

Municipal

Spring 2005

Research News

Municipal Research and Services Center of Washington

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Traffic Calming

The term "traffic calming" is a *real* oxymoron. After all, what is calming about *traffic*? Actually, "traffic calming" refers to a wide range of techniques used to improve safety, to reduce negative effects of motor vehicles in impacted neighborhoods, and to encourage non-motorized street uses.

Almost every elected city or county official has fielded requests for additional stop signs, lower speed limits, and "children at play" signs to slow traffic. And, probably, they also have heard from other citizens frustrated by slow speeds, traffic congestion, and too many stop signs. Several larger Washington communities have experienced citizen complaints to the point that they have established formal traffic calming programs to evaluate requests. Even smaller communities have neighborhoods where speeders endanger lives, "millions" of cars whiz by at certain times and children are unable to safely cross the street or walk to school, and, thus, could benefit from a traffic calming program.

Traffic calming objectives include lowering speeds for motor vehicles, reducing collisions, reducing the need for police enforcement, improving the streetscape, and reducing cut-through motor vehicle traffic. A neighborhood's perception of safety is as important as the reality. Experience and research have shown, however, that not all quick fixes requested by citizens are effective, and that systematic evaluation of these requests can reduce wasted expenditures and lead to better long-term solutions.

Several larger cities and counties have traffic calming programs in place. The city of Bellevue's program is a good model for other communities. Bellevue has a two-phase program that covers all the bases and is described in detail on its Web page at <http://www.cityofbellevue.org/page.asp?view=1592>. In Phase I, staff members of the Neighborhood Traffic Calming Program (NTCP) analyze traffic and accident data for the neighborhood and take suggestions from residents. They then may recommend a combination of these Phase I solutions:

- Neighborhood Traffic Safety Newsletters
- Neighborhood Speed Reduction Program
- Neighborhood Speed Watch Program
- Pavement markings
- Radar trailer
- Signing
- Target police enforcement
- Trimming brush

About a year after implementation of Phase I measures, city staff again collect traffic and accident data and compare it to the previous year's information. Consideration may then be given to installation of physical devices such as these:

- Curb Extensions
- Entry Treatments
- Medians
- Partial Closures
- Permanent Radar Signs

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Ask MRSC

Summaries of recent inquiries answered by MRSC consultants

County Prosecutor – What process should be used to hire an attorney to assist a county if special expertise is required or if there is a conflict?

Unless the prosecutor's office is quite large, there may be times when the office has neither time nor necessary expertise to provide advice and guidance on all legal issues. (Bond counsel is an example of when outside legal assistance is needed.) RCW 36.27.040 authorizes the prosecuting attorney to appoint special deputies, which may be done by contract, "whose authority shall be limited to the purposes stated in writing signed by the prosecuting attorney." RCW 36.32.200 provides a second appointment mechanism, one perhaps more likely used when there is a conflict between county offices or departments. Under this statute, the county may employ or contract with any attorney to perform any duty which any prosecuting attorney is authorized or required by law to perform. This contract must be reduced to writing and approved by the presiding superior court judge.

Home Occupation Permit – Does a home occupation permit survive the sale of a home to a new owner?

Although the answer is not certain (there are no Washington cases), a leading land use commentator has concluded that the permit is not personal to the applicant; it runs with the land and any transferee assumes any benefits and conditions that the original grantee of the permit enjoyed.

Mayor's Veto – How many times may a city council seek to override a mayor's veto?

The relevant statutes do not address this issue, and there is no case law on point. However, a major legal treatise states that once the council has voted on the reconsideration of the mayor's veto, it may not thereafter re-vote. (Obviously, the council could pass a new ordinance, which would be subject to a new veto, and a new reconsideration, ad infinitum.)

Public Records – May cities and counties impose their regular photocopy charges when responding to a public disclosure request for copies of their civil service rules?

No. State law requires that cities and counties provide copies of police, fire, or sheriff's office civil service rules to the public for free. See RCW 41.08.040(1), RCW 41.12.040(1), and RCW 41.14.060(1) which provide as follows:

"The rules and regulations and any amendments thereof shall be printed, mimeographed or multigraphed for free public distribution."

Public Records – What public disclosure rules apply to municipal court records?

Although court records are not subject to statutory public disclosure law, there is a state constitutional and common law (court-made) right of access to court records. Court case files are generally available to the public except where specific reasons exist for not disclosing a case file (e.g., adoption files, juvenile files). The state supreme court, which

is in charge of adopting rules generally governing operation of the courts, recently adopted GR (General Rule) 31, dealing with public access to court records. See <http://slc.leg.wa.gov/wsr/2004/21/04-21-009.htm>. This rule applies to all courts and provides for broad access to court records.

Real Estate Excise Tax – May a city or county use the first quarter percent of the real estate excise tax (REET 1) for an impact fee study?

No. It cannot use REET 1 (or REET 2) for such a study. RCW 82.46.010(2) says REET 1 must be used for capital projects. In addition to capital construction, it may be used for planning and designing projects. But studying impact fees is too far removed from this purpose, even though the impact fees would be spent on capital projects.

Utility Shut-Off – Has there been a state or federal law passed that forbids municipalities from shutting off the power of military families for non-payment?

There is no state or federal law that protects military families from utility shut-off because of nonpayment of utility charges. The major law that protects those currently serving in the military is the federal Servicemembers Civil Relief Act (SCRA), previously known as the Soldiers' and Sailors' Civil Relief Act, but it does not provide this type of protection. See, e.g., <http://usmilitary.about.com/od/sscra/>. ■

How to "Ask MRSC." Assistance from MRSC may be obtained by **Phone** (206) 625-1300 or 1-800-933-6772 for long-distance calls; **Letter** 2601 4th Avenue, Suite 800, Seattle, WA, 98121-1280; **Fax** (206) 625-1220; or **E-mail** mrsc@mrsc.org. Telephone inquiry service is available from 8:00 a.m. to 5:00 p.m. If a consultant is not immediately available, you can record a detailed request on voice mail 24-hours a day, and a staff member will call back as soon as possible.

Traffic continued from page 1

- Speed Humps
- Traffic Circles

Specific guidelines exist for use of each device. Safety, including access for emergency vehicles, is a primary concern. Area residents are also involved in the process. Neighborhood meetings are held and majority support is required before proceeding with the construction of the physical device. For more information on the Bellevue NTCP, call (425) 452-6160 or go to the Web page at <http://www.cityofbellevue.org/page.asp?view=1592>.

Other Washington cities and counties with traffic calming programs (and with great information on their Web sites) are:

- Kirkland
- Seattle
- Kenmore
- Des Moines
- King County
- Kent
- Bellingham
- Issaquah
- Olympia
- Redmond
- Vancouver
- Yakima

A traffic calming program may be something your city or county may wish to pursue. Take a look at our Web page at <http://www.mrsc.org/Subjects/Transpo/traffic/calming.aspx> for additional information on the subject of traffic calming.▶

By John Carpita
Public Works Consultant
Municipal Research and Services Center



Traffic Circle



Speed Hump



Raised Crosswalk



Curb Extensions/Roadway Narrowing



Median Planter

Photos courtesy of Linda Glas, City of Bellevue

Misapplied Traffic Calming Techniques

Speed Limits

Engineering studies show that speed limit signs are not the most significant factor influencing driver speeds. Research indicates that a reasonable and prudent driver will drive the speed suggested by roadway and traffic conditions, to the extent of disregarding the posted speed limit. The Washington State Department of Transportation emphasizes that the “laws cannot be effectively enforced without the consent and voluntary compliance of the public majority.” A speed limit that is unrealistic invites the majority of drivers to disregard posted speeds.

Washington State law allows cities and counties to set speed limits that differ from standard speed limits. The standard speed limit under the RCWs is 25 MPH on city streets and 35 MPH on county roads, unless otherwise posted. Higher or lower speed limits are determined through individual traffic investigations.

Prevailing speed studies, roadway geometry, sight distance, roadway use factors, and accident history are considered in the investigations. If these factors are not limiting, the 85th percentile speed is used to set the speed limit. The 85th percentile speed is the speed, or under, at which 85% of vehicles are traveling. It is generally accepted that this speed is considered reasonable for the roadway unless superseded by the factors listed above.

Lowering the posted speed limit does not significantly lower traffic speed and can lead to unreasonable ticketing for acceptable driving behavior.

Stop Sign Installation (from the city of Kirkland Web site)

Stop signs are not to be used as “traffic calming devices.” Stop signs serve a critical function and their placement should not be arbitrary. Misplaced signs tend to lower compliance, which can be dangerous.

Drivers Won't Stop. Unneeded stop signs are frequently ignored. Drivers on a major street either roll through or run through a stop sign because, in their experience, there is little cross-traffic. This puts pedestrians and cross-traffic at risk. In Kirkland, residents frequently complain that drivers do not come to a complete stop at 4-way stop signs. If you observe motorists at many 4-way stops . . . you would find that nearly half of the drivers fail to make the required stop.

Stop Signs Don't Slow Speeds. Numerous studies nation-wide have shown that speeds within a block of the stop sign are largely unaffected by the stop. Naturally, motorists have to slow down when approaching a stop sign. But, they often speed up quickly after the stop to make up for lost time. Overall speeding is not reduced by the stop sign. Tests conducted by the city of Kirkland show that traffic calming devices, such as speed humps, are much more effective at slowing speeds over a stretch of roadway.

Stops Increase Noise and Pollution. Stopping and starting cause increased tire and engine noise. Residents living near a stop sign will experience an increase in traffic noise. Stopping and idling at unwarranted stop signs also increase automobile exhaust and fuel consumption unnecessarily.

A stop sign is a valuable and effective traffic control device when used at the right location and under the right conditions. There are certain warrants which must be met according to the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) that are used to justify the installation of stop signs. These warrants consider sight distance, traffic volume, and the frequency of gaps that occur in traffic that allow for safe vehicle entry or pedestrian crossing. The MUTCD also maintains that stop signs are never used for speed control.

For more information and study results on 4-way stops, see www.ci.troy.mi.us/trafficengineering/multiway.htm

“Children at Play” Signs (from the city of Phoenix Web site)

“Children at Play” signs are used to guide and direct motorists. However, unnecessary signs can confuse, distract, and irritate motorists. Use of unnecessary signs can promote disrespect for all signs. The best example is the “CHILDREN AT PLAY” sign.

While it may seem that this sign would protect neighborhood youngsters, facts indicate otherwise. Although some communities have posted these signs in residential areas, no evidence exists to prove that these signs help reduce pedestrian accidents or lower speeds.

Studies have shown that many signs in residential areas installed to “warn” people of normal conditions fail to improve safety. Pedestrians may get a false sense of security since drivers often disregard these signs. Signs that encourage parents or children to believe they have added protection (which they do not) may do more harm than good. Children should not be encouraged to play in the street. Federal standards reject these signs, because they openly suggest that playing in the street is acceptable.

Since children live on nearly every residential block, if used, the signs would have to be placed on each street. Blocks with no signs might imply that no children live there, so it is all right to speed.

Because of these serious concerns, Arizona law does not recognize “CHILDREN AT PLAY” signs. Specific warnings for schools and crosswalks are available for use where they clearly serve a purpose.

Warning signs can be effective tools if used sparingly and only to warn motorists of uncommon hazards that are not apparent to drivers.

Remember, “CHILDREN AT PLAY” signs are generally disregarded by motorists and give pedestrians a false sense of security.▶

HEADS UP

Emerging information for local government

What Did You Accomplish Last Year?

All cities and counties have set goals for the new year; for many, they are articulated in the budget narratives. As more jurisdictions move toward performance budgeting, some are listing accomplishments from the previous year along with the goals for the coming year. Those accomplishments often remain buried in the budget document. However, a few jurisdictions are providing this information to the public in a variety of formats and are making it available on the Web. As noted by Benton County in its "2003-2004 Annual Report," "Most of you only hear about Benton County government during a big announcement or a story on the 6 o'clock news. What you don't hear about are the small but significant efforts behind the scenes of your government. We want to share with you our accomplishments for the calendar year."

Goal-setting is important so that policy-making bodies can prioritize. Accomplishments communicate to the citizens how last year's goals were met. It is unlikely that many people take the time to read this information in a budget. But much of this information can be communicated in a more accessible format, such as a newsletter article, state of the city address, report to the citizens, or simply posted as a list on a Web page.

To illustrate the possibilities for "repackaging information," we have excerpted some lists of accomplishments from budgets and cited examples of how the information may be communicated on city and county Web sites. MRSC can provide paper copies of the examples cited here if you do not have Web access.

Examples of accomplishments listed in budget documents

- **Kirkland** Accomplishments – Each department narrative states its mission, describes departmental functions, and lists the accomplishments of the previous year, followed by the objectives for the coming budget year. <http://www.mrsc.org/docs/K53PRAccom2004.pdf>
- **Olympia** Efficiency Measures – Olympia has implemented quality efforts to increase efficiencies. As a result, customer service has been enhanced and efficiency gains and cost-savings throughout city government have been achieved by engaging all levels of management and employees in the use of continuous quality improvement work processes. It is the city's continual goal to deliver quality improvement whenever and wherever possible. The efficiencies achieved in 2004 are listed under the topics of automation, programs, customer service, and updated technology. The department service area is broken out under each topic. <http://www.ci.olympia.wa.us/Admin/pdf/2005Prelimbudget/00-Introduction.pdf>
- **Pierce County** Major Accomplishments – Following a brief paragraph describing the responsibility of a department, the budget narrative describes the major accomplishments in 2004 for each division within that department. For example, the Human Services Department summarizes the accomplishments of Aging & Long Term Care, Chemical Dependency, Developmental Disabilities, and Mental Health. This section is followed by a description of the funds, budget highlights, and performance measures. See Human Services <http://www.co.pierce.wa.us/xml/abtus/plans/05budget/09-Human%20Services.pdf>
- **Roy** Accomplishments in 2004. Unlike the other examples cited, Roy (population 800) does not have a narrative budget, but it has included a summary of its accomplishments in the introductory material of the budget. The information is summarized by accomplishments of clerk's office/planning/finance, public works, law enforcement, and library. Each section includes a description of accomplish-
- ments in 2004 and projects or plans for the near future. <http://www.mrsc.org/docs/R67Accomp2004.pdf>

Lists of accomplishments communicated on the Web

- In the **Battle Ground** 2005 Budget, the city manager presents "Current Fiscal Year in Review" and provides a summary of the accomplishments by department. On most of the departmental program descriptions, the narrative provides information on "Key Objective," "Critical Performance Area," "Accomplishments for 2004," and "Goals for 2005." The lists of accomplishments and goals for each department's budget section have been repackaged as a Web page entitled "Departmental Goals and Accomplishments" and appears as a content link on the department's Web page. An example is the Police Department at http://www.cityofbg.org/departments/police_goals.php.
- **Bothell's** 2005 budget provides departmental narratives that include the department's mission and what the new budget is providing for that department. For the divisions within the department, the accomplishments for the last biennium are listed, followed by goals and objectives and performance measures. The accomplishments are reformatted and presented on the city manager's Web page. They have been separated into the years 2003 and 2004 and are listed under the categories of awards, projects and accomplishments, capital improvement projects, programs, process, and events. <http://www.ci.bothell.wa.us/dept/CM/accomplishments04.htm>
- **Seattle** Mayor Greg Nichols' "Three Years of Accomplishments in Office" is posted on the mayor's Web page. It lists examples of the progress made on the mayor's four priorities: getting Seattle moving, keeping our

neighborhoods safe, creating jobs and opportunities for all, and building strong families and healthy communities. http://seattle.gov/mayor/pdf/2002-2004_accomplishments_final_web_letter_size.pdf

- **Spokane's** "2004 City Accomplishments" are in the format of a multi-column color brochure with pictures posted on its Web site. The brochure starts with a statement of "Citizen Priorities," which includes growth & learning, healthy citizens & environment, leadership, reduced vulnerability, mobility, safety, and a strong economy. The city's related service areas are listed under each priority; for example, under growth and learning is arts, library, parks, and youth. The accomplishments of each service area are summarized. http://www.spokanecity.org/services/documents/file/viewattachment.aspx?FILUP_ID=3285

Annual reports to citizens

- **Bellevue** 2004 State of the City Report - A report to Bellevue citizens on the performance of Bellevue city government. It covers statistics (snapshot), quality of life, public safety, transportation, belt tightening, and vision. <http://www.ci.bellevue.wa.us/localservices/News/pdf/2004YrEndReport.pdf>
- **Benton County** Annual Report 2003-2004 - This is a two-sided, tri-fold brochure listing "2003 Milestones" and "2004 Deliverables" by department. Stated purpose is, "We want to share with you our accomplishments for calendar year 2003, as well as our plans ahead. . ." http://www.co.benton.wa.us/annual_report.htm
- **Walla Walla** Annual Report 2003 - The report begins with the goals, accomplishments, projects, and programs identified and pursued by the city council. Each department is covered. It also contains a statistical section summarizing the number of requests for service, permits processed, gallons of water provided, etc. <http://www.ci.walla-walla.wa.us/public-documents/>

[2002%20Annual%20Report/2003%20Annual%20Report.pdf](#)

- **Yakima** 2004 Annual Report - The introduction states, "This report describes numerous accomplishments in 2004 and goals for 2005 of the 8 departments and nearly 40 divisions of the City of Yakima, as those accomplishments and goals relate to the City Council's Strategic Direction Priorities." <http://www.ci.yakima.wa.us/hot/docs/2004%20Annual%20Report.doc>

State of the city addresses

- **Issaquah** Mayor's State of the City Address 2005 reviews a number of key highlights from 2004 and focuses on plans for the coming year. <http://www.ci.issaquah.wa.us/page.asp?navid=749>
- **Vancouver's** 2005 State of the City Address highlights new business investments in the community, financial needs, and goals for creating a quality community. <http://www.ci.vancouver.wa.us/StateofCity-2005.asp>

- **Yelm's** State of the City 2005 provides a pictorial tour of accomplishments. <http://www.ci.yelm.wa.us/mayor/state2004.pdf>

State of the county reports

- **Clark County** State of the County by the Chair of the Board of Commissioners includes general remarks highlighting local issues. http://www.clark.wa.gov/bocc/commish1/05_BSM_SOC.pdf
- **Whatcom County** State of the County by the Whatcom County Executive highlights a few notable accomplishments and some challenges facing the county. http://www.co.whatcom.wa.us/executive/news/state_county2004.jsp
- **Spokane County** State of the County Report 2003 lists accomplishments of each department. <http://www.spokanecounty.org/commissioners/data/statecounty.pdf>

New Acquisitions

Environment ▼ Critical Areas Assistance Handbook: Protecting Critical Areas Within the Framework of the Washington Growth Management Act, Dept. of Community Trade and Economic Development, Growth Management Services, 2003

Finance ▼ Privatization: Strategies for Success, by Cynthia Jackson-Elmoore, ICMA, 2004

Public Finance Primer for Public Works Professionals: What You Need to Know But Didn't Know to Ask, by Lynda M. Dennis, American Public Works Association, 2004

Purchasing, Bidding and Contract Management for Local Agencies: Workshop, Washington State T2Center, Municipal Research and Services Center, 2004

Tax & User Fee Survey, Association of Washington Cities, 2004

Governance ▼ Better Together: Restoring the American Community, by Robert D. Putnam, 2003

Consensus Building: Keys to Success, Herbert A. Marlowe, Jr., ICMA, 2004

Smart Democracy: How to Engage Citizens, by Andrew Afflerbach, ICMA, 2004

The Effective Local Government Manager, edited by Chardean Newell, ICMA, 2004

Information Systems ▼ Affordable Telecommunication Networks for Local Government, by Andrew L. Afflerbach, ICMA, 2004

Planning and Land Use ▼ Creating a Vibrant City Center: Urban Design and Regeneration Principles, by Cy Paumier, ULI-the Urban Land Institute, 2004

A Field Guide to Sprawl, by Dolores Hayden, 2004

Parking Generation, Institute of Transportation Engineers, 3rd ed., 2004

Squares: A Public Place Design Guide for Urbanists, by Mark C. Childs, University of New Mexico Press, 2004

Utilities - Water ▼ Avoiding Rate Shock: Making the Case for Water Rates, American Water Works Association, 2004

If you would like to borrow one or more of these publications, please contact Electra Enslow in our library at (206) 625-1300 or library@mrsc.org.

MRSC Forum

Tell us what you think!

Take a look at the new feature called "MRSC Forum" on the home page of our Web site. "MRSC Forum" gives you a chance to voice your opinions and share your insights about current issues affecting local governments in Washington. This feature changes monthly and includes background information on the subject that is open for discussion.

Last month's topic was, "Should local governments be in the business of providing broadband Internet access?" This month's topic is, "What can cities and counties do to engage citizens and enhance trust in government? Can you cite examples of approaches that have worked in your community?" Click onto our Web site, www.mrsc.org, read what others have to say, and share your opinions. We look forward to "hearing" from you!■



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