



**CITY OF KIRKLAND**  
**Department of Public Works**  
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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Heather Kelly, Continuity Planning Contractor, Fire  
Kevin Raymond, City Attorney

**Date:** July 21, 2017

**Subject:** CONTINUITY OF OPERATIONS AND GOVERNMENT PLANNING PROJECT  
ORIENTATION AND CONSIDERATION OF LEGISLATION RELATED TO  
EMERGENCIES UPDATES

## **RECOMMENDATION:**

It is recommended that the City Council receive an update on the City's Continuity of Operations and Continuity of Government planning. The briefing will provide background on the necessity and purpose of the documents, as well as a status report and timeline for their completion. It is also recommended that the City Council authorize the Public Safety Committee members, or other members designated by the Council, to identify and complete the information needed for the Council Appendix to a new Continuity of Operations and Continuity of Government Plan ("Plan"). Given the summer schedule, the interviews with designated Councilmembers would likely be individual interviews rather than a Committee meeting. Staff would synthesize the responses from the designated Councilmembers and bring final recommendations back to the full Council for review and approval. A draft appendix has been created and provided for discussion and review.

It is also requested that Council provide comments and direction to staff at the study session related to important ancillary issues associated with the successful implementation of the Plan and well-coordinated responses by the City of Kirkland ("City") in the event of a natural, human-made or technological emergency affecting the city of Kirkland. Draft documents, including potential amendments to the Kirkland Municipal Code ("KMC") and the Council's Policies and Procedures also have been created for discussion and review.

## **BACKGROUND DISCUSSION:**

On May 18, 2017, the City contracted for the services of Heather Kelly, a Continuity Planner, to facilitate a coordinated, inclusive planning effort focused on the continuity of City operations and government during and following a major emergency or disaster. The ability of a jurisdiction to maintain its delivery of essential functions to the community during and following an emergency or disaster is critical to the protection of life, property, and the environment. A documented, holistic approach to service delivery, decision making, and resource management

will facilitate the ability of the City to best serve the community and businesses of the city Kirkland.

Ms. Kelly is working with City departments and the Municipal Court to develop a Plan based on current capability and resources. Each department, as guided by Ms. Kelly, is developing department specific continuity documents.

During the planning process gaps and inconsistencies in documentation, process, and legislation have been identified and are in the process of being resolved. The final plans will include updated information, documents and processes. While the draft plans for the overall government are included as attachments to this memo, staff intends to focus on the gaps for the Council at the study session.

Areas being reviewed directly related to the Council include:

- The absence of documented, readily-available procedures for the continuation of Council action when, due to the emergency, multiple Councilmembers may be unavailable and a quorum impossible or impractical, even with remote telecommunication capabilities.
- Timely appointment of Councilmember positions vacated during an emergency, for example due to disability or death.
- Clarity and updated roles related to KMC Chapter 3.20, Emergency Management.

The City Attorney, Kevin Raymond, performed research and review to develop the recommendations provided based on current laws and regulations and best practice examples.

Based on feedback and direction from Council, it is anticipated that staff would return to Council at a future meeting with proposals for adoption by Council that include: (1) adoption of a Plan by resolution; (2) adoption of amendments to Council Policies and Procedures by resolution; and (3) enactment of amendments to Chapter 3.20 KMC, Emergency Management, by ordinance.

Attachment A: Continuity Plan Draft

Attachment B: Council Appendix Draft

Attachment C: Council Essential Functions Worksheet Draft

Attachment D: Council Policies and Procedures Draft

Attachment E: KMC Chapter 3.20 Emergency Management Draft

Attachment F: CMO Succession Document Draft

**Continuity of Operations  
(COOP)  
Continuity of Government  
(COG)  
Plan**



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**The City Attorney must be consulted prior to the release of any or all of this document.**

**DRAFT**

# Promulgation Statement

Date XX/XX/XXXX

Transmitted here is the City of Kirkland's Continuity of Operations (COOP) Continuity of Government (COG) plan (Plan). This Plan provides a guide from which the City of Kirkland departments can implement actions to support the delivery of essential functions during and after a disaster or emergency.

This Plan supersedes any previous COOP and/or COG documents and has been approved by the City Council through Resolution R-XXX dated XXXX. It will be reviewed annually and updated as described in this plan. Recipients are requested to advise the Fire Department Office of Emergency Management of any changes that might result in Plan improvement or increase of usefulness.

Kurt Triplett  
City Manager  
City of Kirkland

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## RECORD OF DISTRIBUTION

The record of distribution will be used to verify that department leadership have acknowledged acceptance of this Plan. An electronic version of this Plan can be accessed by City employees with COOP responsibilities at XXXXXXXX.

Date of Delivery	Number of Copies Delivered	Method of Delivery	Name, Title, and Department of Receiver
	1	Hard Copy	Kevin Raymond, City Attorney, CAO
	3	Hard Copy	Kurt Triplett, City Manager, CMO Tracey Dunlap, Deputy City Manager, CMO Marilynne Beard, Deputy City Manager, CMO
	7	Hard Copy	XXX City Council
	2	Hard Copy	Judge Lambo, Presiding Judge, Municipal Court Court Administrator, Municipal Court
	2	Hard Copy	Michael Olson, Director, Finance & Administration Greg Piland, XXXX, Finance & Administration
	3	Hard Copy	Joe Sanford, Fire Chief, Fire Helen Ahrens-Byington, Emergency Manager, Fire Emergency Operations Center
	2	Hard Copy	Jim Lopez, Director, Human Resources Shawn Friang, XXXX, Human Resources
	2	Hard Copy	Brenda Cooper, Director, Information Technology Donna Gaw, XXX, Information Technology
	2	Hard Copy	Lynn Zwaagstra, Director, Parks & Community Services Linda Murphy, XXXXX, Parks & Community Services
	3	Hard Copy	Eric Shields, Director, Planning & Building Mike McGivern, XXX, Planning & Building Desiree Goble, XXX, Planning & Building
	2	Hard Copy	Cherie Harris, Chief, Police Robert Saloum, Lieutenant, Police
	2	Hard Copy	Kathy Brown, Director, Public Works Erin Devoto, Deputy Director, Public Works
		Hard Copy	
		Hard Copy	

## RECORD OF CHANGES

From the date of promulgation of this Plan, the Office of Emergency Management (OEM) will track and record changes made to the document. The record of changes should contain, at a minimum, a change number, the date of the change, the name of the person who made the change, and a description of the change.

Change Number	Section	Date of Change	Individual Making Change	Description of Change
0	All	XX/XX/2017	OEM	Creation of Plan

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Table of Contents – To be FORMATTED and UPDATED when Plan reaches near completion

FOUO Status..... ii

Promulgation Statement ..... iii

Approvals..... iv

Record of Distribution..... v

Record of Change ..... vi

**Introduction** ..... 4

Purpose..... 4

Authorities and References ..... 4

Scope and Applicability ..... 4

    Figure 1 - Threat Assessment ..... 4

**Planning**..... 4

Plan Objectives ..... 4

Planning Assumptions.....

Planning Scenarios ..... 4

**Concept of Operations** ..... 4

COOP Implementation ..... 4

Delegations of Authority .....

COOP Teams..... 4

    Figure 2 – COOP Organizational Chart ..... 4

    Figure 3 – COOP Team Roles and Responsibilities Chart ..... 4

    Policy Group .....

    COOP Team..... 4

    Facility Team.....

    COOP Operations Team ..... 4

Phases of COOP Activities .....

    Phase 1 – Initiation ..... 4

    Phase 2 – Alternate Operations .....

    Phase 3 – Return to Operations..... 4

    Figure 4 – Key COOP Activities Chart..... 4

Department Responsibilities .....

Notification.....	4
Order of Succession .....	
Figure 5 – COOP Order of Succession by Department .....	4
Essential Functions.....	4
Figure 6 – COOP Essential Functions by Department .....	
Alternate Facilities.....	
Communications .....	4
Vital Records and Databases .....	4
Critical Systems and Equipment.....	
External Contacts.....	4
Go - Kits.....	
Employee Support Resources .....	
COOP Plan maintenance .....	
Figure 7 – Plan Maintenance .....	
<b>Appendixes</b> .....	4
Department Appendixes .....	
City Attorney’s Office .....	
City Manager’s Office .....	
City Council.....	
Municipal Court .....	
Facilities .....	
Finance and Administration .....	
Fire .....	
Human Resources and Performance Management .....	
Information Technology .....	
Parks and Community Services .....	
Planning and Building .....	
Police .....	
Public Works .....	
Decision Guide .....	
Activation Checklist.....	
De-Activation Checklist .....	
COOP Communication Capabilities	

COOP Information Technology Requirements

COOP Facility Requirements .....

**Annexes** .....

Delegation of Authorities .....

    City Manager’s Office.....

    City Attorney’s Office.....

    Finance Authorized Agent .....

CODE RED Use Procedure .....

Hotline Update Procedure .....

Map/Matrix of City Facilities..... 4

Work from Home policy .....

Glossary of COOP Terms.....

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## **Introduction**

The City of Kirkland (City) has essential operations that need to be performed or rapidly resumed in a disaster or emergency situation. While the impact of an incident cannot be predicted, planning for operations under such conditions may mitigate the effects of the disaster or emergency on people, facilities, and City services. To that end, the City has prepared a Continuity of Operations (COOP) Continuity of Government (COG) Plan (Plan) to serve as a guide for sustainment or resumption of essential services affected by a disaster.

The City intends to provide the highest level of response and recovery to an incident as possible; however, there is no guarantee that the City will have the capability or resources to meet the needs of every resident, visitor, or business before, during, or after a disaster or emergency.

The Plan establishes guidance to support City essential functions when a disaster or emergency threatens or impacts City operations to the point that requires changes to the delivery of City services or the relocation of City personnel or operations. The Plan provides guidance for when the City may need to implement COOP activities related to an incident that impacts essential functions, roles of staff, facilities, or delivery of services to City residents, visitors, or businesses. Emergency Response actions initiate based on the incident and standing protocols and are not addressed in this Plan.

City employees may have identified responsibilities in an emergency that requires COOP and/or COG activities to sustain essential City functions. Such employees are expected to fill their COOP and/or COG role(s) to the extent practicable under the circumstances and consistent with relevant job descriptions, City personnel policies and any relevant collective bargaining agreement provisions.

### **Purpose**

The ability of the City to support essential functions during times of disaster or emergency and to provide for the needs of the residents, visitors, and businesses within the City limits is a priority of City government. To facilitate implementation of this ability the City has coordinated the development of this Plan.

This Plan describes how the CITY will endeavor to perform essential functions during and after a disaster or emergency that disrupts normal City operations. This Plan is intended to guide the City during an actual incident; however, specific actions will depend on the situation.

This Plan supports the performance of essential functions from alternate locations, due to the primary facility becoming unusable for a period of time, and also provides for continuity of government and decision-making if senior management or elected officials are unavailable, inaccessible, or victims of the incident.

### **Authorities and References**

The Plan has been developed to support implementation of the City:

- Municipal Code Chapter 3.20 Emergency Management
- Administrative Policy Chapter 1 Policy 1-2 Severe Weather/Emergency Conditions

In addition, the Plan supports implementation of the following Washington State laws and regulations:

- Chapter 38.52 RCW
- Chapter 42.14 RCW
- Title 118-30 WAC

References that have supported the development of this Plan include:

- Kirkland Municipal Code
- Kirkland Administrative Policy Manual
- City of Kirkland Comprehensive Emergency Management Plan (CEMP)
- City of Kirkland City Council Policies and Procedures
- Homeland Security Presidential Directive 20, National Continuity Policy
- Presidential Policy Directive 40
- Presidential Policy Directive 51
- Federal Continuity Guidance Circular 1 and 2
- Washington State RCW 42.14.050 Continuity of Government Act

## **Scope and Applicability**

The Plan applies to all City departments and personnel. COOP activities may be initiated at any time as determined necessary by City leadership. COOP activities may be in coordination with an Emergency Operations Center (EOC) activation or may occur independent of EOC activities.

COOP activities may be executed for site specific, Citywide, or regional disruptions to City operations, typically due to a natural, technological, or human-caused disaster or emergency; but not limited to these situations.

The scope of this Plan is focused on the critical services that should not be disrupted for more than twelve hours following an incident. The intent of this document is to provide a framework to support delivery of essential services that are identified as critical to the continuation of government; protection of life safety, property, and the environment; and incident response and recovery operations that care for the residents, visitors, and businesses of Kirkland.

City Departments identified a major earthquake as the type of incident with the highest potential to cause a COOP situation; followed by a significant health crisis, such as a pandemic or epidemic. Departments acknowledged several other risks that could create the need for COOP activities as well.

The outcome of the department threat assessment resulted from a calculation of two factors, probability and severity. These factors were multiplied together and averaged based on the number of completed assessments returned during the planning process.

Probability is the likelihood of a specific type of incident occurring; rated on a scale of 1 – 3, with one representing low probability, two medium, and three a high probability of occurrence.

Severity is measured by the actual or potential impacts resulting from the type of incident. The following is the guidance used to assign a numerical value to severity.

- Catastrophic Incident = 4 = Multiple deaths, shutdown of operations for 30 days or more, more than 50% of property is severely damaged.
- Major Incident = 3 = Injuries or illness requires major professional medical care, shutdown of operations for at least 2 weeks, more than 25% of property is severely damaged.
- Moderate Incident = 2 = Injuries or illness requires professional medical care, shutdown of operations for more than 1 week, more than 10% of property is severely damaged.
- Minor Incident = 1 = Injuries or illness are treatable with basic first aid, shutdown of operations for less than a week, less than 10% of property is severely damaged.

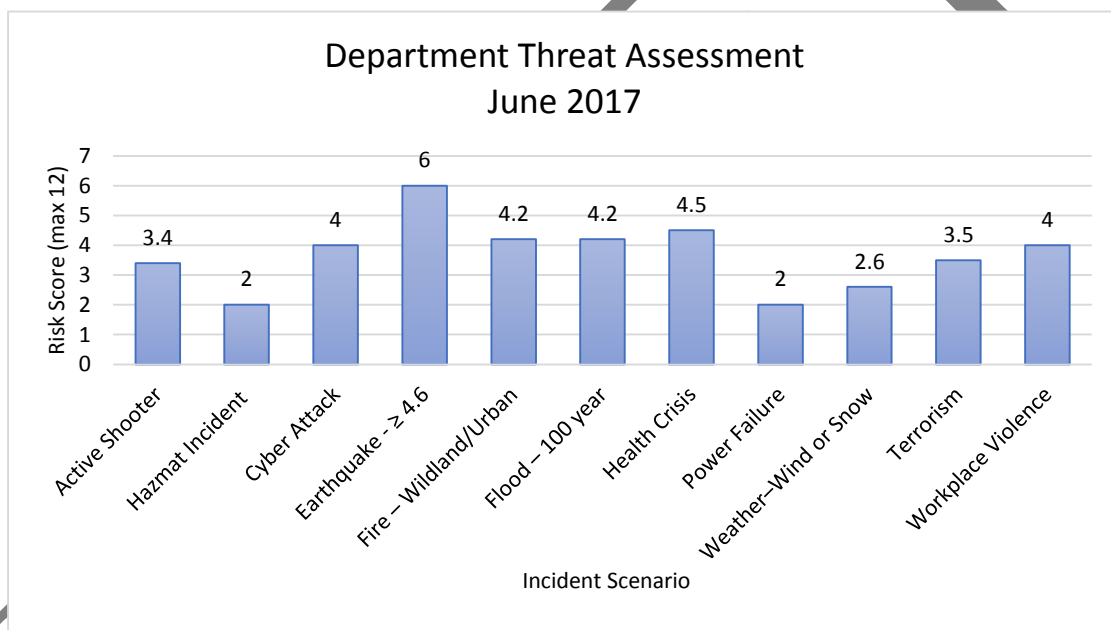


Figure 1 – Threat Assessment Results June 2017

The planning approach for development of this Plan was focused on a resource that is both flexible and scalable, to address high-frequency low impact situations, low-frequency high impact situations, and combinations in between.

When confronting disruption of normal operations, the City will endeavor, to the best of its ability, to provide essential functions even under the most challenging emergency circumstances. The City has identified essential functions as activities required by local, regional, state, or federal laws or regulations necessary to support the safety and security of City employees, systems, services, and the public, support the restoration of City operations, and facilitate emergency response actions.

# Planning

## Plan Objectives

The objectives of this Plan are to:

- facilitate decision-making during COOP activities
- reduce disruptions to essential functions
- document the order of succession of critical management positions
- identify vital facilities, equipment, records, and other assets
- guide an orderly transition to COOP activities and return to operations

## Planning Assumptions

Assumptions used to support the City's development of this Plan include but are not limited to:

- Disasters, emergencies or threatened emergencies can adversely impact the City's ability to continue to support essential functions.
- When COOP activities are initiated, the City will implement a predetermined plan using trained and equipped personnel whenever possible.
- Personnel and resources located outside the area affected by the disaster or emergency may or may not be available to support City essential functions.
- Some City services may be limited or suspended to enable the City to concentrate on essential functions.
- The timeline for establishment of some essential functions may exceed 12 hours of the incident onset.
- Alternate support or delivery of essential functions may extend beyond the response phase of an incident and extend into long-term recovery.
- City staff may implement telecommuting practices to support delivery of essential services.
- Recovery from an incident may result in the decision to not restore certain City services, facilities, or positions.
- Staff members may be unavailable during or after a disaster or emergency and thus may be unable to support COOP activities.

## Planning Scenarios

This Plan was developed around a set of scenarios which reflect the City's department threat assessment regarding the types of impacts which may result in COOP activities. Any or all scenarios may result in the injury, death, or inability to account for City staff, elected officials, or the public at a City facility. In addition, any or all scenarios may affect critical infrastructure systems that the City relies on for normal business operations and service delivery.

The City has identified the following types of scenarios as the most likely to trigger COOP activities:

- **Department, Essential Function, or Facility Affected.** Under this scenario, one or more departments, essential functions, or key facilities is unable to perform normal

business activities. The most likely causes of such disruption are fire, system/mechanical failure, loss of utilities such as electricity, telephone, or water, explosion, active shooter, terrorism, or a biological outbreak. Other scenarios that produce limited or no physical damage to City facilities may also interrupt service delivery.

- **City of Kirkland Local Area Affected.** Under this scenario, City facilities are limited or closed to normal business activities as a result of the localized impact. The most likely causes of such disruption are utility failure, civil disturbance, technology network disruption, terrorism, biological outbreak, credible threats of action, or other scenarios that would limit access to or use of City facilities. This type of incident could significantly impact the City's operational capability. Facilities may be unavailable or damaged due to the incident.
- **Regional Area Affected.** Under this scenario, the City facilities and possibly the local area would be inaccessible, inoperable, or unavailable for normal business activities. The most likely causes of such disruption are major disaster such as an earthquake, severe weather for example snow or wind, terrorism, cyber-attack, major health outbreak, an actual or threatened use of a weapon of mass destruction, or other scenarios that would limit access to or use of City facilities. This type of incident could render the City or specific departments inoperable for a significant period. Facilities will most likely be unavailable or have major damage due to the incident. Senior management, technical and supporting personnel may be deceased, injured, unable to reach a City facility, or unaccounted for.

## Concept of Operations (CONOPS)

To implement COOP activities, the City has developed a concept of operations (CONOPS), which describes the approach. The CONOPS guides how the City will facilitate COOP activities including notification, implementation, service delivery, and return to operations.

COOP activities may involve, but are not limited to:

- assignment of a COOP team to perform specific activities necessary to facilitate COOP activities;
- purposeful movement of selected staff or technical personnel to an alternate operating facility;
- the implementation of temporary work procedures;
- and the delegation of authorities to successors.

## COOP Implementation

The City Manager or his or her designee, may direct the implementation of COOP activities. COOP activities are implemented based on known or anticipated threats and emergencies that may occur with or without warning. The City will use a phased approach for implementation, whereby essential functions are sustained or established early and additional services will follow as needed and available.



- **Notice threats or emergencies:** There are some threats that may provide advance warning that will allow notification of, direction to, and if necessary, the relocation of employees. Situations that may provide such warning include inclement weather or a threat of violence.
- **No notice threats and emergencies during business hours:** Incidents may not be preceded by warning, for example earthquakes, fire, or terrorist attacks. In these circumstances employees should follow their emergency procedures to stay safe and resolve the issue if possible. COOP activities will be initiated, if appropriate, and employees will be provided direction by their department leader or the City Manager's Office.
- **No notice threats and emergencies during non-business hours:** Incidents may also occur with no warning outside of business hours. In these circumstances, COOP activities will be initiated, if appropriate, and employees will be notified of any changes to working conditions as soon as possible through various communications methods.

The City has developed a guide, Appendix XX Decision Guide, to assist the City Manager or designee in assessing the impacts of a situation and determining the need to initiate COOP activities. Use of this guide may help to reduce inappropriate or unnecessary COOP activities.

### **Delegations of Authority**

Formal signed delegation of authority documents (Annex XX Delegation of Authority) have proactively been completed for critical duties and City leadership positions. Additional delegation of authority are established in documented department policy. Should a primary position incumbent be unable to serve, a delegation may be implemented. The delegation will specify what the authority covers, what limits may be placed upon exercising it, who (by title) will have the authority, and under what circumstances the delegation applies.

### **COOP Teams**

When COOP activities are necessary, a COOP Team and sub teams may be established to coordinate support for delivery of essential functions. The City has identified key positions to perform critical activities on the COOP Teams.

COOP Team organizational structure is planned to reflect the following organizational chart; however, the incident will dictate which departments will be involved, as well as the activities that need to be support or planned.

# COOP Organizational Chart

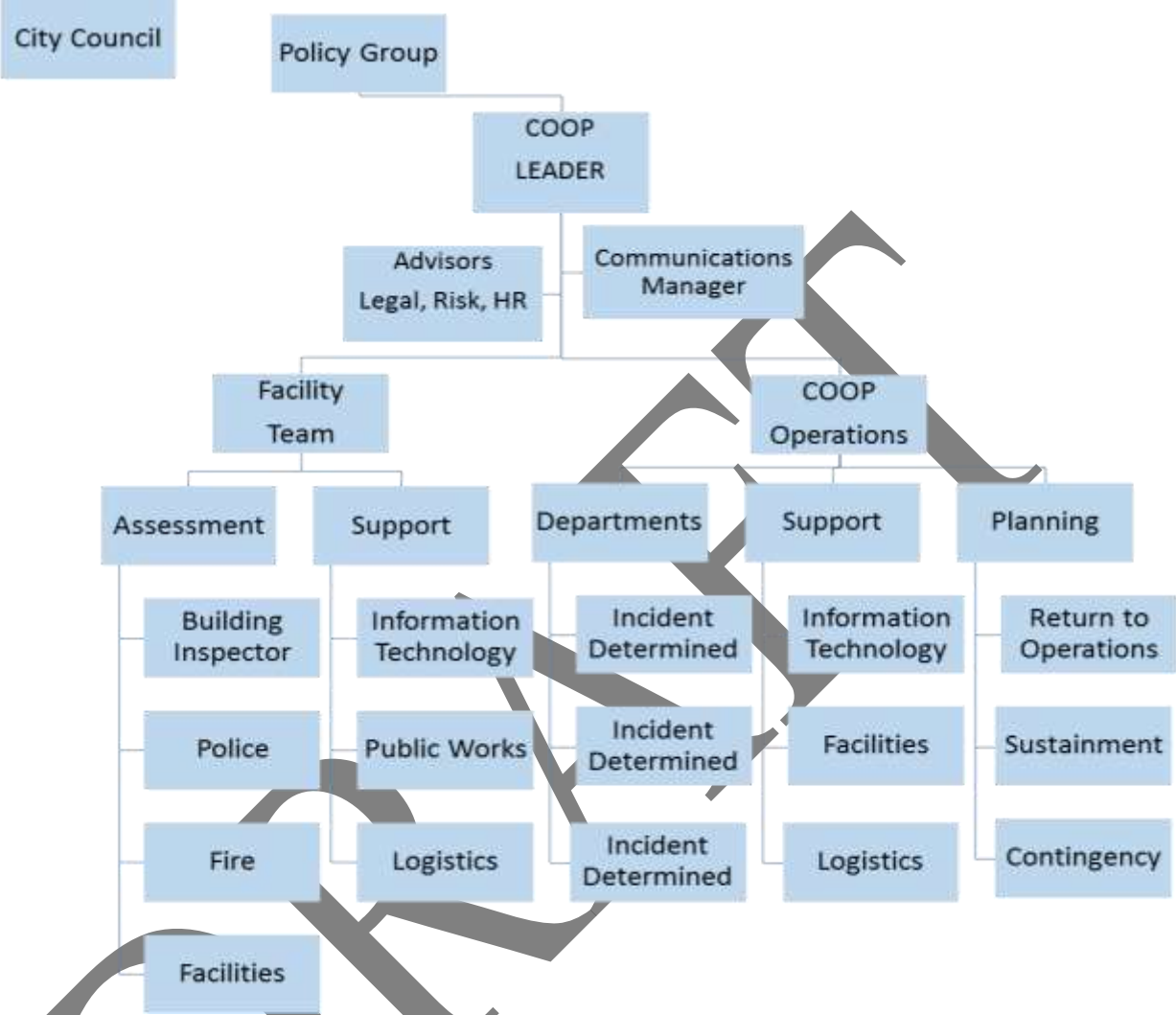


Figure XX - COOP Team Organizational Chart

The following describes the teams, team members, and typical responsibilities. Following the table is additional information about COOP roles.

### COOP Roles and Responsibilities

Title	Team Members	Typical Responsibilities
<b>Policy Group</b>	City Manager, Directors, Human Resource advisor, Legal advisor, Communications Manager, and Council representation.	<ul style="list-style-type: none"> <li>• Authorize COOP activities.</li> <li>• Provide policy decisions and direction.</li> <li>• Coordinate inter-agency and media communications.</li> <li>• Promote coordination among departments.</li> </ul>
<b>COOP Team</b>	COOP Leader, Facility Team, Operations Team, Advisors, and Communications Manager.	<ul style="list-style-type: none"> <li>• Coordinate COOP activities including planning, technical, and facility support.</li> <li>• Implement policy directives related to COOP</li> <li>• Oversee safety and security of COOP personnel and activities.</li> <li>• Manage COOP related public information</li> <li>• Coordinate COOP procurement and contracts when beyond department level.</li> <li>• Assess and report on status of delivery of essential functions to Policy Group.</li> </ul>
<b>Facility Team</b>	Personnel with technical expertise to support critical services, systems, or resources necessary to operationalize facilities to support department delivery of essential functions.	<ul style="list-style-type: none"> <li>• Support alternate site selection through assessments.</li> <li>• Ready critical processes, systems, resources, and locations necessary to support essential functions.</li> <li>• Coordination with the operations team for site occupation.</li> <li>• Coordinate locating/contracting for non-City owned alternate facility options.</li> </ul>
<b>Operations Team</b>	Personnel with department knowledge, administrative skills, and technical expertise.	<ul style="list-style-type: none"> <li>• Provide department level situational awareness and requests for support for delivery of essential functions.</li> <li>• Perform planning for return to operations, COOP activity sustainment, and contingency requirements.</li> <li>• Provide logistical and technical support to departments to facilitate essential function delivery.</li> </ul>

Figure XX – COOP Roles and Responsibilities

- **Policy Group**, provides policy decisions related to COOP activities and strategic direction and communication to City staff and the public.
  - This group is led by the City Manager and consists of Department Directors, the City Attorney, technical experts, and representatives from Municipal Court and City Council as appropriate.

- **COOP Team** is a combination of the Facility Team and Operations Team, guided by the Policy Group, and supported by legal and communications staff.
  - The COOP Team Lead will be designated by the City Manager at the time of an incident.
- **Facility Team** will perform activities necessary to ready a facility for the performance of essential functions. This may include the site inspection and security assessment, establishment of telecommunications or information technology systems, alternate site workspace creation, and the movement of vital records.
  - The Facility Team will be staffed by representatives from facilities, police, fire, building inspection, information technology, and public works as appropriate and available.
- **Operations Team** coordinates support for essential functions, develops strategies and plans addressing contingencies and recovery operations. The Operations Team will coordinate with the Facility Team to synchronize operations and to successfully bring up services and systems using alternate locations, back-up systems, mobilized resources, temporary work procedures, and pre-determined or impromptu work around plans.
  - The Operations Team will be staffed by representatives from City departments with departmental knowledge, basic administrative skills, or technical expertise.

COOP resources not available within City supplies or through mutual aid agreements will be procured either through normal department procurement procedures or if the EOC is activated through the EOC logistics section.

## Phases of COOP

The City will use a phased approach to the initiation, management, and eventual de-escalation of COOP activities.

### Phase 1: Initiation

- **Notification.** The City intends to use the City's mass notification system to inform leadership of an incident. The Policy Group will assess the situation and determine if COOP activities are necessary. If it is determined that COOP activities are necessary a COOP Leader will be assigned, and the COOP Team will be notified and directed to respond to a designated location. City employees, partners, and the public will be notified of COOP activities, as able and appropriate, using any or all of the communication resources available.
- **Initial Actions.** The Policy Group including the COOP Team Leader will meet, in person or via teleconference, to determine what COOP activities are necessary and what direction will be given to the COOP Team for implementation. The Communication Manager will initiate public messaging and manage media interest. Key COOP department staff will be notified to initiate COOP activities to support delivery of essential services at the primary site or a designated alternate site if necessary.

- **Establish Operations.** The COOP Team will inform the Policy Group when facilities, systems, or resources are prepared to support delivery of essential services. Departments will provide essential services to the best of their ability with the capability available.

Phase 2: Alternate Operations

- **Delivery of Essential Functions.** The department(s) will deliver essential functions using temporary work procedures or from an alternate facility, if needed and able based on incident impact and resource availability.
- **Establishment of Communications.** The department(s) will establish communication internally, to external agencies, and to the public, as able and appropriate.
- **Augmentation of Staff.** As the situation progresses, additional staff will be activated to provide services and functions, as able.
- **Development of Plans for a Return to Operations.** As soon as feasible, the COOP Operations Team will begin planning and preparation of activities to return to normal operations based on resources, staffing, and facility availability.

Phase 3: Return to Operations

- **Ending Alternate Process.** The Policy Group and COOP Team Leader will meet to identify the timeline of concluding COOP activities. Based on their decision the COOP Team will develop guidance for ending alternate operations and returning to a non-emergency status at the designated facility.
- **COOP Team Conclusion.** The COOP Team will demobilize the site they have been working from, including the delivery of all documentation related to COOP activities performed to Emergency Management. The Communications Manager will provide public information regarding resumption of services and manage media interest.

The table below highlights the key COOP activities to be accomplished by phase. All activities are the responsibility of the COOP Team Lead until delegated to sub teams or staff.

Phase	Key COOP Activities
Phase 1- Initiation	<ul style="list-style-type: none"> <li>• Instruct Facility Team to ready alternate facility, if needed.</li> <li>• Notify impacted local, regional, and State agencies.</li> <li>• Activate plans to transfer to alternate facility.</li> <li>• Notify agency employees and contractors regarding activation of COOP plan and their status.</li> <li>• Assemble documents/equipment required for essential functions at alternate facility.</li> <li>• Continue essential functions at regular facility, if available, until alternate facility is ready.</li> <li>• Activate Facilities and Operations Teams as necessary.</li> </ul>

Phase 2 - Alternate Operations	<ul style="list-style-type: none"> <li>• Provide guidance to Contingency group personnel and information to the public.</li> <li>• Identify replacements for missing personnel (delegation of authority and orders of succession).</li> <li>• Commence full execution of operations supporting essential functions at the alternate facility.</li> </ul>
Phase 3 - Return to Operations	<ul style="list-style-type: none"> <li>• Supervise return to operations.</li> <li>• Demobilize COOP Team site.</li> <li>• Arrange employee emotional support, if needed.</li> <li>• Deliver public information of status.</li> </ul>

### Department COOP Responsibilities

Each City department should have an organizational structure identified to support delivery of essential functions. Department activities are unique; however, at a minimum department's should be prepared to:

- facilitate department COOP activities;
- support activation of alternate facilities, supporting communications, and information technology systems;
- support COG activities as appropriate;
- provide public information content to the Communication Manager for dissemination;
- assess and report situational status for department responsibility;
- develop or implement temporary service plans;
- coordinate resource support for employees emotional and physical wellbeing; and
- lead department recovery activities.

### Notification

The City recognizes that the COOP activities could be initiated under a variety of conditions; therefore multiple notification systems may be used for contacting COOP Team members and employees, as appropriate to the situation. Systems include but are not limited to telephone networks, technology-based mass notification tools, such as Code Red or Outlook email, public and employee recorded information hotlines, or public safety radio systems.

The appropriately authorized user of each system will be responsible for making notifications when directed by the Policy Group to do so. (Chart of system and authorized user???)

### Essential Functions

The City has identified essential functions and continuity of government priorities. The City also identified critical processes, services, systems, and equipment necessary to support each essential function, as well as key personnel required. A detailed list of essential functions and dependencies can be found in each department specific appendix.

The following table provides a high-level summary of department specific areas of essential functions including the Continuity of Government (COG) status and Return to Operations (RTO) target for each.

## Essential Functions by Department

Responsible Department	Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
City Attorney	Legal Advice	Provide direct legal advice to City leadership, departments, and staff. Prepare relevant documents in response to incident.	No	4 hours
City Council	Leadership	Maintain City Seat of Government, facilitate policy actions.	Yes	2 hours
City Council	Legislation	Support incident and COOP operations through actions and funding allocation.	Yes	4 hours
City Council	Outreach	Liaison with partners and elected officials, and connect with the public.	Yes	2 hours
City Manager's Office	City Leadership	Provide leadership for the incident, the City, and the public.	Yes	2 hours
City Manager's Office	Communications	Facilitate internal and external messaging.	Yes	2 hours
City Manager's Office	Intergovernmental Relations	Coordinate political official involvement.	No	6 hours
Courts	Court Hearings	Court proceedings that implement public law.	Yes	12 hours
Courts	In Custody Hearings	Court proceedings that address in custody status.	Yes	72 hours
Facilities	TBD			

<b>Responsible Department</b>	<b>Essential Function</b>	<b>Function Description</b>	<b>Continuity of Government</b>	<b>Recovery Time Objective (RTO)</b>
Finance & Administration	Employee payroll and benefits	Maintain continuity of payroll for City employees.	Yes	12 hours
Finance & Administration	Purchasing	Procure materials and professional services for incident needs.	No	12 hours
Finance & Administration	Manage Money	Monitor and track cash available for City operations.	No	24 hours
Finance & Administration	Record Preservation	Protect vital records.	Yes	12 hours
Fire	Response	Fire, medical, rescue, and hazmat response services.	Yes	2 hours
Fire	Emergency Operations (EOC)	Support and/or coordinate City response to the incident.	Yes	2 hours
Fire	Alert and Warning	Provide public notice of life safety situations and actions.	Yes	2 hours
Fire	Operations Support	Maintain equipment and gear for response efforts.	No	4 hours
Human Resources	Risk Management	Identification, evaluation, and mitigation of risk.	??	4 hours
Human Resources	Internal Recruitment	Fulfill requests for personnel for incident response.	No	6 hours



<b>Responsible Department</b>	<b>Essential Function</b>	<b>Function Description</b>	<b>Continuity of Government</b>	<b>Recovery Time Objective (RTO)</b>
Human Resources	Injury and fatality management	Support the identification and family notification of injured or deceased employees.	No	2 hours
Human Resources	Enforcement	Enforce compliance with laws, union contracts, and ADA requirements.	Yes	4 hours
Human Resources	Safety Training	Conduct just in time safety training for employees and volunteers for the incident.	Yes	4 hours
Human Resources	Workforce Management	Manage safety concerns and support and retain employees.	No	12 hours
Human Resources	Compensation	Manage and maintain pay and benefit system.	Yes	12 hours
Information Technology	Technology Support	Support access to and use of telecom, internet, and computer hardware and software.	No	2 hours
Information Technology	Geographic Information System (GIS)	Support access and implementation of GIS systems.	No	2 hours
Information Technology	Data Maintenance	Maintain data system security and availability.	No	2 hours
Parks & Community Services	Mass Care	Support care, feeding, and shelter operations for City staff performing COOP activities.	No	24 hours
Parks & Community Services	COOP Support	Participate on COOP Facilities Team.	No	6 hours

Responsible Department	Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
Planning and Building	Building Inspection	Perform emergency building inspections.	Yes	12 hours
Police	Patrol	Respond to emergency calls and support traffic operations.	Yes	2 hours
Police	Corrections	Maintain operations of the correction facility providing for clients.	Yes	2 hours
Police	Investigations	Investigate felony crimes.	Yes	24 hours
Police	Incident Support	Provide security assistance for incident response.	Yes	6 hours
Public Works	Water	Facilitate water distribution to fire hydrants and COOP facilities.	No	2 hours
Public Works	Fleets and Equipment	Vehicle and fuel service for City personnel.	No	2 hours
Public Works	Incident Support	Support Department and COOP activities with staff and logistics.	No	4 hours
Public Works	Streets	Clear priority routes for incident and COOP activities.	No	12 hours
Public Works	Sewer	Facilitate sewer services for COOP facilities.	No	12 hours

Figure XX – Essential Functions by Department

## Order of Succession

If the City Manager, Council Members, or Directors are unavailable during an emergency, the City has an established Orders of Succession and when appropriate Delegations of Authority to support continuation of City government.

The City recognizes the importance of leadership in the delivery of essential functions and thus has identified the following Order of Succession, based on position, to support operations during and emergency or disaster.

Department	Order of Succession by position
<b>City Council</b>	<ol style="list-style-type: none"> <li>1. Mayor</li> <li>2. Deputy Mayor</li> <li>3. Councilmember chosen by Council in absence of Mayor or Deputy Mayor</li> </ol>
<b>City Manager's Office</b>	<ol style="list-style-type: none"> <li>1. City Manager</li> <li>2. Deputy City Manager</li> <li>3. Deputy City Manager</li> <li>4. City Attorney</li> </ol>
<b>City Attorney's Office</b>	<ol style="list-style-type: none"> <li>1. City Attorney</li> <li>2. Senior Assistant City Attorney</li> <li>3. Assistant City Attorney</li> </ol>
<b>Court</b>	<ol style="list-style-type: none"> <li>1. Judge</li> <li>2. Court Administrator</li> <li>3. Court Supervisor</li> <li>4. Probation Supervisor</li> </ol>
<b>Finance and Administration Department</b>	<ol style="list-style-type: none"> <li>1. Finance Director</li> <li>2. Accounting Manager</li> <li>3. Financial Planning Manager</li> <li>4. Customer Service Supervisor</li> <li>5. City Clerk</li> </ol>
<b>Fire Department</b>	<ol style="list-style-type: none"> <li>1. Fire Chief</li> <li>2. Deputy Fire Chief</li> <li>3. Battalion Chief</li> <li>4. Ranking Officer</li> </ol>
<b>Human Resources Department</b>	<ol style="list-style-type: none"> <li>1. Human Resources Director</li> <li>2. Senior Human Resources Analyst</li> <li>3. Safety and Risk Analyst</li> </ol>
<b>Information Technology</b>	<ol style="list-style-type: none"> <li>1. Information Technology Director</li> <li>2. Information Technology Manger Network and Operations</li> <li>3. Information Technology Manager Enterprise Applications</li> <li>4. Information Technology Manager Spatial Systems</li> </ol>
<b>Parks &amp; Community Services</b>	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Deputy Director, Planning &amp; Community Services</li> <li>3. Deputy Director, Operations</li> <li>4. Parks Operation Manager</li> <li>5. Recreation Services Manager</li> </ol>

Department	Order of Succession by position
<b>Planning and Building Department</b>	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Deputy Director</li> <li>3. Building Official</li> <li>4. Development Review Manager</li> </ol>
<b>Police Department</b>	<ol style="list-style-type: none"> <li>1. Police Chief</li> <li>2. Captain</li> <li>3. Lieutenant</li> <li>4. Sergeant</li> </ol>
<b>Public Works</b>	<ol style="list-style-type: none"> <li>1. Director</li> <li>2. Deputy Director</li> <li>3. Streets Division Manager</li> <li>4. Development Engineering Manager</li> <li>5. Transportation Manager</li> <li>6. Capital Projects Manager</li> <li>7. Surface &amp; Wastewater Manager</li> <li>8. Water Manager</li> </ol>

Figure XX – Order of Succession by Position

**Alternate Facilities**

The CITY recognizes that normal operations may be disrupted and that there may be a need to perform essential functions at alternate locations. A list of City owned facilities can be found in Annex XXX. It is understood that although preferred alternate sites have been identified by some departments, the ultimate decision as to which site to use will be dependent upon the situation, condition of the alternate site, and potential duration of need. For specific details of relocation site requirements by department see Appendix XX COOP Facility Requirements.

If relocation is necessary, the Facility Team will perform a site evaluation to confirm the facility is safe for use and to identify resources necessary to make the site operational for the designated department.

The department will prepare to relocate by informing employees of the need to relocate and of their role in the transition. The department will retrieve their Go-Kit, if able, and initiate establishment of essential functions at the designated alternate site. Once the alternate site is established, staffed, and ready for operations, and if appropriate, public messaging will be provided via all methods available to inform the community of where and how to reach the services of the department.

The department will operate from the alternate location until such a time that the original facility is available for reoccupation, or a new location has been identified and prepared for operations. Transition to the original or new facility will initiate with establishment of the work area, followed by movement of personnel, notification of relocation, and implementation of service.

## **Communications**

Communications is a critical capability for City government as communication systems support connectivity to internal organizations, external partners, critical vendors and customers, and the public. To support communications during COOP activities, the City has identified primary and alternate communication resources. The Operations Team Support Group will coordinate with the Facilities Team and departments to provide as many normal communication methods as possible, based on operational status, during a COOP scenario.

Systems may be limited due to infrastructure failures caused by the emergency or disaster, thus prioritization of capability may need to occur based on life safety, COG requirements, and incident management demands.

The majority of City operations desire the ability to use telephone, email, and text messaging communication systems. Some field based departments, such as fire and police, rely on the public safety 800 MHz radio system for tactical communications. Appendix X COOP Communication Systems provides an overview of communication systems used in the City. For departments that leverage unique communication capabilities for delivery of essential services, that information can be found in their department specific Appendix as an attachment.

## **Vital Records and Databases**

The City has identified vital records and databases, which facilitate the performance of essential functions. Although most functions can be performed by using hard copy forms, departments benefit greatly by having access to electronic databases for research and verification purposes.

Departments that rely on electronic documents and forms are encouraged to produce at least master hard copy versions for inclusion in their Go-Kit. Most hard copy documents will require data entry or electronic retention if used during COOP activities.

One key database several departments referenced as a key resource for operations is access to Geographical Information Services (GIS) systems, files, and resources.

The Information Technology Department maintains contact information for vendors and contractors available to support the restoration of vital records, systems, and processes.

Detailed listing of vital records and database requirements can be found in the department specific appendixes Attachment A: Essential Functions Worksheet of this Plan.

## **Critical Systems and Equipment**

The City has identified critical systems and equipment necessary to support a COOP incident. The primary equipment needed by all departments include technology based solutions such as cell phones, computers, printers, and Microsoft Office and department specific operations software programs.

In addition to technology resources many departments identified City vehicles as critical equipment to their operations.

Field based departments, such as Public Works, also identified personal protective equipment as a requirement of safe operations. Specific department systems and equipment requirements can be viewed in the department specific appendixes Attachment A: Essential Functions Worksheet.

Technology based systems can be viewed in Appendix XX Information Technology Requirements.

## **External Contacts**

The City contracts with numerous vendors for support and delivery of essential functions. The expectation is that contracted vendors will have continuity plans to facilitate service delivery to the City.

The City is a local, regional, and State partner in the support and delivery of services to the public and business communities. The City values the partnership and agreements that have been established and intends to leverage those relationships as able for the support and delivery of essential functions during a COOP incident.

## **Go-Kits**

Departments are expected to develop and maintain, at least quarterly, a "go-kit" comprised of critical documents (electronic and hard copy) including forms and files, staff rosters and contact information, key partner, customer, and vendor contact lists, and appropriate supplies to support initial COOP activities and establishment of service delivery from an alternate site.

The department go-kit should be mobile and easily accessible by staff. All department staff should know the location of the go-kit, particularly personnel with a COOP department assignment.

Each employee with a COOP designated role is expected to create a "go-kit" to enhance preparedness for responding to an incident. A go-kit should contain those items considered essential to supporting operations at an alternate site. Each kit may be somewhat unique, but most should include such items as COOP checklists, key contact lists (names, phones, addresses, etc.), files specific to positions, specialized tools routinely used, and maps of the local area and potential alternate sites.

Appendix XX and XX provide lists of recommended go-kit items. In addition, Annex XXX provides a list of personal preparedness items all staff are encouraged to keep at their desk.

For home, family, and car preparedness kit recommendations visit the Emergency Management website at [www.](http://www.)

## **Employee Support**

A situation that requires the implementation of COOP activities can be stressful and physically or emotionally upsetting to employees and volunteers. The City will endeavor to support and provide the appropriate resources to assist personnel with managing crisis stress management.

Resources may include increase awareness or access to the Employee Assistance Program (EAP), formal Critical Incident Stress Management (CISM) sessions, on site mental, emotional, or spiritual support staff, or referral to professional mental health providers.

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## COOP Plan Maintenance

The City intends to maintain a viable COOP capability through the review and update of this Plan partnered with training and exercising on COOP activities.

The Office of Emergency Management will coordinate the maintenance of the Plan.

### Plan Maintenance

Activity	Tasks	Frequency	Responsibility
Plan update	Review entire plan for accuracy Incorporate lessons observed and improvement adjustments Manage distribution of plan updates	Annually	OEM
Update Order of Succession	Obtain names of current incumbents and designated successors Confirm or update Delegation of Authorities	As-needed and at least Annually	OEM with department support
Checklists	Update and revise checklists	As needed	OEM
Orient elected officials and senior management	Brief on Plan, COOP concepts, and their responsibilities related to COOP activities	Annually for all and within 30 days of new appointment or hire	OEM? CMO?
Plan and conduct COOP activity exercise	Conduct at least one drill, table-top, or functional internal exercise testing part or all COOP activities	Annually	OEM with department support
	Conduct joint exercise with local, regional, and/or state agencies	As available	OEM with department support





## City of Kirkland Continuity of Operations Continuity of Government City Council Appendix

### Introduction

During a Continuity of Operations (COOP) scenario, the Kirkland City Council (City Council) has a role in the City of Kirkland (City) leadership, legislation, and outreach. The City Council provides direction and support to the incident through legislative actions and interjurisdictional interactions. The City Council is flexible and adaptable and has limited resource requirements to perform essential functions.

### Essential Functions

Essential functions for the City Council during a COOP incident include leadership, legislation, and outreach to other jurisdictions and the public. Detailed information about the delivery of these services is available in Attachment A Essential Functions Worksheet of this appendix. Below is a high-level summary including Continuity of Government (COG) status for each function.

Responsible Department	Essential Function	Function Description	Continuity of Government	Recovery Time Objective (RTO)
City Council	Leadership	Maintain City Seat of Government, facilitate policy actions.	Yes	2 hours
City Council	Legislation	Support incident and COOP operations through actions and funding allocation.	Yes	4 hours
City Council	Outreach	Liaise with other jurisdictions, elected officials and staff, and connect with the public.	Yes	2 hours

## Key Personnel

In the event of a COOP and/or COG scenario, the City Council performs essential leadership, legislative and outreach functions. The City Council performs such essential functions in part by taking formal action through the affirmative vote of a majority of the entire membership of the City Council. In matters not requiring formal action, the City Council is represented by its Mayor or, in the absence of the Mayor, by its Deputy Mayor. In the absence of both the Mayor and the Deputy Mayor, the City Council is represented by a Councilmember chosen by the affirmative vote of the entire membership of the City Council or, in the absence of a quorum consisting of at least four Councilmembers, a simple majority vote of those members present. See City Council Policies and Procedures.

## Department Relocation

Incident impacts and operational needs will dictate the safe options for relocation; therefore, the City Council does not have a designated alternate location. The City Council location serves as the seat of government so whenever possible, the City Council will remain at City Hall. If there is a requirement to relocate, efforts will be made to remain within the city limits and near the City Manager's Office, wherever then located, and the Emergency Operations Center.

Possible alternate locations for the City Council include Fire Station 26 (9930 124<sup>th</sup> Ave NE) or the Kirkland Justice Center (11740 NE 118<sup>th</sup> St).

## Communications

The City Council does not have any unique communication requirements, but does rely heavily on internet connectivity, computers and other normal operational systems. The intent is to use normal operational systems, or as many of them as are possible, including but not limited to desk phones, cell phones, Outlook email, and text messaging for communication during a COOP scenario.

## Vital Records, Files, and Databases

The City Council has identified vital records to include..... (to be determined based on further input from Council)

## Critical Systems

The City Council identified critical systems to support essential functions as .....(to be determined based on further input from Council)

## Critical Equipment

The City Council has identified...(to be determined based on further input from Council)

## External Contacts

The City Council is not dependent on external agencies for delivery of essential functions. However, the City Council does acknowledge the support jurisdictional partners at local, state,

and federal levels of government and private entities can provide and intends to engage with these agencies and entities as appropriate.

## **Return to Operations**

The City Council will have continual, but possibly limited, operations during a COOP incident. Return to operations includes the relocation back to the original facility or a new facility in the City Council is working from an alternate location. The City Council will resume normal business activities, in addition to any incident or COOP activities, as able based on resource availability.

## **Department Resource Documents**

The attached documents serve as resources that support COOP activities related to essential functions, authorities, and staff.

Attachment A: Essential Functions Worksheet

Attachment B: COOP Staff Roster

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**Council Essential Functions Worksheet – DRAFT****Completed By:****Approved By:**

<b>Essential Function</b>	<b>Essential Function Description</b>	<b>Key Positions and Back-Ups</b>	<b>Vendors or External Contacts</b>	<b>Vital Records</b>	<b>Equipment</b>	<b>Systems</b>	<b>Recovery Time Objective</b>
<b>Leadership</b>	Maintain City Seat of Government Advise City Manager's Office on policy issues Enact Proclamation of Emergency for COOP activities, if needed	Council Members	N/A	Contact list City ordinances, codes, resolutions, rules	Phones (desk and cell) Computer	Outlook Voicemail Text	2 hours
<b>Legislation</b>	Facilitate COOP – Issue moratoria, suspension of operations, etc. Establish funding source(s) for COOP activities	Council Members	N/A	Official decision documentation	Paper and pen or computer, electronic recording device	None Or Word	4 hours
<b>Outreach</b>	Liaise with partner jurisdictions, County, State, and Federal elected officials Participate in public messaging and meetings	Council Members	Partner Jurisdictions County, State, and Federal elected officials and staff	Contact List	Phone (desk and cell) Computer	Outlook Voicemail Text	2 hours

June 2017 v2

# CITY OF KIRKLAND CITY COUNCIL POLICIES AND PROCEDURES



[REDACTED] April 2017

TABLE OF CONTENTS

CHAPTER 1: CITY COUNCIL VISION AND GOALS..... 4  
    1.01 Vision..... 4  
    1.02 Goals — Purpose..... 4  
    1.03 Operational Values. .... 4  
    1.04 City Council Goals..... 5  
CHAPTER 2: CITY COUNCIL CODE OF CONDUCT..... 7  
    2.01 Code of Conduct for City Council and Boards and Commissions ..... 7  
CHAPTER 3: CITY COUNCIL MEETINGS ..... 9  
    3.01 Rules Governing the Conduct of Meetings..... 9  
    3.02 Submittal of Council Agenda Items. .... 9  
    3.03 Regular Meetings. .... 9  
    3.04 Quorum..... 9  
    3.05 Order of Business..... 9  
    3.06 Consent Calendar. .... 10  
    3.07 Public Comment. .... 10  
    3.08. Petitions. .... 10  
    3.09 Regional and Committee Reports..... 10  
    3.10 Duties of the Presiding Officer. .... 11  
    3.11 Rules for Councilmember Conduct. .... 11  
    3.12 Voting. .... 11  
    3.13 Tie Votes..... 12  
    3.14 Non-Tie Vote with Lack of Affirmative Votes. .... 12  
    3.15 Motions to Reconsider. .... 12  
    3.16 Motions to Lay A Matter on the Table..... 12  
    3.17 Motion for Adjournment..... 12  
    3.18 Motions and Discussion by the Presiding Officer..... 12  
    3.19 Suspension of Rules. .... 12  
    3.20 City Staff Attendance at Meeting..... 12  
    3.21 Minutes. .... 12  
    3.22 Procedure for Considering Process IIA Appeals. .... 12  
    3.23 Procedure for Considering Process IIB Applications. .... 13  
    3.24 Remote Attendance at Council Meetings..... 13  
CHAPTER 4: STUDY SESSIONS AND RETREATS..... 15  
    4.01 Study sessions. .... 15  
    4.02 Council retreats..... 15  
CHAPTER 5: COUNCIL COMMUNICATIONS..... 16  
    5.01 Written Correspondence. .... 16  
    5.02 Council Communications with the Public..... 16  
CHAPTER 6: PROCLAMATIONS..... 19  
    6.01 Proclamations ..... 19  
CHAPTER 7: COUNCIL COMMITTEES ..... 20  
    7.01 Purpose and Relationship to City Council ..... 20  
    7.02 Council Committee Topics ..... 20  
    7.03 Council Committee Meetings ..... 20  
    7.04 Council Committee Appointments ..... 21  
    7.05 Council Standing Committees. .... 21  
    7.06 Council Intermittent Committees ..... 22  
CHAPTER 8: BOARD AND COMMISSION APPOINTMENTS ..... 23  
    8.01 Applicability/Definition. .... 23  
    8.02 Eligibility..... 23

8.03 Non-Discrimination..... 23  
8.04 Concurrent Offices..... 23  
8.05 Terms. .... 23  
8.06 Term Limitations. .... 23  
8.07 Attendance. .... 23  
8.08 Appointment/Reappointment..... 24  
8.09 Criteria for Reappointment. .... 24  
8.10 Reappointment Process. .... 24  
8.11 Application Process..... 24  
8.12 Appointment Process. .... 24  
8.13 Criteria for Removal..... 25  
8.14 Open Government Training Requirement..... 25

## CHAPTER 1: CITY COUNCIL VISION AND GOALS

1.01 Vision. Kirkland is one of the most livable cities in America. We are a vibrant, attractive, green and welcoming place to live, work and play. Civic engagement, innovation and diversity are highly valued. We are respectful, fair, and inclusive. We honor our rich heritage while embracing the future. Kirkland strives to be a model, sustainable city that values preserving and enhancing our natural environment for our enjoyment and future generations.

1.02 Goals — Purpose. The purpose of the City Council Goals is to articulate key policy and service priorities for Kirkland. Council goals guide the allocation of resources through the budget and capital improvement program to assure that organizational work plans and projects are developed that incrementally move the community towards the stated goals. Council goals are long term in nature. The City's ability to make progress towards their achievement is based on the availability of resources at any given time. Implicit in the allocation of resources is the need to balance levels of taxation and community impacts with service demands and the achievement of goals.

1.03 Operational Values. In addition to the Council goal statements, there are operational values that guide how the City organization works toward goal achievement:

- **Regional Partnerships** – Kirkland encourages and participates in regional approaches to service delivery to the extent that a regional model produces efficiencies and cost savings, improves customer service and furthers Kirkland's interests beyond the our boundaries.
- **Efficiency** – Kirkland is committed to providing public services in the most efficient manner possible and maximizing the public's return on their investment. We believe that a culture of continuous improvement is fundamental to our responsibility as good stewards of public funds.
- **Accountability** – The City of Kirkland is accountable to the community for the achievement of goals. To that end, meaningful performance measures will be developed for each goal area to track our progress toward the stated goals. Performance measures will be both quantitative and qualitative with a focus on outcomes. The City will continue to conduct a statistically valid citizen survey every two years to gather qualitative data about the citizen's level of satisfaction. An annual Performance Measure Report will be prepared for the public to report on our progress.
- **Community** – The City of Kirkland is one community composed of multiple neighborhoods. Achievement of Council goals will be respectful of neighborhood identity while supporting the needs and values of the community as a whole.

The City Council Goals are dynamic. They should be reviewed on an annual basis and updated or amended as needed to reflect citizen input as well as changes in the external environment and community demographics.



## 1.04 City Council Goals

### ***NEIGHBORHOODS***

**Value Statement:** The citizens of Kirkland experience a high quality of life in their neighborhoods.

**Goal:** Achieve active neighborhood participation and a high degree of satisfaction with neighborhood character, services and infrastructure.

### ***PUBLIC SAFETY***

**Value Statement:** Ensure that all those who live, work and play in Kirkland are safe.

**Goal:** Provide for public safety through a community-based approach that focuses on prevention of problems and a timely response.

### ***HUMAN SERVICES***

**Value Statement:** Kirkland is a diverse and inclusive community that respects and welcomes everyone and is concerned for the welfare of all.

**Goal:** To support a regional coordinated system of human services designed to meet the special needs of our community and remove barriers to opportunity.

### ***BALANCED TRANSPORTATION***

**Value Statement:** Kirkland values an integrated multi-modal system of transportation choices.

**Goal:** To reduce reliance on single occupancy vehicles and improve connectivity and multi-modal mobility in Kirkland in ways that maintain and enhance travel times, safety, health, and transportation choices.

### ***PARKS, OPEN SPACES AND RECREATIONAL SERVICES***

**Value Statement:** Kirkland values an exceptional park, natural areas and recreation system that provides a wide variety of opportunities aimed at promoting the community's health and enjoyment.

**Goal:** To provide and maintain natural areas and recreational facilities and opportunities that enhance the health and well-being of the community.

### ***DIVERSE HOUSING***

**Value Statement:** The City's housing stock meets the needs of a diverse community by providing a wide range of types, styles, size and affordability.

**Goal:** To ensure the construction and preservation of housing stock that meet a diverse range of incomes and needs.

### ***FINANCIAL STABILITY***

**Value Statement:** Citizens of Kirkland enjoy high-quality services that meet the community's priorities.

**Goal:** Provide a sustainable level of core services that are funded from predictable revenue.

### ***ENVIRONMENT***

**Value Statement:** We are committed to the protection of the natural environment through an integrated natural resource management system.

**Goal:** To protect and enhance our natural environment for current residents and future generations.

### ***ECONOMIC DEVELOPMENT***

**Value Statement:** Kirkland has a diverse, business-friendly economy that supports the community's needs.

**Goal:** To attract, retain and grow a diverse and stable economic base that supports city revenues, needed goods and services and jobs for residents.

### ***DEPENDABLE INFRASTRUCTURE***

**Value Statement:** Kirkland has a well-maintained and sustainable infrastructure that meets the functional needs of the community.

**Goal:** To maintain levels of service commensurate with growing community requirements at optimum life-cycle costs.

## **CHAPTER 2: CITY COUNCIL CODE OF CONDUCT**

2.01 Code of Conduct for City Council and Boards and Commissions. The Code of Conduct is supplemental to the Kirkland Municipal Code and the Code of Ethics and applies to the City Council and all members of City advisory boards and commissions. The Code of Conduct describes how Kirkland officials treat each other and work together for the common good of the community. Conducting the City's business in an atmosphere of respect and civility is the underlying theme in this Code. City Officials are responsible for holding themselves and each other accountable for displaying actions and behaviors that consistently model the ideals expressed in the Code.

Implicit in the Code of Conduct is recognition of the worth of individual members and an appreciation for their individual talents, perspectives and contributions. The Code will ensure an atmosphere where individual members, staff and the public are free to express their ideas and work to their full potential.

As a City Official of the City of Kirkland, I agree to these principles of conduct:

**We consistently demonstrate the principles of professionalism, respect and civility in working for the greater good of Kirkland.**

We assure fair and equal treatment of all people.

We conduct ourselves both personally and professionally in a manner that is above reproach.

We refrain from abusive conduct, personal charges or verbal attacks on the character or motives of Council members, commissioners, staff and the public.

We take care to avoid personal comments that could offend others.

We show no tolerance for intimidating behaviors.

We listen courteously and attentively to all public discussions and treat all people the way we wish to be treated.

We serve as a model of leadership and civility to the community.

Our actions inspire public confidence in Kirkland government.

**Keeping in mind the common good as the highest purpose, we will focus on holding efficient meetings that achieve constructive solutions for the public benefit.**

We work as a team to solve problems and render decisions that are based on the merits and substance of the matter.

We respect differences and views of other people.

**We adhere to the principles and laws governing the Council/Manager form of government and treat all staff with respect and cooperation.**

We will refrain from interfering with the administrative functions and professional duties of staff.

We will not publicly criticize individual staff but will privately communicate with the City Manager any concerns about a department or department director or staff person.

We will refrain from negotiating or making commitments without the involvement and knowledge of the City Manager.

We will work with staff in a manner that consistently demonstrates mutual respect.

We will not discuss personnel issues, undermine management direction, or give or imply direction to staff.

We will communicate directly with the City Manager, department directors or designated staff contacts when asking for information, assistance or follow up.

We will not knowingly blindside one another in public and will contact staff prior to a meeting with any questions or issues.

We will not attend City staff meetings unless requested by staff.

## CHAPTER 3: CITY COUNCIL MEETINGS

3.01 Rules Governing the Conduct of Meetings. The order of procedure contained in this Chapter shall govern deliberations and meetings of the Council of the City of Kirkland, Washington. *Roberts Rules of Order, Newly Revised*, shall govern the deliberations of the Council except when in conflict with any of the rules set forth in this Chapter.

3.02 Submittal of Council Agenda Items. Items of business to be considered at any Council meeting shall be submitted to the City Manager no later than the Wednesday morning prior to a scheduled Council meeting. A written agenda and informational material is to be prepared and sent the Friday preceding each meeting to each Councilmember. Urgent items arising after the regular agenda has been prepared may be placed on the agenda if the Councilmember or City Manager explains the necessity and receives a majority vote of the Council on a motion to add the item.

3.03 Regular Meetings. Regular meetings of the Council shall be held as provided for by ordinance.

3.04 Quorum. At all meetings of the Council, a majority of the Councilmembers shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time to secure the attendance of absent members.

3.05 Order of Business. The order of business shall be as follows:

1. Call to Order
2. Roll Call
3. Study Session
4. Executive Session
5. Honors and Proclamations
6. Communications
  - a. Announcements
  - b. Items from the Audience (See Section 3.07 for the three minute limitation.)
  - c. Petitions
7. Special Presentations
8. Consent Calendar
  - a. Approval of Minutes
  - b. Audit of Accounts and Payment of Bills and Payroll
  - c. General Correspondence
  - d. Claims
  - e. Award of Bids
  - f. Acceptance of Public Improvements and Establishing Lien Periods
  - g. Approval of Agreements
  - h. Other Items of Business
9. Public Hearings
10. Unfinished Business
11. New Business
12. Reports
  - a. City Council Regional and Committee Reports
  - b. City Manager Reports
    - (1) Calendar Update

13. Items from the Audience
14. Adjournment

3.06 Consent Calendar. Any matter, which because of its routine nature, would qualify for placement on the Consent Calendar pursuant to section 3.05, may be included on the Consent calendar, notwithstanding action on the matter may, by law or otherwise, require adoption of a resolution or ordinance.

Any item may be removed from the Consent calendar and moved to the regular agenda upon the request of any Councilmember. All items remaining on the Consent calendar shall be approved by a single motion. Whenever an ordinance is included on the Consent calendar, approval of the calendar shall be by roll call vote.

3.07 Public Comment. The Council believes that the following procedure for public comment during regular City Council meetings will best accommodate the desires and concerns of the Council and the public:

1. During the time for "Items from the Audience," speakers may not comment on matters which are scheduled for a public hearing, or quasi-judicial matters. The Council will receive comments on other issues, whether the matter is on the agenda for the same meeting or not. When possible, items on the agenda will be marked with an asterisk when the Council cannot receive comments on such matters during the time for "Items from the Audience."

2. During the times for "Items from the Audience," whether at the beginning or end of the meeting, each speaker will be limited to three minutes. No more than three speakers may address the Council on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the Council. Unless it is 10:00 p.m. or later, speakers may continue to address the Council during an additional Items from the Audience period at the end of the meeting; provided, that the total amount of time allotted for the additional Items from the Audience period shall not exceed 15 minutes. A speaker who addressed the Council during the earlier Items from the Audience period may speak again, and on the same subject, however, speakers who have not yet addressed the Council will be given priority.

3.08. Petitions. In the event that the City Council is presented with a petition from a citizen, the City Council will take a formal vote providing direction which may include any of the following options:

1. Accept the petition and refer the matter to a Council Committee for further study.
2. Accept the petition and refer to staff for follow-up.
3. Accept the petition and determine that no further action is needed.

Any petition referred to a Council Committee or staff will be presented at a subsequent regular meeting with an explanation of the resolution.

In order to be considered complete, a petition should include each signer's name and their city of residence.

3.09 Regional and Committee Reports. The Councilmember representative or chair of each respective regional or other committee, or the Councilmember acting for him/her in his/her place, shall submit or make all reports to the Council related to new or significant items or when so requested by the presiding officer or any member of the Council.

3.10 Duties of the Presiding Officer. It shall be the duty of the presiding officer of the Council to:

1. Call the meeting to order.
2. Keep the meeting to its order of business.
3. Announce the agenda item and determine if the Council wishes to receive a staff report.
4. If, after presentation of the report or based upon the written report, action is desired, recognize Councilmember to make a motion to propose appropriate action. Require a second to each motion, for those motions which must be seconded.
5. Handle discussion in an orderly way:
  - a. Give every Councilmember who wishes an opportunity to speak.
  - b. Permit audience participation at appropriate times.
  - c. Keep all speakers to the rules and to the question.
  - d. Give pro and con speakers equal opportunity to speak.
  - e. Repeat motions, put motions to a vote and announce the outcome.
  - f. Suggest but not make motions for adjournment.
  - g. Appoint committees when authorized to do so.
6. Maintain order and decorum.

3.11 Rules for Councilmember Conduct.

1. No member shall speak more than twice on the same subject without permission of the presiding officer.
2. No person, not a member of the Council, shall be allowed to address the Council while it is in session without the permission of the presiding officer.
3. All questions on order shall be decided by the presiding officer of the Council with the right of appeal to the Council of any member.
4. Motions shall be reduced to writing when required by the presiding officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

3.12 Voting. Each member present shall vote on all questions put to the Council. The duty to vote shall be excused when a Councilmember has a financial interest in the question or, in quasi-judicial matters, where a Councilmember has an appearance of fairness problem. When voting on any matter before the Council, a majority of the entire membership of the Council is required for passage of any ordinance, resolution or motion, provided that a simple majority of the members present shall be sufficient with respect to the following motions:

1. To adjourn, to table or continue a matter,
2. To go into or out of executive session,
3. To schedule a special meeting of the City Council,
4. To add or remove items on a future Council meeting agenda,
5. To approve or authorize the sending of a letter or other communication so long as the letter or communication sets forth a policy or position previously agreed to by a majority of the entire Council membership,
6. To establish the date for a public hearing, unless such hearing is required to be set by ordinance or resolution,
7. To authorize call for bids or requests for proposals, and

8. To approve a Consent calendar, provided that any ordinance, any grant or revocation of franchise or license, or any resolution for payment of money included on the Consent calendar, has first been removed.

~~8-9.~~ To authorize a Councilmember to serve as Presiding Officer in the event of the death, disability or extended absence or unavailability of both the Mayor and Deputy Mayor.

3.13 Tie Votes. A tie vote, on a matter requiring four affirmative votes for passage, shall not be dispositive of the matter voted upon, but shall be deemed to have tabled the matter until the next succeeding regular meeting at which all seven Councilmembers are present. At that meeting, any member may move to take the matter off the table.

3.14 Non-Tie Vote with Lack of Affirmative Votes. A non-tie vote which fails for a lack of four affirmative votes, as to a matter which requires four affirmative votes for passage, shall be deemed to defeat the matter voted upon. Any Councilmember may move to reconsider the matter at the next succeeding regular meeting at which all seven Councilmembers are present.

3.15 Motions to Reconsider. Except as provided in Section 3.14, motions to reconsider must be made by a member who votes with the majority, and at the same or next succeeding meeting of the Council.

3.16 Motions to Lay A Matter on the Table. Motions to lay any matter on the table shall be first in order; and on all questions, the last amendment, the most distant day, and the largest sum shall be put first.

3.17 Motion for Adjournment. A motion for adjournment shall always be in order.

3.18 Motions and Discussion by the Presiding Officer. The presiding officer, as a member of the Council may, at his or her discretion, call any member to take the chair, to allow the presiding officer to make a motion, but may otherwise discuss any other matter at issue subject only to such limitations as are imposed by these rules on other Councilmembers.

3.19 Suspension of Rules. The rules of the Council may be altered, amended or temporarily suspended by a vote of two-thirds of the members present; provided, that at least four affirmative votes be cast.

3.20 City Staff Attendance at Meeting. The City Manager, Attorney, City Clerk, and such other officers and/or employees of the City of Kirkland shall, when requested, attend all meetings of the Council and shall remain in the Council chamber for such length of time as the Council may direct.

3.21 Minutes. The City Clerk shall keep correct minutes of all proceedings. The votes of each Councilmember on any ordinance and the ayes and nays on any other question shall be entered in the minutes. Copies of the minutes shall be made available to the members of the Council as part of the Council meeting packet prior to their next regular meeting.

3.22 Procedure for Considering Process IIA Appeals. The City Council shall consider a Process IIA appeal under Kirkland Zoning Code (KZC) Chapter 150 at one meeting, and shall vote on the appeal at the next or a subsequent meeting, in order for the Council to gather more information from the record and consider the appeal; provided, that the Council, by a vote of at least five members, may suspend this rule and consider and vote on the appeal at the first meeting. The Council's vote (to affirm, modify or reverse the decision of the Hearing Examiner, or direct the Hearing Examiner to hold a rehearing) shall occur within 60 calendar days of the date on which the letter of appeal was filed, pursuant to KZC 150.125.



3.23 Procedure for Considering Process IIB Applications. The City Council shall consider a Process IIB application under KZC Chapter 152 at one meeting, and shall vote on the application at the next or a subsequent meeting; provided, that the Council, by a vote of at least five members, may suspend this rule and consider and vote on the application at the first meeting. The Council shall first consider the application at a meeting held within 45 calendar days of the date of issuance of the Hearing Examiner's recommendations, pursuant to KZC 152.90.

3.24 Remote Attendance at Council Meetings. From time to time, a Council Member may not be able to be physically present at a Council meeting, but will want to be involved in the discussion and/or decision of all items on the agenda or only on particular agenda items. The procedure and guidelines for permitting a Council Member to attend a Council meeting by speakerphone or other audio/video equipment are as follows. Remote attendance should be the rare exception, not the rule, and requires the approval of the majority of the Council as provided for below.

1. Examples of situations where remote attendance would be appropriate include, but are not limited to:

- a. An emergency exists which prevents Council Members from attending in person and immediate action is needed.
- b. An agenda item is time sensitive, and remote attendance is needed for a quorum.
- c. An agenda item is of very high importance to the Council Member who cannot be physically present.
- d. It is important for all Council Members to be involved in a decision, but one Council Member is unable to be physically present.

2. Procedure and Guidelines. If a Council Member wishes to participate in Council meeting agenda items remotely, the Council Member should notify Council of his or her intent at the Council meeting prior to the meeting which they wish to attend remotely. If that is not possible, the Council Member should notify the City Manager not later than the business day prior to the Council meeting which the Council Member wishes to attend remotely. With less notice, it may not be possible to make the necessary arrangements to allow remote attendance. If the Mayor attends remotely, he or she may participate in discussions, but the Deputy Mayor, if physically present at the Council meeting shall be the presiding officer.

A Council Member may participate in some or all of the Council meeting remotely. When the portion of the Council meeting involving remote attendance is before the Council, the presiding officer shall inform all present of the intent to initiate a remote communication.

- a. The presiding officer shall confirm and announce that all present at the meeting and in the remote location can clearly hear all other parties and (as appropriate) access visual content that may be presented.
- b. With such confirmation, Council Members – whether they are physically at the meeting or at a remote location - constituting a majority may approve the use of remote communication for all or any specified portion of the meeting.

- c. Unless the Council Member is participating remotely for the entire meeting, when the portion of the Council meeting for which remote attendance has been approved has concluded, the presiding officer shall announce the same and the attendance of the Council Member communicating remotely shall end. The City Clerk shall record the beginning and ending times of the remote attendance.
  - d. In the event that a remote communication link is broken or significantly degraded such that it no longer meets the full requirements of this section, the presiding officer shall confirm the loss of service and announce the close of the remote attendance. The attendance of the Council Member communicating remotely shall end. The City Clerk shall record the time of the closure.
3. Requirements of the System. The Council Member attending remotely must be able to hear the discussion on the agenda item taking place in the Council chambers, and must be able to be heard by all present in Council Chambers.
4. For purposes of voting, remote attendance at a Council meeting shall be considered equal to being physically present at the meeting. All votes conducted with a Council Member attending remotely shall be conducted by roll call.

3.25 Special Meetings and Emergencies. Special meetings, including times and places for meetings during emergencies, shall be conducted in accordance with Chapter 42.30 RCW, the Open Public Meetings Act.

3.26 Vacancies. Vacancies on the Council shall be filled as follows and in accordance with RCW 42.12.070:

1. Where one position is vacant, the remaining Councilmembers shall appoint a qualified person to fill the vacant position.
2. Where two or more positions are vacant and two or more Councilmembers remain in office, the remaining Councilmembers shall appoint a qualified person to fill one of the vacant positions, the remaining Councilmembers and the newly appointed person shall appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled, with each of the new appointees participating in each appointment that is made after his or her appointment.
3. If less than two Councilmembers remain in office, the King County Council shall appoint a qualified person or persons to the Council until the Council has two Councilmembers.
4. If the Council fails to appoint a qualified person to fill a vacancy within 90 days of the occurrence of the vacancy, the authority of the Council shall cease and the King County Council shall appoint a qualified person to fill the vacancy.
5. If the King County Council fails to appoint a qualified person within 180 days of the occurrence of the vacancy, the King County Council or the Council may petition the Governor to appoint a qualified person to fill the vacancy. The Governor may appoint a qualified person to fill the vacancy after being petitioned if at the time the Governor fills the vacancy the King County Council has not appointed a qualified person to fill the vacancy.
6. As provided for in Chapter 29A.24 RCW, each person who is appointed to the Council shall serve until a qualified person is elected at the next election at which a member of the Council normally would be elected. The person elected shall take office immediately and serve the remainder of the unexpired term.

## **CHAPTER 4: STUDY SESSIONS AND RETREATS**

4.01 Study sessions. Study sessions shall be held as provided by Kirkland Municipal Code 3.10.020. Study sessions are used by the Council to review upcoming agenda items, current and future programs or projects, to discuss, investigate, review or study matters of City business for informational purposes. No final action is taken while in study session; however, the Council may provide direction to staff by consensus or vote. Council direction shall be summarized in writing and presented to the City Council at a regular meeting. Final action on direction provided at a study session will be scheduled for a regular or special council meeting.

4.02 Council retreats. Council retreats are held annually or semi-annually at the Council's discretion. The purpose of the retreats is to allow the Council to devote concentrated attention to single or multiple time consuming subjects. No final action is taken at retreats; however, the Council may provide direction to staff by consensus or vote. Council direction shall be summarized in writing and presented to the City Council at a regular meeting. Final action on direction provided at a Council retreat will be scheduled for a regular or special council meeting.

## CHAPTER 5: COUNCIL COMMUNICATIONS

5.01 Written Correspondence. Access to the City Council by written correspondence is a significant right of all members of the general public, including in particular, residents of the City. The City Council desires to encourage the exercise of this access right by the general public to bring to the attention of the Council, matters of concern to Kirkland residents. In order to do this most effectively, some orderly procedure for the handling of written correspondence is essential. One concern of the City Council is application of the appearance of fairness doctrine to correspondence addressed to the Council, concerning matters which will be coming before the City Council in a quasi-judicial or land use hearing context. Special care in the way the content of those letters is brought to the attention of the individual members of the Council is essential in order that an unintended violation of the appearance of fairness doctrine does not result.

The Council believes that the following procedure for handling of written correspondence addressed to the Council will best accommodate the desires and concerns of the Council as set forth in this section:

1. Correspondence of an Information Only Nature — Correspondence which is purely of an informational nature and which does not require a response or action should not be placed on the Council meeting agenda by the City Clerk, but rather transmitted to the Councilmembers in the normal course of daily business.

2. Routine Requests — Items of a routine nature (minor complaints, routine requests, referrals, etc.) shall be answered by staff. Routine requests and staff responses shall be transmitted to the Councilmembers in the normal course of daily business.

3. Significant Correspondence — Correspondence that requires policy decision or approval by Council shall be placed by the Clerk on the regular Council agenda, either under New Business or if appropriate, under Unfinished Business, and shall be accompanied by staff report as are all other agenda items. Direct replies may be made by the City Manager if policy matters are not involved or the Council has previously provided policy direction. Replies shall be transmitted to the Councilmembers in the normal course of daily business.

4. Correspondence Directly Relating to Quasi-Judicial Hearing Matters — All such correspondence when so identified by the City Clerk shall not then be included within the agenda materials, but shall be placed in a City Council communication holding file, or directly into the appropriate hearing file, so that they will be circulated to City Councilmembers at the time that the matter comes before the City Council for its quasi-judicial consideration, and as a part of the hearing record for that matter. The City Clerk shall also advise the sender of each such letter, that the letter will be coming to the attention of the City Council at the time that the subject matter of the letter comes before the Council in ordinary hearing course.

5. Prompt Acknowledgments — The City Manager or designee will promptly acknowledge the receipt of all written correspondence and inquiries and, where appropriate, advise the writer of referral to the City Council or a City department.

5.02 Council Communications with the Public. The Kirkland City Councilmembers are committed to open and progressive communications in their capacity as elected officials. Individual Councilmembers use a variety of methods to communicate with the public, stakeholders, partners

and the media. Social media platforms offer a way to deliver public information and customer service to constituents and give citizens another means to interact with their government. The purpose of this policy is to provide guidelines for Council communication with the public, when Councilmembers are acting in their official capacity or commenting on City government matters, through traditional media outlets or the use of social media platforms through personal accounts or pages.

The Council believes that the following guidelines will provide consistency in procedures and allow for use of more tools to communicate with the public.

1. The content and tenor of all public communications should model the same professional behavior displayed during Council meetings and community meetings and reflect well on the individual Councilmember, the City Council as a whole and the community.
2. The following disclaimers should be included in whole or referenced with a link to the disclaimers for all communications initiated by Councilmembers in open forums.
  - a. The views expressed represent the views of the author and may not reflect the views of the Kirkland City Council.
  - b. Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion must be held in an open public meeting if a quorum of the City Council participates.
  - c. Comments posted in response to a Councilmember-initiated communication may be subject to public disclosure under the Public Records Act.
3. Media outlets such as newspapers, radio and television news coverage may be used as communications medium by individual Councilmembers provided that the communication clearly states that the views expressed do not represent those of the City Council or the City of Kirkland but the views of the individual Councilmember.
4. Communications Initiated by Councilmembers. Guest editorials, letters to the editor and blog posts published by Councilmembers should be provided to the full City Council at the same time they are delivered to the media outlet. Drafts of guest editorials, letters to the editor or blog posts may not be circulated for comment by a quorum of the Council prior to publication as this may violate the Open Public Meetings Act.
5. Use of Social Media. Posts to social media sites (Web 2.0) such as blogs, Facebook and Twitter may be used by individual Council members to communicate with the public provided the following guidelines are used:
  - a. Blog posts or other posts to social media sites should include, or reference by a link, the disclaimers listed in Section 2.
  - b. Social media sites are not to be used for the conduct of City Council business other than to informally communicate with the public. Public notices, items of legal or fiscal significance that have not been released to the public and discussion of quasi-judicial matters may not be included in Councilmembers social media posts. Councilmembers are encouraged to maintain social media sites with settings that can restrict users' ability to comment in order to avoid inadvertent discussions of these items. Unsolicited public comments on quasi-judicial matters

must be placed on the record by the Councilmember at the time the matter is before the City Council for consideration.

- c. In order to demonstrate- openness and a willingness to listen to the entire community, Councilmember posts on social media sites should be made through a public-facing page or by marking individual posts as available to the public as a whole.
  - d. When commenting on a post or an article published by someone other than a Councilmember, a link to the standard disclaimers in Section 2 should be included within the thread.
6. If a Councilmember makes a factual error in a public communication, it should be corrected as soon the error comes to light. Blog posts may be corrected by amending a previous post with a note that a correction was made.
7. Retention of Council Electronic Communications and Social Media Content. All email and text messages, files downloaded from outside sources and other electronic files, relating to the conduct of government or the performance of any governmental or proprietary function, are considered official City business records and are subject to the Washington State Public Records Act and the laws governing the retention and destruction of public records.<sup>1</sup>
- a. Email messages sent or received via City email addresses are captured by the City archiving system servers. Council communications are potentially archival and will be retained in accordance with the State retention schedule.
  - b. Email messages sent or received using personal addresses should be forwarded to the member's City account, but should also be maintained in their original form to preserve associated metadata. Attachments should be saved to City server drives as appropriate.
  - c. Text message records are maintained by the communications carrier/providers with varying policies and practices, and can be difficult to retrieve and to maintain in accordance with State law. At this time, Councilmembers should only use text messaging for transitory communications and not to discuss City business.
  - d. Social Media postings should be captured via screen shots which are emailed to, and retained in, the Councilmember's City email account as an interim archiving method pending selection of an appropriate social media archiving technology solution.
  - e. Members should consult with the City Clerk's Office for assistance with any retention questions.
8. Use of City-owned equipment to update personal social media sites or email accounts is subject to Administrative Policy 7.1 which allows for incidental use of City equipment for personal needs provided the activity does not cause the City to incur additional cost or liability or pose additional risk to security, privacy or conflict with any other City policy. Use of City-owned equipment or email accounts for campaign purposes is prohibited by RCW 42.17A.555.

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<sup>1</sup> "Public record" is broadly defined in RCW 42.56.010(3) to include, ". . . any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. . . "

## **CHAPTER 6: PROCLAMATIONS**

6.01 Proclamations. A proclamation is a formatted certificate, issued by the Mayor, to give recognition and support to ceremonial occasions and special events, or to raise awareness about concerns of interest to the community as a whole. Proclamations are symbolic; no official policy, action or legal act is imparted or intended as a result.

1. All proclamations will be issued at the discretion of the Mayor.
2. Proclamations can recognize international, national, state, and local events, as well as matters of historical interest, in order to bring them to the attention of Kirkland citizens. Proclamation content should relate to a public purpose or benefit.
3. A proclamation that has not previously been issued by the Mayor of Kirkland shall be reviewed by the Mayor and Deputy Mayor for content to ensure that it does not conflict with an adopted policy position of the Kirkland City Council.
4. The City Manager's Office will coordinate all requests for proclamations. Proclamation requests should be received no later than two weeks prior to a City Council Meeting to allow time for the proclamation to be prepared, reviewed, and added to the Council Agenda.
5. Proclamations shall be presented at Council Meetings only if a recipient is present in the audience or at the discretion of the Mayor. All other proclamations will be sent by mail to the recipient.

## CHAPTER 7: COUNCIL COMMITTEES

7.01 Purpose and Relationship to City Council. Committees are advisory and do not take action on behalf of the Council. The purpose of Council Committees is to review matters in detail and to make reports to the full Council for possible Council actions. Council Committees may be standing committees or ad hoc committees which are appointed for special or time-limited subjects. Ad hoc committees are disbanded when they complete their assigned task.

There are four standing Council Committees:

- Finance and Administration
- Public Safety
- Planning and Economic Development
- Public Works, Parks and Human Services

7.02 Council Committee Topics. Committee topics are developed through a collaborative process between the City Council and staff or by referral by the City Council. Council Committees will be assigned an agenda topic when it supports a policy or budget decision that will come before the City Council in the near future. Agenda items may be:

- Identified by the Committee and approved by the City Council;
- Referred by City Council to a committee for monitoring or input, or;
- Referred by the City Manager for early input prior to presentation to the City Council.

New topics requested by a Councilmember that involve more than four hours of staff time should be reviewed by the City Manager for staff impacts. All topics referred to Council Committees will have final consideration before the full Council after receiving a report from the Council Committee regarding all policy options presented. The chair of each Council Committee is responsible for reporting to the City Council, at a regular meeting, new or significant items discussed at the committee's most recent meeting. Meeting minutes for every Council Committee meeting will be posted to the City's webpage and the Council's internal web page along with a list of current and future topics being discussed by each committee. The topic lists will also indicate when and by whom the topics were initiated. Pending agenda topics for Council Committees will be reviewed at least annually by the full Council when outdated or unnecessary topics may be eliminated unless the City Council decides to carry over a particular topic into the next year.

7.03 Council Committee Meetings. The regular time and location of standing Council Committee meetings will be posted on the City's website. Special meetings and/or changes in the date, time or location will also be posted.

Finance and Administration	Monthly, last Tuesday, 9 a.m.	City Hall - 123 5 <sup>th</sup> Ave.
Planning and Economic Development	Monthly, 2 <sup>nd</sup> Monday, 3 p.m.	City Hall - 123 5 <sup>th</sup> Ave.
Public Works, Parks and Human Services	Monthly, 1 <sup>st</sup> Wednesday, 10 a.m.	City Hall - 123 5 <sup>th</sup> Ave.
Public Safety	Monthly 3 <sup>rd</sup> Thursday, 8:30 a.m.	City Hall - 123 5 <sup>th</sup> Ave.



Standing Council Committee meetings are open to the public. Members of public may attend standing Council Committee meetings, but may not provide testimony or participate in the meeting discussion. Unless a quorum of the Council is in attendance, ad hoc meetings of Council Committees, such as tours or meetings with other elected officials, do not need to be posted the City’s website.

If a committee member is unable to attend the committee meeting in person, they may attend by speaker phone provided that adequate notice is provided to the Chair and the City Manager.

7.04 Council Committee Appointments. Council Committee appointments are generally for a two-year period. Unless a vacancy occurs, Council Committee appointments are made every even-numbered year to coincide with the Council selection of the Mayor. Immediately following the first regular Council meeting in even-numbered years, City Council members should let the Mayor know about their interest in serving on the various City Council and regional committees. The Mayor and Deputy Mayor will then meet to consider committee appointments and they will develop a recommended list of committee appointments. This list of recommended appointments will then be presented at the second City Council meeting in January for Council’s consideration at which time the committee appointments will be made by the City Council.

If a vacancy should occur during the year, this appointment opportunity should be announced at a Council meeting. Those Council members interested in filling this position should let the Mayor know before the next City Council Meeting. The Mayor and Deputy Mayor will make a recommendation for City Council’s consideration to fill this vacancy at that following Council meeting.

7.05 Council Standing Committees.

<b>Committee/Topic Areas</b>	<b>Staff</b>
<p><b>Finance and Administration</b></p> <ul style="list-style-type: none"> <li>• Finance and budget</li> <li>• Utility rates</li> <li>• Human Resources and Performance Management</li> <li>• Technology</li> <li>• Public Records</li> <li>• Council Policies and Procedures</li> </ul>	<p><i>Deputy City Manager and Director of Finance and Administration</i></p>
<p><b>Public Safety</b></p> <ul style="list-style-type: none"> <li>• Police</li> <li>• Fire and Emergency Medical Services</li> <li>• Municipal Court</li> <li>• Emergency Management</li> <li>• Code Enforcement</li> </ul>	<p><i>Deputy City Manager</i></p>
<p><b>Planning and Economic Development</b></p> <ul style="list-style-type: none"> <li>• Business Retention and Recruitment</li> <li>• Business Roundtable</li> <li>• Tourism</li> <li>• Events</li> <li>• Development Services (permitting)</li> <li>• Long Range Planning</li> <li>• Housing</li> </ul>	<p><i>Planning and Community Development Director and Economic Development Manager</i></p>

<p><b>Public Works, Parks and Human Services</b></p> <ul style="list-style-type: none"> <li>• Public Works operations and CIP</li> <li>• Parks Operations and CIP</li> <li>• Parks planning</li> <li>• Environment</li> <li>• Utilities</li> <li>• Facilities and Fleet</li> <li>• Human Services</li> </ul>	<p><i>Public Works Director and Parks and Community Services Director</i></p>
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7.06 Council Intermittent Committees

<b>Committee/Topic Areas</b>	<b>Staff</b>
<p><b>Legislative</b></p> <ul style="list-style-type: none"> <li>• State and Federal Legislative Agenda and Monitoring</li> <li>• Liaison with State and Federal Elected Officials</li> </ul>	<p><i>Intergovernmental Relations Manager</i></p>

## CHAPTER 8: BOARD AND COMMISSION APPOINTMENTS

It shall be the policy of the Kirkland City Council to make appointments to official advisory boards or commissions generally in accordance with the following:

8.01 Applicability/Definition. **Unless otherwise provided by statute or the Kirkland Municipal Code**, for the purposes of this policy, the term advisory board shall include the following appointed bodies:

Cultural Arts Commission  
Design Review Board  
Human Services Commission  
Park Board  
Planning Commission  
Library Board  
Tourism Development Committee (Lodging Tax Advisory Committee)  
Salary Commission  
Transportation Commission

8.02 Eligibility. Relatives, family members or domestic partners of Councilmembers will not be eligible to serve on City advisory boards. Members of the family of a City employee who works in a department, that provides staff assistance or support to an advisory board, shall not be eligible to serve on that board.

8.03 Non-Discrimination. The Council shall not discriminate on the basis of an applicant's race, ethnic background, creed, age\*, sex, marital status, sexual orientation, or sensory or physical handicap in the making of appointments.

\*City council has made age a qualification for specific seats on certain advisory bodies.

8.04 Concurrent Offices. At no time shall any person serve concurrently as a member of more than one of the above listed City Boards.

8.05 Terms. Appointments shall be made for four-year terms, unless otherwise provided by statute or Kirkland Municipal Code. Terms shall expire on the 31<sup>st</sup> of March of the applicable year. A member being appointed to fill a vacant position shall be appointed to fill the vacancy for the remainder of the unexpired term.

8.06 Term Limitations. No individual shall serve more than two full four-year terms as a member of a City of Kirkland appointed advisory board; provided, if an individual is appointed to fill 730 days or less of an unexpired term and serves that term, the individual is eligible to apply for and serve two additional four-year terms. If an individual is appointed to fill 731 days or more of an unexpired term and serves that term, the individual would be eligible to apply for and serve for only one additional four-year term.

8.07 Attendance. Appointees shall attend 80 percent of all meetings in any 12-month period for which there is no prearranged absence, but in any case shall attend no less than 60 percent of all meetings unless waived by the City Council.

8.08 Appointment/Reappointment. An open competitive process will be used to fill vacancies. City Council will initiate an open and competitive application process and solicit applicants for the position(s). All advisory board members completing their term who are interested in and eligible for reappointment may be reappointed by the City Council for a second term without an open competitive process.

8.09 Criteria for Reappointment. Information will be sought from the Board/Committee Chairs and the City Manager (or appropriate staff) when considering reappointments. Reappointments are based on the following criteria:

Minimum performance – attendance, incumbent reads the materials, has a basic understanding of the issues and participates in discussion.

Performance – has well-thought-out arguments, logically presented, and is a good advocate. Shows ability to analyze complex issues and to judge issues on substantive grounds. Understands difference between quasi-judicial and legislative matters.

Personal relations – has good understanding of relative roles of Council, Commissioners and staff and is sensitive to staff's job. Is generally respectful of others' viewpoints. Is a good team player, shows willingness to compromise, work toward a solution, without sacrificing his/her own principles.

Growth/improvement – has shown personal and/or intellectual growth in the position. Has shown improved performance, has taken advantage of continuing education opportunities or other indicia of growth or improvement.

Public benefit – reappointment provides a benefit to the commission as a body; provides or enhances balance on the commission geographically and/or philosophically.

8.10 Reappointment Process. Prior to the beginning of the open competitive process, an ad hoc committee of the Council will be chosen, by lot, to review and recommend incumbents for a second term. The recommendations will be based upon past performance and made in consultation with the appropriate Board or Commission chair for presentation to the City Council at the next regular meeting.

8.11 Application Process. Openings for advisory board positions shall be widely advertised in local newspapers, as well as other means available and appropriate for this purpose. Applicants shall be required to complete a City application form provided for this purpose, and to submit a completed application by the specified recruitment deadline. Late applications will not be accepted; however, the City Council may choose to extend an application deadline, if necessary, to obtain a sufficient number of applicants for consideration. Copies of all applications will be provided to the City Council.

8.12 Appointment Process. Upon receipt of applications, the Council will review the applications and reduce the number of applicants for interview to three applicants for each vacancy. For example, if there were one vacancy on a board or commission, the Council would reduce the pool of applicants to be considered to three. If there were two vacancies, the Council would reduce the pool of applicants to be considered to six. In cases where the number of applicants for interview require a reduction from the number that have applied, the ad hoc committee of the Council will recommend to the entire Council those to be interviewed for each board or commission and those recommended not to be interviewed.

Interviews of applicants shall be conducted in open session. The chairperson of the respective advisory board (or a representative) will also be invited to attend the interviews, and may participate in the process to the degree desired by the Council. Upon completion of the interviews, the Council shall, in open session, make its reappointments of incumbents and appointments of new members and may designate alternates that could be considered for appointment in the event of a vacancy occurring within six months of the appointment through resignation or removal. Following appointment, the appointee and alternates, as well as all other candidates, will be notified in writing of the Council's decision.

8.13 Criteria for Removal. Failure to continue to meet the criteria for reappointment to boards and commissions and the attendance standard set forth above is cause for the removal of a member of a board or commission by a majority vote of the Council.

8.14 Open Government Training Requirement. Within 90 days of assuming their positions, all members of boards and commissions appointed by the City Council must receive the training required by the Open Government Trainings Act regarding the Open Public Meetings Act.



## CITY OF KIRKLAND

City Attorney's Office  
 123 Fifth Avenue, Kirkland, WA 98033 425.587.3030  
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### MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Heather Kelly, Emergency Management Contractor, Fire  
 Kevin Raymond, City Attorney

**Date:** July 20, 2017

**Subject:** REVISIONS TO KIRKLAND MUNICIPAL CODE CHAPTER 3.20 RELATED TO EMERGENCY MANAGEMENT

#### **RECOMMENDATION:**

City Council pass the attached ordinance making revisions to Kirkland Municipal Code ("KMC") Chapter 3.20 related to emergency management.

#### **BACKGROUND DISCUSSION:**

The City of Kirkland ("City") is in the process of taking steps to enhance its ability to respond quickly and effectively to the occurrence of a disaster or other emergency affecting the city of Kirkland, whether natural, human-made or technological in origin. The City's Office of Emergency Management ("OEM") is facilitating the development and adoption of Continuity of Operations ("COOP") and Continuity of Government ("COG") plans (collectively "Plan") to guide and support the City's emergency responses. Chapter 3.20 KMC includes a number of provisions that no longer reflect City practices and in some instances refer to repealed or re-codified state laws. As a result, and as an important part of the City's overall emergency planning efforts, Chapter 3.20 KMC is appropriate for amendment at this time.

What follows is a summary of the basis for the recommended code revisions, tracking existing Chapter 3.20 KMC, section by section:

#### **Section 3.20.010**

- Disasters and other emergencies are considered "incidents." "Events" are the result of government planning.
- Only the federal government can "declare" an emergency. State and local governments "proclaim" them.
- "Services" added to ensure definition is comprehensive and consistent with following sections.
- Disaster and emergency planners now use the term "human-made" rather than "man-made," and typically include "technological" to account for this increasingly common incident form, e.g. computer system failures.

#### **Section 3.20.020**

- City can “help ensure” but cannot “ensure” success of disaster and emergency responses.
- Helpful in some isolated instances to clarify between “city” the local government and “city” the geographical area (i.e. city of Kirkland). The code reviser will lower case all references to “city.”
- Updated term under state law is “comprehensive emergency management plan.” “Essential functions” considered more descriptive and less ambiguous than “government programs.”

#### **Section 3.20.030**

- This unit of City government now referred to as an “office” rather than a “division.”
- The presently referenced WAC provision has been repealed.

#### **Section 3.20.040**

- The added sentence related to the appointment of an Emergency Manager by the Fire Chief, subject to the City Manager’s approval, has been added to conform to current City practice.

#### **Section 3.20.050**

- Chapter 118-07 WAC has been re-codified as Chapter 118-30 WAC.
- In this context, “ensure” is a better term than “insure.”

#### **Section 3.20.060**

- The former emergency coordination center (“ECC”) is now referred to as the emergency operations center (“EOC”).
- There no longer exists a crisis action team (“CAT”).
- Incident commanders (“IC’s”) vary depending on the type and scale of an incident and are deployed in the field. ICs would not have a role overseeing operations from the EOC, which is the role of the Emergency Manager under the direction of the Director of Emergency Services (i.e. Fire Chief).

#### **Section 3.20.070**

- Considered helpful to include state law language conferring broad authority (together with specific examples) of City to response to disasters and other emergencies without regard to time-consuming procedures and formalities otherwise required by law.

#### **Section 3.20.080**

- City now has an emergency management action team (“EMAT”), which has replaced the former emergency management task force (“EMTF”).
- Membership of the EMAT has been modified to reflect current EMAT practice, including additions of City Attorney and Communications Manager.

#### **Section 3.20.090**

- Amends confusing, and two-tiered and in some instances antiquated “ratification of actions” language. The City Manager is ultimately responsible to the City Council for the City’s response to an incident or other emergency. The City Manager will be expected to act immediately and likely before the Council will be able to meet. The intent of this amended section is to make it clear that the City Manager is expected to act

immediately, subject to action by the Council, including a ratification of prior acts, as soon as practicable.

**Section 3.20.110**

- Cleans up internal references to the emergency management compensation board, a creature of state law, and establishes board membership as appropriate to a council-manager form of government (e.g. in addition to a Councilmember, City Manager rather than Mayor is a board member, as under council-manager form of government the city manager is a city's chief executive officer).

DRAFT



## ORDINANCE \_\_\_\_\_

## AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO EMERGENCY MANAGEMENT.

WHEREAS, the City of Kirkland ("City") is in the process of enhancing its planning and ability to respond to natural, human-made or technological disasters; and

WHEREAS, as part of such process the City is developing plans providing for Continuity of Operations ("COOP") and Continuity of Government ("COG"); and

WHEREAS, Kirkland Municipal Code ("KMC") Chapter 3.20 related to emergency management includes provisions that no longer reflect City practices and therefore need to be revised to help meet the City's emergency response needs, including through successful implementation of the COOP and COG plans (collectively, "Plan").

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Section 3.20.010 is amended to read as follows:

**3.20.010 Definitions.**

For the purposes of this chapter the following terms shall have their ordinary meaning and, in addition:

(a) "Emergency or disaster" means an incident event or set of circumstances which:

(1) Demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrences, or

(2) Reaches such a dimension or degree of destructiveness as to warrant the proclamation declaration of a state of emergency.

(b) "Emergency management" means the preparation for and the carrying out of all emergency services and functions to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid those victims suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, human-made or technological, ~~or man-made~~, and to provide support for search and rescue operations for persons and property in distress.

Section 2. Kirkland Municipal Code Section 3.20.020 is amended to read as follows:

**3.20.020 Purpose.**

Because of the possibility of the occurrence of emergencies or disasters of unprecedented size and destructiveness, and in order to help ensure that preparations of the city will be adequate to deal with such disasters, and generally to protect the public peace, health, and safety, and to preserve the lives and property of the people of the city of Kirkland, it is the purpose of this chapter to provide for emergency management in

~~the city in accordance with the city's comprehensive emergency management plan providing of Kirkland and to create an emergency management plan to provide for coordination of the city's emergency management and other essential government functions city of Kirkland's emergency management with other government programs.~~

Section 3. Kirkland Municipal Code Section 3.20.030 is amended to read as follows:

**3.20.030 Office Division created.**

There is hereby created, within the fire department, an office ~~a division~~ of emergency management to perform emergency management functions. The office division of emergency management is the city's city ~~of Kirkland's~~ local organization for emergency management for the purposes of RCW 38.52.070. ~~For purposes of state regulation WAC 118-06-050(1)(b)(i), it is hereby specified that the division of emergency management represents only the city of Kirkland.~~

Section 4. Kirkland Municipal Code Section 3.20.040 is amended to read as follows:

**3.20.040 Director.**

The office division of emergency management shall be headed by the director of emergency services. The city manager shall appoint the fire chief as the director of emergency services. The director of emergency services shall be directly responsible to the city manager for the organization, administration, and operation of the office of emergency management ~~division~~. The director of emergency services shall appoint an emergency manager subject to approval of the city manager.

Section 5. Kirkland Municipal Code Section 3.20.050 is amended to read as follows:

**3.20.050 Comprehensive emergency Emergency management plan.**

The director of emergency services shall create and maintain the city's comprehensive an emergency management plan ~~which will also serve as the city of Kirkland's comprehensive emergency operations plan as described in Chapter 118-30 118-07 WAC. The city manager shall ensure~~ insure that the city ~~of Kirkland~~ executes its comprehensive emergency management plan in the event of disaster and operates in accordance with said plan.

Section 6. Kirkland Municipal Code Section 3.20.060 is amended to read as follows:

**3.20.060 EOC ECC.**

The comprehensive emergency management plan shall provide for activation of the city's emergency operations center (EOC) ~~emergency coordination center (ECC) or a crisis action team (CAT)~~. Operation of the EOC ECC shall be under the direction of the director of emergency services by and through the emergency manager, incident commander (IC). ~~The emergency management plan shall provide for the designation of the IC, who will normally be the fire chief, the police chief, or the director of public works.~~

Section 7. Kirkland Municipal Code Section 3.20.070 is amended to read as follows:

**3.20.070 Emergency powers.**

In the event of an emergency or disaster coming within the scope of this chapter, the city of Kirkland shall have the broadest authority and greatest discretion consistent with state law ~~the laws of the city of Kirkland and of the state of Washington~~ with respect to emergency response and operation. These powers include, but are not limited to, those provided for in RCW 38.52.070; namely, the authority to act in light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, provisions pertaining to the performance of public works, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditure of funds.

Section 8. Kirkland Municipal Code Section 3.20.080 is amended to read as follows:

**3.20.080 Emergency management action team ~~task force~~.**

There is hereby established an emergency management action team (EMAT), ~~task force (EMTF)~~ which shall be composed of at least the following: director of emergency services, emergency manager, city attorney, communication manager, and one representative from each city department. ~~The EMAT shall support the activities of the office of emergency management to help ensure that all city departments are prepared to help respond to needs in the city of Kirkland during and after a disaster members of the city council, the city manager or designee; members of the CAT; the city attorney or designee; and the public information officer. The emergency management plan shall provide for meetings of the EMTF as a work group, meaning those members of the EMTF available to meet, as needed, shall for such meeting, be the EMTF work group. The city manager or designee shall chair the EMTF work group. The EMTF shall have as one of its functions, liaison to members of the city council who were not present at a work group meeting. Work group meetings may be called to address questions or implications of public health, safety and welfare relative to a disaster situation, particularly disaster recovery.~~

Section 9. Kirkland Municipal Code Section 3.20.090 is amended to read as follows:

**3.20.090 Ratification of actions.**

~~The incident commander shall have the authority to act on behalf of the city council, the mayor, and/or the city manager, subject to ratification as soon as is practicable. The city manager shall have the authority to take action on behalf of the city~~ in the event of an emergency or disaster subject to ratification by the city council as soon as practicable ~~council and/or the mayor pursuant to the emergency management plan, subject~~

to ratification by the EMTF work group, the city council and/or the mayor.

Section 10. Kirkland Municipal Code Section 3.20.110 is amended to read as follows:

**3.20.110 Emergency management compensation board.**

There is hereby established an emergency management compensation board for the processing of claims arising from emergency management related activities. This board shall function as provided for in the emergency management plan and be guided by applicable state law such as RCW 38.52.210(2) through 38.52.260. The ~~emergency management claims compensation~~ board shall be composed of: one councilmember selected by the council; the city manager; the director of emergency services; the emergency manager; and the city attorney. The councilmember shall serve as the chair of the ~~compensation~~ board and the emergency manager ~~director of emergency services~~ shall serve as secretary of the board.

Section 11. Kirkland Municipal Code Section 3.20.120 is hereby repealed.

Section 12. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Section 13. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_ day of \_\_\_\_\_, 2017.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

[CITY OF KIRKLAND LETTERHEAD]

DRAFT CITY MANAGER SUCCESSION AND DELEGATION ORDER

**AN ORDER** dated \_\_\_\_\_, delegating authority when the City Manager is absent and designating a line of succession in the event of a vacancy in the position of City Manager.

WHEREAS, I, Kurt Triplett, and the duly appointed City Manager for the City of Kirkland (“City”), having assumed such position on \_\_\_\_\_; and

WHEREAS, from time to time the City Manager may be absent from the city of Kirkland or otherwise unavailable to sign official documents or take other official actions; and

WHEREAS, it sometimes will be necessary during those occasions for various official documents to be signed to carry on the City’s business and for various orders and directions to be given on behalf of the City Manager; and

WHEREAS, the City Manager may be unavailable to direct implementation of the City’s Comprehensive Emergency Management Plan, as well as its Continuity of Operations (“COOP”) and Continuity of Government (“COG”) plans, in response to a natural, human-made or technological disaster or other emergency affecting the city of Kirkland; and

WHEREAS, it is necessary to satisfy federal and state law requirements directing that the City designate the names of those responsible for implementing such plans in the event of a such a disaster or other emergency; and

WHEREAS, in the event of an emergency Chapter 3.20 Kirkland Municipal Code delineates the role of the City Manager in the event of a disaster or other emergency affecting the city of Kirkland.

**NOW, THEREFORE**, I, Kurt Triplett, City Manager, do hereby order and direct that the following individuals are designated to act on my behalf and in my absence and delegate to each my powers and duties to be assumed and carried out, in the following order, by:

- (1) Deputy City Manager: \_\_\_\_\_
- (2) Deputy City Manager: \_\_\_\_\_
- (3) City Attorney: Kevin Raymond
- (4) Public Works Director: Kathy Brown
- (5) Planning and Building Director: Eric Shields
- (6) Finance and Administration Director: Michael Olson

**FURTHERMORE**, I officially designate the following individuals, in the order listed, to serve as interim City Manager in the event of a vacancy in the position of City Manager until such position is filled by the City Council:

- (1) Deputy City Manager: \_\_\_\_\_
- (2) Deputy City Manager: \_\_\_\_\_
- (3) City Attorney: Kevin Raymond

- (4) Public Works Director: Kathy Brown
- (5) Planning and Building Director: Eric Shields
- (6) Finance and Administration Director: Michael Olson

**NOW, THEREFORE,** I, Kurt Triplett, City Manager, do hereby order and direct:

Dated and effective this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Kurt Triplett  
City Manager

Attest:

\_\_\_\_\_  
Kathi Anderson  
City Clerk

DRAFT