



KIRKLAND CITY COUNCIL MEETING MINUTES
September 1, 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

a. 2021-2022 Proposed Utility Rates Briefing

Deputy City Manager Tracey Dunlap presented an overview of the proposed 2021-2022 rates for the City's water, sewer, and surface water utilities and received Council direction.

b. 2021-2026 Capital Improvement Program

Deputy Director for Finance and Budget Sandi Hines provided an overview of the 2021 to 2026 Capital Improvement Program and received Council direction.

4. HONORS AND PROCLAMATIONS

a. National Hispanic Heritage Month Proclamation

Mayor Sweet asked Councilmember Curtis to read the proclamation, which was accepted by Kirkland resident Luis Navarro.

5. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Ahmed Moustafa
Scott Morris
Yasmin Karimli
David/Katya Allen

c. Petitions

6. PUBLIC HEARINGS

None.

7. SPECIAL PRESENTATIONS

a. COVID-19 Update

City Manager Kurt Triplett shared information on current events related to the pandemic including Park usage, Parks and Beach Ambassador programs and potential re-openings of docks or play areas; proposed continued closures of Park Lane; Small Business Relief Fund; and the Shop Local Kirkland initiative.

b. 2020 Kirkland Community Survey Results

Assistant Director James Lopez and EMC Research Director Brian Vines provided a summary of the biennial community survey.

8. CONSENT CALENDAR

a. Approval of Minutes

(1) July 31, 2020

(2) August 4, 2020

b. Audit of Accounts

Payroll: \$ 7,424,727.58
Bills: \$10,805,412.98
SS722C Wire #203
BofA ACH
SS804A Wire #207
SS804B Wire #201, 204
CA80520 Checks #713850 - 714014
SS807A Wire #210
SS810A Wire #211
HS81220 Checks #714015 - 714163
SS812B Wire #212
SS812C Wire #206
SS819A Checks #714164 - 714287
SS819B Wire #214
SS826A Checks #714288 - 714397
SS826B Wire #218

c. General Correspondence

d. Claims

(1) Claims for Damages

Claims received from Rubi and Humberto Gomez and Akram Salssani were acknowledged via approval of the consent calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) 6th Street and Related Intersection and Signal Projects

Additional budget authority for work to complete the 6th Street/Kirkland Way Traffic Signal and the 6th Street South/9th Avenue South Traffic Signal; the execution of a settlement agreement between the City and Johansen Construction Company; and the acceptance of work performed by Johansen Construction Company of Buckley, Washington was authorized via approval of the consent calendar.

This item was pulled for consideration under Business as item 9.g.

g. Approval of Agreements

h. Other Items of Business

(1) Ordinance O-4734, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SCHOOL IMPACT FEES AND AMENDING SECTION 27.08.150 OF THE KIRKLAND MUNICIPAL CODE."

The ordinance was approved via approval of the consent calendar.

(2) Early Action Funding for Resolution R-5434

The fiscal note for one-time funding of \$380,000 from the Council Special Projects Reserves and 2019 Sales Tax Revenues was approved via approval of the consent calendar.

(3) Surplus of Rental Vehicles/Equipment

The surplus as identified in the staff report was approved via approval of the consent calendar.

(4) July 2020 Sales Tax Report

The report was acknowledged via approval of the consent calendar.

(5) Procurement Report

The report was acknowledged via approval of the consent calendar.

Motion to Approve the consent calendar, with the exception of item 8.f.(1)., which was pulled for consideration under Business as item 9.g.

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.

9. BUSINESS

a. Fire Station 24 Replacement – Award Contract

Senior Project Engineer Anneke Davis presented an overview of the plans for the Fire Station 24 Replacement Project and responded to Council questions.

Motion to Award a construction contract to Kirtley-Cole Associates, LLC, of Everett, Washington, in the amount of \$10,133,113 for construction and \$1,023,444.41 for sales tax, for a total contract value of \$11,156,557.41

Moved by Councilmember Jon Pascal, 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. Safer Routes to School Action Plans

Senior Neighborhood Services Outreach Coordinator Kari Page presented an overview of the resolution and responded to questions from the Council.

(1) Resolution R-5445, Adopting the Safer Routes to School Action Plans

Motion to Approve Resolution R-5445, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE SAFER ROUTES TO SCHOOL ACTION PLANS."

Moved by Councilmember Amy Falcone, seconded by Councilmember Jon Pascal

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.

c. Code Amendments Related to Kingsgate Park and Ride and Totem Lake Business District

Senior Planner Janice Coogan presented an overview of the ordinances amending the Kirkland Zoning Code and Kirkland Municipal Code incorporating Planning Commission recommendations and direction received at the City Council briefing on August 4, 2020.

- (1) Ordinance O-4678 and its Summary, Relating to Design Guidelines for the Totem Lake Business District Amending Section 3.30.040 of the Kirkland Municipal Code, File No. CAM18-00196

Motion to Approve Ordinance O-4678 entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO DESIGN GUIDELINES FOR THE TOTEM LAKE BUSINESS DISTRICT AMENDING SECTION 3.30.040 OF THE KIRKLAND MUNICIPAL CODE, FILE NO. CAM18-00196."

Moved by Councilmember Kelli Curtis, 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.

- (2) Ordinance O-4733 and its Summary, Relating to Zoning, Planning, and Land Use and Amending the Kirkland Zoning Code (Ordinance 3719 as Amended) Including Chapters 5, 30, 112 and Approving a Summary Ordinance for Publication, File No. CAM19-00129

Motion to Approve Ordinance O-4733 entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE (ORDINANCE 3719 AS AMENDED) INCLUDING CHAPTERS 5, 30, 112 AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM19-00129."

Moved by Councilmember Amy Falcone, 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.

Council recessed for a short break.

d. Establishing a Development Policy for the Green Loop Corridor

Park Planning and Development Manager Mary Gardocki provided an overview of the resolution outlining the goals and staff direction related to funding, acquisition and development of the Green Loop Corridor.

- (1) Resolution R-5446, Establishing a Development Policy for the Department of Parks and Community Services Utilizing King County Park Levy Funds

in Support of a Trail System that Meets Community Parks and Recreation Needs

Motion to Approve Resolution R-5446 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ESTABLISHING A DEVELOPMENT POLICY FOR THE DEPARTMENT OF PARKS AND COMMUNITY SERVICES UTILIZING KING COUNTY PARK LEVY FUNDS IN SUPPORT OF A TRAIL SYSTEM THAT MEETS COMMUNITY PARKS AND RECREATION NEEDS."

Moved by Councilmember Amy Falcone, seconded by Councilmember Jon Pascal

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.

e. I-405/NE 85th Street Water Line Crossing Negotiations

Utility Manager Josh Pantzke provided an overview of negotiations with the Washington State Department of Transportation.

Motion to Include earthquake resistant pipe for all of the I-405/NE 85th Street Water Line replacement.

Moved by Councilmember Neal Black, 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.

f. Planning Commission Vacancy - Interview Selection Committee Recommendations

Committee members reviewed their proposed recommendations for Council consideration. Council agreed that the Committee should move forward with creating an overview of interview topics to be provided to the Planning Commission candidates to use in preparation for their interviews on September 17th. Council will consider further action on the Committee's recommendations at a future meeting.

Motion to Approve the Planning Commission Interview Selection Committee Recommendation of which of the applicants to interview.

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.

g. 6th Street and Related Intersection and Signal Projects

Councilmember Pascal recused himself from the matter for the appearance of fairness, due to his personal interest in the company responsible for the design of this project and left the meeting for the duration of this action.

Motion to Approve additional budget authority for work to complete the 6th Street/Kirkland Way Traffic Signal and the 6th Street South/9th Avenue South Traffic Signal; the execution of a settlement agreement between the City and Johansen Construction Company; and the acceptance of work performed by Johansen Construction Company of Buckley, Washington.

Moved by Councilmember Neal Black, seconded by Councilmember Kelli Curtis
Vote: Motion carried 6-0

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

Recused: Councilmember Jon Pascal

10. REPORTS

a. City Council Regional and Committee Reports

Councilmembers shared information regarding the virtual ribbon cutting for the Kirkland Place for Families and Women shelter; an Eastside Change Coalition panel; the Eastside Human Services Forum board meeting; a joint meeting of the Eastside Human Services Forum and the Alliance of Eastside Agencies; the Human Services Commission meeting; a tour of the Cedar Creek Fish Passage/Culvert Replacement Project; the first day of school for the Lake Washington School District; delegating to the subcommittee the preparation of the subjects for the upcoming Planning Commission interviews; a Black Lives Matter march on City Hall; and an upcoming meeting of the Legislative Workgroup with Washington State Senator Stanford and State Representatives Kloba and Slatter; a caucus meeting of the King County Regional Law Safety and Justice Committee meeting; a north end mayors' meeting with Representative Suzan DelBene and representatives from Senator Cantwell's office.

b. City Manager Reports

City Manager Kurt Triplett provided an update on the implementation of Resolution R-5434 activities.

(1) Calendar Update

11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

a. To Discuss Potential Litigation

Mayor Sweet announced that Council would enter into executive session to discuss potential litigation and would return to the regular meeting at 11 p.m., and would reconvene only for the purpose of adjournment. The Council subsequently announced the need for additional time until 11:30 and again until 11:45 p.m., at which time the session was concluded. Also in attendance were City Manager Kurt Triplett, Deputy City Manager Tracey Dunlap, Assistant City Manager James Lopez, City Attorney Kevin Raymond and Police Chief Cherie Harris.

13. ADJOURNMENT

The Kirkland City Council regular meeting of September 1, 2020 was adjourned at 11:45 p.m.

Kathi Anderson, City Clerk

Penny Sweet, Mayor