

RESOLUTION NO. R- 3972

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE NON-CHARTER CODE CITIES OF THE STATE OF WASHINGTON, INCLUDING THE *CITY OF BELLEVUE*, HEREAFTER CALLED "BELLEVUE"; AND THE *CITY OF BOTHELL*, HEREAFTER CALLED "BOTHELL"; AND THE *CITY OF CLYDE HILL*, HEREAFTER CALLED "CLYDE HILL"; AND THE *CITY OF HUNTS POINT*, HEREAFTER CALLED "HUNTS POINT"; AND THE *CITY OF KIRKLAND*, HEREAFTER CALLED "KIRKLAND"; AND THE *CITY OF ISSAQUAH*, HEREAFTER CALLED "ISSAQUAH"; AND THE *CITY OF MEDINA*, HEREAFTER CALLED "MEDINA"; AND THE *CITY OF MERCER ISLAND*, HEREAFTER CALLED "MERCER ISLAND"; AND THE *CITY OF NEWCASTLE*, HEREAFTER CALLED "NEWCASTLE"; AND THE *CITY OF REDMOND*, HEREAFTER CALLED "REDMOND"; AND THE *CITY OF RENTON*, HEREAFTER CALLED "RENTON"; AND THE *CITY OF WOODINVILLE*, HEREAFTER CALLED "WOODINVILLE"; AND THE *CITY OF YARROW POINT*, HEREAFTER CALLED "YARROW POINT"; AND *KING COUNTY*, A LEGAL SUBDIVISION OF THE STATE OF WASHINGTON, HEREAFTER CALLED "KING COUNTY"; AND *SNOHOMISH COUNTY*, A LEGAL SUBDIVISION OF THE STATE OF WASHINGTON, HEREAFTER CALLED "SNOHOMISH COUNTY"; AND THE *PUGET SOUND REGIONAL COUNCIL*, HEREAFTER CALLED "PSRC"; AND THE *REGIONAL TRANSIT AUTHORITY*, HEREAFTER CALLED "RTA"; AND THE *TRANSPORTATION IMPROVEMENT BOARD*, HEREAFTER CALLED THE "TIB"; AND THE *WASHINGTON STATE DEPARTMENT OF TRANSPORTATION*, HEREAFTER CALLED "WSDOT".

WHEREAS, the area represented on the attached sketch (Exhibit 1) is the ETP boundary area, hereinafter called the "Eastside"; and

WHEREAS, the parties to this agreement recognize that multi-jurisdictional transportation planning and the development of a multi-jurisdictional transportation plan for the Eastside would be of benefit to the parties and to affected citizens; and

WHEREAS, since 1987 the Eastside Transportation Program has served as the central forum for information sharing, consensus building, and coordination to resolve transportation issues, and establish priorities for implementing transportation projects and programs on a subregional basis; and

WHEREAS, the parties to this agreement recognize the need to link transportation to land use, to develop consistent and coordinated transportation plans, to pursue member jurisdiction's input and concurrence, and to promote and reconcile Eastside objectives within the broader regional, state, and national policy-making framework; and

WHEREAS, Growth Management legislation requires intergovernmental coordination efforts, including an assessment of the impacts of transportation plans and land use assumptions on the transportation systems of adjacent jurisdictions; and

WHEREAS, the parties to this agreement recognize that significant changes in land use, travel demand, and regulatory requirements have taken place since the adoption of the Eastside Transportation Program Recommendation Report in 1991; and

WHEREAS, and Eastside Transportation Program Recommendation Report Update has been proposed by the parties to this agreement in order to develop an updated Eastside transportation plan and multi-jurisdictional transportation planning designed to coordinate the implementation of transportation projects and programs for the benefit of the traveling public; and

Interlocal Agreement
for the
Eastside Transportation Program

(This revised interlocal agreement re-establishes the framework for the Eastside Transportation Program (ETP), originally established in 1986, and identifies financial contributions needed for updating the ETP Recommendations Report.)

Adopted by the ETP Steering Committee

August 18, 1995

and, transmitted to participating members for signature on
September __, 1995

City of Bellevue
City of Bothell
City of Kirkland
City of Issaquah
City of Mercer Island
City of Newcastle
City of Redmond
City of Renton
City of Woodinville
King County
Snohomish County

Small Cities
Beaux Arts
Clyde Hill
Hunts Points
Medina
Yarrow Point
Transportation Improvement Board
Puget Sound Regional Council
Regional Transit Authority
Washington State Department of Transportation

THIS AGREEMENT is made and entered into this _____ day of _____, 1995, by and between the non-charter code cities of the State of Washington including the CITY OF BELLEVUE, of, hereafter called "Bellevue"; and the CITY OF BOTHELL, hereafter called "Bothell"; and the CITY OF CLYDE HILL, hereafter called "Clyde Hill;" and the CITY OF HUNTS POINT, hereafter called "Hunts Point"; and the CITY OF KIRKLAND, hereafter called "Kirkland;" and the CITY OF ISSAQUAH, hereafter called "Issaquah;" and the CITY OF MEDINA, hereafter called "Medina;" and the CITY OF MERCER ISLAND, hereafter called "Mercer Island;" and the CITY OF NEWCASTLE, hereafter called "Newcastle;" and the CITY OF REDMOND hereafter called "Redmond;" and the CITY OF RENTON hereafter called "Renton;" and the CITY OF WOODINVILLE, hereafter called "Woodinville;" and the CITY OF YARROW POINT, hereafter called "Yarrow Point;" and KING COUNTY, a legal subdivision of the State of Washington, hereafter called "King County"; and SNOHOMISH COUNTY, a legal subdivision of the State of Washington, hereafter called "Snohomish County"; and the Puget Sound Regional Council, hereafter called the "PSRC"; and the Regional Transit Authority, hereafter called the "RTA" and the Transportation Improvement Board, hereafter called the "TIB" and the Washington State Department of Transportation, hereafter called the "WSDOT".

WHEREAS, the area represented on the attached sketch (Exhibit 1) is the ETP boundary area, hereinafter called the "Eastside", and

WHEREAS, the parties to this agreement recognize that multi-jurisdictional transportation planning and the development of a multi-jurisdictional transportation plan for the Eastside would be of benefit to the parties and to affected citizens; and

WHEREAS, since 1987 the Eastside Transportation Program has served as the central forum for information sharing, consensus building, and coordination to resolve transportation issues, and establish priorities for implementing transportation projects and programs on a sub-regional basis; and

WHEREAS, the parties to this agreement recognize the need to link transportation to land use, to develop consistent and coordinated transportation plans, to pursue member jurisdiction's input and concurrence, and to promote and reconcile Eastside objectives within the broader regional, state and national policy making framework; and

WHEREAS, Growth Management legislation requires intergovernmental coordination efforts, including an assessment of the impacts of transportation plans and land use assumptions on the transportation systems of adjacent jurisdictions; and

WHEREAS, the parties to this agreement recognize that significant changes in land use, travel demand, and regulatory requirements have taken place since the adoption of the Eastside Transportation Program Recommendation Report in 1991; and

WHEREAS, an Eastside Transportation Program Recommendation Report Update has been proposed by the parties to this agreement in order to develop an updated Eastside transportation plan and multi-jurisdictional transportation planning designed to coordinate the implementation of transportation projects and programs for the benefit of the traveling public; and

WHEREAS, an Intermodal Surface Transportation Efficiency Act grant of \$200,000.00 has been received for the Eastside Transportation Program's Recommendation Report Update; and

WHEREAS, local matching funds totaling \$50,000.00 are needed.
Now therefore,

THE PARTIES HEREBY AGREE TO PARTICIPATE IN ETP AND PROVIDE FUNDS TO SUPPORT AS FOLLOWS;

1. **Purpose of ETP** -- The parties to this agreement shall continue the Eastside Transportation Program as a central forum for information sharing, consensus building, and coordination to resolve transportation issues and establish priorities for implementing multi-modal transportation projects and programs.
2. **Program Direction** -- The Eastside Transportation Program Steering Committee (ETPSC) shall consist of elected officials from each of the participating counties or cities, the Executive Director of the PSRC, the Director of WSDOT Office of Urban Mobility, the Director of the Transportation Improvement Board, a representative designated by the

membership of the Eastside Transportation Committee, and a representative designated by the Washington Environmental Council. The ETPSC is created and will be responsible for overall program direction, and on-going communication with the governing body of each member jurisdiction.

3. **ETP Membership** -- The ETPSC may approve for membership an additional private sector group that represents the Eastside by a two-thirds majority vote of voting members present. Existing or new cities legally formed under the laws of incorporation of the State of Washington may petition the ETPSC for membership during the annual open enrollment period (February 1 through March 15). The number of ETPSC representatives and the voting status of new member jurisdictions shall be determined by a simple majority of the seated ETPSC.

Any ETPSC member may appoint a person to act permanently in his/her place by notifying the Committee in writing of such appointment. There shall be no alternate representatives.

The chair and vice chair shall be elected by a majority of the members, and shall be a representative of a participant county or city. The chair and vice chair shall serve a term of one year from February 1 through January 31 of the following year. The chair and the vice chair shall conduct the ETPSC activities within adopted procedures and guidelines. The chair and vice chair are responsible for setting meeting agendas, ensuring fair opportunity for discussion, signing correspondence, and speaking on behalf of ETPSC.

The number of representatives and voting status:

| <u>Jurisdiction/Agency</u> | <u>Number of Representatives</u> | <u>Voting</u> |
|-----------------------------------|----------------------------------|---------------|
| Bellevue | 2 | yes |
| Bothell | 2 | yes |
| Kirkland | 2 | yes |
| Issaquah | 2 | yes |
| Mercer Island | 2 | yes |
| Redmond | 2 | yes |
| Renton | 2 | yes |
| Woodinville | 2 | yes |
| Newcastle | 2 | yes |
| King County | 4 | yes |
| Snohomish County | 1 | yes |
| PSRC | 1 | no |
| WSDOT | 1 | yes |
| Regional Transit Authority | 1 | no |
| TIB | 1 | no |
| Eastside Transportation Committee | 1 | no |
| Washington Environmental Council | 1 | no |
| Small Cities Combined | 2 | yes |
| Beaux Arts | | |
| Hunts Point | | |
| Medina | | |

Clyde Hill
Yarrow Point
Total Representatives

31

4. **ETP Administrative Procedures** -- Administrative Procedures shall be reviewed annually. Modifications to these procedures will not alter this Interlocal Agreement unless specifically noted.

5. **ETPSC Action** -- With a simple majority, the ETPSC can adopt resolutions in support of member jurisdictions or regional activities, authorize studies, approve correspondence or request information. Any individual ETPSC member may request that a minority statement be included in the ETPSC communications or otherwise distributed with the ETPSC adopted majority position.

6. **Technical Advisory Committee (TAC)** -- Each member jurisdiction or agency shall appoint an appropriate staff person to the Technical Advisory Committee (TAC) which will provide technical assistance as requested by the ETPSC and shall advise the ETPSC on emergent transportation issues, be responsible for overall program development including drafting of the work program, direct and review consultant work, maintain a public information effort, and coordinate its activities with adjacent jurisdictions including, but not limited to, the rural cities, and the City of Seattle. Other jurisdictions, agencies or groups may be added to the TAC as determined by the ETPSC. The ETP TAC should represent planning, public works and inter-governmental relation departments of member jurisdictions and agencies. When appropriate, the TAC will make recommendations for consideration of the ETPSC. The TAC's recommendations shall be arrived at by consensus of a majority of the TAC members present. If the Technical Advisory Committee is unable to reach consensus on a particular issue, TAC members may present a dissenting opinion to the ETPSC for consideration.

7. **Lead Agency** -- King County will be the lead agency for the purposes of receipt of funds, contract administration, and disbursement of funds associated with consultant contracts and study-related expenses. King County shall appoint a staff member to serve as Project Manager for the update of the ETP Recommendations Report. King County shall also provide general administrative and program support for the ETP. King County assumes wage and benefits cost of its staff performing Lead Agency responsibilities. Lead agency responsibilities shall include:

- a. Provide administrative support to the ETPSC meetings, such as develop materials, assist chair in setting meeting agendas, prepare meeting summaries, and ensure timely distribution of ETPSC and TAC meeting notices and materials.
- b. Work as necessary with the host jurisdiction on ETPSC meeting site arrangements.
- c. Record, administer and distribute funds collected as dues and contributions by ETP members for special projects. The Lead Agency shall maintain open records for inspection by members of the Eastside Transportation Program.

- d. Provide support as needed to the ETPSC Chair including the preparation of correspondence and other materials.
 - e. Coordinate TAC and other standing or *ad hoc* committee meetings; develop material; prepare meeting summaries.
 - f. Monitor land use and transportation planning efforts of agencies within the Puget Sound region for issues/activities relevant to ETP.
 - g. As needed, coordinate consultant services or other special projects agreed upon by the ETPSC including taking the lead in drafting consultant scope of work or project descriptions.
 - h. Monitor the ETP work program to ensure agenda items are scheduled in a timely manner.
 - i. Coordinate the maintenance and updating of the Eastside Transportation Plan.
 - j. Coordinate the joint submittal of grant applications for funding under sources available through, local, state, federal and private sources.
8. **Member Agency Staff Support** -- Each member jurisdiction is expected to contribute such staff as is necessary to accomplish the work program adopted by the ETPSC.
9. **Property** -- The acquisition of real property is not anticipated under this agreement. Any personal property acquired pursuant to this Agreement shall be held by the Lead Agency. For the purpose of holding and disbursing funds under this Agreement, the Lead Agency shall establish a fund entitled Eastside Transportation Program Fund. All cash contributions of the parties shall be placed in this Fund until disbursed by the lead agency for consultant contracts or other expenses approved by the ETPSC.
10. **Disposal of Property** -- At such time as this Agreement is terminated, any unexpended and uncommitted funds shall be distributed proportionately to those parties to this Agreement at the time of termination. A party's pro-rata share shall be determined using the ratio resulting from the value of its actual combined cash and in-kind contribution to the actual combined cash and in-kind contribution of all parties remaining at the time of termination. Any personal property other than cash shall remain with the Lead Agency.
11. **Withdrawing From this Agreement** -- Any participant may withdraw from the program at any time. However, funds contributed to the program will not be refunded and all obligations incurred prior to withdrawal must be met, including, but not limited to, the obligation to compensate consultants hired prior to withdrawal.

12. **Financing**

- a. **Yearly Dues** – Each member county, and city will contribute \$250.00 annually per vote awarded to remain members in good standing. The designated Lead agency shall not be required to pay yearly dues. This revenue shall be used for special events, public education, or other expenses authorized by the Steering Committee.
- b. **Eastside Transportation Program Recommendation Report**

Grant Funds – the award of a \$200,000 grant made under the Intermodal Surface Transportation Efficiency Act, Surface Transportation Program for the years 1997, 1998, shall be the Update's main funding source. All grants funds shall be administered by the Lead Agency under the direction of the Steering Committee

Matching Funds – The following member Jurisdictions shall contribute cash to the lead jurisdiction prior to that agency obligating itself to consultant contracts.

| | |
|-----------------------------|--------------------|
| Bellevue | \$5,000 |
| Bothell | \$5,000 |
| Issaquah | \$5,000 |
| Kirkland | \$5,000 |
| Mercer Island | \$5,000 |
| Newcastle | \$5,000 |
| Redmond | \$5,000 |
| Renton | \$5,000 |
| Woodinville | \$5,000 |
| Small Cities | |
| Beaux Arts | \$1,000 |
| Clyde Hill | \$1,000 |
| Hunts Point | \$1,000 |
| Medina | \$1,000 |
| Yarrow Point | \$1,000 |
| Total Matching Funds | \$50,000.00 |

In-kind Contributions -- In-kind contribution or cash donations shall be provided by:

- Eastside Transportation Committee
- King County
- Puget Sound Regional Council
- Regional Transit Authority
- Snohomish County
- Transportation Improvement Board
- Washington Environmental Council
- Washington State Department of Transportation

Jurisdiction _____

Signature _____ Date _____

Exhibit 1

ETP Area

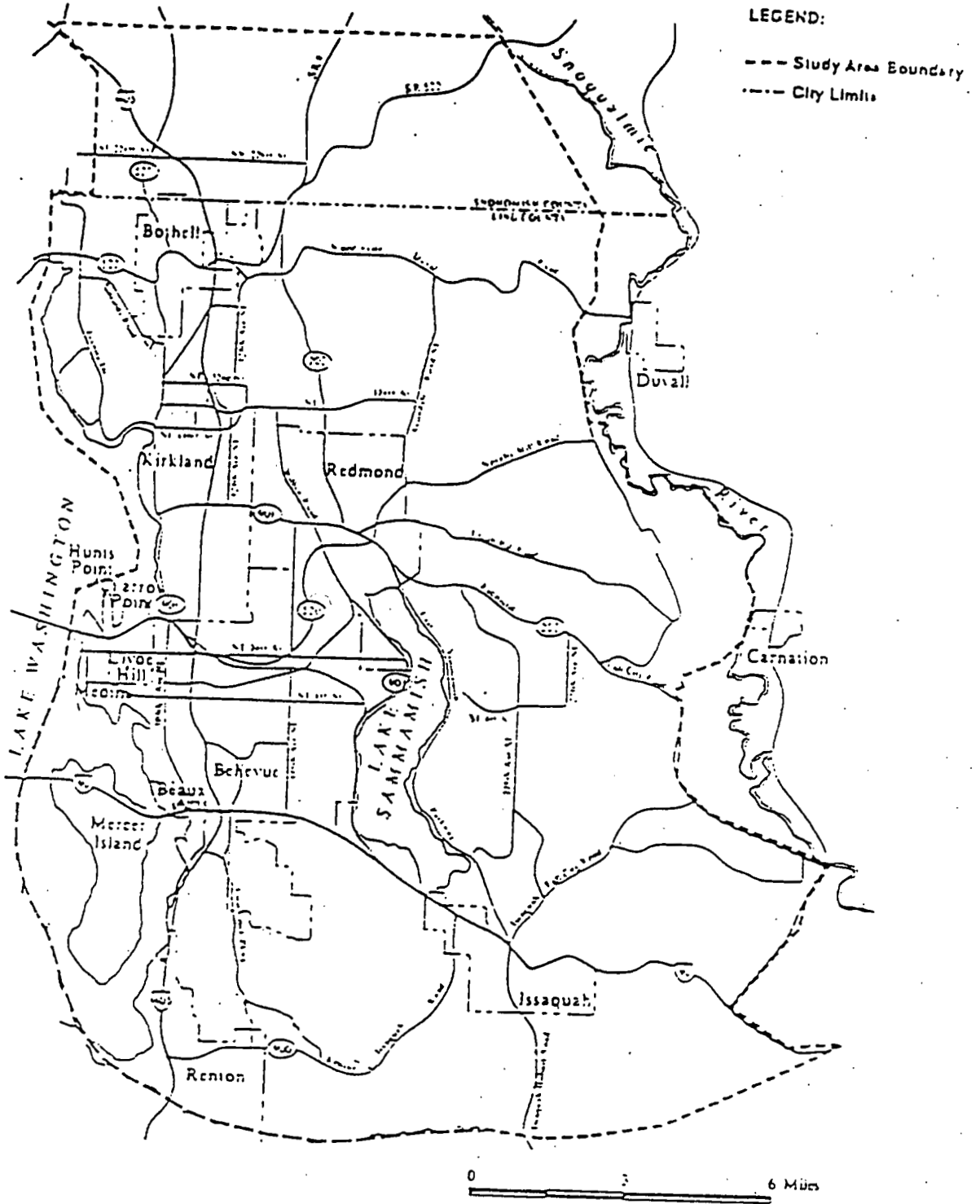


Exhibit 2**General Scope of Work -- ETP Update****Phase I (ETP Technical Staff and Steering Committee) - complete by December, 1995.**

- Review existing information (PSRC and local Comprehensive plans) and develop baseline and horizon year (2010) information
- Establish goals, objectives and criteria for project/program evaluation and selection
- Determine basic network (by mode and across modes)

Phase II (Consultant Assistance) -- complete by December, 1996

- Develop performance indicators and obtain information for evaluation
- Develop alternatives
- Analyze alternatives
- Develop preliminary recommendations

Phase III (ETP Technical Staff and Steering Committee) -- Complete by March, 1997

- Review and evaluate preliminary recommendations
- Revise/refine recommendations as necessary
- Adopt ETP Update

Phase IV (ETP Participating Jurisdictions) -- complete by June, 1997

- Adopt ETP Update and incorporate into local comprehensive plans
- Amend Metropolitan Transportation Plan to incorporate ETP Update

Phase V (ETP Participating Jurisdictions)

- Implement projects and program in adopted ETP Update

WHEREAS, an Intermodal Surface Transportation Efficiency Act grant of \$200,000.00 has been received for the Eastside Transportation Program's Recommendation Report Update; and

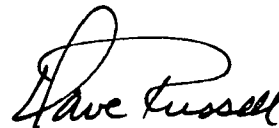
WHEREAS, local matching funds totaling \$50,000.00 are needed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The City Manager of the City of Kirkland is hereby authorized to execute on behalf of the City an Interlocal Agreement substantially similar to that attached as Exhibit A.

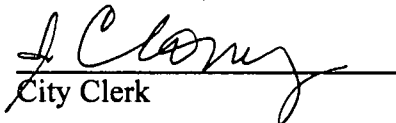
PASSED by majority vote of the Kirkland City Council on the 21 day of November, 1995.

SIGNED IN AUTHENTICATION thereof on the 21 day of November, 1995.



Mayor

Attest:



City Clerk

W:\AF\OR\RES-ETP\11-14-95\JD:rk