



KIRKLAND CITY COUNCIL MEETING MINUTES  
October 06, 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. Juanita Drive Intersection and Safety Improvements – Project Update

Public Works Project Engineer Laura Drake provided an update on the Juanita Drive Intersection and Safety Improvements Project and received direction on next steps.

b. Financial Forecast Update

Director of Finance and Administration Michael Olson presented an updated 2020-2026 General Fund forecast and a preview of the 2021-2022 General Fund Budget balancing and themes and responded to Council questions.

c. City Council Statement on Political Harassment

Assistant City Manager James Lopez shared a proposed draft statement for Council consideration and discussion.

Motion to Edit the City Council Statement on Political Harassment to change the third sentence in the third paragraph to strike the word "their", to strike the phrase, "and we condemn them." and to add a sentence directly following that says, "They are illegal and unacceptable."

Moved by Councilmember Kelli Curtis, seconded by Councilmember Amy Falcone  
Vote: Motion carried 4-3

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

No: Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Motion to Further edit the City Council Statement on Political Harassment to change the third sentence in the third paragraph to add the word "their" to read "harassing neighbors or damaging their property".

Moved by Councilmember Amy Falcone, seconded by Councilmember Kelli Curtis  
Vote: Motion carried 5-2

Yes: Councilmember Neal Black, Councilmember Kelli Curtis, Councilmember Amy Falcone, Councilmember Jon Pascal, and Mayor Penny Sweet.

No: Deputy Mayor Jay Arnold, and Councilmember Toby Nixon.

Council recessed for a break between the Study Session and Regular meeting.

#### 4. HONORS AND PROCLAMATIONS

Mayor Sweet opened the regular meeting with a statement from the City Council on Political Harassment.

Following the Mayor's reading of the statement, Councilmember Nixon led a discussion of actions the City could take to facilitate voting.

##### a. Affordable Housing Week Proclamation

Mayor Sweet asked Councilmember Curtis to read the proclamation which was accepted by Imagine Housing Community Engagement Programs Manager Jen Boone.

#### 5. COMMUNICATIONS

##### a. Announcements

##### b. Items from the Audience

David Hoffman  
Santos Contreras  
Joel Burt

##### c. Petitions

#### 6. PUBLIC HEARINGS

None.

#### 7. SPECIAL PRESENTATIONS

Assistant City Manager James Lopez reviewed the new Shop Local Kirkland Initiative, provided an update on the Kirkland CARES Relief Fund, and an update on work related to the Resolution R-5434 legislation and responded to Council questions.

- a. COVID-19 Update
  - (1) Shop Local Kirkland Initiative
- b. Resolution R-5434 Update

8. CONSENT CALENDAR

- a. Approval of Minutes
  - (1) September 15, 2020
  - (2) September 17, 2020
- b. Audit of Accounts

Payroll: \$4,245,907.70  
Bills: \$7,971,691.79  
SS915A wire #220  
SS916A checks #714584 - 714668  
SS916B wire #221  
SS923A checks #714669 - 714904  
SS923B wire #224  
SS925A wire #222, 223  
SS930A checks #714905 - 714906  
SS930B checks #714907 - 915021  
SS930C wire #226  
SS102A wire #225  
ACH

- c. General Correspondence
- d. Claims
  - (1) Claims for Damage

Claims received from Gayle Gray, Gary Hwang, Jeffery Pannell, Kimberly Sambrook, and Brennen Smith were acknowledged via approval of the consent calendar.

- 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-5448, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS WITH THE WASHINGTON STATE RECREATION AND CONSERVATION OFFICE TO ASSIST IN FUNDING THE CROSS KIRKLAND CORRIDOR TRAIL LIGHTING PROJECT."

The resolution was approved via approval of the consent calendar.

- (2) NE 124th Street/113th Avenue NE Pedestrian Safety Enhancements – Authorization to Bid

The City is authorized to advertise for contractor bids for pedestrian safety enhancements at the intersection of NE 124th Street and 113th Avenue NE via approval of the consent calendar.

- (3) Major Development Projects List

The projects list was accepted via approval of the consent calendar.

- (4) Impact Fee Annual Report

The report was acknowledged via approval of the consent calendar.

- (5) August 2020 Sales Tax Report

The report was acknowledged via approval of the consent calendar.

- (6) Procurement Report

The report was acknowledged via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Amy Falcone, 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. Ground Floor Use Restrictions

Deputy Planning Director Jeremy McMahan presented options to allow walk-in urgent care clinics in Central Business District (CBD) zones requiring ground floor retail and received Council feedback to come back with a proposal for Option 1.

b. Public Projects Streamlining Code Amendments

Senior Planner Nick Cilluffo presented an overview of proposed amendments to the Kirkland Zoning Code and Municipal Code related to streamlining the review and approval process for public projects and received Council direction for next steps.

Council recessed for a short break.

c. 2021-2022 Utility Rates Adoption

Deputy City Manager Tracey Dunlap presented an overview of the ordinances presented for the Councils approval and responded to council questions.

- (1) Ordinance O-4735 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION RATES FOR 2021 AND 2022 AND AMENDING SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE."
- (2) Ordinance O-4736 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO DOMESTIC WATER SYSTEM CUSTOMER RATES FOR 2021 AND 2022 AND AMENDING SECTION 15.24.020 OF THE KIRKLAND MUNICIPAL CODE."
- (3) Ordinance O-4737 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SEWER SYSTEM CUSTOMER RATES FOR 2021 AND 2022 AND AMENDING TABLE 15.24.070 OF THE KIRKLAND MUNICIPAL CODE."
- (4) Ordinance O-4738 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MONTHLY SURFACE WATER UTILITY SERVICE RATES FOR 2021 AND 2022 AND AMENDING SECTION 15.56.020 OF THE KIRKLAND MUNICIPAL CODE."

Motion to Approve Ordinance O-4735, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION RATES FOR 2021 AND 2022 AND AMENDING SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE"; Ordinance O-4736, entitled "AN ORDINANCE OF THE cm OF KIRKLAND RELATING TO DOMESTIC WATER SYSTEM CUSTOMER RATES FOR 2021 AND 2022 AND AMENDING SECTION 15.24.020 OF THE KIRKLAND MUNICIPAL CODE"; Ordinance O-4737, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SEWER SYSTEM CUSTOMER RATES FOR 2021 AND 2022 AND AMENDING TABLE 15.24.070 OF THE KIRKLAND MUNICIPAL CODE"; and Ordinance O-4738, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MONTHLY SURFACE WATER UTILITY SERVICE RATES FOR 2021 AND 2022 AND AMENDING SECTION 15.56.020 OF THE KIRKLAND MUNICIPAL CODE."

Moved by Councilmember Toby Nixon, 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.

## 10. REPORTS

### a. City Council Regional and Committee Reports

Councilmember Nixon requested support to have a future discussion around the issue of wheeled all-terrain vehicles on city streets; noise ordinance enforcement; modifying the business license rule for small scale landlords; rules around RV parking. The Council decided to defer consideration of these and other issues to their 2021 retreat when they will discuss Council priorities for the 2021 workplan. Councilmembers then shared information regarding an Association of Washington Cities listening session regarding regional transportation issues; the state financial audit exit conference; a King County-Cities Climate Collaboration letter regarding the Puget Sound Energy proposed sale of Colstrip Unit 4; an Association of Washington Cities (AWC) training on First Amendment considerations for local governments; a Town Hall Seattle Livestream on Policing the Second Amendment; the Washington State Legislature's Public Safety Committee meeting; the City of Kirkland electronics recycling event; an upcoming King County-Cities Climate Collaboration meeting; an upcoming King County Conservation District meeting; an upcoming Sound Cities Association Racial Equity and Justice conversation; the upcoming Sound Cities Association Public Issues Committee meeting; the upcoming Affordable Housing Week events; an upcoming roundtable on Building the Future of the Eastside; kudos to the Interview Selection Committee recommendation on providing a list of discussion topics to interview candidates in advance; an upcoming Sound Cities Association(SCA) northeastern King County cities subgroup and King County Regional Transit Committee meetings; the Washington Bike, Walk, Roll Summit; kudos to the Fire Chief and City Manager for recent Neighborhood meeting presentations; the upcoming Kirkland Police Department Awards and Swearing-In ceremony; Greater Kirkland Chamber of Commerce ribbon cutting for First Tech Credit Union; a King County Regional Law, Safety and Justice Committee meeting; a Washington Resource Inventory Area (WRIA) 8 Salmon Recovery Council meeting; an upcoming King County Combined Transportation Board meeting; the Eastside Race and Equity Summit; a Cultural Arts Commission meeting; a recent meeting concerning LGBTQ intersectionality; planning for a new 2021 Pride Eastside event; the Eastside Race and Leadership Summit; Eastside Human Services Forum meetings; an SCA meeting to discuss qualification requirements for the new King County Regional Homelessness Authority CEO; Eastside Embrace and racial justice events; ongoing discussions of Cities' approaches related to Washington State House Bill 1590 on homelessness/affordable housing funding; and a meeting with the City Manager Kurt Triplett and King County Councilmember Claudia Balducci.

(1) Draft Letter to Washington Utilities and Transportation Commission

Motion to Authorize Mayor Sweet to sign the draft letter to the Washington Utilities and Transportation Commission opposing Puget Sound Energy's proposed sale of Colstrip Unit 4 to NorthWestern Energy in Montana and Talen Montana and the associated Colstrip transmission capacity as proposed, at her discretion following her scheduled meeting with Puget Sound Energy.

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

Vote: Motion carried 6-1

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

No: Councilmember Toby Nixon.

b. City Manager Reports

City Manager Kurt Triplett added some clarifying remarks related to WSHB 1590 and King County's proposed 0.01% sales tax increase to fund affordable housing. Councilmember Black noted additional items for the workplan discussion at the 2021 City Council retreat.

(1) Calendar Update

City Manager Kurt Triplett requested and received Council permission to wait to do a recruitment to fill recent vacancies on the Library Board and the Cultural Arts Commission until the normal recruitment in March.

11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

a. To Discuss Potential Litigation

Mayor Sweet announced that the Council would enter into executive session to discuss potential litigation and would return to regular meeting at 10:45 p.m. for the purposes of adjournment only. At 10:45 the time was extended to 10:55, and at 10:55 the time was extended to 11:00 p.m.; the Council then returned to the regular meeting at 11:02 for adjournment. Also attending were City Manager Kurt Triplett, City Attorney Kevin Raymond, Police Chief Cherie Harris, Civilian Administrative Commander Melissa Petrichor, Corrections Lieutenant Shawn Stredwick, and Pacifica Law Group Partners Matt Segal and Kymberly Evanson.

13. ADJOURNMENT

The Kirkland City Council regular meeting of October 6, 2020 was adjourned at 11:05 p.m.

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Kathi Anderson, City Clerk

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Penny Sweet, Mayor