



KIRKLAND CITY COUNCIL MEETING MINUTES
July 07, 2020

1. CALL TO ORDER

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

2. ROLL CALL

ROLL CALL:

Members Present: Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, Councilmember Amy Falcone, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Members Absent: None.

3. STUDY SESSION

Chief Cherie Harris provided reports on the Police Strategic Plan and Use of Force Policy, including body-worn cameras, followed by Assistant City Manager James Lopez reporting on the School Resource Officer Taskforce report. Also addressing the Council were Taskforce members M.J. Carlson and Debbie Lacy.

- a. Police Strategic Plan Update
- b. Use of Force Policy Update
- c. School Resource Officer Report

4. HONORS AND PROCLAMATIONS

None.

5. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience

Ngozi Woko
Zelda Menard

- c. Petitions

6. PUBLIC HEARINGS

a. Safe, Inclusive and Welcoming Framework

City Manager Kurt Triplett introduced Assistant Manager James Lopez, who shared an overview of guiding principles, the draft resolution, and next steps. Mayor Sweet then opened the Public Hearing. Testimony was provided by: Alycia Ramirez, Ngozi Woko, Nikayla Rice, Zelda Menard, Kalika Curry, Sarah Mortland, Kirsten Hansen, Amy Morrison, Michelle Schultz, Ogb Lynda Otum, James Whitfield, Brittany Marzette, Debbie Lacy, M.J. Carlson, Allison Weinrod, Jillian Butler, Joe Dobner, and Sarah Franklin. No further testimony was offered and the Mayor closed the hearing. Following a short break Council provided feedback related to the Safe, Inclusive and Welcoming framework and proposed resolution.

- (1) Resolution R-5434, Affirming Black Lives Matter and Approving the Framework for Kirkland to Become a Safe, Inclusive and Welcoming Community Through Actions to Improve the Safety and Respect of Black People in Kirkland and Help End Structural Racism By Partnering with Those Most Affected.

Council recessed for a short break.

7. SPECIAL PRESENTATIONS

a. COVID-19 Update

City Manager Kurt Triplett provided an update on the Parks Department Beach Ambassador program.

8. CONSENT CALENDAR

a. Approval of Minutes

- (1) June 16, 2020

The minutes of the June 16, 2020 Kirkland City Council meeting were approved via approval of the consent calendar.

b. Audit of Accounts and Payment of Bills and Payroll

Payroll: \$4,344,685.33
Bills: \$4,289,281.90
CA61720 checks #713175 – 713282 wire #196
CA62420 checks #713283 - 713386
CA70120 checks #713387 - 713483
SS624B wire #197
SS630A wire #195

SS701C wire #198, 199
PCard ACH

The audit of accounts was approved via approval of the consent calendar.

c. General Correspondence

d. Claims

(1) Claims for Damage

A claim received from Michael Britt was acknowledged via approval of the consent calendar.

e. Award of Bids

(1) Annual Street Preservation Program, 2020 Street Overlay Project

A construction contract was awarded for the Annual Street Preservation Program 2020 Street Overlay Project to Lakeside Industries of Issaquah, Washington, in the amount of \$1,543,365.15 via approval of the consent calendar.

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) School Safety Zone Camera Update

The update was acknowledged via approval of the consent calendar.

(2) August 2020 City Council Calendar Adjustment

The August Council meeting was rescheduled to its original date of August 4, 2020 via approval of the consent calendar.

(3) May 2020 Sales Tax Report

The sales tax report was acknowledged via approval of the consent calendar.

(4) Procurement Report

The procurement report was acknowledged via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Jon Pascal, seconded by Councilmember Neal Black

Vote: Motion carried 7-0

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

9. BUSINESS

a. State Shelter Expansion Grant

Human Services Supervisor Leslie Miller provided a brief overview of the King County consolidation application for Washington.

- (1) Resolution R-5435, Supporting the King County Joint Application for Washington State Department of Commerce 2020 Shelter Grant Funding

Motion to Approve Resolution R-5435, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SUPPORTING THE KING COUNTY JOINT APPLICATION FOR WASHINGTON STATE DEPARTMENT OF COMMERCE 2020 SHELTER GRANT FUNDING."

Moved by Councilmember Kelli Curtis, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

b. Market Street Dental Clinic Variance Appeal

City Attorney Kevin Raymond described the parameters of the closed record quasi-judicial appeal hearing. Councilmembers confirmed that they had no ex parte communications and had not pre-judged the matter. Senior Planner Tony Leavitt provided a report and analysis of the matter and process before the Council; Public Works Transportation Engineer Thang Nguyen also responded to Council questions. Appellants Ken MacKenzie and Nicole MacKenzie then presented their initial oral arguments, reserving time for rebuttal, followed by the Applicant's representative, Attorney Craig Chaney.

- (1) Resolution R-5431, Affirming the Hearing Examiner Decision Approving the Market Street Dental Clinic Variance in Department of Planning and Building File No. VAR18-00070

Motion to Suspend Council rule 3.22 so that the Council may vote tonight on this Process IIA application.

Moved by Councilmember Jon Pascal, seconded by Deputy Mayor Jay Arnold

Vote: Motion carried 7-0

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

Motion to Approve Resolution R-5431, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING THE HEARING EXAMINER DECISION APPROVING THE MARKET STREET DENTAL CLINIC VARIANCE IN DEPARTMENT OF PLANNING AND BUILDING FILE NO. VAR18-00070."

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Toby Nixon

Vote: Motion carried 6-1

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

No: Councilmember Jon Pascal.

Motion to Amend Resolution R-5431, to modify and grant the application and affirm the Hearing Examiner Decision, but modify it with the following condition: that the building footprint shall not protrude into the sight-distance triangle based on the recommended (desirable) sight distance value as identified in Table 2 in Policy R-13 of the Public Works Pre-Approved Plans Policy, and as measured from the face of the roadway curb, in order to maintain maximum flexibility for the safe use of the Market Street Corridor and that City staff be directed to modify the existing resolution to embody this motion for execution by the mayor on behalf of the council.

Moved by Councilmember Jon Pascal, seconded by Councilmember Neal Black

Vote: Motion failed 3 - 4

Yes: Councilmember Neal Black, Councilmember Amy Falcone, and Councilmember Jon Pascal.

No: Deputy Mayor Jay Arnold, Councilmember Kelli Curtis, Councilmember Toby Nixon, and Mayor Penny Sweet.

c. Fire and Emergency Medical Services Ballot Measure

Management Analyst Andreana Campbell provided an overview of updates made to the proposed ordinance and ballot title and reviewed next steps for Council's July 21, 2020 meeting. Bond Counsel Deanna Gregory also responded to Council questions.

- (1) Ordinance O-4731 and its Summary, Providing for the Form of the Ballot Proposition and Specifying Certain other Details Concerning Submission to the Qualified Electors of the City at a Special Election to be Held Therein on November 3, 2020, of a Proposition Authorizing the City to Lift the Levy Limit Established in RCW 84.55.010 in Order to Fund Fire and

Emergency Medical Services, and to Acquire, Construct, Improve, Equip and/or Renovate City Fire Facilities

(2) Ballot Measure Pro/Con Committee Appointments

Motion to Appoint Stephanie Miller and Bill Hoover to the 'Pro' voter's pamphlet ballot statement committee, and to appoint Robert Irracheta to the 'Con' voter's pamphlet ballot statement committee.

Moved by Councilmember Kelli Curtis, seconded by Councilmember Toby Nixon

Vote: Motion carried 7-0

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

Motion to Extend the recruitment for citizens to serve on committees charged with writing pro and con voter pamphlet statements for the potential fire and emergency medical services ballot measure.

Moved by Councilmember Toby Nixon, seconded by Councilmember Kelli Curtis

Vote: Motion carried 7-0

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

10. REPORTS

a. City Council Regional and Committee Reports

City Councilmembers shared information regarding a legislative workgroup meeting; the recent virtual 4th of July celebration; a King County Regional Transit Committee meeting; the upcoming Sound Cities Association Public Issues Committee meeting; a joint meeting between the Americans for Civil Liberties Union (ACLU) and Eastside for All; a YMCA Virtual Town Hall on Unlearning Systemic Racism; the Finn Hill Neighborhood Alliance "Safer Routes to School" video conference; an upcoming Eastside for All "Renters in Crisis" event; an upcoming Sound Cities Association Racial Justice and Equity event; an upcoming Youth Town Hall on Criminal Justice Reform hosted by State Senator Manka Dhingra and Community Passageways; a Cascade Water Alliance meeting; and a King County Regional Water Quality meeting.

b. City Manager Reports

None.

(1) Calendar Update

11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of July 7, 2020 was adjourned at 11:15 p.m.

Kathi Anderson, City Clerk

Penny Sweet, Mayor