certain that no members are excluded from the information loop. Critical information should not be distributed in a one-way communication model with the assumption that personnel have reviewed and understand the content. For these circumstances, the chain-of-command should be used to disseminate critical or time-sensitive information during crew meetings. KF&BD issues internal written, formal memoranda when major events occur, such as the hiring of new personnel, promotional announcements, or informal commendations. Otherwise, e-mail is used for routine fire department communication. Overall, ESCI found that a significant effort in communication is being invested internally by KF&BD staff to provide an opportunity for department personnel to be informed, heard, and involved.

With the high cost and logistical difficulty of bringing all members together for a briefing or meeting, selected fire departments are using other approaches to communication. One example is a department that employs monthly broadcasts made by fire chiefs that are delivered

over a secure network. The broadcast is recorded for later viewing by department membership unable or unavailable to view the content live. Questions arising from the broadcast or from e-mails submitted to the fire chief are answered in an internally distributed newsletter. The internal newsletter contains information specifically for employees. ESCI recommends that the KF&BD expand internal communication with a monthly informational broadcast meeting with department staff.

Live broadcasts are viewed as a viable method to deliver a consistent message on a regular basis to all KF&BD personnel. They are not intended to replace routine meetings between the fire chief, fire department leadership, and department personnel. It was ESCI observation that there are long periods of time between opportunities for personnel to meet and confer with the fire chief. With a live monthly informational broadcast meeting between the fire chief and department personnel it could be rebroadcast or replayed at a time that is convenient for department personnel.

### Decision-Making Processes

It is widely recognized that when employees are provided with the opportunity to engage in the decision-making process, the organization benefits from a higher level of commitment and ownership in the success of the organization.

For fire departments, the opportunities to delegate decision-making down through the organization are quite numerous. Chief officers (deputy chiefs and battalion chiefs) are often given the task of making staffing decisions. Company officers can be given responsibility and/or authority for scheduling, program management, training, and fire station operations. Firefighters can make determinations as to patient care, station and apparatus maintenance.

The decision-making process for KF&BD is defined and participatory where appropriate. In the past, the relatively small size of the organization lent itself to a more personal and informal decision-making process. ESCI found that when making decisions KF&BD personnel tended to still view the department as intimate and insular. KF&BD and the City can still be intimate but the reality is that it is now a large, complex enterprise with multiple facets.

Where participation is solicited by management in the decision-making process, those involved should be knowledgeable of the key findings by which the decision was made. This process may go a long way in acceptance of the decision and providing a sense of worth and value in the employees, even though the decision may not reflect their input. ESCI observed that the fire



chief encourages and applies participatory communication to decisions with staff and operational personnel interacting through all levels of the department.

***Kudos 3: Fire Chief Kevin Nalder encourages and applies participation in the decision-making process by involving staff and operational personnel from all levels of the department.***

### *Interdepartmental Communications and Relationships*

Throughout this process ESCI heard comments and observed interaction regarding KF&BD's relationships with other City departments. The description of fire department relations with other City departments were represented as okay then couched with "but," "The fire department does not understand how other departments can help them and that they are not the only City department." In more than a few instances relations with KF&BD and other City departments were described as being tense or that there is tension. It was suggested in discussions with stakeholders that one way for improving interdepartmental relations was to have KF&BD personnel receive exposure to other City departments. Such an example occurred recently between KF&BD and the finance and administration department.

In an effort to improve acquisition and internal control systems, Kirkland Finance and Administration Department delivered training to KF&BD fire officers. ESCI views this action as positive for fire department personnel to grasp an understanding of City procedures and building healthy inter-department relationships. The deeper understanding must go both ways however. Providing the other city departments with training and exposure to the challenges and issues facing the fire department also assists in improving interdepartmental relations. This is addressed in greater detail in the strategic planning elements of this report.

Other City departments were just as likely to commend the fire department for positive relationships and actions. KF&BD was recognized by two other City departments acknowledging the department's efforts at doing a good job with the Fire Corps program.

In the course of this evaluation the City instituted an *Internal Process Review*. The four stated goals of the process review are to:

- Optimize department administrative processes
- Ensure supportive work is completed
- Establish/reinforce effective working relationships between operating and support departments



- Better understand (individual) department's needs for future planning purposes

### **Health and Wellness Program**

Keeping members safe and healthy is an important component of a fire department's method of operation. It has been clearly documented that it is by far cheaper to prevent injury than to pay for rehabilitation and work replacement.<sup>32</sup> Modern, progressive departments are incorporating numerous methodologies into the daily routine of firefighters to help in this regard.

There is a need for fire departments to have access to a group of professionals with expertise in the occupational medicine field. Occupational medicine is dedicated to promoting and protecting the health of workers through preventive services, clinical care, research, and educational programs. One aspect of such a program is keeping up-to-date with health and safety regulations, standards, and current practices. Occupational medicine specialists review current practices to see if they meet industry regulations, make modifications if needed, and assist the department in adopting any changes. Another aspect of a holistic occupational medicine system is fitness programs. Fitness programs are used to monitor and develop required physical training to keep personnel ready for the tasks to be performed and reduce the possibility of injury while on the job.

The importance of employee health and welfare and the potential liability associated with the lack of such programs necessitates that fire departments establish close professional relationships with occupational medicine specialists to assure that emergency workers are protected by the most up-to-date occupational health and safety programs possible.

Occupational safety and health programs (sometimes referred to as Industrial Medicine) vary in depth, form, and delivery. A fire department may employ a physician full time, contract with a provider organization, or conduct a program partially in-house while contracting for the remaining services. There are several hospitals and medical centers in the area which have programs that may meet the needs of KF&BD.

One such occupational medicine program that ESCI is familiar with uses the fire department wellness coordinator to conduct audiometric, spirometric, and vision screenings before personnel complete their annual physical evaluation. The occupational medicine provider then

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<sup>32</sup> *American Journal of Industrial Medicine*, Volume 43, Issue 4; "The Economic Consequences of Firefighter Injuries and Their Prevention", National Institute of Standards and Technology, pgs 454 – 458, March 2005.

conducts blood draws at individual fire stations. Consequently, at the time of the medical physical, the physician has at his/her disposal the firefighter's historical and current medical screening records.

The medical physical, stress test, and all other components of the evaluation are done as part of the fire department's regular training rotation at a regional training center. Through a professional relationship developed with a medical service provider over several years, the fire department in this example was able to receive this level of service at a very competitive price.

The legal requirements for a fire department occupational safety and health program have been established. How a fire department administers and supports the program determines the success and the resultant benefit. In the example, the department mentioned previously had to hire back extra staff or pay employees overtime to take annual medical physicals. The occupational medical program resulted in a cost avoidance of more than \$15,000 through reduced overtime cost; some funding is still required for medical follow-ups and for employees not able to meet the schedule.

An additional advantage of using a local occupational safety and health provider is the ability to quickly evaluate and treat non-threatening injuries suffered by employees.

KF&BD has established medical physical standards and provides medical physical examinations; depending on the individual's age, risk factors, etc., additional evaluations and tests are provided. Examinations should follow *NFPA 1582*.<sup>33</sup> Baseline values for all firefighters should be established at time of hire/appointment that includes: titer level, vision, spirometry, audiometric, hepatitis, B, and C, and tetanus.

A stress test is used to determine the amount of stress that a heart can manage before developing either an abnormal rhythm or evidence of ischemia (inadequate blood flow to the heart muscle). The test provides information about how the heart responds to exertion. It usually involves walking on a treadmill or pedaling a stationary bike at increasing levels of difficulty, while heart rate, and blood pressure are monitored, with a physician present. The test helps to determine if there is adequate blood flow to the heart during increasing levels of activity and the likelihood of having a coronary event or the need for further evaluation. KF&BD fitness standards used during the hiring process are job-related. The fitness evaluation for incumbent

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<sup>33</sup> *NFPA 1582: Standard on Comprehensive Occupational Medical Program for Fire Departments*, 2007 Edition.

employees is not job related. Incumbent firefighter fitness is assessed by measuring the number of pull-ups, sit-ups, push-ups, and timing a run.

Medical physical assessment should involve periodic stress tests of incumbent employees/members every two to five years, based on age and risk factors. We recommend that a stress test be performed at the time of hire to determine if a candidate has an underlying heart defect or disease that would put them at risk while performing the duties of a firefighter. The leading cause of death for firefighters is heart attack (44 percent). Death from trauma, including internal and head injuries, is the second leading cause of death (27 percent). Asphyxia and burns account for 20 percent of firefighter fatalities.<sup>34</sup>

### **Conclusion – Management Components**

Fundamental tools necessary for organizational management are inadequate. ARs (administrative rule) and SOGs (standard operating guideline) specific to the fire department were generally outdated. Additionally, variations exist between City and KF&BD AR documents including safety, purchasing, and public access to records and document retention. There should be a sense of urgency given to developing a complete set of documents.

Internal tension between the KF&BD and F&A is concerning, though recent moves on the part of the two directors has made what is described as “improvement” to the working relationship.

KF&BD’s management of external communication effort has been reduced to reacting to media worthy events. Limited administrative staff for information requests on time sensitive stories further reduces the fire department’s ability to seize opportunities to tell its story. An effective option for linking with the community is through a website presence. KF&BD’s web presence appears to be kept up to date in areas and significantly out of date in others.

Without the assistance and a greater degree of cooperation between and from other City departments, KF&BD lacks the administrative and support staff to give public education and information programs little more than lip service.

### **Recommendation Summary – Management Components**

- ❖ Recommendation 11: Outsource development and maintenance of Administrative Rules and Standard Operating Guidelines to a third party. Development and maintenance of

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<sup>34</sup> The United States Fire Administration (USFA), *The USFA Firefighter Fatality Retrospective Study: 1990-2000*, October 2002.

Administrative Rules and Standard Operating Guidelines should include involvement of the City human resource department. (Implementation Order 1)

- ❖ Recommendation 12: Develop a succession plan to ensure employees are recruited and developed to fill each key role within the organization. (Implementation Order 11)
- ❖ Recommendation 13: Prioritize media messaging. Use “Currently Kirkland” and other media outlets as a tool to leverage the reach and impact of fire department public information and education messages. (Implementation Order 2)
- ❖ Recommendation 14: Anticipate controversies or events which may generate media or community interest and develop a media or messaging plan in advance. (Implementation Order 7)
- ❖ Recommendation 15: Develop a proactive message file where the subject is not time-sensitive, but timely release may position the message to its greatest advantage. (Implementation Order 12)
- ❖ Recommendation 16: Develop interactive content for the fire department website: citizen training videos and downloadable documents (fire escape plans, preparedness, and self-help checklists). (Implementation Order 9)
- ❖ Recommendation 17: Update existing content on the fire department website and schedule regular maintenance. (Implementation Order 8)
- ❖ Recommendation 18: Administer a stress test at the time of hire and periodically on incumbent employees/members based on age and risk factors. (Implementation Order 5)
- ❖ Recommendation 19: Develop a procedure and policy for reporting and retaining all employee exposure records. (Implementation Order 4)
- ❖ Recommendation 20: Aggregate like item equipment purchases with a total value of \$5,000 or more and include in the City’s annual budget. (Implementation Order 12)
- ❖ Recommendation 21: Develop, validate, and employ a physical evaluation process that is job related. (Implementation Order 6)
- ❖ Recommendation 22: Establish a medical baseline for new firefighters at the time of hire/appointment. (Implementation Order 2)
- ❖ Recommendation 23: Produce a live monthly informational broadcast meeting between the fire chief and department personnel. (Implementation Order 10)
- ❖ Recommendation 24: Provide a fire service-related occupational and health program. (Implementation Order 3)

### **Emergency Management (Disaster Preparedness)**

Comprehensive planning that includes risk assessment, communications systems and networks, personnel training and exercising, and hazard mitigation, forms the basis of effective emergency management and disaster preparedness. Because the impact of these incidents is often widespread, a regional perspective for the plan's design is essential.



The Office of Emergency Management (OEM) is a City wide function under the Fire and Building Department. J. Kevin Nalder as the Director of the Fire and Building Department and City Emergency Management, directs the OEM while the deputy chief of administration serves as the emergency manager.

#### **Overview of Emergency Management Services Provided**

Elements of expected government functions entail: 1) preparedness, 2) response, 3) recovery, and 4) mitigation. The Preparedness Cycle calls for local agencies to perform the following tasks to ensure their ability to fulfill those expectations:

- Plan
- Organize, train, and equip
- Exercise
- Evaluate and improve

This section assesses the current status of the City of Kirkland's Comprehensive Emergency Management Plan (CEMP) and emergency management and disaster preparedness program design.

An emergency management program relies foremost on capable staff in sufficient numbers, to carry out the elements of the CEMP. We begin our survey of this program design with an overview of assigned staffing.

### Staffing and Reporting Relationships

The director of fire and building/fire chief holds the title, responsibility, and accountability of emergency director<sup>35</sup> for the City of Kirkland but is not included in the staffing budgeted for the OEM.

### Emergency Management Staffing

There are 1.5 FTEs assigned to staff the City emergency management program:

- Deputy Fire Chief (0.5 FTE)<sup>36</sup>
- Coordinator (1.0 temporary FTE)

A cadre of external and internal volunteers has been recruited to assist with community preparedness:

- Volunteers (includes 2 emergency volunteers; 12 Fire Corps volunteers; 1 AmeriCorps VISTA volunteer through August 2012)
- Amateur Radio Emergency Services<sup>37</sup> (ARES) and Radio Amateur Civil Emergency Services<sup>38</sup> (RACES) (40 volunteer personnel)
- The EMAT (Emergency Management Action Team) is a group of City department representatives that coordinate updates to the CEMP and emergency preparedness activities and information

### Emergency Management Action Team (EMAT)

The Emergency Management Action Team (EMAT) is an internal City team that assists emergency management with non-emergency communication. This team is comprised of a mix of staff members from each of the City's departments. The stated purpose is to assist with emergency preparedness, internal information dissemination and solicitation, monitor training requirements, and capturing feedback on emergency operations center (EOC) staff assignments. EMAT is led by the emergency management coordinator.

### Amateur Radio Emergency Services (ARES)

Amateur Radio Emergency Services (ARES) is a group of community volunteers (approximately 40 members) dedicated to the delivery of communications during a disaster of large scale emergency incident. Established in 1995, this group of registered disaster volunteers can

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<sup>35</sup> Kirkland Municipal Code 3.20; WAC 118.

<sup>36</sup> Amount of time dedicated to emergency management is an estimate provided to ESCI by the administration deputy fire chief.

<sup>37</sup> ARES (non-government) is typically activated before, during, and after an emergency; handles all types of communications.

<sup>38</sup> RACES (government) is active only during an emergency; provides communications support for government emergency management offices.

operate radio transmitters located in each fire station, city hall, the EOC, or the maintenance center. The City recently invested \$57,000 of CIP funds to upgrade the radio equipment used by ARES.

#### Community Emergency Response Training (CERT)

A group of 15 to 20 volunteers participate and assist with Community Emergency Response Training (CERT), Map your Neighborhood, and the Preparedness outreach programs. The deputy chief of administration (emergency manager) is the program coordinator.

There is a new cadre of volunteers that has been recruited to assist with community emergency preparedness. As of the date of this study program details have yet to be established. The AmeriCorps VISTA volunteer has been the point person for most of the volunteers in the OEM. This grant position ends in August 2012.

KF&BD lacks sufficient career personnel resources to fulfill essential roles for the mission and design of the emergency management program. In its place, the City assigns key responsibilities to senior managers of the KF&BD as part of their job description duties. The temporary nature of the emergency management coordinator position has created an uncertainty among staff and has left the program predisposed to turnover. The deputy chief of administration represents the single point of continuity for the emergency management program of the city from year to year, thus represents the single point of failure. This ties the program's success to an individual and reduces the availability of the deputy chief of administration in other fire department responsibilities.

The OEM relies on City staff to participate in emergency management functions. Staff from each of the City departments has employees that are actively involved in operation of the EOC, assigned to disaster response teams, and contributed to Kirkland's CEMP.

Current staffing practices mean that KF&BD must rely heavily on City staff from all departments during an emergency event. In order to capitalize effectively on these volunteer resources, KF&BD must develop and implement a plan that outlines how volunteers will be used and how they will be managed.

#### EOC (Emergency Operations Center)

When an emergency or disaster incident occurs, local agencies must carry out multiple functions swiftly and effectively in an effort to protect life, property, the environment, and the



economy in a concerted effort to restore normalcy. The number, nature, and urgency of problems during an emergency differ greatly from those during normal governmental operations. The complexity, criticality, and interdisciplinary nature of these events dictate the need for a centralized and unique planning and coordination center.

An Emergency Operations Center (EOC) at a central location should be used for information gathering, disaster analysis, and response coordination. Elected and appointed officials use this information for decisions concerning emergency actions and to identify and prioritize the use of needed resources. Emergency warnings, critical information, and instructions to government personnel and the public are vital for success.

Gathering information, making decisions, and taking necessary action requires close coordination between key officials who may not normally work together. Decisions and response actions must be coordinated, integrated, and applied thoughtfully from a central location. A proven way to maximize coordination and application of resources in an emergency is by centralizing response actions in an EOC.

The City of Kirkland does not have space designed and dedicated primarily to the functions of an EOC. Existing space is converted and workarounds must be instituted. These steps take time and lead to further delays and complexities when the space assigned as an EOC is otherwise in use.

#### Interdepartmental Communications

The emergency management coordinator with support from the community program manager facilitates internal communications through the Kirkland intranet network. Emergency Management Assistance Team (EMAT) members meet on a regular schedule and are supplemented with numerous face-to-face and e-mail communications. Newsletters and memoranda are not routinely used as part of internal communications.

#### External Communications

The City of Kirkland's website is the primary resource for public (external) communications with the community. Management of information distribution is directed by the OEM and supported by the City's communications program manager. Kirkland also participates in a regional public information network which community members can voluntarily receive posted information. Electronic reader boards are located at each of the fire stations to provide routine information



and can be deployed during an emergency event. The OEM directs external communication when the OEC is activated in a disaster or during emergency events.

### Inter-jurisdictional

North East King County Regional Public Safety Communication Agency (NORCOM) serves as the community's public safety answering point (PSAP) for 9-1-1 calls and dispatching emergency resources. NORCOM maintains a reverse 9-1-1 system whereby it can deliver a recorded emergency notification to a geographically selected set of telephone service subscribers. The City of Kirkland has access to the emergency notification system for the dissemination of information.

Kirkland emergency management personnel are active with the Local Emergency Planning Committee (LEPC) and participate on regional planning committees with the school districts.

The City of Kirkland has a need to plan, prepare, and be in a position to manage natural and man-made emergency events. Given that many of the events are high risk – low frequency events, the focus of funding and personnel are often directed to other efforts. A strategy employed by various emergency service providers is to collaborate on staffing for services that are of mutual interest. Two neighboring fire districts and others jurisdictions have invested in emergency management. ESCI recommends that the City of Kirkland seek a cooperative effort with other agencies, contracting emergency management services from KF&BD.

### **Emergency Management Planning**

All emergency management and preparedness planning documents, records, and reports are retained in electronic format.

### Documentation

Kirkland's Comprehensive Emergency Management Plan (CEMP) includes a formally adopted mission and objectives linked to its programs.<sup>39</sup> The program mission provides guidance in disaster prevention, preparedness, response, and recovery. The plan emulates the National Response Framework, the Washington State and King County CEMPs, and the Zone 1 (Northeast area of King County) Regional Disaster Plan.

Kirkland's CEMP is posted on the City's website and is available for review and download. The current CEMP was developed in 2010 and is subject to review and revision on a four-year cycle.

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<sup>39</sup> City of Kirkland Resolution R-4865; February 15, 2011.

While incomplete this plan is thorough, integrated with regional, state and national plans, and well organized. The Continuity of Operations (COOP) and Continuity of Government (COG) plans have not been completed due to a lack of funding.

The City of Kirkland has a current Hazard Identification and Vulnerability Assessment (HIVA). A HIVA provides a summary of risk to the City from a variety of different hazards. A Hazard Mitigation Plan (HMP) provides guidance to local public safety officials on projects that could help mitigate the effects of potential hazards such as severe storms, earthquakes, wildfire, and flooding. Federal Emergency Management Agency (FEMA) funding for pre-disaster mitigation is dependent on the adoption of an approved Local Hazard Mitigation Plan.

### Training/Drills

The OEM staff plans, develops, and coordinates EOC training exercise. City employees with EOC or disaster team assignments participate in training and exercises. Like many urban cities today, there is little time among the work priorities of department employees to attend to emergency management roles and responsibilities. However, without leadership input into disaster preparedness planning and training, directors and department personnel can be surprised by plan components as an incident unfolds. City leaders must continue to prioritize time and focus attention to emergency management roles and responsibilities at key junctures in the planning processes.

### Community Involvement

Citizen awareness and involvement in emergency preparedness is vital for success. Citizens need convenient access to emergency management staff to support community involvement. Individuals and groups can direct questions, suggestions, and complaints to the City by means of the website. Community and neighborhood meetings are not a normal component of external communications for emergency preparedness. Meetings to communicate the City's emergency preparedness to neighborhood and community groups should be conducted regularly.

The following paragraphs provide an overview of three key volunteer initiatives under the direction of the KF&BD deputy fire chief of administration

### Community Emergency Response Team (CERT)

Emergency preparedness training is available to the community through the CERT (Community Emergency Response Team). Training classes are determined by the number of community members enrolling through the City's website. Emergency preparedness training is provided to

KF&BD personnel but fire department and other city personnel are not included in emergency exercises.

The development of the CERT program was a principal focus and activity of the City's emergency management program. CERT modules instruct neighbors in disaster preparedness for hazards that may impact their community and introduces basic disaster response skills such as fire safety, light search and rescue, team organization, and disaster medical operations.

Using the skills learned in the classroom and during exercises, CERT members can assist others in their neighborhood or workplace following an event when professional responders are not immediately available to help. Members of CERT are encouraged to support their emergency response agencies by taking a more active role in emergency preparedness projects in their wider community.

Program funding for CERT was decreased in the 2010 budget process. Volunteers and community members have raised funds to sponsor two CERT classes with the OEM in 2012. The CERT program is coordinated by volunteers, taught by a KF&BD firefighter and supervised by the deputy chief of administration.

### Fire Corps

Fire Corps is the name of a Federal Emergency Management Agency (FEMA) grassroots strategy that brings together government and community leaders to involve people in all-hazards emergency preparedness and resilience. Fire Corps is one of five Citizen Corps programs and its mission is to connect community volunteers with their local fire department to assist with non-emergency tasks. Once trained these community volunteers perform non-operational roles that develop, implement, and sustain programs and services to help their fire department meet certain community needs.

Kirkland Fire Corps program has just been established in Kirkland. A KF&BD fire captain manages the program with oversight by the deputy chief of administration (emergency manager). Fire Corps has 12 members who are involved in activities that support the fire department and the OEM.

### Map Your Neighborhood

A third external community preparedness activity is the Map Your Neighborhood (MYN) program.<sup>40</sup> Sample elements of the mapping survey includes ascertaining neighbors with relevant skills to assist, locating vulnerable neighbors, and determining the location of residential natural gas shut offs on a neighborhood map. Due to the autonomous nature of this program, there is no practical means to measure the currency and readiness of the Map Your Neighborhood program. The AmeriCorps VISTA resource person position that is responsible for oversight of OEM volunteers is available until August 31, 2012.

This program offers a unique way for neighbors to connect before, during, and after a disaster or emergency event. There are nine basic steps to the program whereby neighbors can take appropriate action to help each other. However, the program can be strengthened by developing a “block captain” concept and hosting a meeting with these block captains to facilitate brainstorming, share, and create an opportunity for the Kirkland professional staff to provide advice and counsel to the MYN program.

With this many community members involved in emergency management programs and a finite number of personnel resources for oversight, ESCI recommend that KF&BD develop and implement a plan that outlines how volunteers will be used and managed during emergency events.

### **Conclusion – Emergency Management**

Given the number of tasks and functions required of managing an emergency management program, KF&BD is performing well considering the lack of FTEs allocated to the program. However, this comes at an opportunity cost to the fire department by squeezing out other program needs (financial, HR, IT, services to name a few) that would otherwise be provided by the deputy chief of administration. Acquiring additional staff to provide the daily work necessary to maintain a state of readiness would free the deputy chief to perform other essential tasks directly related to the administration of the fire department, relegating the emergency management workload to providing management guidance and gravitas to the program. Further, key plans and documents are missing from the program; specifically the COOP, COG, and HIVA/HMP. Emergency management program documents must be developed and volunteer groups (CERT, ARES/RACES, Fire Corps, AmeriCorps VISTA) need to be honed into

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<sup>40</sup> Map Your Neighborhood is an award-winning program from the Washington State Emergency Management Division that seeks to build and strengthen preparedness within local neighborhoods.

a cohesive, focused team, each contributing as appropriate toward the emergency management mission.

### **Recommendation Summary – Emergency Management**

- ❖ Recommendation 25: Develop and implement a plan outlining how volunteers will be used and managed during emergency events. (Implementation Order 5)
- ❖ Recommendation 26: Identify a location and develop a dedicated EOC; apply for a matching grant from the Washington EMD Emergency Operations Center Grant Program (requires a 25 percent local match). (Implementation Order 4)
- ❖ Recommendation 27: Seek potential partner agencies to provide contracted emergency management services from KF&BD. (Implementation Order 7)
- ❖ Recommendation 28: Complete and publish the COOP and COG plans. (Implementation Order 2)
- ❖ Recommendation 29: Develop a Hazard Identification and Vulnerability Assessment and a Hazard Mitigation Plan. Submit to King County for inclusion as an annex to the County plan. (Implementation Order 3)
- ❖ Recommendation 30: Involve KF&BD and other City of Kirkland employees in community-based emergency exercises at least annually. (Implementation Order 6)
- ❖ Recommendation 31: Hire a full-time City emergency manager, shifting daily responsibilities from the Deputy Chief of Administration to the emergency manager. (Implementation Order 1)

## **Fire Prevention Bureau**

### **Overview of Fire Prevention Services Provided**

This section assesses the current status of the KF&BD's fire prevention and public education program. A comprehensive and effective fire prevention program is grounded on adoption of the current Washington state building code.<sup>41</sup>

Services expected in such a program are:

1) regulation of new construction in the community; 2) regular inspection of



regulated occupancies and enforcement of applicable codes; 3) delivery of fire prevention and life safety information and skills training to the general public; 4) investigation of all fire incidents and assisting in the prosecuting the crime of arson; and 5) a reliable, secure records management system.

Effective service delivery requires capable staff in sufficient numbers to carry out the mission of the program. We begin our survey of this program with a summary look at staffing.

### **Staffing and Reporting Relationships**

Four full-time equivalent (FTE) personnel staff the Fire Marshal Office (FMO or Bureau of Fire Prevention) of the KF&BD. The position titles include:

- Fire Marshal
- Assistant Fire Marshal/Inspector
- Deputy Fire Marshal
- Inspector

### **New Construction Review**

The City of Kirkland's process for permitting new construction actively involves the KF&BD fire marshal, beginning with a pre-application conference for commercial developments and continuing throughout the construction process. The fire marshal's signature is required on any permit for construction and on the subsequent certificate of occupancy.

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<sup>41</sup> Revised Code of Washington (RCW) 19.27.031

The new construction approval process incorporates a two-part fire and life safety plan review. First the building division applies the building code. Second, the fire marshal focuses on fire department access (less than or equal to 150 feet from the building), fire flow, sprinklers, hydrants, fire alarms, and extinguishers.

Kirkland's comprehensive fee schedule supports permit activity. Projected fire marshal service costs are built into the City's permit fees. Fire marshal charges are an actual hourly rate for plan review of a project. The Kirkland Building Division tracks permitting and inspection activity with EnerGov Solutions software.

KF&BD's emergency services have a need for pre-fire (quick access) plans of public, commercial, industrial, and assembly structures. Quick access plans are used in training activities and during emergency incidents to give firefighters familiarity with access and egress points, utilities, hazards, and a general layout of the structure. A considerable amount of building structure information is captured during the permitting, construction, and inspection process. Integration of the fire prevention records with EnerGov RMS used by the building division would meet the requirements of KF&BD for quick access plans.

The City of Kirkland Water Division, the City of Bellevue and Northshore Utility, Woodinville, and King County Water Districts maintain the water supply and distribution system, including fire suppression and hydrant fixtures. The water purveyors use a water-modeling software application program for design and assessment purposes; City and District water staff also maintain the water system. Due to environmental restrictions, the water suppliers rarely flow test fire hydrants (system).

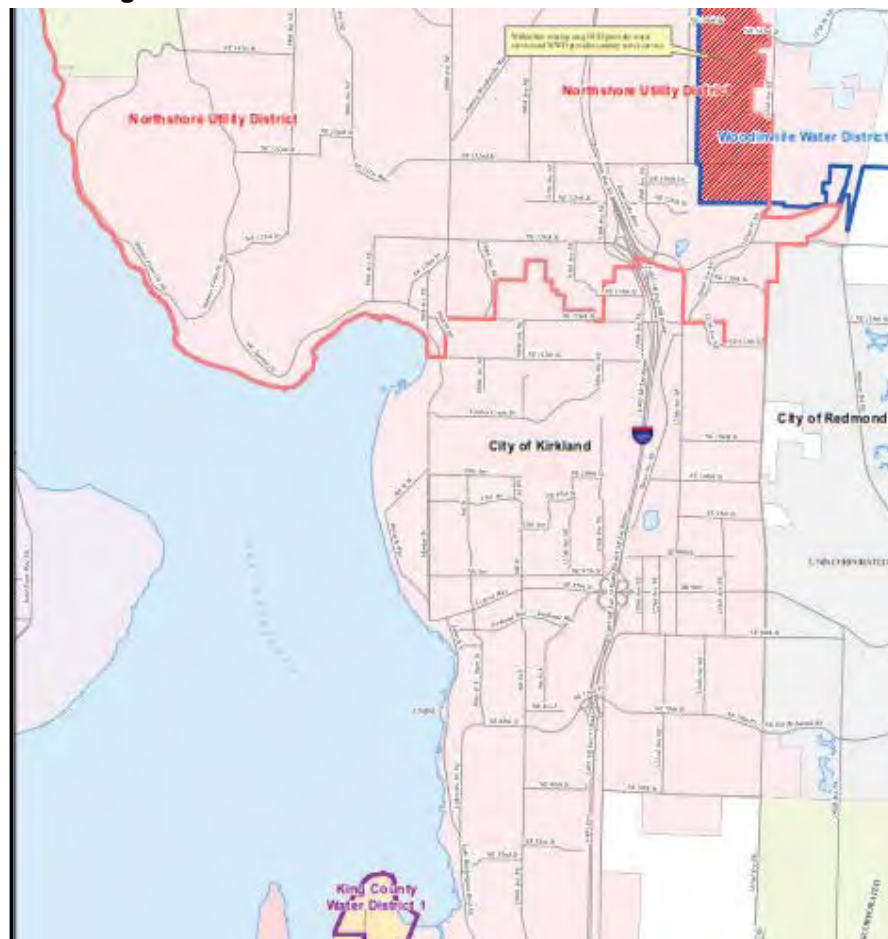
Water systems are constantly undergoing improvement, change in usage, and deterioration. As a result it is important to periodically flow test fire hydrants to determine what their capabilities would be in an emergency. Flow testing can uncover improperly operating valves, leaks and pump damaging debris in hydrants. Discovery of problems and repairs are vital before a hydrant is needed in an emergency.

Additionally, flow test data provides information necessary for water service planners and fire prevention staff can accurately estimate the capabilities of water mains. Water main and hydrant flow capabilities impact decisions on fire protection and fire resistance features that are required for new developments and priorities for upgrading older, smaller water mains.



Figure 39 is a water district and service area reference map. It displays three district boundaries (Northshore Utility, Woodinville Water, and King County Water District 1) and surrounding jurisdictions which provide water services. Service areas do not necessarily match the administrative or political boundaries of municipalities. For example, the City of Kirkland provides water service to the south part of Kirkland, City of Bellevue provides water services to Medina, Hunts Point, Clyde Hill, and part of Yarrow Point. The map label indicates generally the location of the service areas.

**Figure 39: Water District Service Areas<sup>42</sup>**



The City of Kirkland Water Division performs bi-annual inspections of all fire hydrants in the Kirkland water service area. Bi-annual hydrant inspections consist of operation of the main valve, foot valve, caps, leaks, draining and pressure. Flow testing is performed as needed to calibrate the fire flow model. Inspections of fire hydrants are not conducted by the Kirkland Water Division in the Northshore, Redmond, or Woodinville service areas which are inside of

<sup>42</sup> Source: City of Kirkland Water Department.



the City boundary. Kirkland Water Division is scheduled to begin maintenance of City fire hydrants in 2013.

A maintenance agreement with Northshore Utility specifies that all fire hydrants will be thoroughly checked bi-annually. Hydrant checks involve:

- Operation of the hydrant, checking for ease of operation, leaks, drain down
- Exercising the hydrant supply/auxiliary valve
- Logging water pressure at the hydrant
- Lubricating the upper stem section
- Checking accessibility of the hydrant trim shrubbery as needed
- Clean and paint fire hydrants, apply ID tag if needed
- Note all other deficiencies

Northshore Utility maintenance and out-of-service policies include dispatch center notification. Policies and procedures make no mention to fire flow testing for fire hydrants.

Woodinville Water's agreement for hydrant maintenance is with WFR (Woodinville Fire & Rescue). WFR hires seasonal personnel to conduct maintenance at \$3 per hydrant. Woodinville Water pays WFR \$2 and WFR contributes \$1 per hydrant check.

No reference in the Northshore Utility agreement is made for fire flow testing or how maintenance is handled for fire hydrants located in the City of Kirkland.

### **Fire Inspection**

KF&BD has established a scheduled occupancy inspection program, which calls for inspectable occupancies to be inspected annually. Reduced staffing in the FMO does not allow regular completion of this goal. The current completion rate for scheduled annual inspections has fallen to an estimated 20 percent. The KF&BD has just begun an Engine Company Inspection (ECI) program which will apply to Type B,<sup>43</sup> M,<sup>44</sup> and R2<sup>45</sup> occupancies. The FMO has considered a "self-inspection program" but has no plans to pursue or implement such a program.

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<sup>43</sup> Type B: Business where services are provided.

<sup>44</sup> Type M: Mercantile where goods are displayed and sold.

<sup>45</sup> Type R2: Providing accommodations for overnight stay such as apartments and dormitories (except institutions).

Inspection reports are recorded on paper forms, filed, and stored in hard-copy format. The FMO is awaiting implementation of a New World records management system in order to maintain these files electronically. The fire marshal notes that current staffing lacks resources to transcribe hard copy data into an RMS.

The FMO currently does not perform separate special risk inspections as a routine function; in most circumstances, special risk inspections are handled by the fire marshal in conjunction with related permits. FMO staff performs only limited inspections, attendant to storage tank installation permitting. Associated cost(s) for these activities are incorporated in the current permit fee schedule.

The KF&BD has authority to issue citations but rarely uses this enforcement tool. The fire marshal notes that compliance is typically obtained prior to the need for court action. If needed, however, the FMO citation would be sent to the City of Kirkland Municipal Court.

Code inspection service and compliance action result in different perspectives and experiences for recipients. Successful code enforcement programs usually include mechanisms for obtaining feedback on the process and human interaction. The fire marshal currently does not operate a formal community feedback system for evaluating staff activities, interactions, and performance. The FMO reacts solely to complaints registered with the City and/or its office.

#### Emergency Building Access System

When responding to automatic fire alarms in secured, unoccupied buildings, emergency response personnel need rapid access, especially when there is no external indication of an emergent situation. The KF&BD currently uses the Knox-Box<sup>®</sup> key-box entry system to facilitate emergency response and access to designated properties. The developer or the building owner purchases the security box, installs it per fire department specification, and inserts essential keys that allow emergency access to the facility. Using a fire department master key, response personnel can immediately enter the building to address the incident and minimize property damage. Rapid entry both reduces on-scene wait times and allows emergency response resources to return to service more quickly.

#### **Code Enforcement**

Effective code enforcement requires local adoption and use of the current state-adopted fire code. The State of Washington adopted the International Fire Code (2009), which the City of

Kirkland adopted and uses. The City also has adopted some minimal amendments, which serve local interests.

Within the parameters of the fire code, automatic fire sprinkler protection systems are a cost effective means to manage fire risk in multiple occupancy, large area, and certain high-risk occupancies. The City adopted a sprinkler ordinance that applies to structures greater than 5,000 square feet. This ordinance also incorporates both fire flow and fire department access (less than or equal to 150 feet) requirements. The sprinkler ordinance does not apply to residential structures smaller than 5,000 square feet.

### **Fire Cause Determination (Investigation)**

The FMO of the KF&BD maintains an active fire investigation program, which includes fire origin and cause determination, and arson investigation. The fire marshal is responsible for the program and the team includes FMO staff, operations personnel, and two police officers. The program does not provide for the handling of juvenile suspects.

The KF&BD maintains scene control after a fire incident unless and until the crime of arson is suspected or determined. At that point, scene control is transferred to the Kirkland Police Department. The FMO completes, maintains, and securely stores reports and records for all fire incidents.

An informal working relationship (mutual aid) with neighboring jurisdictions for origin and fire cause determination is maintained. The program has regularly participated in external training.

An acceptable inventory of equipment and supplies, and secure process for collecting, recording, and filing/storing evidence has an established by the FMO. Evidence is maintained in a secured area, for which a formal release is required for entry.

### **Public Education**

The fire and life-safety public education efforts of the KF&BD are significantly limited with the elimination of the single KF&BD community education specialist at the end of 2010. ESCI found that that virtually all public education efforts outside of some limited special requests have been discontinued since then.

While KF&BD is exploring alternative strategies to maintain its public education efforts, there is no clear plan in place to delineate the department's strategy, goals, and methodologies. The idea was to involve volunteers and on-duty personnel as the conduit for delivering fire

prevention information and conduct public education. ESCI recommends that a plan be developed for conveying fire prevention and community education.

Neither KF&BD nor the local school system conduct structured fire and life-safety education. The juvenile firesetter counseling program was eliminated in 2010; a result of funding priorities. KF&BD has no bi-lingual education resources; if needed, a work-around is possible using City resources. The FMO does not attempt to address wildland interface risks primarily because the risk in Kirkland is minimal.

Basic life safety services should include education and training to avoid and/or mitigate certain medical emergencies. Citizen training in the skill of cardiopulmonary resuscitation (CPR) is a common and very effective means to prepare citizens to capably respond to many cardiac arrest incidents. CPR instruction is offered to the public through the Medical Assistance Training (MAT) program and overseen by the deputy chief of operations. Funding of the program and compensation for off-duty firefighters to instruct the courses is from the King County Medic II Program. The City of Kirkland Parks Department handles the registration and the KF&BD administrative staff coordinates facilities for the classes. KF&BD also offers free blood pressure screening at each of its fire stations, which is an important and effective means to alert citizens to potential cardiovascular risks.

The FMO maintains a limited supply of fire and life safety literature, which is obtained either at no cost or through grant funding. Literature currently on hand is limited in quantity and scope; documents appear dated.

Every effort should be explored to provide for public education in the community. Employment of opportunities with other community groups and other City departments, engine company public education delivery, and leveraging passive methods of education should be explored. Other ideas involve the re-invigorated volunteer Emergency Medical Technician (EMT) program or expansion of the Fire Corps program to deliver public education.

### **Conclusion – Fire Prevention Bureau**

The City of Kirkland's process for construction permitting delivers a higher level of service than is commonly seen by involvement of the fire and building department from pre-application conference for commercial developments and continuing throughout the construction process.

KF&BD's need for pre-fire (quick access) plans of public, commercial, industrial, and assembly structures can be met by integration of software used by the building division. The RMS used by the building division would meet the needs of KF&BD for quick access plans.

KF&BD current completion rate for scheduled annual inspections of an estimated 20 percent may expose emergency services personnel and public to unacceptable risk during a fire event. The KF&BD has just begun an Engine Company Inspection (ECI) program for Type B, M, and R2 occupancies.

Fire and life-safety public education efforts of the KF&BD were limited to outside special requests that have since been discontinued. It was determined during the budget development process that a plan for delivering public education would be developed. This has yet to occur.

### **Recommendation Summary – Fire Prevention Bureau**

- ❖ Recommendation 32: Integrate KF&BD fire prevention records management with the EnerGov RMS software used by the Building Division. (Implementation Order 3)
- ❖ Recommendation 33: Conduct a fire and life-safety inspection of all inspectable occupancies in the next 12 months. If necessary use emergency services personnel to complete inspections. (Implementation Order 1)
- ❖ Recommendation 34: Develop and adopt a plan for the maintenance, repair, and flow testing of all fire hydrants in the City of Kirkland. (Implementation Order 2)
- ❖ Recommendation 35: Develop and implement a self-inspection program for light risk occupancies where the occupants have demonstrated regular code compliance. (Implementation Order 13)
- ❖ Recommendation 36: Acquire and deploy electronic tablet devices for field data entry and rapid downloading to the records management system. (Implementation Order 4)
- ❖ Recommendation 37: Develop and adopt a plan to actively solicit feedback from a representative sample of recipients of KF&BD inspection and enforcement services. (Implementation Order 10)
- ❖ Recommendation 38: Adopt a local residential sprinkler ordinance for new residential construction. (Implementation Order 5)
- ❖ Recommendation 39: Form a regional partnership to develop and deliver juvenile firesetter intervention and counseling. (Implementation Order 12)
- ❖ Recommendation 40: Develop, adopt, publish, and implement a KF&BD Public Education Plan. (Implementation Order 6)
- ❖ Recommendation 41: Form regional partnerships for the development and deployment of public fire and life safety education initiatives; also rotate operations personnel to deliver a structured curriculum. (Implementation Order 7)

- ❖ Recommendation 42: Rotate emergency operations personnel to a temporary duty assignment as a public educator to deliver the public education curriculum. (Implementation Order 11)
- ❖ Recommendation 43: Employ electronic information media from the United States Fire Administration and NFPA for linking or posting and making available on the Kirkland website. (Implementation Order 9)
- ❖ Recommendation 44: Create partnerships with other public agencies and private sector companies to provide public education and information to the citizens of Kirkland. (Implementation Order 8)

## **Fire and Emergency Medical Services (Emergency Response)**

### **Overview of Fire and EMS Services Provided**

KF&BD provides a variety of emergency response services, including:

- Fire suppression
- Emergency Medical Services (EMS) response
- Basic Life Support (BLS) transport
- Hazardous materials emergency response
- Entrapment and other technical rescue
- Emergency management
- Specialized rescue services
  - Confined space
  - Rope (high and low angle rescue)
  - Trench collapse
  - Structural collapse
  - Vehicle/machinery
  - Surface Water

Technical rescues require specialized equipment and a group of skilled practitioners. The cost for every individual fire department to equip, train, and maintain sufficient numbers of technical rescue personnel is not cost effective. Collaboration for specialized services is an attractive alternative. KF&BD participates with other fire departments as one part of the Zone 1 regional TRT (technical rescue team) and hazardous materials consortium.



### **Staffing and Reporting Relationships**

Based on the Kirkland Fire & Building Department organizational chart, there are three direct reports to the fire and building department director/fire chief (Figure 4, page 21): the building services manager, the administrative deputy fire chief, and the operations deputy fire chief. ESCI observed and through interviews determined that the hierarchal structure operates as



intended with the building services manager. In contrast, ESCI found that in practice the fire chief is the direct report for any number of other fire department personnel and activities.

The certified classification position of deputy fire chief has two assignment descriptions—administrative services and emergency services bureau. Assignment descriptions of the position duties are:

- **Administrative Services:** Oversees operations in the area of fire prevention, city emergency management, communication center (NORCOM), EMS transport program, and administrative support. Works under the direct supervision of the fire chief, creates and recommends policies and procedures, bureau budgets and manages personnel assigned to the administrative services bureau. Directly supervises fire marshal, emergency preparedness coordinator, emergency medical services officer (EMSO), and administrative support.
- **Emergency Services:** Oversees operations in the areas of fire suppression, emergency medical, training, hazardous materials, rescue, support team, apparatus, equipment, and facilities. Works under the direct supervision of the fire chief, creates and recommends policies and procedures, bureau budgets and manages personnel assigned to the emergency services bureau. Directly supervises battalion chiefs assigned to training and emergency services.

Deputy fire chief is the second highest position in the KF&BD. It was reported to ESCI that deputy fire chiefs routinely perform administrative, technician, and clerical tasks. Time devoted to activities outside of essential functions and principal accountabilities have reduced the deputy chiefs' availability to perform job critical administrative and supervisory duties. Three areas of particular concern are:

- Coordination of activities with other fire department work units, other City department/divisions, and other fire service agencies
- Resolving personnel issues, citizen complaints, employee accountability, and corrective action as required
- Monitoring the efficiency and effectiveness of assigned bureaus to ensure departmental performance and operating standards are being successfully achieved

Recommendations on alignment to the administrative level of the KF&BD are found in Strategic Plan Recommendations and Priorities beginning on page 229.

### **Analysis of Overtime**

Four particularly sensitive budget items are often the source of discussion among elected officials, management, and employee groups: compensation (pay), pensions, health and welfare, and overtime. As a task of this project, ESCI reviewed overtime usage in the Kirkland



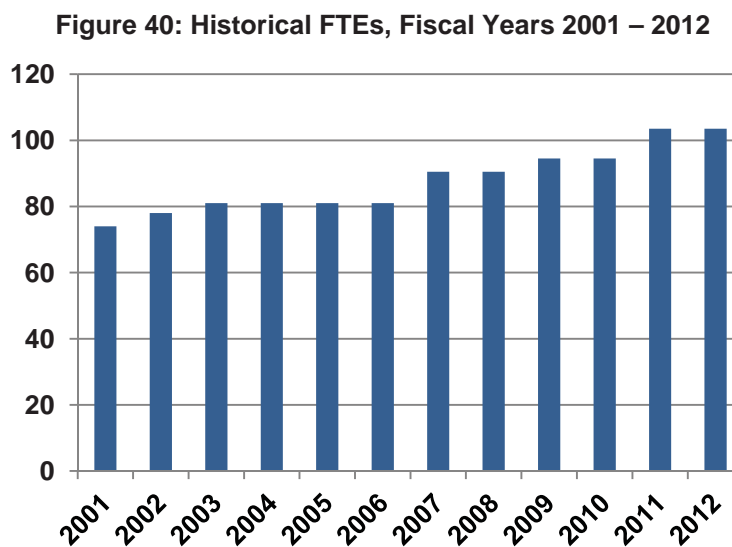
FD for any compelling reason to alter current practice or maintain the status quo. For this portion of the project, ESCI was provided with and reviewed the following documents:

- City of KF&BD, overtime data 2001 through 2012.
- KF&BD line-item budget documents for fiscal years 2008 through 2012.
- KF&BD leave time summary data 2009 through 2011.
- The IAFF agreement with the City of Kirkland, Washington, and Local 2545 of the International Association of Fire Fighters, January 1, 2008 through December 31, 2010. A one-year extension was added the agreement. That too has expired (December 31, 2011). Negotiations are ongoing at the time of this study.
- KF&BD staffing levels 2001 through 2012.

Historical and current personnel costs and financial records of the Kirkland Fire & Building Department were made available for the purpose of the project. Fire department FTEs and overtime were used for the generation of this analysis. Building division costs and FTEs were excluded from the analysis.

#### Staffing Levels and Personnel Deployment

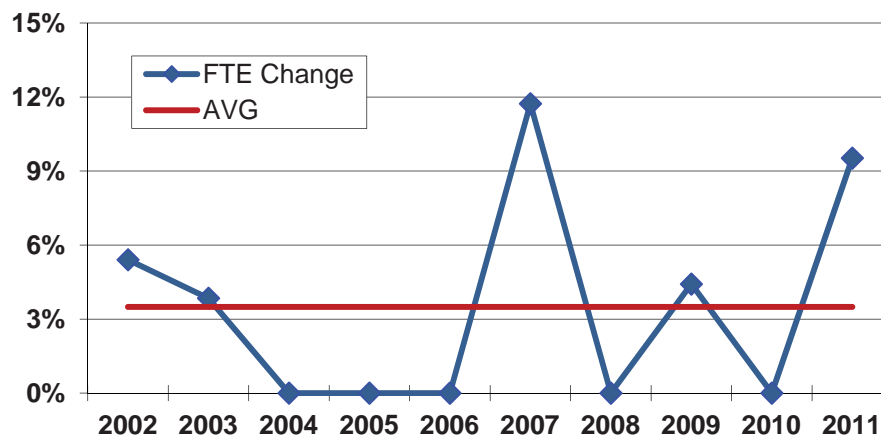
Before determining if overtime use is properly managed, a number of variables were identified. To begin, the number of FTEs for KF&BD in any given year was determined. The number of employees in the fire department has increased over the last 12 years in an effort to keep up with the growth of the City; these changes can impact the outcome of comparisons. Figure 40 is a historical presentation of the total FTEs in the fire department from 2001 through 2012.



Between 2001 and 2012 KF&BD had a high of 103.5 total fire department FTEs in fiscal year 2012 and a low of 74 FTEs in fiscal year ending in 2001.

Figure 41 illustrates the year-to-year percent of change in FTEs and the average percent of change from 2001 to 2011.

**Figure 41: Historical Percent and Average Change in FTEs, 2001 – 2011**

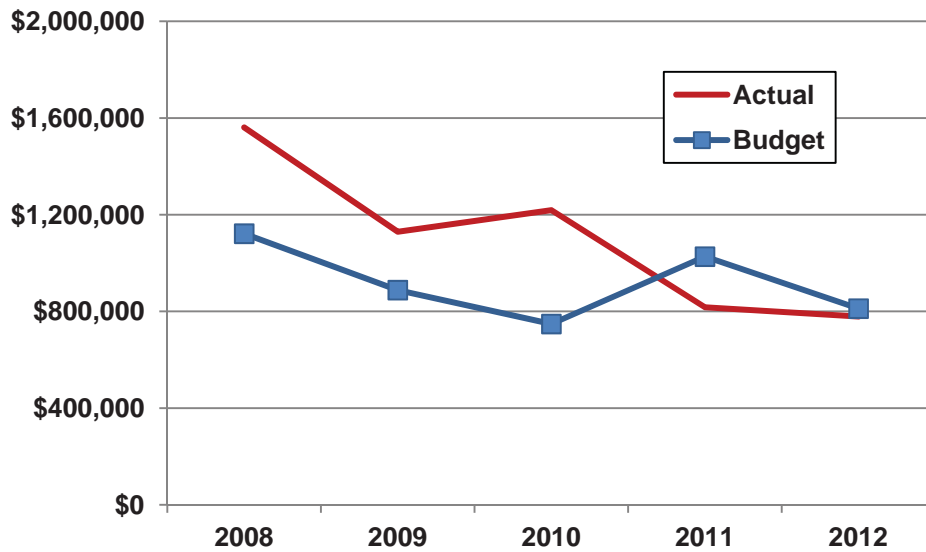


Over the ten-year period, the Kirkland FD has increased FTEs an average of 3.49 percent annually with the largest annual increase occurring between 2006 and 2007 (11.73 percent).

ESCI reviewed the amount budgeted for overtime and the actual expenditures for a five-year period. Figure 42 shows the budgeted versus actual overtime costs for the fiscal years 2008 through 2012.<sup>46</sup>

<sup>46</sup> Kirkland budget document for 2012 includes \$200,000 in overtime outside the fire department budget.

**Figure 42: Budget to Actual Overtime Cost, Fiscal Years 2008 – 2012**

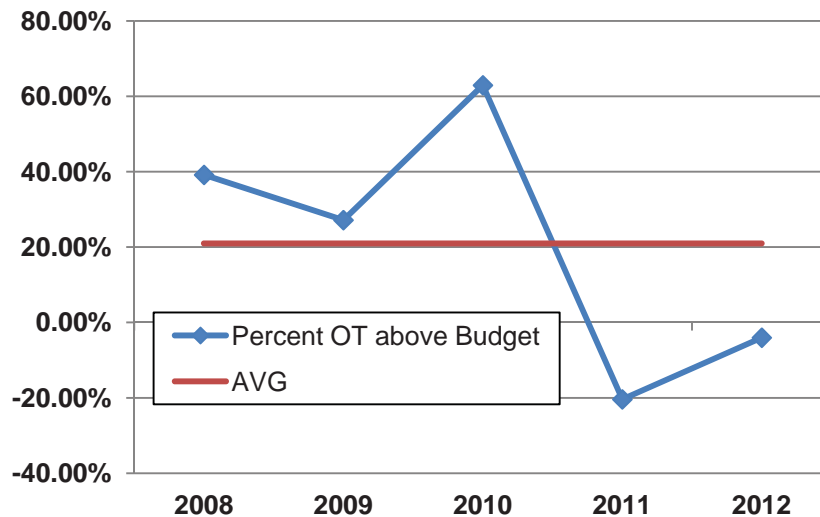


Overtime costs have decreased over the five-year period. In 2009, the elimination of overtime staffing for the Finn Hill Fire Station caused a significant reduction. During the past two fiscal years, KF&BD has stayed within the budgeted overtime amount.

Overtime use is often unpredictable in the fire service by the very nature of working with emergency activities. However, statistical data can be used as the predictor of future use.

The following figure (Figure 43) illustrates the actual percentage that expenditures for overtime exceeded budgeted overtime and the average percent for the last five fiscal years except in 2011 and 2012.

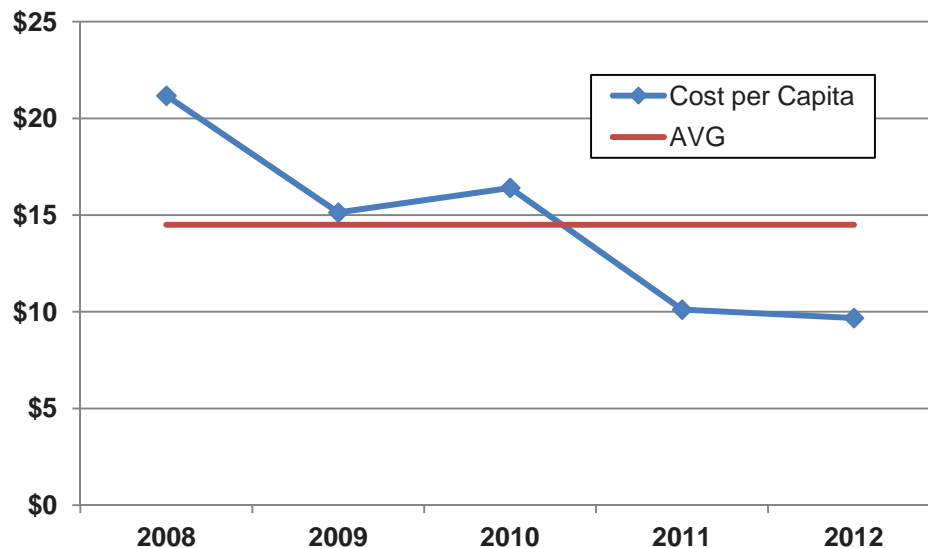
**Figure 43: Budget to Actual Overtime by Percentage, Fiscal Years 2008 – 2012**



Overtime in the fiscal year ending in 2008 exceeded the budgeted amount by 39.17 percent. The highest level of overtime cost over budget was recorded in 2010 with a 62.94 percent overage. In 2011, overtime costs were below budget by 20.4 percent and in 2012 the KF&BD is on budget.

The population for the City of Kirkland and the service area has steadily increased by 8.4 percent from 2001 to 2010. In 2011, the population grew 64.24 percent over 2010 due to annexations. To gauge the impact of overtime on the community, actual overtime costs were calculated on a per capita basis for each of the last five years. Figure 44 shows the cost per capita and average for fiscal years 2008 through 2012.

**Figure 44: Annual and Average per Capita Cost of Overtime, Fiscal Years 2008 – 2012**



The cost per capita for fire department overtime has steadily declined since 2008. In 2008 overtime was \$21.17 per capita and declined to \$9.67 in the 2012 budget. The reduction in 2009 was due to the elimination of overtime staffing of the Finn Hill station and, in 2011, the reduction was due to annexation (based on the larger population base). The annual average CPI-W for the Seattle-Tacoma-Bellevue, WA metro area was 2.458 percent for the ten-year period 2002 to 2011. When the CPI-W is applied to the cost of overtime, the downward trend of overtime is greater.

Personnel services costs for the KF&BD over the most recent five-year period were examined. Between fiscal years 2008 and 2012, the personnel services expenditures for the fire department have increased approximately 28.95 percent.<sup>47</sup>

Figure 45 compares overtime expenditure as a percentage of wages for fiscal years 2008 through 2012.

**Figure 45: Overtime as a Percentage of Wages, Fiscal Years 2008 – 2012<sup>48</sup>**

Description	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Wages	7,491,763	8,373,559	8,443,331	9,012,488	9,660,589
Overtime Dollars	1,554,425	1,128,720	1,212,232	810,879	773,858
Percent of Overtime	20.75%	13.48%	14.36%	9.00%	8.01%

The above table shows a significant decrease in the percent of overtime spent compared to wages in 2011 and budgeted for 2012. This is primarily from a reduction of minimum staffing to 19 and source re-allocation of personnel.

### Deployment

KF&BD operates six fire stations (five with career staffing) with 12 frontline units and has established a minimum daily staffing level of 19 personnel.<sup>49</sup> KF&BD *Department Manual Directive Number 3.001* dated February 1, 2000, states that the minimum staffing shall be 15 with 1 being an officer and 14 firefighters. This directive needs to be updated to current minimum staffing levels. Figure 38 lists minimum staffing by unit and position in January 2012.

<sup>47</sup> Revenue offsets were not included in the calculation.

<sup>48</sup> Does not include Inspection cost center.

<sup>49</sup> Source: Minimum staffing design as compared to total staff assigned per shift, 02/15/2012.

**Figure 46: Minimum Staffing by Unit and Position, January 2012**

Unit	Battalion Chief	Officer (Captain or Lieutenant)	Driver Operator	Firefighter
Engine 21		1	1	1
Engine 22		1	1	1
Engine 25		1	1	1
Engine 26		1	1	1
Engine 27		1	1	1
Aid 21		Cross-staffed with Engine 21		
Aid 22		Cross-staffed with Engine 22		
Aid 25		Cross-staffed with Engine 25		
Aid 26		Cross-staffed with Engine 26		
Aid 27		Cross-staffed with Engine 27		
Aid 29		Cross-staffed with Ladder 27		
Air Unit 21		Cross-staffed with Engine 22		
Ladder 27		1	1	1
Battalion Chief	1			
Shift Captain (Swing Position)		1		
<b>Total</b>	<b>1</b>	<b>6</b>	<b>6</b>	<b>6</b>

A total of 30 personnel are assigned to each shift with minimum staffing set at 19. In the minimum staffing matrix, the swing staff position is not identified.

Based on the rank and number of positions required to meet minimum staffing there are a given number of shifts to fill per year. The table below summarizes the number of shifts to be filled based on minimum staffing.<sup>50</sup>

**Figure 47: Number of Shifts per Year, Minimum Staffing**

	Battalion Chief	Officer	Driver-Operator	Firefighter EMT	Total
Minimum Staffing	1	6	6	6	19
Days per Shift	122	122	122	122	122
No. of Shifts times	122	732	732	732	2,318
Minimum Staffing					
<b>Total Requirement</b>	<b>366</b>	<b>2,196</b>	<b>2,196</b>	<b>2,196</b>	<b>6,954</b>

There are a total of 6,954 shifts to be filled to meet minimum staffing.

<sup>50</sup> Calculations on shifts per year are all based on a 366 day year.

KF&BD is authorized for 90 FTE emergency operations personnel. The personnel roster lists a total of 88 FTEs with one position vacant on A shift and one position vacant on B shift.<sup>51</sup> Figure 48 shows a breakdown of the number of authorized positions by rank (30 per shift).<sup>52</sup>

**Figure 48: Number of Authorized Positions by Shift**

	A Shift	B Shift	C Shift	Total
Battalion Chief	1	1	1	3
Captain	4	3	3	10
Lieutenant	3	4	4	11
Firefighter Firefighter/EMT	22	22	22	66
<b>Total Authorized</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>90</b>

During the course of this work KF&BD hired three personnel that were scheduled to complete recruit training and be sworn in to the department on Friday, June 22, 2012. Two of the positions are for the current vacancies and the third for a recent retirement. The new hires bring the department up to full staffing.

Figure 49 shows the annual number of scheduled shifts for the 90 authorized emergency services positions for the KF&BD.

**Figure 49: Number of Scheduled Shifts by Position per Year**

	Battalion Chief	Captain	Lieutenant	Firefighter EMT	Total
Positions	3	10	11	66	
Shifts per Position	122	122	122	122	
<b>Total Shifts</b>	<b>366</b>	<b>1,220</b>	<b>1,342</b>	<b>8,052</b>	<b>10,980</b>

A gross total of 10,980 scheduled shifts are available compared to 6,954 required to be filled at minimum staffing; a net difference of 4,026 shifts. However, Kelly, vacation, sick and injury, holiday, and other leaves obviously reduce the number of available shifts for personnel to work (net shifts available).

<sup>51</sup> During the course of this work three personnel were hired and completed recruit training Friday, June 22, 2012 to fill two vacancies and one retirement.

<sup>52</sup> Leave calculations based 90 FTEs.

### Scheduled and Unscheduled Leave

The number of hours an employee has for vacation is based on the years of completed service with the City of Kirkland.<sup>53</sup> The following accrual rates were effective through December 31, 2010:

- 1<sup>st</sup> – 2<sup>nd</sup> year, 10 hours monthly, annual 120 hours
- 3<sup>rd</sup> – 5<sup>th</sup> year, 12 hours monthly, annual 144 hours
- 6<sup>th</sup> – 9<sup>th</sup> year, 15 hours monthly, annual 180 hours
- 10<sup>th</sup> – 13<sup>th</sup> year, 19 hours monthly, annual 228 hours
- 14<sup>th</sup> – 17<sup>th</sup> year, 20.5 hours monthly, annual 246 hours
- 18<sup>th</sup> – 21<sup>st</sup> year, 22.5 hours monthly, annual 270 hours
- 22<sup>nd</sup> – 24<sup>th</sup> year, 23.5 hours monthly, annual 282 hours
- 25<sup>th</sup> year or more, 24 hours monthly, annual 288 hours

The 14 to 17 years of service range was used as a median point, the number of accrued vacation hours is 246 per employee per year. The result is 10.25 shifts of vacation per employee and a total of 922.5 shifts. Actual vacation leave used by employees varies with employees having the ability to bank and carryover up to 300 hours.

The amount of sick, injury, and leave categorized as other used by fire department personnel varies by employee. Typically, sick leave use (excludes injury and other leave) in fire departments of similar size and character averages between 2.5 to 4.0 shifts per year. For this exercise, ESCI used the three-year KF&BD average of 9.65 shifts per year per employee to arrive at a total of 868 annual shifts of sick leave.<sup>54</sup> Sick leave accrual at KF&BD is currently not on a “use-it-or-lose-it” plan. The balance carries over from year to year and is cumulative to a maximum of 1,440 hours.

Figure 50 uses the total annual available shifts and deducts those required for minimum staffing, vacation leave, holiday, sick and injury, training, and other leaves (court and jury and bereavement) to arrive at the number of unallocated shifts. In addition to vacation, sick, and injury hours, 48 hours for training and other leave per year per employee were included.

- Vacation includes: emergency leave, family medical leave-vacation, vacation annual, and vacation routine.

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<sup>53</sup> The IAFF agreement with the City of Kirkland, Washington, and Local 2545 of the International Association of Fire Fighters, January 1, 2008, through December 31, 2010.

<sup>54</sup> ESCI's experience is that the number of sick leave shifts will generally be less than 4.0 shifts per employee per year. Average sick leave use is 2.5 shifts.



- Sick and injury includes: dependent leave, family medical leave-sick, on-duty injury, disability off-duty, sick family member LEOFF 2, sick leave LEOFF 1, and sick leave LEOFF 2.
- Training and other leave includes: bereavement leave, community service leave, family medical leave, furlough annual, furlough routine, jury duty, military leave, on-duty department business, physical fitness leave annual and routine, union leave, and wellness/fitness leave.
- Holiday includes: family medical leave-holiday, holiday annual, and holiday routine.

**Figure 50: Number of Shifts Available Less Minimum Staffing and Leaves per Year**

<b>Gross Number of Shifts</b>	<b>10,980</b>
<b>Less Leave Time</b>	
Minimum Staffing	6,954
Vacation	923
Sick and Injury	869
Training and Other Leaves	360
Kelly Day	1,530
Holiday	450
<b>Unallocated Balance</b>	<b>(106)</b>

Assuming an average of 10.25 shifts of vacation, 9.65 shifts of sick and injury leave, 4.0 shifts for training and other leave, 17.0 Kelly, and 5.0 holidays per employee, a total of 106 shifts need to be filled to meet minimum staffing. Because there are more vacancies than available shifts above minimum staffing, KF&BD will frequently need to hire back firefighters on overtime. A complication of filling vacancies is the need to match available personnel with like rank and certification.

#### Step-Up (Acting Officer)

KF&BD promoted a lieutenant to captain in 2011 and assigned one captain per shift to fill vacancies in an effort to reduce the number and cost of overtime shifts replacing officers. It was reported to ESCI that the promotions and the availability of three officers have made a reduction in the number of overtime shifts for lieutenants, captains, and battalion chiefs. This was accomplished without increasing the number of FTEs in emergency services.

There are reasons why the given number of unallocated shifts would be inadequate to fill all instances a vacancy occurs. They include:

- Imbalance between the personnel of a given rank, on a given shift (A, B, and C) on leave and total qualified individuals available to fill the vacancy.
- Imbalance in vacation scheduling with more personnel than available to fill vacancies in a given rank or qualification.

- Abnormally large number or uneven distribution of sick and injury or other unplanned leaves.
- Insufficient number of qualified personnel to step-up.

Providing personnel with the requisite knowledge, skills, and abilities to accept responsibilities provides an experience that is a valuable tool in preparing for promotion. It is also acceptable to have individuals at the captain and lieutenant ranks work down to fill firefighter vacancies. Utilizing this approach could create pay issues with the workforce i.e. does an officer working down keep their same pay level or that of the lower paid position.

#### Alternative Scheduling Methodologies and Overtime Usage

Firefighters' work schedules depend on individual fire department need or agreement (memo of understanding, meet and confer, or collective bargaining agreement) between the agency and labor. Firefighter schedules vary from 72 hours on duty and 96 hours off (e.g., CAL FIRE), to 48 hours on duty and 96 hours off, to the more traditional 24 hours on duty and 48 hours off. Other departments have firefighters that work two 10-hour day shifts and two 14-hour overnight shifts in a seven-day schedule. With the exception of some very large fire agencies, the majority have either a 24 or 48-hour work shift with alternating day(s) off-duty. Larger departments may have a number of their firefighters on alternative schedules to align staffing to workload; an example is the staffing of PAUs (peak activity unit).

It has been argued that the 10-hour day and 14-hour overnight shift would allow firefighters to be more productive. To the contrary, whenever possible fire department management elects to have 24-hour shifts to cut down on overtime pay by limiting the chance fire personnel will work late due to emergency calls. For every scheduling scheme, there are many variations.

For fire departments, there are work rules that apply specifically to firefighters that allow for special work periods. Provisions in the Fair Labor Standards Act (FLSA) state that:

*Public-sector (government) fire departments may establish special "7(k) work periods" for sworn firefighters, which can increase the FLSA overtime "thresholds" beyond the normal 40 hour week. Firefighters covered by these special work periods are entitled to FLSA overtime only for hours worked in excess of a threshold set by the Department of Labor on a chart. For example, in a 28 day work period, fire fighters would be entitled to FLSA overtime only for hours actually worked over 212 during that 28 day period (in essence, a 53 hour work week). "7(k)" refers to the section of the FLSA in which these special rules are contained, 29 USC §207(k). Most fire fighters who work "platoon schedules"*

*will be classified by their employers as "7(k) eligible" and compensated accordingly.<sup>55</sup>*

The City of Kirkland has established a 21-day, 168-hour FLSA period.<sup>56</sup> KF&BD operational firefighters' normal duty period is two 24-hour shifts followed by 96 hours off. In the absence of an FLSA work period, maintaining current staffing can significantly increase overtime costs. The City of Kirkland has through the collective bargaining process agreed that emergency services personnel of the KF&BD be compensated overtime for all time worked above scheduled hours. To mitigate the impact of overtime costs, Kirkland maintains a number of personnel above minimum staffing levels to fill vacancies.

What does this all mean? Under the FLSA, firefighters can work more than 40-hours per week and will only receive overtime for those hours that are either outside of the established work period, or if more restrictive, for those hours beyond scheduled work hours.

To maintain a minimum staffing level of 19 fire and EMS on-duty personnel and fill vacancies for vacation, sick leave, sick-injury, training, military leave, jury duty, Kelly relief, or any number of other ancillary issues, supplementary staff is needed to maintain the minimum staffing level. Given that many of the vacancies are unpredictable, KF&BD has essentially two options to maintain minimum staffing: hire back replacements from off-duty personnel on overtime or have additional personnel assigned to each shift. KF&BD has chosen the latter and has staffed 30 personnel per shift. Ideally this would allow up to 11 employees (approximately 33 percent) being off duty without hiring back at overtime.

What is the cost of the two options? It would seem that having a set number of extra firefighters on each shift would have the least financial impact. A caveat to maintaining personnel above minimum staffing is that they need to be filling vacancies or any potential cost avoidance is lost. This is a consequence of not paying supplementary fringe benefits costs when hiring off-duty personnel to fill vacancies. Fringe benefit costs of personnel have increased, eliminating most cost savings that may be realized by hiring new employees versus using overtime.

The question then becomes is KF&BD properly managing discretionary overtime? KF&BD has reduced the percentage of dollars expended on fire personnel overtime; however, it still

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<sup>55</sup> Source: 29 U.S.C. §207(k).

<sup>56</sup> Note: An FLSA work schedule can be made more restrictive with a collective bargaining agreement that requires overtime for any hours worked exceeding that which is regularly scheduled, even though FLSA only requires overtime beyond the maximum hours in the cycle.

represents a significant portion of the personnel services budget. KF&BD emergency services personnel schedule vacation to achieve the maximum benefit from staffing above the minimum of 19 personnel per work day.

### Vacation Leave

With an authorized operational staff of 90, there are 923 vacancies for vacation leave (see Figure 50) per year. Distribution of vacation leave over a year results in approximately 2.52 personnel off each day. With 11 personnel per shift above minimum staffing, three personnel on vacation leave gives the department a buffer of 8.5 for covering unanticipated vacancies, Kelly relief, training, sick, and injury leaves.

### Kelly Day

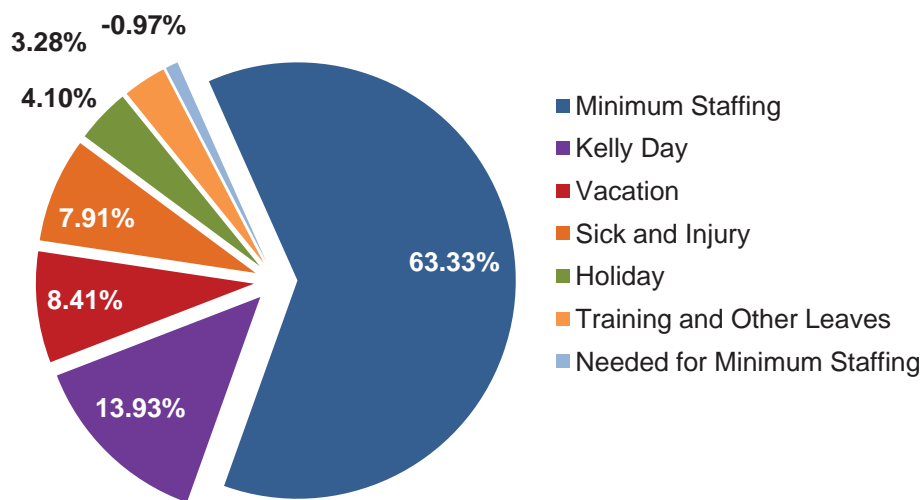
The workweek for emergency operations (line personnel) is 48 hours per week on an average annual basis. Until January 1, 2010, the work schedule for bargaining unit line personnel was scheduled in 24-hour shifts. Employees would normally work one 24-hour shift followed by 48 hours off. This was accomplished by providing one Kelly shift (day) off after every six scheduled shifts, prescheduled on an annual basis; Kelly shifts are selected beginning with the employee with the greatest seniority annually.

Effective January 1, 2010, the work schedule for bargaining unit emergency operations personnel was modified to two consecutive 24-hour shifts (48-hour “set”). Emergency operational employees work period is now normally two 24-hour shifts followed by 96 hours off. The workweek remains at 48 hours per week on an average annual basis. This is accomplished by providing two Kelly shifts off after every six scheduled sets. There are approximately 17 Kelly Days per year per employee. With 90 emergency operational FTEs there are 1,530 Kelly shift vacancies.

### Holiday Leave

KF&BD personnel on the 24-hour shift schedule receive 120 hours off in lieu of holidays; since the fire service is a 365 days per year operation equal to five shifts per employee. Holiday time is credited to employees on January 1 of each calendar year.

The following figure shows a breakdown of the annual gross available operational shifts, leaves and unallocated shifts by percentage.

**Figure 51: Percentage of Unallocated Shifts Less Minimum Staffing, and Leaves per Year**

Annually there are 10,980 available shifts with 90 operations FTEs, 63.33 percent are needed to meet minimum staffing, 37.63 percent for leaves, leaving (0.97) percent (106 shifts) required to meet minimum staffing. Ideally there would be enough unallocated shifts to eliminate overtime. With unanticipated short and long-term disabilities, sick leave, Kelly leave, and vacation not being distributed evenly, there are instances when it is necessary to hire back personnel to meet minimum staffing levels. Likewise there are shifts with staffing above minimum levels.

Given the number of FTEs dedicated to emergency operations, a minimum staffing of 19 per day, 30 personnel assigned to each shift, scheduled vacation, and a limit to the number of people allowed on vacation, KF&BD's use of overtime is appropriate. The recent change of promoting officers has had an impact on reducing the number of overtime shifts. Company officers generally have more vacation leave and a higher salary. Having more than minimum staffing for officers has had the desired effect of helping to reduce and off-set some of KF&BD's overtime costs.

Another option employed by a limited number of fire departments is the addition of a D shift. D shift is made up of personnel that work by filling vacancies on A, B, or C shifts. Personnel assigned to a D shift select from available vacancies on the shifts they would like to work in a given time period. They would still work a minimum number of shifts and receive overtime opportunities, but they have the latitude to consolidate or spread out their work schedule to meet personal needs. There is a great deal of flexibility with scheduling for the department and the individual.

A portion of overtime costs are variable and unpredictable. Scheduled leaves can often be filled from the capacity above minimum staffing on each shift. Illness, work-related injuries, family emergencies, and other unscheduled leaves often result in overtime. While it was not the intent of this study to review the aspects of leave usage, it is appropriate that this be conducted regularly. For example: Is sick leave usage increasing? Is sick leave related to long-term illnesses? What is the annual sick leave use per employee? Can sick leave use be reduced by modifying the leave accrual policy?<sup>57</sup>

Additional questions can be asked about work-related injuries. ESCI recommends that KF&BD investigate the source(s) of time loss from illness and work-related injuries. An analysis of causes by source and employee group would help to determine what modifications could be made to continue the trend of reducing overtime use at the KF&BD.

KF&BD has made the investment to purchase an employee staffing program (TeleStaff). With full implementation and proper monitoring of the software program benefits include:

- Receive and respond to scheduling notifications and other work communications by telephone, cell, pager, e-mail, Internet, and PC
- Check schedules and find out where they are working through self-service access points such as telephone, cell, Internet, or PC
- Sign-up for overtime
- Sign-up for special duty assignments
- Request time-off and leave
- Conduct shift trades
- Review payroll data and accrual balances
- Personally update profile based on security

Command staff can:

- Automatically align staffing demands with employee availability, qualifications, and regulatory constraints
- Generate and send schedule-driven notifications and communications to a telephone, cell, pager, or e-mail, automatically linking work assignment information for employee response base on your rules and guidelines
- Create and maintain an unlimited number of schedules supporting multiple shifts, rotating positions, future assignments and promotions

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<sup>57</sup> The IAFF agreement addresses the use of sick leave by allowing for the accrual of up to 1,440 hours (60 shifts) for shift personnel.

- Manage daily operations with real-time rosters that track regular duty, special duty assignments, training, off-duty detail, and emergency deployments
- Manage time-off requests
- Monitor staffing levels
- Automatically alert management by way of real-time alarms when staffing levels fall below pre-determined requirements
- Find replacement personnel who are off-duty, can be held over, are not fatigued, or have signed-up for overtime work
- Track training and certifications
- Deploy personnel for emergency recall or mutual aid
- Account for, locate, and contact all staff at any given time
- Finalize pay sheets for payroll
- Ensure policy enforcement and Collective Bargaining Agreement compliance
- Run reports for greater insight into operations

KF&BD has not installed all of the functions available with TeleStaff software. Functions that the program is capable of managing automatically are being accomplished manually. ESCI recommends that the KF&BD use all of the functionality available with TeleStaff, including:

- Vacation scheduling
- Managing time off and leave requests
- Overtime replacement notification
- Compiling work hours summary for payroll input
- Employee certification records
- Input tool for response reports (requires an interface with NORCOM CAD)

### Options for Staffing

The traditional model of static deployment of fire and EMS resources is changing. Several reasons often mentioned are an increased reliance on the fire department for EMS and improvements in construction methods (building and fire codes and the greater use of automatic fire sprinklers). One fire department has deployed cars driven by one paramedic that responds to medical emergencies in conjunction with an EMS transport unit. In May and June 2010, 400 or so calls were handled that otherwise would have required a four-person engine or truck. Several emergency service agencies are looking to experiment with paramedics on motorcycles in the future. Evaluating alternative staffing methods including the staffing of aid units with two personnel is recommended.



**EMS (Emergency Medical Services)**

The provision of Emergency Medical Services (EMS) has come to be the predominant service offered by many fire departments to their communities. It is common to find that 70 percent to 80 percent of emergency responses are to medical emergencies, as is the case in the City of Kirkland. Essential to the effective delivery of EMS services is quality system management: support and oversight, including the key components of logistical support, medical control, and quality assurance; and appropriate credentialing of personnel.

EMS is essentially an organized system that provides personnel, facilities, and equipment for the coordinated delivery of emergency medical services within a geographical area. An effective EMS system may involve multiple different agencies and organizations working together to provide rapid response, treatment, and transport to those in need of immediate medical attention. Generally, most EMS systems include at least system access and dispatch components, first response, ambulance transport, and definitive hospital care. Many people view EMS as simply ambulance transport or fire department response to medical events. However, those views are being challenged as insurance companies demand more accountability for ambulance transport and emergency treatment. EMS agencies are challenged to incorporate evidence-based medicine and seek better use of resources to extend services to the communities they serve.

EMS systems should have measures in place to determine the effectiveness and performance of both personnel and procedures. Standardized performance levels allow system regulators to not only evaluate performance but also to take steps to improve performance and quantify those improvements.

**KF&BD EMS Response Overview**

KF&BD maintains a fleet of six frontline aid units which are BLS (basic life support) transport-capable ambulances. Personnel are trained to the BLS level, able to provide initial treatment to EMS patients and transport them to a hospital if their condition does not require ALS (Advanced Live Support) intervention. In instances that necessitate a higher level of patient care, ALS-capable EMS units are dispatched to provide paramedic level treatment. The City of Kirkland receives ALS from Medic One. The City of Redmond has a contract to operate three Medic One ambulances that serve Redmond, Kirkland, and some surrounding unincorporated areas.

EMS responses in Kirkland constituted 75.27 percent of total incidents to which the department responded in the study period from September 2010 through August 2011. The number of EMS



responses totaled just over 5,000, with 68.08 percent classified as BLS and 31.92 percent classified as ALS.

### EMS Authority and Regulation

Statutory authority for the delivery of EMS in Washington is under the Washington State Department of Health (WADOH). WADOH promulgates regulations for EMS with the King County EMS Division having responsibility for local oversight. KF&BD's EMS activities are subject to the rules of the County EMS Division, including the certification and training of EMTs and paramedics.

The KF&BD program maintains the appropriate certifications and state authorization to provide EMS services. Medical oversight and direction of patient treatment is provided by a local physician experienced in emergency medicine and EMS. The physician advisor and department EMS staff have enacted appropriate training and skills development practices internally, based on their responder's certification levels. EMS program oversight for KF&BD is assigned to an operational battalion chief.

In 2011, KF&BD appointed a captain to the position of EMSO (emergency medical services officer) coordinator. The EMSO coordinator is responsible for running the EMS transport fee program. Funding for the EMSO is being offset with revenue from BLS transports billings. KF&BD began billing for EMS transport services in March 2011. (For a history of transport revenue see Figure 6: KF&BD EMS Transportation Revenue, March 2011 – January 2012.)

### EMS Deployment Methodology

The KF&BD aid units are staffed by firefighters who are also certified in providing BLS. KF&BD's deployment methodology has firefighter/EMTs cross-staffing fire suppression and aid units. Personnel respond based on the emergency type, taking a fire engine to a fire event and responding to EMS incidents with an aid unit. Ladder Truck No. 27 firefighters also cross-staff an aid unit (Aid 29).

Staffing for stations consists of three personnel who may respond with either a fire vehicle or aid unit. When a crew is dispatched to an EMS event, all three of the assigned personnel respond. Doing so maximizes the patient treatment capacity. Regionally and nationally it is common for EMS units to be staffed with two medically trained personnel.

Although the staffing methodology is advantageous for some EMS incidents, it has a negative impact on fire response capacity. With all three personnel responding in an aid unit, the engine or ladder truck in the station is no longer staffed and available for dispatch. ESCI reviewed the practice and finds that the importance of retaining a fire unit's ability to respond to a call, even with only one person, outweighs that of having three personnel on an aid unit.

A single-person response with a fire engine is not optimal and is not effective at a fire scene. However, in many instances, the two EMS responders on an aid unit may be able to meet the fire apparatus at an incident scene and fill out a three-person crew. Similar approaches are found in other fire departments and ESCI recommends that KF&BD discontinue the deployment practice of sending three personnel to an EMS incident in consideration of maintaining immediately available resources. Options include keeping the third firefighter/EMT available for secondary incidents, redeployment with dedicated staffing of two-person aid units, or single person quick response unit for low priority EMS incidents.

### EMS Performance Measures

To track the quality and effectiveness of emergency medical service systems departments monitor the survival rates of cardiac arrest patients treated. Response times are often misused or misinterpreted as they are only a crude measure of the system. Clinical outcomes such as cardiac arrest survival rates are a more accurate indicator of performance. Response time for first responder BLS units could demonstrate if data correlates response time to cardiac arrest survival. Although total cardiac arrest survival rate is often referred to as a quality indicator, EMS professionals routinely use witnessed ventricular fibrillation (VF) survival rates as a standard.

KF&BD should develop a comprehensive evaluation program to assess all aspects of the EMS system. This program would include evaluation of structural, process, and outcome measures. In addition to survival rates, outcomes such as disease, disability, discomfort, dissatisfaction, and impoverishment could be used to evaluate the system.

### Medic One Funding

An EMS levy in Washington may be imposed by a county, EMS district, city or town, public hospital district, urban EMS district, regional fire protection service authority, or fire protection district. For a countywide EMS levy to be placed on the ballot, it requires approval of any city in the county with a population exceeding 50,000. An EMS levy may be an amount equal to \$0.50 or less per \$1,000 assessed value. Any taxes collected as a result of the EMS levy can only be

used to provide emergency medical care or emergency medical services. The EMS levy tax may be imposed for:

- Six consecutive years,
- Ten consecutive years, or
- Permanently

King County EMS is funded by a countywide EMS levy, in partnership with local jurisdictions, to provide pre-hospital medical care. The EMS levy:

- Serves more than 1.9 million people in King County in an area of over 2,100 square miles.
- Has a six-year EMS levy that expires December 31, 2013.
- Provides approximately \$66 million in annual funding.
- ALS: Approximately 62 percent (\$41 million) of expenditures is dedicated to ALS:
  - Zone 3 (South King County) – ALS is provided directly by King County EMS.
  - Zone 1 – ALS is by contractual arrangement with Bellevue, Redmond, and Shoreline Fire Departments.
  - Zone 5 – City of Seattle, ALS is provided by Seattle Fire Department. Seattle and King County have executed an interlocal agreement for King County to return all EMS property tax revenue collected in Seattle to the City of Seattle in exchange for Seattle Fire Department delivering EMS. EMS property tax revenue in Seattle results in approximately \$40 million annually
- BLS: Approximately 24 percent (\$16 million) of expenditures is in the form of direct payments to 29 partner service providers to support BLS service throughout the county. Kirkland currently receives approximately \$850,000 annually.
- Regional Services: Approximately 14 percent (\$9 million) of expenditures is directed to regional services and initiatives, including:
  - Strategic initiatives (\$750,000)
  - Training (\$1.3 million)
  - Growth management initiatives (\$1.0 million)
  - Regional medical direction and quality improvement (\$1.5 million)
  - Data management (\$1.0 million)
  - Administration (\$2.7 million)

### EMS Service Levels and Delivery Alternatives

KF&BD provides BLS EMS and transport inside of Kirkland and in some instances to neighboring fire departments and districts. The majority of medical incidents to which the department responds are in the BLS category and KF&BD personnel are certified to treat and transport these patients to a hospital for definite medical care. However, nearly a third of the

medical emergencies (calculated at 31.92 percent for the one-year study period) are of a more emergent nature, requiring ALS paramedic level care. For these emergencies, KF&BD personnel serve in a first response capacity as one component of a tiered response, initiating care and treatment while an ALS unit from the City of Redmond's Medic One service responds to the scene.

The King County Medic One program is nationally renowned for its tiered response approach to EMS incidents: citizen intervention, response by BLS fire department personnel, and paramedic level response for acutely ill or injured patients. The City of Redmond participates in the Medic One program by contracting to provide ALS services.

KF&BD's approach of providing BLS EMS service in a tiered response with Medic One resources is appropriate and effective. However, there are shortcomings that warrant review and consideration. Under the current system, Kirkland is able to exercise little control or influence on the availability of EMS response resources provided to Kirkland by Medic One (Redmond Fire Department). Three Medic One units serve Redmond, Kirkland, and the unincorporated area with one unit assigned to Evergreen Hospital to serve Kirkland. The Medic One unit at Evergreen Hospital is routinely dispatched to calls for service outside of Kirkland. When the other two Medic One units are committed to incidents, one may not be readily available for immediate response in Kirkland.

KF&BD can establish a contractual arrangement with King County Medic One, similar to that which is in place in Redmond. ESCI finds that exploring the alternative has merit and recommends that Kirkland analyze the feasibility of providing ALS response services for Medic One.

Potential benefits of KF&BD delivering ALS response services for Medic One in conjunction with BLS include:

- Continuous care from initial patient contact to delivery at a medical facility
- Earlier ALS intervention
- Kirkland residents are served by KF&BD
- Improved staffing
- Reduction in on-scene time

*Community Medical Technician (CMT)*

In February 2012, Public Health — Seattle & King County's Emergency Medical Services began a Community Medical Technician (CMT) pilot program. The CMT program utilizes firefighting personnel to serve as a single-person response unit that can be dispatched to patients requesting assistance through the 9-1-1 system, but who may not necessarily need full emergency medical response.

King County Public Health recognized that all medical situations do not necessarily meet the present criteria in sending a typically full medical response by fire departments. Fire department apparatus and personnel are often sent to patients experiencing minor medical conditions, and under present criteria and protocol, a fire engine and/or aid unit must be sent to answer the call. Once fire department units respond, they are unavailable to respond to other more severe and emergent situations.

A CMT unit is staffed with one firefighter/EMT that is dispatched to less-severe patients, and the firefighter/EMT can spend more time discussing the patient's non-emergent medical or other social needs. ESCI recommends that KF&BD participate in the CMT program.

## Facilities and Equipment

KF&BD has six fire stations, five staffed with career personnel and a smaller community station with a BLS EMS unit staffed in the evenings by volunteers. The department has established a facility systems replacement plan funded using a “sinking fund”, setting aside funds annually toward anticipated component replacement from the operating budget. A CIP (Capital



Improvement Program) has a significant effect on the image and operation of a city and its capital assets. Policies should be designed to help ensure that current and future assets/projects are maintained at a high level and that capital projects do not restrict the city's financial ability to provide basic services. A city must preserve its current physical asset inventory and plan in an orderly manner for future capital investments, including the operating costs associated with those projects.

Kirkland's CIP for a six-year (2011 – 2016) planning period is updated annually and includes vehicle replacements over \$50,000. The CIP lays out a schedule for the replacement of components and maintenance of facilities: gutters, HVAC (heating, ventilation and air conditioning) systems, carpet, roofing, paint (interior and exterior), lighting, utility components and other parts of structures subject to break-down and wear. A schedule of component maintenance and replacement for all City facilities and apparatus is staggered over the life of the plan.

The fire department actively participates in the development of the City of Kirkland CIP. City departments submitting proposed capital improvement projects initially prioritize them according to need and identify work program goals and availability of funding. Proposed projects are then submitted to the city executive staff for review and prioritization, based on need and funding availability. Projects with specific, identified funding sources (e.g., grants, redevelopment funds, etc.) usually receive high priority. Conversely, those projects without identified funding sources must compete for the limited amount of general fund dollars available.

Development of an internal plan for the maintenance and replacement of facilities, apparatus, and capital equipment for KF&BD that aligns with the City CIP is considered appropriate and fiscally prudent.

### Facilities

Fire stations need to be designed to adequately house equipment and apparatus, as well as meet the needs of the organization, its workers, and/or its members. Consideration should be given to a fire station's ability to support the department's mission as it exists today and in the future. The activities that take place within the fire station should be closely examined to ensure the structure be adequate in both size and function. Examples of these functions include:

- The housing and cleaning of apparatus and equipment
- Residential living space for on-duty crew members (male and female)
- Administrative or management office(s)
- Training, classroom, and library areas
- Firefighter fitness area

While this list may seem elementary, the lack of dedicated space compromises the ability of the facility to support all of these functions and can detract from its primary purpose.

KF&BD's administrative offices are located at 123 5th Avenue, in a combined city hall, police and fire headquarters building. The following provides a summary of each KF&BD fire station, its condition, year built, general appearance, square footage, and living and safety amenities.

### Fire Station No. 21

Fire Station No. 21 (Forbes Creek) is a wood framed structure built in 1997. The building has been seismically upgraded, has auxiliary power, is well maintained, and is considered to be in very good condition. It has three apparatus bays, a workout room, kitchen, lockers, gender specific showers and restrooms. Features of the building include monitored smoke detection, keyed locks with keypads, and a positive pressure apparatus exhaust extraction system. A small community room with isolated access is available to the public. KF&BD staff at City hall is responsible for scheduling room use. Station has a disaster preparedness container with 10 days of food stuffs for station personnel and an amateur radio HAM radio transmitter and antenna for communication during a disaster.

One engine and aid unit staffed by three personnel per day is assigned to this fire station. Because of the station's location it is the second due station to many emergency incidents. The



station has a radiant heating system in the truck bays but lacks an auto shut-off interconnect. If bay doors are inadvertently left open, the radiant heater operates continuously in an attempt to keep the apparatus bay warm. Additionally, light switches lack timers or motion sensors, increasing energy consumption.

#### Fire Station No. 22

Fire Station No. 22 (Houghton) is a reinforced brick, masonry building, and has had two tenant improvements since construction in 1980. The building has been seismically upgraded, has auxiliary power, and is considered to be in good condition. There are three back-in truck bays, individual bedrooms (versus dormitory style sleeping quarters), an exercise room, kitchen, and gender-specific lockers and showers. Features of the building include monitored smoke detection, keyed locks with keypads, and a positive pressure apparatus exhaust extraction system. A small community room with isolated access is available to the public. City hall is responsible for scheduling room use. Station has a disaster preparedness container with 10 days of food stuffs for station personnel and an amateur radio HAM radio transmitter and antenna for communication during a disaster.

The station is a mirror image of Fire Station No. 27, minus one large drive-through apparatus bay. Daily staffing of the one engine, one aid unit, and one air/rehabilitation unit is by three assigned personnel per day. Fire Station No. 22 has the largest service area and is KF&BD's second busiest (call volume) of the six fire stations. There are 26 spaces available for the public meeting room parking.

#### Fire Station No. 24

Fire Station No. 24 (Finn Hill North) is a wood frame structure designed as a deep, two-story facility to fit the property. Constructed in 1993, it has been the subject of a local controversy. Originally a King County Fire District #41 fire station, it became a City property with the annexation of the area into Kirkland. Beginning around March 1, 1999 the station was staffed during the daytime by career personnel on overtime and reservists at night. Daytime career staffing ended December 31, 2008. After that time it was operated as a volunteer only fire station. Station has a disaster preparedness container with 10 days of food stuffs for station personnel and an amateur radio HAM radio transmitter and antenna for communication during a disaster.

The reserve program operating out of the station was eliminated due to budgetary constraints at the end of 2011, leaving the residents in the area concerned about emergency service delivery



to the area. An agreement was reached and volunteer EMTs provide EMS, allowing for re-opening the station earlier this year (2012). Service is limited to BLS EMS in the evening hours.

The building has been seismically upgraded, has auxiliary power and is considered to be in good condition, albeit inadequate to accommodate larger fire apparatus. There are offices but no community facilities. There are two back-in truck bays, small bunk room, locker (upstairs), exercise room, and kitchen. Features of the building include monitored smoke detection and keyed locks with keypad. The station aid car is staffed nightly from 7:00 PM to 5:00 AM with volunteer personnel.

The station is being actively considered for replacement and relocation to a location better suited to serve the Finn Hill neighborhood. Additional research and analysis in this report offers guidance to assist policymakers in determining next steps.

#### Fire Station No. 25

Fire Station No. 25 (Finn Hill South) is a reinforced brick, masonry building, constructed in 1974 with a kitchen remodel in 2006. The building has been seismically upgraded, has auxiliary power, and is considered to be in good condition. The station features two back-in truck bays, individual bedrooms instead of a dormitory style sleeping quarters located upstairs, an exercise room, kitchen, and gender specific lockers and showers. Features of the building include monitored smoke detection, keyed locks with keypads, and a positive pressure apparatus exhaust extraction system. There is limited office space but no community facilities or meeting rooms. Station has a disaster preparedness container with 10 days of food stuffs for station personnel and an amateur radio HAM radio transmitter and antenna for communication during a disaster.

Originally staffed by volunteers, the one engine and one aid unit are staffed by three assigned personnel per day. KF&BD addresses the terrain challenges of the Finn Hill area by using an engine at Fire Station No. 25 designed to handle steep grades and tight turns.

#### Fire Station No. 26

Fire Station No. 26 (North Rose Hill) is a wood frame and masonry structure that was built in 1995. The building has been seismically upgraded, has auxiliary power and is considered to be in very good condition. There are three apparatus bays, (one drive-through that is also double deep), a workout room, kitchen, lockers, and gender specific lockers and showers. A dormitory sleeps eight personnel. Features of the building include monitored smoke detection, keyed

locks with keypads, and a positive pressure apparatus exhaust extraction system. A large community/training room with an elevator for ADA accessibility and isolated access is available to the public. City hall is responsible for scheduling room use. Station has a disaster preparedness container with 10 days of food stuffs for station personnel and an amateur radio HAM radio transmitter and antenna for communication during a disaster.

The coverage area of the station is on the east side of Interstate 405 and personnel can respond into the City of Redmond. Daily staffing of the one engine and one aid unit is by three assigned personnel per day. A shift battalion chief and a training captain are assigned to the station. There are ten parking spaces available for the public multi-purpose room. Parking is inadequate for the number of people that routinely use the facility.

#### Fire Station No. 27

Fire Station No. 27 (Totem Lake) is a reinforced brick masonry building was built in 1976 and had limited tenant improvements in 2006. The building has been seismically upgraded, has auxiliary power, and is considered to be in fair condition. There are three apparatus bays (one double deep drive-through), workout room, kitchen, lockers, gender specific showers and restrooms, and individual bedrooms. Features of the building include monitored smoke detection, keyed locks with keypads, and a positive pressure apparatus exhaust extraction system. The station lacks adequate insulation. Station has a disaster preparedness container with 10 days of food stuffs for station personnel and an amateur radio HAM radio transmitter and antenna for communication during a disaster.

The station structure is a mirror image of Fire Station No. 22. Daily staffing of the one engine, one ladder truck, two aid units requires a minimum of six assigned personnel per day. The station is KF&BD's busiest and is ideally located near east and west arterials and has easy access to Interstate 405.

Planning for major remodeling and the replacement of fire stations is a major capital expense and requires long-range planning. Fire stations have a limited life expectancy from 35 up to approximately 50 years. Fire Station No. 25 (Finn Hill South), constructed in 1974 and Fire Station No. 27 (Totem Lake) built in 1976 have passed the 35 year life. ESCI recommends that a capital plan for the rebuild or replacement of fire stations be developed.

### Apparatus

KF&BD has established an apparatus replacement plan funded through the general fund of the City. The plan is currently written for the period 2011 through 2016 and is updated every two years. This fund schedules replacement of apparatus on a cycle, with engines and ladder trucks replaced every 18 years, aid vehicles replaced every eight years, and command staff vehicles replaced every eight years.

### **Support and Small Equipment**

Small equipment can be a significant part of a fire department's annual budget. It can be expensive to acquire and maintain and may have a limited technological life. ESCI surveyed a sampling of KF&BD's small equipment and found it to be in good condition. Fire department small equipment includes:

- SCBA (self-contained breathing apparatus)
- Small tools
- PPV (positive pressure ventilation fans)
- Computers
- Radios
- Breathing air compressors
- Hydraulic rescue tools
- Rescue tools
- Power saws

Maintenance and repair of small equipment and tools are handled both in house by fire department personnel, City mechanics, and by private sector vendors. SCBA servicing is handled by fire department personnel. Personnel assigned to SCBA duty receive incentive pay of 2 percent.

### Pump, Hose, and Ladder Testing

Pump and hose testing are two important processes that need to be performed and documented annually. The purpose of testing fire hose is to have a reasonable assurance of firefighter safety and that the hose and couplings will work as designed. The life expectancy of a section of fire hose is often determined by the care it receives. Hose is susceptible to mechanical injury, heat and fire damage, mold and mildew, and damage due to chemical contact and excessive pressure. Inspection, care, and maintenance should extend to all appliances and nozzles as well.

An inventory of all fire hose should be maintained, along with a history of each section. KF&BD's recordkeeping and hose-testing program meets the requirements of *NFPA 1961: Standard on Fire Hose, 2007 Edition*.

Fire pumps are one of the most important and expensive parts of any fire apparatus. The care and routine check of a fire pump is a necessity and should be completed by personnel on a regular schedule. Fire pumps are tested annually by a third party vendor. Records are maintained in hard copy paper and electronic format.

Annual aerial ladder testing is conducted by a third party.

### Personal Protective Equipment (PPE) Maintenance

Statistical data has shown that buildup of contaminants on turnout gear (PPE or Personal Protective Equipment) has a direct impact on the health and safety of firefighting personnel. Firefighters who are exposed to contaminated PPE have a much higher risk of contracting an illness. The health and safety risks associated with contaminated turnout gear are addressed in *NFPA 1500, 1581, and 1971*. Standards require that protective clothing be cleaned at least once every six months. While this standard may seem excessive, ESCI has found that regular cleaning and maintenance will extend the life expectancy of turnout gear. Proper care enables fire departments to lengthen the replacement cycle of PPE.

KF&BD has made provisions for routine cleaning of firefighting PPE. While all fire stations have residential washer and dryers only two have commercial extractors. KF&BD personnel have access to commercial extractors at Fire Station Nos. 21 and 26—the only units approved for cleaning PPE when used in conjunction with approved cleaning solutions.<sup>58</sup> Turnout drying and storage areas should be provided in each fire station. A common problem observed by ESCI in KF&BD fire stations is the storage of turnout gear in apparatus bays or in an adjacent room with no doors and/or ventilation. ESCI recommends that PPE be stored in a separate, well ventilated room.

### **Mutual and Automatic Aid Systems**

There are numerous mutual aid agreements, both formal and informal, in place between fire, police, and emergency medical agencies in the Puget Sound area. Mutual aid is characteristically employed on an as-needed basis where fire units are called for and specified

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<sup>58</sup> Fire Station No. 26 had a commercial extractor delivered that was being installed during this course of this study.

by an IC (Incident Commander). There are three basic types of mutual aid that are available to most fire departments.

1. Basic Mutual Aid upon Request

This form of mutual aid is the most basic and is typically permitted under broad public laws that allow communities to share resources upon request during times of disaster or during local and regional emergencies. Often, these broad laws permit communities to make decisions quickly regarding mutual aid under specified limitations of liability, allowing a community to tap into resources from their immediate neighbors, as well as very distant resources in communities with which they have very little day-to-day contact. Under this level of mutual aid, specific resources are typically requested by a fire department, through the chain of command or sometimes coordinated by local or regional emergency management personnel. Depending on the level of the request, the response can sometimes be slow and the authorization process may be cumbersome due to the exchange of official information or even elected officials' approval that may be required.

2. Written Mutual Aid Agreement

This form of mutual aid goes one step further by formalizing in writing an agreement between communities (typically immediate neighbors in a region) in an effort to simplify the procedures and reduce response times in an emergency. Frequently, these agreements are developed by fire department officials, but executed by the policy-makers of the participating jurisdictions. By signing such agreements, communities are "pre-authorizing" the deployment of their resources under specified circumstances. In Washington State, mutual aid agreements are generally reciprocal in nature without compensation for services or a subsidy. In other words, mutual aid must truly be "mutual." In King County, all fire agencies are guarantor to a master mutual aid agreement.

3. Automatic Aid Agreement

Automatic aid takes the process an additional step by spelling out circumstances under which one or more specific resources will respond automatically upon notification of a reported incident in the neighboring community. In essence, an automatic aid agreement expands a community's initial first alarm response to certain types of incidents by adding resources from a neighboring agency to that response protocol. Typically, such agreements are for specific geographic areas where the neighbor's resource can be expected to have a reasonable response time and are limited to specific incidents. An example of such an agreement is having a neighboring community's engine respond to all reported structure fires in an area where a neighboring agency's apparatus would be closer than the second or third-due engine from the home community. In other instances, an agreement might cover a specialized resource, such as an aerial apparatus that the home community does not possess.

Automatic aid agreements may be purely reciprocal or may involve the exchange of money for services provided. Reciprocal agreements are common when used where each community have mutually beneficial resources or services that can be provided. Services or resources need not be identical. For instance, one community may send an engine to a second community on automatic response to structure fires, while the second community agrees in

exchange to send a water tender to the first community's structure fire calls. These reciprocal agreements are usually made where some reasonable level of use balance is expected between the parties of the agreement.

A primary purpose of an automatic aid agreement is to improve the regional application of resources and staffing. Since fire protection resources are most frequently established because of the occupancy risks in a community and not necessarily a heavy workload, apparatus may be idle for long periods of time. While fire departments make productive use of this time through training, drills, pre-incident planning, and other functions, the fact is that expensive apparatus resources and personnel are not heavily tied up on emergency incidents. Communities that share certain resources back and forth are essentially providing a higher quality of service than would be otherwise available by the host agency, and reducing expensive redundancy and overlapping services.

KF&BD has entered into and relies upon, automatic aid agreements with Northshore, Bothell, Woodinville, Redmond, and Bellevue fire departments. Most of KF&BD's emergency response resources are committed when a single structure fire event occurs in the City. KF&BD depends on automatic aid partners that are proximate to Kirkland to augment responses or backfill empty fire stations.

There will never be an even balance between the amount of mutual and automatic aid given and received. Therefore, tracking of aid events is information that can be analyzed to determine if an inequity exists. Analysis involves several variables; the number of incidents; apparatus; personnel; and the length of time committed to mutual and automatic aid calls. If an imbalance is found in aid services, it is appropriate to negotiate a change in dispatch and response protocols to achieve a balance between fire departments.

### **Current Service Demand**

In this section, the current condition of KF&BD's emergency response deployment and performance is analyzed. It covers the topics of service demand and distribution, reliability, incident control and management, water supply, and mutual and automatic aid.

Fire and EMS agencies traditionally have planned, trained, and deployed resources independent of each other although there is interdependence on emergency incidents. This paradox at emergency incidents occurs because emergency service agencies at times will require assistance from other jurisdictions. This can happen for any number of reasons. The

more common occurrences are for assistance at larger fire incidents, closest unit response by a neighboring apparatus, and when travel time from a fire station is nearer the scene of an emergency. Because of this interdependence, ESCI's GIS (geographic information system) analysis often incorporates fire and EMS service areas adjacent to Kirkland.

### Incident Control and Management

KF&BD uses the Northeast King County Regional Public Safety Communication Agency (NORCOM) as its Public Safety Answering Point (PSAP) to receive, process, dispatch and track emergency response resources. NORCOM standardizes response assignments for each agency it serves based on the type of call dispatched. KF&BD establishes its "response assignments" for each call type. These assignments are intended to provide the quantity and type of apparatus needed for each incident type, as well as the correct number of staff to accomplish the critical tasks necessary to mitigate the emergency.

Technology has been deployed to manage dispatches and resources in real time. MDCs (mobile data computers) and AVL (automatic vehicle location) are available in all department apparatus. AVL provides satellite information in real time for a vehicle's specific location, typically within ten feet of its actual position. Thus, NORCOM can dispatch apparatus based on actual, not assumed location, such as the unit's assigned fire station. This technology improves response time by sending units that are physically closer to an incident versus an assumption of being in quarters. MDC technology allows real time information transmittal to response crews responding to an incident. Dispatch data pertinent to the emergency response should include target hazards or specific building records, water supply, and any other information that would help the officer prepare for an incident.

The fire department has one FTE deputy chief of operations working an administrative schedule and three operational battalion chiefs, one per 48-hour shift. KF&BD uses captains and lieutenants at each station as first line-supervisors for each response unit. In addition to the resources dispatched on a response assignment, a safety officer—the training chief—also responds. The agency uses the ICS (Incident Command System) on emergency responses and the Passport Accountability System for all fire ground incidents and other major or long-term incidents.

### Response Activity

ESCI was provided with five years of summary response activity (2005 to 2009) and approximately two years of detailed incident response activity (2010 through 2011). A gap in



detailed incident data occurred in the first three weeks of September 2011 due to a software malfunction during an aborted startup of the New World RMS. For this reason ESCI used historical responses from September 2010 through August 2011 for analysis. A total of 7,380 incidents were included in the data set. Incidents defined as outliers (invalid, incomplete reports or data that was outside expected values) were eliminated prior to analysis. Another small percentage of incident reports were unusable because of data integrity issues. In ESCI's experience RMS software generally has validated user input and rejects those entries outside of the expected (normal) range.

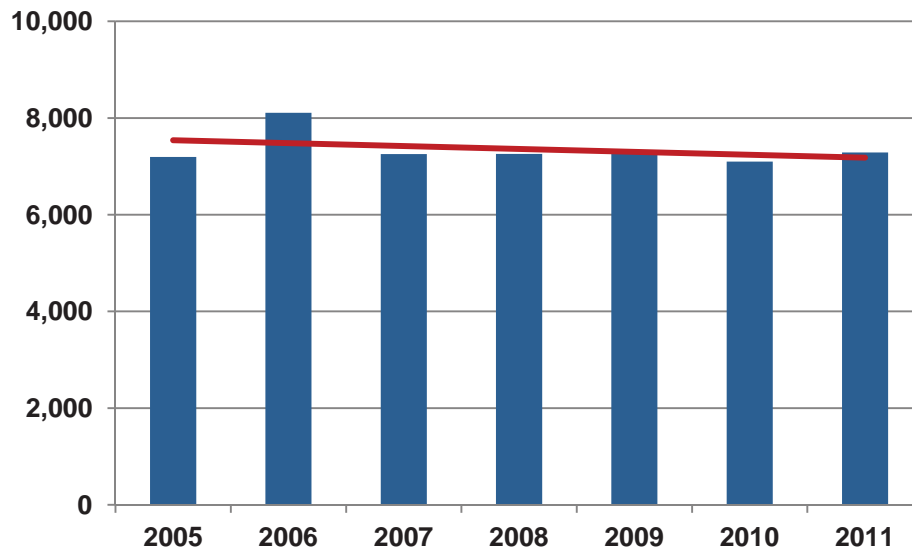
Frequent review of response data is necessary to understand how deployment changes impact coverage of service demand coverage. This is especially true when large changes occur. With only several months of post annexation data available the effect is not yet known. Prior to the annexation of a portion of Woodinville and the closure of Woodinville Fire Station No. 34, Fire Station No. 27 was busy. Going forward, fire station and unit work load needs to be monitored.

KF&BD's response data was categorized into the following three major categories:

- Fire: Structure fires, vehicle fires, wildland fires, and equipment fires
- EMS: Medical emergencies, traumatic injuries, MVAs (motor vehicle accident), and rescues
- Other: Hazardous materials, explosions or ruptures without fire, smoke investigations, and false alarms

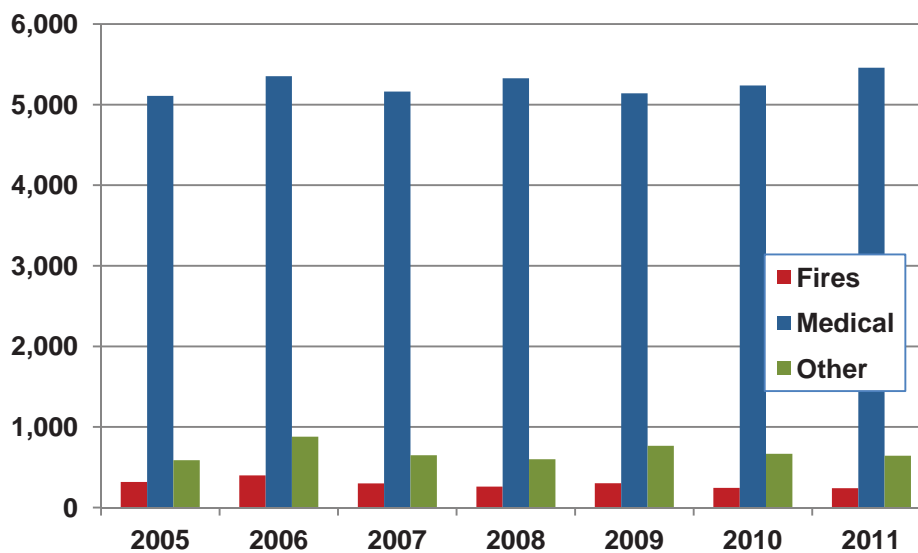
Analysis of service demand began with a review of total response activity for KF&BD from 2005 to 2011 (Figure 52).



**Figure 52: Total Service Demand, 2005 – 2011**

With one exception, total annual responses varied less than 4 percent (225 responses). In 2006, calls for service were approximately 9 percent above the seven-year average (2005 to 2011). Total responses for the one-year analysis period (September 2010 through August 2011) were consistent with the seven-year average of 7,360.

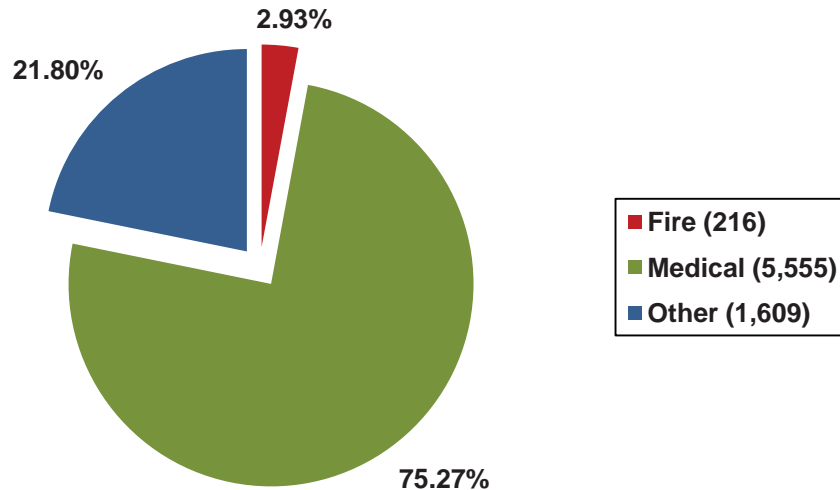
Figure 53 examines service demand by major incident category from 2005 through 2011.

**Figure 53: Service Demand by Incident Type, 2005 – 2011**

There were only minor differences for incidents by category during the seven years that ESCI reviewed.

The following figure shows percentage of service demand by incident type for the one-year period September 2010 through August 2011.

**Figure 54: Percentage of Service Demand by Incident Type, September 2010 – August 2011**



While total service demand was consistent with the five-year average (2005 to 2009), the percentage of calls related to EMS increased by nearly 5 percent. Reasons for the increase are unknown but may be related to staffing and deployment changes of neighboring fire and EMS providers.

Figure 55 is a breakdown of the incident responses using the NFIRS (National Fire Incident Reporting System) three-digit code and the written description that best describes the type of incident. This description is generally the type of incident found when emergency personnel arrived; if a more serious condition developed after the fire department's arrival on the scene, that incident type is reported.

**Figure 55: NFIRS Incident Type, September 2010 – August 2011**

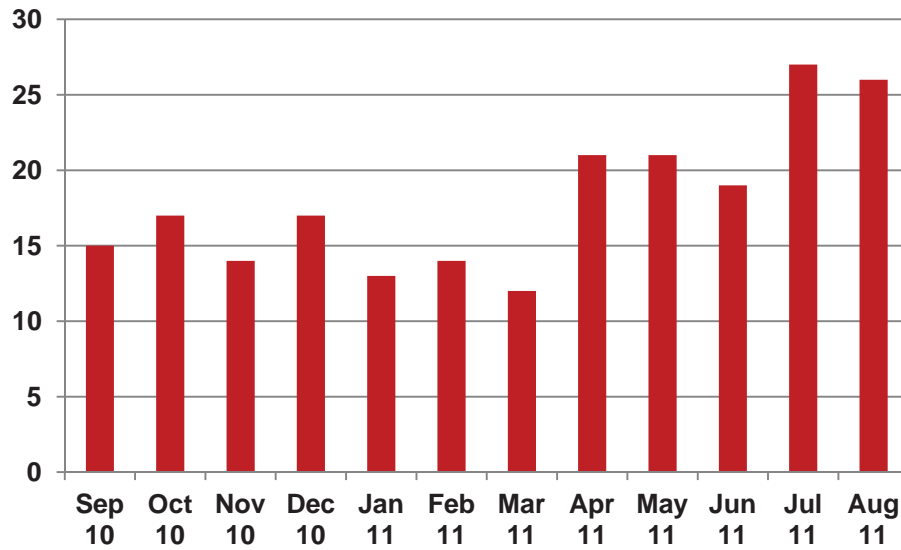
Series Description	Total	Percentage
100 – Fire	216	2.93%
200 – Overpressure Rupture, Explosion, Overheat (No Ensuing Fire)	3	0.04%
300 – Rescue and Emergency Medical Service (EMS) Incidents	5,555	75.27%
400 – Hazardous Condition (No Fire)	119	1.61%
500 – Service Call	240	3.25%
600 – Good Intent Call	610	8.27%
700 – False Alarm and False Call	594	8.05%
800 – Severe Weather and Natural Disaster	10	0.14%
900 – Special Incident Type	33	0.45%
<b>Total</b>	<b>7,380</b>	<b>100.00%</b>

The number of fire incidents declined in the September 2010 to August 2011 period when compared to the five-year period. Fires of all types decreased as a percentage of incidents from 4.23 percent to 2.93 percent. The decrease is statistically insignificant but is consistent with the trend being experienced in many fire agencies throughout the country.

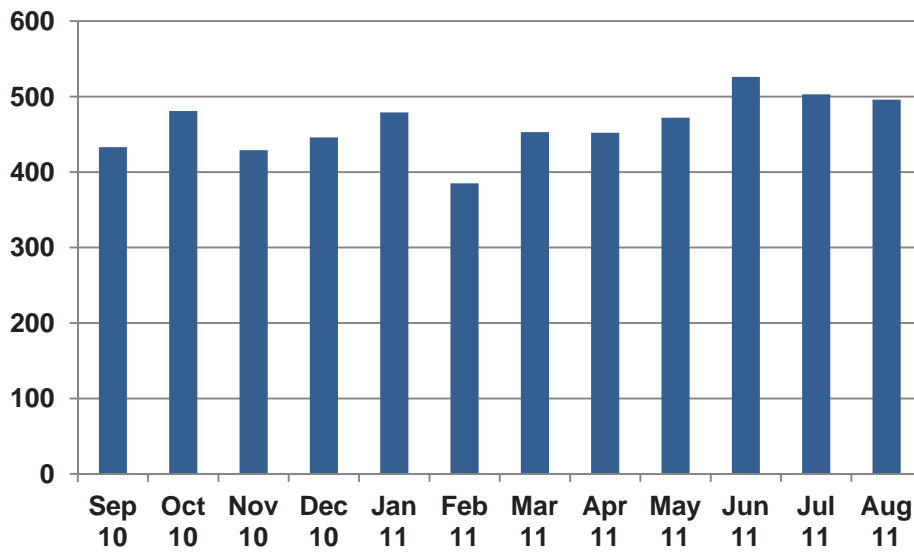
#### Service Demand by Temporal Variation

ESCI continued the analysis by examining service demand by temporal variation. Incident data for the one-year period September 2010 through August 2011 was used to show how demand changes based on various measures of time. Figure 56 illustrates service demand for fire incidents by month of the year, Figure 57 for EMS incidents, and Figure 58 for other incident types.

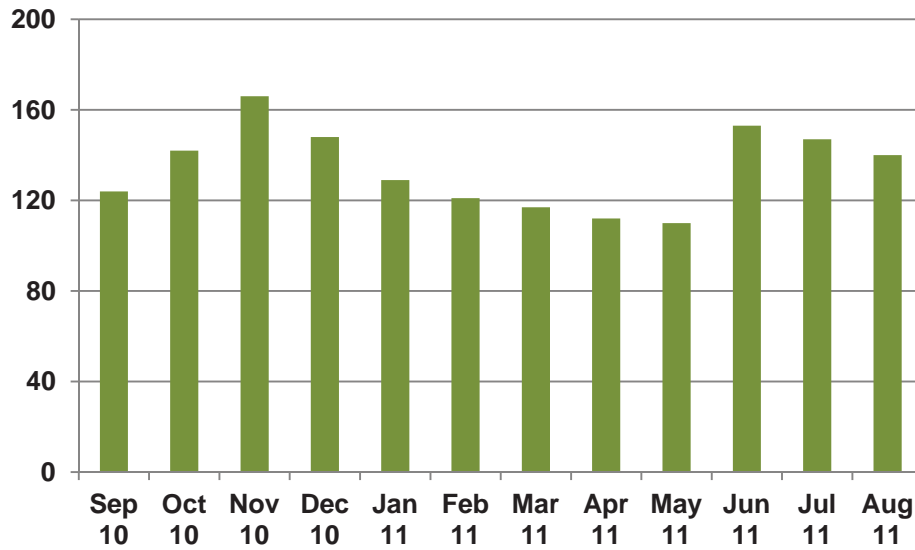
**Figure 56: Fire Incident Service Demand by Month of Year, September 2010 – August 2011**



**Figure 57: EMS Incident Service Demand by Month of Year, September 2010 – August 2011**



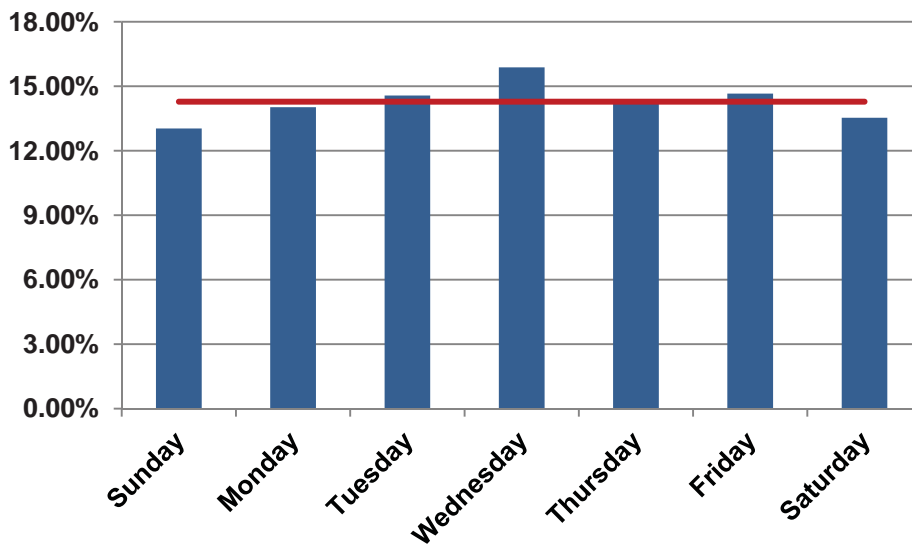
**Figure 58: Other Incident Service Demand by Month of Year, September 2010 – August 2011**



During the 12-month period service demand for KF&BD varied from a low of 7.05 percent in February to a high of 9.46 percent in June. The service demand average was 8.33 percent. The variation in service demand for fire incidents was highest in July and August. Fire incidents require the largest number of personnel and as a consequence should be monitored for periods of time when a potential exists to exceed available resources.

Figure 59 displays service demand by day of the week for the same time period for all incidents.

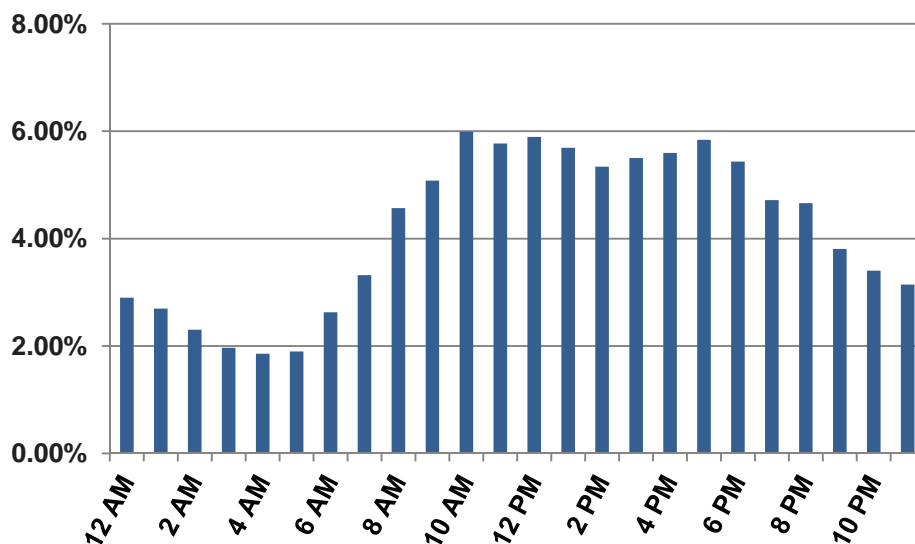
**Figure 59: Service Demand by Day of Week, September 2010 – August 2011**



Sundays had the lowest total call volume by day for KF&BD and Wednesdays had the highest number of calls for service. Average call volume by day of week ranges from a low of 13.04 percent to a high of 15.88 percent.

Another measure involves determining service demand by hour of day. Figure 60 displays service demand by the hour of the day from September 2010 through August 2011 for all incidents.

**Figure 60: Service Demand by Hour of the Day, September 2010 – August 2011**



Call data and response activity post annexation was not available for this study. Second, the data set was smaller than typically used by ESCI for analysis. Problems were identified with the CAD system included three full weeks of response information that was not available from the month of September 2011.

#### Service Demand by Geographic Distribution

In addition to the temporal analysis of service demand, it is useful to examine the geographic distribution of service demand. Using Geographic Information System (GIS) software, ESCI was able to geocode KF&BD incidents for September 2010 through August 2011. The first map (Figure 61) displays the service area of KF&BD, fire stations, major arterials, railroads, schools, and parks. The second map (Figure 62) shows an expanded view of the City and fire department service and perimeter area and incorporates the fire stations of neighboring fire agencies. Note: Fire Station No. 24 station aid car is staffed nightly from 7:00 PM to 5:00 AM with volunteer personnel and Woodinville Fire & Rescue Fire Station No. 34 is unstaffed.

Figure 61: KF&BD Service Area

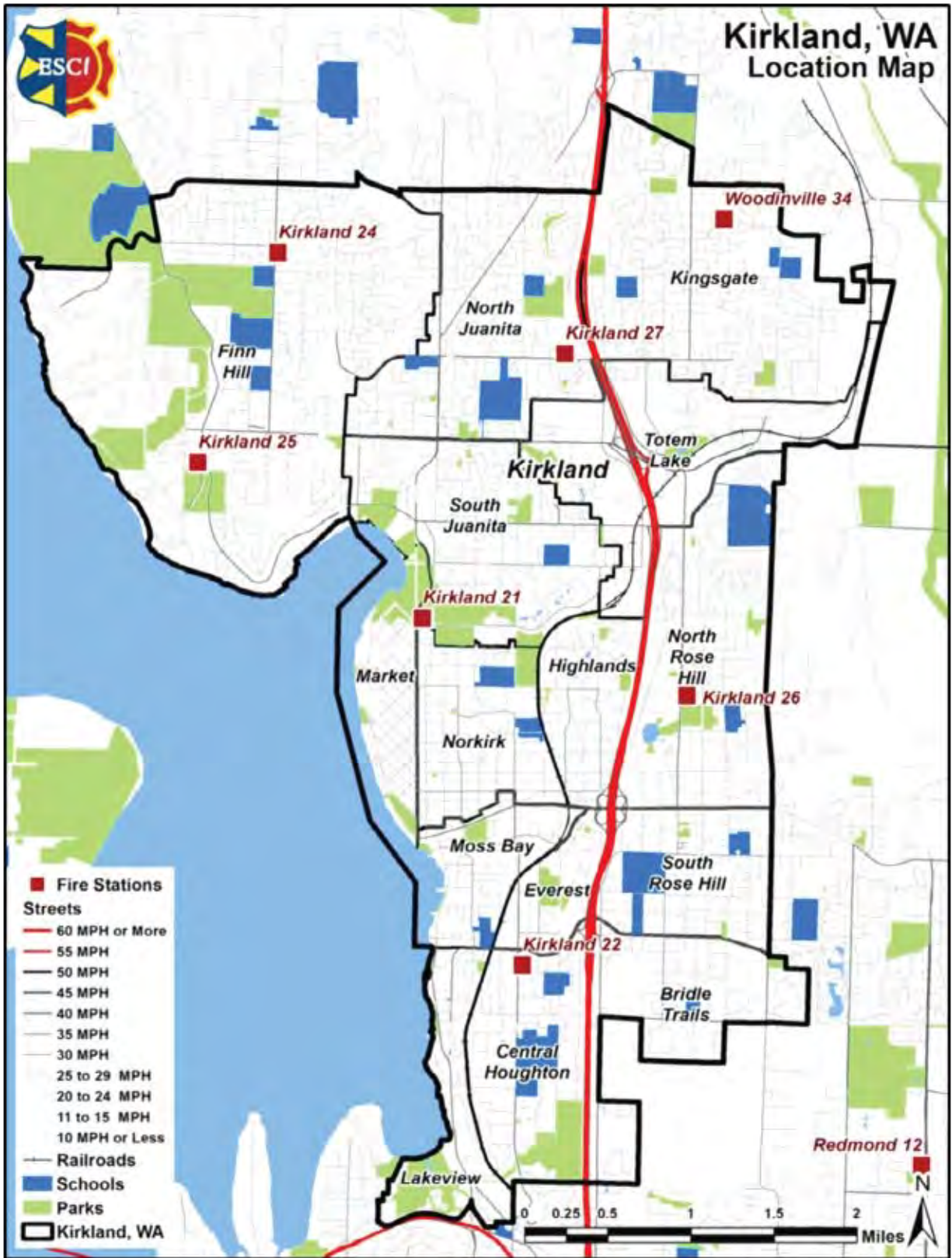
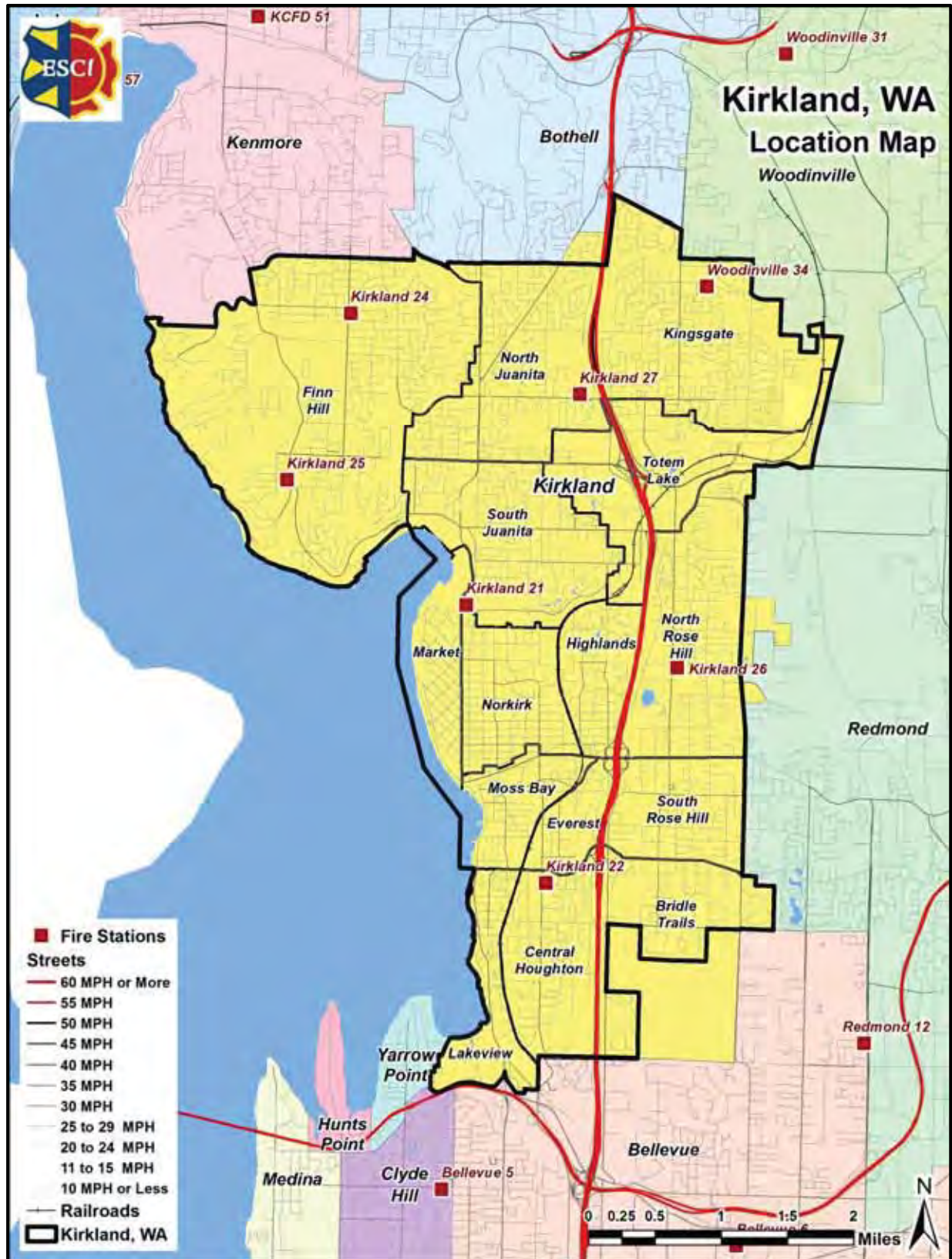




Figure 62: KF&BD Service Area Expanded



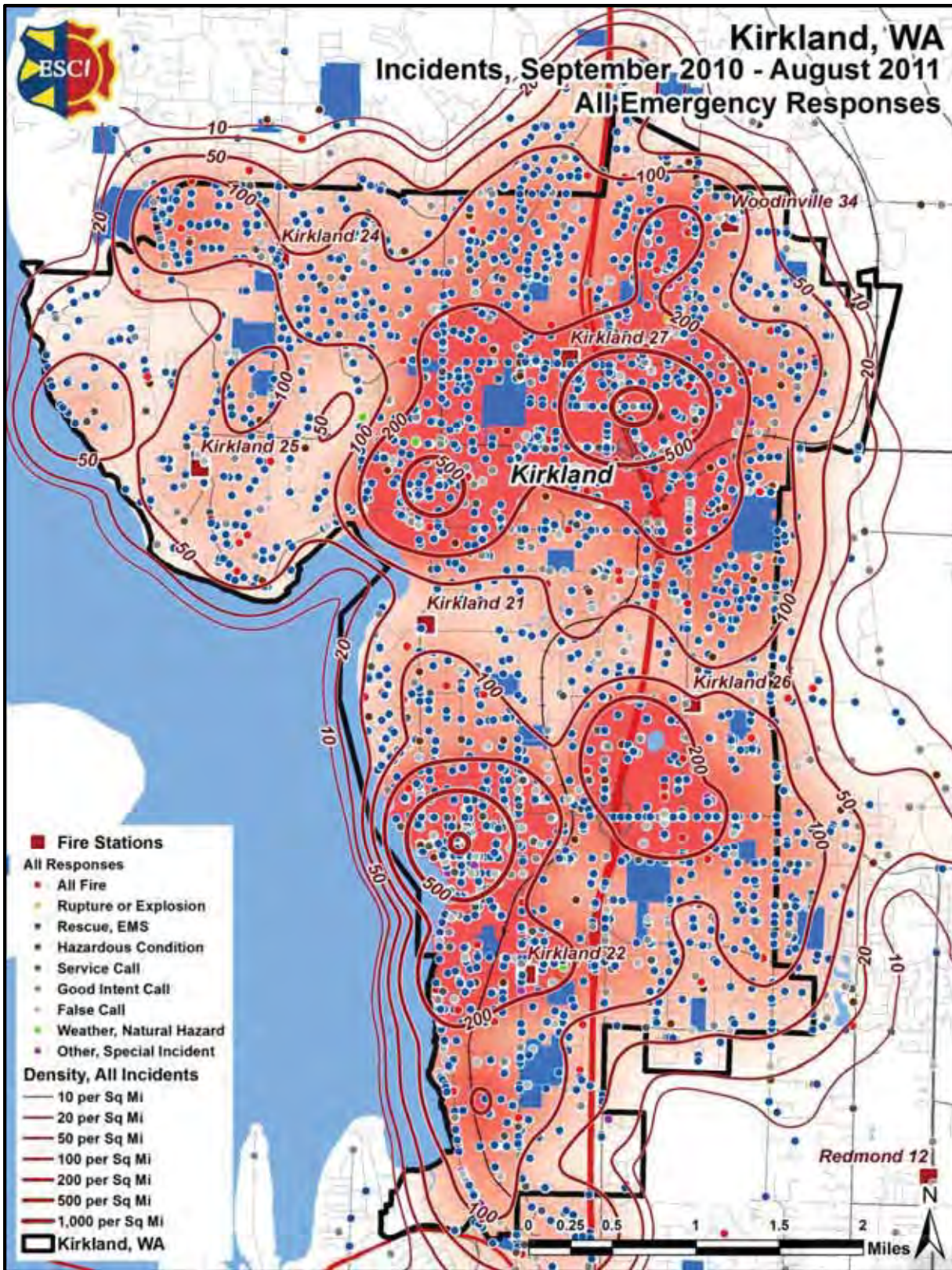


To one level or another, KF&BD functions with all of the fire agencies on the north and eastside of Lake Washington. More frequent operations are conducted with the Bellevue, Redmond, and Bothell fire departments and the Woodinville and Northshore fire protection districts.

### Demand Analysis

ESCI examined service demand by incident type and temporal variation. Figure 63 illustrates the location of all incidents responded to by KF&BD that occurred between September 2010 and August 2011.

Figure 63: All Incidents, September 2010 – August 2011

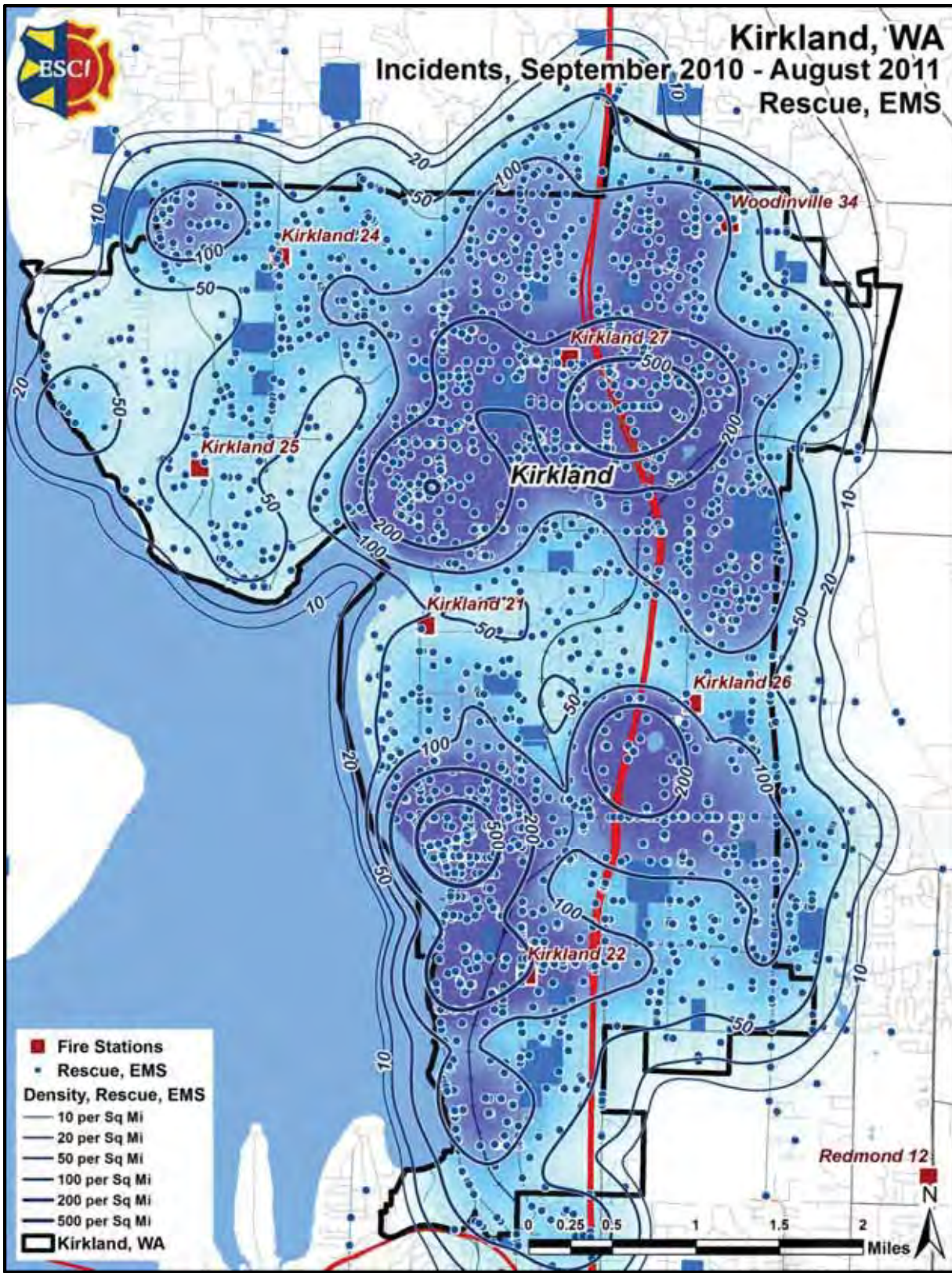


With over 7,300 calls for service responded to by KF&BD, Figure 63 shows that while there are parts of the City that had higher service demand, none was immune to emergencies. From September 2010 through August 2011, the three areas of Kirkland with service demand that exceeded 500 calls per square mile occurred between Fire Station Nos. 21 and 27 and northwest of Fire Station No. 22.

In the next figure ESCI displays only the location of those incidents geocoded in the reports as rescue and EMS incidents for the same one-year period. As with fire incidents, rescue and EMS incidents are in similar clusters, but with a greater distribution throughout the City. Over 75 percent of the occurrences (5,555) were EMS related.



Figure 64: Rescue and EMS Incidents, September 2010 – August 2011

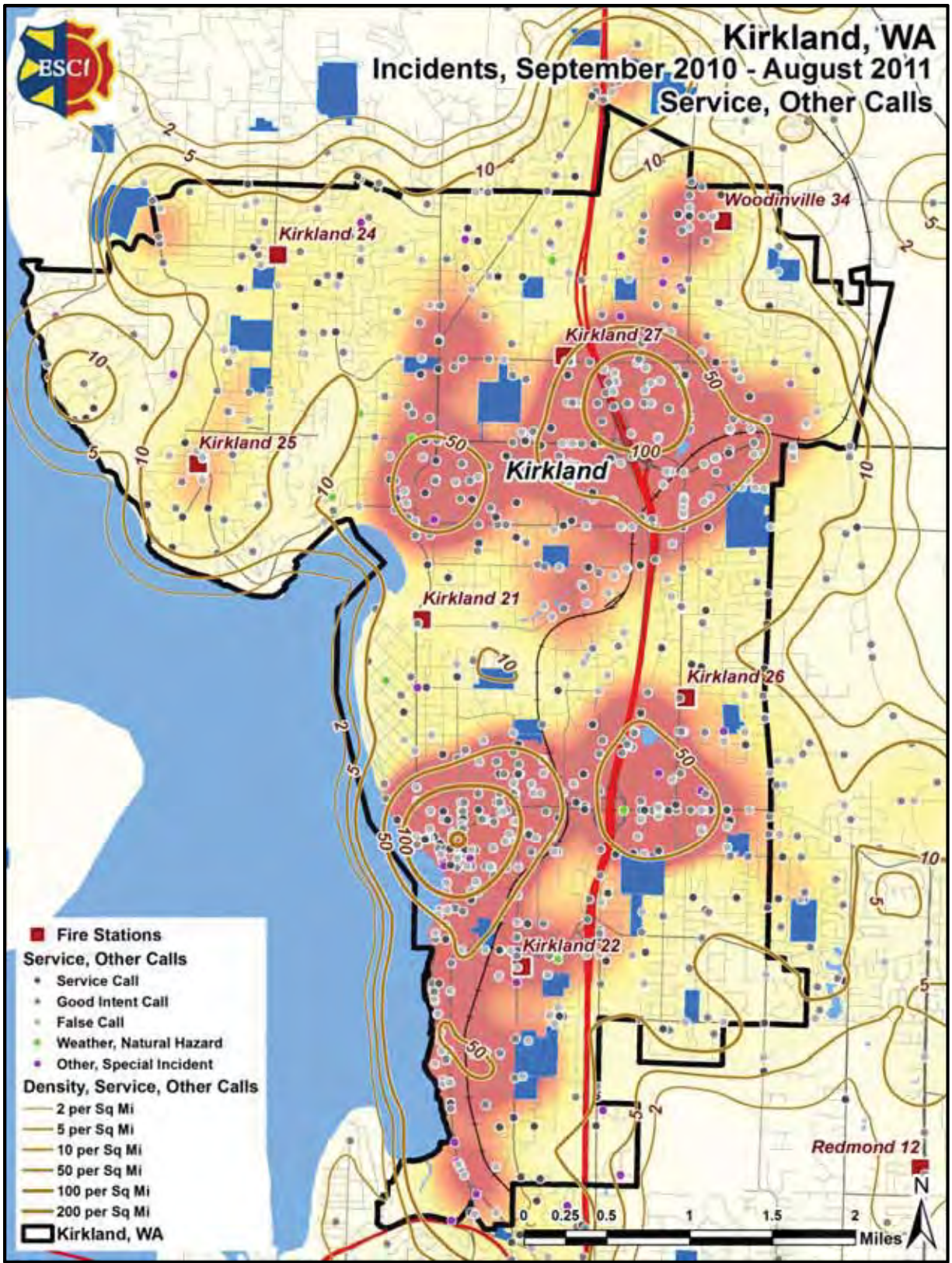


A cluster of EMS incidents to the west of Fire Station No. 24 is significant in that the closest response is from either Fire Station Nos. 25 or 27 during the time of day when the majority of calls for service occur.

Figure 65 shows the distribution of all incidents classified as other and service calls that occurred from September 2010 and August 2011. Fewer incidents classified in the other category occurred outside of the three highest density areas for fires and medical calls.



Figure 65: Service and Other Calls for Service, September 2010 – August 2011



There is a pocket of other incidents west of Fire Station No. 24 that is similar to the clustering of EMS incidents.

In the next map (Figure 66), incidents for the same one-year period categorized as fire, explosion, and hazardous materials events are shown. In Figure 67, only those incidents classified as structure fires are shown.



Figure 66: Fire, Explosion, and Hazardous Materials Incidents, September 2010 – August 2011

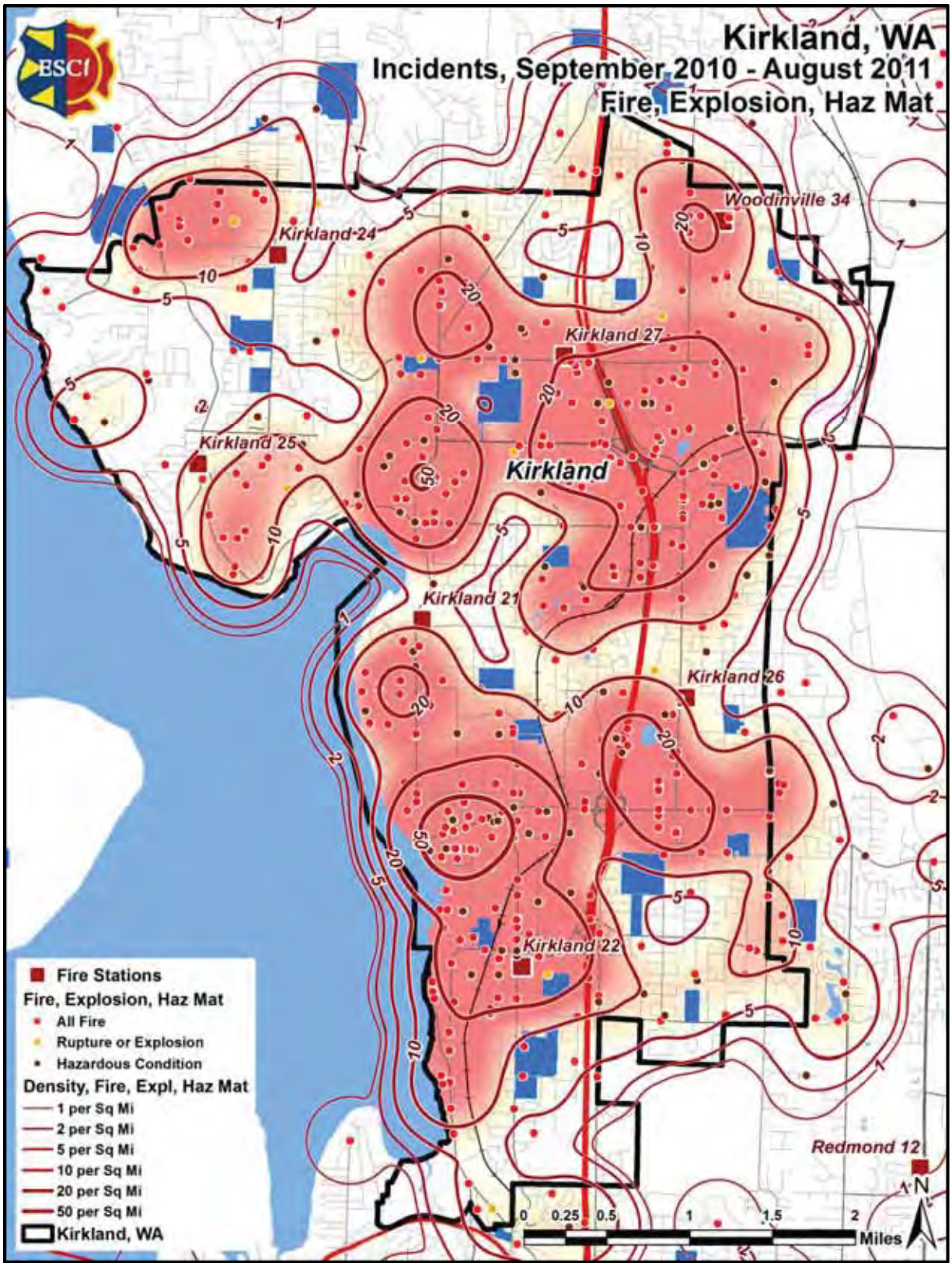
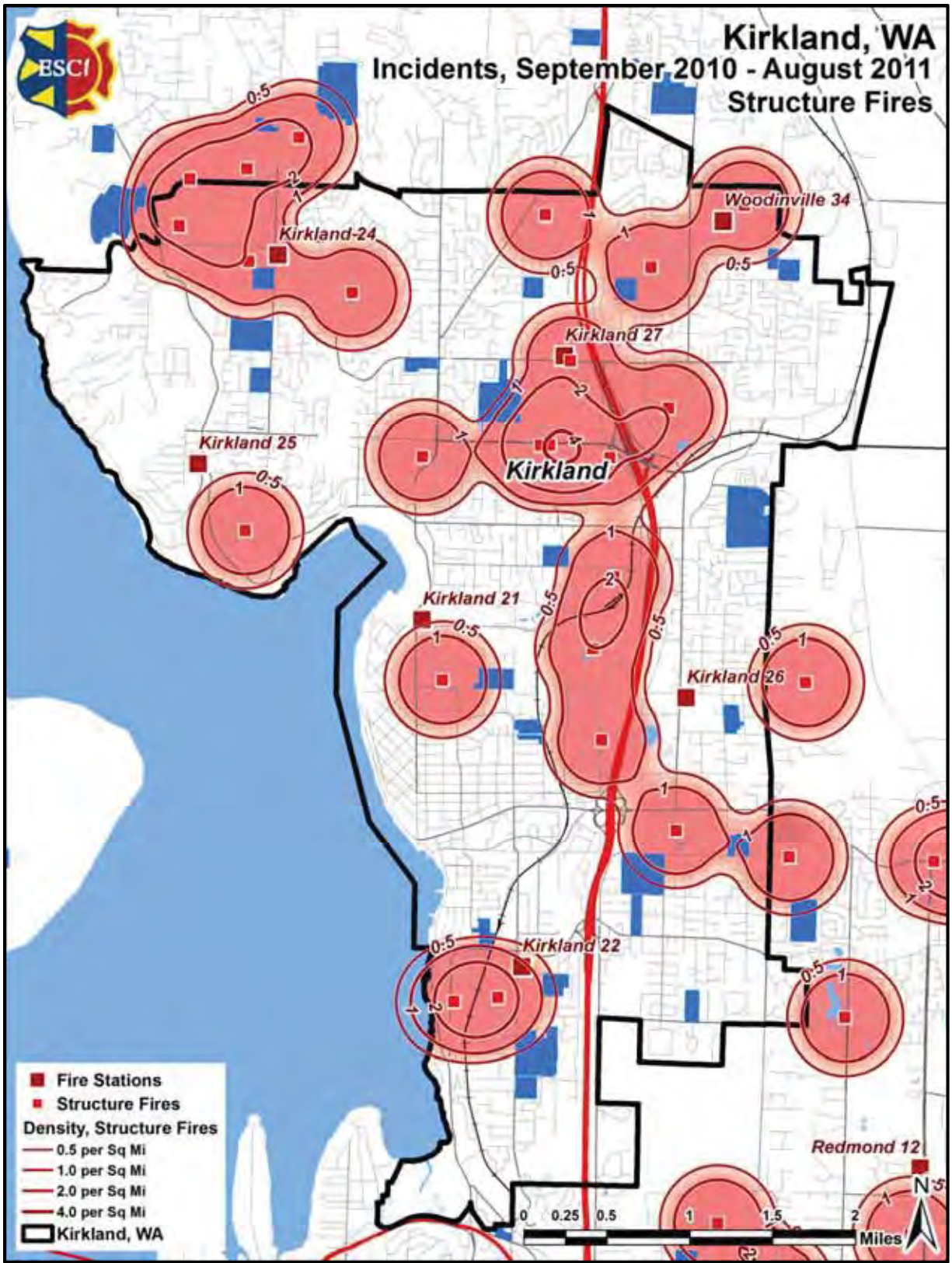




Figure 67: Structure Fires, September 2010 – August 2011



Structure fires were widely dispersed throughout the city. With fewer numbers of structural fire events it is difficult to draw any conclusion related to location of fire incidents.

A collection of EMS, fire, and other incidents occurred to the west of Fire Station No. 24 during the one-year study period. Multiple instances of calls for service also occurred just over the border in Northshore's service area.

### Response Time

The fire service defines response time as the total time measured from the moment notification is received by the emergency communications center until arrival of the first apparatus on the scene of the incident. Components of response include discovery of the emergency, 9-1-1 activation, call processing and dispatch of emergency response, turnout time, travel time, arrival on the scene of the emergency, setup time (fire incidents), and when mitigation of the emergency begins.

### Distribution Study

ESCI began the distribution analysis by examining travel time over the current road network. Travel is only one component of response time. National standards and KF&BD's adopted response standard is based on four minutes of travel time.

The following maps model the travel distance capability of emergency apparatus within 4 (4:00), 5 (5:00), 5.5 (5:30), and 8 (8:00) minutes travel time from each KF&BD fire station. Adjustments to speed capability of the streets were made to account for negotiating turns, grades, intersections, traffic calming devices, and other impediments. Travel time assumes that the fire of aid unit is responding from quarters.



Figure 68: Fire Station No. 21 – 4:00, 5:00, 5:30, and 8:00-Minute Travel Time

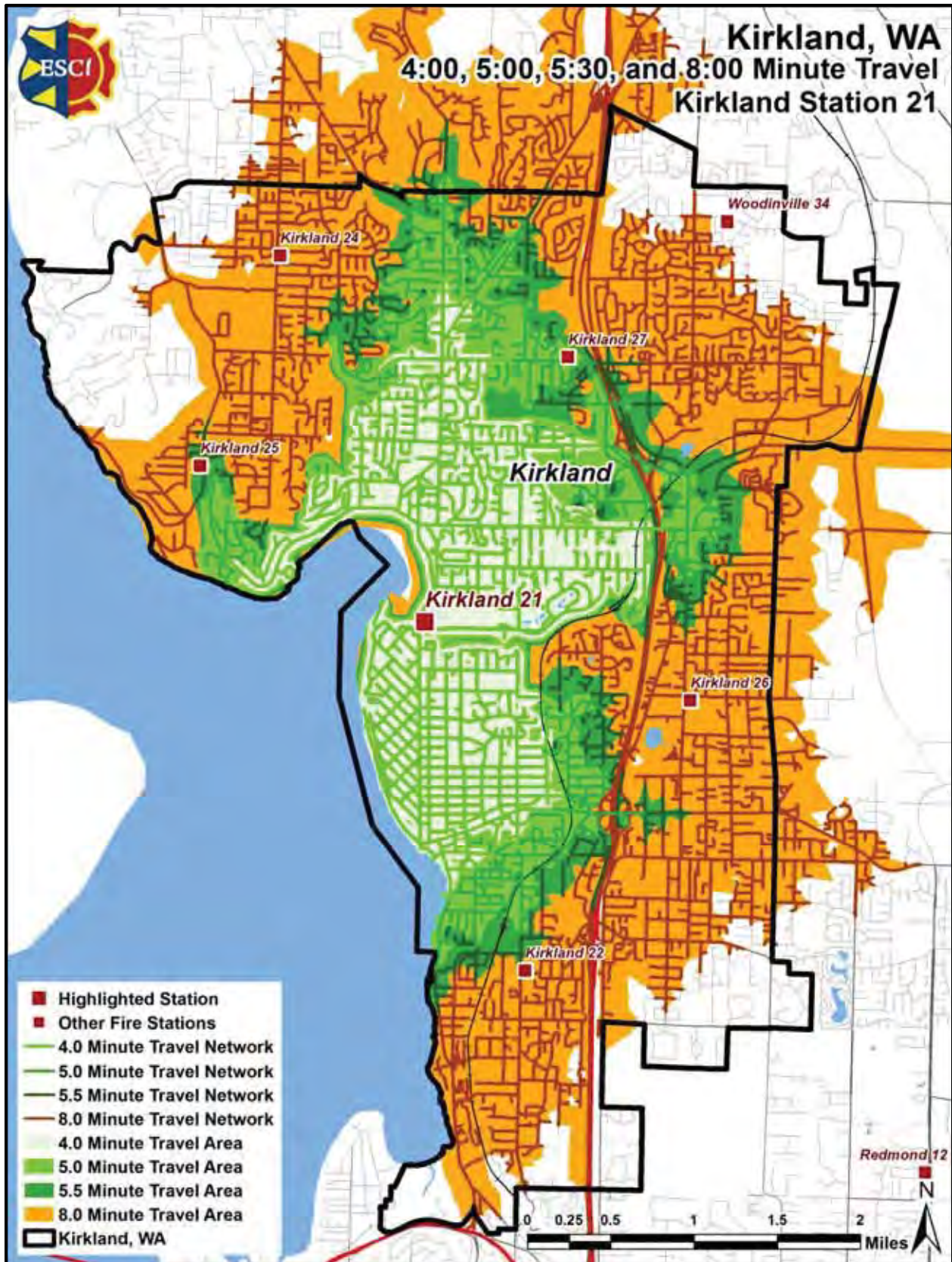




Figure 69: Fire Station No. 22 – 4:00, 5:00, 5:30, and 8:00-Minute Travel Time

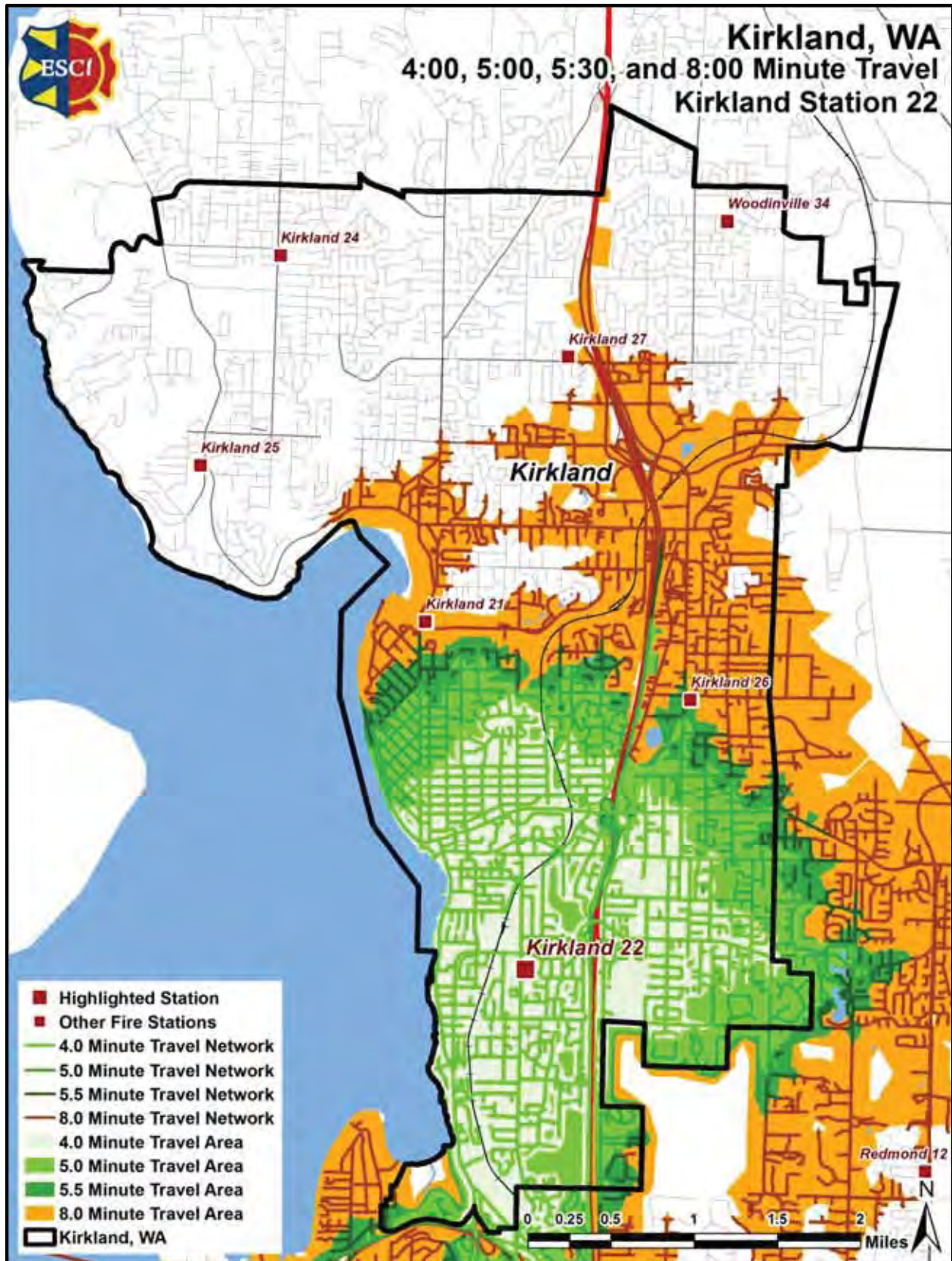
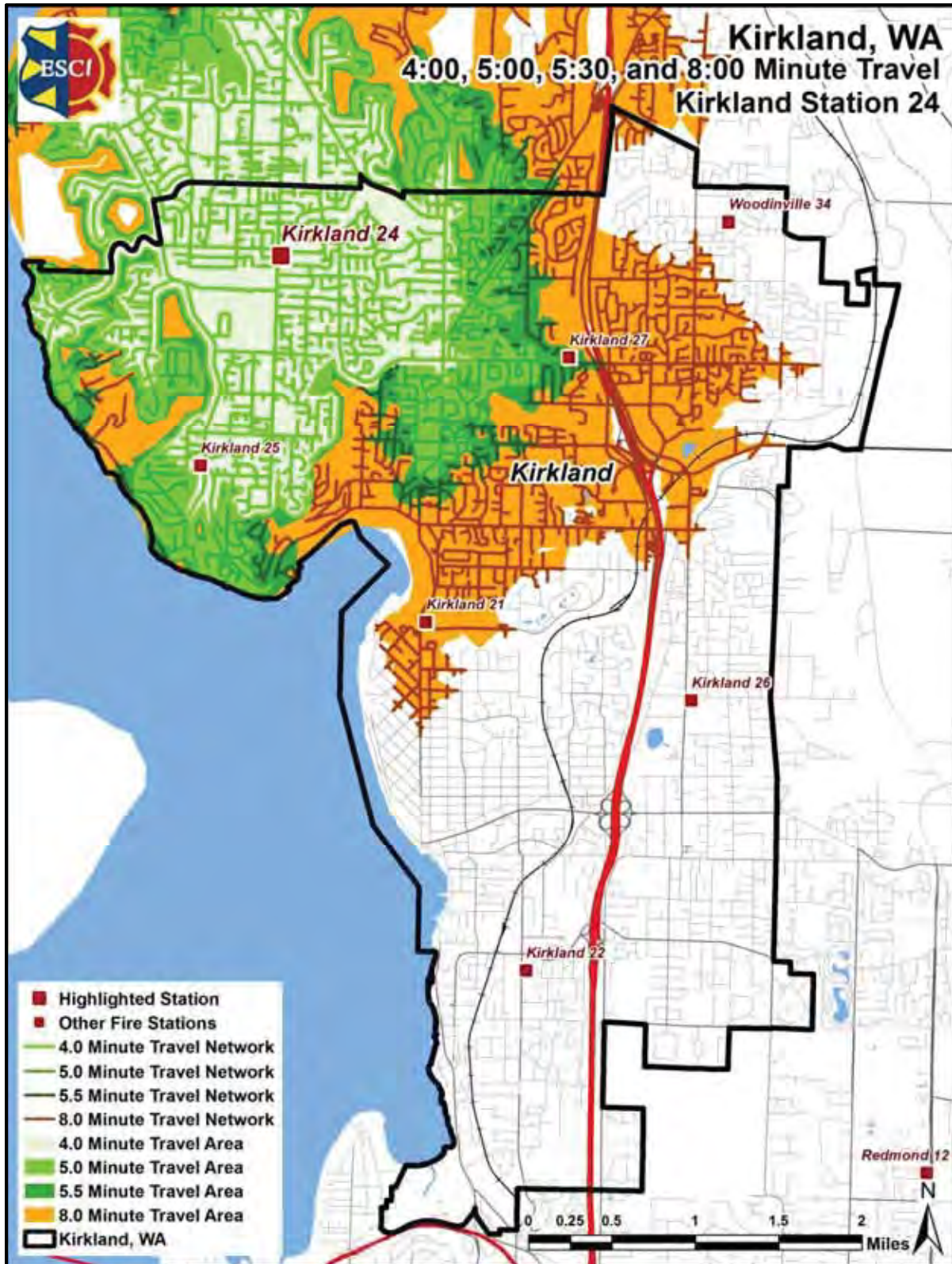




Figure 70: Fire Station No. 24 – 4:00, 5:00, 5:30, and 8:00-Minute Travel Time<sup>59</sup>



<sup>59</sup> Fire Station No. 24 station aid car is staffed nightly from 7:00 PM to 5:00 AM with volunteer personnel.



Figure 71: Fire Station No. 25 – 4:00, 5:00, 5:30, and 8:00-Minute Travel Time

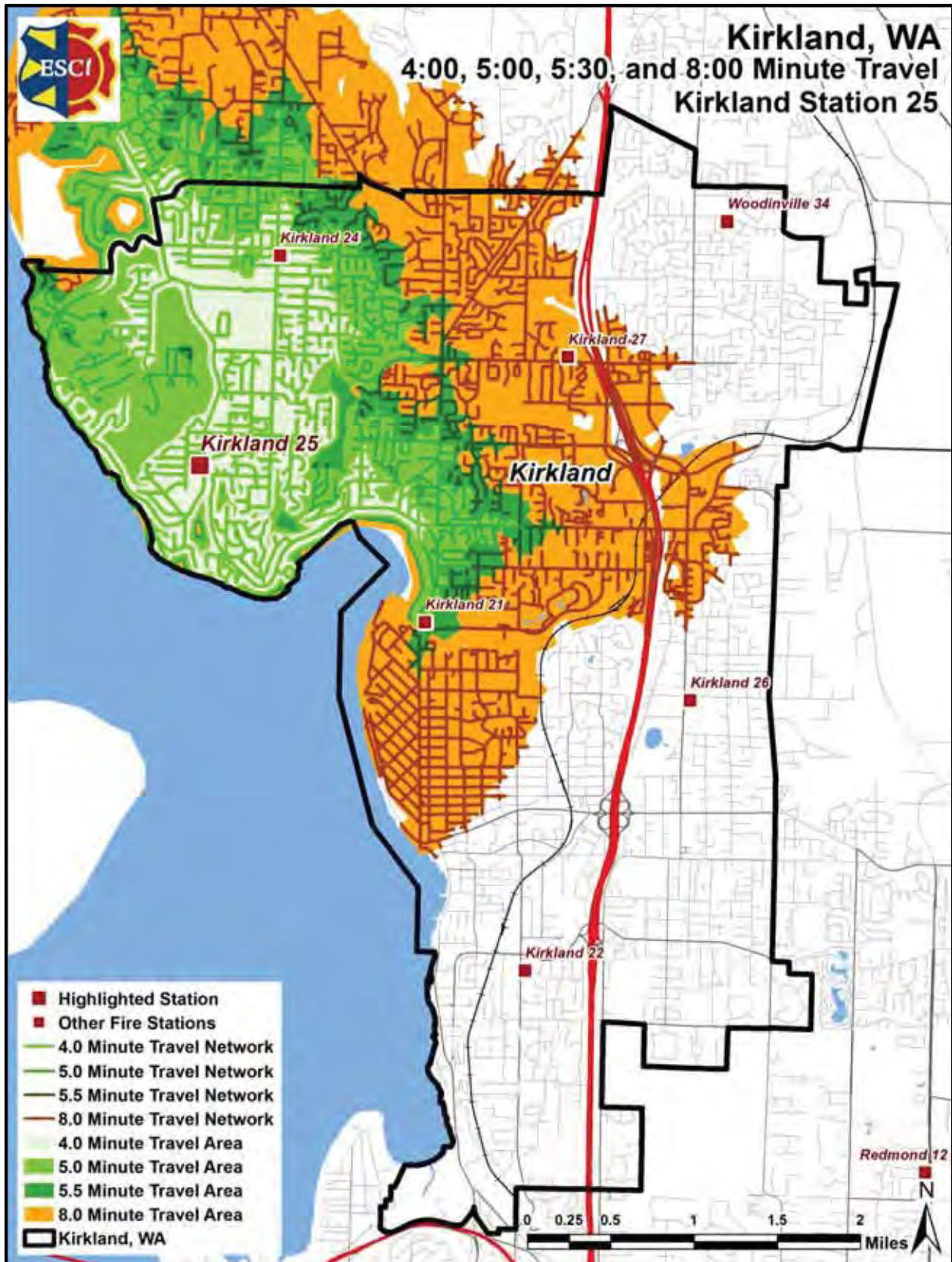




Figure 72: Fire Station No. 26 – 4:00, 5:00, 5:30, and 8:00-Minute Travel Time

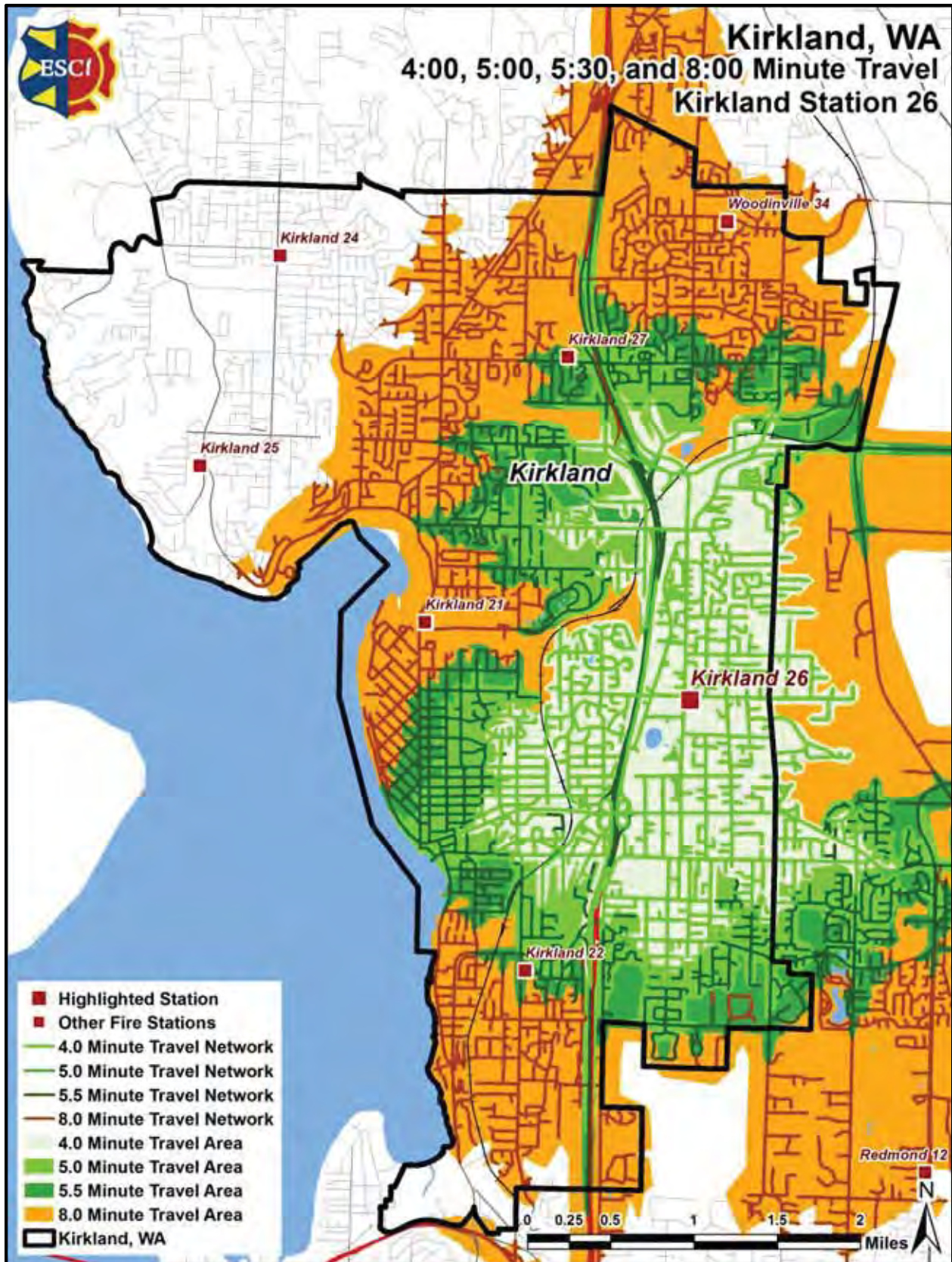
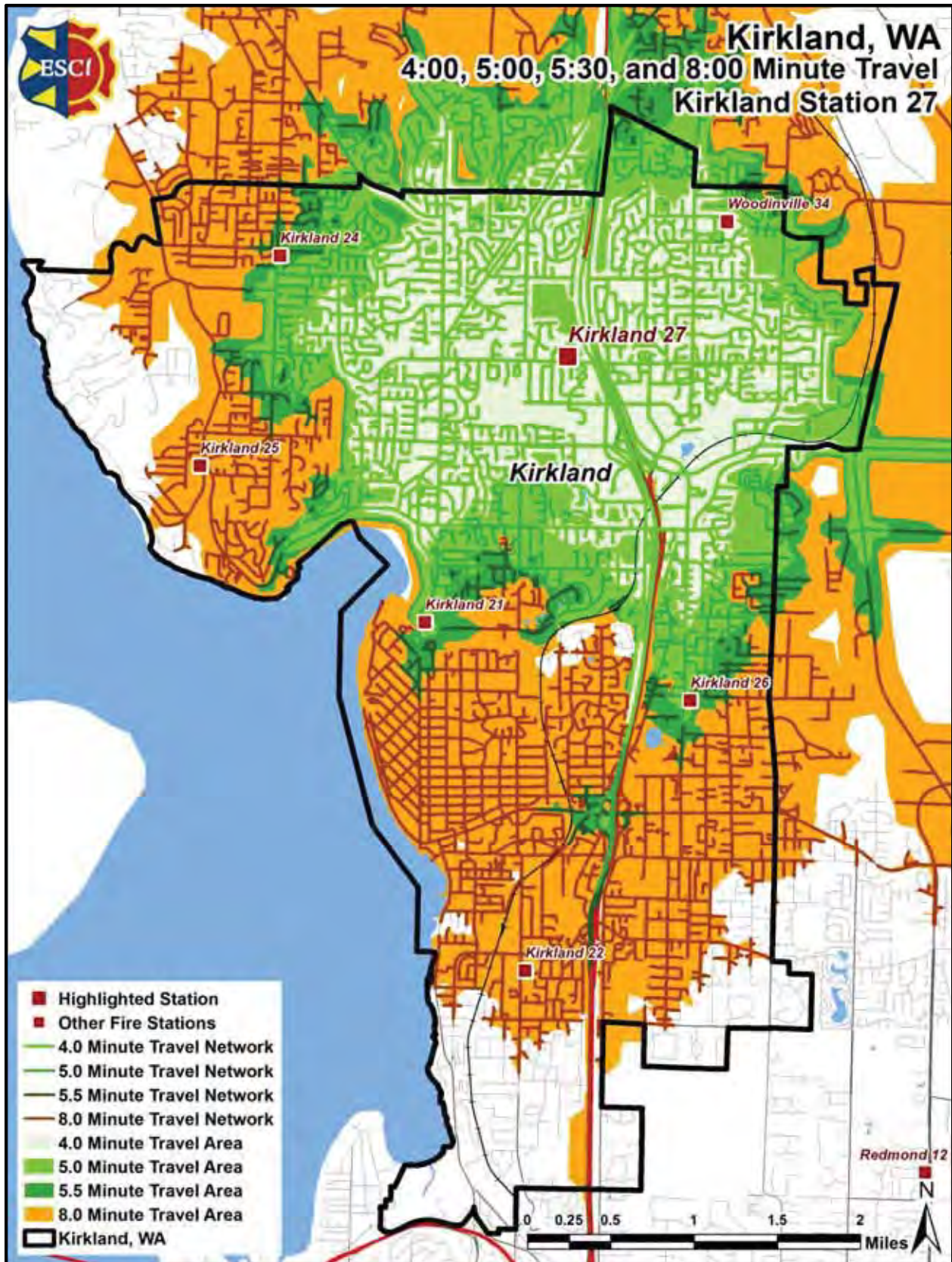




Figure 73: Fire Station No. 27 – 4:00, 5:00, 5:30, and 8:00-Minute Travel Time





### Concentration Study

Standard firefighting procedures call for the arrival of the entire initial assignment (sufficient apparatus and personnel to effectively combat a fire based on its level of risk) within a certain amount of time. This is to ensure that enough people and equipment arrive soon enough to be effective in controlling a fire before substantial damage occurs.

### Analysis of Response Time to Achieve Full-Effective Response Force

While it is important for KF&BD to reach all portions of the City with a single unit for EMS and many other calls for service as rapidly as possible, fire incidents require more than a single resource. An ERF (effective response force or initial full alarm assignment) involves the concentration and spacing of multiple resources arranged (close enough together) so that an initial group of resources can be assembled on the emergency scene within adopted time frames. An initial ERF is the apparatus, equipment, and personnel which will most likely stop the escalation of the emergency for a given risk.

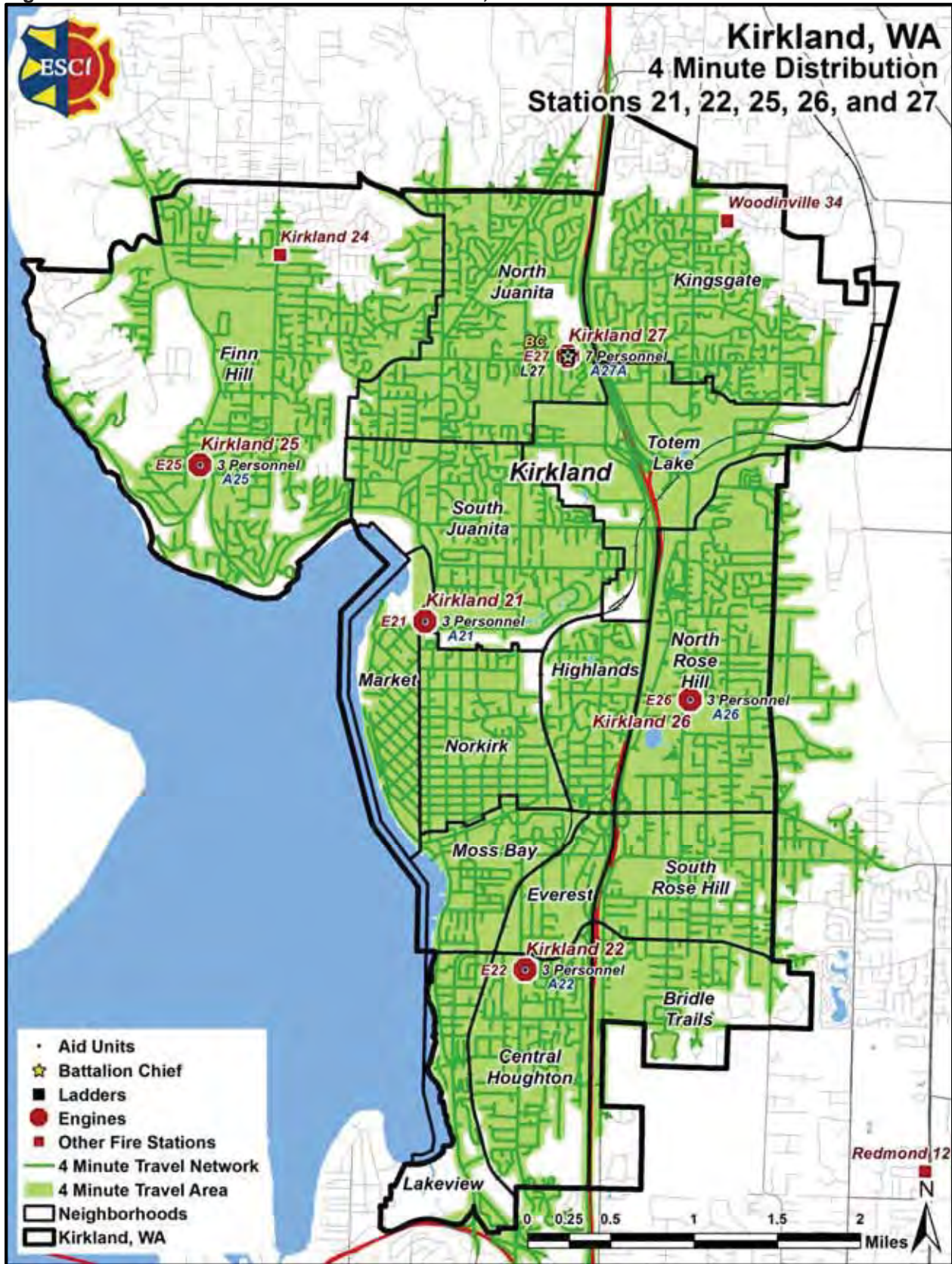
The National Fire Protection Association (NFPA) has published a national fire service peer standard for all or mostly career staffed fire departments.<sup>60</sup> Among other things, *NFPA 1710* contains time performance standards for structure fire response as well as emergency medical response. Each will be discussed individually. Though not a legal mandate, *NFPA 1710* does provide a useful benchmark against which to measure a fire department's performance.

Figure 74 demonstrates the areas in the City of Kirkland that can be reached in four minutes of travel time from KF&BD's five career-staffed fire stations.

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<sup>60</sup> *NFPA 1710, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*, National Fire Protection Association 2010.

Figure 74: Four-Minute Travel Time Concentration, Career Staffed Fire Stations\*



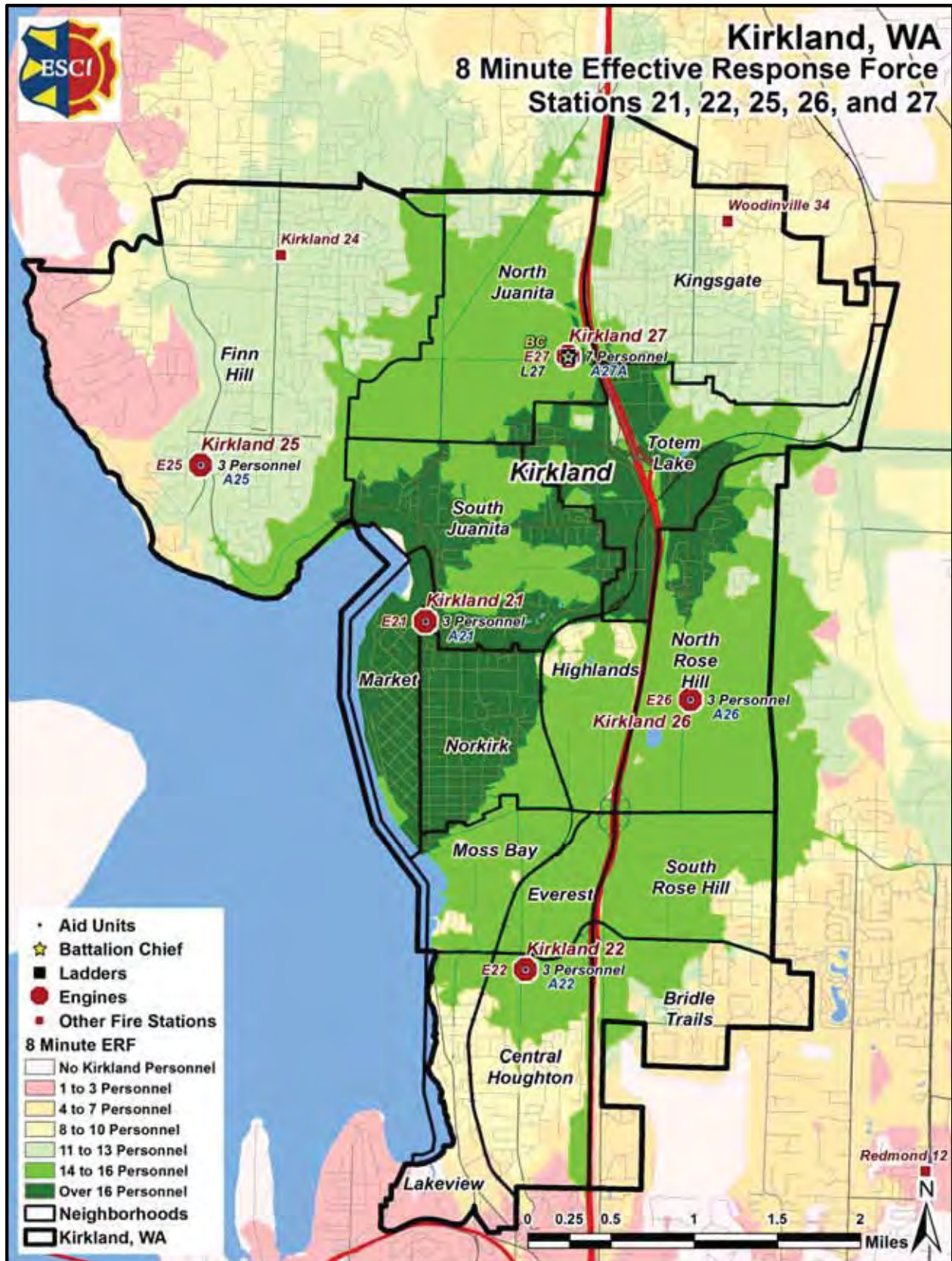
\*New map requested.

There are small pockets of area in the City that require longer than four minutes of travel time to reach. The largest area is in the northwest section of Kirkland in the Finn Hill neighborhood, generally in the area surrounding Fire Station No. 24.

Where Figure 74 showed the areas of the City that could be reached from fire stations with a single fire engine in four minutes, structure fires require more than one fire engine and three personnel. A moderate risk incident involves multiple fire apparatus and firefighters. Figure 75 demonstrates the portions of the City of Kirkland and the number of personnel that can reach each given area in eight minutes of travel time or less.



Figure 75: Eight-Minute Travel Time Concentration, Personnel

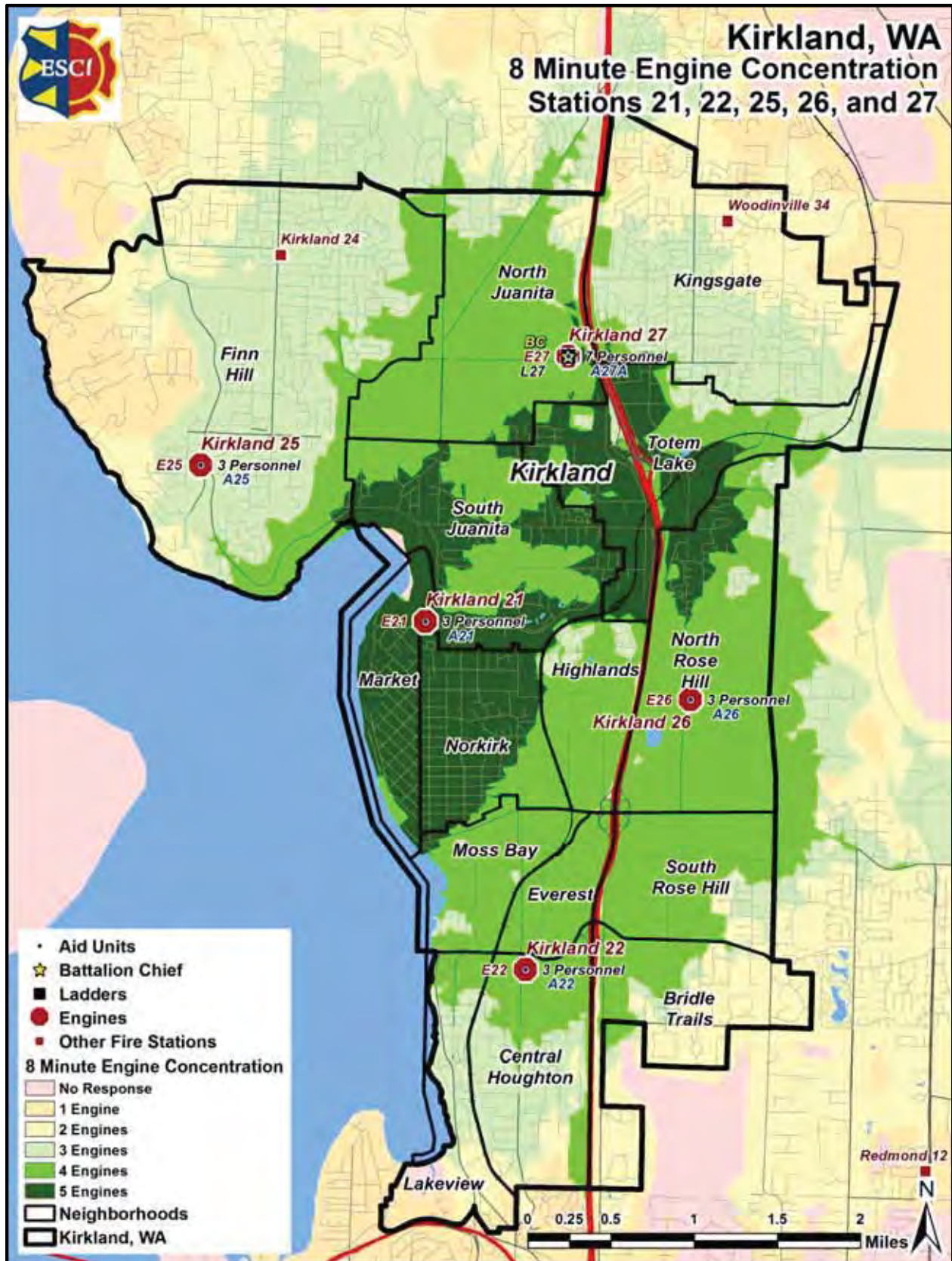


A minimum of three KF&BD personnel can reach all areas of the City in eight minutes or less travel time. Greater numbers are able to arrive in less travel time in the core area of Kirkland where fire stations are more closely spaced and in the area surrounding Fire Station No. 27 because of a higher minimum on-duty staffing for two companies. The analysis shows that in the Finn Hill and the Kingsgate neighborhoods, KF&BD can assemble ten or fewer personnel in eight minutes or less. This is true for the Central Houghton community as well. The difference being that KF&BD has automatic aid units in closer proximity to respond to Houghton. In the north of the City the travel distance for Northshore, unstaffed Kirkland Fire Station No. 24, and the closing by Woodinville of Fire Station No. 34 limit the options for outside resources to arrive in eight minutes or less.

Figure 76 illustrates the areas of the City where fire engines can reach in eight minutes of travel time.



Figure 76: Eight-Minute Travel Time Concentration, Fire Engines



All areas of the City can be reached by a fire engine within eight minutes of travel time over the existing roadway system. Those areas earlier identified as having a greater concentration of incidents in the core areas of Kirkland can be reached in eight minutes of travel time or less by up to five engines. The amount of overlapping coverage is considered to be appropriate given the number of concurrent calls for service and density of higher risk facilities.

Fire engines and aids unit respond to the majority of incidents in the City. KF&BD has two units that are more specialized and that respond to fire and larger, more complex incidents with a battalion chief and ladder truck. The battalion chief responds as the incident commander and a ladder truck for search, rescue, salvage, and overhaul tasks. Figure 77 illustrates the areas of the City where the KF&BD battalion chief and ladder truck can reach in eight minutes or less of travel time. With the ladder truck located at Fire Station No. 27, its eight-minute travel time coverage reaches to the north outside of the Kirkland city limits.



Figure 77: Eight-Minute Travel Time Concentration, Battalion Chief and Ladder Truck

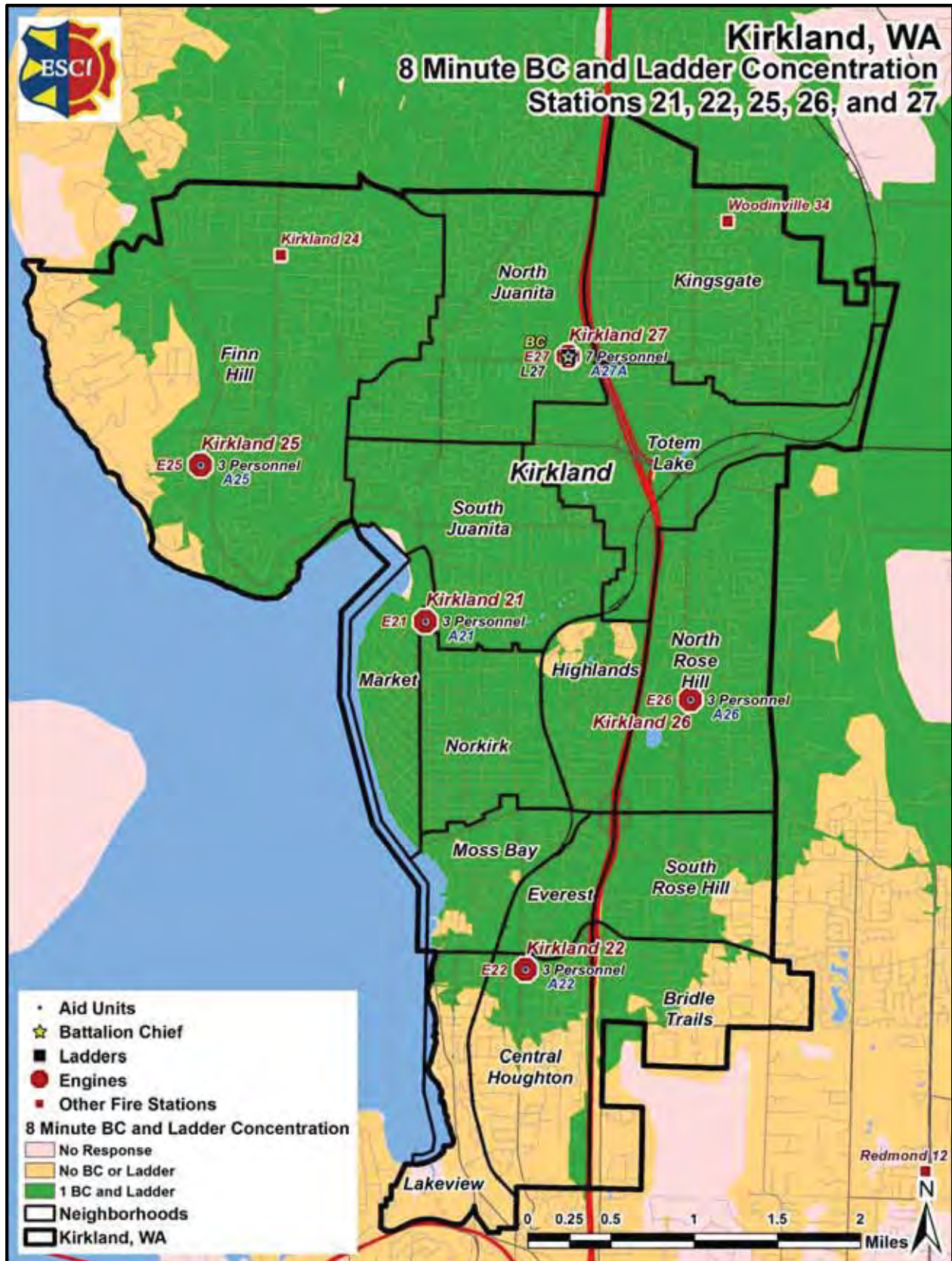
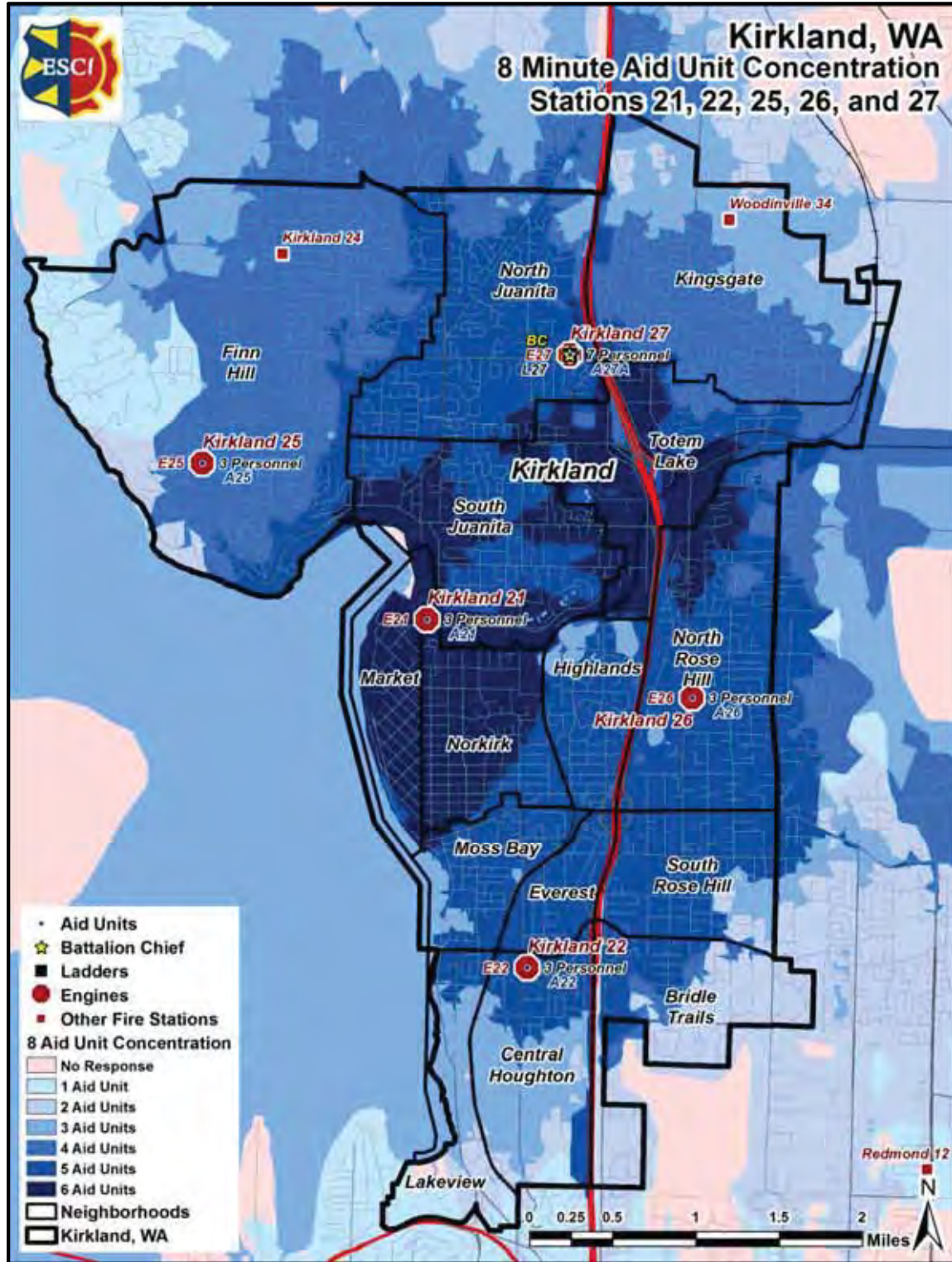




Figure 78 illustrates the areas of the City where a KF&BD aid unit can reach in eight minutes or less of travel time.

Figure 78: Eight Minute Travel Time Concentration, Aid Unit



Virtually all of the City can be reached by an aid unit in eight minutes of travel time or less.<sup>61</sup> An eight minute travel time is used to illustrate overlapping coverage. Those areas of the City identified earlier with the greatest concentration of EMS incidents have the largest overlapping aid unit coverage. Coverage overlap is less of a concern than coverage gaps and provides the needed response units for back to back calls.

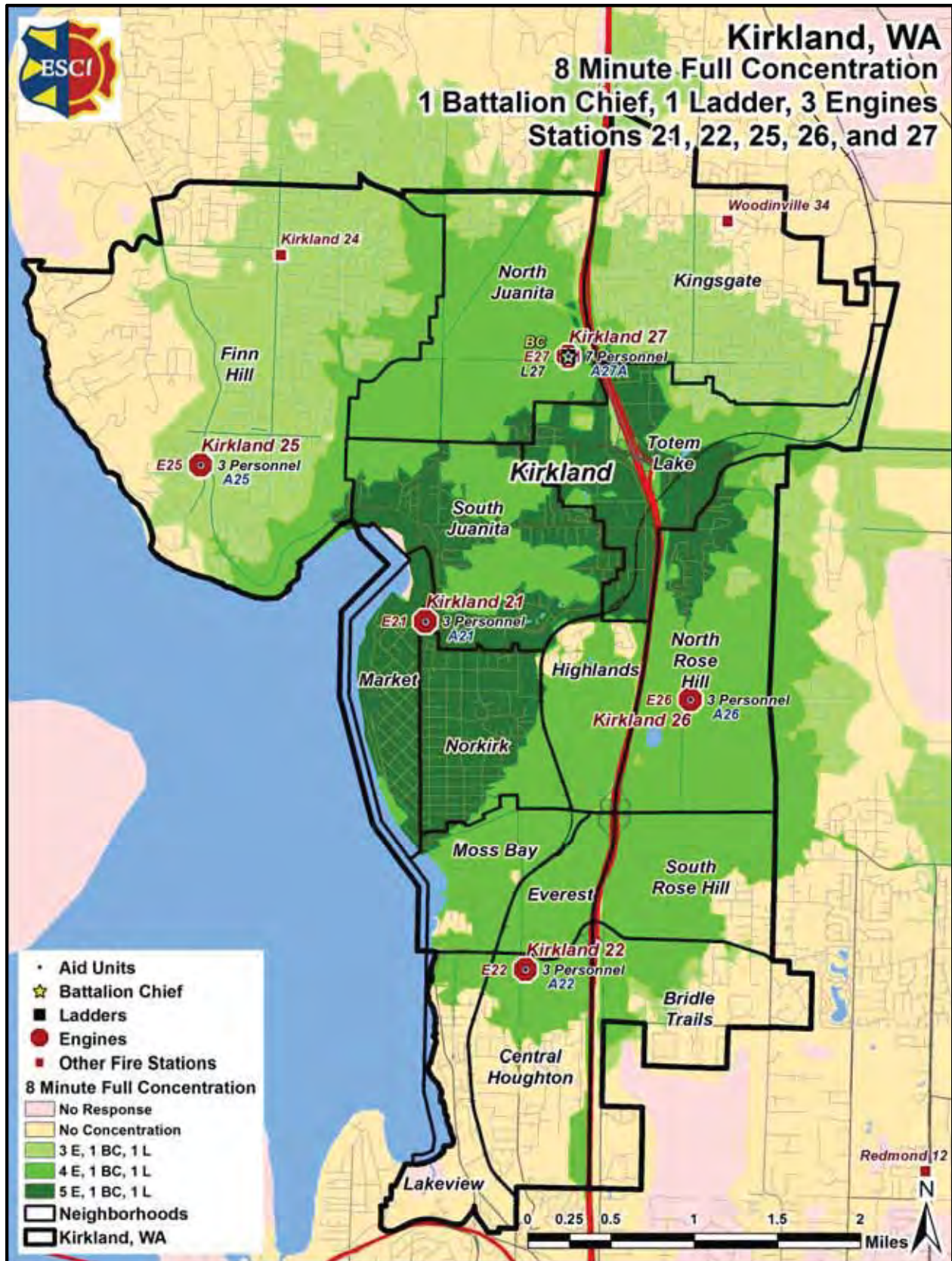
The following map displays the eight-minute travel time concentration for an ERF (effective response force). An ERF for KF&BD involves one battalion chief, one ladder truck, and three engines in eight minutes or less travel time.

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<sup>61</sup> Response to all of the Yarrow Bay Wetlands in Lakeview is accessible in eight minutes of travel time.



Figure 79: Eight-Minute Travel Time Concentration, Effective Response Force



### Fire Station (Siting) Relocation

KF&BD has adopted total response time objectives of:

- Five (5) minutes and thirty (30) seconds for the first fire engine to arrive when responding to a fire suppression incident (90) percent of the time
- Five (5) minutes for the first emergency medical unit with at least two (2) Emergency Medical Technicians to an emergency medical incident (90) percent of the time

Included in the total response time is the call processing time interval for the communications center of sixty (60) seconds and a turnout time of sixty (60) seconds. ESCI used four minutes of travel time to gauge which geographic areas of the City can be reached. Figure 74 shows the areas of the City that could be reached from fire stations with a single fire engine in four minutes, structure fires require more than one fire engine and three personnel. Most of Kirkland can be reached by an engine or aid unit in four minutes of travel time or less. The only area with longer travel times than four minutes are located in the area served by Fire Station Nos. 24 and 25.

KF&BD's fire stations are generally in the best physical locations to serve the entire City. All of the geographic areas of the City can be reached from one or more of the fire stations by an aid unit or engine in eight minutes travel time or less with a minimum of three KF&BD personnel. Fire engines and aids unit respond to the majority of incidents in the City with more complex incidents including a battalion chief and ladder truck. Some sections in the south and northwest of Kirkland are outside of eight minutes travel time for the battalion chief and ladder truck. A moderate risk incident involves multiple fire apparatus and firefighters. Figure 75 demonstrates the portions of the City of Kirkland and the number of personnel that can reach each given area in eight minutes of travel time or less.

There are options that the KF&BD can use to improve coverage to the northwest (Finn Hill) area of the City:

- Combine Fire Station Nos. 24 and 25 in a new location
- An additional (new) fire station
- Staff Fire Station No. 24 with career personnel
- Establish and maintain a shared facility with Northshore FD

Combining Fire Station Nos. 24 and 25 at a better location could result in, shorter travel time in Finn Hill and greater geographic coverage in the Finn Hill neighborhood. This would not resolve the need for a fire or EMS unit and additional personnel resources in this area of the City. There is no increase in the number of personnel available for incidents that require more than a

single unit. Either adding a new fire station or staffing Fire Station No. 24 with full time personnel is considered to be cost prohibitive. Annual personnel services cost of one full-time staffed fire engine with three firefighter/EMTs is approximately \$2.5 million. Above the expenditures for personnel services are capital apparatus, administrative and support, training, and supply costs.

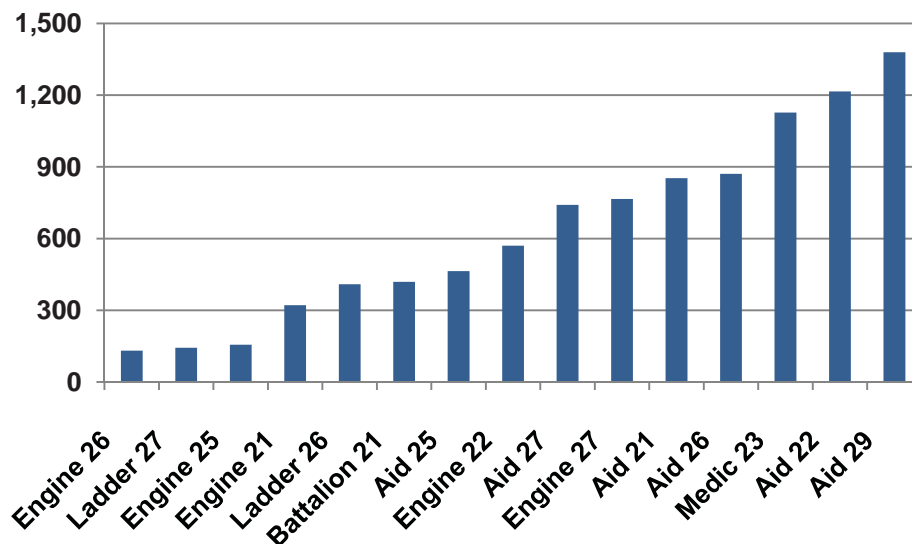
A shared or jointly staffed new facility in a location that would serve Northshore and Kirkland has benefits and cost avoidance for both fire departments. It would:

- Reduce travel time to an underserved area of Kirkland and Northshore
- Add an apparatus to an underserved areas of the City
- Add an apparatus for response to incidents requiring multiple units
- Make the total number of personnel equal to KF&BD's full alarm assignment staffing
- Cost much less than constructing a fire station independently
- Improve service demand coverage

### Reliability Study

The workload of emergency apparatus can be a factor that affects overall service delivery. In the following figures ESCI examines various aspects of emergency workload for KF&BD.

**Figure 80: Number of Responses by Apparatus, September 2010 – August 2011**



Aid 29 had the highest number of incidents for the year studied with 1,380 responses for an average daily calls for service of 3.78. The average daily number of responses for KF&BD apparatus was 1.56, with a median of 1.27.

While the number of responses expresses apparatus numerically, it is one dimensional. Utilization is used to measure unit productivity, comparing the available hours of a resource (engine, aid unit, or ladder) with the amount of time a unit is actively involved with response activity. Measuring unit hour utilization (UHU) determines the percentage of unit hours actually consumed in productivity compared with the total available hours. Figure 81 displays the total hours and unit hour utilization (UHU) rate for KF&BD apparatus.

**Figure 81: UHU (Unit Hour Utilization), September 2010 – August 2011**

Apparatus	Hours	Count	UHU
Air Unit 21	36:49:36	18	0.42%
Aid 24	53:53:06	97	0.62%
Engine 26	56:58:44	131	0.65%
Ladder 27	47:29:26	143	0.54%
Engine 25	74:17:30	156	0.85%
Engine 21	148:28:57	321	1.70%
Ladder 26	158:08:42	409	1.81%
Battalion 21	158:25:58	419	1.81%
Aid 25	337:43:08	464	3.86%
Engine 22	231:16:18	570	2.64%
Aid 27	437:27:44	741	4.99%
Engine 27	293:39:34	766	3.35%
Aid 21	608:16:23	853	6.94%
Aid 26	507:19:28	871	5.79%
Medic 23	712:27:46	1,127	8.13%
Aid 22	753:23:25	1,216	8.60%
Aid 29	817:44:48	1,380	9.34%
<b>Total</b>	<b>5,992:47:47</b>	<b>10,678</b>	<b>68.41%</b>

Although Aid 21's call count is approximately 62 percent of Aid 29's, Aid 21's UHU is 74 percent of Aid 29's. The larger UHU indicates that on an average incident Aid 21 is committed longer per call. Aid 21's longer commitment per call appears to be related to a longer transport distance. The more extended the time on an incident the less time that Aid 21 is available for another call for service and the greater the likelihood of another apparatus having to respond.

In the next figure, ESCI summarized workload by the number of apparatus per incident.

**Figure 82: Apparatus Commitment per Incident, September 2010 – August 2011**

Number of Apparatus	Percentage of Calls
1	69.81%
2	22.40%
3	4.71%
4	1.12%
5	1.09%
6	0.38%
7	0.18%
8	0.03%
9	0.05%
10	0.11%
11	0.05%
12	0.01%
14	0.01%
15	0.01%
18	0.01%
19	0.01%

While the majority of incidents during the one-year study period required only one apparatus (69.81 percent), 30.19 percent of responses required two or more. Approximately 3.08 percent of the time, four or more units were engaged on a single incident. There were 17 times between September 2010 and August 2011 where ten or more emergency response units were committed to a single incident. Incidents where more than one unit is required reduce available apparatus and personnel for other calls for service. Additional apparatus often travel a greater distance and leave more of the City under protected.



Call Concurrency

Another way to look at resource workload is to examine the periods that multiple calls happen within the same period of time.

**Figure 83: Concurrent Calls, September 2010 – August 2011**

Call Count	Percentage of Calls
1	34.86%
2	31.34%
3	19.42%
4	8.69%
5	3.48%
6	1.50%
7	0.46%
8	0.11%
9	0.01%
10	0.04%
11	0.03%
12	0.01%
14	0.03%
23	0.01%

Incidents occurred singularly 34.86 percent of the time between September 2010 and August 2011. Nearly two-thirds (65.14 percent) of the time two or more incidents were happening simultaneously; 33.81 percent of the time, three or more. When two calls for service occur simultaneously resources are a minimum of six personnel below the number to meet KF&BD's identified 19 for an initial full alarm assignment.

Failure rate is the percentage of calls for which a unit/station is unavailable due to handling an existing call where it otherwise would have been dispatched as the primary unit. When a fire or EMS unit is unavailable to respond in its first due area there is a domino effect, in that outside resources are pulled in for coverage, thus leaving their own areas vulnerable to higher failure rates. ESCI attempted to determine the number of actual or estimated failure rates for KF&BD fire stations and individual companies from the data provided. Data was inadequate to conduct an analysis. A failure rate over ten percent will cause performance objectives at the 90<sup>th</sup> percentile to be missed, even if resource distribution keeps travel time low. ESCI recommends that failure rate by fire station and apparatus be tracked.



### Response Performance

The ultimate goal of any emergency service delivery system is to provide sufficient resources (personnel, apparatus, and equipment) to the scene of an emergency in time to take effective action to minimize the impacts of the emergency. This need applies to fires, medical emergencies, and any other emergency situation to which the fire department responds.

### System Reflex Time Performance

Throughout this document, certain descriptive statistical measures are used which may not be familiar to all readers. In an effort to reduce confusion or the drawing of inaccurate conclusions, ESCI provides a brief explanation of these terms below. The measures most often used which require clarification are average and percentile.

#### Average

The average measure is a commonly used descriptive statistic, also called the mean of a data set. It is a measure to describe the central tendency, or the center of a data set (mean). The average is the sum of all the data points in a set, divided by the total number of data points. In this measurement, each data point is counted and the value of each data point has an impact on the overall performance. Averages should be viewed with a certain amount of caution because the average measure can be skewed if an unusual data point, known as an outlier, is present within the data set. Depending on the sample size of the data set, the skewness can be either very large or very small.

#### Percentile

With the average measure, it is recognized that some data points are below the average and some are above the average. The same is true for a median measure which simply arranges the data set in order and finds the value in which 50 percent of the data points are below the median and the other half are above the median value. This is also called the 50th percentile.

When you deal with percentages, the actual value of the individual data does not have the same impact as it did in the average. The reason for this is that the fractile is nothing more than the ranking of the data set. The 90th percentile means that 10 percent of the data is greater than the value stated and all other data is at or below this level.

Higher fractile measurements are normally used for performance objectives and performance measurement because they show that the large majority of the data set has achieved a

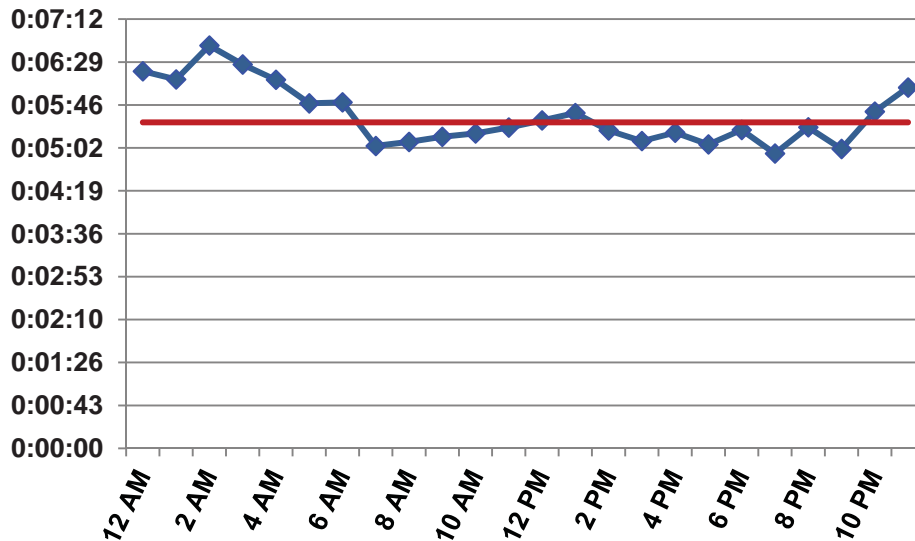
particular level of performance. This can be compared to the desired performance objective to determine the degree of success in achieving the goal.

ESCI recommends that KF&BD use fractile for benchmarking and measuring response components.

Current Response Time Performance

The following series of charts displays emergency response time performance for KF&BD from September 2010 through August 2011. Figure 84 illustrates the average response time frequency for KF&BD for the one-year period.

**Figure 84: Average Response Time Frequency, September 2010 – August 2011**



The most frequently recorded response time was within the 5-minute range, while the average response time was 5 minutes 28 seconds (05:28).

In the next figure, response time is summarized by incident type. Average and percentile response times are displayed (Figure 85).

**Figure 85: Response Time Frequency by Incident Type, September 2010 – August 2011**

Incident Type	Average	90 <sup>th</sup> Percentile
Fire	0:07:40	0:11:46
Medical	0:05:18	0:08:29
Other	0:05:42	0:08:32
<b>All</b>	<b>0:05:28</b>	<b>0:08:42</b>

Average and 90<sup>th</sup> percentile response times in Figure 85 are for the arrival of the first unit. For fire and some EMS calls for service there is a need to have more than one unit.

#### Non-Emergency and Automatic Alarm Response

Included in the more than 7,000 incidents to which KF&BD annually responds are a large number of events of a non-emergency nature. Many are medical related responses while others involve automatic alarm systems that falsely report an emergency. Still others fall into a general category of incidents that, while requiring fire department assistance, are not emergent situations or are simply mistaken alarms.

In many cases it is difficult to determine whether an incident is an actual emergency event until responders arrive at the scene. In others, call screening and prioritization by dispatchers can often determine the severity of a situation, from which pre-defined response protocols dictate the number and type of response resources that will respond. The challenge becomes one of balancing the need to send sufficient resources against the importance of limiting unnecessary responses.

Fire departments have historically adopted a practice of dispatching multiple units to a call in case the event should prove to be of a serious nature. The approach is appropriate in many situations, especially those of a high-risk nature. However, appropriately limiting the number of responding units, as well as the speed with which they respond, should also be considered. Fewer responding vehicles limits costs, reduces safety risks to firefighters and the public associated with emergency vehicle response, and keeps valuable response resources available for other incidents. An alternative is to have the first fire unit respond with lights and siren and all other fire apparatus travel with the traffic flow. Upon arrival of the first unit, it is then determined if additional units are needed or if they can be released back to quarters.

KF&BD adopted response protocols are based on risk and includes a policy of a single response unit for automatic alarms that is facility specific by business type.

#### Emergency Medical Response Deployment

Some medical emergencies necessitate the response of a full complement of equipment and personnel. The most visible example is a cardiac arrest situation, which requires three or more responders, at a minimum, to effectively manage.

However, many other medical calls can be handled adequately by only one or two responders. The highest percentage of calls in this category is those that occur at adult foster care and nursing facilities, which are often non-emergent assistance requests. Rather than sending a fire engine and full complement of firefighters to these calls, a limited response may be in order. A number of fire departments have adopted a deployment strategy for EMS incidents that consists of a single paramedic, driving a sport utility vehicle, dispatched to lower priority calls.

The key to the success of this methodology is effective call screening and prioritization by 9-1-1 operators that are trained in MPD (Medical Priority Dispatch) protocols. Properly applied, these procedures have proven to identify those calls that warrant a higher level of EMS response as contrasted to those that may be adequately managed by fewer responders.

#### Automatic Fire Alarm Response Deployment

Automatic fire alarms are commonly found not only in high risk commercial buildings, but in private homes, small commercial occupancies and construction sites. The alarms are activated by smoke or heat detection devices and offer the important advantage of early notification of a fire's occurrence. Fire alarms are also prone to malfunction and false activation. The problem is particularly common at construction sites where conditions are changing continuously.

Most fire departments experience a high percentage of false automatic alarm activations and the need to respond to them. Deployment decisions are made based on various factors including the type of building use and level of risk exposure, particularly to loss of life. While historic practices have been to dispatch a complete fire response assignment to alarms in preparation for a worst-case scenario, current trends are toward moderation of the deployment practices.

Criteria can be established that identifies risk levels and related factors with which response decisions are made. The approach may be to send a full complement of units but limit which, if any, travel with lights and sirens (code 3). Alternatively, only a single unit may be assigned to assess a situation. In some instances, it may be appropriate to simply have a single responder go to the address to evaluate the conditions. Recently, a fire department in Nevada made the decision to withhold response to automatic fire alarms entirely absent "visual verification" of a fire by someone at the location. The practice has been expectedly controversial and is offered only as an example of one approach. Another fire department has recently implemented a telephone verification procedure. The practice requires that fire alarm monitoring personnel attempt verification of an emergency by telephone within 90 seconds of receipt of the alarm and

prior to relaying the call to the 9-1-1 operator. If verification cannot be obtained, a normal response is dispatched.

### Other Incident Types

In addition to the above examples, a host of other non-emergency situations are presented to fire departments on a daily basis. Although these are minor in nature, they often warrant some kind of action, and may include odor complaints, pet related problems, smoke detector issues, or back yard burning complaints, to name but a few. Like automatic alarm and EMS responses, practical decision-making needs to be applied regarding how and if the fire department is going to respond to these events. Appropriate protocols can be developed regarding many of the call types, and the responders themselves should be empowered to make deployment decisions when warranted.

In conjunction with call screening and prioritization by dispatchers and modified response for automatic alarms is development and adoption of an alarm ordinance. In an effort to reduce false alarms, the City of Kirkland Police Department developed the *False Alarm Reduction Program*. To operate an alarm system on any premise within the City of Kirkland individuals must register the system. This applies to both monitored and non-monitored security systems. Application information indicates that permit information includes fire alarms while the municipal ordinance and deterrents are applicable only to police response to security alarms. An option for the City is to expand the ordinance to include response to false, malicious, or repeat fire alarms. ESCI recommends that Chapter 21.35A of the Kirkland Municipal Code be expanded to include response by KF&BD to repeat false or malicious fire alarms.

### **Future Service Demand**

ESCI completed a needs assessment of the KF&BD based on future system demand projections as developed through an analysis of population growth projections, service demand projections, and a summary community risk analysis. The process of forecasting growth within the KF&BD service area begins with an overview of current demographics. Data from the U.S. Census Bureau, City and County comprehensive plans, County and the Puget Sound Regional Council growth allocations were used in this section of the study.

KF&BD emergency services while not meeting its stated response time objectives is doing a good job of serving the fire and EMS needs of the City. The information that follows is beneficial in understanding where changes can be made to bring the fire department closer to their response goals.

People and Households

At the time of incorporation in 1905, the City of Kirkland's population was approximately 530.<sup>62</sup> A chronological history of the City's population for 100 years is shown in Figure 86.

**Figure 86: City of Kirkland Population History, 1900 – 2000**

Census Year	Population	Percent of Change
1900	264	—
1910	532	101.52%
1920	1,354	154.51%
1930	1,714	26.59%
1940	2,084	21.59%
1950	5,718	174.38%
1960	8,541	49.37%
1970	15,249	78.54%
1980	18,779	23.15%
1990	40,052	113.28%
2000	45,054	12.49%

The City of Kirkland consolidated with the neighboring town of Houghton on July 31, 1968, to form one city. Kirkland annexed the neighborhood of Totem Lake in 1974 and the neighborhoods of South Juanita, North Rose Hill, and South Rose Hill in 1988. The annexation in 2011 caused a dramatic population increase to an estimated 80,505, up from 49,620 in 2010. The most recent ten-year history of Kirkland's population from 2001 and 2011 is shown in Figure 87.<sup>63</sup>

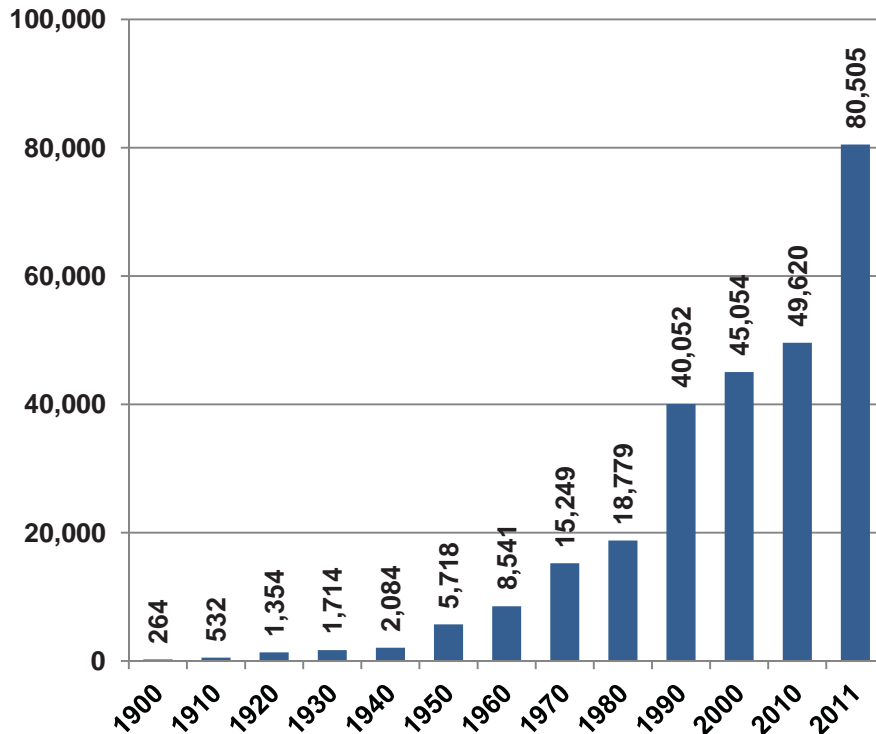
**Figure 87: City of Kirkland Population History (Table), 2001 – 2011**

Year	Population	Percent of Change
2001	45,770	—
2002	45,790	0.04%
2003	45,630	-0.35%
2004	45,800	0.37%
2005	45,740	-0.13%
2006	47,180	3.15%
2007	47,890	1.50%
2008	48,410	1.09%
2009	49,010	1.24%
2010	49,620	1.24%
2011	80,505	62.24%

<sup>62</sup> Ibid.<sup>63</sup> Ibid.

Figure 88 is the entire population history for the City of Kirkland from incorporation in 1900 to 2011.

**Figure 88: City of Kirkland Population History (Graphic), 2001 – 2011**



Dramatic increases in population coincide with consolidations and annexations. Consolidations and annexations include:

- In 1968 Kirkland consolidated with the town of Houghton (July 31, 1968)
- Annexation of the neighborhood of Totem Lake in 1974
- Annexation of the neighborhoods of South Juanita, North Rose Hill, and South Rose Hill in 1988
- Annexation of the Juanita, Finn Hill, and Kingsgate neighborhoods in 2011

Prior to the annexation of 2011, KF&BD was already providing fire and EMS to King County FD #41. While the annexation added three areas to the City of Kirkland, only the properties from Woodinville (Fire District #36) and Redmond (Fire District #34) involved an increase in service area. Figure 89 gives a historical perspective of the population of the City and three areas that were annexed in 2011.

**Figure 89: KF&BD Service Area Population, 2008 – 2011<sup>64</sup>**

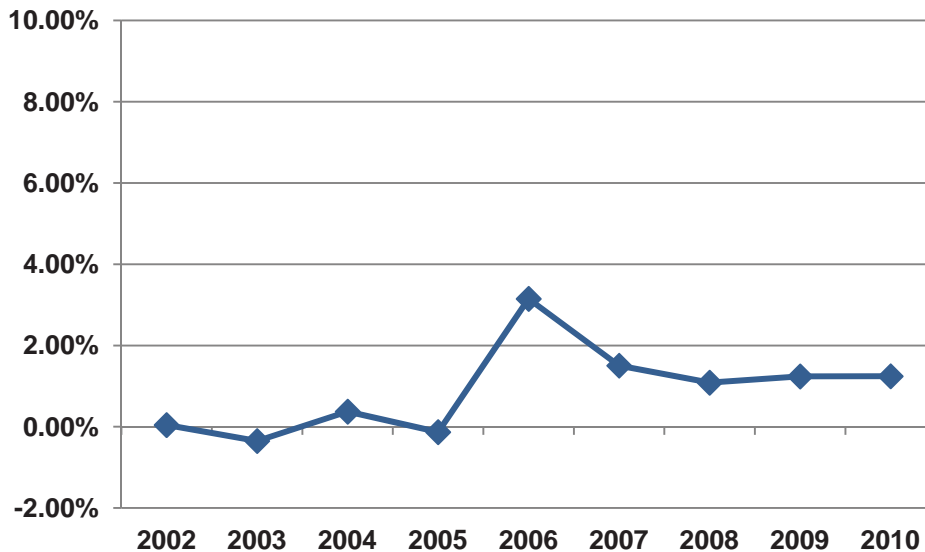
Year	2008	2009	2010	2011
Kirkland	48,410	49,010	48,787	49,020
Fire District #41	25,309	25,622	25,506	25,585
Fire District #36 (Woodinville)	0	0	0	5,835
Fire District #34 (Redmond)	0	0	0	397
<b>Population Served</b>	<b>73,719</b>	<b>74,632</b>	<b>74,293</b>	<b>80,837</b>

The next table shows the total population in 2010 and 2011 of the areas annexed to Kirkland in 2011.

**Figure 90: Annexation Area Population, 2010 – 2011**

Date	Population
As of April 1, 2010	31,718
As of April 1, 2011	31,816

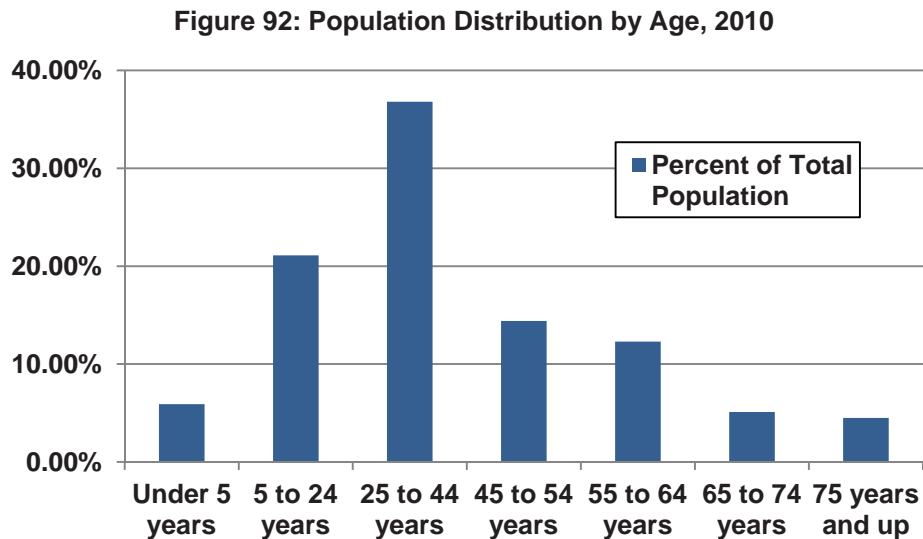
Between 2001 and 2011 Kirkland's population has increased over 75 percent; 62 percent of the population increase occurred in 2011. A visual presentation of the annual percent of population change from 2001 to 2010 is shown in Figure 91.

**Figure 91: Annual Percent of Population Change, 2002 – 2010**

<sup>64</sup> 2010 data as of April 1, 2010, Washington State Office of Financial Management. Population data in 2008 and 2009 is an estimate based on Kirkland population trends for the same years and 2010 and King County FD #41 population estimate of 25,506.

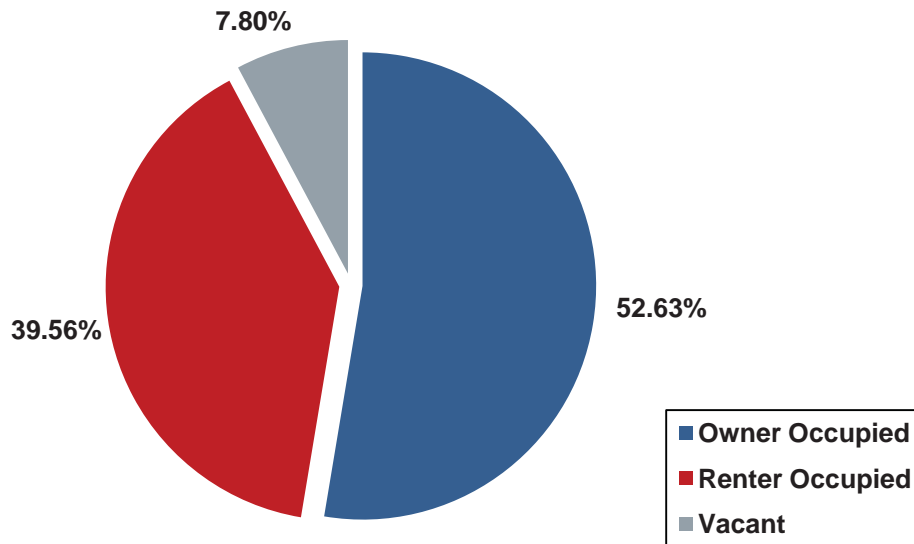


The following chart (Figure 92) distributes the population into age groups based on the census information for 2010.



Approximately 9.6 percent of the population is 65 years of age or older and 5.9 percent of the population is under 5 years of age, placing a total of 15.5 percent of Kirkland's population in the target age groups that pose the highest risk for fatalities in residential fire incidents.

The composition of housing is one indicator of levels of service demand. Areas with higher housing vacancies and rental property (outside of seasonal resort and higher educational institutional areas) correlate with higher demands upon the fire department and emergency services in general. The following chart details housing by occupancy for Kirkland.

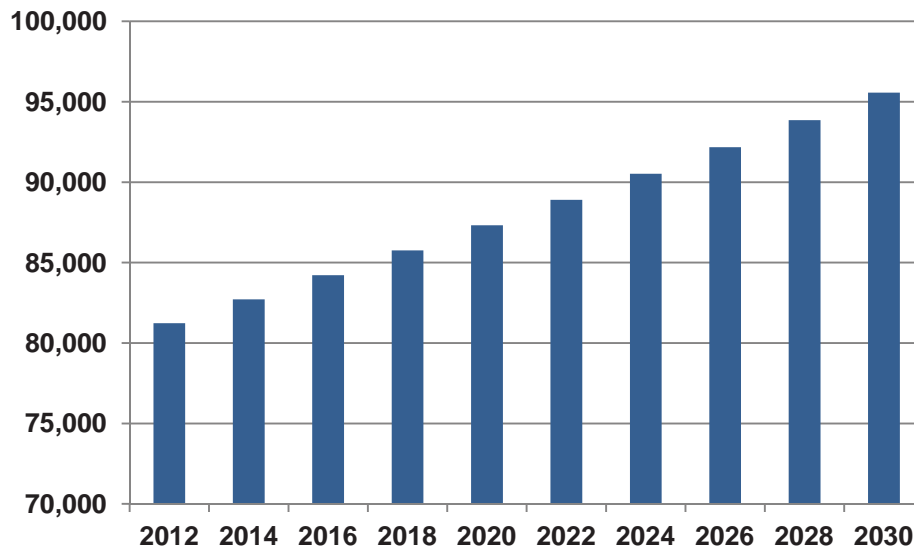
**Figure 93: Housing Occupancy Status, 2010**

Approximately 53 percent of the housing units in Kirkland are owner occupied. By comparison, 55 percent of King County and 58 percent of Washington homes are owner occupied.

#### Population Growth Projections

An interpretation of census and community development data was used to develop a population forecast for the City of Kirkland. As indicated earlier, the population of Kirkland increased significantly in 2011. Information received from local planning officials indicates that they anticipate additional growth, albeit at a much slower rate than previously experienced.

ESCI typically develops a forecast based on several years of census experience. In the following figure, ESCI uses historical Census data for 2000 through 2010 for Kirkland to create a mathematical forecast from 2010 through the year 2030. The historical growth was applied to Kirkland's total population following the annexation that occurred in 2011.

**Figure 94: Kirkland Forecast Population, 2012 – 2030**

The mathematical projection shows Kirkland and KF&BD's service area population growing to 95,563 people in 2030. This is a nearly 19 percent increase in the population of Kirkland, which represents an annual increase of 0.91 percent. While census-based population projections provide a mathematically based estimate of future population based on historical data, they often fail to account for expected trends in the growth rate of an area. These changes often result from redevelopment, annexation, changes in employment capacity, or other socio-economic factors not reviewed in a census-based projection.

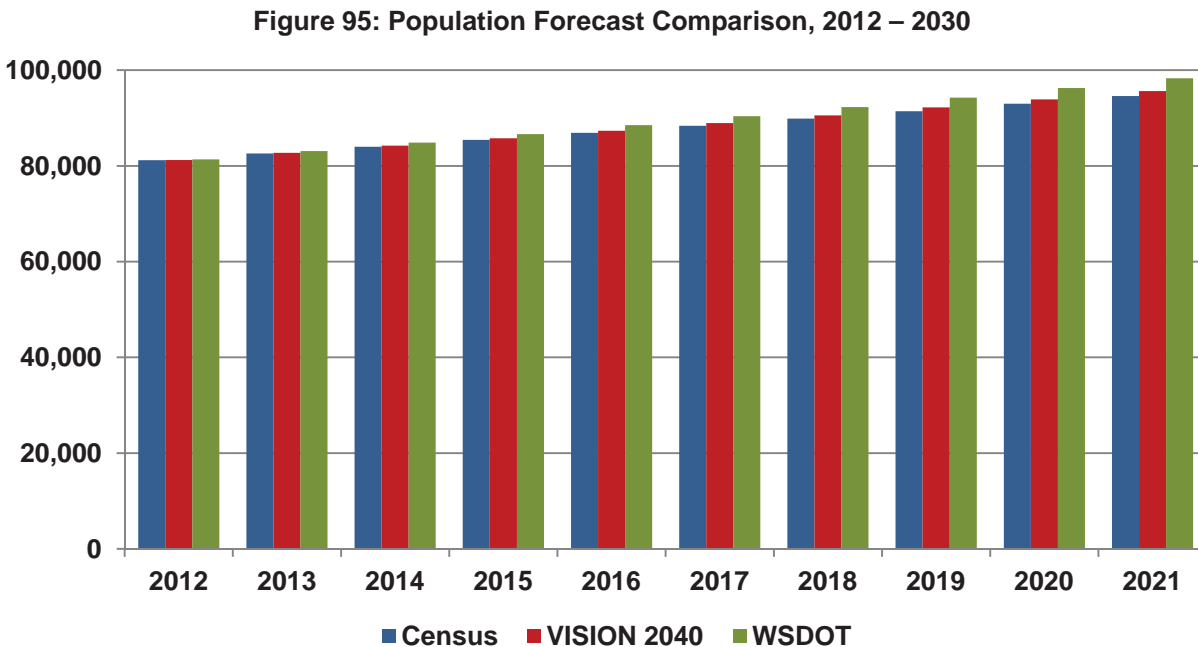
The 2003 Kirkland Community Profile Projected Target Population in 2030 at 62,086<sup>65</sup> and the City of Kirkland 2011 – 2012 Final Budget Document lists a population of 86,000 in 2020.<sup>66</sup> Kirkland has surpassed the target population and is nearly at the forecast population in the City's current year budget document. These forecasts of population were based on assumptions that have changed since the annexation of June 2011.

The Washington Department of Transportation (WSDOT) forecasts population growth for King County of 25.56 percent between 2000 and 2030, an average annual population growth of 0.85 percent. King County's annual population forecast by WSDOT of 0.85 nearly mirrors Kirkland's ten-year (2000 – 2010) annual population growth of 0.91. Estimates of population growth for King County based on VISION 2040 for the 40-year planning period is 42.3 percent; an annual rate of 1.06 percent.

<sup>65</sup> Population forecast is based on the 2022 Growth Management Planning Council housing targets.

<sup>66</sup> Ibid.

Figure 95 compares the Washington Department of Transportation population projection for King County, the ten-year historical Kirkland population growth, and the annual average growth from VISION 2040 from 2012 to 2030.<sup>67</sup>



It is not the intent of this study to be a definitive authority for the projection of future population in Kirkland but rather to base our recommendations for future fire protection needs on a reasonable association with projected service demand. Since we know that the service demand for emergency agencies is based almost entirely on human activity, it is important to have a population-based projection of the future size of the community. While we can see some variation in the population projections discussed here, one thing is certain—KF&BD will continue to be an emergency service provider to a growing population, likely reaching 95,000 by 2030. Planning should begin now to maintain the resources needed to meet the continuing demand for services.

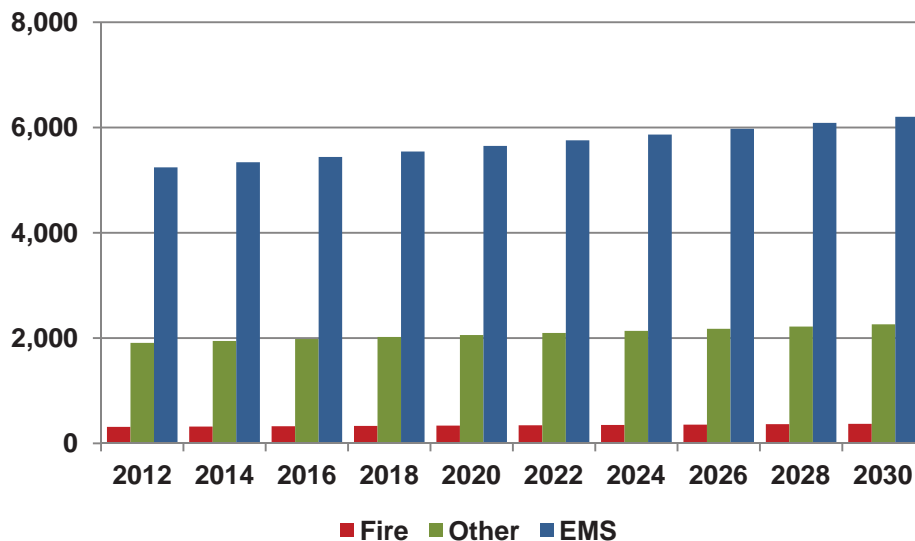
### Service Demand Projections

In evaluating the deployment of facilities, resources, and staffing, it is imperative that consideration be given to potential changes in workload that could directly affect such deployment. Any changes in service demand can require changes and adjustments in the deployment of staff and resources in order to maintain acceptable levels of performance. For

<sup>67</sup> Note: Population forecast data did not include the annexation to Kirkland in 2011.

purposes of this study, ESCI used the average projected growth rate from three sources (U.S. Census, VISION 2040, and WSDOT) of 0.94 percent and multiplied this by the incident rate derived from a five-year history (2005 – 2009) of incident per capita to identify potential workload through the year 2030. The results of the analysis are shown in the following chart and table.

**Figure 96: Projected Workload by Incident Type, 2012 – 2030**



The increase in actual fire incidents is forecast to be relatively flat during the study period, but this is a reflection of trends for fire incident rates per capita. It is believed that the trend is a result of improvements made in building codes and public fire education over the last several decades. EMS is expected to continue to be the predominate factor affecting service demand. Other emergency service calls not involving actual fires are forecast to increase in part due to the use of automatic fire alarm and water flow systems.

ESCI used GIS data from Kirkland and Puget Sound Regional Government and the City Comprehensive plan to examine how future land use planning and development might impact service demand for KF&BD. According to the 2009 VISION 2040 document, “King County’s Core Cities are expected to accommodate a much larger share of King County’s growth than Core City shares of Kitsap, Pierce and Snohomish counties.”<sup>68</sup> A strategy in the study focuses the region’s employment and housing growth into both metropolitan and core cities. Kirkland is identified as one of the regional growth centers. Core centers are intended to attract a greater

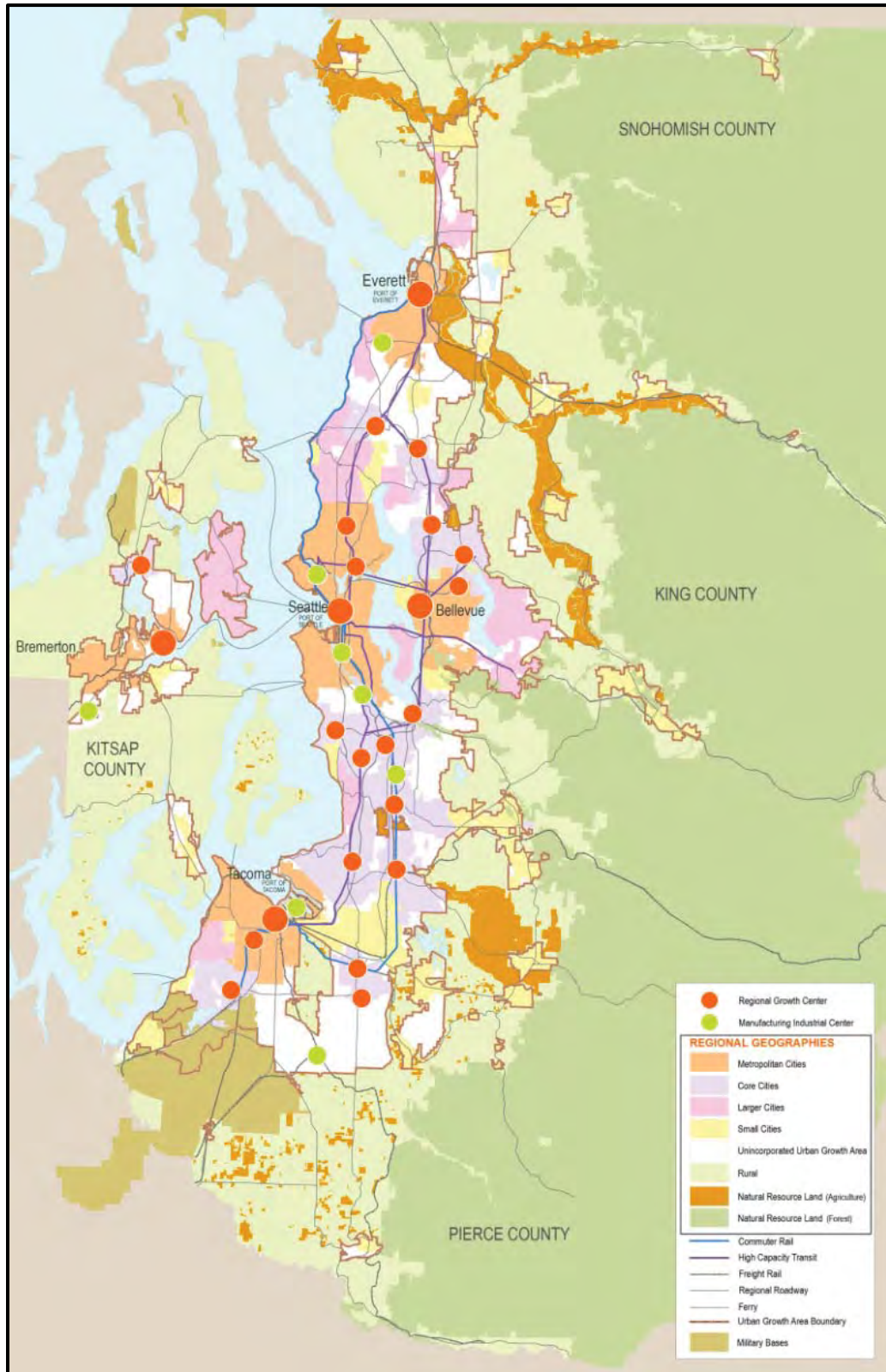
<sup>68</sup> VISION 2040, PSRC (Puget Sound Regional Council), December, 2009, page 14.

percentage of residents and businesses with a proximity to services and jobs, a variety of housing types, access to regional amenities, high quality transit service, and other advantages.<sup>69</sup> The following map shows the various growth centers in Central Puget Sound.

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<sup>69</sup> Ibid.

Figure 97: Regional Growth Strategy for Central Puget Sound<sup>70</sup>



<sup>70</sup> Ibid.

Kirkland planning documents list:

- 7,000 gross acres of land in Kirkland
- The developable land use base excludes all existing public rights-of-way
  - There are 5,200 net acres of land in Kirkland
- Total developable land use base in Kirkland:
  - 72 percent is zoned for residential use and 28 percent is zoned for non-residential uses
  - Approximately 64 percent of the developable land use base is actually developed with residential uses
  - Since 1991, residential land uses have increased 13 percent
  - Approximately 30 percent of the developable land use base is actually developed with non-residential uses
  - Parks and open space uses account for 8 percent
  - Vacant land accounts for 5 percent of the Kirkland land use base
- Kirkland has approximately 15,266,000 square feet of existing floor area dedicated to non-residential uses. Of that developed total:
  - 4,906,000 (42 percent) are office uses
  - 3,464,000 (30 percent) are commercial uses
  - 3,349,000 (29 percent) are industrial uses

The largest percentage of commercial and industrial uses is located in the Totem Lake neighborhood and the largest percentage of office uses is located in the Lakeview neighborhood.

### Community Risk Analysis

The fire service assesses the relative risk of properties based on a number of factors. Properties with high fire and life risk often require greater numbers of personnel and apparatus to effectively mitigate a fire emergency. Staffing and deployment decisions should be made with consideration of the level of risk within geographic sub-areas of a community.

A community's risk assessment is developed based on potential land use within its anticipated future boundaries. These potential uses are generally found in city and county development plans and zoning designations. Risk is then translated into land use maps (potential scale and type of development within geographic sub-areas) that show categories of relative fire and life risk.



- Low Risk – Areas zoned and used for agricultural purposes, open space, low-density residential and other low intensity uses.
- Moderate Risk – Areas zoned for medium-density single family properties, small commercial and office uses, low-intensity retail sales, and equivalently sized business activities.
- High Risk – Higher-intensity business districts, mixed use areas, high-density residential, industrial, warehousing, and large mercantile centers.

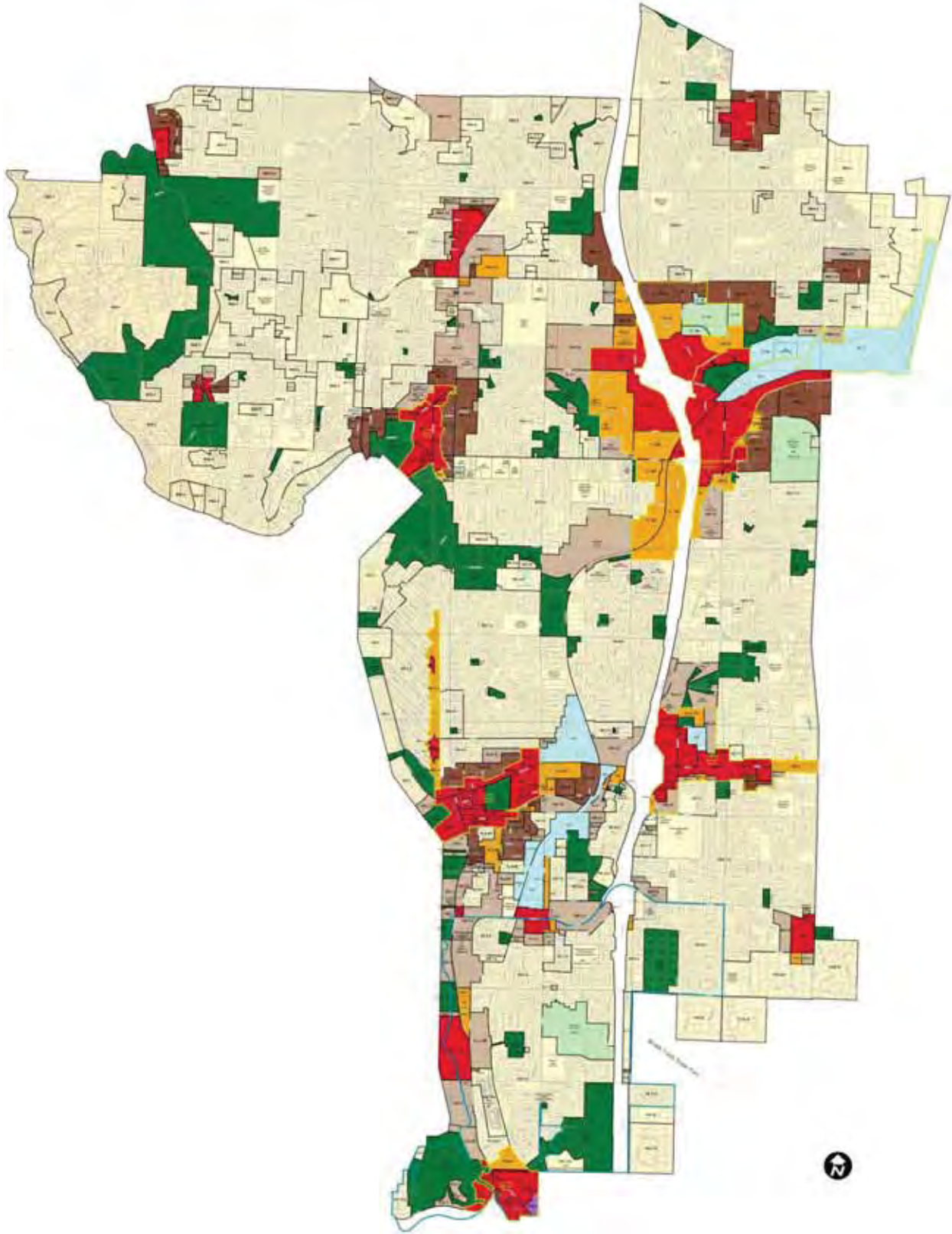
The following map (Figure 98) provides a view of the City of Kirkland zoning and the City's most recent adopted zoning designations.<sup>71</sup> This map is the officially adopted zoning record. The following map (Figure 99) is the comprehensive land use map for Kirkland with land use designations.<sup>72</sup>

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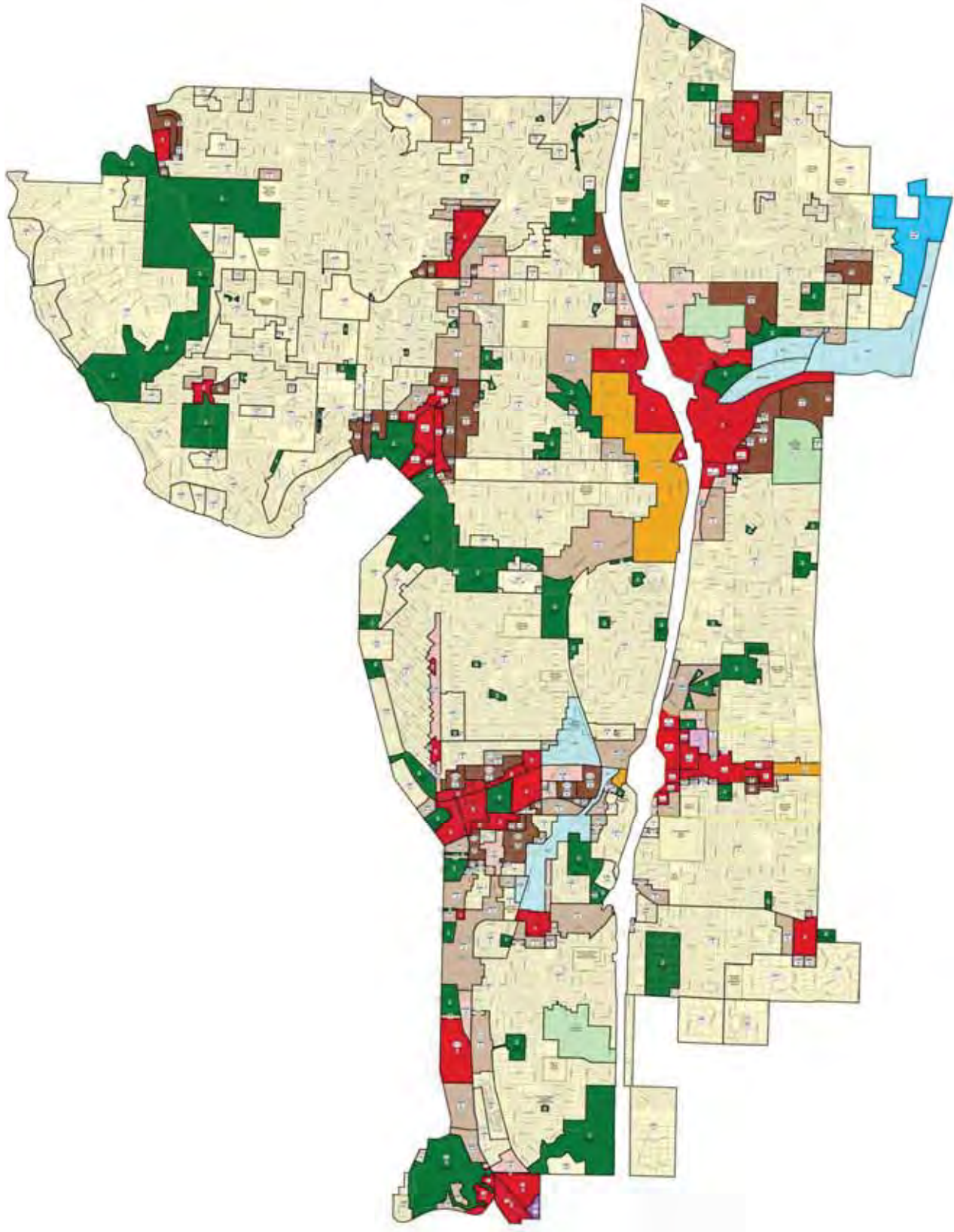
<sup>71</sup> Source: City of Kirkland Department of Planning and Community Development.

<sup>72</sup> Ibid.

**Figure 98: Kirkland Zoning Map**



**Figure 99: Kirkland Comprehensive Land Use Map**



Much of the KF&BD service area (City of Kirkland) is zoned for residential use (62 percent).<sup>73</sup>

**Figure 100: City of Kirkland Zoning Classification in Acres**

Zoning Classification	Acres	Percent of Total
Commercial	1,387	12.28%
Multi-Family Residential	794	7.03%
Industrial	83	0.73%
Single Family Residential	6,185	54.77%
Park/Open Space	1,007	8.92%
Right-of-Way	1,837	16.27%
<b>Total</b>	<b>11,293</b>	<b>100.00%</b>

A large presence of single family residents in the area annexed to the City in June 2011 increased Kirkland's single family residential zoning from 47 percent to 55 percent.<sup>74</sup>

Based on information from the VISION 2040 report and City of Kirkland planning documents, development will be of higher density in the core center. Following this pattern of development ESCI believes that KF&BD will need to continue to place a heavy emphasis of resources, facilities, apparatus, and personnel in the current locations. If forecasts prove accurate, service demand will increase in the core area of the City and KF&BD will need to add response units. Additionally, KF&BD will need a new fire station to have adequate response units and personnel resources to effectively serve Finn Hill, North Juanita, and Kingsgate.

## Ancillary and Supportive Services

### Specialized Rescue

Like many other fire agencies, KF&BD has added a variety of specialized rescue to the main purpose of fire suppression and EMS. Specialized services include confined space, rope (high angle), trench collapse, structural collapse, vehicle/machinery, and surface water rescue. These specialized services are provided at the technician level consistent with *NFPA Standard 1670*.<sup>75</sup> The NFPA standard identifies and establishes the levels of functional capability for conducting operations at technical search and rescue incidents while minimizing threats to rescuers.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid.

<sup>75</sup> *NFPA 1670, Standard on Operations and Training for Technical Search and Rescue Incidents*, 2009 Edition, National Fire Protection Association.



Rescue services are under the responsibility of the deputy chief of operations; with routine management at an incident handled by the ladder company captain assigned Rescue Team Leader. KF&BD has personnel that are trained and have the expertise to handle routine technical incidents. Larger incidents require the regional team. Most of the fire agencies in the region, including Kirkland, do not have sufficient numbers of personnel to perform all of the specialized rescue services. Specialized rescue services for larger incidents are organized and delivered regionally under terms of a regional agreement whereby rescue personnel and equipment respond cooperatively.



A zone system was established to address standard operating procedures, training, personnel and equipment standards and emergency operations issues regionally with Kirkland as the lead agency. KF&BD and their neighboring agencies belong to Zone 1. Activities in Zone 1 are managed by a technical rescue committee that reports to the Zone 1 operations chiefs. KF&BD maintains a staffing level of three on duty “ladder technicians” per shift trained to specialized rescue standards.

## Training

### Training Administration

One component in support of emergency response, KF&BD has a comprehensive training program for its members. KF&BD participates in the East Metro Training Group (EMTG) in cooperation with other eastside fire agencies. In stakeholder interviews conducted during the course of this project, training was viewed as one of KF&BD’s most positive strengths.

While the EMTG exists as both a resource and a constraint (training initiatives must be evaluated in consideration of consistent application by the other member agencies), the training chief and training captain are responsible for administering and coordinating fire training for the KF&BD. Both training positions have administrative roles (daytime, 40 hours per week). As of the writing of this report, the incumbent training chief is set to retire and his replacement has yet to be selected. The current training chief has over 30 years of experience in the fire service and

has an Associate Degree in Fire Command/Administration and is a certified Incident Safety Officer. He has completed additional coursework from the National Fire Academy, Health & Safety Officer, Advanced Safety Operations and Management; Designated Infection Control Officer – Basic & Advanced, and Train the Trainer endorsement as an OSHA bloodborne pathogens and TB (tuberculosis) instructor.

The training division lacks administrative support staff. The EMTG has support staff since Kirkland is a participating agency. However, if Kirkland was to withdraw or the EMTG folded, support staff will be necessary to support a stand-alone training division.

**Figure 101: Training Division Staffing**

Position	Number of Personnel
Battalion Chief	1.00
Captain-Fire Suppression	1.00
<b>Total</b>	<b>2.00</b>

### Training Facilities

KF&BD does not have a complete training center but has towers with standpipes, confined space and vent props (located at Fire Station No. 26), and a medium-sized classroom for didactic training. The classroom has computer projection capability and a training library. As part of the EMTG, Kirkland has use of the Bellevue Training Center facilities, which does provide the full array of training props, tower, and burn facilities. Additionally, Northshore Fire District, a recent addition to the EMTG, has a state-of-the-art training facility that is a resource for Kirkland's north end crews.

### General Training Competencies

Like any other activity, training should be conducted using a comprehensive plan. The plan should include a clear definition of the goals and objectives of the training program and a schedule of training activities to achieve them. The training chief should ensure that lesson plans are developed, approved, and easily accessible; training objectives and measurements are clearly defined; and record keeping and documentation are seamless throughout the department. Frequent monitoring and mentoring of all members during training sessions by the training officers is important for continuity among companies and personnel.

KF&BD meets federal standards for National Incident Management System (NIMS) Incident Command System (ICS) certification. Homeland Security Presidential Directive 5 requires all

federal emergency management agencies to meet the federal NIMS training and certification standards and encourages compliance with these same standards for state and local governments. That encouragement comes in the form of the same training standards being the prerequisite for federal preparedness grant funding eligibility and other federal support. The standards include ICS-100 (Introduction to Incident Command System) and IS-700 (NIMS – An Introduction) for all personnel who are involved in emergency management, regardless of discipline or government structure. The OEM coordinates NIMS training activities.

Those with operational field responsibilities are required to obtain certifications consistent with their expected field responsibilities. Such responsibilities include ICS-200 (Basic Incident Command System) for supervisory personnel, ICS-300 for battalion chiefs and ICS-400 for staff chiefs expected to fill command and general staff positions. While not required, IS-800 is a key certification for fire department command staff and city management staff expected to make critical policy decisions on behalf of the city during a declared emergency or disaster. It is also valuable for field personnel, who must understand how local plans relate to the National Response Framework during incidents of national significance. Further guidance can be found in the NIMS Training Program, located on-line through FEMA's National Integration Center.

Department fire operations should follow industry best practices in conjunction with the training division. However, training is a support function for operations and should therefore take its cues from the Operations Division. Training should establish goals and objectives and a master calendar laying out a multi-year plan in order to meet the needs of the Operations Division.

Training personnel have the responsibility of managing the EMS training schedule, including the OTEP (Ongoing Training Evaluation Program). A BLS (Basic Life Support) instructor is assigned to each KF&BD crew to handle the responsibility of managing the training schedule. The Redmond Fire Department provides cardiac arrest training to KF&BD. Redmond instructors use the "Sim-Man" (training simulator mannequin) two to three times per year and perform medical incident chart review and develop EMS training based on identified educational gaps.

To better assure quality emergency scene performance, training should be based on established standards of practice. KF&BD recently decided to use Fire Engineering as its primary resource for standards and training materials. Fire Engineering's Firefighter I and II curricula meet industry standards and are consistent with best practices. Minimum performance

thresholds (competencies) must be identified in writing and disseminated to all personnel with regular testing and evaluating performance and as reinforcement.

### Recruit Training

Training for KF&BD's new hires is outsourced to either the Washington State Training Center in North Bend or Bates Technical College in Tacoma. Previously there have been joint academies conducted with the Northshore and Bellevue fire departments. If the EMTG becomes a formalized consortium, recruit academies could be run concurrently with the participating agencies in a more cost efficient manner. If the EMTG does not happen, sending recruits to another agency, as is currently the practice, is the second most efficient method of providing Washington State minimum standards skills training. Additional KF&BD organization-specific training is required to augment initial recruit training received at Bates or North Bend.

### Training Procedures, Manuals, and Protocols

KF&BD has not developed an agency-specific training manual. ESCI recommends that KF&BD defer addressing this gap in favor of a combined EMTG training manual. A training manual is an important "deliverable" for a training consortium, but only in the context of a formalized agreement. In the absence of a collaborative training manual, KF&BD should develop its own training manual.

### Training Methodology

KF&BD currently provides manipulative skills training, task performance based training, and multi-company and multi-agency drills. There is no established minimum number of training hours an individual or company is required to receive. Night drills occur infrequently. Lesson plans are developed as the need occurs, and there are no company or individual training evaluations performed. Battalion chiefs may perform evaluations at their sole discretion. KF&BD uses training objectives for activities, but goals and purpose statements for objectives need to be developed further and refined.

Department physical standards are established on an individual basis, using general calisthenics as a measurement. Individuals are rewarded with time off for their ability to complete tasks related to department physical standards.<sup>76</sup> Physical tasks involve an individual

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<sup>76</sup> The Employer and the Union agree to abide by the Physical Fitness Policy outlined in Kirkland Fire Department Directive 3.016 dated December 6, 2007, or as modified and agreed upon by the Employer and the Union.



running 1.5 miles, performing 75 push-ups, 150 sit-ups, and 20 pull-ups. Fire suppression personnel are provided time for fitness and exercise activities during the on-duty work day.

### Training Record Keeping

Most of the KF&BD's training records are recorded and maintained on a web-based records management system (RMS) called *FireTime*™. Reports can be produced from *FireTime*™ by individual, category (or type of training), and number of hours. Recordkeeping for company level training activities is not currently maintained. Company level training activities integrate fire incident pre-fire planning of community target hazards (locations with the potential for large loss of life or property).

### **Opportunities for Regional Partnerships**

Most fire departments today are recognizing the need to look for ways in which they can work together more effectively. The motivation to do so is generally driven by a combination of factors, including deteriorating financial conditions and a recognition of the importance of increasing effectiveness and efficiency simply in the interest of quality service delivery.

The following section provides an overview of the various concepts that are applied to identifying and analyzing partnership opportunities. Prospective strategies are listed and explained in context as they may apply to the KF&BD.

Most public agencies are experiencing a period of transformation which has been accelerated by recent financial declines. Rapid economic change in virtually every sector of the nation is driving increasing demand for more collaborative and sophisticated fire and EMS protection. Many fire departments that have existed virtually unchanged for decades today find themselves challenged to anticipate and provide acceptable emergency service delivery with progressively constricting revenue.

As communities that are in close proximity to each other grow, their economies and emergency service demands become progressively more interdependent. The notion of cooperative service delivery is not a new one and has been undertaken in private industry for many years. Public providers of emergency services have sought ways to work more closely together only in relatively recent years and to a lesser extent. Those that have been reluctant to work together and have instead held to independent and territorial practices are being forced by new economic challenges to reconsider their outlook.

Compounding the impact of the economic downturn experienced in 2008, numerous states like Washington have experienced a public service funding crisis brought on by tax limitation laws or other policy shifts that squeeze the ability of communities to unilaterally finance and manage needed change. Even those rare communities not directly experiencing a funding crisis are pressured by residents and others to lower cost, increase service, and operate more efficiently.

Beyond financial considerations, it has become clear that rather than autonomous service delivery by stand-alone entities, emergency response needs are often more effectively met by a larger, regionally based, fire protection agency. This is because the successful outcome of an emergency is highly dependent on the rapid mobilization of significant numbers of personnel and equipment. Regionalized fire protection strategies inherently have the ability to field greater numbers of emergency workers and equipment while capitalizing on economies of scale in management and oversight.

Today, fire departments are sophisticated and indispensable channels for all forms of emergency service, including natural and man-caused disaster management, fire and accident prevention, and pre-hospital care. In the process, the role of many fire agencies has transformed to regional emergency service providers.

Combining fire and EMS service delivery providers by way of merger, consolidation or any of the many other available approaches is frequently viewed as a cost saving initiative. While financial advantages are often realized, ESCI's experience had been that savings are usually modest when smaller agencies pool their resources because the economies of scale found when large organizations are merged do not exist. However, what is gained when small agencies cooperate is significant in terms of increased efficiency, long-term cost avoidance, and depth of resources.

### *Processes for Collaboration*

The potential efficiencies to be gained by pursuing cooperation between agencies can be described on a continuum. Identified partnering strategies fall in a range, from remaining autonomous to the creation of a new organization encompassing multiple or all of the agencies.

To comprehend the opportunities for cooperative efforts, a basic understanding of the available methods for collaboration available is necessary. The information we provide here should be considered for what it is—a primer regarding the legal aspects of collaborating public agencies. At the point where City policymakers have decided to pursue any of the cooperative efforts, the

advice of legal counsel should be sought in order to ensure that the appropriate procedures are followed.

A method used frequently in Washington is for government units to legally partner through the use of an ILA (Interlocal Agreement). Other methods of collaboration include consolidation, merger, contracting, or the formation of a Regional Fire Authority. The movement toward more intergovernmental cooperation in the delivery of emergency service goes by many names, including unification, regionalization, consolidation, alliance, and merger.

### General Partnering Strategies

The various partnering strategies are described, beginning with a do-nothing approach and ending with complete consolidation into a new emergency service provider. The following alternatives will be evaluated and discussed:

- Complete Autonomy
- Administrative Consolidation
- Functional Consolidation
- Operational Consolidation
- Legal Unification or Merger
- Regional Fire Authority Creation

### Complete Autonomy

This is a status quo approach in which nothing changes. While often viewed negatively, in some cases the best action is no action. In this case, KF&BD and its neighboring agencies simply continue to do business as usual, cooperating with and supporting each other as they do today, but with no change to governance, staffing or deployment of resources. Current collaborative practices are not altered.

This approach carries with it the advantage of being the easiest to accomplish as well as maintaining the independence of the organizations and local control. The currently elected city councils or boards continue to oversee their individual agencies as their electorates' desire, without the complication of considering the views of a different constituency. It creates the least stress on the organizations and does not necessitate reorganization. What it lacks is long-term commitment and the virtues that can be gained in terms of increased efficiency that is realized in a cooperative service delivery environment.

In today's environment, taxpayers typically hold their elected officials accountable for delivering a quality level of service at an affordable rate and expect creative thinking to solve problems or achieve those ends. While "maintaining the status quo" is easy and involves the least amount of impact, it may well be one of the riskier decisions to make politically.

### Administrative Consolidation

Under an administrative consolidation, agencies remain independent of each other from a governance standpoint, but they blend some or all of their administrative functions. The result is often one of increased efficiency in the use of administrative and support personnel. Overhead costs are typically reduced and duplication of efforts is eliminated.

The advantages of such a model include cost savings by eliminating administrative duplication; a gradual alignment of otherwise separate operations under a single administrative head; less resistance to change by the rank and file in the operational elements than other consolidation options; and singularity of purpose, focus, and direction at the top of the participating organizations. This strategy lends itself well to a gradual move toward a single, consolidated agency where differences in attitude, culture and/or operation are otherwise too great to overcome in a single move to combine.

The disadvantages include potential conflicts in policy direction from the governing bodies; potentially untenable working conditions for the fire chief ("one man, two bosses"); and increased potential for personnel conflict as separate employee groups vie for dominance/supremacy.

An administrative consolidation is most effective in larger organizations where duplication exists and workload assignments can be re-aligned to gain efficiencies.

### Functional Consolidation

A functional consolidation maintains separate agencies with their governing bodies and administrations left unchanged. The approach is focused primarily on the response agency's programs as opposed to its operations or administrative composition. It may be applied to nearly any program or practice and is commonly applied to training, fire prevention, and similar programs that are of a common interest and need for the participating agencies.

The initiative is often found to increase efficiency and make better use of limited resources. Advantages of elimination of duplication and more effective use of resources are often realized. Direct cost savings may be limited; however, long-term gains can be anticipated.

Functional consolidations require a greater collaboration between agencies than other partnering strategies and independence and autonomy are reduced in the areas of consolidation to some extent.

### Operational Consolidation

An operational consolidation strategy takes the next step in the continuum of closer collaboration development. In this case, all operations are consolidated under a single organization that serves all partnering agencies. The organizations remain independent agencies from a legal standpoint; but from a service delivery perspective, they operate as one.

An operational consolidation, accomplished through a written agreement between the agencies, requires a significant commitment toward a full consolidation and is usually undertaken as a segue toward integration. The level of trust required to implement operational consolidation is very high, since independence and autonomy have been willingly relinquished in favor of the preferred future state of a complete integration.

The advantages of this form of consolidation are that the greatest opportunity for efficiency is typically in the operational element where the expense is greatest and the level of trust and cooperation required to make this strategy successful implies a near-readiness to take the next step to full consolidation.

The disadvantage is that administrators and policy-makers must share power and gain consensus where they once had unilateral authority to control and implement.

### Legal Merger

While this partnership is not directly applicable to Kirkland, it is offered as information as to the other possibilities that exist for some of KF&BD's neighbors. A merger is a complete integration of two or more fire districts into one and requires a vote of people in each affected area. Each is absorbed into and becomes part of the other agency(s). For multiple fire districts to merge, some cease to exist (merging agency or agencies) and one becomes the surviving entity (merger agency). The employees and volunteers of the merging agencies are transferred to the merger agency, and the elected positions are either eliminated from the merging district or

brought into the merger district through an agreement to re-configure the composition of the board of directors.

Tax rates become a key factor in a merger. In this case, the taxing authority of the surviving agency may be applied to the entirety of the newly merged district. However, while the taxing authority is expanded, the board of commissioners of the new district chooses whether it will levy the full taxing authority to the constituents of the district or some lesser amount based on identified needs and the willingness of the voters to agree.

### Regional Fire Authority Creation

To establish a new, singular agency, an alternative to a merger is the formation of a Regional Fire Authority (RFA). An RFA is a new entity whereby all participating agencies fall under the new structure with a new tax base, a new operational plan, and a new legal framework. An RFA requires an affirmative vote from the citizens in each jurisdiction.

An RFA is established by the formation of a Planning Committee charged with establishing the RFA Plan, which specifies how the Authority will be funded, operated and governed. The Planning Committee is comprised of three elected officials from each participating agency, assuring equal representation. Most successful RFAs have established formal steering committees composed of a wide variety of stakeholders to determine the feasibility of creating an RFA far in advance of forming the actual Planning Committee.

Legislation passed in Washington State in 2004 provided the ability to establish Regional Fire Authorities.<sup>77</sup> Since that time, numerous RFAs have been created in the state with a high degree of operational success. Benefits that fire departments have experienced with an RFA are in line with the needs of the KF&BD.

### **Cooperative Effort Strategies**

Moving forward from the discussion of overarching cooperative concepts, specific strategies are identified by which KF&BD might develop cooperative practices and programs with neighboring emergency service providers. The listing below is representative of potential cooperative opportunities, while not all-inclusive; it lists many that have been used successfully by other fire and EMS agencies.

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<sup>77</sup> A summary of recent Washington legislation is found in Appendix D: Summary of Recent RFA (Regional Fire Authority) Legislation.

It is important to point out that KF&BD already has or is working towards implementing some collaborative efforts. Regardless of the existing level of implementation, we list the strategies to provide the reader with a complete picture of cooperative efforts potential.

The strategies may be accomplished with willing partners on an individual basis or they may be incorporated into various approaches to the concepts of administrative, functional, or operational consolidation detailed in the previous discussion. Each cooperative efforts strategy identified is followed by the objective(s) that may be achieved (Figure 102).

**Figure 102: Cooperative Effort Strategies**

Strategy	Objectives
<b>Administration</b>	
Conduct Joint Strategic Planning	<ul style="list-style-type: none"> <li>• Enable agencies to develop a Mission, Vision, Values, and Guiding Principles that are common to the organizations.</li> <li>• Empower the fire departments to identify needs and establish plans to meet them, including shared organization goals and objectives.</li> </ul>
Create a Unified Occupational Medicine Program	<ul style="list-style-type: none"> <li>• Provide a fire-service related occupational medicine and health program.</li> </ul>
Create a Unified Wellness and Fitness Program	<ul style="list-style-type: none"> <li>• Provide a wellness and fitness program that promotes the improved health and well-being of personnel at all ranks.</li> <li>• Increase fitness levels and decrease injuries.</li> <li>• Reduce frequency and number of sick/sick injury incidents.</li> <li>• Reduce the number of days used for sick/sick injury leave.</li> </ul>
Develop Uniform Fees for Service	<ul style="list-style-type: none"> <li>• Provide participating fire departments with a uniform schedule of fees for service.</li> </ul>
<b>Operations</b>	
Develop Uniform Pre-Incident Plans	<ul style="list-style-type: none"> <li>• Provide a system of shared operational plans for use during emergencies and non-emergent incidents.</li> </ul>
Implement Enhanced Use of Mutual and Automatic Aid	<ul style="list-style-type: none"> <li>• Refine, enhance, and increase the application of mutual aid and automatic aid practices to improve response effectiveness.</li> </ul>
Provide for Regional Deployment of Fire Stations and Apparatus	<ul style="list-style-type: none"> <li>• Provide for distribution of facilities and deployment of personnel consistent with a regional standard of cover.</li> <li>• Provide consistent fire and emergency services within areas efficiently before, during, and after development.</li> </ul>
Implement Regional Incident Command and Operations Supervision	<ul style="list-style-type: none"> <li>• Provide for IC (Incident Command) supervision of emergency operations.</li> <li>• Provide for supervision of on-duty personnel during routine operations.</li> </ul>
Develop Standard Operating Guidelines	<ul style="list-style-type: none"> <li>• Provide guidelines for operation during emergencies and non-emergency incidents and activities.</li> </ul>
Establish Shared Specialty Teams	<ul style="list-style-type: none"> <li>• Provide specialty teams or specialty functions by allocating and distributing resources to achieve minimum cost and maximum operational benefit.</li> </ul>



Strategy	Objectives
Provide Joint Standards for Service Delivery	<ul style="list-style-type: none"> <li>• Comply with RCW 35A.92.040 Fire Departments – Performance Measures.</li> <li>• Establish a joint Standards for Service Delivery Policy, defining services, service levels, and response times to the 90th percentile so that adequate system planning can take place.</li> <li>• Develop a system-wide reporting structure to standardize the collection and reporting of relative compliance with the Standards for Service Delivery Policy.</li> </ul>
Implement the Use of Peak Activity Units (PAUs)	<ul style="list-style-type: none"> <li>• Provide special response units in areas of high incident activity and for replacement of units attending training sessions or called to cover special events.</li> </ul>
Develop Common Deployment Standards	<ul style="list-style-type: none"> <li>• Develop deployment standards that establish the distribution and concentration of emergency resources, both fixed and mobile.</li> </ul>
Adopt/Enhance Dropped Border Response	<ul style="list-style-type: none"> <li>• Improve service delivery to partnering agencies by sending the closest unit to an emergency call for service without regard to jurisdiction.</li> </ul>
Joint Staffing of Fire Stations	<ul style="list-style-type: none"> <li>• Improve initial response times in adjoining areas.</li> <li>• Reduce response times for additional apparatus and personnel to respond to incidents requiring multiple units.</li> <li>• Improve overall service demand coverage.</li> </ul>
Expand partnership with King County Sheriff's Marine Unit	<ul style="list-style-type: none"> <li>• Provide a coordinated response to marine firefighting and rescue incidents.</li> </ul>
<b>EMS</b>	
Adopt Criteria-Based Dispatch	<ul style="list-style-type: none"> <li>• Send the most appropriate unit to an emergency based on medical criteria established by experts in the field.</li> </ul>
Provide for Shared EMS Supervision	<ul style="list-style-type: none"> <li>• Provide a single point for training and recertification of all EMS personnel in participating organizations.</li> </ul>
Establish System-Wide Guidelines for EMS Response	<ul style="list-style-type: none"> <li>• Standardize EMS response and deployment protocols in the participating agencies.</li> </ul>
<b>Training</b>	
Consolidate Training into a Single Training Program	<ul style="list-style-type: none"> <li>• Eliminate duplication in training emergency responders to increase effectiveness.</li> <li>• Create a single unified training division.</li> </ul>
Implement a Shared Computerized Training Records Management System	<ul style="list-style-type: none"> <li>• Provide a shared and integrated training records management system (RMS).</li> </ul>
Develop Mutual Training Strategies	<ul style="list-style-type: none"> <li>• Provide purpose and direction for training program management and delivery.</li> <li>• Combine strengths and resources to: <ul style="list-style-type: none"> <li>○ Overcome current training obstacles and deficiencies</li> <li>○ Provide a comprehensive and integrated training structure</li> <li>○ Develop a mutually beneficial training program</li> <li>○ Train and certify a cadre of knowledgeable and skilled emergency responders</li> </ul> </li> </ul>
Develop an Annual Shared Training Plan	<ul style="list-style-type: none"> <li>• Provide standardized and consistent training.</li> <li>• Provide a well-trained emergency workforce.</li> <li>• Provide long-term vision and direction for training delivery.</li> </ul>



Strategy	Objectives
Develop and Adopt Training Standards	<ul style="list-style-type: none"> <li>• Adopt uniform training guidelines.</li> <li>• Adopt uniform certification standards.</li> </ul>
Create a Shared Training Manual	<ul style="list-style-type: none"> <li>• Provide consistent, standardized training procedures.</li> </ul>
Develop a Shared Fire and EMS Training Facility	<ul style="list-style-type: none"> <li>• Provide training facilities readily available to all partnering agencies.</li> <li>• Enhance the fire department's ability to develop and maintain the knowledge and skills of emergency services personnel.</li> </ul>
Implement and Cooperatively Use a Video Conferencing System	<ul style="list-style-type: none"> <li>• Provide standardized, consistent, and high-quality classroom training.</li> <li>• Reduce training staff hours required for curriculum delivery.</li> <li>• Increase in-service time of emergency response apparatus.</li> </ul>
<b>Fire Prevention</b>	
Develop Joint Fire Prevention and Code Enforcement Practices	<ul style="list-style-type: none"> <li>• To provide uniform fire prevention services to the region.</li> <li>• Reduce the threat to life or property from fire via coordinated and standardized practices.</li> </ul>
Conduct Joint Public Education/Public Information Activities	<ul style="list-style-type: none"> <li>• Provide Public Education and Public Information services regionally.</li> <li>• Implement the use of a shared RMS (Records Management System).</li> <li>• Establish a shared or common electronic Records Management System, including NFIRS (National Fire Incident Reporting System), NEMSIS (National EMS Information System), and WEMSIS (Washington Emergency Medical Service (EMS) Information System) compliant software.</li> </ul>
Develop a Regional Fire Safety Education Coalition	<ul style="list-style-type: none"> <li>• Provide for the cost effective, regional dissemination of public fire safety education.</li> </ul>
Develop a Regional Juvenile Fire Setter Intervention Network	<ul style="list-style-type: none"> <li>• Provide an effective means for intervening in juvenile-set/caused fires.</li> </ul>
<b>Support Services</b>	
Develop a Joint Support and Logistics Services Division	<ul style="list-style-type: none"> <li>• Develop a joint Support Services Division that promotes improved operational readiness and achieves procurement efficiencies by eliminating duplication in the acquisition and distribution of supplies.</li> <li>• Create a uniform set of standards for apparatus, small equipment, PPE (personal protective equipment), emergency supplies, and IS/IT services.</li> <li>• Develop a joint preventative maintenance and repair service program for physical assets, apparatus, small equipment, and IS/IT systems.</li> </ul>
Develop a Single Apparatus Refurbishment/Replacement Plan	<ul style="list-style-type: none"> <li>• Create a single set of emergency apparatus specifications.</li> <li>• Accommodate joint purchasing of emergency apparatus.</li> <li>• Provide for shared use of reserve apparatus.</li> <li>• Establish a jointly planned and managed apparatus replacement schedule.</li> </ul>
Provide Joint EMS Supply Purchasing and Logistics Services	<ul style="list-style-type: none"> <li>• Standardize supply purchases through group purchasing.</li> <li>• Standardize supply distribution.</li> </ul>

### Recommended Regional Partnership

Of the available options for legal unification, consolidation, or partnership between KF&BD and neighboring fire and EMS service providers, ESCI considers Northshore and Bellevue fire departments to be feasible partners. Consolidation of fire and EMS into a single operational unit, either through Interlocal Agreement (ILA) or the formation of an RFA would provide increased fire and emergency service efficiency in the areas served by the current fire departments.

### Functional Cooperation Recommendations

The following recommended strategies are judged as being feasible and most likely to result in significant improvement to systems and/or programs. These initiatives should be acted on regardless of action on a regional partnership.

### Short-Term Cooperative Recommendations

- Develop Uniform Fees for Service
- Develop Uniform Pre-Incident Plans
- Implement Enhanced Use of Mutual and Automatic Aid
- Adopt/Enhance Dropped Border Response
- Adopt Criteria-Based Dispatch
- Develop Mutual Training Strategies
- Develop an Annual Shared Training Plan
- Develop and Adopt Training Standards
- Create a Shared Training Manual

### Mid-Term Cooperative Recommendations

- Conduct Joint Strategic Planning
- Create a Unified Occupational Medicine Program
- Create a Unified Wellness and Fitness Program
- Develop Standard Operating Guidelines
- Establish Shared Specialty Teams
- Provide Joint Standards for Service Delivery
- Develop Common Deployment Standards
- Expand partnership with King County Sheriff's Marine Unit
- Provide for Shared EMS Supervision
- Establish System-Wide Guidelines for EMS Response

- Consolidate Training into a Single Training Program
- Implement and Cooperatively Use a Video Conferencing System
- Develop Joint Fire Prevention and Code Enforcement Practices
- Conduct Joint Public Education/Public Information Activities
- Develop a Regional Fire Safety Education Coalition
- Develop a Regional Juvenile Fire Setter Intervention Network
- Provide Joint EMS Supply Purchasing and Logistics Services

#### Long-Term Cooperative Recommendations

- Provide for Regional Deployment of Fire Stations and Apparatus
- Implement Regional Incident Command and Operations Supervision
- Implement the Use of Peak Activity Units (PAUs)
- Joint Staffing of Fire Stations
- Implement a Shared Computerized Training Records Management System
- Develop a Shared Fire and EMS Training Facility
- Develop a Joint Support and Logistics Services Division
- Develop a Single Apparatus Refurbishment/Replacement Plan

#### **Conclusion – Fire and Emergency Medical Services**

ESCI observed and through interviews determined that the hierarchal structure the KF&BD operates as intended with the building services manager. In contrast, ESCI found that in practice the fire chief is the direct report for any number of other fire department personnel and activities. Deputy fire chiefs routinely perform administrative, technician, and clerical tasks. Time devoted to activities outside of essential functions and principal accountabilities have reduced the deputy chiefs' availability to perform job critical administrative and supervisory duties. The addition of support staff allowing the two deputy chiefs to focus on administrative duties is fitting.

Given the number of FTEs dedicated to emergency operations, a minimum staffing of 19 per day, 30 personnel assigned to each shift, KF&BD's use of overtime is appropriate. Leave time use categorized as sick leave and injury is considered to be high. Some fire departments are using staffing options including the addition of a D shift. D shift is made up of personnel that work by filling vacancies on A, B, or C shifts. There is a great deal of flexibility with scheduling for the department and the individual.

The provision of Emergency Medical Services (EMS) has come to be the predominant service offered by many fire departments to their communities. EMS is expected to continue as the predominate factor affecting service demand. KF&BD is heavily invested in the BLS system. ESCI recommends that the KF&BD move forward and analyze the feasibility of providing ALS response services for Medic One. There are multiple benefits of KF&BD delivering ALS response services for Medic One in conjunction with BLS.

Capital facilities, apparatus, and capital equipment for the KF&BD constitute a large investment. Planning for remodels and the replacement of fire stations is a major capital expense and requires long-range planning. With Fire Station No. 25 (Finn Hill South) and Fire Station No. 27 (Totem Lake) nearing their life expectancy, ESCI recommends that a capital plan for the rebuild or replacement be developed. It is further recommended that KF&BD develop an internal long-term plan for funding the maintenance and replacement of capital equipment that aligns with the City CIP.

KF&BD relies on automatic aid to have adequate personnel for most fire incidents. Over the past two years, each of the neighboring fire and EMS agencies has gone through some reduction of fire stations, staffed apparatus, or personnel. To mitigate the reduction and improve coverage to the northwest (Finn Hill) area of the City, ESCI recommends that the KF&BD construct and staff a joint fire station with the Northshore Fire Department. Joint staffing of a shared new facility in a location that would serve Northshore and Kirkland would improve service in areas currently underserved by both agencies.

There are two alternative methods for KF&BD to meet the current adopted response time objectives. First, change the response time objectives to match the response that the fire department is able to meet. Second, add facilities, emergency response units, and personnel to the department to the level that will meet the response objectives. For Kirkland to increase resources requires a large capital investment and ongoing expenditures. Capital requirements involve the addition of two fire stations, one in the Finn Hill neighborhood and a second in the southern section of the City. Each fire station would need an engine and aid unit and a minimum of six personnel per day to cross-staff the units.

Of the potential partnerships with neighboring fire and EMS service providers, ESCI considers Northshore and Bellevue fire departments to be feasible partners. Consolidation of fire and EMS into a single operational unit, either through Interlocal Agreement (ILA) or the formation of an RFA would provide increased fire and emergency service efficiency in the areas served by

the three fire departments. An ILA between Kirkland and Northshore is viewed as an interim step to an RFA. The ILA can be more quickly accomplished and allows for the two agencies to move forward on capturing the benefits of operating as a single fire and EMS provider.

ESCI developed 34 recommended cooperative efforts strategies that the KF&BD could pursue. These strategies are judged as being feasible and most likely to result in significant improvement to systems and/or programs. These strategies should be acted on regardless of action on a regional partnership.

### **Recommendation Summary – Fire and Emergency Medical Services**

- ❖ Recommendation 45: Update KF&BD Department Manual Directive Number 3.001 to accurately reflect current daily minimum staffing level. (Implementation Order 22)
- ❖ Recommendation 46: Maintain a minimum per shift of two personnel (swing personnel) at firefighter EMT, two at lieutenant, and two at the captain rank with the qualifications and appropriate certifications to fill vacancies or step-up. (Implementation Order 24)
- ❖ Recommendation 47: Within the limits of the collective bargaining agreement use personnel at the captain and lieutenant rank to work down to fill vacancies. (Implementation Order 30)
- ❖ Recommendation 48: Periodically (annually or more frequently) review minimum staffing levels and options for filling vacancies. (Implementation Order 25)
- ❖ Recommendation 49: Periodically review sick leave and work-related injuries for patterns and opportunities to reduce occurrences. (Implementation Order 26)
- ❖ Recommendation 50: Develop an internal CIP for the maintenance and replacement of KF&BD capital equipment. (Implementation Order 27)
- ❖ Recommendation 51: Perform an energy audit on all fire stations and follow recommended energy efficiency measures.<sup>78</sup> (Implementation Order 35)
- ❖ Recommendation 52: Replace apparatus using a combination of age, mileage (for gas powered units), engine hours (for diesel apparatus) and condition. (Implementation Order 34)
  - If an apparatus meets age and mileage or engine hour thresholds, use the condition as the determining factor when considering replacement.
  - Condition factors such as maintenance records and cumulative maintenance costs should help determine if a unit is actually ready to be replaced.
  - If a unit has not met the age and mileage or engine hour thresholds but the condition factors are alarmingly high, consider early replacement.
- ❖ Recommendation 53: Store PPE in a separate, well ventilated room. (Implementation Order 6)

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<sup>78</sup> Energy audits are generally provided free of charge by electric and natural gas utility companies.

- ❖ Recommendation 54: Monitor mutual and automatic aid for equity. (Implementation Order 28)
- ❖ Recommendation 55: Make upgrades to incident reporting RMS software to eliminate erroneous data entries. (Implementation Order 9)
- ❖ Recommendation 56: Track failure rate of units to respond to incidents in their first due area by fire station and apparatus.
- ❖ Recommendation 57: Expand Chapter 21.35A of the Kirkland Municipal Code to include response by KF&BD to repeat false of malicious fire alarms. (Implementation Order 21)
- ❖ Recommendation 58: ICS training is currently at the federal minimum. Department minimum should be IS-100, IS-200, & IS-700 and IS-800b for all response personnel, and IS-300 & IS-400 for all chief officers. (Implementation Order 23)
- ❖ Recommendation 59: Create a formal mentoring program to develop for officers to use with subordinates. (Implementation Order 31)
- ❖ Recommendation 60: Formalize the East Metro Training Group via an interlocal agreement between participating agencies, with Kirkland Fire & Building Department as a permanent member. (Implementation Order 7)
- ❖ Recommendation 61: Identify training competencies in writing, teach, train, test, and evaluate personnel regularly by the training division in concert with shift battalion chiefs. (Implementation Order 8)
- ❖ Recommendation 62: Develop a consistent program for training hazardous materials technicians. (Implementation Order 32)
- ❖ Recommendation 63: Dedicate a reserve engine to the training division, preferably a unit that can be shared by agencies. (Implementation Order 22)
- ❖ Recommendation 64: Develop a joint recruit academy with other members of the EMTC. (Implementation Order 29)
- ❖ Recommendation 65: Maintain the practice EMTC recruit training or use the practice of sending recruits to either Bates or North Bend, augmented with agency specific training. (Implementation Order 10)
- ❖ Recommendation 66: In the absence of a combined EMTG training manual, KF&BD should develop its own training manual, preferably in concert with the other members of the EMTG. (Implementation Order 20)
- ❖ Recommendation 67: Refine and expand goals and purpose statements of training objectives. (Implementation Order 11)
- ❖ Recommendation 68: Establish a minimum number of annual training hours an individual or company is required to complete. (Implementation Order 19)
- ❖ Recommendation 69: Conduct at a minimum two night drills per shift per year that involve all fire suppression personnel. (Implementation Order 18)
- ❖ Recommendation 70: Develop lesson plans for core competencies requiring instructors to follow plans when instructing. (Implementation Order 14)
- ❖ Recommendation 71: Establish a minimum requirement for annual company and individual training evaluations. Include shift battalion chief involvement in annual evaluations. (Implementation Order 5)

- ❖ Recommendation 72: Include company level training activities by subject in the RMS. (Implementation Order 16)
- ❖ Recommendation 73: Integrate pre-fire incident planning of community target hazards in training activities. (Implementation Order 17)
- ❖ Recommendation 74: Refine and expand goals and purpose of training objectives. (Implementation Order 13)
- ❖ Recommendation 75: Jointly construct and staff a new fire station with Northshore FD. The fire station should be located in an area to serve the Finn Hill neighborhood and Northshore FD. (Implementation Order 3)
- ❖ Recommendation 76: Develop a comprehensive evaluation program to assess all aspects of the EMS system. (Implementation Order 12)
- ❖ Recommendation 77: Provide Advanced Life Support services within the City of Kirkland via the King County Medic One program. (Implementation Order 1)
- ❖ Recommendation 78: Participate in the King County Medic One Community Medical Technician (CMT) pilot. (Implementation Order 2)
- ❖ Recommendation 79: Modify the EMS response protocol of sending three responders to medical incidents. Redeploy with dedicated staffing of two-person aid units, or single person quick response unit for low priority EMS incidents. (Implementation Order 3)
- ❖ Recommendation 80: Expand the current partnership with the King County Sheriff's Marine Unit and the Seattle Fire Department to provide a joint, coordinated response to marine firefighting and rescue incidents. (Implementation Order 4)
- ❖ Recommendation 81: Develop a capital plan for the rebuild or replacement of Fire Station No. 25 (Finn Hill South) and Fire Station No. 27 (Totem Lake). (Implementation Order 33)



## Accountability and Reporting

### Emergency Services Standards

Institutions have long used professional member associations and accreditation to establish a level of professionalism. Groups like the JCAHO (Joint Commission on Accreditation of



Healthcare Organizations) for hospitals, WASC (Western Association of Schools & Colleges) for higher education, and CALEA (Commission for Accreditation of Law Enforcement Agencies) for police agencies are but a few. Accreditation is also seen as a way for member groups to provide a standard of excellence and a forum for collaborative industry efforts.

Likewise, the IAFC (International Association of Fire Chiefs) functions as the key professional organization of the fire service. The IAFC was founded in 1873 on the recognized need to provide standards across the fire protection industry for equipment and practices (such as standard hose and hydrant threads). That pursuit continues today, represented by the IAFC's active partnership with other organizations to form the CFAI (Commission on Fire Accreditation International).<sup>79</sup> The CFAI accreditation program grants accreditation to fire and emergency service agencies upon the successful completion of a comprehensive self-assessment and on-site evaluation. The Commission on Fire Accreditation International is:

*...[D]edicated to assisting the fire and emergency service agencies throughout the world in achieving excellence through self assessment and accreditation in order to provide continuous quality improvement and the enhancement of service delivery to their communities. The CFAI process is voluntary, and provides an agency with an improvement model to assess their service delivery and performance internally and then work with a team of peers from other agencies to evaluate the self-assessment completed.<sup>80</sup>*

<sup>79</sup> The umbrella organization of the CFAI (Commission on Fire Accreditation International) was changed to the Center for Public Safety Excellence, Inc., in March 2006.

<sup>80</sup> <http://www.cfainet.org/home/aboutus.asp>, *Who are We?* – Commission on Fire Accreditation International website, December 2009.



Fire departments have used accreditation as a tool for continuous improvement. Accreditation is also a way to demonstrate professionalism to the community served by a fire department.

### Response Time Reporting

The state of Washington adopted legislation (Substitute House Bill 1756; 2005) requiring fire departments to establish service delivery and response time standards for the major emergency response services provided by the agency.<sup>81</sup> The legislation, as presented below, requires a local policy declaration concerning service delivery objectives:

### RCW 35A.92.040; Policy Statement — Service Delivery Objectives

- (1) *Every city and town shall maintain a written statement or policy that establishes the following:*
  - (a) *The existence of a fire department;*
  - (b) *Services that the fire department is required to provide;*
  - (c) *The basic organizational structure of the fire department;*
  - (d) *The expected number of fire department employees; and*
  - (e) *Functions that fire department employees are expected to perform.*
  
- (2) *Every city and town shall include service delivery objectives in the written statement or policy required under subsection (1) of this section. These objectives shall include specific response time objectives for the following major service components, if appropriate:*
  - (a) *Fire suppression;*
  - (b) *Emergency medical services;*
  - (c) *Special operations;*
  - (d) *Aircraft rescue and firefighting;*
  - (e) *Marine rescue and firefighting; and*
  - (f) *Wild land firefighting.*
  
- (3) *Every city and town, in order to measure the ability to arrive and begin mitigation operations before the critical events of brain death or flash-over, shall establish time objectives for the following measurements:*
  - (a) *Turnout time;*
  - (b) *Response time for the arrival of the first arriving engine company at a fire suppression incident and response time for the deployment of a full first alarm assignment at a fire suppression incident;*
  - (c) *Response time for the arrival of a unit with first responder or higher level capability at an emergency medical incident; and*
  - (d) *Response time for the arrival of an advanced life support unit at an emergency medical incident, where this service is provided by the fire department.*

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<sup>81</sup> Chapter 35A.92 RCW (Revised Code of Washington) Fire Departments — Performance Measures.

- (4) *Every city and town shall also establish a performance objective of not less than ninety percent for the achievement of each response time objective established under subsection (3) of this section.*

In accordance with RCW 35A.92<sup>82</sup> and by means of Resolution R-4673 (October 2007), the City of Kirkland formally established required service delivery objectives for fire and emergency medical response services. This action is subsequent to previously adopted response time performance standards contained in KF&BD's 2000 Strategic Plan. KF&BD does not deliver special operations, aircraft rescue and firefighting, marine rescue and firefighting, or wild land firefighting response services. As required by state law, the City established the following response time objectives for fire response and emergency medical response services.

*Turnout Time Objective*

KF&BD adopted turnout time objective is sixty (60) seconds, ninety percent (90%) of the time.

*Response Time Objective from Dispatch Time; Arrival of 1st Arriving Engine Company at Fire Suppression Incident*

KF&BD adopted response time objective is four (4) minutes and forty-five (45) seconds for the first fire engine to arrive when responding to a fire suppression incident ninety percent (90%) of the time.

*Total Response Time Objective from Time of 9-1-1 Call; Arrival of 1st Arriving Engine Company at Fire Suppression Incident*

KF&BD has historically measured response time from the time of the 9-1-1 call to the time the first arriving unit was on the scene. Therefore, dispatch time, plus turnout time, plus travel interval equals total response time. The total response time standard is five (5) minutes and thirty (30) seconds for the first fire engine to arrive when responding to a fire suppression incident ninety percent (90%) of the time.

*Response Time Objective for Full First (1<sup>st</sup>) Alarm Response*

KF&BD adopted response time objective is ten (10) minutes for the first full alarm assignment when responding to a fire suppression incident ninety percent (90%) of the time. KF&BD's first full alarm assignment to a fire suppression response is four (4) engine companies, one (1)

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<sup>82</sup> Ibid.

ladder company, one (1) aid car, one (1) medical services officer, and two (2) battalion chiefs; a total of twenty (20) firefighting personnel.

KF&BD determined in 2000 that it would use total response time beginning from receipt of call at 9-1-1. In 2008 the State of Washington defined that total response time begins at the time of dispatch for the fire department.

*Response Time Objective From Dispatch Time; Arrival of First Unit at an Emergency Medical Incident*

KF&BD adopted response/travel time objective is four (4) minutes and thirty (30) seconds for the arrival of the first emergency medical (Aid) unit with at least two (2) emergency medical technicians ninety percent (90%) of the time.<sup>83</sup>

*Total Response Time Objective From Time of 9-1-1 Call; Arrival of First Unit at an Emergency Medical Incident*

KF&BD has historically measured response time from the time of the 9-1-1 call to the time the first arriving unit was on the scene. Therefore, dispatch time, plus turnout time, plus travel Interval equals total response time. The total time objective is five (5) minutes for the first unit to arrive when responding to an emergency medical incident ninety percent (90%) of the time.

*Response Standards Reporting*

The state of Washington legislation also requires an annual reporting process regarding service delivery and response time standards. The reporting requirements of that regulation are:

*RCW 35A.92.040; Annual Evaluations — Annual Report.*

- (1) Every city and town shall evaluate its level of service and deployment delivery and response time objectives on an annual basis. The evaluations shall be based on data relating to level of service, deployment, and the achievement of each response time objective in each geographic area within the jurisdiction of the city or town.*
- (2) Beginning in 2007, every city and town shall issue an annual written report which shall be based on the annual evaluations required by subsection (1) of this section.*
  - (e) The annual report shall define the geographic areas and circumstances in which the requirements of this standard are not being met.*
  - (f) The annual report shall explain the predictable consequences of any deficiencies and address the steps that are necessary to achieve compliance.*

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<sup>83</sup> KF&BD includes thirty (30) seconds for NORCOM to receive and transmit an alarm to KF&BD.

KF&BD has routinely submitted a Response Time Objectives Report since first required by RCW in 2007. However, its most current report (2010) does not define the geographic areas in which the requirements are not being met [RCW 35A.92.040(2)(a)]. Additionally, while the report contains information entitled, “Predictable Results,” this information does not explain predictable consequences and steps necessary to achieve compliance [RCW 35A.92.040(2)(b)]. The *2010 Kirkland Fire Department Response Time Objectives Report* does, however, enumerate five initiatives in response to the report’s information, all of which are clearly intended to address deficiencies and improve response times.

#### Reporting on Response Time Objectives; 2010

A summary of KF&BD’s documented emergency response time performance data and percent of the goal that was achieved by year is shown in the following figure (Figure 103).<sup>84</sup>

**Figure 103: Response Performance by Percentage, 2007 – 2010**

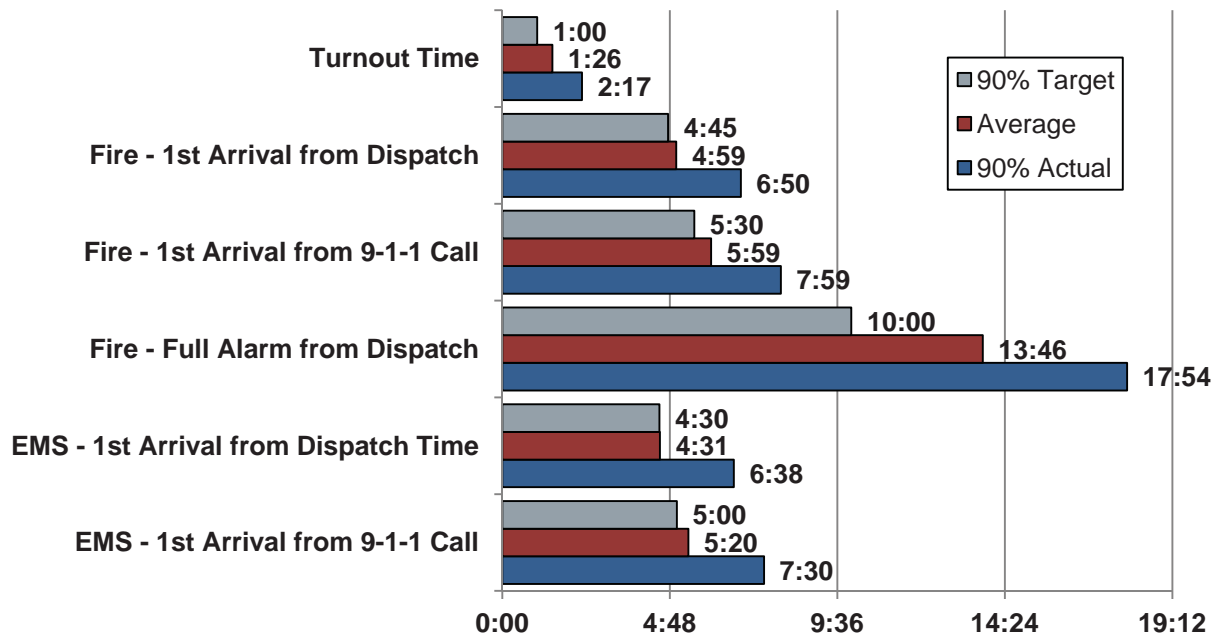
Incident Type	2007	2008	2009	2010	Target
Percent of EMS Responses under 05:00	49%	50%	48%	53%	90%
Percent of Fire Responses under 05:30	47%	53%	51%	52%	90%
Percent of Building Fires Contained to Room of Origin	41%	80%	70%	82%	60%
Percent of Full First Alarm Assignment Deployment	62%	53%	36%	17%	90%

As a general conclusion, KF&BD is meeting its stated response performance goals (including turn out time) approximately 50 percent of the time. This performance is measured against the response time objectives of five minutes (05:00) or less for EMS and 5 minutes 30 seconds (05:30) or less for fires 90 percent of the time. The percent of full alarm assignment deployments has decreased markedly from a high of 62 percent in 2007 to a reported 17 percent in 2010. One possible reason is the change in KF&BD’s definition of a full response from 18 to 19 personnel in 2011. While the change in the number of personnel may be an explanation for some of the decrease it is unlikely to be the entire reason. ESCI recommends that KF&BD determine the reason for the large decrease in the percent of full alarm assignment deployments.

The following data from the *2010 Response Time Objectives Report* compares actual response time performance (90<sup>th</sup> percentile) with the target time; and also includes the average time.

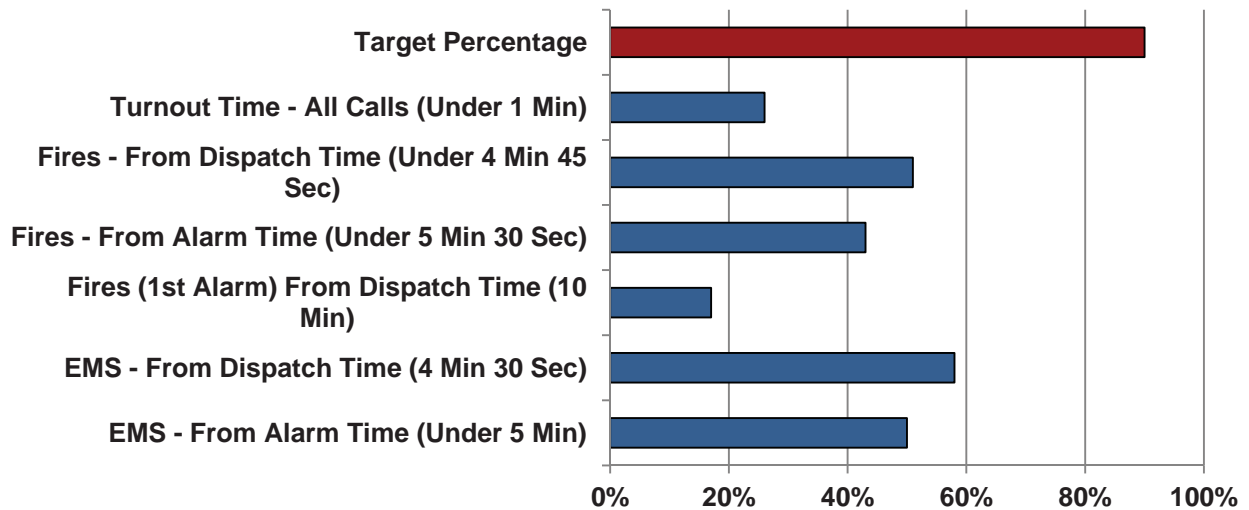
<sup>84</sup> Performance Measures 2010, City of Kirkland.

**Figure 104: 90 Percent Targets – Actual versus Target, 2010**



The following chart depicts the percentage of KF&BD responses that achieve the established response time objectives.

**Figure 105: Response Time – Percent of Calls Meeting Target**



KF&BD is commended for developing and maintaining significant compliance with the state's legal policy and reporting requirements. However, in the context of four years of data, KF&BD consistently has achieved its response time objectives less than 60 percent of the time. ESCI concludes that, given KF&BD's current staffing, deployment model, and service demand, the

established response time targets are not realistic. We recommend that the City of Kirkland and the KF&BD revisit the response time targets and identify values that will better reflect current ability and yet retain an incentive to continue to improve performance (Additional discussion on response objectives and performance expectations is found beginning on page 212).

### *Emergency Response Tiered by Geographic Composition*

While service demand is forecast to remain high in areas of dense population, those areas with anticipated population and infrastructure growth will see service demand increases. Moderate call volume will continue in the more suburban areas of Kirkland. KF&BD's service area contains two basic types of communities: a densely populated area and a suburban area.

The two community types present different risks of fire incident impact as well as a varied level of service demand. Thus, each area has unique fire protection and emergency service requirements. These areas are delineated "service delivery planning zones," and are suitable for considering tiered response levels and system capacity.

It is a simple truth that the cost of fire protection and emergency services increases as the number of facilities, resources, and personnel increase. Resources are typically increased to achieve a reduced response time, faster assembly of an effective firefighting force, increased system capacity, and the ability to protect higher levels of risk. However, in Kirkland where there exists a variation in the levels of service demand and risk, it is also recognized that a single level of service delivery performance may not be appropriate.

In other words, a fire department that provides protection for a jurisdiction that is primarily dense urban residential, commercial, and industrial development may find a single service delivery performance plan to be perfectly appropriate. A department serving a community mix of dense urban areas as well as suburban areas will find this much more difficult. Were such a fire department to attempt to achieve the same level of response performance and resources for its suburban area as in the urban area, costs would be prohibitive. A smaller number of taxpayers and lower assessed valuation of the suburban portions of the City would not generate sufficient revenue to support the service. This is why many communities choose to deliver levels of service; levels that more closely match the risk and demand, as well as the expectations of the citizens.

KF&BD has not made use of service delivery zones; instead, single response standards for fire and EMS have been developed for the entire City.

### Urban Response Zones

Urban Response Zones are areas with high population density and greater community risk properties, corresponding with current higher service demand levels. Projected to remain an area of high service demand, urban areas should adhere to response time objectives that consist of a large number of apparatus and personnel resources and should include some overlapping coverage for fire stations that primarily serve this area. Response time performance relies on road network and speed limit levels. While the amount of road ways in the urban zones accounts for only a portion of the total roadway miles in the City, there are hindrances to fire response capability typical in urban environments. In the urban environ more turns are necessary to arrive at a destination, reducing the ability of a multi-ton fire apparatus to maintain speed. This, along with daytime traffic, signaled intersections, and narrow streets, impede response performance potential. The urban response zones where annual service demand exceeds 500 calls per square mile are located between Fire Station Nos. 21 and 27 and northwest of Fire Station No. 22. Redevelopment and new development may cause population densities to increase to the urban level in areas of the City.

### Suburban Response Zones

Suburban Response Zones extend from urban zones (usually along major arterials) and generally established neighborhoods of single family homes, recently developed, or have high growth potential. Suburban areas extend out from the Kirkland's core, along Interstate 405, and to all corners of the City. There are other pockets of residential/commercial development. The response time objective within the suburban zone can reasonably be slightly longer than the urban zone because of moderate call volume and a reduced level of community risk.

### Classification of Incident Risk Types for Deployment Planning

The Community Risk Assessment identifies both fire and non-fire risks in the City and places the risk in a risk category. Risk categories include:

- Maximum Fire Risk – Hazards that require the maximum amount of fire protection resources or which could result in the greatest loss of life or property.
  - Examples: Malls, multi-story apartments, large department stores, hotels, high-rises, theaters, entertainment centers, large industrial or commercial properties and hazardous materials production facilities.
- Special Hazard Fire Risk – Hazards which if destroyed would be a critical or essential economic loss to the community. This could also include cultural, environmental, governmental, or historical loss.
  - Examples: Strip centers, hospitals or medical facilities, apartment buildings of three or more stories, governmental infrastructure facilities, and schools.



- Typical Hazard Fire Risk – Those risks most common to Kirkland.
  - Examples: Single family housing, easily accessible one and two story apartments, low risk industrial properties, and commercial properties under 10,000 square feet.
- Remote Hazard Fire Risk – Those risks most distant from other risks as to be almost unique to the City.
  - Examples: Rural land, unoccupied structures, and recreational areas, parks, etcetera.
- Non Fire-Maximum Hazard Risk – Hazards not involved with fire which require the maximum amount of fire department manpower to control or hazards which could result in the greatest loss of life or property.
  - Examples: Water plants, health care centers, large employer business facilities, power plants, chemical storage facilities and oil refineries.
- Non Fire-Special Hazard Risk – Hazards not involved with fire that could pose a special fire department manpower requirement.
  - Examples: Stadiums, auditoriums, and large recreational facilities.
- Non Fire-Typical Hazard Risk – Hazards not involved with fire which generally are typical in nature in the City.
  - Examples: Single family residences, freeways, apartments, and motor vehicle accidents.
- Non Fire-Remote Hazard Risk – Hazards not involved with fire which present a unique problem with efforts towards rescue, hazardous materials, and EMS services.
  - Examples: Railroads, canals, block parties, stadiums (soccer), malls, and lakes.

ESCI recommends that the completed risk assessment be managed by the KF&BD Fire Prevention Division. The risk assessment should be provided to all fire companies, administration and staff through an RMS, and should be updated on a predetermined schedule.

#### Critical Tasking by Incident Risk Type

Risk-based critical tasking and resources for structure fires is one type of incident that KF&BD responds. It should be understood, however, that today's fire departments respond to many other incidents besides structure fires, including hazardous materials incidents, motor vehicle collisions, basic and advanced life support incidents, and non-structural fires.

Critical tasks are those activities that must be conducted in a timely manner by firefighters and EMS personnel at emergency incidents in order to control the situation, stop loss, and perform necessary tasks required for a medical emergency. KF&BD is responsible for assuring that responding companies are capable of performing all of the described tasks in a prompt,



efficient, and safe manner. Figure 106 is an example of critical tasking for non-structure fire events and Figure 107 is for a motor vehicle collision with entrapment.

**Figure 106: Non-Structure Fire Critical Tasking**

Task	Personnel
Command	1
Pump Operator	1
Primary Attack Line	2
<b>Total</b>	<b>4</b>

**Figure 107: Motor Vehicle Collision with Entrapment Critical Tasking**

Task	Personnel
Command	1
Pump Operator	1
Primary Attack Line	2
Extrication	3
Patient Care	2
<b>Total</b>	<b>9</b>

ESCI recommends that field validation exercises be conducted to verify minimum staffing criteria of critical tasking. Following field validation, KF&BD may find that critical task staffing can be adjusted either upward or downward for each incident type. Additionally, some incidents may require automatic/mutual aid response to supply the personnel necessary to meet all critical tasking needs.

KF&BD will need to rely on mutual aid (preference for automatic aid) to achieve the number of apparatus and personnel needed for a high or maximum risk structure fire, hazardous materials, or technical rescue incident and incidents in outlying sections of the City. The reason for a large number of apparatus is related to equipment needs, such as air packs, hand tools, and hose lines, rather than pumping capacity. Actual apparatus and equipment needs may vary, based on incident type and magnitude.

### Performance Expectations

There are time points and time intervals (continuum) that when recorded and analyzed against benchmarks become the basis for making modifications, additions, and deletions of resources. A set of time definitions includes:

- **Event Initiation** – The point in time when events occur that may ultimately result in an activation of the emergency response system. Precipitating factors can occur seconds, minutes, hours or even days before there is a perception that an event is occurring. For example, a person may ignore chest discomfort for days prior to making a decision to

seek assistance. Rarely is it possible to quantify the point at which event initiation occurs.

- Emergency Event – The point in time when conditions exist that cause an activation of the emergency response system. Considered the “point of awareness,” it may be the recognition by an individual that assistance is needed or it may consist of a mechanical or electronic recognition of an event such as smoke or heat detector activation.
- Alarm – The point in time when the emergency response system is activated. The transmittal of a local or central alarm to public safety answering point is an example of this time point. Again it is difficult to determine with any degree of reliability the time interval during which this process occurs.
- Notification – The point in time when an alarm is received by the agency, generally at a 9-1-1 communications center.
- Alarm Processing – The time interval from the notification to the time when the dispatcher notifies the appropriate emergency responder. NFPA 1221 (2007) states that 95 percent of emergency call processing shall be completed within 60 seconds and 99% of emergency call processing shall be completed within 90 seconds (see Figure 108).
- En Route – The point in time when the responding company informs the communications center via MDT/MDC or radio they are responding (traveling out the door).
- Travel Time – The time interval from when the responding company reports en route to the arrival time on-scene at the emergency.
- On-scene – The point in time when the responding company physically arrives at the emergency site. This is applicable to fire and EMS incidents. For EMS incidents it is the point in time when patient contact is made. “On-scene” time is confirmed by the company officer notifying NORCOM via MDT/MDC or verbal confirmation via mobile radio.
- Working Period – The time interval from when the responding company arrives on scene to when the company goes back in service. This is the period when fire department personnel physically take steps to mitigate an event. This stage is dynamic due to various types of incidents, incident locations, time of day and year and emergency actions performed at the scene.
- Back In Service – The point in time when a company has mitigated the incident and is available to respond again. Units use the MDT/MDC or verbal confirmation to indicate that the company is “back in service.”

### Dispatch Call Processing Time Objectives

Performance standards drive the staffing requirements for dispatch agencies. Operational performance requirements are the measurement of call answering and call duration/processing, up to and including, the point of initial dispatch. To underscore the importance of performance standards, *NFPA 1221*<sup>85</sup> notes compliance with performance standards “...shall be evaluated

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<sup>85</sup> *NFPA 1221: Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems.*

monthly using data from the previous month.” NFPA 1710<sup>86</sup> further defines this portion of call alarm time as call ring time, call processing time, and dispatch processing time. The following chart illustrates the benchmarks for performance measurements.

**Figure 108: Communication Center Performance Measurement Benchmarks**

Call Ring + Call Processing + Dispatch Time		
<b>Call Ring Time</b>	<b>Call Processing Time<sup>87</sup></b>	<b>Dispatch Processing Time</b>
The time elapsed from time call enters the dispatch center telephone switch and the time elapsed until the call is answered. (Ring Time)	The time elapsed between call answer and entry into CAD with enough information for dispatch.	Dispatch processing time is the time elapsed between the call being time stamped for dispatch and the notification to the first unit for dispatch.
<b>NFPA STANDARD</b> 15 seconds, 95% of the time	<b>NFPA STANDARD</b> 60 seconds, 95% of the time	
<b>Call Answer + Processing + Dispatch</b> <i>Best Practice = 75 seconds</i>		

North East King County Regional Public Safety Communication Agency (NORCOM) serves as the community’s public safety answering point (PSAP) for 9-1-1 calls and dispatching emergency resources including KF&BD. Data for analyzing recommended standards for call answering, call processing, and dispatching was outside of the scope of work for this project.

Company Turnout Time Objectives

Turnout time is defined as the period of time from receipt of dispatch to departure of the apparatus from its parked location. Total response time consists of three elements: alarm processing time, turnout time and travel time. Total response time can be critical to the outcome of an emergency incident. Safety considerations, traffic conditions, travel distance, and weather are examples of factors that influence travel time. KF&BD has little or no control over those factors but can control turnout time. Proper preparation and attitude are the primary elements that affect turnout time.

Different turnout time objectives are often implemented in recognition of the difference in preparation time to respond to incidents that require greater protective equipment. One

<sup>86</sup> NFPA 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.

<sup>87</sup> NFPA definition for call alarm time, call processing time, and dispatch time duration, NFPA 1710 Chapter 3, Section 3.3.37.1-3. ESCI utilizes the total call processing time, i.e. time on the phone for calculation of staffing data, and refers to this time as call duration.

standard is for the donning of PPE (personal protective equipment) for primarily EMS or non-emergent incidents. A turnout time for calls not requiring full PPE (turnout clothing), is often 60 seconds or less. For incidents with an IDLH (imminent danger to life and health) or the potential of an IDLH environment and atmosphere, the turnout time is 80 seconds or less.

Time of day has a bearing on turnout time. Turnout time when firefighters are asleep is generally longer.

Unusual circumstances may occasionally prevent an engine, aid unit, or other response company from meeting this standard. It is expected that turnout standards will be met without compromising safety during response.

ESCI recommends the following turnout standards be adopted by KF&BD:

- Turnout time for fire incidents between 0700 and 2200 hours of 80 seconds or less, 90 percent of the time
- Turnout time for fire incidents between 2200 and 0700 hours of 90 seconds or less, 90 percent of the time
- Turnout time for EMS incidents between 0700 and 2200 hours of 60 seconds or less, 90 percent of the time
- Turnout time for EMS incidents between 2200 and 0700 hours of 60 seconds or less, 90 percent of the time

Recording and benchmarking turnout time should be a regular measure of response time and service delivery.

ESCI recommends that KF&BD adopt the following total response time objectives. The following table (Figure 109 and Figure 110) details response by zone performance objectives for a two-tier response strategy for fire and EMS incidents.

**Figure 109: Response Zone Performance Objectives, 0700 and 2200 hours**

Zone	Dispatch	Turnout	Modified Tiered		
			Travel	Total Response Time	Percentile
<b>Urban</b>					
Fire	60 seconds	80 seconds	4 minutes	6 minutes 20 seconds	90%
EMS	60 seconds	60 seconds	4 minutes	6 minutes	90%
<b>Suburban</b>					
Fire	60 seconds	80 seconds	5 minutes	7 minutes 20 seconds	90%
EMS	60 seconds	60 seconds	4 minutes 30 seconds	6 minutes 30 seconds	90%

**Figure 110: Response Zone Performance Objectives, 2200 and 0700**

Modified Tiered					
Zone	Dispatch	Turnout	Travel	Total Response Time	Percentile
<b>Urban</b>					
Fire	60 seconds	90 seconds	4 minutes	6 minutes 30 seconds	90%
EMS	60 seconds	60 seconds	4 minutes	6 minutes	90%
<b>Suburban</b>					
Fire	60 seconds	90 seconds	5 minutes	7 minutes 30 seconds	90%
EMS	60 seconds	60 seconds	4 minutes 30 seconds	6 minutes 30 seconds	90%

These response time objectives apply to the first due unit (engine company or aid unit). Specialty vehicles such as truck companies and hazardous materials units generally have longer response time objectives. Specialized response units are fewer in number, and typically cover a larger response area.

### Reporting Frequency and Format

KF&BD has a tremendous amount of data to record, manage, and retrieve when they need it. Compiling data and information into a digestible report can be time-consuming to draft and costly to produce. What data to include in a report and the format to present information is as important as the material contained in the document. KF&BD creates reports and documentation of a large variety for internal and external use, and to meet compliance with federal and state law. Required reports and records maintained by KF&BD include:

- Incident reports
- Patient care reports
- Exposure records for blood and airborne pathogens
- Fire prevention documents
- Compliance testing
  - SCBA
  - Hose
  - Ladder
  - Pump
  - Breathing air
  - Vehicles
  - PPE (personal protective equipment)
  - Gas monitors, radiological detectors

Other reports produced by the fire department are related to specific programs or for KF&BD as a whole. These reports include:

- Emergency management quarterly
- Staff
- Performance objectives
- Annual EMS training
- Fire cause determination

Some KF&BD reports and records are produced and retained in electronic format for easier production, storage, retrieval, replication, and cost. However, other records including fire prevention inspections remain in hard copy only. The Fire Prevention Bureau is waiting for New World system to become operational. Even with an available computer system, the bureau reports that it does not have resources to enter the data.

#### Internal to Department

Internal reports for KF&BD should at a minimum include:

- Fire Investigation
- Fire department annual report including performance and activities
- Risk and Hazard analysis
- Standard of Cover
- EMS QA (Quality Assurance)
- Response activity

A newer tool being employed to report and display information is referred to by the coined name “Dashboard.” With a dashboard a visual summary of data is displayed, generally at a high level. Dashboards are popular as they enable a manager to view several performance indicators at once.

According to an article in Businessweek “The dashboard is the CEO’s killer app. A must have, making the gritty details of a business that are often buried deep within a large organization accessible at a glance to senior executives.” Dashboards allow for managers to instantly view developments and trends, empowering them to make changes rapidly.

#### External to City Council and Community

Information needs of the City Council and community require different report formatting, data elements and distribution methods. Information that might be important internally to KF&BD

may not be relevant to other audiences. Customizing a dashboard application for City Council members to match their requests is a way to keep current data in front of policymakers. Dynamic linking to incident activity data, response times, fire inspections, financial information, and other material is possible. Some of ESCI's clients have gone to tablet devices for delivering agendas, meeting minutes, documents, and have installed a dashboard for elected officials.

ESCI recommends that KF&BD disseminate reports (information) in a dashboard display customized for the end user. With a dashboard a visual summary of data is displayed, generally at a high level and with a view of multiple performance indicators. Two sample customized dashboards for internal and external customers are shown in the appendices (Appendix H: Dashboard View Examples).

For many communities, social media websites have become common avenues for public agencies to disseminate timely topical information quickly, efficiently, and economically. The City of Kirkland has a Twitter account that is available to the fire department. Current use of Twitter by KF&BD was reported as little and often used after the fact. Other popular media websites employed by fire departments includes MySpace and Facebook.

### **Conclusion – Accountability and Reporting**

While the KF&BD is mostly meeting accountability and reporting requirements, there is a need for improvement. The accreditation process is one way for a fire department to make certain it is covering all of the accountability and reporting bases. The process of becoming an accredited agency is a time consuming, labor intensive, costly process. Therefore ESCI has recommended that the KF&BD make accreditation a long-term item and focus on other issues first.

In the last *Response Time Objectives Report* submitted (2010), KF&BD did not define the geographic areas where requirements are not being, explain predictable consequences, or the steps necessary to achieve compliance. The report does, include five initiatives in response to the report's information to address deficiencies and improve response times. KF&BD is meeting its stated response performance goals (including turn out time) approximately 50 percent of the time. KF&BD has not developed options to improve response performance. Without action to improve response time performance, subsequent reports will include similar results.

Tools for the reporting and archiving data and information of KF&BD activities are labor intensive. This is exemplified by the number of staff hours required to capture background



information for this study. Most of the improvements to reporting hinge on deployment of the New World CAD. Efforts should be directed at the implementation of the CAD system.

ESCI recommends that KF&BD disseminate reports (information) in a dashboard display customized for the end user. With a dashboard a visual summary of data is displayed, generally at a high level and with a view of multiple performance indicators.

### **Recommendation Summary – Accountability and Reporting**

- ❖ Recommendation 82: Develop a long-term plan to become a CFAI accredited fire agency. (Implementation Order 9)
- ❖ Recommendation 83: Define and report (Response Time Objectives Report) geographic areas where response time objectives are not being met. Include information on predictable consequences and steps to achieve compliance. (Implementation Order 7)
- ❖ Recommendation 84: Determine the cause of the dramatic decrease in the percent of full alarm assignment deployments. Develop a plan to reach the stated deployment goal of 90 percent. (Implementation Order 6)
- ❖ Recommendation 85: Adopt a two tiered response time objectives for fire, EMS, hazardous materials, technical rescue, and specialized rescue incidents. (Implementation Order 3)
- ❖ Recommendation 86: Risk assessment RMS should be managed by the KF&BD Fire Prevention Division. (Implementation Order 8)
- ❖ Recommendation 87: Develop and adopt response time intervals, benchmark, and review at a minimum annually. Response time benchmarks should be monitored and analyzed to determine factors causing trends including increased service demand, concurrent alarms, and staffing levels. (Implementation Order 2)
- ❖ Recommendation 88: NORCOM – Establish communication center performance measurement benchmarks that meet national standards. (Implementation Order 5)
- ❖ Recommendation 89: Adopt turnout time standards based on incident type and time of day. (Implementation Order 1)
- ❖ Recommendation 90: Integrate the New World RMS (records management system) with emergency management plans, records, and reports. (Implementation Order 4)





## Strategic Plan Recommendations and Priorities

Today's fire service providers face ever-increasing challenges to provide more diverse services in their community while competing with other departments for funding, as cities strive to meet the expectations of citizens for facilities, amenities, and services. The type and number of calls for service are in flux as demographics change. These trends place increased pressure on the modern fire service manager, policy makers, and staff to come up with ways to be more efficient and effective.

To ensure that community, policymaker, administration and internal customer needs were incorporated, a process was used to develop recommendations and priorities for the KF&BD strategic plan.

Goals and objectives are management tools that should be updated on an ongoing basis to identify what has been accomplished and to note changes in the organization and the community. The attainment of a performance target should be recognized and celebrated to provide a sense of organizational accomplishment. Overall these goals and objectives provide very specific timelines for the next several years and more general timelines beyond that.

City and leadership of the KF&BD should meet periodically to review progress towards these goals and objectives and adjust timelines and specific targets as needs and the environment change.

### Implementation Methodology

The key to the success of a strategic plan is its implementation. A successful implementation methodology (strategies) includes assigned responsibilities for the overall management of the plan; ensuring that there is accountability at all levels; the incorporation of the accomplishment of goals, objectives, and critical tasks into individual performance appraisals; routine reporting of the status of the plan; organizational and community reporting; and the regular updating of the plan and its content.



The following are ESCI's recommended top priority goals based on the input of the community, elected officials, the City of Kirkland administration, city staff, and KF&BD personnel.

### **Recommended Top Priority Goals**

#### **Goal No. 1: Administrative Infrastructure**

(Administrative and support staff realignment, administrative rules, and guidelines)

##### **Goal Statement:**

Build an administrative infrastructure that efficiently provides administration and support functions for KF&BD.

##### **Problem Statement:**

The administrative effectiveness of KF&BD is hindered by four key deficiencies:

1. Policies & Procedures, Rules & Regulations, and Administrative Guidelines, collectively referred to as Guidance & Regulatory (G&R) documents, which govern the day-to-day activities of the workforce, are out of date, ineffective, and confusing. Numerous attempts at revising these critical documents have not been successful. Variations exist

between the city and KF&BD policies and procedures including safety, purchasing, public access to records, and document retention.

2. Job descriptions for key administrative staff positions (deputy chief) do not properly reflect the actual work performed or that should be performed. Assignments cross from one Division (Bureau) to another and do not adequately reflect the executive level of the organization.
3. An inefficient administrative structure hampers both strategic and day-to-day effectiveness. The work focus of the administrative deputy chief is unnecessarily narrow. Emergency management activities take up at least half of the administrative deputy chief's time, reducing availability to perform other duties—management of HR, financial, and IT functions and planning activities of the fire department.

A misalignment occurs with the EMS officer under the administrative section of the department, these duties align with the emergency operations. A more focused management of the EMS program is recommended with a Medical Service Administrator (MSA) at the rank of division chief to have oversight of the medical division.

The operations deputy chief is underutilized in supervising the three emergency operations battalion chiefs (one per day) and the training chief (part of the East Metro Training Group).

4. A limited number of mid-level specialists and support staff reduce the effectiveness of the administrative function by shifting that workload to higher level personnel, personnel that should be focused on providing high level oversight and direction to the organization. The more task oriented the top administration members are, the less likely they are to provide strategic and organizational guidance and to maintain a future orientation. Current staff support and administration comprises 13 percent of the total KF&BD employees. A more typical percentage for agencies of similar size and character as KF&BD falls within a range of 15 to 20 percent range.

#### Recommended Actions:

- Recommendation 1: Amend job descriptions to accurately reflect roles and expectations for administration and support staff. Page 51
- Recommendation 6: Add a Medical Service Administrator (MSA) at the rank of division chief to manage the medical division. Page 51
- Recommendation 8: Add one FTE administrative assistant for EMS and one FTE financial analyst to administrative support functions. Page 51
- Recommendation 11: Outsource development and maintenance of Administrative Rules and Standard Operating Guidelines to a third party. Development and maintenance of Administrative Rules and Standard Operating Guidelines should include involvement of the City human resource department. Page 78
- Recommendation 12: Develop a succession plan to ensure employees are recruited and developed to fill each key role within the organization. Page 79
- Recommendation 31: Hire a full-time City emergency manager, shifting daily responsibilities from the Deputy Chief of Administration to the emergency manager. Page 88

**Implementation Metrics:**

- Guidance & Regulatory documents are revised, reviewed by HR and IAFF leadership, approved and implemented by October 1, 2013.
- Percentage of administrative and staff support positions to total employees fall within 15 to 20 percent range by January 1, 2014.
- Eighty percent or greater ( $\geq 80\%$ ) of the annual work performed by the administrative staff is reflected in their job descriptions as measured on January 1, 2014.
- A succession plan has been outlined and delivered to the members of KF&BD by January 1, 2014.

**Resources Required:**

- Administrative deputy chief to make management of the administrative infrastructure a priority.
- HR to collaborate with KF&BD on job description evaluation and adjustment.
- HR to collaborate with KF&BD on recruitment and hiring to fill recommended positions.
- HR to collaborate with KF&BD and IAFF leadership to identify key positions, develop and adopt a succession plan.

**Goal No. 2: Staffing and Deployment**

(Swing staffing of aid units and engine/ladder companies and staffing levels)

**Goal Statement:**

Increase the ready availability of fire apparatus and personnel.

**Problem Statement:**

KF&BD is dependent on neighboring agencies for the provision of apparatus and personnel on routine structure fire incidents and many emergency medical responses. Resources are deployed in a manner which routinely reduces the number of fire and EMS units and personnel that are available in the City. A crew “swings” from a fire engine to an aid unit to respond with the appropriate apparatus, leaving a key piece of equipment unstaffed and unavailable until the first incident is concluded and the personnel return to quarters. This occurs in every KF&BD fire station. The City is routinely exposed to insufficient resources to handle a structure fire, as many of the firefighting resources are deployed on EMS incidents. This substantially increases the reliance upon neighboring agencies and delays response to in-city emergencies.

**Recommended Actions:**

- Recommendation 3: Increase emergency operations by adding a BLS aid unit staffed between 8:00 AM and 8:00 PM to maintain adequate personnel for a moderate risk fire event. Page 51
- Recommendation 45: Update KF&BD Department Manual Directive Number 3.001 to accurately reflect current daily minimum staffing level. Page 208

- Recommendation 46: Maintain a minimum per shift of two personnel (swing personnel) at firefighter EMT, two at lieutenant, and two at the captain rank with the qualifications and appropriate certifications to fill vacancies or step-up. Page 208

#### Implementation Metrics:

- Bargain mandatory subjects related to alternative work schedules to accommodate half-shift BLS unit addition by January 1, 2014.
- Increase staffing to implement half-shift BLS unit by January 1, 2014.
- Bargain mandatory subjects related to modification of employee wellness program to reflect job-relatedness by January 1, 2014.
- Engage the services of an Occupational Medicine professional to guide the development and implementation of a job-related wellness program, including establishment of baseline medical standards, entry level and incumbent testing, by January 1, 2014.
- Implement holistic employee wellness program as above by July 1, 2014.

#### Resources Required:

- Emergency operations deputy fire chief to manage the staffing and deployment priority.
- Bargain with IAFF Local on hours and working conditions modifications related to implementation of an 8:00 a.m. to 8:00 p.m. BLS unit, the implementation of medical testing standards, and a work-related wellness program.
- HR to work with KF&BD in reviewing sick leave and work-related injury occurrences (compliant with the Washington Privacy Act and federal HIPAA regulations) to identify work practices or exposures which lead to time loss and staffing reductions and remediate those work practices.
- KF&BD to work with an Occupational Medicine organization to establish a medical baseline, develop a medical stress test for entry and incumbent firefighting personnel, and design a validated physical evaluation process.

### **Goal No. 3: Outreach and Education**

(PIO, PEO, and community preparedness)

#### Goal Statement:

Provide contemporary, practical fire prevention, EMS, and emergency management education and informational services to the community.

#### Problem Statement:

The public information function for KF&BD is handled by the City Communications Program Manager (CPM). A barrier identified to the success is the availability of KF&BD administrative staff to respond promptly to CPM requests for information or when a time sensitive story must be approved prior to release. The delay reduces the value of the release to the media, who are unlikely to use "dated" information. At a point when important information must be shared by KF&BD with the media, members of the media are more likely to disregard it since that has become their conditioned response.

Public education is performed on an as-available basis. The fire and life-safety public education efforts of the KF&BD are significantly limited with the elimination of the single fire department community education specialist at the end of 2010. ESCI found that that virtually all public education efforts outside of some limited special requests have been discontinued since then.

While KF&BD is exploring alternative strategies to maintain its public education efforts, there is no clear plan in place to delineate the department's strategy, goals, and methodologies. KF&BD needs a community outreach plan to help citizens understand what firefighters do, the challenges they face, and things the community can do to help reduce demand and invest in protecting themselves.

#### Recommended Actions:

- Recommendation 13: Prioritize media messaging. Use "Currently Kirkland" and other media outlets as a tool to leverage the reach and impact of fire department public information and education messages. Page 79
- Recommendation 14: Anticipate controversies or events which may generate media or community interest and develop a media or messaging plan in advance. Page 79
- Recommendation 15: Develop a proactive message file where the subject is not time-sensitive, but timely release may position the message to its greatest advantage. Page 79
- Recommendation 16: Develop interactive content for the fire department website: citizen training videos and downloadable documents (fire escape plans, preparedness, and self-help checklists). Page 79
- Recommendation 17: Update existing content on the fire department website and schedule regular maintenance. Page 79
- Recommendation 40: Develop, adopt, publish, and implement a KF&BD Public Education Plan. Page 96
- Recommendation 41: Form regional partnerships for the development and deployment of public fire and life safety education initiatives; also rotate operations personnel to deliver a structured curriculum. Page 96
- Recommendation 42: Rotate emergency operations personnel to a temporary duty assignment as a public educator to deliver the public education curriculum. Page 97
- Recommendation 43: Employ electronic information media from the United States Fire Administration and NFPA for linking or posting and making available on the Kirkland website. Page 97
- Recommendation 44: Create partnerships with other public agencies and private sector companies to provide public education and information to the citizens of Kirkland. Page 97

#### Implementation Metrics:

- Develop a community outreach plan and schedule, utilizing *Currently Kirkland*, to provide contemporary information, education and awareness to the community related to risk reduction and self-preparedness by January 1, 2013.
- Implement the above-referenced plan by January 1, 2013.



- Add interactive games, self-help tools, instructional videos and contact request forms to the KF&BD website by July 1, 2013.
- Provide public education training to line personnel and facilitate outreach at the company level by July 1, 2013.
- Approach neighboring agencies to form partnerships and consortia related to public education by January 1, 2014.

Resources Required:

- Administrative deputy fire chief to manage community outreach and education priority.
- Communication Program Manager to work with KF&BD to assist in developing *Currently Kirkland* programming schedule which provides outreach, education and information to the community.
- KF&BD work with the City's Communications Program Manager (CPM) to develop web content which aids in educating and equipping the community to be more disaster resistant/resilient.
- Prevention bureau and emergency management staff to provide public education training to line personnel.

**Goal No. 4: Performance**

(Response time)

Goal Statement:

Develop, measure, and meet response and measurable performance benchmarks.

Problem Statement:

KF&BD is meeting its stated response performance goals (including turn out time) approximately 50 percent of the time. Difficulty in acquiring complete response data is inhibiting the KF&BD from analyzing and compiling accurate response activity.

Multiple false and nuisance responses reduce availability of fire and EMS units for emergency response.

Recommended Actions:

- Recommendation 54: Monitor mutual and automatic aid for equity. Page 209
- Recommendation 57: Expand Chapter 21.35A of the Kirkland Municipal Code to include response by KF&BD to repeat false or malicious fire alarms. Page 209
- Recommendation 83: Define and report (Response Time Objectives Report) geographic areas where response time objectives are not being met. Include information on predictable consequences and steps to achieve compliance. Page 227
- Recommendation 84: Determine the cause of the dramatic decrease in the percent of full alarm assignment deployments. Develop a plan to reach the stated deployment goal of 90 percent. Page 227



- Recommendation 85: Adopt a two tiered response time objectives for fire, EMS, hazardous materials, technical rescue, and specialized rescue incidents. Page 227
- Recommendation 87: Develop and adopt response time intervals, benchmark, and review at a minimum annually. Page 227
- Recommendation 88: NORCOM – Establish communication center performance measurement benchmarks that meet national standards. Page 227
- Recommendation 89: Adopt turnout time standards based on incident type and time of day. Page 227

#### Implementation Metrics:

- Expand Chapter 21.35A of the Kirkland Municipal Code to include response by KF&BD to repeat false of malicious fire alarms by January 1, 2013.
- Complete a review and modification of KF&BD staffing, deployment, and service demand and establish realistic response time targets, January 1, 2013.
- Execute an interlocal agreement between Kirkland and Northshore Fire Department is executed to provide for joint staffing of the Finn Hill/South Kenmore Station, January 1, 2014.

#### Resources Required:

- Emergency operations deputy fire chief with Kirkland City Attorney develop proposed amendment to Chapter 21.35A of the Kirkland Municipal Code.
- Emergency operations deputy fire chief develop a modified staffing, deployment, and service strategy for review and approval of the Kirkland City Council.
- Fire chief to work with Northshore Fire Department fire chief to develop interlocal agreement for funding, siting, constructing and staffing a fire station serving the Finn Hill/South Kenmore area.

### **Goal No. 5: Partnerships**

(Training, maritime response, joint staffing of fire stations, RFA)

#### Goal Statement:

Develop partnerships with neighboring fire and EMS agencies to improve services and the level of service in a cost efficient manner.

#### Problem Statement:

The Kirkland community expects service delivery for a set of high-risk and low-frequency incidents, which result in significant expense to the City. This creates challenges in three key areas:

- The training function is unsettled in that the East Metro Training Group is an informal but sanctioned confederation of agencies, yet total reliance is placed in this effort for ongoing training of KF&BD personnel.
- KF&BD is not adequately equipped to deliver services for marine fire and rescue incidents despite being home to a significant waterfront community.

- Service delivery in the area commonly referred to as Finn Hill (Fire Station 24) is outside acceptable response time parameters for effective fire and EMS response. Response volume is low in this area.

#### Recommended Actions:

- Recommendation 75: Jointly construct and staff a new fire station with Northshore FD. The fire station should be located in an area to serve the Finn Hill neighborhood and Northshore FD. Page 210
- Recommendation 80: Expand the current partnership with the King County Sheriff's Marine Unit and the Seattle Fire Department to provide a joint, coordinated response to marine firefighting and rescue incidents. Page 210

#### Implementation Metrics:

- An interlocal agreement is executed establishing the formal scope of work provided by the East Metro Training Group by July 1, 2013.
- An interlocal agreement is established to provide a coordinated response to marine firefighting and rescue incidents in the Kirkland waterfront in partnership with the King County Sheriff's Marine Unit by July 1, 2013.
- A suitable site for construction of a fire station serving the Finn Hill/South Kenmore area is identified and acquired in partnership with Northshore Fire Department by January 1, 2014.
- Design and construction of a fire station serving the Finn Hill/South Kenmore area is conducted in partnership with Northshore Fire Department by January 1, 2015.
- An interlocal agreement between Kirkland and Northshore Fire Department is executed to provide for joint staffing of the Finn Hill/South Kenmore Station January 1, 2014.

#### Resources Required:

- Fire chief or designee to manage the cooperative partnerships priority.
- Fire chief or designee to meet with counterparts from member agencies of EMTG to develop scope, funding, structure, and resource sharing language.
- Fire chief or designee to work with Kirkland City Attorney to develop interlocal language establishing the East Metro Training Division.
- Fire chief or designee to work with King County Sheriff and Kirkland City Attorney to develop interlocal agreement for marine firefighting and rescue response partnership.
- Fire chief to work with Northshore Fire Department fire chief to develop interlocal agreement for funding, siting, constructing and staffing a fire station serving the Finn Hill/South Kenmore area.

## Strategic Goals

The following are ESCI's recommended strategic goals internal to the KF&BD. Community members, policymakers, administration, and KF&BD personnel participated in a two day process to assist in developing priorities for the Kirkland Fire and Building Department strategic plan. Five of the seven are incorporated as top priority goals. The remaining two are internal strategic organizational goals that meld with the validated mission, vision, and values of the KF&BD.

### **Strategic Organizational Goal No. 1: KF&BD Branding**

#### Goal Statement:

Create an attractive brand for KF&BD to inform and market our services

*Be known for consistently meeting our citizens' needs. Epitomize a winning "major league" team; with efforts that build community ownership and pride in our brand.*

"Brand" is used here to focus on the Kirkland Fire and Building Department as a singular entity.

While it is true that the KF&BD is part of the City of Kirkland, which has a global brand and



identity that is inclusive of all departments and services the city provides including the fire service, it is also important to define what each component of the city is and does. KF&BD is a subset of the City of Kirkland, and it is important to clearly define and describe what it stands for as a discrete department and service. "Market" is used here to

describe an effort to inform and educate the citizens of Kirkland about the services the KF&BD provides.

This will be accomplished by seeking first to understand the community perceptions of the KF&BD. To the extent there are gaps between reality and perception, the members of the KF&BD must assess whether improvement must be made internally, or misperceptions must be addressed by communicating the actual facts to the community. Mechanisms or vehicles must

be identified and/or developed to deliver a clear and consistent message to the community by the KF&BD, supported by the City of Kirkland.

**Objective 1-A:**

Acquire an experienced public information officer (PIO) to develop, manage, and be the voice of the KF&BD to the community

Priority: High

Timeline: Short Term (0 – 12 months)

Responsibility: TBD

Critical Tasks:

- Establish the requisite knowledge and skills for a public information officer (PIO).
- Address wages, hours, and working conditions with local union (if required).
- Recruit, screen, and select a capable candidate(s) for the role of PIO.
- Determine critical knowledge and skill gaps for the PIO.
- Identify and provide training to address gaps.
- Determine equipment and resource needs.
- Secure funding for training and equipment.
- Establish reporting and accountability relationships for the PIO.
- Authorize PIO work program to begin.

Performance Indicators:

- Formal job description developed and approved.
- Job announcement published throughout KF&BD.
- Suitable candidate(s) identified and selected.
- PIO is introduced throughout KF&BD.

Outcome:

Capable Kirkland personnel, equipped with critical resources, develop, implement, train, and lead the KF&BD's public information initiative.

**Objective 1-B:**

Develop and implement a Marketing Plan (Internal & External)

Priority: Medium

Timeline: Mid Term (12 – 24 months)

Responsibility: TBD

Critical Tasks:

- Establish baseline of what the general public of Kirkland knows and understands regarding the services and capabilities of KF&BD.
- Establish baseline of what City of Kirkland employees and department directors know and understand regarding the services and capabilities of KF&BD.
- Conduct gap analysis (what we do that we want them to know).
- Determine key messages and activities.
- Determine which avenues, media, and venues will best achieve public awareness.
- Determine KF&BD's mechanisms for message delivery.
- Develop a KF&BD Marketing Plan and implement.
- Develop strategies to fully meet general public and City team member awareness needs.
- Implement outreach programs to address gaps.

Performance Indicators:

- Public awareness and opinion assessment tool is developed, deployed, and results tabulated.
- Key awareness gaps and opinion deficits are identified.
- Marketing plan is drafted, reviewed, approved, and implemented.
- Supervisors throughout KF&BD are fully aware of the plan and committed to fulfill identified roles.
- Key messages are transmitted and activities occur.
- Public awareness and opinion assessment tool is re-deployed; results are tabulated and compared with initial results to measure effectiveness.

Outcome:

The general public and City of Kirkland employees are acutely aware of the KF&BD's services, capabilities and limitations. They are armed with needed information to protect themselves, appropriately access emergency fire and rescue services, and support KF&BD in a partnership role.

**Objective 1-C:**

Develop Positive Partnerships with Community

Priority: HighTimeline: Short Term (0 – 12 months)Responsibility: TBDCritical Tasks:

- Identify key partnership groups; e.g., employee groups, labor groups, media, City Council, business community (chamber of commerce), and neighborhood groups.
- Identify KF&BD contacts for each group or groups within a category.
- Develop a consistent group contact methodology and message.
- Develop objectives, draft schedule, and plan for outreach.
- Obtain management approval from KF&BD and Kirkland City Manager.
- Launch the contact initiatives.

Performance Indicators:

- Target groups respond and express interest in working together.
- Target group leaders acknowledge the KF&BD has been helpful to them and supported their mission.
- Target group leaders and members support KF&BD initiatives and programs.

Outcomes:

- KF&BD members are actively involved with and support the efforts and programs of their partners.
- Partner groups can articulate the role and importance of the functions of KF&BD.
- Partner group leaders speak out to support the mission and programs of KF&BD.

**Strategic Organizational Goal No. 2: KF&BD Internal (City) Relationships**Goal Statement:

Enhance a positive culture with internal customers; KF&BD and other City Departments

*We believe there are misconceptions about our department and the services we provide by our colleagues in other departments of the City. We also believe that we have misconceptions about our colleagues in other departments of the City. We believe that greater understanding by all City employees of the duties and challenges each department is confronted with will lead to greater unity within the City, a positive enhancement to the culture within the workplace, and enhanced services to our citizens.*





There is ample anecdotal evidence that employees of the City Kirkland have wide misconceptions of the work KF&BD personnel perform. Some employees have openly discussed that the root cause of one department not receiving necessary equipment or support to perform their tasks is the overtime expenditures incurred within the KF&BD, for example. There are also perceptions within the KF&BD that some

departments within the City of Kirkland create barriers and roadblocks to expenditures requested by the KF&BD, delaying or defeating efforts to acquire necessary resources. Neither perception is accurate, but the perceptions highlight the need for greater understanding by and between departments.

This understanding will likely improve if each department having such perception issues were to gain a clearer perspective of the challenges and requirements each department faces by first hand observation. Thus, a condensed “job aware” program should be implemented, allowing select employees from one department to gain insights into the challenges and requirements of the others in a scheduled job shadowing experience or job demonstration event.

Further, improved interpersonal relationships create pathways to friendly discussions that lead to greater understanding between employees and, ultimately, departments. This can be done by creating social opportunities to mix employee groups in a non-threatening environment, breaking down perceived barriers.

### **Objective 2-A:**

Describe importance of a positive culture among and between internal customers – our colleagues – to KF&BD employees

Priority: High

Timeline: Short Term (0 – 12 months)

Responsibility: TBD

### **Critical Tasks:**

- Assign internal task force to coordinate KF&BD education effort.

- “Own” our contribution to the misperceptions.
- Identify the scope/magnitude of the problem (city-wide surveys).
- Educate KF&BD membership about current relationship and the need to improve it.
- Describe business need to improve understanding by and between departments.
- “Seek first to understand, then to be understood.”

#### Performance Indicators:

- KF&BD Task Force has been created and members identified.
- Survey results have been compiled, categorized, and interpreted.
- Results of survey have been shared with KF&BD employees in interactive sessions with Q&A opportunities.
- Critical linkages between KF&BD and other City departments have been identified and described.
- Ideas for improvement have been generated by rank and file members.

#### Outcomes:

- KF&BD employees recognize the importance of a positive culture between departments of the City of Kirkland.
- KF&BD employees are committed to improving the culture through a greater understanding and an openness to accept differences between departments and missions.

#### **Objective 2-B:**

Implement “Job Awareness” events aimed at service-level providers which is relevant and contemporary

Priority: High

Timeline: Mid Term (12 -- 24 months)

Responsibility: TBD

#### Critical Tasks:

- Task Force approaches City of Kirkland department heads, with City Manager approval, and presents concept to management team to gain support.
- Encourage other departments to establish mirror task forces within their own departments.
- Task Force develops KF&BD Job Awareness curriculum for internal consumption.
- Task Force provides train-the-trainer education to those who will deliver Job Awareness curriculum within KF&BD.
- Implement training curriculum with interested parties within the City of Kirkland.



- Seek members from within KF&BD to participate in other departments' job awareness events with a commitment to share their perspective with internal colleagues upon completion.

Performance Indicators:

- Task force at KF&BD is robust and active.
- Task forces at other City departments are formed and active.
- KF&BD members seeking to receive train-the-trainer education is high.
- Cross-departmental participation in job awareness events is high.
- Post event surveys reveal a marked improvement in understanding by employees of other departments.

Outcomes:

- Employees throughout the KF&BD and the City of Kirkland can articulate the role and importance of the functions of various City Departments.
- Employees from participating departments demonstrate a deeper understanding of the challenges and requirements of the other lines of business within the City of Kirkland.
- Employees are motivated to continue and expand the job awareness program throughout the city.
- An improved internal customer culture exists.

**Objective 2-C:**

Implement activities to enhance cross-departmental relationships

Priority: Medium

Timeline: Ongoing

Responsibility: TBD

Critical Tasks:

- Representatives from each participating departmental task force form an all-city activities team.
- Team identifies activities which enhance cross-departmental participation in social settings.
- Hosts are identified for each activity, rotating the host responsibilities.
- Where costs are incurred, activities team seeks outside sponsors of these events.
- Annual recognition program is created where employees nominate their colleagues from other departments in recognition of the embodiment of the positive culture goal.

Performance Indicators:

- Attendance at these activities is high and grows each year.

- Feedback from participants is positive and encouraging, including suggestions for other types of activities which enhance the positive culture goal.
- Attendees don't cluster within homogenous workgroups, but mixes well with colleagues from other departments.

Outcomes:

- KF&BD personnel actively interact, support, assist, and promote a collegial relationship with all City of Kirkland employees.
- City of Kirkland department personnel actively interact, support, assist, and promote a collegial relationship with KF&BD personnel.
- Employees see themselves not just as a member of a department, but also as part of a larger organization, committed to the larger organization's success.
- Employees look forward to activities which provide opportunity to "cross-pollinate"<sup>88</sup> with their colleagues from other departments.
- An improved internal customer culture exists.

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<sup>88</sup> To influence or inspire (another), especially in a reciprocal manner  
<http://www.answers.com/topic/cross-pollinate#ixzz1xoorGQwp>.

### **Prioritization of Short and Mid-Term Recommendations**

The following list summarizes all of the recommendations provided throughout this report that are achievable in the short or mid-term, typically within a maximum of five years. These recommendations have been compiled into a prioritized list for easy reference and include the page number where they are located within the body of the report. The prioritization system is as follows.

#### **Priority 1 – Immediate Internal Safety**

These recommendations deal with an improvement or initiative that solves an issue affecting the safety of firefighters and/or other personnel. These are not matters that simply make it easier to do a particular function but in fact make a currently unsafe situation, safe.

- ❖ No recommendations were identified that fit this priority

#### **Priority 2 – Legal or Financial Exposure**

These recommendations resolve a situation that is creating, or is likely to create, the opportunity for legal action against the entity or its officials. It also may be a situation that could subject the entity to a significant expense.

- ❖ Recommendation 11: Outsource development and maintenance of Administrative Rules and Standard Operating Guidelines to a third party. Development and maintenance of Administrative Rules and Standard Operating Guidelines should include involvement of the City human resource department.
- ❖ Recommendation 14: Anticipate controversies or events which may generate media or community interest and develop a media or messaging plan in advance.
- ❖ Recommendation 18: Administer a stress test at the time of hire and periodically on incumbent employees/members based on age and risk factors.
- ❖ Recommendation 22: Establish a medical baseline for new firefighters at the time of hire/appointment.
- ❖ Recommendation 53: Store PPE in a separate, well ventilated room.

#### **Priority 3 – Corrects a Service Delivery Issue**

These recommendations address service delivery situations that, while they do not create an immediate safety risk to personnel or the public does affect the Department's ability to deliver service in accordance with its standards of performance. For example, adding a response unit to compensate for a growing response workload or delivering training needed to allow personnel to deal effectively with emergency responses already being encountered.

- ❖ Recommendation 1: Amend job descriptions to accurately reflect roles and expectations for administration and support staff.

- ❖ Recommendation 4: Request WSRB to conduct an evaluation of the fire and suppression capabilities of KF&BD.
- ❖ Recommendation 7: Bill for EMS transport when responding and transporting patients outside of the City of Kirkland.
- ❖ Recommendation 9: KF&BD review and validate the mission, vision, and values following completion of the 2012 strategic plan.
- ❖ Recommendation 10: Display the adopted mission, vision, and organizational values in City Hall and fire department facilities.
- ❖ Recommendation 12: Develop a succession plan to ensure employees are recruited and developed to fill each key role within the organization.
- ❖ Recommendation 25: Develop and implement a plan outlining how volunteers will be used and managed during emergency events.
- ❖ Recommendation 26: Identify a location and develop a dedicated EOC; apply for a matching grant from the Washington EMD Emergency Operations Center Grant Program (requires a 25 percent local match).
- ❖ Recommendation 32: Integrate KF&BD fire prevention records management with the EnerGov RMS software used by the Building Division.
- ❖ Recommendation 34: Develop and adopt a plan for the maintenance, repair, and flow testing of all fire hydrants in the City of Kirkland.
- ❖ Recommendation 45: Update KF&BD Department Manual Directive Number 3.001 to accurately reflect current daily minimum staffing level.
- ❖ Recommendation 54: Monitor mutual and automatic aid for equity.
- ❖ Recommendation 57: Expand Chapter 21.35A of the Kirkland Municipal Code to include response by KF&BD to repeat false of malicious fire alarms.
- ❖ Recommendation 56: Track failure rate of units to respond to incidents in their first due area by fire station and apparatus.
- ❖ Recommendation 61: Identify training competencies in writing, teach, train, test, and evaluate personnel regularly by the training division in concert with shift battalion chiefs.
- ❖ Recommendation 62: Develop a consistent program for training hazardous materials technicians.
- ❖ Recommendation 67: Refine and expand goals and purpose statements of training objectives.
- ❖ Recommendation 68: Establish a minimum number of annual training hours an individual or company is required to complete.
- ❖ Recommendation 69: Conduct at a minimum two night drills per shift per year that involve all fire suppression personnel.
- ❖ Recommendation 70: Develop lesson plans for core competencies requiring instructors to follow plans when instructing.
- ❖ Recommendation 71: Establish a minimum requirement for annual company and individual training evaluations. Include shift battalion chief involvement in annual evaluations.

- ❖ Recommendation 77: Provide Advanced Life Support services within the City of Kirkland via the King County Medic One program.
- ❖ Recommendation 78: Participate in the King County Medic One Community Medical Technician (CMT) pilot.
- ❖ Recommendation 79: Modify the EMS response protocol of sending three responders to medical incidents. Redeploy with dedicated staffing of two-person aid units, or single person quick response unit for low priority EMS incidents.
- ❖ Recommendation 90: Integrate the New World RMS (records management system) with emergency management plans, records, and reports.

#### Priority 4 – Enhances the Delivery of a Service

These recommendations improve the delivery of a particular service. For example, relocating a fire station to improve response times to a particular part of town or adding a piece of equipment that will improve the delivery of a service.

- ❖ Recommendation 3: Increase emergency operations by adding a BLS aid unit staffed between 8:00 AM and 8:00 PM to maintain adequate personnel for a moderate risk fire event.
- ❖ Recommendation 6: Add a Medical Service Administrator (MSA) at the rank of division chief to manage the medical division.
- ❖ Recommendation 8: Add one FTE administrative assistant for EMS and one FTE financial analyst to administrative support functions.
- ❖ Recommendation 19: Develop a procedure and policy for reporting and retaining all employee exposure records.
- ❖ Recommendation 21: Develop, validate, and employ a physical evaluation process that is job related.
- ❖ Recommendation 23: Produce a live monthly informational broadcast meeting between the fire chief and department personnel.
- ❖ Recommendation 24: Provide a fire service-related occupational and health program.
- ❖ Recommendation 27: Seek potential partner agencies to provide contracted emergency management services from KF&BD.
- ❖ Recommendation 28: Complete and publish the COOP and COG plans.
- ❖ Recommendation 29: Develop a Hazard Identification and Vulnerability Assessment and a Hazard Mitigation Plan. Submit to King County for inclusion as an annex to the County plan.
- ❖ Recommendation 30: Involve KF&BD and other City of Kirkland employees in community-based emergency exercises at least annually.
- ❖ Recommendation 31: Hire a full-time City emergency manager, shifting daily responsibilities from the Deputy Chief of Administration to the emergency manager.
- ❖ Recommendation 33: Conduct a fire and life-safety inspection of all inspectable occupancies in the next 12 months. If necessary use emergency services personnel to complete inspections.

- ❖ Recommendation 35: Develop and implement a self-inspection program for light risk occupancies where the occupants have demonstrated regular code compliance.
- ❖ Recommendation 36: Acquire and deploy electronic tablet devices for field data entry and rapid downloading to the records management system.
- ❖ Recommendation 38: Adopt a local residential sprinkler ordinance for new residential construction.
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- ❖ Recommendation 43: Employ electronic information media from the United States Fire Administration and NFPA for linking or posting and making available on the Kirkland website.
- ❖ Recommendation 44: Create partnerships with other public agencies and private sector companies to provide public education and information to the citizens of Kirkland.
- ❖ Recommendation 46: Maintain a minimum per shift of two personnel (swing personnel) at firefighter EMT, two at lieutenant, and two at the captain rank with the qualifications and appropriate certifications to fill vacancies or step-up.
- ❖ Recommendation 47: Within the limits of the collective bargaining agreement use personnel at the captain and lieutenant rank to work down to fill vacancies.
- ❖ Recommendation 56: Track failure rate of units to respond to incidents in their first due area by fire station and apparatus.
- ❖ Recommendation 59: Create a formal mentoring program to develop for officers to use with subordinates.
- ❖ Recommendation 63: Dedicate a reserve engine to the training division, preferably a unit that can be shared by agencies.
- ❖ Recommendation 64: Develop a joint recruit academy with other members of the EMTG.
- ❖ Recommendation 65: Maintain the practice EMTG recruit training or use the practice of sending recruits to either Bates or North Bend, augmented with agency specific training.
- ❖ Recommendation 66: In the absence of a combined EMTG training manual, KF&BD should develop its own training manual, preferably in concert with the other members of the EMTG.
- ❖ Recommendation 72: Include company level training activities by subject in the RMS.
- ❖ Recommendation 73: Integrate pre-fire incident planning of community target hazards in training activities.

- ❖ Recommendation 75: Jointly construct and staff a new fire station with Northshore FD. The fire station should be located in an area to serve the Finn Hill neighborhood and Northshore FD.
- ❖ Recommendation 76: Develop a comprehensive evaluation program to assess all aspects of the EMS system.
- ❖ Recommendation 80: Expand the current partnership with the King County Sheriff's Marine Unit and the Seattle Fire Department to provide a joint, coordinated response to marine firefighting and rescue incidents.
- ❖ Recommendation 81: Develop a capital plan for the rebuild or replacement of Fire Station No. 25 (Finn Hill South) and Fire Station No. 27 (Totem Lake).
- ❖ Recommendation 83: Define and report (Response Time Objectives Report) geographic areas where response time objectives are not being met. Include information on predictable consequences and steps to achieve compliance.
- ❖ Recommendation 84: Determine the cause of the dramatic decrease in the percent of full alarm assignment deployments. Develop a plan to reach the stated deployment goal of 90 percent.
- ❖ Recommendation 85: Adopt a two tiered response time objectives for fire, EMS, hazardous materials, technical rescue, and specialized rescue incidents.
- ❖ Recommendation 86: Risk assessment RMS should be managed by the KF&BD Fire Prevention Division.
- ❖ Recommendation 87: Develop and adopt response time intervals, benchmark, and review at a minimum annually.
- ❖ Recommendation 88: NORCOM – Establish communication center performance measurement benchmarks that meet national standards.
- ❖ Recommendation 89: Adopt turnout time standards based on incident type and time of day.

#### Priority 5 – A Good Thing To Do

These recommendations don't fit within any of the above priorities, but is still worth doing and can enhance the Department's morale or efficiency.

- ❖ Recommendation 2: Create a budget category for administrative services for the fire and for building departments.
- ❖ Recommendation 5: Annually conduct a detailed analysis of revenue versus expenditure to validate that EMS transportation activity is meeting stated goals established by the City.
- ❖ Recommendation 13: Prioritize media messaging. Use "Currently Kirkland" and other media outlets as a tool to leverage the reach and impact of fire department public information and education messages.
- ❖ Recommendation 15: Develop a proactive message file where the subject is not time-sensitive, but timely release may position the message to its greatest advantage.
- ❖ Recommendation 16: Develop interactive content for the fire department website: citizen training videos and downloadable documents (fire escape plans, preparedness, and self-help checklists).



- ❖ Recommendation 17: Update existing content on the fire department website and schedule regular maintenance.
- ❖ Recommendation 20: Aggregate like item equipment purchases with a total value of \$5,000 or more and include in the City's annual budget.
- ❖ Recommendation 37: Develop and adopt a plan to actively solicit feedback from a representative sample of recipients of KF&BD inspection and enforcement services.
- ❖ Recommendation 48: Periodically (annually or more frequently) review minimum staffing levels and options for filling vacancies.
- ❖ Recommendation 49: Periodically review sick leave and work-related injuries for patterns and opportunities to reduce occurrences.
- ❖ Recommendation 50: Develop an internal CIP for the maintenance and replacement of KF&BD capital equipment.
- ❖ Recommendation 51: Perform an energy audit on all fire stations and follow recommended energy efficiency measures.
- ❖ Recommendation 52: Replace apparatus using a combination of age, mileage (for gas powered units), engine hours (for diesel apparatus) and condition.
- ❖ Recommendation 54: Monitor mutual and automatic aid for equity.
- ❖ Recommendation 74: Refine and expand goals and purpose of training objectives.
- ❖ Recommendation 82: Develop a long-term plan to become a CFAI accredited fire agency.





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## **Appendix B: Management Advisory Group, Recommendations and Findings**

The City of Kirkland and King County Fire District #41 conducted a Fire and Rescue Efficiency and Effectiveness Study in 2008. Prepared by MAG (Management Advisory Group, INC.), the study has 13 major findings and 12 major recommendations. ESCI reviewed and compared the findings and recommendations from 2008 with 2012 as an element of this study.<sup>89</sup> For findings and recommendations that were found to still be outstanding, ESCI has called those out for discussion by City administration and KF&BD.

### **(1.4 Major Findings)**

1. The high level of EMS responses has the unintended consequence of lowering the level of fire protection.
2. Hazardous Materials response language is vague as to the types of responses KF&BD will handle versus a regional response.
3. Rescue and extrication language is vague as to the type and level of service provided by KF&BD and subject overlaps the Marine Rescue/Firefighting standard.
4. KF&BD is totally dependent upon mutual and automatic aid response for marine rescue/firefighting.
5. Measurement of Response Time Standard is flawed and overly ambitious.
6. Standard on Effective Response significantly overlaps standard measurement of response time.

### **(1.5 Major Recommendations)**

1. Hazardous Materials risk assessment needs to be conducted.
2. Marine rescue/firefighting risk assessment needs to be conducted.
3. Standard on Effective Response needs to be rewritten to reflect efficient use of staffing levels.
4. Measurement of Response Time Standard needs to follow RCW 35.103 definitions.
5. City Attorney should review KF&BD “standards” for added liability for the city. Recommend objectives be used instead of standards.

### **(Body of Work, Findings and Recommendations)**

1. Reduce EMS response crew size from three to two (page 5-3).
2. Modify structure fire effective response criteria to reflect efficient use of staffing levels (page 5-5, 6, & 7).
3. Firefighter safety not compromised by staffing levels, but can be a reflection of a lack of safety-awareness by personnel (page 5-7, & 8).

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<sup>89</sup> Findings and recommendations are paraphrased.

4. Improve existing call-back system for greater efficiency (page 5-11).
5. Conduct commodity flow study for Kirkland or region<sup>90</sup> (page 5-12).
6. Measurement of response time “from time of 9-1-1 call” is flawed (page 5-21).
  - a. Five minute response for ALS not appropriate for Kirkland (page 5-21).
  - b. Code Yellow responses should be reconsidered as a component of emergency medical services (page 5-21).
7. Five minute response time for four firefighters is beyond KF&BD capabilities (page 5-21).
8. “Initial arriving manpower” confusing term and conflicts with target response time objectives report. Six minutes and ten minutes are used respectively (page 5-21).
9. Recommends that response time is measured at the receipt of alarm at the fire station (page 5-22).
10. Recommends that one unit, staffed with two BLS personnel responds to medical emergencies (page 5-23).
11. KF&BD failed to meet response time standard 50 percent of the time from 2004-2007 (page 5-27).

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<sup>90</sup> Has King County conducted a commodity flow study?

**Appendix C: Summary Table of Short and Mid-Term Recommendations**

- ❖ Recommendation 1: Amend job descriptions to accurately reflect roles and expectations for administration and support staff. (Implementation Order 1).....51
- ❖ Recommendation 2: Create a budget category for administrative services for the fire and for building departments. (Implementation Order 7) .....51
- ❖ Recommendation 3: Increase emergency operations by adding a BLS aid unit staffed between 8:00 AM and 8:00 PM to maintain adequate personnel for a moderate risk fire event. (Implementation Order 5) .....51
- ❖ Recommendation 4: Request WSRB to conduct an evaluation of the fire and suppression capabilities of KF&BD. (Implementation Order 8) .....51
- ❖ Recommendation 5: Annually conduct a detailed analysis of revenue versus expenditure to validate that EMS transportation activity is meeting stated goals established by the City. (Implementation Order 6).....51
- ❖ Recommendation 6: Add a Medical Service Administrator (MSA) at the rank of division chief to manage the medical division. (Implementation Order 2) .....51
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- ❖ Recommendation 15: Develop a proactive message file where the subject is not time-sensitive, but timely release may position the message to its greatest advantage. (Implementation Order 12) .....79
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- ❖ Recommendation 56: Track failure rate of units to respond to incidents in their first due area by fire station and apparatus.....209
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- ❖ Recommendation 59: Create a formal mentoring program to develop for officers to use with subordinates. (Implementation Order 31) .....209

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- ❖ Recommendation 62: Develop a consistent program for training hazardous materials technicians. (Implementation Order 32) .....209
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- ❖ Recommendation 65: Maintain the practice EMTC recruit training or use the practice of sending recruits to either Bates or North Bend, augmented with agency specific training. (Implementation Order 10) .....209
- ❖ Recommendation 66: In the absence of a combined EMTG training manual, KF&BD should develop its own training manual, preferably in concert with the other members of the EMTG. (Implementation Order 20).....209
- ❖ Recommendation 67: Refine and expand goals and purpose statements of training objectives. (Implementation Order 11) .....209
- ❖ Recommendation 68: Establish a minimum number of annual training hours an individual or company is required to complete. (Implementation Order 19) .....209
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- ❖ Recommendation 70: Develop lesson plans for core competencies requiring instructors to follow plans when instructing. (Implementation Order 14) .....209
- ❖ Recommendation 71: Establish a minimum requirement for annual company and individual training evaluations. Include shift battalion chief involvement in annual evaluations. (Implementation Order 5).....209
- ❖ Recommendation 72: Include company level training activities by subject in the RMS. (Implementation Order 16) .....210
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- ❖ Recommendation 80: Expand the current partnership with the King County Sheriff's Marine Unit and the Seattle Fire Department to provide a joint, coordinated response to marine firefighting and rescue incidents. (Implementation Order 4).....210

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- ❖ Recommendation 82: Develop a long-term plan to become a CFAI accredited fire agency. (Implementation Order 9) .....227
- ❖ Recommendation 83: Define and report (Response Time Objectives Report) geographic areas where response time objectives are not being met. Include information on predictable consequences and steps to achieve compliance. (Implementation Order 7) 227
- ❖ Recommendation 84: Determine the cause of the dramatic decrease in the percent of full alarm assignment deployments. Develop a plan to reach the stated deployment goal of 90 percent. (Implementation Order 6) .....227
- ❖ Recommendation 85: Adopt a two tiered response time objectives for fire, EMS, hazardous materials, technical rescue, and specialized rescue incidents. (Implementation Order 3) .....227
- ❖ Recommendation 86: Risk assessment RMS should be managed by the KF&BD Fire Prevention Division. (Implementation Order 8) .....227
- ❖ Recommendation 87: Develop and adopt response time intervals, benchmark, and review at a minimum annually. Response time benchmarks should be monitored and analyzed to determine factors causing trends including increased service demand, concurrent alarms, and staffing levels. (Implementation Order 2).....227
- ❖ Recommendation 88: NORCOM – Establish communication center performance measurement benchmarks that meet national standards. (Implementation Order 5) ...227
- ❖ Recommendation 89: Adopt turnout time standards based on incident type and time of day. (Implementation Order 1) .....227
- ❖ Recommendation 90: Integrate the New World RMS (records management system) with emergency management plans, records, and reports. (Implementation Order 4).....227

### **Appendix D: Summary of Recent RFA (Regional Fire Authority) Legislation**

SB 6470 allows cities to assess a benefit charge if it annexed part or all of a fire district from 2006 forward. Until this bill was passed, a city could not assess a benefit charge unless it was as part of an RFA. A benefit charge can be levied up to 60 percent of the operating budget of a fire agency. That is not 60 percent of its taxing authority, but 60 percent of its operating budget (excluding capital).

#### **SB 6470-S.E – Digest (Digest as Enacted)**

Authorizes certain cities and towns to fix and impose a benefit charge, for enhancement of fire protection services, on personal property and improvements to real property.

HB 1854 allows an RFA to annex another fire jurisdiction. I didn't know much about this one, but reading the bill through, it appears to allow an RFA to annex other agencies without going through another RFA formation process (establish a plan, public hearings, etc.).

#### **HB 1854-S – Digest (Digest as Enacted)**

Establishes a process through which a fire protection jurisdiction may be annexed by a fire service protection authority. Authorizes the transfer of certain fire protection and emergency services from annexed fire protection jurisdictions to annexing regional authorities. Reduces the property tax levy authority of a fire protection district, city, town, Indian tribe, or port district that is annexed into a RFA (regional fire protection service authority).

HB 1731 allows an RFA to establish RFA commissioners (as opposed to using the commissioners and council members from the previously separate agencies) or a combination of the two. It has to be addressed in the RFA Plan. Also authorizes the RFA to establish RFA commissioner districts, roughly equal in population.

#### **HB 1731-S.E – Digest (Digest as Enacted)**

Addresses the formation, operation, and governance of regional fire protection service authorities.

## **Appendix E: History and Formation of the Kirkland Fire Department**

(The formation and chronological history of the Kirkland Fire Department was drafted from information graciously provided to ESCI by KF&BD Captain Bill Hoover. ESCI thanks Captain Hoover for his valuable assistance.)

### **Humble Beginnings**

On June 6, 1889 at approximately 2:30 p.m., a worker in a cabinet shop in Seattle was heating glue over a gasoline fire when the glue boiled over and ignited. The fire spread to the wood chips and turpentine covering the floor. The resulting fire was visible from Kirkland. Alarmed at the sudden realization they were at risk, business owners in Kirkland purchased fire buckets and organized a fire brigade. This confederation of businesses established an agreed upon method of fighting fires in 1890, and the first organized firefighting effort in Kirkland was born.

In 1909, the City of Kirkland spent \$95 to purchase a hand pulled firefighting hose cart. A siren was also purchased and installed on the bank building, which was set off by the telephone operator to notify fire brigade members of a fire. A “fire shed” was located next to a livery stable and the first brigade member to arrive would attach a horse to the hose cart.

In 1916, the Kirkland Hotel caught fire. Armed with only the hose cart, the brigade members fought valiantly, but the large wooden structure was quickly consumed. They did manage to prevent the fire from spreading to adjacent buildings.

### **Kirkland Fire Department's Official Formation**

On June 21, 1923, Kirkland's first official volunteer fire department was formed. Dr. R.R. Ruffin was named Kirkland's first fire chief. At the urging of the insurance officials at the Washington Surveying and Rating Bureau, Chief Ruffin had fire hydrants installed to improve the insurance rates for the community. That same year, a garage fire occurred at McIntyre Buick. A previously damaged vehicle parked in the garage caught fire. Kirkland firefighters responded and had the fire out in 15 minutes, limiting the damage to \$3,000.

Sometime thereafter, Seattle sold a converted 1924 Packard truck to the Kirkland Fire Department, which became Kirkland's first motorized “fire engine.” It held two 60-gallon chemical tanks, 100 feet of attack hose, 500 feet of hydrant hose, and ladders. It was not until 1929, however, that Kirkland obtained its first commercially designed and built fire engine, a 1929 GMC pumper. The unit is still owned by Kirkland as an antique pumper and is housed at Fire Station No. 22 in Houghton.

### *Kirkland Neighbors Form, then Join*

On September 2, 1949, residents north of the city voted 235 in favor and 54 against the formation of King County Fire District #41. Kirkland Fire Chief Leonard Paulson supported the formation since Kirkland Fire Department was routinely responding out of the City, but there was no funding to support such activities. Bob Gollofon was selected to be the new districts' first fire chief. The districts' first fire engine was acquired shortly thereafter from an eastern Washington fire department and housed in a garage loaned to the district. Located at 13000 84 Ave NE, the building still stands at that location today.

South of the City of Kirkland, the town of Houghton appointed Harold Mehrer fire chief in 1962. In 1968, Houghton tried but failed to annex Kirkland. The following year, Kirkland annexed Houghton and Chief Mehrer stepped down. Also in 1969, Chief Paulson was replaced by Bob Ely, the first paid employee and first paid fire chief of the Kirkland Fire Department. A year later, King County Fire District #41 contracted for fire protection from the City of Kirkland. In 1970, all three fire agencies were operating as one department, referred to as the "Greater Kirkland Fire Department".

### *Kirkland Fire Department Today*

On May 1, 2009, Kevin Nalder was appointed Director of the Kirkland Fire and Building Department. On June 1, 2011, the remainder of King County Fire District #41 and portions of King County Fire District #34 (Redmond) and King County Fire District #36 (Woodinville) were annexed into the city. These annexations were collectively referred to as the Finn Hill – Juanita – Kingsgate annexation. Over 30,000 new residents were added to the city population in that annexation, bringing the population of the service area to approximately 80,505 citizens spread over almost 18 square miles. The department employs 101.5 firefighters, administrators and support staff.

The department serves its residents from five active fire stations and one station staffed at night with volunteers for medical responses only. The stations have a total of 19 firefighters on duty minimum, operating and cross-staffing five fire engines, six medical aid units and one ladder truck. The department handled 7,380 responses in the last full year of data collection ending August, 2011.



### **Appendix F: Comparable Providers**

In order to illustrate a relative comparison of deployment assets, ESCI surveyed five other Washington emergency service providers: Bellingham, Everett, Redmond, and Yakima fire departments, and Kent Fire Department RFA (Regional Fire Authority). Each of the surveyed agencies provides services to communities of similar size and demographics as those served by KF&BD. The following figures provide a comparison of the number of fire stations, engines, and ladder (aerial) trucks (per 1,000 population) provided by each fire agency (In this and other similar benchmarks, Kirkland is compared with other cities serving between 50,000 and 99,999 residents).

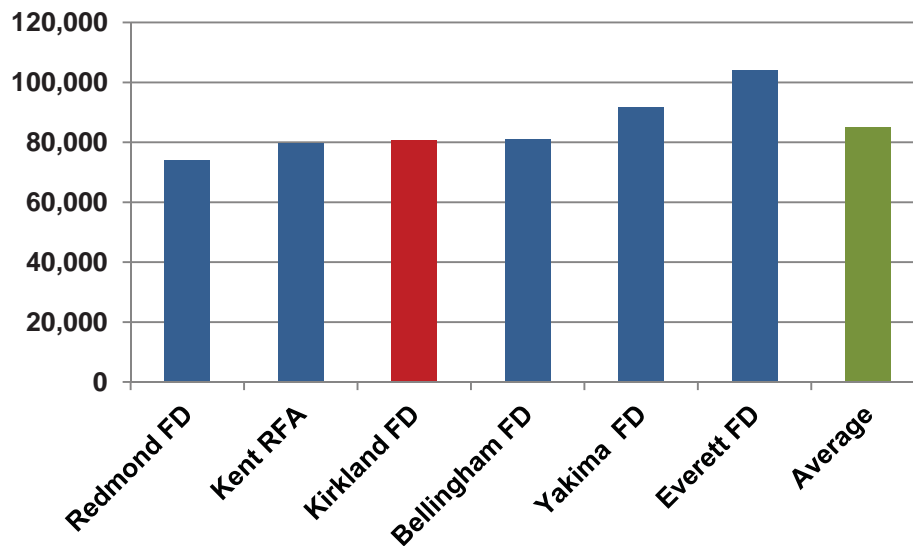
A word of caution is appropriate: each comparable by itself is only informative and should be viewed individually as an interesting fact. The collected data begins to tell the story of how KF&BD compares with other fire and EMS providers in the area.

We begin the comparison with basic statistical information about each fire agency.

#### **Population Served**

The following figure is a side-by-side comparison of the population served by each fire department in the survey. The population served by KF&BD is approximately 80,505. The average population served by the six comparable fire departments is 85,146.

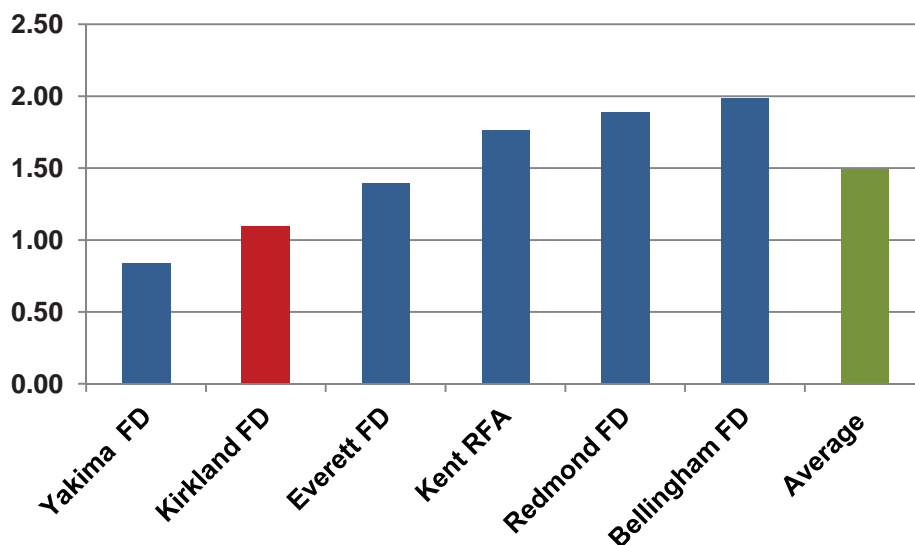
**Figure 111: Population Served by Agency**



Staffing

Figure 112 compares the number of emergency operation (firefighters and EMS) personnel serving each of the communities per 1,000 population. This comparison is considered to be an interesting statistic but it is important to remember that the services provided by each fire department are variable.

**Figure 112: Firefighters per 1,000 Population**



There are 1.09 suppression and EMS personnel per 1,000 for the population served by KF&BD, 73.2 percent of the average comparable communities for fire departments serving similar populations.

The following figure compares the total number of personnel, administrative, support, and prevention staff, operational personnel, and minimum on-duty staffing by six fire departments.

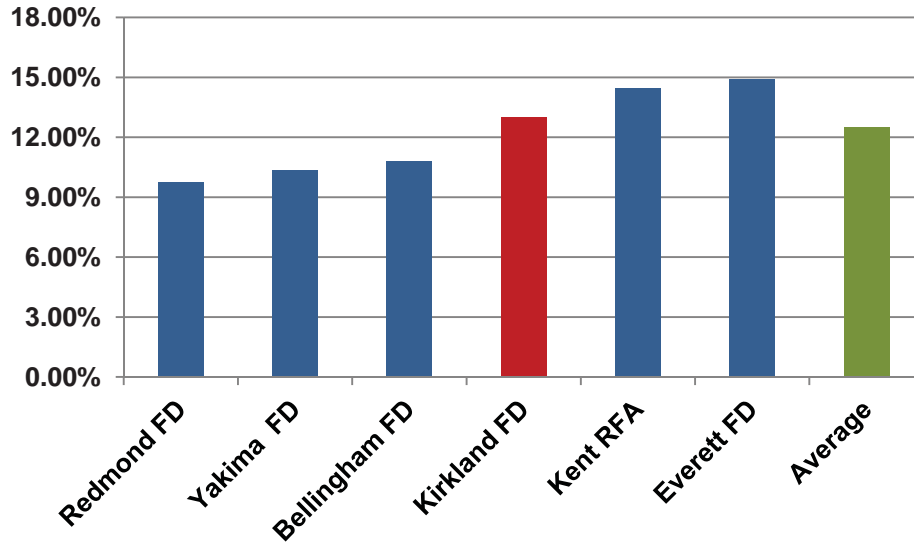
**Figure 113: Breakdown of Personnel and Minimum Staffing Levels**

Division	Everett FD	Bellingham FD	Kent RFA	Yakima FD	Redmond FD	Kirkland FD
Career Personnel	188.0	148.0	206.0	87.0	159.0	103.5
Administrative, Support, and Prevention	28.0	16.0	29.7	9.0	15.5	13.5
Career Suppression	160.0	132.0	140.0	78.0	144.0	90.0
Minimum On-duty	33.0	28.0	30.0	19.0	24.0	19.0



The following figure compares the percent of administrative and support personnel to the total number of personnel on each department.

**Figure 114: Percentage of Administrative and Support Personnel to Department Total**



KF&BD has 13.5 FTE administrative and support positions, equaling 13.04 percent, as compared to the total number of employees in the Department. The ratio is slightly higher than found in Kent and Everett, and 2.25 percent above the average for all agencies.

### Services Provided

The table below lists the type and level of service provided by each of the departments.

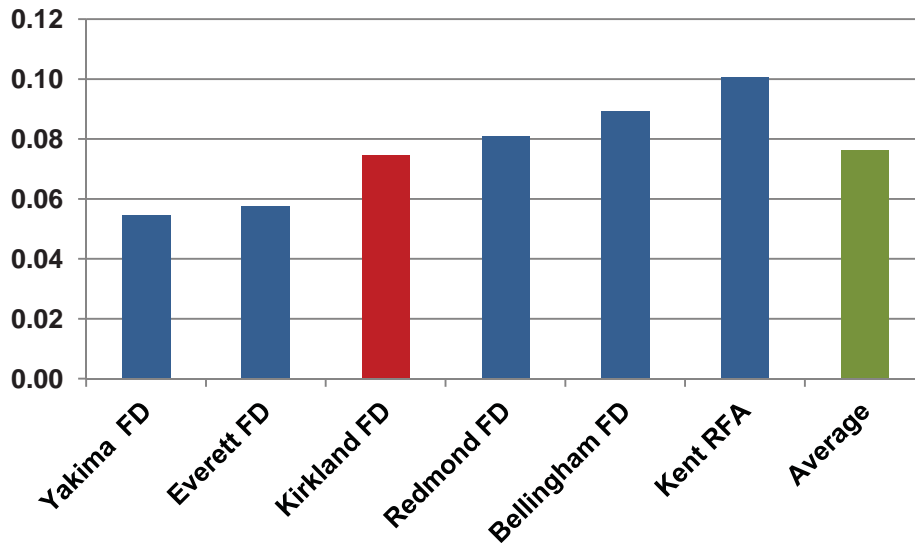
**Figure 115: Services and Level Provided by Agency**

Service	Redmond FD	Yakima FD	Kent RFA	Bellingham FD	Everett FD	Kirkland FD
Fire Suppression	Yes	Yes	Yes	Yes	Yes	Yes
Hazardous Material	Yes	Yes	Yes	Yes	Yes	Yes
EMS	Yes	Yes	Yes	Yes	Yes	Yes
EMS BLS	Yes	Yes	Yes	Yes	Yes	Yes
EMS ALS	Yes	No	No	Yes	Yes	No
EMS Transport	Yes	No	No	Yes	Yes	Yes
Fire Prevention	Yes	Yes	Yes	Yes	Yes	Yes
Public Education	Yes	Yes	Yes	Yes	Yes	Yes
Emergency Management	No	Yes	No	No	Yes	Yes
Technical Rescue	No	Yes	Yes	Yes	Yes	Yes
USAR Team Membership	Yes	Yes	Yes	No	No	No

Resource Comparison

The following figures compare the number of fire stations, engines, and ladder (aerial) trucks (per 1,000 population) provided by each fire agency.

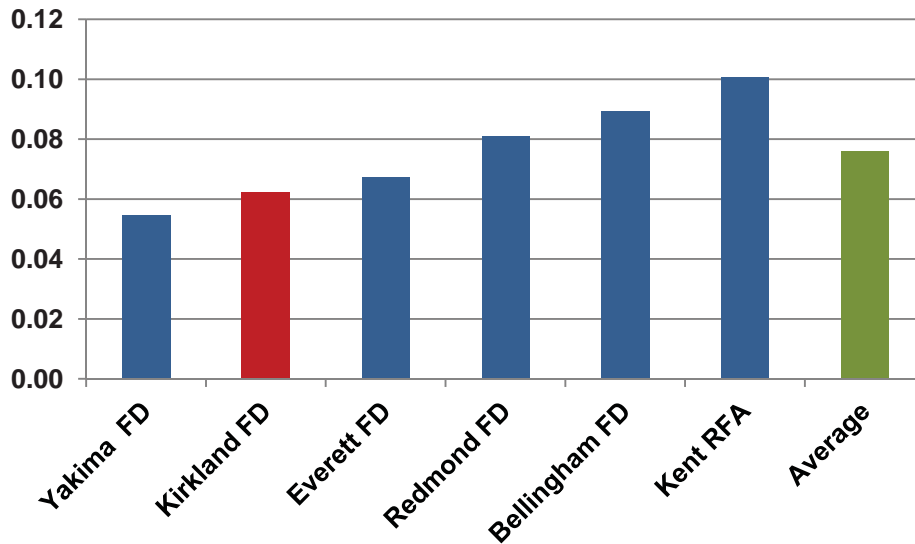
**Figure 116: Fire Stations per 1,000 Population**



Kirkland FD maintains slightly fewer fire stations per 1,000 residents (97.7 percent) than the average of comparable regional communities and 85.7 percent of the national median<sup>91</sup> for fire departments serving similar populations.

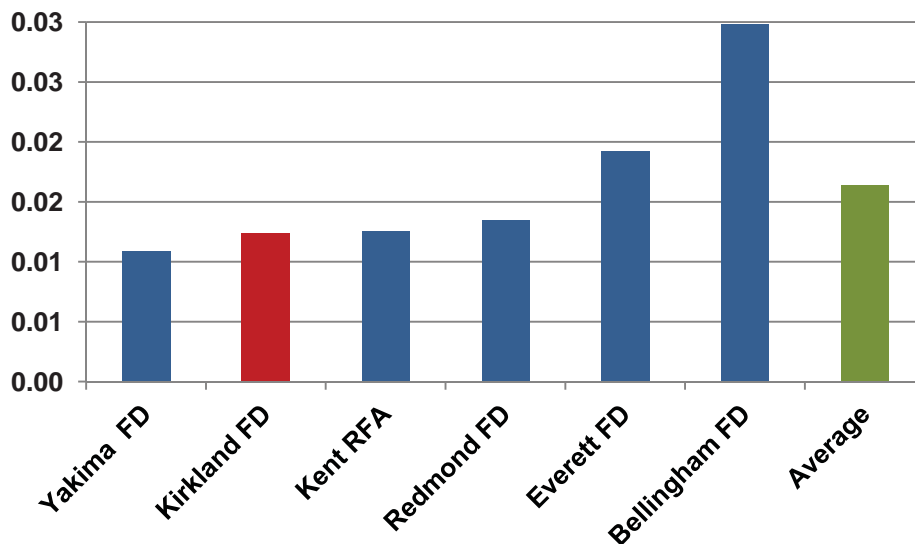
Figure 117 compares the number and average fire engines (pumpers) per 1,000 population for the six fire departments.

<sup>91</sup> NFPA U.S Fire Department Profile, Fire Analysis and Research Division, 2010.

**Figure 117: Fire Engines per 1,000 Population**

There are 0.62 pumpers per 1,000 for the population served by KF&BD, 81.9 percent of the average regional comparison communities and 71.4 percent of the national median of 0.87 per 1,000 for fire departments serving similar populations.

ESCI next compared the number and average ladder trucks (aerials) per 1,000 population for the six fire departments.

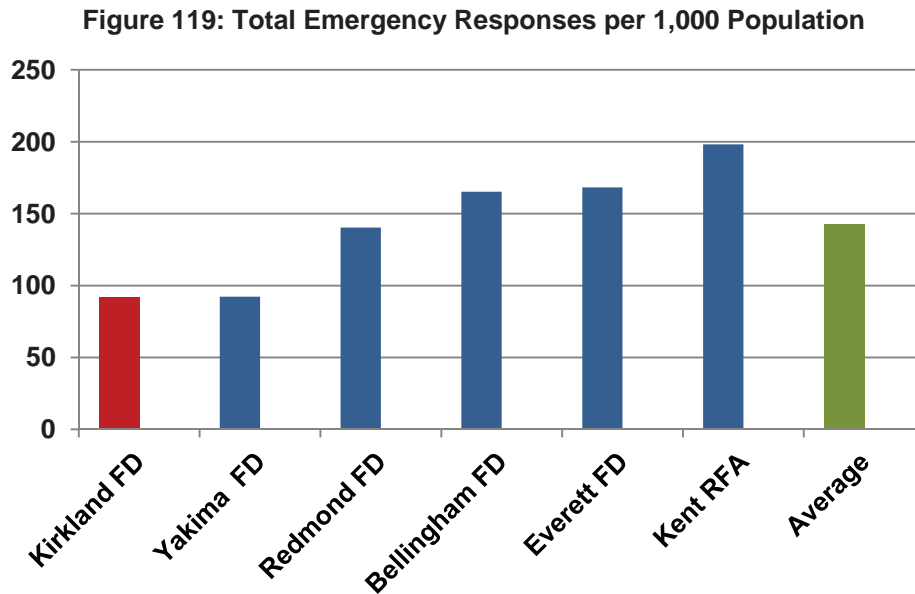
**Figure 118: Ladder Trucks per 1,000 Population**

There are 0.012 ladder trucks per 1,000 for the population served by KF&BD, 75.7 percent of the average regional comparison communities, and 50.0 percent of the national median for fire

departments serving similar populations. The national median for fire departments serving between 50,000 and 99,999 populations is 0.030 per 1,000 (two ladder trucks).

### Emergency Response Activity

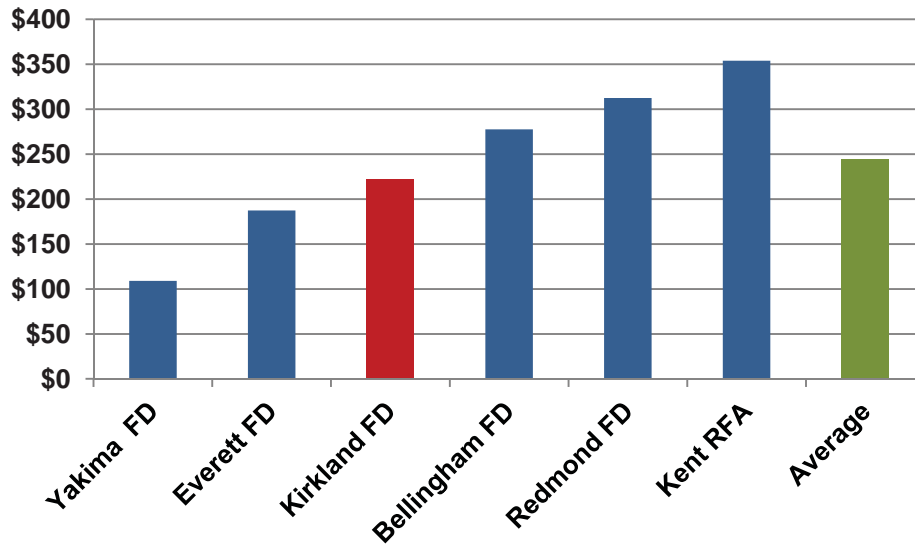
The following chart compares the total emergency responses per 1,000 population in 2011. This illustration gives the reader a sense of the relative number of responses between the area emergency response agencies.



As Figure 119 shows, requests for service occur at a lesser rate per 1,000 population in Kirkland than in the comparable communities. Factors that will affect the incident rate include the fact that the fire departments provide differing levels of service and differences in the service area demographics for each community. Record keeping practices may also affect the comparison.

In Figure 120, costs of fire protection based on the 2012 operating budget and are compared on a per-capita basis:

Figure 120: Cost per Capita



The cost per capita of fire and emergency services in Kirkland was \$222 in 2011, slightly less than the average of \$244 for the six fire departments.

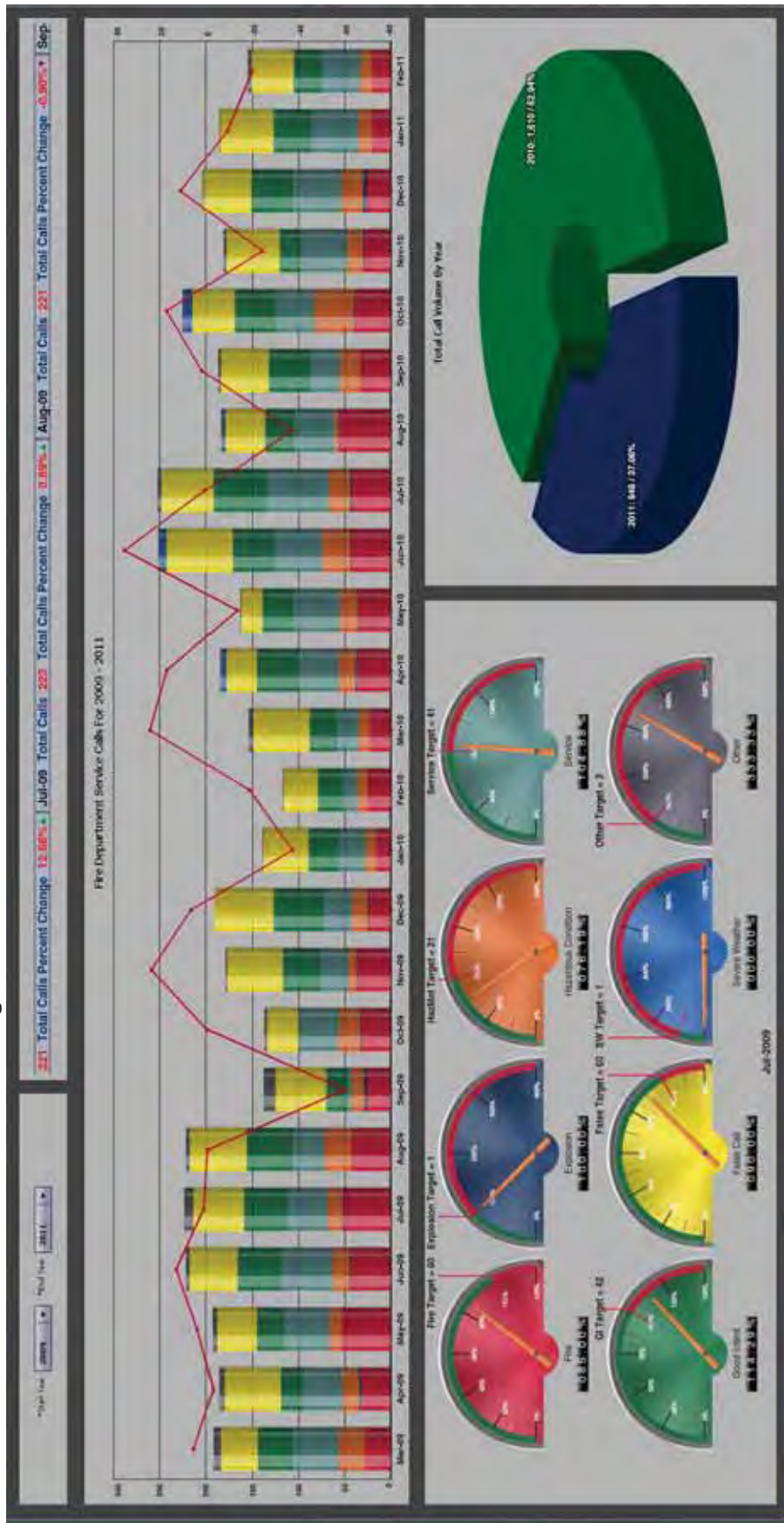
**Appendix G: Summary Table of Stakeholder Interviews**

Person	Date	Affiliation or Group
<b>1. Internal</b>		
1. Bob Sternoff	January 3, 2012	City of Kirkland City Councilor
2. Penny Sweet	January 3, 2012	City of Kirkland Deputy Mayor
3. Toby Nixon	January 3, 2012	City of Kirkland City Councilor
4. Kurt Triplett	January 3, 2012	City of Kirkland City Manager
5. Amy Walen	January 3, 2012	City of Kirkland City Councilor
6. E-Board	January 4, 2012	IAFF Executive Board
7. Joan McBride	January 4, 2012	City of Kirkland City Councilor
8. Doreen Marchione	January 4, 2012	City of Kirkland City Councilor
9. Dave Asher	January 4, 2012	City of Kirkland City Councilor
10. Tom Phillips	January 4, 2012	Kirkland Fire & Building Department Building and Construction Official
11. Tom Jensen	January 4, 2012	Kirkland Fire & Building Department Building and Construction Official
12. Mark Jung	January 5, 2012	Kirkland Fire & Building Department EMS Officer
13. C-Shift crew members	January 5, 2012	Kirkland Fire & Building Department C-Shift
14. Tracey Dunlap	January 19, 2012	City of Kirkland, Director of Finance and Administration
15. James Lopez	January 19, 2012	City of Kirkland, Director of Human Resources & Performance Management
16. Bill Hoover	January 20, 2012	Kirkland Fire & Building Department Captain
17. A-Shift crew members	January 3, 2012	Kirkland Fire & Building Department A-Shift, Station 26
18. Dave Walker	January 3, 2012	Kirkland Fire & Building Department Assistant Fire Marshal
19. Jim Crowe	January 3, 2012	Kirkland Fire & Building Department Deputy Fire Marshal
20. Paul Stewart	January 3, 2012	Kirkland Fire & Building Department Deputy Planning Director
21. Desirre Goble	January 3, 2012	Kirkland Fire & Building Department Planner
22. Teri Wallace	January 4, 2012	Kirkland Fire & Building Department Administrative Staff
23. Audrey Martin	January 4, 2012	Kirkland Fire & Building Department Administrative Staff
24. Katharine Durish	January 4, 2012	Kirkland Fire & Building Department Administrative Staff
25. Helen Ahrens-Byington	January 4, 2012	Kirkland Fire & Building Department Deputy Fire Chief
26. Battalion Chiefs	January 5, 2012	Kirkland Fire & Building Department

Person	Date	Affiliation or Group
27. B-Shift crew members	January 4, 2012	Kirkland Fire & Building Department B-Shift
28. Marie Stake	January 5, 2012	Kirkland Fire & Building Department Communications Specialist
<b>2. External</b>		
1. Kevin Donnelly	January 5, 2012	Redmond Fire Department Fire Chief
2. Michael Eisner	January 5, 2012	Bellevue Fire Department Fire Chief
3. Mark Risen	January 5, 2012	Bellevue Fire Department Deputy Chief
4. Chris Tubbs	January 4, 2012	Mercer Island Fire Department Fire Chief
5. Jim Torpin	January 5, 2012	Northshore Fire Department Fire Chief
6. Metro Fire Training Group	January 5, 2012	East Metro Training Group
7. Kim Bullen	January 3, 2012	King County County Administrator
8. Bob Van Horne	January 5, 2012	Bothell Fire Department Fire Chief

**Appendix H: Dashboard View Examples**

**Figure 121: Internal Customer Dashboard View<sup>92</sup>**



<sup>92</sup> Detroit, Michigan, Fire Department EOC Dashboard Angel's Night Operation, view of fire incidents, FireView™ retrieved August 17, 2012 <http://info.theomegagroup.com/blog/bid/134307/FireView-Dashboard-s-Sudden-Impact-on-Detroit-Fire-Department>.



Figure 122: External Customer Dashboard View<sup>93</sup>

**CITY OF Adrian MICHIGAN**  
*"respect for the individual voice, service for the common good..."*

Government Services Business Community Reference Desk Transparency

Dashboard > Fire Department

**Fire Department**  
 SEND FEEDBACK

**Fire Statistics**

Measurement Characteristic	Prior	Current	Progress
Total Incidents	2,939	1,949	↓
Structure Fires	18	18	↔
Rescue Incidents	2,071	1,490	↓
Structure fires per 1000 incidents	4.420	9.260	↑
Percent of time first unit on scene in 4 minutes or less	76.50%	76.60%	↑
Fulltime fire personnel per 1000 residents	0.850	0.850	↔
Fire department cost per day per capita	\$0.21	\$0.19	↓

**Revenue and Expense Data**

Fiscal Year
336.00
336.00
336.00
336.00
336.00

Quick Links:  
 Current Agenda  
 Voter Registration  
 City Services Brochure  
 Fire Department

Events:  
 Free Admission to Adrian Skate & Bike Park. Sponsored by Kiwanis Club  
 Sat, Aug 18, 2012 from 1:00pm - 4:00pm @ Adrian Skate & Bike Park  
 City Commission Meeting  
 Mon, Aug 20, 2012 at 7:00pm @ City Chambers  
 End of Season Weekend Celebration at Bohn Pool  
 Sat, Aug 25 to Sun, Aug 26, 2012 from 1:00pm - 6:00pm @ Bohn Pool  
 Come and get one last swim in at Bohn Pool before it closes for the season.  
 Youth/Adult F...  
 More ...

<sup>93</sup> City website, City of Adrian, Michigan, retrieved August 17, 2012.

## RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ESTABLISHING A COMMUNITY ADVISORY GROUP TO RECOMMEND TO THE CITY COUNCIL THE CAPITAL AND OPERATING ELEMENTS AND FUNDING STRUCTURES INCLUDED IN THE ENHANCED COMMUNITY SAFETY FIRE/EMERGENCY MEDICAL SERVICES MEASURE TO BE PLACED ON THE NOVEMBER 2020 BALLOT.

1           WHEREAS, the construction of the City's five fire stations has  
2 been historically funded through bonds placed on the ballot and voted  
3 on by Kirkland residents; and

4  
5           WHEREAS, in 2011, the City Council ("Council") engaged the  
6 services of Emergency Services Consulting International ("ESCI") to  
7 conduct an organizational review of the Fire Department of the City of  
8 Kirkland ("City"); and

9  
10          WHEREAS, since 2012, Fire Department staff has worked with  
11 other City departments and the City Manager's Office to implement  
12 certain ESCI recommendations, including through the budget process;  
13 and

14  
15          WHEREAS, as one key component of keeping the community  
16 safe, the Council completed a Fire Strategic Plan in 2012 to identify  
17 needed investments in staffing, equipment and technology to provide  
18 for better response times for Fire and Emergency Medical Services  
19 ("EMS"), as well as the needed renovation and expansion of existing fire  
20 stations, the construction of a new Fire Station 24, and the construction  
21 of a new, relocated Fire Station 27 east of I-405; and

22  
23          WHEREAS, on October 20, 2015 the Council adopted Resolution  
24 R-5163 approving a plan that outlined short- and long-term strategies  
25 for improving Fire and EMS in the City and fire stations throughout the  
26 City; and

27  
28          WHEREAS, on February 21, 2017, the Council approved  
29 Resolution R-5239 adopting the City's 2017-2018 Work Program to  
30 "explore potential ballot measures for fire station modernization and  
31 public safety operations to further the goals of Public Safety,  
32 Dependable Infrastructure, and Financial Stability"; and

33  
34          WHEREAS, the Council adopted Resolution R-5290 on December  
35 12, 2017, revising the 2017-2018 City Work Program to defer  
36 exploration of a fire facilities and operations ballot measure to at least  
37 2020 due to public concerns about the cumulative financial impact of  
38 property tax increases due to state and regional actions; and

39  
40          WHEREAS, on August 6, 2018, The Council adopted Resolution  
41 R-5324 sending Proposition 1 – Enhanced Police Services and  
42 Community Safety to Kirkland voters; and

43 WHEREAS, Proposition 1 was a public safety measure that  
44 anticipated a two-phased approach to public safety enhancements that  
45 included a fire/EMS ballot measure as the second phase in 2020; and  
46

47 WHEREAS, on February 19, 2019, the Council adopted the 2019-  
48 2020 City Work Program which ranked "exploring a potential ballot  
49 measure in 2020 to fund Fire Station modernization and enhanced  
50 operations to further the goal of Public Safety" as its number one  
51 priority; and  
52

53 WHEREAS, the City is experiencing unprecedented growth and  
54 redevelopment, with new types of commercial and residential structures  
55 that need Fire/EMS services; and  
56

57 WHEREAS, providing Fire/EMS services that match this economic  
58 growth and redevelopment is further challenged by the expiration of the  
59 annexation sales tax credit in 2021, resulting in the loss of nearly four  
60 million dollars annually from the City's general fund; and  
61

62 WHEREAS, to sustainably fund these potential Fire and EMS  
63 investments, the City must either identify new revenues or significantly  
64 reprioritize existing general fund programs such as parks maintenance  
65 and street maintenance that also rank as high priorities with Kirkland  
66 residents; and  
67

68 WHEREAS, the City has a AAA credit rating, allowing it to borrow  
69 money at lower interest rates; and  
70

71 WHEREAS, the City Manager recommends engaging a  
72 Community Advisory Group ("CAG") to meet for the duration of October  
73 2019 through March 2020 to recommend to the Council ballot measure  
74 options; and  
75

76 WHEREAS, the Council will consider the Community Advisory  
77 Groups recommendations no later than March 2020; and  
78

79 NOW, THEREFORE, the City Council of the City of Kirkland do  
80 ordain as follows:  
81

82 Section 1. The City Manager is authorized and directed to  
83 establish a Community Advisory Group with representatives from each  
84 of the stakeholder groups listed in Exhibit A to this resolution. The  
85 Community Advisory Group shall recommend to the Council capital and  
86 operating elements and funding mechanisms to be placed on the  
87 Fire/EMS November 2020 ballot measure.  
88

89 Passed by majority vote of the Kirkland City Council in open  
90 meeting this \_\_\_ day of \_\_\_\_\_, 2019.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_,  
2019.

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

Attest:

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

Approved as to Form:

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

DRAFT



**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:** Adam Weinstein, Planning & Building Director  
Jeremy McMahan, Deputy Planning & Building Director  
Sierra Carson, Planning Intern

**Date:** August 15, 2019

**Subject:** Authorize Submittal of Applications for the Greater Downtown Kirkland Urban Center

**Recommendation**

Adopt the attached Resolution authorizing City staff to submit applications to King County and the Puget Sound Regional Council (PSRC) for designation of Greater Downtown Kirkland as an Urban Center. The Resolution would also adopt the [Greater Downtown Urban Center Plan](#), which incorporates relevant policies from the Moss Bay, Norkirk, Highlands, Everest, and Rose Hill neighborhood plans, and the City of Kirkland Comprehensive Plan.

**Background**

Urban Centers are regionally-designated places that contain a mix of uses and activities, are connected by efficient transportation, and are well-suited to accommodate future growth. The City already contains one Urban Center – in Totem Lake – which was designated in 2003. Evaluating Downtown Kirkland as an Urban Center is referenced in Policy LU 5.5 of the City's Comprehensive Plan, with the primary objective of more effectively positioning Kirkland to secure transportation funding. Establishing Greater Downtown Kirkland as an Urban Center is identified as a project in the adopted 2019-21 Planning Work Program. The City is currently requesting that King County and PSRC adopt the Greater Downtown Kirkland Urban Center. PSRC is closing the window for applications for new urban centers at the end of 2019 (and applications would not be accepted for another 5 years under new rules), which creates an accelerated schedule for the Greater Downtown Urban Center designation process.

**Urban Center Proposal**

The City has invested over 30 years of planning into creating a walkable, vibrant, mixed use Downtown, meaning that the Urban Center applications to King County and PSRC can be submitted without new planning efforts or planning commitments (e.g., no need to increase densities over existing allowed levels). The proposed center is 519 acres and includes the Moss Bay Neighborhood, including the existing Central Business District, nearby areas in the Norkirk, Highlands, and Everest neighborhoods with existing or

planned higher-density commercial and residential uses, and the area surrounding the I-405/NE 85<sup>th</sup> Street Bus Rapid Transit (BRT) station (see maps in Attachment 1). The concept of the Urban Center has expanded to encompass the planned BRT station to recognize that, with the development of Kirkland Urban, there is the potential for a connected Downtown with a larger footprint that extends outside of the traditional commercial district near the Lake Washington shoreline. A short video explaining the proposal can be viewed here <https://youtu.be/ynkdS3X92YI>.

The proposed center is zoned almost exclusively for commercial or multifamily uses and currently has 6,700 residents and over 17,000 jobs. The area is home to three of the top five employers in Kirkland, including the City of Kirkland and Google. According to the Comprehensive Plan 2035 capacity analysis, the proposed Urban Center will approximately double in population and add over 9,000 new employees.

The proposed Urban Center includes one existing transit center in the Central Business District, and the planned BRT station at the intersection of I-405 and 85<sup>th</sup>, which will provide high capacity transit to regional destinations. The proposed center is bisected by the Cross Kirkland Corridor, which provides bike and pedestrian connections throughout Kirkland, and connects to the planned Eastrail corridor. The vision for the Greater Downtown Kirkland Urban Center is to connect the already vibrant Downtown with planned high capacity transit along the I-405 corridor and other major employment centers in the vicinity, including the Rose Hill Business District and the 6<sup>th</sup> Street Corridor. The center will be a well-connected, compact, transit-oriented community that can help absorb regional growth in a thoughtful way.

Designation as an urban center would allow greater connectivity between Greater Downtown Kirkland and the region and would help leverage State and regional transportation funds to create new pedestrian, bike, and transit connections between the planned BRT station at the I-405/85<sup>th</sup> intersection and Downtown. The proposed center is compatible with the criteria for urban centers as outlined in the 2012 countywide planning policies. Staff believes the proposed center also meets the qualifications for an Urban Growth Center as outlined by PSRC.

The County and PSRC are requiring the City to submit, as part of the Urban Center application, a [consolidated plan for the Greater Downtown Urban Center](#). The purpose of this plan is to provide one document that contains all the policies relevant to the planning of the proposed Urban Center. This plan contains no new policies or goals beyond those in already-adopted City policy documents, and primarily comprises the Moss Bay Neighborhood Plan, but integrates additional policies from the Rose Hill, Everest, Highlands, and Norkirk neighborhood plans. This document also contains relevant policies from the City's Comprehensive Plan. The plan includes new figures that illustrate the whole area proposed as an urban center. Planning activities within the Greater Downtown Urban Center will continue to be governed by the individual neighborhood plans that comprise this consolidated plan.

### **Application Status**

The City of Kirkland (represented by Deputy Mayor Jay Arnold and staff) provided an initial briefing to the King County Growth Management Planning Council (GMPC) on July

24 and received positive feedback from the Council. Since then, staff has been working on informing the community about the potential applications and utility of the Urban Center designation for Greater Downtown, and has produced an informational video. Staff is also working with a consultant on a market analysis of the proposed Urban Center.

Next steps are summarized below:

1. September 3, 2019 – Authorization of application submittal and adoption of consolidated Urban Center Plan by City Council (*note that this plan does not include new policies, but consolidates applicable policies from existing adopted plans*)
2. Mid-September, 2019 – City of Kirkland submits Urban Center application to King County
3. September 25, 2019 – Consideration of motion to approve Greater Downtown Kirkland Urban Center as an Urban Center in the Countywide Planning Policies by the King County Growth Management Planning Council
4. Fall 2019 – Approval of Urban Center by the King County Council
5. Fall 2019 – King County Council begins the ratification process
6. Fall 2019 – City of Kirkland submits Urban Center application to PSRC concurrent with King County ratification process.
7. Early 2020– PSRC adopts Urban Center

Should the Council authorize the application, staff would encourage City Councilmembers to reach out to the PSRC General Assembly (all mayors, county executives, commissioners, and council members in the PSRC member jurisdiction), but particularly Executive Board members Bruce Dammeier and Claudia Balducci, to request support of the City's application to PSRC.

RESOLUTION R-5384

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR THE GREATER DOWNTOWN KIRKLAND URBAN CENTER AND ADOPTION OF A CONSOLIDATED PLAN FOR THE GREATER DOWNTOWN URBAN CENTER.

1           WHEREAS, the City has invested over 30 years of planning into  
2 creating a walkable, vibrant, mixed use Downtown, including through  
3 the adoption of the Moss Bay Neighborhood Plan and the Downtown  
4 Strategic Plan; and

5  
6           WHEREAS, the Moss Bay, Norkirk, Highlands, Everest and Rose  
7 Hill neighborhood plans benefitted from robust public input and  
8 substantial input from the Planning Commission, other Boards and  
9 Commissions, and the City Council; and

10  
11           WHEREAS, substantial development and transit investment has  
12 occurred and continues to occur in and around Downtown, including  
13 Kirkland Urban and the planned Bus Rapid Transit (BRT) Station at  
14 Interstate 405 and NE 85<sup>th</sup> Street, planned to open in 2024; and

15  
16           WHEREAS, in 2003, the Totem Lake Urban Center was  
17 designated, and the Urban Center has attracted significant federal, state  
18 and regional multi-modal transportation funding as well as substantial  
19 redevelopment activity, and is transforming into a walkable community  
20 with a mixture of land uses well-served by transit; and

21  
22           WHEREAS, Policy LU 5.5 in the City's Comprehensive Plan  
23 supports the evaluation of Downtown as an Urban Center; and

24  
25           WHEREAS, Alternative 2 evaluated in the Environmental Impact  
26 Statement (EIS) for the 2015 Comprehensive Plan Update identifies the  
27 existing Totem Lake Urban Center and the Downtown as areas targeted  
28 for growth; and

29  
30           WHEREAS, designation of an Urban Center in Downtown is  
31 identified as a priority project in the 2018-2020 Planning Work Program  
32 adopted on February 20, 2018, and again as part of the 2019-2021  
33 Planning Work Program adopted on April 2, 2019; and

34  
35           WHEREAS, the purpose of the Greater Downtown Kirkland Urban  
36 Center Plan is to provide one document that contains all the policies  
37 relevant to the planning of the proposed Urban Center, and to  
38 accompany the City's Urban Center applications to King County and the  
39 Puget Sound Regional Council (PSRC); and

40  
41           WHEREAS, the Greater Downtown Kirkland Urban Center Plan  
42 contains no new zoning changes, policies or goals beyond those in  
43 already-adopted City policy documents, and primarily comprises the



44 Moss Bay Neighborhood Plan, but integrates additional policies from the  
45 Rose Hill, Everest, Highlands, and Norkirk neighborhood plans; and  
46

47 WHEREAS, the Greater Downtown Kirkland Urban Center Plan is  
48 considered a Subarea Plan pursuant to RCW 36.70A.070; and  
49

50 WHEREAS, the Greater Downtown meets the criteria established  
51 in the Countywide Planning Policies and by the PSRC for Urban Centers,  
52 and its designation as an Urban Center improves the probability of the  
53 Downtown receiving federal, state and regional multi-modal  
54 transportation funding for streets, transit, sidewalks and bicycle  
55 infrastructure; and  
56

57 WHEREAS, the Greater Downtown, by nature of its excellent and  
58 improving transit service, walkable street grid, mixture of land uses,  
59 many amenities and parks, and appropriate zoning capacity is an  
60 optimal place for continued growth.  
61

62 NOW, THEREFORE, be it resolved by the City Council of the City  
63 of Kirkland as follows:  
64

65 Section 1. Applications to King County and the PSRC for  
66 designation of Greater Downtown Kirkland as an Urban Center are  
67 authorized.  
68

69 Section 2. The Greater Downtown Kirkland Urban Center Plan is  
70 adopted.  
71

72 Passed by majority vote of the Kirkland City Council in open  
73 meeting this \_\_\_\_ day of \_\_\_\_\_, 2019.  
74

75 Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_,  
76 2019.

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

Attest:

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



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

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Adam Weinstein, Director of Planning and Building  
Michael Olson, Director of Finance and Administration

**Date:** August 21, 2019

**Subject:** Resolution of Intent to adopt legislation pursuant to Substitute House Bill (SHB) 1406

**Recommendation**

Adopt the attached resolution, which expresses an intent to impose a sales tax credit to be used for affordable housing, pursuant to SHB 1406.

**Background**

SHB 1406, the State Sales Tax Credit for Affordable Housing, was adopted during the State's 2019 legislative session with the objective of providing local governments with a new source of funds for affordable housing and facilities providing supportive services (i.e., services for individuals with "mental disorders," including crisis diversion services, residential treatment, and outpatient services). The bill allows local governments to capture a small share of the State sales tax rate of 6.5 percent, and use this sales tax for affordable housing or facilities providing supportive housing. Because the sales tax that can be captured by local governments is a credit against the State sales tax rate, it does not increase the tax rate for consumers. SHB 1406 is fairly complex, so what follows in this staff report is a distilled synopsis of the bill's potential implications for Kirkland (see Attachment 1, a memo from A Regional Coalition for Housing (ARCH)) about SHB 1406, for additional information). SHB 1406 became one of the priority bills that Kirkland supported as part of the City's 2019 state legislative agenda regarding new revenue sources for affordable housing.

Required Process. To receive the sales tax credit, local governments must pass a resolution of intent by January 28, 2020, and then adopt legislation to authorize the tax credit by July 28, 2020.

Use of the New Revenue. For cities like Kirkland with a population of less than 100,000 residents, the sales tax captured pursuant to SHB 1406 can be used for acquiring, rehabilitating, or constructing affordable housing or facilities providing supportive services; operations and maintenance costs for new units of affordable or supportive housing; and rental assistance to tenants with incomes at or below 60 percent of the County median income. The legislation also authorizes local governments to pool their

funds through an interlocal agreement. The City is currently a part of the existing ARCH interlocal agreement, which establishes and maintains a centralized Housing Trust Fund Account for the purpose of administering ARCH members' contributions to affordable housing projects and programs.

Expected Revenue. As part of the ARCH staff analysis for SHB 1406, ARCH estimated the potential revenue for each ARCH city based on 2018 taxable retail amounts, assuming no additional qualifying tax. The ARCH estimate for Kirkland was \$195,000 per year (See ARCH memo, Figure 2, page 4). Sales tax revenues fluctuate from year to year based on economic conditions. In addition, a City's sales tax credit pursuant to SHB 1406 is also affected by whether it has a "qualifying local tax," along with the revenue cap identified in the legislation (basically, the taxable retail sales within the City in 2019, multiplied by the eligible tax credit rate, which is described below).

The City of Kirkland does not currently have a qualifying local tax, which includes an affordable housing levy authorized under Revised Code of Washington (RCW) 84.52.105; a sales and use tax for housing and related services authorized under RCW 82.14.530; a sales tax for chemical dependency and mental health treatment services or therapeutic courts authorized under RCW 82.14.460; and a property tax levy authorized under RCW 84.55.050 if used solely for affordable housing. According to the Municipal Research and Services Center (MRSC), there are only six cities in the State that have implemented at least one of these qualifying local taxes: Bellingham, Ellensburg, Olympia, Seattle, Tacoma, and Vancouver. If the City of Kirkland wanted to enact a qualifying local tax, it would need to do so prior to July 27, 2020 (i.e., at special elections in February or April, 2020).

Assuming King County decides to participate in receiving the sales tax credit, and the City of Kirkland declines to adopt a qualifying local tax by the July 27, 2020 deadline, the City will receive a credit equivalent to 0.0073 percent of taxable retail sales in Kirkland. If the City adopts a local qualifying tax by the deadline, it would receive the maximum credit of 0.0146 percent of retail sales, regardless of whether the County participates. A potential drafting error in the legislation suggests that if the County does not participate, a participating City would receive the maximum credit of 0.0146 percent of taxable retail sales through July 27, 2020, but would not receive additional revenue after this date. The Association of Washington Cities (AWC) is tracking this potential glitch in the drafted legislation.

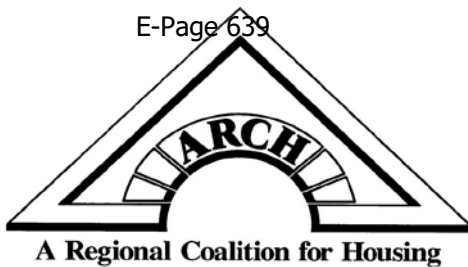
According to the Department of Revenue, the City had \$2,770,575,273 of taxable retail sales in 2018, meaning that a 0.0073 percent credit would yield \$202,252 annually (slightly more than the ARCH estimate), and a 0.0146 percent credit would yield \$404,504 annually. Participating jurisdictions would receive revenues for 20 years. The credit would take effect on the first day of the month following the 30-day period after the City adopts the enabling legislation. For instance, if the City adopts the enabling legislation on November 19, 2019, the tax credit will take effect on January 1, 2020 with the City receiving its first distribution in March 2020.

### **Analysis and Next Steps**

The ARCH Executive Board is recommending that all ARCH cities enact SHB 1406. THE ARCH Executive Board has encouraged all ARCH cities to pass at least the resolution of support in 2019 so that the Board may strategize about the maximizing the effectiveness of pooled uses of the SHB 1406 revenue in 2020 once the potential amount from participating cities is known. Because the sales tax credit would not increase the tax rate for consumers and is intended to be used to help fund Council priorities of affordable housing and facilities providing supportive services, staff has not identified any negative impacts associated with participating in the tax credit. While SHB 1406 revenue can be used for Kirkland-specific programs, is likely that the City, through the existing ARCH interlocal agreement, would pool its tax credits with those of other ARCH member cities, resulting in very limited increased administrative costs for the City. Prior to adopting legislation authorizing the tax credit, staff will bring back more detailed options for how the revenue might be used by both Kirkland and ARCH. Staff would appreciate any feedback from Council regarding interest in participating in the tax credit program, and questions requiring follow-up prior to adopting final legislation.

#### **Attachment:**

1. ARCH Memorandum, HB 1406 – Local Sales Tax Option for Affordable Housing



Together Center Campus  
16225 NE 87<sup>th</sup> Street, Suite A-3 ♦ Redmond, Washington 98052  
(425) 861-3677 ♦ Fax: (425) 861-4553 ♦ WEBSITE: [www.archhousing.org](http://www.archhousing.org)

## MEMORANDUM

**Date:** June 13, 2019  
**To:** ARCH Member Cities  
**From:** Kurt Triplett, ARCH Executive Board Chair  
 Lindsay Masters, ARCH Executive Manager  
**RE:** HB 1406 – Local Sales Tax Option for Affordable Housing

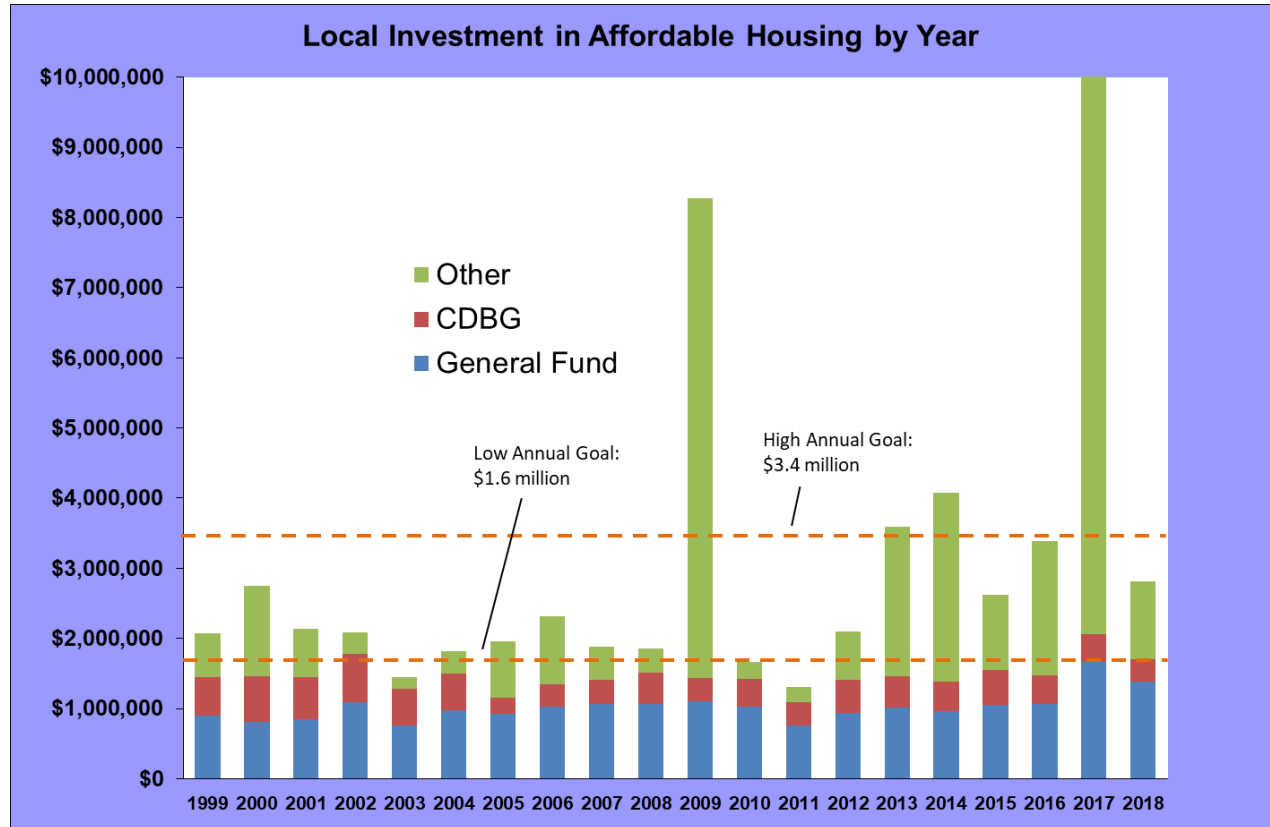
The State legislature adopted a number of housing-related bills during the most recent legislative session. Among these, HB 1406 was the most significant new funding tool created for local jurisdictions to increase investment in affordable housing. This memo provides background information on local funding for affordable housing, a summary of what HB 1406 authorizes and requires, and a sample template of a resolution for member cities electing to implement the tool.

### **Background: Local Investment in Affordable Housing in East King County**

Since 1993, a core purpose in the formation and continued support for ARCH has been the successful cooperation around joint investments in affordable housing. This collaboration has set cities in East King County apart from other cities in the region, and led to a healthy track record of production and preservation of affordable homes since the 1990s, with investment in over 3,600 permanently affordable units/beds in the Housing Trust Fund portfolio as of 2018. Furthermore, ARCH has worked to ensure that these local investments leverage other private and public funding (historically \$9 for every \$1 of city funding), and created a loan fund that returns revenue to cities for future housing investment.

Since 1998, ARCH cities have used a “parity” formula to establish goals for local contributions to fund affordable housing. During that time, ARCH cities have provided consistent contributions that have resulted in a steady track record of investment in local projects. As shown in Figure 1, the level of investment from general funds has not increased significantly over the years, however, ARCH member cities have increasingly looked to other strategies to contribute resources, namely donation of City property and use of in-lieu payments from developers under incentive and inclusionary programs.

Figure 1. Local Investment in Affordable Housing by ARCH Member Cities



\*\*Other” includes land, fee waivers, and in-lieu payments

\*\* The low and high annual goals reflect the cumulative parity goals for all member cities, as updated for inflation in 2018.

In recent years, the dramatic rise of housing prices has placed enormous pressures on communities across the region, leading to conversations about strategies to scale up a range of housing strategies, including direct investment. In June of 2018, the ARCH Executive Board transmitted a recommendation to city councils to adopt a technical update to the parity formula to account for inflation, and engage councils in a subsequent conversation on setting a future aspirational increases in response to the increased need for affordable housing. The passage of HB 1406 now provides a vehicle for continued discussion and progress toward goals for local investment in housing.

**New Funding Tool: HB 1406**

HB 1406 allows cities and counties to retain a portion of the sales tax for investment in affordable or supportive housing. This portion is offset by a reduction in the state’s portion, and therefore does not result in an increased tax on consumers. The bill sets up a system for cities and counties to share the revenue, with two tiers based on whether a jurisdiction has adopted a “qualifying local tax”. Seattle is currently the only city in King County with a qualifying tax.

The bill gives 6 months for jurisdictions to declare their intent and 12 months to act on legislation. After 12 months, a county may implement any authority that has gone unused by cities. For the first 12 months, the tax is limited to:

- 0.0073% for a city without a qualifying local tax, or a county within the limits of a nonparticipating city
- 0.0146% for a city with a qualifying tax, or a participating city in a county that declares it will not levy the tax, or a county within unincorporated areas or within cities that declare they will not levy the tax

After 12 months, the tax is limited to:

- 0.0073% for a city without a qualifying local tax, or a county within the limits of a participating city
- 0.0146% for a city with a qualifying tax, or a participating city in a county that declares it will not levy the tax, or a county within unincorporated areas or within any nonparticipating cities.

Cities have a choice of whether to be a participating or nonparticipating city, and a choice of whether to adopt a qualifying tax to increase the portion they may retain. After 12 months, any available revenue that is not collected by a city will be retained by the County.

*Figure 2. Illustration of available taxing authorities.*

**First 12 months:**

participating city w/ qualifying tax	participating city w/out qualifying tax	nonparticipating cities	in unincorporated areas	in cities that declare they will not levy the tax
0.0146% - city	0.0073% - city 0% - county	0% - city 0.0073% - county	0.0146% - county	0.0146% - county

**After 12 months:**

participating city w/ qualifying tax	participating city w/out qualifying tax	nonparticipating cities	in unincorporated areas
0.0146% - city	0.0073% - city 0.0073% - county	0.0146% - county	0.0146% - county

*Qualifying Local Taxes*

Qualifying local taxes include the following:

- An affordable housing levy authorized under RCW 84.52.105, which allows cities or counties to impose up to fifty cents per thousand dollars of assessed value of

property for up to ten years if approved by a majority of voters in the taxing district. The governing body of the jurisdiction must first declare the existence of a housing emergency, and adopt a financing plan.

- The sales and use tax for housing and related services authorized under RCW 82.14.530, provided the city has imposed the tax at a minimum of at least half of the authorized rate (0.1%). Cities must place a ballot proposition before voters for approval.
- The sales tax for chemical dependency and mental health treatment services or therapeutic courts authorized under RCW 582.14.460 imposed by a city. Because King County has already authorized this tax, cities within King County would not be eligible to use this authority.
- The levy authorized under RCW 84.55.050, if used solely for affordable housing. RCW 84.55.050 sets forth procedures for increasing levy authority if a proposition is approved by a majority of voters of a taxing district.

A qualifying tax must be “instated” no later than twelve months after the effective date of the law, which means no later than July 30, 2020. The Association of Washington Cities (AWC) is currently seeking a clarification to confirm that “instated” means that an ordinance has been adopted.

#### *Potential Revenue Estimates*

The maximum amount a city may collect will be limited by the amount of taxable retail sales within a jurisdiction in fiscal year 2019 times the applicable rate. Figure 2 shows the estimated revenue potential based on Taxable Retail Sales in ARCH cities in 2018.

*Figure 2. Revenue Potential in ARCH Cities based on Taxable Retail Sales in 2018*

Location	Taxable Retail Sales	.0073%	.0146%
BEAUX ARTS VILLAGE	6,769,158	494	988
BELLEVUE RTA	8,107,493,934	591,847	1,183,694
BOTHELL/KING	744,325,187	54,336	108,671
CLYDE HILL	76,829,233	5,609	11,217
HUNTS POINT	17,061,939	1,246	2,491
ISSAQUAH RTA	1,718,731,158	125,467	250,935
KENMORE	270,571,011	19,752	39,503
KIRKLAND	2,673,063,240	195,134	390,267
MEDINA	124,696,680	9,103	18,206
MERCER ISLAND	497,503,623	36,318	72,636
NEWCASTLE	158,413,823	11,564	23,128
REDMOND RTA	3,499,834,893	255,488	510,976
SAMMAMISH RTA	715,541,878	52,235	104,469
WOODINVILLE RTA	783,625,291	57,205	114,409
YARROW POINT	31,228,953	2,280	4,559
		1,418,075	2,836,151



### *Eligible Housing and Services Uses*

The housing and services funded with the tax must serve populations earning up to 60% of the county median income. In determining the use of funds, a county or city must consider the income of the individuals and families to be served, the leveraging of the resources made available under this section, and the housing needs within the jurisdiction.

**Attachment 1** shows incomes and affordable monthly rents for households earning up to 30%, 50% and 60% of median income. **Attachment 2** shows data on housing cost burden by income level in each ARCH member city.

All cities and counties may use the funds for:

- (i) Acquiring, rehabilitating, or constructing affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing services under RCW 71.24.385; or
- (ii) Funding the operations and maintenance costs of new units of affordable or supportive housing.

Cities with population under 100,000 and counties with population under 400,000 may also use the funds for rental assistance.

### *Bonding Authority / Interlocal Agreements*

Cities and counties may pledge the funds for repayment of general obligation or revenue bonds, and may also enter into interlocal agreements with other counties, cities, or public housing authorities to pool the tax receipts received under this section. The existing ARCH Interlocal Agreement (ILA) provides a structure to enable cities to pool revenue for investment in housing. Since 2010, the ILA authorized the City of Bellevue (Administering Agency for ARCH) to establish and maintain a centralized Housing Trust Fund Account for the purpose of administering the contributions of ARCH members to affordable housing projects and programs. The Housing Trust Fund Account includes a sub-account for each member city, with contributions to be released only when directed by each individual city.

### *Deadlines to Act*

To impose the tax, a county or city legislative authority must adopt within 6 months of the effective date of the legislation a resolution of intent to adopt legislation to authorize the maximum capacity of the tax. The resolution requires simple majority approval. In addition, the legislative authority must approve actual legislation within 12 months. The bill takes effect 90 days after the end of the session, which means that cities must adopt a resolution by January 31, 2020, and actual legislation by July 27, 2020. The tax expires 20 years after the jurisdiction first imposes the tax.

A sample resolution is provided in **Attachment 4**.

### **Staff Recommendation**

Staff recommend that councils of ARCH member cities take advantage of this new tool and adopt a resolution declaring their intent to adopt legislation to authorize the maximum capacity of the tax by January 31, 2020.

**Attachments:**

- 1. Household Incomes and Affordable Rents by Percent of Area Median Income in 2019 (Seattle-Bellevue HUD Metro FMR Area)**
- 2. Number of Households with Housing Cost Burden by Income in ARCH Cities**
- 3. Sample Form of Ordinance/Resolution of Intent Pursuant to HB 1406 (prepared by Pacifica Law Group LLP)**

### Attachment 1. Household Incomes and Affordable Rents by Percent of Area Median Income in 2019 (Seattle-Bellevue HUD Metro FMR Area)

#### Household Incomes by Percent of Area Median Income (AMI)

	1 person	2 person	3 person	4 person	5 person	6 person
30% AMI	\$22,806	\$26,064	\$29,322	\$32,580	\$35,186	\$37,793
50% AMI	\$38,010	\$43,440	\$48,870	\$54,300	\$58,644	\$62,988
60% AMI	\$45,612	\$52,128	\$58,644	\$65,160	\$70,373	\$75,586
80% AMI	\$60,816	\$69,504	\$78,192	\$86,880	\$93,830	\$100,781
100% AMI	\$76,020	\$86,880	\$97,740	\$108,600	\$117,288	\$125,976

#### Affordable Monthly Rent by Household Size and Income

	1 person	2 person	3 person	4 person	5 person	6 person
30% AMI	\$570	\$652	\$733	\$815	\$880	\$945
50% AMI	\$950	\$1,086	\$1,222	\$1,358	\$1,466	\$1,575
60% AMI	\$1,140	\$1,303	\$1,466	\$1,629	\$1,759	\$1,890
80% AMI	\$1,520	\$1,738	\$1,955	\$2,172	\$2,346	\$2,520
100% AMI	\$1,901	\$2,172	\$2,444	\$2,715	\$2,932	\$3,149

## Attachment 2. Number of Households with Housing Cost Burden by Income in ARCH Cities

(Source: 2011-2015 CHAS 5-Year Estimates)

	Not cost burdened	Cost burdened (30-49%)	Severely cost burdened (50%+)	Sum of Cost burdened and Severely cost burdened	Total Households
<b>EKC cities</b>	<b>130,150</b>	<b>31,833</b>	<b>26,484</b>	<b>58,317</b>	<b>188,467</b>
<=30% AMI	2,358	1,714	13,614	15,328	17,686
31% - 50% AMI	3,102	5,409	6,768	12,177	15,279
51% - 80% AMI	7,289	7,389	2,978	10,367	17,656
81% - 100% AMI	7,705	5,156	1,341	6,497	14,202
>100% AMI	109,696	12,165	1,783	13,948	123,644
<b>Beaux Arts Village</b>	<b>98</b>	<b>28</b>	<b>24</b>	<b>52</b>	<b>150</b>
<=30% AMI	-	4	12	16	16
31% - 50% AMI	-	8	4	12	12
51% - 80% AMI	8	-	-	-	8
81% - 100% AMI	8	4	4	8	16
>100% AMI	82	12	4	16	98
<b>Bellevue</b>	<b>37,115</b>	<b>8,945</b>	<b>8,139</b>	<b>17,084</b>	<b>54,199</b>
<=30% AMI	860	530	4,370	4,900	5,760
31% - 50% AMI	885	1,755	2,000	3,755	4,640
51% - 80% AMI	2,455	1,880	869	2,749	5,204
81% - 100% AMI	2,255	1,650	420	2,070	4,325
>100% AMI	30,660	3,130	480	3,610	34,270
<b>Bothell</b>	<b>10,601</b>	<b>3,064</b>	<b>2,308</b>	<b>5,372</b>	<b>15,973</b>
<=30% AMI	199	249	1,399	1,648	1,847
31% - 50% AMI	419	665	525	1,190	1,609
51% - 80% AMI	818	815	284	1,099	1,917
81% - 100% AMI	1,010	665	40	705	1,715
>100% AMI	8,155	670	60	730	8,885
<b>Clyde Hill</b>	<b>751</b>	<b>136</b>	<b>172</b>	<b>308</b>	<b>1,059</b>
<=30% AMI	4	4	32	36	40
31% - 50% AMI	8	19	54	73	81
51% - 80% AMI	8	14	42	56	64
81% - 100% AMI	23	4	14	18	41
>100% AMI	708	95	30	125	833
<b>Hunts Point</b>	<b>106</b>	<b>60</b>	<b>58</b>	<b>118</b>	<b>224</b>
<=30% AMI	4	-	20	20	24
31% - 50% AMI	-	8	4	12	12
51% - 80% AMI	-	4	12	16	16
81% - 100% AMI	4	8	4	12	16
>100% AMI	98	40	18	58	156

	Not cost burdened	Cost burdened (30-49%)	Severely cost burdened (50%+)	Sum of Cost burdened and Severely cost burdened	Total Households
<b>Issaquah</b>	<b>9,400</b>	<b>2,555</b>	<b>2,090</b>	<b>4,645</b>	<b>14,045</b>
<=30% AMI	225	110	1,070	1,180	1,405
31% - 50% AMI	355	290	575	865	1,220
51% - 80% AMI	440	790	240	1,030	1,470
81% - 100% AMI	645	315	85	400	1,045
>100% AMI	7,735	1,050	120	1,170	8,905
<b>Kenmore</b>	<b>5,334</b>	<b>1,549</b>	<b>1,113</b>	<b>2,662</b>	<b>7,996</b>
<=30% AMI	99	220	634	854	953
31% - 50% AMI	225	329	250	579	804
51% - 80% AMI	425	250	84	334	759
81% - 100% AMI	390	215	80	295	685
>100% AMI	4,195	535	65	600	4,795
<b>Kirkland</b>	<b>23,349</b>	<b>6,576</b>	<b>5,434</b>	<b>12,010</b>	<b>35,359</b>
<=30% AMI	284	198	2,695	2,893	3,177
31% - 50% AMI	695	1,125	1,555	2,680	3,375
51% - 80% AMI	1,410	1,690	659	2,349	3,759
81% - 100% AMI	1,485	1,118	250	1,368	2,853
>100% AMI	19,475	2,445	275	2,720	22,195
<b>Medina</b>	<b>701</b>	<b>183</b>	<b>173</b>	<b>356</b>	<b>1,057</b>
<=30% AMI	-	-	72	72	72
31% - 50% AMI	10	18	12	30	40
51% - 80% AMI	4	8	25	33	37
81% - 100% AMI	12	4	35	39	51
>100% AMI	675	153	29	182	857
<b>Mercer Island</b>	<b>6,638</b>	<b>1,360</b>	<b>1,574</b>	<b>2,934</b>	<b>9,572</b>
<=30% AMI	160	40	610	650	810
31% - 50% AMI	75	170	440	610	685
51% - 80% AMI	299	240	150	390	689
81% - 100% AMI	244	120	100	220	464
>100% AMI	5,860	790	274	1,064	6,924
<b>Newcastle</b>	<b>2,972</b>	<b>649</b>	<b>492</b>	<b>1,141</b>	<b>4,113</b>
<=30% AMI	18	15	210	225	243
31% - 50% AMI	105	70	163	233	338
51% - 80% AMI	34	165	39	204	238
81% - 100% AMI	210	39	55	94	304
>100% AMI	2,605	360	25	385	2,990
<b>Redmond</b>	<b>17,229</b>	<b>3,444</b>	<b>2,690</b>	<b>6,134</b>	<b>23,363</b>
<=30% AMI	460	180	1,545	1,725	2,185
31% - 50% AMI	195	600	750	1,350	1,545
51% - 80% AMI	975	990	205	1,195	2,170
81% - 100% AMI	944	609	95	704	1,648

	Not cost burdened	Cost burdened (30-49%)	Severely cost burdened (50%+)	Sum of Cost burdened and Severely cost burdened	Total Households
>100% AMI	14,655	1,065	95	1,160	15,815
<b>Sammamish</b>	<b>12,309</b>	<b>2,322</b>	<b>1,564</b>	<b>3,886</b>	<b>16,195</b>
<=30% AMI	45	55	655	710	755
31% - 50% AMI	75	125	294	419	494
51% - 80% AMI	209	324	295	619	828
81% - 100% AMI	205	300	125	425	630
>100% AMI	11,775	1,518	195	1,713	13,488
<b>Woodinville</b>	<b>3,280</b>	<b>893</b>	<b>570</b>	<b>1,463</b>	<b>4,743</b>
<=30% AMI	-	105	270	375	375
31% - 50% AMI	55	223	130	353	408
51% - 80% AMI	200	215	60	275	475
81% - 100% AMI	270	105	20	125	395
>100% AMI	2,755	245	90	335	3,090
<b>Yarrow Point</b>	<b>267</b>	<b>69</b>	<b>83</b>	<b>152</b>	<b>419</b>
<=30% AMI	-	4	20	24	24
31% - 50% AMI	-	4	12	16	16
51% - 80% AMI	4	4	14	18	22
81% - 100% AMI	-	-	14	14	14
>100% AMI	263	57	23	80	343
<b>King County</b>	<b>529,895</b>	<b>159,155</b>	<b>130,605</b>	<b>289,760</b>	<b>819,655</b>
<=30% AMI	15,780	18,750	82,205	100,955	116,735
31% - 50% AMI	25,395	39,980	27,625	67,605	93,000
51% - 80% AMI	49,170	37,210	11,725	48,935	98,105
81% - 100% AMI	50,655	23,255	4,330	27,585	78,240
>100% AMI	388,895	39,960	4,720	44,680	433,575



**SAMPLE FORM OF ORDINANCE/RESOLUTION OF INTENT PURSUANT TO HB 1406**  
**Prepared by Pacifica Law Group LLP**

[ORDINANCE/RESOLUTION]

No. \_\_\_\_\_

[AN ORDINANCE][A RESOLUTION] OF THE [CITY COUNCIL][\_\_\_\_\_  
COUNTY BOARD OF COMMISSIONERS] OF [\_\_\_\_\_  
DECLARING THE INTENT OF THE [\_\_\_\_\_] TO ADOPT  
LEGISLATION TO AUTHORIZE A SALES AND USE TAX FOR  
AFFORDABLE AND SUPPORTIVE HOUSING IN ACCORDANCE WITH  
SUBSTITUTE HOUSE BILL 1406 (CHAPTER 338, LAWS OF 2019), AND  
OTHER MATTERS RELATED THERETO.

WHEREAS, in the 2019 Regular Session, the Washington State Legislature approved, and the Governor signed, Substitute House Bill 1406 (Chapter 338, Laws of 2019) (“SHB 1406”); and

WHEREAS, SHB 1406 authorizes the governing body of a city or county to impose a local sales and use tax for the acquisition, construction or rehabilitation of affordable housing or facilities providing supportive housing, [and] for the operations and maintenance costs of affordable or supportive housing, [*FOR COUNTIES of 400,000 or less, or CITIES of 100,000 or less: or, if eligible, for providing rental assistance to tenants*]; and

WHEREAS, the tax will be credited against state sales taxes collected within the [City/County] and, therefore, will not result in higher sales and use taxes within the [City/County] and will represent an additional source of funding to address housing needs in the [City/County]; and

WHEREAS, the tax must be used to assist persons whose income is at or below sixty percent of the [City/County] median income; and

WHEREAS, the [City/County] has [describe housing need] and has determined that imposing the sales and use tax to address this need will benefit its citizens; and

WHEREAS, in order for a city or county to impose the tax, within six months of the effective date of SHB 1406, or January 28, 2020, the governing body must adopt a resolution of intent to authorize the maximum capacity of the tax, and within twelve months of the effective date of SHB 1406, or July 28, 2020, must adopt legislation to authorize the maximum capacity of the tax; and

WHEREAS, this [ordinance/resolution] constitutes the resolution of intent required by SHB 1406; and

WHEREAS, the [City Council/County Board of Commissioners] now desires to declare its intent to impose a local sales and use tax as authorized by SHB 1406 as set forth herein;



NOW, THEREFORE, BE IT [RESOLVED][ORDAINED] BY THE [CITY COUNCIL/COUNTY BOARD OF COMMISSIONERS] OF THE [CITY OF \_\_\_\_\_/ \_\_\_\_\_ COUNTY] AS FOLLOWS:

Section 1. Resolution of Intent. The [City Council/County Board of Commissioners] declares its intent to adopt legislation to authorize the maximum capacity of the sales and use tax authorized by SHB 1406 within one year of the effective date of SHB 1406, or by July 28, 2020.

Section 2. Further Authority; Ratification. All [City/County] officials, their agents, and representatives are hereby authorized and directed to undertake all action necessary or desirable from time to time to carry out the terms of, and complete the actions contemplated by, this [resolution][ordinance]. All acts taken pursuant to the authority of this [resolution][ordinance] but prior to its effective date are hereby ratified.

Section 3. Effective Date. This [resolution][ordinance] shall take effect [immediately upon its passage and adoption][\_\_\_\_ days after the passage and publication].

Passed by majority vote of the \_\_\_\_\_ in open meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

[insert appropriate signature blocks]



RESOLUTION R-5385

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DECLARING AN INTENT TO ADOPT LEGISLATION TO AUTHORIZE A SALES AND USE TAX FOR AFFORDABLE HOUSING AND FACILITIES PROVIDING SUPPORTIVE SERVICES PURSUANT TO SUBSTITUTE HOUSE BILL 1406 (CHAPTER 338, LAWS OF 2019), AND OTHER MATTERS RELATED THERETO.

1           WHEREAS, in the 2019 Regular Session, the Washington State  
2 Legislature approved, and the Governor signed, Substitute House Bill  
3 1406 (Chapter 338, Laws of 2019); and

4  
5           WHEREAS, SHB 1406 authorizes the governing body of a city  
6 with a population of 100,000 or less to impose a local sales and use tax  
7 for the acquisition, construction, or rehabilitation of affordable housing  
8 or facilities providing affordable housing and for the operations and  
9 maintenance costs of affordable or supportive housing, and for  
10 providing rental assistance to tenants; and

11  
12           WHEREAS, the tax will be credited against state sales taxes  
13 collected within the city of Kirkland ("city") and therefore will not result  
14 in higher sales and use taxes within the city and will represent an  
15 additional source of funding to address housing needs in the city; and

16  
17           WHEREAS, the tax must be used to assist persons whose income  
18 is at or below 60 percent of the King County median income; and

19  
20           WHEREAS, the City Council adopted Resolution R-5313,  
21 accepting the recommendations of the Housing Strategy Advisory Group  
22 and putting in place the Housing Strategy Work Program for 2018-2020;  
23 and

24  
25           WHEREAS, on November 7, 2019 the City Council approved  
26 Resolution R-5344, adopting the City's 2019 State Legislative Agenda,  
27 which included supporting "new local funding and policy tools to address  
28 homelessness and create more  
29 affordable housing" as a top priority; and

30  
31           WHEREAS, in order for a city to impose the tax, within six  
32 months of the effective date of SHB 1406, or January 28, 2020, the  
33 governing body of a city must adopt a resolution of intent to authorize  
34 the maximum capacity of the tax, and within one year of the effective  
35 date of SHB 1406, or July 28, 2020, the city must adopt legislation to  
36 authorize the maximum capacity of the tax; and

37  
38           WHEREAS, this Resolution constitutes the resolution of intent  
39 required by SHB 1406; and

40  
41           WHEREAS, the City now desires to declare its intent to impose a  
42 local sales and use tax as authorized by SHB 1406 as set forth herein.

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

45  
46 Section 1. Resolution of Intent. The City Council declares its  
47 intent to adopt legislation to authorize the maximum capacity of sales  
48 and use tax authorized by SHB 1406 within one year of the effective  
49 date of SHB 1406, or by July 28, 2020.

50  
51 Section 2. Further Authority; Ratification. All City officials, their  
52 agents and representatives are hereby authorized and directed to  
53 undertake all action necessary or desirable from time to time to carry  
54 out the terms of, and complete the actions contemplated by, the  
55 Resolution. All acts taken pursuant to the authority of this Resolution  
56 but prior to its effective date are hereby ratified.

57  
58 Passed by majority vote of the Kirkland City Council in open  
59 meeting this \_\_\_\_ day of \_\_\_\_\_, 2019.

60  
61 Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_,  
62 2019.

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

Attest:

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

**CITY OF KIRKLAND**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001  
www.kirklandwa.gov

---

**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Kathy Brown, Director of Public Works  
John Starbard, Deputy Director of Public Works  
Stephanie Croll, Senior Assistant City Attorney

**Date:** August 22, 2019

**Subject:** FIRST AMENDMENT TO COMMUNICATIONS MASTER USE PERMIT FOR SEATTLE SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS FOR SMALL CELL NETWORK FACILITIES—EXPANSION OF PERMIT AREA TO ENCOMPASS ENTIRE CITY LIMITS

**RECOMMENDATION:**

It is recommended that the City Council review a proposed amendment to a Communications Master Use Permit (CMUP) granted to Seattle SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon"), which would expand the permit area to the rights-of-way of the entire City. No action is requested at this time.

**BACKGROUND DISCUSSION:**

On January 2, 2018, the City Council passed Ordinance O-4633 granting a CMUP to Verizon for a limited portion of the City of Kirkland ([Attachment A](#)). The agreement granted Verizon the use of the City rights-of-way and certain utility easements throughout a portion of the city for wireless communications purposes, specifically small cell network facilities. At that time, Verizon wanted to test small cell facilities in this area. Verizon representatives indicated that they might return to the City to request an expansion of its permit area if and when the company was ready for more expansive deployment of its facilities.

Verizon is now requesting such an expansion. Verizon has been a responsive permittee and a responsible agency. It is believed that allowing the company to expand to the rights-of-way in the entire City limits will be beneficial to the City. The only proposed change to the original CMUP is a new exhibit (referred to as "Exhibit A-1" in the CMUP) depicting the new area of the permit as being the entire City limits. No other terms of the original permit, including its effective dates, are proposed to be changed (Attachment B).

Under RCW 35A.47.040, a city's legislative body may not adopt an ordinance or resolution extending a franchise until five days after the ordinance's introduction, and it must be adopted at a regular meeting. Staff's position is that this proposed amendment to an existing CMUP is similarly governed. Accordingly, staff is recommending that the Council conduct its first review

of the proposed amending ordinance at the regular meeting scheduled for September 3, 2019, and then act on the proposed amendment at the next regular City Council meeting scheduled for September 17, 2019.

Attachment A: [January 2, 2018 Council Memo regarding Adoption of Communications Master Use Permit for Seattle SMSA Limited Partnership D/B/A Verizon Wireless for Small Cell Network Facilities](#)

Attachment B: Original Signed Permit (adopted January 2, 2018)

Attachment C: Proposed Amending Ordinance (scheduled for action September 17, 2019)

## ORDINANCE O-4633

AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING SEATTLE SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS, A DELAWARE LIMITED PARTNERSHIP, A NON-EXCLUSIVE COMMUNICATIONS MASTER USE PERMIT FOR THE RIGHT, PRIVILEGE, AND AUTHORITY TO MAKE USE OF THE PERMIT AREA FOR COMMUNICATIONS PURPOSES.

1           WHEREAS, Seattle SMSA Limited Partnership d/b/a Verizon  
2 Wireless ("Grantee") has requested that the City grant it the right to  
3 install, operate and maintain a wireless communications system within  
4 the public rights of way of the City; and  
5

6           WHEREAS, the City Council finds it desirable for the welfare of  
7 the City and its residents that such a non-exclusive permit be granted  
8 to Grantee; and  
9

10           WHEREAS, the City Council has the authority under state and  
11 local law to grant permits for the use of its street rights of way; and  
12

13           WHEREAS, the City is willing to grant the rights requested by  
14 Grantee subject to certain terms and conditions.  
15

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

18           Section 1. Definitions. For purposes of this Communications  
19 Master Use Permit (the "Permit"), the terms defined in Kirkland  
20 Municipal Code ("KMC") 26.08.020 shall apply. In addition, the terms  
21 below have the following meanings:  
22

23           A. "Affiliate" means an entity which owns or controls, is owned  
24 or controlled by, or is under common ownership with Grantee.  
25

26           B. "City" means the City of Kirkland, a municipal corporation of  
27 the State of Washington.  
28

29           C. "Small Cell Wireless" means a personal wireless services  
30 facility that meets both of the following qualifications: (i) each antenna  
31 is located inside an antenna enclosure of no more than three cubic feet  
32 in volume or, in the case of an antenna that has exposed elements, the  
33 antenna and all of its exposed elements could fit within an imaginary  
34 enclosure of no more than three cubic feet; and (ii) primary equipment  
35 enclosures are no larger than seventeen cubic feet in volume. The  
36 following associated equipment may be located outside the primary  
37 equipment enclosure and if so located, are not included in the

38 calculation of equipment volume (but remain included in the definition  
39 of Small Cell Facilities): Electric meter, concealment, telecomm  
40 demarcation box, ground-based enclosures, battery back-up power  
41 systems, grounding equipment, power transfer switch, and cut-off  
42 switch. Small Cell Facilities shall also include all necessary cables,  
43 transmitters, receivers, equipment boxes, backup power supplies,  
44 power transfer switches, electric meters, coaxial cables, wires, conduits,  
45 ducts, pedestals, antennas, electronics, and other necessary or  
46 convenient appurtenances used for the specific wireless  
47 communications facility. Equipment enclosures with equipment  
48 generating noise that exceed the noise limits allowed in the Codes or  
49 associated permit are excluded from "Small Cell Facilities." Services do  
50 not include personal wireless services and associated facilities that fall  
51 outside of the definition of Small Cell Facilities (i.e. macro facilities).

52  
53 D. "Facilities" means all appurtenances or tangible things  
54 owned, leased, operated, or licensed by the Grantee, including but not  
55 limited to wireless communications antennas, transmitters, receivers,  
56 equipment boxes, backup power supplies, power transfer switches, cut-  
57 off switches, electric meters, coaxial cables, fiber optic cables, wires,  
58 telecom demarcation boxes and related materials and equipment; and  
59 any and all other equipment, appliances, attachments, appurtenances  
60 and other items necessary, convenient, or in any way appertaining to  
61 any and all of the foregoing. Said facilities shall be used for the sole  
62 purpose of providing a small cell network.

63  
64 E. "Communications Master Use Permit" or "Permit" shall mean  
65 the initial authorization or renewal thereof, granted by the City, through  
66 this Ordinance, or a subsequently adopted Ordinance, which authorizes  
67 the use of rights-of-way in the Permit Area for construction and  
68 operation of the Grantee's Facilities for the purpose of offering  
69 communications service.

70  
71 F. "Permit Area" means the geographic area as set forth in  
72 Exhibit A attached hereto and incorporated herein by reference.

73  
74 G. "Person" means an individual, partnership, association, joint  
75 stock company, trust, corporation, limited liability company or  
76 governmental entity.

77  
78 H. "Rights-of-way" means any highway, street, shoulder,  
79 landscape area between sidewalk and curb or shoulder, alley, sidewalk,  
80 utility easement (unless the City's use of the utility easement is solely  
81 restricted to another use or other uses), or other public rights-of-way  
82 for motor vehicles or any other uses under the City's control and/or in  
83 its jurisdictional boundaries. It does not include (1) state highways; (2)  
84 structures, including poles and conduits located within the right-of-way;  
85 (3) federally granted trust lands or forest board trust lands; (4) lands

86 owned or managed by the state Parks and Recreation Commission; (5)  
87 federally granted railroad rights-of-way acquired under 43 U.S.C. 912  
88 and related provisions of federal law that are not open for motor vehicle  
89 use; or (6) parks or other public property not used as a public right-of-  
90 way, including the Cross Kirkland Corridor.

91  
92 I. "Communications Service" means the transmission of  
93 information in electronic or optical form, including, but not limited to,  
94 voice, video, or data, whether or not the transmission medium is owned  
95 by the provider itself. Communications Service includes wireless  
96 communication services and telephone service, but does not include  
97 cable TV or commercial video service or over-the-air broadcasts to the  
98 public at large from facilities licensed by the Federal Communications  
99 Commission or any successor thereto.

100  
101 Section 2. Permit Area and Authority Granted.

102  
103 A. Facilities within Permit Area. The City does hereby grant to  
104 Grantee the right, privilege, authority and Permit to use Rights-of-way  
105 in the Permit Area to construct, support, attach, connect and stretch  
106 Facilities between, maintain, repair, replace, relocate, upgrade, remove,  
107 enlarge, operate and use Facilities in, upon, over, under, along and  
108 across Rights of way in the Permit Area for purposes of Communications  
109 Services, to the extent not inconsistent with Section 4 herein.

110  
111 B. Permission Required to Enter Onto Other City Property.  
112 Nothing contained in this Ordinance is to be construed as granting  
113 permission to Grantee to go upon any other public place other than  
114 Rights-of-Way within the Permit Area in this Ordinance. Permission to  
115 go upon any other property owned or controlled by the City must be  
116 sought on a case by case basis from the City.

117  
118 C. Amendments to the Permit area may be proposed by the  
119 Grantee during the term of this Permit. The Public Works Director shall  
120 review the amendment request to determine if it should be granted or  
121 if a new Master Use Permit is necessary.

122  
123 Section 3. Construction and Maintenance.

124  
125 A. Grantee's Facilities shall be located, relocated and maintained  
126 within the Permit Area so as not to unreasonably interfere with the free  
127 and safe passage of pedestrian and vehicular traffic and ingress or  
128 egress to or from the abutting property and in accordance with the laws  
129 of the State of Washington. Whenever it is necessary for Grantee, in the  
130 exercise of its rights under this Permit, to make any excavation in the  
131 right of way, Grantee shall obtain prior approval from the City of Kirkland  
132 Public Works Department, pay the applicable permit fees, and obtain  
133 any necessary permits for the excavation work. Grantee shall meet the



134 City's specifications per the Kirkland Municipal Code ("KMC") and the  
135 Public Works Pre-Approved Plans and Policies.

136 Section 4. Location and Relocation of Facilities.

137

138 A. Grantee shall place any new Facilities underground where  
139 existing telecommunications and cable facilities are located  
140 underground. Provided, however, this requirement shall not apply to  
141 that specific portion of the Facilities that are required to remain above  
142 ground in order to be functional. Any new Facilities to be located above-  
143 ground shall be placed on existing utility poles and shall be small cell  
144 type equipment in a form substantially similar to that pictured in Exhibit  
145 B, attached hereto. No new utility poles, ground mounted equipment  
146 or overhead utility lines shall be installed in connection with placement  
147 of new above-ground facilities except as otherwise approved by the City  
148 under this Permit or under a separate permit.

149 In order to minimize negative visual impact to the surrounding  
150 area, The Public Works Director may deny a request to install above  
151 ground small cell wireless facilities (antennas and associated facilities)  
152 if more than one hundred (100) cubic feet of above ground wireless  
153 facilities exist within a one hundred fifty foot (150') radius of the  
154 proposed facility location.

155

156 B. At the City's request, all Facilities shall be concealed or  
157 enclosed as much as technologically feasible in an equipment box,  
158 cabinet or other unit, in a design substantially similar to that pictured in  
159 Exhibit B. All external cables and wires shall be sheathed or enclosed  
160 in conduit so that wires are not visible or visually minimized to the extent  
161 feasible.

162 Grantee shall construct Grantee's conduits and standoffs  
163 (collectively, the "conduits") that are attached to the utility poles in  
164 accordance with KMC requirements and, whenever technologically  
165 feasible, shall install Grantee's Conduits so as to minimize the visible  
166 impact of such conduits.

167

168 C. All Facilities on a utility pole (except stand-offs and conduits)  
169 shall be installed at least ten (10) feet above ground and shall not  
170 exceed seventeen (17) cubic feet unless otherwise approved by the  
171 Public Works Director.

172

173 D. Grantee shall keep and maintain all small cell equipment  
174 installed in the public right-of-way in commercially reasonable condition  
175 and repair throughout the term of this Permit. Any equipment that is  
176 vandalized, damaged or marked with graffiti shall be repaired and/or  
177 cleaned within fourteen (14) days of receipt of written notice.

178

179 E. The City may require Grantee to relocate Facilities within the  
180 Right-of-Way when reasonably necessary for construction, alteration,



181 repair or improvement of the Rights-of-Way for the purpose of public  
182 health, welfare and safety, at no cost to the City, except as may be  
183 required by KMC 26.36.050. The City's decision to require the relocation  
184 of Grantee's Facilities shall be made in a reasonable, uniform and non-  
185 discriminatory manner. Pursuant to the provision of Section 5, Grantee  
186 agrees to protect and save harmless the City from any customer or third-  
187 party claims for service interruption or other losses in connection with  
188 any such change or relocation.

189  
190 F. The Grantee shall indemnify, hold harmless and pay the costs  
191 of defending the City against any and all claims, suits, actions, damages,  
192 or liabilities for delays on City construction projects caused by or arising  
193 out of the failure of the Grantee to relocate its Facilities in a timely  
194 manner; provided, that the Grantee shall not be responsible for  
195 damages due to delays caused solely by the City, or circumstances  
196 beyond the control of the Grantee.

197  
198 G. In the event that the City orders the Grantee to relocate its  
199 Facilities for a project which is primarily for private benefit, the private  
200 party or parties causing the need for such project shall reimburse the  
201 Grantee for the cost of relocation in the same proportion as their  
202 contribution to the total cost of the project, pursuant to RCW  
203 35.99.060(4).

204  
205 H. In the event of an unforeseen emergency that creates a  
206 threat to public safety, health or welfare, the City may require the  
207 Grantee to relocate its Facilities at its own expense, any other portion  
208 of this Section notwithstanding.

209  
210 Section 5. Indemnification.

211  
212 A. Grantee agrees to indemnify, defend, and hold the City  
213 harmless as set forth in KMC 26.40.030. In addition, Grantee shall  
214 indemnify, defend and hold the City, its agents, officers, employees ,  
215 volunteers and assigns harmless from and against any and all claims,  
216 demands, liability, loss, cost, damage or expense of any nature  
217 whatsoever, including all costs and reasonable attorney's fees, made  
218 against them on account of injury, sickness, death or damage to persons  
219 or property which is caused by or arises out of, in whole or in part, the  
220 acts, failures and/or omissions of Grantee or its agents, servants,  
221 employees, contractors, subcontractors or assigns arising out of this  
222 Permit. *Provided, however,* such indemnification shall not extend to  
223 injury or damage caused by the sole negligence or willful misconduct of  
224 the City, its agents, officers, employees, volunteers or assigns.

225  
226 B. In the event any such claim or demand be presented to or  
227 filed with the City, the City shall promptly notify Grantee thereof, and  
228 Grantee shall have the right, at its election and at its sole cost and

229 expense, to settle and compromise such claim or demand, provided  
230 further, that in the event any suit or action be initiated against the City  
231 based upon any such claim or demand, the it shall likewise promptly  
232 notify Grantee thereof, and Grantee shall have the right, at its election  
233 and its sole cost and expense, to settle and compromise such suit or  
234 action, or defend the same at its sole cost and expense, by attorneys of  
235 its own election.

236

237 Section 6. Default.

238

239 A. If Grantee shall fail to comply with any of the provisions of  
240 this Permit, unless otherwise provided in this Permit, the City may, in  
241 addition to the remedies provided in KMC Chapter 26.44, serve upon  
242 Grantee a written order to comply within thirty (30) days from the date  
243 such order is received by Grantee. If Grantee is not in compliance with  
244 this Permit after expiration of the thirty (30) day period, the City may  
245 act to remedy the violation and may charge the reasonable costs and  
246 expenses of such action to Grantee. The City may act without the thirty  
247 (30) day notice in case of an emergency. If any failure to comply with  
248 this Permit by Grantee cannot be corrected with due diligence within  
249 said thirty (30) day period, then the time within which Grantee may so  
250 comply shall be extended for such time as may be reasonably necessary  
251 and so long as Grantee works promptly and diligently to effect such  
252 compliance. If Grantee is not in compliance with this Permit, and is not  
253 proceeding with due diligence in accordance with this section to correct  
254 such failure to comply, then the City may in addition, by ordinance and  
255 following written notice to Grantee, declare an immediate forfeiture of  
256 this Permit.

257

258 B. In addition to other remedies provided in KMC Chapter 26.44,  
259 this Permit, or otherwise available at law, if Grantee is not in compliance  
260 with requirements of the Permit, and if a good faith dispute does not  
261 exist concerning such compliance, the City may place a moratorium on  
262 issuance of pending Grantee right-of-way use permits until compliance  
263 is achieved.

264

265 Section 7. Nonexclusive Permit. This Permit is not and shall not  
266 be deemed to be an exclusive Permit. This Permit shall not in any  
267 manner prohibit the City from granting other and further permits over,  
268 upon, and along the Permit Area, provided such other permits do not  
269 unreasonably interfere with Grantee's use and placement of its Facilities  
270 in any Rights-of-Way and/or Permit Area. This Permit shall not prohibit  
271 or prevent the City from using the Permit Area or affect the jurisdiction  
272 of the City over the same or any part thereof. Nothing within this  
273 Section limits Grantee's obligations to indemnify, defend and hold the  
274 City harmless as provided in Section 5 herein.

275           Section 8. Permit Term.

276  
277           A. This Permit is and shall remain in full force and effect for a  
278 period of ten (10) years from and after the effective date of the  
279 Ordinance, provided that the term may be extended for two (2)  
280 additional five (5) year terms upon the agreement of Grantee and the  
281 City not more than one hundred eighty (180) days and nor less than  
282 ninety (90) days from the expiration of the current Permit; and provided  
283 further, however, Grantee shall have no rights under this Permit nor  
284 shall Grantee be bound by the terms and conditions of this Permit,  
285 unless Grantee shall, within thirty (30) days after the effective date of  
286 the Ordinance, file with the City its written acceptance of this Permit, in  
287 a form acceptable to the City Attorney. When an extension is proposed  
288 by the Grantee, the Grantee shall provide proof to the City that all  
289 existing Facilities are in compliance with design standards set forth  
290 herein as illustrated in Exhibit B.

291  
292           B. If the City and Grantee fail to formally renew this Permit prior  
293 to the expiration of its term or any extension thereof, this Permit shall  
294 automatically continue in full force and effect until renewed or until  
295 either party gives written notice at least one hundred eighty (180) days  
296 in advance of intent not to renew this Permit.

297  
298           Section 9. Compliance with Codes and Regulations.

299  
300           A. The rights, privileges and authority herein granted are  
301 subject to and governed by this Ordinance and all other applicable  
302 ordinances and codes of the City of Kirkland (collectively, the "Codes"),  
303 as they now exist or may hereafter be amended, including but not  
304 limited to the provisions of Kirkland Municipal Code Title 26, Title 19,  
305 Title 5, and Kirkland Zoning Code Title 117. Nothing in this Ordinance  
306 limits the City's lawful power to exercise its police power to protect the  
307 safety and welfare of the general public. Any location, relocation,  
308 erection or excavation by Grantee shall be performed by Grantee in  
309 accordance with applicable federal, state and city rules and regulations,  
310 including the City's Public Works Pre-Approved Plans and Policies, and  
311 any required permits, licenses or fees, and applicable safety standards  
312 then in effect (collectively, "Regulations"). Notwithstanding the  
313 foregoing, Codes and Regulations shall not include any amended law,  
314 rule or regulation or newly created law, rule or regulation that violates  
315 Grantee's rights to continue or modify existing non-conforming uses, or  
316 any other changes to laws, rules or regulations, which do not apply to  
317 previously constructed real estate improvements or wireless  
318 communication facilities.

319  
320           B. In the event that any territory served by Grantee is annexed  
321 to the City after the effective date of this Permit, such territory shall be

322 governed by the terms and conditions contained herein upon the  
323 effective date of such annexation.

324

325 Section 10. Undergrounding. New Facilities shall be installed  
326 underground pursuant to Section 4 of this Permit. Grantee  
327 acknowledges the City's policy of undergrounding of Facilities within the  
328 Permit Area. Grantee will cooperate with the City in the undergrounding  
329 of Grantee's existing Facilities with the Permit Area. If, during the term  
330 of this Permit, the City shall direct Grantee to underground Facilities  
331 within any Permit Area, such undergrounding shall be at no cost to the  
332 City, except as may be provided in RCW Chapter 35.99. Grantee shall  
333 comply with all federal, state, and City regulations on undergrounding.  
334 If the City undertakes any street improvement which would otherwise  
335 require relocation of Grantee's above-ground facilities, the City may, by  
336 written notice to Grantee, direct that Grantee convert any such Facilities  
337 to underground Facilities. Notwithstanding anything to the contrary  
338 contained herein, the undergrounding requirement shall not apply to  
339 that portion of the Facilities that are required to remain above ground  
340 in order to be functional, but the Grantee will be responsible for  
341 providing such needed facilities to maintain the above ground function.

342

343 Section 11. Record of Installations and Service.

344

345 A. With respect to excavations by Grantee and the City within  
346 the Permit Area, Grantee and the City shall each comply with its  
347 respective obligations pursuant to Chapter 19.122 RCW and any other  
348 applicable state law.

349

350 B. Upon written request of the City, Grantee shall provide the  
351 City with the most recent update available of any plan of potential  
352 improvements to its Facilities within the Permit Area; provided,  
353 however, any such plan so submitted shall be for informational purposes  
354 within the Permit Area, nor shall such plan be construed as a proposal  
355 to undertake any specific improvements within the Permit Area. The City  
356 agrees to keep confidential any such plans to the extent permitted by  
357 law.

358

359 C. As-built drawings and maps of the precise location of any  
360 Facilities placed by Grantee in any Right of Way shall be made available  
361 by Grantee to the City within 10 (ten) working days of the City's written  
362 request. These plans and maps shall be provided at no cost to the City  
363 and shall include hard copies and/or digital copies in a format specified  
364 by the City.

365

366 Section 12. Shared Use of Excavations and Trenches.

367

368 A. If either the City or Grantee shall at any time after installation  
369 of the Facilities plan to make excavations in the area covered by this

370 Permit and as described in this Section, the party planning such  
371 excavation shall afford the other, upon receipt of written request to do  
372 so, an opportunity to share such an excavation, *provided that*: (1) such  
373 joint use shall not unreasonably delay the work of the party causing the  
374 excavation to be made or unreasonably increase its costs; (2) such joint  
375 use shall be arranged and accomplished on terms and conditions  
376 satisfactory to both parties. In addition, pursuant to RCW 35.99.070,  
377 the City may request that Grantee install additional conduit, ducts and  
378 related access structures for the City pursuant to contract, under which  
379 Grantee shall recover its incremental costs of providing such facilities to  
380 the City.

381  
382 B. The City reserves the right to require Grantee to joint trench  
383 with other permittees if both entities are anticipating trenching within  
384 the same general area and provided that the terms of this Section are  
385 met.

386  
387 Section 13. Insurance.

388  
389 A. Grantee shall procure and maintain for the duration of this  
390 Permit, insurance against claims for injuries to persons or damage to  
391 property which may arise from or in connection with the performance  
392 of work under this Permit by Grantee, its agents, representatives or  
393 employees in the amounts and types set forth below. Any policy of  
394 insurance shall be written on an occurrence basis.

395  
396  
397 (1) Commercial general liability insurance shall be written  
398 on ISO occurrence form or its equivalent and shall cover liability  
399 arising from bodily injury (including death) and property  
400 damage; including premises operation, products and ongoing  
401 and completed operations and explosion, collapse and  
402 underground coverage extensions. Commercial General Liability  
403 insurance shall be written with limits of \$5,000,000 per  
404 occurrence and \$10,000,000 general aggregate and a  
405 \$2,000,000 products completed operations aggregate limit. The  
406 City shall be included as an additional insured as their interest  
407 may appear under this Permit using ISO Additional Insured-  
408 Completed Operations endorsement or a substitute  
409 endorsement or endorsements providing at least as broad  
410 coverage;

411 (2) Commercial Automobile liability insurance covering all  
412 owned, non-owned and hired vehicles. Coverage shall be at  
413 least as broad as ISO form. Commercial Auto Liability shall be  
414 written with a combined single limit of \$1,000,000 per accident  
415 for bodily injury and property damage; and



416 (3) Worker's compensation within statutory limits and  
417 employer's liability insurance with limits of \$1,000,000 for each  
418 accident/disease/policy limit.

419

420 B. The insurance policies required by this section shall be  
421 maintained at all times by the owner.

422

423 C. Upon receipt of notice from its insurer(s) Grantee shall  
424 endeavor to provide the City with thirty (30) days prior written notice of  
425 cancellation of any policy required herein.

426

427 D. Grantee's insurance coverage shall be primary insurance as  
428 respects the City. Any insurance, self-insurance or insurance pool  
429 coverage maintained by the City shall be in excess of Grantee's  
430 insurance and shall not contribute with it.

431

432 E. Grantee shall furnish the City with certificates of the foregoing  
433 insurance coverage and a copy of the additional insured endorsement,  
434 before issuance of the Permit.

435

436 F. Grantee shall have the right to self-insure any or all of the  
437 above-required insurance. Any such self-insurance is subject to  
438 approval by the City.

439

440 G. Grantee's maintenance of insurance as required by this  
441 Permit shall not be construed to limit the liability of Grantee to the  
442 coverage provided by such insurance, or otherwise limit City's recourse  
443 to any remedy to which the City is otherwise entitled at law or in equity.

444

445 H. Insurance is to be placed with insurers with a current A.M.  
446 Best rating of not less than A:VII.

447

448 I. Failure on the part of the Grantee to maintain the insurance  
449 as required shall constitute a material breach of the Permit, upon which  
450 the City may, after giving five business days' notice to the Grantee to  
451 correct the breach, immediately terminate the Permit.

452

453 Section 14. Assignment.

454

455 A. All of the provisions, conditions, and requirements herein  
456 contained shall be binding upon Grantee, and no right, privilege, license  
457 or authorization granted to Grantee hereunder may be assigned or  
458 otherwise transferred without the prior written authorization and  
459 approval of the City, which the City may not unreasonably withhold,  
460 condition or delay. Notwithstanding the foregoing, Grantee, without the  
461 consent of, but upon notice to the City, may assign this agreement in  
462 whole or in part to: (a) an Affiliate (as defined in this Permit); or (b) the

O-4633

463 surviving entity in the event of a merger or acquisition of substantially  
464 all of Grantee's assets.

465

466 B. Grantee may lease the Facilities or any portion thereof to  
467 another or provide capacity or bandwidth in its Facilities to another,  
468 *provided that:* Grantee at all times retains exclusive control over such  
469 Facilities and remains responsible for locating, servicing, repairing,  
470 relocating or removing its Facilities pursuant to the terms and conditions  
471 of this Permit.

472

473 Section 15. Abandonment and Removal of Facilities. Grantee's  
474 Facilities may be considered abandoned pursuant to KMC Ch. 26.20. In  
475 the event of abandonment, the parties shall refer to their options in KMC  
476 26.20.

477

478 Section 16. Miscellaneous.

479

480 A. If any term, provision, condition or portion of this Permit shall  
481 be held to be invalid, such invalidity shall not affect the validity of the  
482 remaining portions of this Permit which shall continue in full force and  
483 effect. The headings of sections and paragraphs of this Permit are for  
484 convenience of reference only and are not intended to restrict, affect,  
485 or be of any weight in the interpretation or construction of the provisions  
486 of such sections of paragraphs.

487

488 B. Grantee shall pay for the City's reasonable administrative  
489 costs in drafting and processing this Ordinance and all work related  
490 thereto, provided that such costs shall not exceed Ten Thousand Dollars  
491 (\$10,000). Grantee shall further be subject to all permit fees associated  
492 with activities and the provisions of any such permit, approval, license,  
493 agreement of other document, the provisions of this Permit shall control.

494

495 C. Failure of either party to declare any breach or default under  
496 this Permit or any delay in taking action shall not waive such breach or  
497 default, but that party shall have the right to declare any such breach  
498 or default at any time. Failure of either party to declare one breach or  
499 default does not act as a waiver of that party's right to declare another  
500 breach or default.

501

502 Section 17. Notice. Any notice or information required or  
503 permitted to be given to the parties under this Permit may be sent to  
504 the following addresses unless otherwise specified:

505

506 City:

507 City of Kirkland  
508 Public Works Director  
509 123 Fifth Ave.  
510 Kirkland, WA 98033

511 Grantee:  
 512 Seattle SMSA Limited Partnership  
 513 d/b/a Verizon Wireless  
 514 Attn: Network Real Estate  
 515 180 Washington Valley Road  
 516 Bedminster, New Jersey 07921

517  
 518 With a copy to:  
 519 Seattle SMSA Limited Partnership  
 520 d/b/a Verizon Wireless  
 521 Attn: Pacific Marker General Counsel  
 522 15505 Sand Canyon Ave.  
 523 Irvine, CA 92618

524  
 525 Notice shall be deemed given upon receipt in the case of personal  
 526 delivery, three days after deposit in the United States Mail in the case  
 527 of regular mail, or the next day in the case of overnight delivery.

528  
 529 Section 18. Effective date. This Ordinance, being in compliance  
 530 with RCW 35A.47.040, shall be in force and effect five days from and  
 531 after its passage by the Kirkland City Council and publication pursuant  
 532 to Section 1.08.017 Kirkland Municipal Code in the summary form  
 533 attached to the original of this ordinance and by this reference approved  
 534 by the City Council.

535  
 536 Passed by majority vote of the Kirkland City Council in open  
 537 meeting this 2nd day of January, 2018.

538  
 539 Signed in authentication thereof this 2nd day of January, 2018.

  
 Mayor

Attest:

  
 Kathi Anderson, City Clerk

Publication Date: January 8, 2018

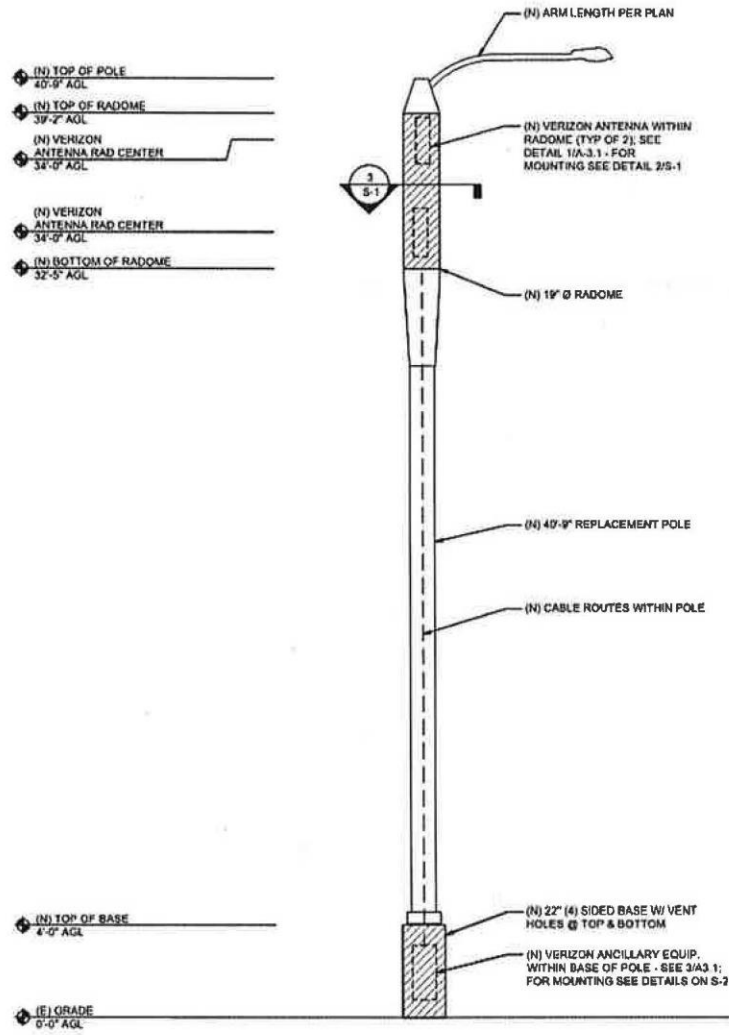
Approved as to Form:

  
 Kevin Raymond, City Attorney



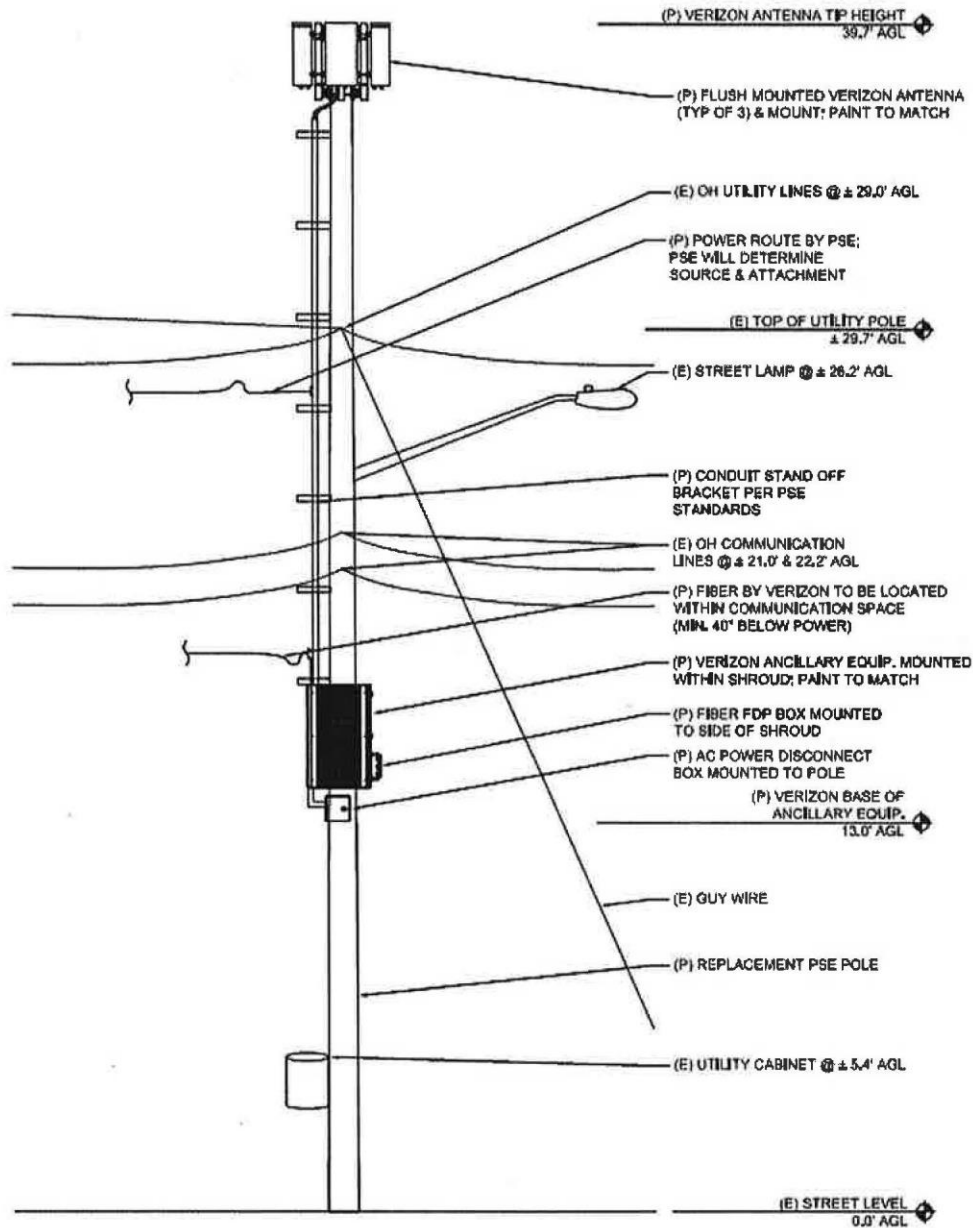


### Exhibit B



1	TYPICAL (N) LIGHT POLE ELEVATION	SCALE: NTS (11X17)
		SCALE: NTS (22X34)

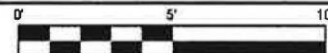
# Exhibit B



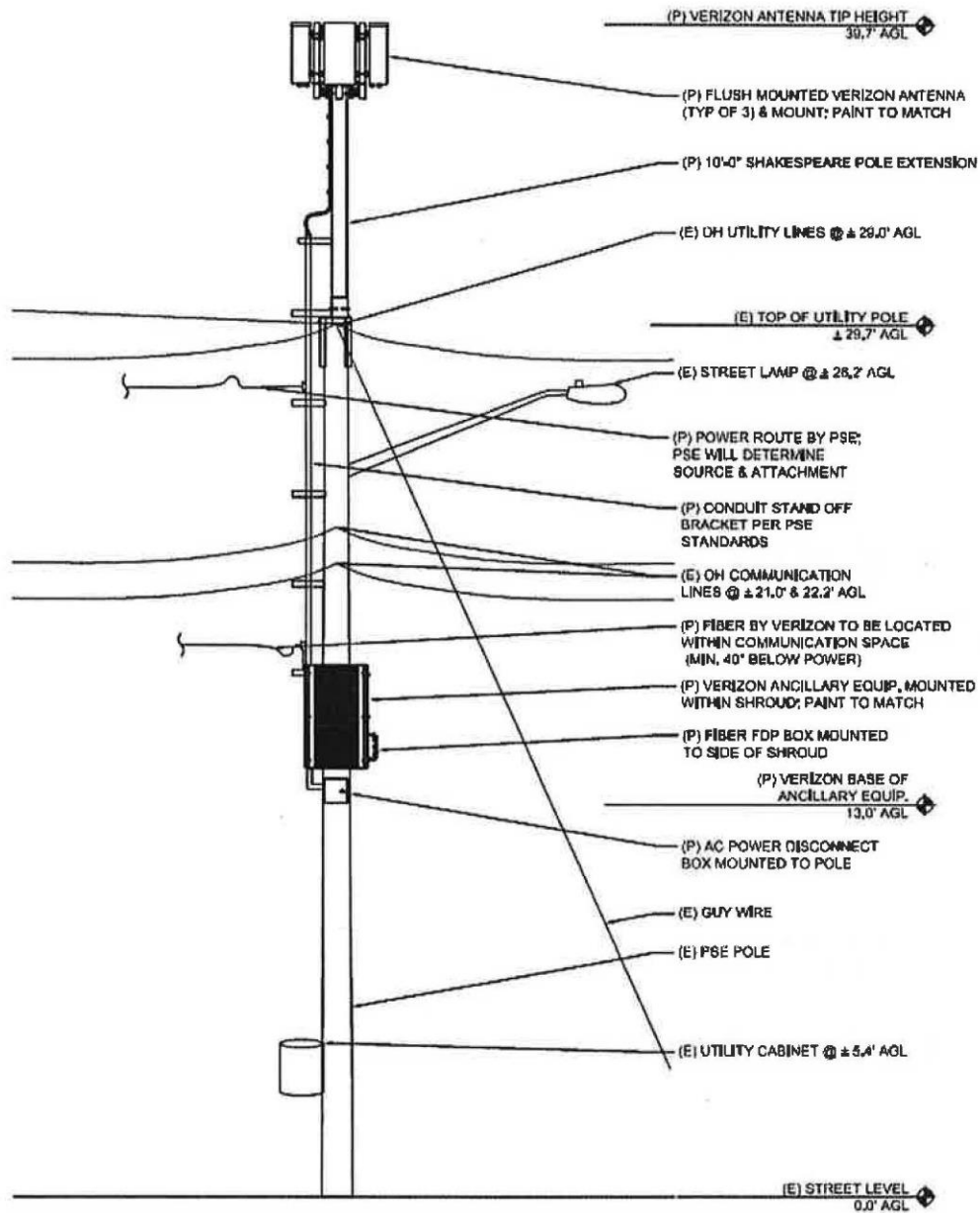
NODE # 4	
PSE POLE #	225847 / 166347
LATITUDE:	47.894872° N
LONGITUDE:	122.201228° W
TOP OF (E) POLE:	29.7' AGL

2 | NODE 4 REPLACEMENT POLE

SCALE: 3/16" = 1'-0" (11X17)  
SCALE: 3/8" = 1'-0" (22X34)



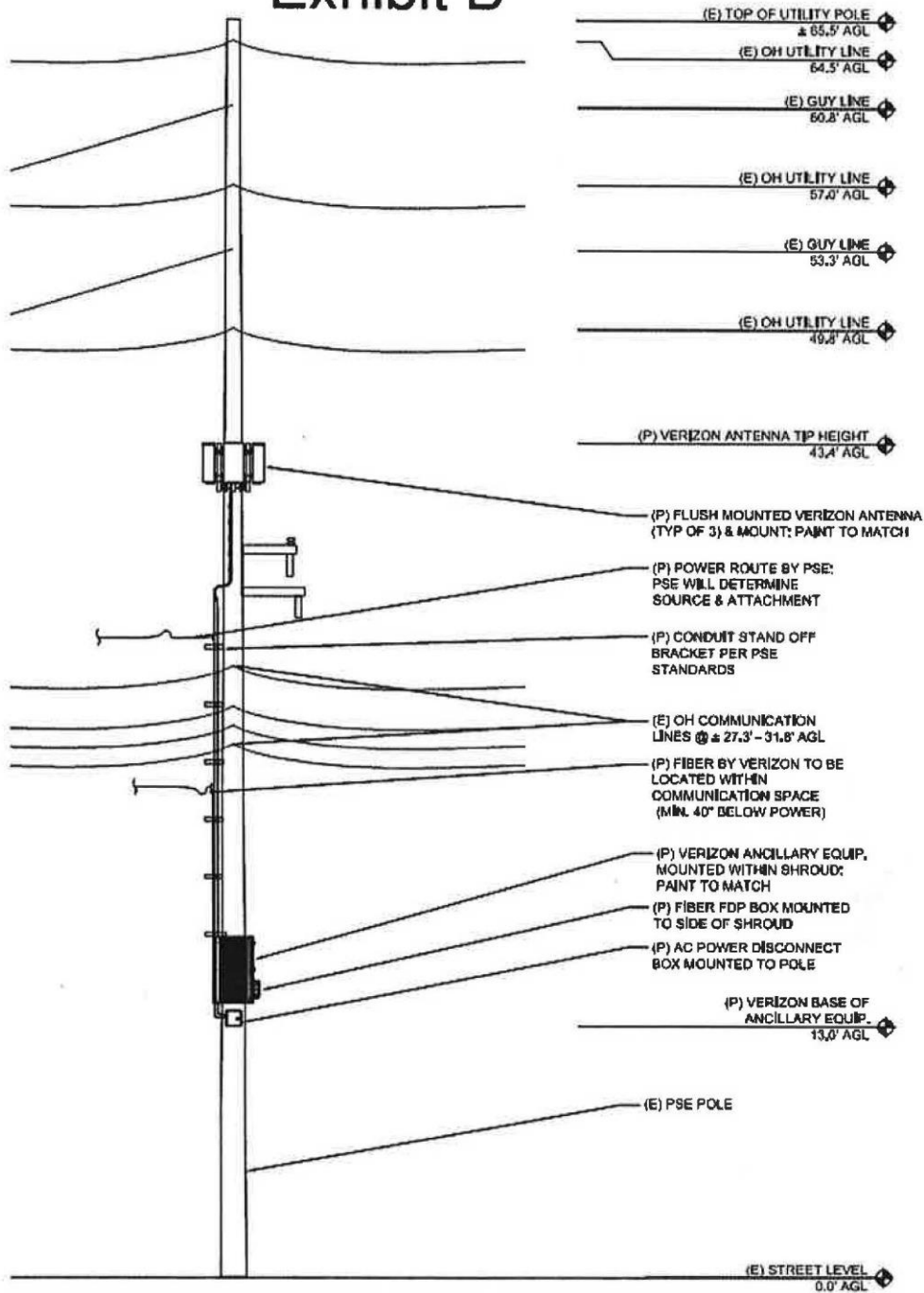
# Exhibit B



<b>NODE # 4</b>	
PSE POLE #	225647 / 166347
LATITUDE:	47.894972° N
LONGITUDE:	122.201228° W
TOP OF (E) POLE:	29.7' AGL

2	NODE 4 POLE EXTENSION	SCALE: 3/16" = 1'-0" (11X17)	0' 5' 10'
		SCALE: 3/8" = 1'-0" (22X34)	

# Exhibit B



<b>NODE # 5</b>	
PSE POLE #	225045 / 106429
LATITUDE:	47.604942° N
LONGITUDE:	122.198075° W
TOP OF (E) POLE:	65.5' AGL

<b>2</b>	<b>NODE 5 ELEVATION</b>	SCALE: 1/8" = 1'-0" (11X17)	
		SCALE: 1/4" = 1'-0" (22X34)	

PUBLICATION SUMMARY  
OF ORDINANCE O-4633

AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING SEATTLE SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS, A DELAWARE LIMITED PARTNERSHIP, A NON-EXCLUSIVE COMMUNICATIONS MASTER USE PERMIT FOR THE RIGHT, PRIVILEGE, AND AUTHORITY TO MAKE USE OF THE PERMIT AREA FOR COMMUNICATIONS PURPOSES.

SECTIONS 1 - 17. Issues a right of way Master Use Permit to Seattle SMSA Limited Partnership D/B/A Verizon Wireless, a Delaware Limited Partnership for wireless communications purposes and sets forth the terms and conditions of the Permit.

SECTION 18. 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 2nd day of January, 2018.

I certify that the foregoing is a summary of Ordinance O-4633 approved by the Kirkland City Council for summary publication.

  
Kathi Anderson, City Clerk

## ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING ORDINANCE O-4633 GRANTING SEATTLE SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS ("GRANTEE") A NON-EXCLUSIVE COMMUNICATIONS MASTER USE PERMIT FOR SMALL CELL WIRELESS COMMUNICATIONS FACILITIES, AND REPLACING EXHIBIT A OF O-4633 TO EXPAND GRANTEE'S PERMIT TO ENCOMPASS ALL RIGHTS-OF-WAY WITHIN THE CITY LIMITS OF KIRKLAND.

WHEREAS, the City of Kirkland, Washington ("City") granted Seattle SMSA Limited Partnership d/b/a Verizon Wireless ("Grantee") the right to install, operate, and maintain a small cell wireless communications system within the public rights-of-way of the City pursuant to Ordinance O-4633 adopted January 2, 2018; and

WHEREAS, Exhibit A to O-4633 limited the Permit Area to a small portion of the City where Verizon was initially deploying small cell wireless communications; and

WHEREAS, the City desires to amend O-4633 to revise and expand the definition of the Permit Area to encompass all rights-of-way within the entire City limits.

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

Section 1.

**1. Permit Area.** Exhibit A attached to O-4633 is hereby deleted in its entirety and replaced with **Exhibit A-1** attached to this ordinance and incorporated herein by reference. It is the intent of the City and Grantee that the Permit Area, as defined in O-4633, shall encompass all rights-of-way within the City limits of the City of Kirkland.

**2. Other Terms and Conditions Remain.** In the event of any inconsistencies between O-4633 and this ordinance, which shall be known as the "First Amendment," the terms of this First Amendment shall control. Except as expressly set forth in this First Amendment, O-4633 otherwise is unmodified and remains in full force and effect.

Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

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

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_ day of \_\_\_\_\_, 2019.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2019.

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

Attest:

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

Approved as to Form:

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

DRAFT



**EXHIBIT A-1  
Permit Area**

**(See following page)**

DRAFT



**CITY OF KIRKLAND**123 Fifth Avenue, Kirkland, WA 98033 425.587.3000  
www.kirklandwa.gov

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**MEMORANDUM**

**To:** City Council

**From:** Kurt Triplett, City Manager

**Date:** August 28, 2019

**Subject:** SUPPORT LETTER REGARDING SEATTLE-KING COUNTY INTERLOCAL AGREEMENT ESTABLISHING A REGIONAL HOMELESSNESS RESPONSE AGENCY

**RECOMMENDATION:**

That the City Council reviews a draft proposal establishing a regional homelessness response agency from Seattle Mayor Jenny Durkan and King County Executive Dow Constantine and considers authorizing a letter of conditional support for establishing the new agency.

**BACKGROUND DISCUSSION:**

In May of 2018, Executive Constantine and Mayor Durkan signed a Memorandum of Understanding (MOU) between the City of Seattle and King County to increase collaboration on providing homelessness services and create governance reforms to more effectively coordinate homeless investments region-wide.

As a result of the efforts sparked by the MOU, on August 21, 2019, King County staff provided a briefing to the Regional Policy Committee (RPC) about an Interlocal Agreement (ILA) proposal for a new regional homelessness governance entity and a new Regional Action Plan designed to more efficiently and effectively deal with the challenges of homelessness in the region. The RPC staff report is included as **Attachment A** and provides more background.

At that briefing, the RPC received a two-page summary of the ILA proposal entitled "*Overview and Key Elements of Proposed ILA & Charter for a Unified Regional Homelessness Response Authority 8.21.2019*". The overview document provided is included as **Attachment B**.

Seattle and King County have engaged the Sound Cities Association (SCA) and suburban elected officials in several ways over the past year about the concept of a new regional homelessness entity. Auburn Mayor Nancy Backus, Renton Council President Ed Prince, and Bellevue Mayor John Chelminiak were named in the fall of 2018 as the lead SCA members to engage in discussions with King County, City of Seattle, and stakeholders in business and philanthropy. On July 30, 2019, Councilmember Kelli Curtis attended an informational workshop by King County to SCA elected officials about the proposal. Although there has been constructive dialogue with SCA representatives and staff, no formal agreement has been reached and many SCA member cities have concerns about the proposal.

Other than Councilmember Curtis's attendance at the SCA workshop, Kirkland has not been a major party to these regional discussions as they have evolved. However, that changed in the past month. On August 6, Mayor Sweet and the City Manager attended a North End Mayor's lunch hosted in Kirkland. Seattle Mayor Durkan and Tess Colby, her Special Advisor on Homelessness, joined the lunch and engaged the Mayors seeking input and support. Key components of the discussion were adequate geographic representation and whether the Governing Board of the new entity should comprise elected officials, or non-elected practitioners and experts. As the host, Mayor Sweet facilitated a constructive dialogue and the City Manager offered some suggestions for a two-tiered approach.

Coincidentally, later in the afternoon on August 6, Mayor Sweet and the City Manager had a scheduled meeting with Kelly Rider, Government Affairs Manager of the King County Department of Community and Human Services to discuss the same governance proposal. The Mayor and City Manager shared the lunch conversation and ideas with Ms. Rider. On Friday, August 9, Seattle Deputy Mayor David Mosely spoke at length with the City Manager at the request of Mayor Durkan about the same themes and requested Kirkland's input and support for the ILA. On August 13, Rachel Smith, Chief of Staff to Executive Constantine called the City Manager and had a similar conversation and requested Kirkland's feedback and support. Both discussions were positive and focused on addressing SCA city concerns, but Seattle and King County were informed that the full Kirkland City Council would need to be briefed and authorize any official support of the ILA.

Mayor Sweet and City Manager received the ILA summary sent to the RPC and discussed the issue at their weekly Monday meeting on August 26. Mayor Sweet and City Manager met with Deanna Dawson, Executive Director of the Sound Cities Association on August 27 to understand the concerns of SCA leadership. Mayor Durkan and Executive Constantine both intend to transmit the ILA legislation to their respective Council's by September 6<sup>th</sup>. Therefore, the opportunity for the Council to provide formal input prior to those transmittals is at the September 3 Council meeting.

Following the August regional dialogue, and after consultation with the Mayor, the City Manager has drafted a conditional letter of support for the Council's consideration. The letter is included as **Attachment C** and will also be placed on the dais at the Council meeting. The letter is intended to indicate support, but also highlight the concerns that Kirkland and other SCA cities have expressed over the past year, but also proposes some solutions to those concerns. The primary concerns highlighted are about sufficient geographic representation on the Steering Committee, as well as the ability of SCA member cities to have a role in appointing the Governance Board of the new entity. The City Manager will be discussing this letter under the "City Manager Report" and will be seeking a decision on whether to authorize the Mayor to sign the letter.

- Attachment A: Regional Policy Committee Staff Report
- Attachment B: Seattle/King County Draft Proposal Summary
- Attachment C: Kirkland Letter of Support to Seattle and King County



## King County

### Metropolitan King County Council Regional Policy Committee

#### STAFF REPORT

<b>Agenda Item:</b>	7	<b>Name:</b>	Sahar Fathi Wendy SooHoo
<b>Proposed No.:</b>	2019-B0129	<b>Date:</b>	August 21, 2019

#### SUBJECT

Update on recommendations on the Regional Homeless System Redesign.

#### SUMMARY

This briefing is the third background briefing since June 2019 to the Regional Policy Committee on a regional governance approach to reduce homelessness through improved coordination. The first briefing was heard on June 12 and the second was heard on July 10. This third briefing will continue the discussion by the Department of Community and Human Services (DCHS) on the proposed legislation for a regional homeless system redesign that the Executive anticipates transmitting in August.

#### BACKGROUND

##### One Table

In 2017, King County Executive Dow Constantine, Seattle Mayor Jenny Durkan, and Auburn Mayor Nancy Backus announced the formation of One Table, which they stated would assess the region's current response to homelessness, including root causes such as escalating home prices, inequality and the need to expand mental health and addiction services. It would also work to scale up community-based and government programs that are successful.

One Table members developed specific recommendations regarding five root causes of the crisis, including: the lack of affordable housing region-wide; inadequate access to behavioral health treatment; negative impacts on youth involved in the child-welfare system; prior criminal justice involvement impacting the ability to gain housing and employment, and education and employment gaps making housing unattainable and unaffordable.<sup>1</sup>

In May of 2018, Executive Constantine and Mayor Durkan signed a Memorandum of Understanding (MOU) between the City of Seattle and King County to increase

<sup>1</sup> <https://kingcounty.gov/elected/executive/constantine/news/release/2018/June/20-one-table-homelessness.aspx>

collaboration of homelessness services and set a path for governance reforms to better coordinate homeless investments region-wide.<sup>2</sup>

### **King County Auditor's Report**

In May 2018 the King County Auditor's Office released a report entitled: "Homeless Crisis Demands Unified, Accountable, Dynamic Regional Response."<sup>3</sup> The Auditor's office determined that "Separate funding and contracting processes burden homeless housing providers, and funder autonomy slows programmatic changes that would respond to community needs." Further, they noted that "Despite its role as a coordinating body, All Home<sup>4</sup> lacks the authority to unify local funders into an efficient and nimble crisis response system." The Auditor's Office recommended that, "DCHS work with All Home and local funders on a formal, binding process to align funding decisions, and that DCHS use CEA data to identify improvements to the homeless system, reduce unsuccessful housing referrals, and address racial disparities in the system. [...And also] that DCHS work with All Home and local funders to ensure that RRH move-in rates and the number of RRH enrollees evicted or moving out of King County are tracked."<sup>5</sup>

### **King County and City of Seattle 2018 MOU**

Shortly after this report was released, the King County Executive and the City of Seattle Mayor signed a Memorandum of Understanding (MOU)<sup>6</sup> to increase coordination of homeless services, planning and reporting. The agreement also established the Homeless Services and Housing Governance Partnership between King County, Seattle, All Home and regional partners to improve outcomes and accountability for the future.<sup>7</sup>

According to the press release,<sup>8</sup> Mayor Durkan and Executive Constantine agreed to the following immediate action steps:

- Coordinate in advance on all Requests for Proposals (RFPs) related to homelessness from the signing of this MOU to 2020
- Use joint contract language and joint monitoring of programs on all RFPs for the same time period.
- Develop system improvements to the regional Homeless Management Information System (HMIS) to align data, performance and evaluation efforts across the city and county, and engage regional partners and regional tech businesses on best practices for improving current data sharing and analytical

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<sup>2</sup> <https://kingcounty.gov/elected/executive/constantine/news/release/2018/June/20-one-table-homelessness.aspx>

<sup>3</sup> Report can be found here: <https://www.kingcounty.gov/depts/auditor/auditor-reports/all-landing-pgs/2018/homeless-2018.aspx>

<sup>4</sup> Per the 2018 King County Auditor's report in footnote 3 (page 1), "All Home is the region's federally mandated body ('continuum of care') for coordinating federal funding and ensuring compliance with federal law. To receive funding from the U.S. Department of Housing and Urban Development, federal regulations require regions to operate a continuum of care, whose responsibilities include: (1) ensuring collection of homeless system performance data (a 'Homeless Management Information System' or HMIS), (2) establishing and operating a coordinated needs assessment and referral process ('coordinated entry'), (3) performing analysis to identify gaps in regional homeless service needs."

<sup>5</sup> <https://www.kingcounty.gov/depts/auditor/auditor-reports/all-landing-pgs/2018/homeless-2018.aspx>

<sup>6</sup> The first two pages of this MOU can be found here:

[https://www.kingcounty.gov/~media/elected/executive/constantine/news/documents/SeaKing\\_MOU.ashx?la=en](https://www.kingcounty.gov/~media/elected/executive/constantine/news/documents/SeaKing_MOU.ashx?la=en)

<sup>7</sup> <https://www.kingcounty.gov/elected/executive/constantine/news/release/2018/May/03-MOU-homelessness.aspx>

<sup>8</sup> <https://www.kingcounty.gov/elected/executive/constantine/news/release/2018/May/03-MOU-homelessness.aspx>

tools. This effort builds on ongoing work to improve public-facing dashboards and reporting tools to allow the public and decision-makers to better track progress and outcomes for programs serving homeless populations.

The press release<sup>9</sup> also stated that the MOU established the Homeless Services and Housing Governance Partnership consisting of City and County staff, All Home, and regional partners. The overarching goals of the partnership were to strengthen coordination, accountability, equity and improve outcomes for people who are experiencing homelessness. The new governance partnership was to take on the following tasks:

- Review current homeless service systems and housing investments to identify existing service gaps and duplicative efforts between the County and the City.
- Set principles and outcomes that a new system governing homeless services and housing investments should address.
- Engage stakeholders to discuss desired revisions to the existing governing system to better serve persons who are homeless.
- Work with cities, providers and other regional partners to ensure coordinated investments provide a comprehensive network of services countywide.
- Study models governing public health, homeless services and housing investments in other U.S. cities to explore elements of alternate governance models that could be implemented here to achieve the desired outcomes
- Establish shared budget priorities and joint planning efforts to meet the needs of King County and Seattle's homeless populations.
- By Dec.1, 2018, forward governance recommendations to the King County Executive and Mayor of Seattle regarding potential system revisions to increase the effectiveness, reach and efficiency of the countywide homelessness system.<sup>10</sup>

Beginning in March 2019, the Executive began a series of briefings in the Health, Housing and Human Services (HHHS) Committee of the King County Council on the proposed regional approach to improving coordination in homelessness systems across the county. Beginning in June 2019, the Executive began parallel briefings in the Regional Policy Committee (RPC). The Executive has indicated that they intend to transmit a proposed ILA/Charter by August 29, 2019. In addition, there has been discussion about a proposed Regional Action Plan.

As a note, in the July 30, 2019 special HHHS Committee briefing, Director Leo Flor noted: "We do not at this point anticipate transmitting the Regional Action Plan.<sup>11</sup> He further described that this could be more accurately be described as a type of "framework or method of analysis [...] for our use in constantly assessing and then reassessing where we stand with respect to our goals around homelessness."<sup>12</sup>

**Briefing #1 (June 12, 2019):** This briefing provided an overview of the National

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<sup>9</sup> <https://www.kingcounty.gov/elected/executive/constantine/news/release/2018/May/03-MOU-homelessness.aspx>

<sup>10</sup> The Executive released a report and an accompanying press release that can be found here:

<https://kingcounty.gov/elected/executive/constantine/news/release/2018/December/19-governance-homeless.aspx>

<sup>11</sup> See Meeting Video, HHHS at 1:47:44. ([http://king.granicus.com/MediaPlayer.php?view\\_id=4&clip\\_id=7665](http://king.granicus.com/MediaPlayer.php?view_id=4&clip_id=7665))

<sup>12</sup> 1:53:23

Innovation Service's review of regional homeless services coordination in King County. The briefing also updated the committee on the Executive's plans to reduce homelessness through improved coordination and included discussion of:

- Existing system fragmentation;
- Alternative models from across the country for regional governance; and
- Policy issues for consideration.

**Briefing #2 (July 10, 2019):** This briefing discussed major policy considerations, subregional tailoring, and continued discussion around a potential board and its possible composition for the proposed legislation that the Executive anticipates transmitting in August.

**Briefing #3 (August 21, 2019):** Continued discussion by DCHS on the proposed legislation for a regional homeless system redesign that the Executive anticipates transmitting August 29, 2019.

### **External Engagement**

In July, Director Leo Flor provided an update in RPC on their SCA/Sub-regional Engagement. Below is that information with additional updates:

- **Ongoing SCA Member Engagement**
  - PIC Briefings (January – June)
  - SCA Leads meetings, June 6 & June 21
  - Shoreline City Council presentation, June 17
  - DCHS and SCA hosted a briefing/discussion for SCA jurisdictions, July 30
  - In addition, the Exec's Office & DCHS have spoken directly via phone or in-person with elected and/or administrative (city manager or administrator) leadership from the following jurisdictions: Kenmore, Redmond, Kirkland, Bellevue, Burien, Renton, Tukwila, Auburn, and Shoreline. Additional discussions are ongoing.
- **SCA-Identified Leads for Engagement:**
  - Mayor Nancy Backus, Auburn
  - Mayor John Chelminiak, Bellevue
  - Council President Prince, Renton
  - Leads and SCA Director invited/participated in two joint King County Councilmember Advisory Team/Seattle Client Group/SCA meetings
- **Briefings/workshops with sub-regional collaborations** including:
  - Eastside Homelessness Advisory Committee (EHAC), June 6, August 1
  - South King County Homelessness Advisory Committee (HAC), June 19, July 17, August 21
  - North Urban Human Services Alliance (NUHSA), June 19, August 21

### **Councilmember Advisory Team**

The King County Council has created a Councilmember Advisory Team of four Councilmembers who have also received biweekly briefings on this topic for the last two



months: Councilmembers Kohl-Welles, Dembowski, Upthegrove and McDermott. This is a parallel structure to the City of Seattle's "Client Group."<sup>13</sup>

**INVITED**

- Leo Flor, Director, Department of Community and Human Services

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<sup>13</sup> The City of Seattle Councilmembers who serve on the "Client Group" are Councilmembers Bagshaw, Mosqueda, and O'Brien.

## What will the Executive and Seattle Mayor Transmit & When?

- The County Executive and Seattle Mayor will transmit to their respective Councils by early September an ordinance (with an attached Public Development Authority Charter) seeking authorization to enter into an Interlocal Agreement (ILA), creating a Regional Authority to oversee and administer regional homelessness response systems and services.
- If enacted by both King County and Seattle, the County will also simultaneously enact an ordinance to establish in County Code the PDA that is agreed upon in the ILA.

## What will be in the Proposed ILA and the Charter?

Both the ILA and Charter contain definitions as appropriate in addition to the contents for each listed below:

<b>The ILA</b>	<b>The Charter</b>
<ul style="list-style-type: none"> <li>• Statement of purpose</li> <li>• Agreement for the County to charter the PDA as attached</li> <li>• Eligibility for ILA Parties</li> <li>• Principles to guide the PDA</li> <li>• Brief description of the                             <ul style="list-style-type: none"> <li>◦ Steering Committee</li> <li>◦ Governing Board</li> <li>◦ Advisory Committee(s)</li> </ul> </li> <li>• PDA Scope of Work</li> <li>• Initial Agreements for provision of                             <ul style="list-style-type: none"> <li>◦ Program Funding</li> <li>◦ Administrative Funding</li> <li>◦ Start-Up Funding</li> </ul> </li> <li>• Agreement on Obligations of the PDA to King County and Seattle</li> <li>• Provisions for PDA Term, Withdrawal, Termination, and Amendment of the ILA</li> <li>• Provisions for Modification &amp; Disestablishment of the PDA</li> <li>• Additional Provisions of the ILA as legally necessary</li> <li>• The proposed PDA Charter as an attachment</li> </ul>	<ul style="list-style-type: none"> <li>• Creation of the Regional Authority as a PDA</li> <li>• Necessary limitations on liability and disclaimers</li> <li>• Establishment as a perpetual PDA (unless terminated)</li> <li>• Purpose and Scope of the PDA</li> <li>• Powers of the PDA</li> <li>• Explicit limitation of PDA powers</li> <li>• Creation &amp; definition of the PDA's Steering Committee-Governing Board-Advisory Committee Structures, Powers, Procedures &amp; Appointment Processes</li> <li>• Identification of key Officers and Staff, including the Executive Director and Office of the Ombuds</li> <li>• Additional provisions of the Charter as legally necessary</li> </ul>

## What is the Proposed PDA's Scope?

### Programs and System Scope

The PDA's scope of work will be the region's homelessness response system. The PDA's scope contemplates that in addition to unifying homeless response services of Seattle and King County, it will also replace and encompass the current functions of All Home, the region's current Continuum of Care lead.



### Financial Scope

The ILA will establish initial funding minimum expectations, subject to appropriation by Councils, based upon the sum of King County's and Seattle's 2019 annualized value of programs and administration for programs within the PDA's scope of work. The ILA will also make minimum funding expectations contingent upon the ongoing availability of funds sources while also providing that any fund source subsequently attributed directly to the PDA may trigger a proportionate reduction in the minimum funding expectations for Seattle and/or King County.

King County's 2019 Annualized Program Value \$ <u>    </u> M approximate	Seattle's 2019 Annualized Program Value \$ <u>    </u> M approximate	Total 2019 Annualized Program Value \$ <u>    </u> M approximate
King County's 2019 Annualized Admin. Value \$ <u>    </u> M approximate	Seattle's 2019 Annualized Admin. Value \$ <u>    </u> M approximate	Total 2019 Annualized Administrative Value \$ <u>    </u> M approximate
Value of King County's Proposed Contributions to PDA start-up costs \$ <u>    </u> M approximate	Value of Seattle's Proposed Contributions to PDA start-up costs \$ <u>    </u> M approximate	Total Value of Proposed Contributions to PDA start-up costs \$ <u>    </u> M approximate

### Geographic Scope

In accordance with the agreed upon ILA, the County will create the PDA with geographic scope coincident with the boundaries of King County.

## How will the ILA provide for participation of other cities?

**Regional participation is critical**—the ILA eliminates barriers that otherwise limit participation:

- **Who?** Cities or housing authorities in King County may join
- **When?** May join immediately or over time to take advantage of the efficiencies of scale created by the PDA structure.
- **What does joining mean?** All participants would commit to align provision of in-scope homelessness response services with the PDA's 5-Year implementation plan and sub-regional plans
- **How?** The joining city or housing authority may join by becoming party to the ILA

**Service Agreements:** Each party would sign a Service Agreement with the PDA, describing their respective commitments to provide resources (funding or in-kind contributions inclusive of staff time, facility space, development sites, etc.) to support the operation of the PDA or the operation of related services.

## The Proposed Board

### Steering Committee

Primarily of elected officials ensuring overall electoral, financial, strategic, and community accountability and outcomes.

#### 7 Members

KC Executive  
x1 KC Councilmember  
x1 SCA Member

Seattle Mayor  
x1 SEA Councilmember  
x2 Lived Experience (appointed by a Continuum of Care body representing persons with lived experience)

#### Powers

- Confirm Governing Board Appointees
- Remove Governing Board Members for Cause
- Confirm w/o amendment or Reject 5-Year Plans
- Confirm w/o amendment or Reject Annual Budget
- Receive Annual Performance Report

### Governing Board

Subject matter experts empowered by the Steering Committee to provide robust, persistent, and detailed guidance, fiscal and operational management, and oversight of the PDA and its mission.

#### 11 Members

##### Board Member Expertise & Skills

Each member has expertise in one or more of the following with a requirement that all expertise & skills are present:

- Equity Implementation
- Fiscal Oversight
- Business Operations or Strategy
- Affordable Housing Finance/Development
- Physical or Behavioral Healthcare
- Labor Unions & Workforce
- Provision of services for persons experiencing homelessness
- Data-Based Performance Evaluation or Academic Research
- Criminal Justice

##### Overall Board Characteristics

In its total composition, the board must

- Include 3 persons representing persons with **lived experience** of homelessness
- Strive to reflect a **diversity of geographies** in King County
- Include individuals with connections to or experience with the **Business Community, neighborhood or community associations, and faith/religious groups.**
- A majority of the members of the Governing Board shall be persons whose identity, personal experience, or professional expertise enables them to credibly represent the perspectives of, and to be accountable to, marginalized demographic populations that are statistically disproportionately represented among people experiencing homelessness in King County
- No member shall be an elected official, an employee of ILA parties, nor an employee, official, agent or representative of current contract holders or any entity that is likely to directly benefit from the actions of the Authority

##### Initial Appointment Process

- King County Executive, King County Council, Seattle Mayor, Seattle City Council **each appoint 2 Governing Board Members** for Steering Committee Confirmation
- Steering Committee's 2 Lived Experience members **jointly appoint 3 Governing Board Members** for Steering Committee Confirmation

#### Powers

**The Governing Board is responsible for the management, vision, community accountability, and oversight of the PDA. Specified powers include:**

- Hire, fire, and review the performance of the PDA's Executive Director
- Adopt & transmit for Steering Committee confirmation a 5-Year Plan
- Appoint Governing Board Members for confirmation by the Steering Committee after the initial appointment process
- Annually adopt & transmit an operating budget for confirmation by the Steering Committee and approval by the respective funding jurisdictions
- Annually adopt a performance report
- Oversee the PDA's implementation of the 5-Year Plan, Annual Budget, and additional plans and policies necessary to carry out the duties and responsibilities of the PDA
- Other powers legally necessary for the management of the PDA as provided in the Charter

##### Ongoing Appointment Process

After 5 years, the Governing Board appoints persons to fill Governing Board vacancies subject to Steering Committee confirmation.

### Advisory Committee(s)

The Charter will empower the Governing Board to create and maintain an Advisory Committee or Committees as needed to ensure that the Governing Board receives the advice of a wide range of stakeholders, including providers and advocates of homelessness services. The Advisory Committee(s) may be constituted, if duly empowered, to perform the functions of the mandatory Federal Continuum of Care Board.

## How will the ILA and Charter specify the PDA's planning cycle & staffing?

**5-Year Implementation Plan** required by the ILA & Charter within 18 months of the PDA's formation

- Incorporates requirements of Service Agreements from funders and the Regional Action Plan to guide the PDA's operations
- Developed by the PDA, approved by the Governing Board, and confirmed or rejected by the Steering Committee
- Inclusive of sub-regionally tailored context, needs, priorities, and approaches

#### Annual Budget

- Proposed by the Executive Director, approved by the Governing Board, and confirmed or rejected by the Steering Committee
- The annual budget would inform resource requests to be made to each party in accordance with the 5-year Strategic Plan, Service Agreements from funders, and subject to appropriation

#### Staffing

- The Charter mandates an **Executive Director**, hired by the Governing Board, with authority to hire additional staff as needed
- The Charter mandates an **Ombuds Office** to serve as a single point of contact for direct customer accountability within the PDA and the homeless service delivery system more broadly, ensuring customer accountability in the regional homeless response system, informing continuous improvement of the PDA, and increasing transparency and public trust.
- The Charter **empowers the ED to hire staff** to implement the 5-year strategic plan, including sub-regional planning, subject to budget authority and appropriation

September 3, 2019



Dow Constantine  
King County Executive  
401 Fifth Avenue, Suite 800  
Seattle, WA 98104

Jenny Durkan  
Seattle Mayor  
600 Fourth Avenue, 7<sup>th</sup> Floor  
Seattle, WA 98104

Dear Executive Constantine and Mayor Durkan;

Thank you for the opportunity to review the draft August 21, 2019 "Overview and Key Elements of Proposed ILA & Charter for a Unified Regional Homelessness Response Authority" document that you presented at the Regional Policy Committee and shared with regional partners.

The City of Kirkland applauds your efforts to develop and implement a unified, effective, regional response to homelessness. We understand the difficult challenges that must be overcome to reform and improve the existing fragmented system. Every city in King County shares the goal of a coordinated, seamless system that successfully transitions every man, woman, child and family experiencing homelessness to stable housing. We deeply appreciate the leadership provided by Seattle and King County to tackle these challenges.

We also thank you and your staff for including key leaders from the Sound Cities Association in the conversation throughout the development of the initiative. Although there is not agreement on every issue, the proposed ILA and Public Development Authority (PDA) Charter summary appear to incorporate important feedback from the cities and make great strides in addressing several key concerns about governance and funding. While the initial Interlocal Agreement (ILA) creating the PDA understandably begins with Seattle and King County, we are pleased that the ILA allows for additional cities to join the ILA and the PDA over time, and Kirkland desires to help ensure the success of the initiative.

In that spirit, Kirkland has several important comments on the draft overview document. First, we favor the concept of the two-tiered governance structure. We firmly believe in the need for a Steering Committee with elected leadership to approve Board members, budgets and work plans. But we also support empowering a Governing Board of practitioners and experts who do not benefit from the current system to develop and implement the budgets and work plans to maximize the effectiveness of the new entity. The draft document appears to strike a reasonable balance in granting authority and accountability to both groups.

While Kirkland does support the governance framework, further regional conversation needs to occur on the specific membership allocations. It is important to remember that much of the revenue that King County invests in homelessness programs is either generated in cities through countywide taxes or is allocated to King County by the federal government based on the populations in the cities. For these reasons, both the Steering Committee and the Governing Board must include an appropriate level of geographic representation. One Steering Committee member from cities outside of Seattle cannot effectively represent North, South and East King County. In addition, more clarity is needed on how the Steering Committee and Governing Board will evolve as new cities join. Nevertheless, the initial proposal from Seattle and King County is an excellent place to start.

Secondly, Kirkland does have concerns about the initial Governing Board appointment process. As explained in the document, the King County Executive, King County Council, Seattle Mayor, and

Seattle City Council each appoint 2 Governing Board Members for Steering Committee confirmation and the "Lived Experience members" jointly appoint 3 Governing Board Members for confirmation. Clearly there needs to be an appointment role for Sound Cities in the final ILA. Kirkland would suggest that to create regional cohesion and strong support for the Governing Board, all Steering Committee Members should jointly select all Governing Board members from a qualified pool of nominations rather than include "guaranteed slots" for various bodies.

Third, Kirkland supports the initial scope of work for the new regional authority. Seattle and King County have appropriately limited the scope to those programs and funding sources that are currently the responsibility of Seattle, King County, or the current Continuum of Care provider, All Home. By focusing the scope on these internal programs, you maximize the chance of early successes. But the more focused scope also addresses some of the key concerns of Kirkland and other cities, which is to ensure that the new PDA does not have some new authority over cities that does currently exist and cannot raise new revenue from cities without their agreement and support.

Finally, Kirkland strongly supports the provision in the ILA that allows other cities or housing authorities to become parties to the ILA and sign service level agreements with the PDA. We recognize that Seattle and King County need to act now to address the immediate crisis. But this provision will allow the new authority to be enriched and enhanced over time by a "coalition of the willing" as the new authority demonstrates effectiveness and accountability. East King County has many successful examples of these collaborative coalitions, including A Regional Coalition for Housing (ARCH), the Eastside Public Safety Communications Agency (EPSCA), the east side dispatch center NORCOM, and the eCityGov Alliance. Each of these entities were created by cooperative interlocal agreements, and they continue to thrive because they deliver the services and outcomes that member cities value. Based on our experience, we feel confident that once the new PDA delivers results, cities will see the value in signing on to the ILA and executing contracts with the PDA. The ability to join later gives cities the time we need to evaluate the new entity and is critical for the overall success of creating a truly regional system. We appreciate Seattle and King County including this opportunity in the ILA.

Again, thank you for the opportunity to review the proposed ILA and PDA Charter. It should be noted that our position might evolve as the two-page summary shared with the region is converted to more detailed legislative documents. But that caveat aside, overall Kirkland supports the proposal that Seattle and King County have made to create a unified regional authority to tackle homelessness. It is a thoughtful, pragmatic approach, and the urgency of the issue demands action. We encourage both Seattle and King County to incorporate our suggestions and approve the ILA. Kirkland fervently hopes the new authority will be successful and looks forward to a potential future partnership.

Sincerely,

KIRKLAND CITY COUNCIL

Penny Sweet, Mayor  
City of Kirkland

cc: Kirkland City Council