



KIRKLAND CITY COUNCIL MEETING MINUTES July 20, 2021

1. CALL TO ORDER

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

Motion to Excuse Councilmember Falcone's absence from the study session.

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

Vote: Motion carried 6-0

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

2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

a. Capital Improvement Program Operational Enhancements

Capital Projects Manager Rod Steitzer provided a presentation about actions taken to improve the operations of the Capital Improvement Program Division.

b. Cross Kirkland Corridor Update

Transportation Planner Kimberly Scrivner provided an update about the progress made to date on implementing the Cross Kirkland Corridor Master Plan and other activities related to the corridor and received Council direction.

Mayor Sweet noted that Councilmember Falcone joined the regular meeting.

4. HONORS AND PROCLAMATIONS

a. Americans with Disabilities Act Awareness Day Proclamation

Mayor Sweet asked Councilmember Nixon to read the proclamation, which was accepted by HERO House NW Bellevue Club member Lhen Tolentino.

5. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience
Angela Rozmyn
- c. Petitions

6. PUBLIC HEARINGS

None.

7. SPECIAL PRESENTATIONS

- a. COVID-19 Update

City Manager Kurt Triplett provided a reminder that Kirkland City Hall, the Kirkland Justice Center and the Community Centers will be reopening to the public on Monday, August 2, 2021.

- b. Resolution R-5434 Update

City Manager Kurt Triplett provided information on recent actions related to the implementation of Resolution R-5434 including an upcoming meeting with the Right to Breathe organization, an upcoming presentation on outreach plans for School Resource Officers and body cameras at a Council meeting in September, and trying to schedule a meeting with the Lake Washington School District to discuss School Resource Officers.

8. CONSENT CALENDAR

- a. Approval of Minutes

(1) July 6, 2021

- b. Audit of Accounts

Payroll: \$3,617,482.81
Bills: \$4,229,022.92
P-Card ACH
TB0707 Checks #720684-720787
TB0714 Checks #720788-720928
SF714B Wire #369
SF714B Wire #370
SF714B Wire #371

c. General Correspondence

d. Claims

(1) Claims for Damages

Claims received from Xin Gu and Joshua R. Whitton were acknowledged via approval of the consent calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) Major Development Projects and Planning Work Program Updates

Council acknowledged the list via approval of the consent calendar.

(2) Resolution R-5486 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE 2020 PARKS AND COMMUNITY SERVICES ANNUAL REPORT."

The resolution was approved via approval of the consent calendar.

(3) Cultural Arts Commission Revised Public Art Policy Guidelines

The guidelines were approved via approval of the consent calendar.

(4) Financial Dashboard

The report was acknowledged via approval of the consent calendar.

(5) Procurement Report

The report was acknowledged via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Kelli Curtis, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

9. BUSINESS

a. Transportation Impact Fee Policy Discussion and School Impact Fee Introduction

Deputy City Manager of Operations Tracey Dunlap provided an overview of the Transportation and School Impact fees and received Council direction to incorporate in the development of proposed legislation for future consideration. Senior Analyst Luke Slaughterbeck and Project Manager Doug Gabbard of FCS Group also were available and responded to Council questions.

b. Memorandum of Understanding with King County Regarding Use of the Eastrail Corridor at 134th Court NE and Related Willows Road NE Interim Trail Extension

City Manager Kurt Triplett provided an overview of the resolution authorizing the City Manager to sign the Memo of Understanding with King County.

- (1) Resolution R-5487, Approving a Memorandum of Understanding with King County Regarding the Use of the Eastrail Corridor to Access Commercial Property in Kirkland and Construction of a New Willows Road Trail Connection and Authorizing the City Manager to Execute Said Memorandum on Behalf of the City of Kirkland

Motion to Approve Resolution R-5487 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A MEMORANDUM OF UNDERSTANDING WITH KING COUNTY REGARDING USE OF THE EASTRAIL CORRIDOR TO ACCESS COMMERCIAL PROPERTY IN KIRKLAND AND CONSTRUCTION OF A NEW EASTRAIL WILLOWS ROAD NE INTERIM TRAIL CONNECTION AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID MEMORANDUM ON BEHALF OF THE CITY OF KIRKLAND."

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

Vote: Motion carried 7-0

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

c. Community Roots Housing Public Development Authority Interlocal Agreement

Planning and Building Director Adam Weinstein provided an overview of the resolution and responded to Council questions.

- (1) Resolution R-5485, Related to Community Roots Housing and Safe and Affordable Housing and Community Development for Low-Income and Moderate-Income Individuals and Families in Kirkland

Motion to Approve Resolution R-5485 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATED TO AN

INTERLOCAL AGREEMENT WITH THE CITY OF SEATTLE, FINDING THAT THE DEVELOPMENT OF AFFORDABLE AND WORKFORCE MULTIFAMILY HOUSING IS A GOVERNMENT PURPOSE, AND AUTHORIZING COMMUNITY ROOTS HOUSING TO DEVELOP AFFORDABLE AND WORKFORCE MULTIFAMILY HOUSING IN KIRKLAND."

Moved by Councilmember Kelli Curtis, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

Council recessed for a short break.

d. Eviction Moratorium and Rental Assistance Program Update

City Attorney Kevin Raymond and Human Services Supervisor Leslie Miller provided an update on tenant protections and rental relief programs and responded to Council questions.

Motion to Approve Ordinance O-4764, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND REPEALING ORDINANCE O-4759 RELATING TO A TEMPORARY MORATORIUM ON RESIDENTIAL TENANT EVICTIONS AND THE COVID-19 PANDEMIC."

Moved by Councilmember Toby Nixon, seconded by Councilmember Jon Pascal

Vote: Motion failed 3 - 4

Yes: Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

No: Deputy Mayor Jay Arnold, Councilmember Neal Black, Councilmember Kelli Curtis, and Councilmember Amy Falcone.

Motion to Approve Ordinance O-4763, entitled "RELATING TO A TEMPORARY MORATORIUM ON RESIDENTIAL TENANT EVICTIONS AND THE COVID-19 PANDEMIC" clarifying and amending Ordinance O-4759, entitled "RELATING TO A TEMPORARY MORATORIUM ON RESIDENTIAL TENANT EVICTIONS AND THE COVID-19 VIRUS," as amended

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Neal Black

Vote: Motion carried 4-3

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

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

Motion to Amend Ordinance O-4763, entitled "RELATING TO A TEMPORARY MORATORIUM ON RESIDENTIAL TENANT EVICTIONS AND THE COVID-19 PANDEMIC" to insert "Further, nothing in this section is intended to bar an action taken by a landlord consistent with Section 3 below." at the end of the second paragraph in Section 1; and to update the second paragraph of Section 2 so that

it reads, "Until no earlier than September 30, 2021 and without limiting the defense to an unlawful detainer action in the circumstances set forth in Section 1 above, a landlord shall not seek to remove a tenant from a residential property unless the action is necessary to enforce a violation by that tenant of the lease or rental agreement then in force for that tenant, the rules and regulations of the community, or local, state or federal laws and the landlord attaches a declaration attesting to that fact to any eviction, compliance, or termination notice related thereto . The notice shall be incorporated into the declaration and shall set forth the reasons for the notice served on the tenant. The notice period and grounds of the eviction, compliance, or termination notice shall be those required by state law, including RCW 59.12.030, chapter 59.18 RCW and ESHB 1236."

Moved by Councilmember Neal Black, seconded by Councilmember Amy Falcone
Vote: Motion carried 7-0

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

10. REPORTS

a. City Council Regional and Committee Reports

Councilmembers shared information regarding an Eastside Transportation Partnership meeting; requested and received approval from the Council to support King County Councilmember Claudia Balducci's alternative to the Sound Transit Board's realignment proposal for upcoming projects; a Sustainability Ambassadors Program meeting; the upcoming induction ceremony for Wes Carpenter into the Plaza of Champions; the upcoming grand opening of Totem Lake Park and the Totem Lake Gateway improvements; the upcoming groundbreaking for the Totem Lake Connector and Totem Lake Intersection Improvements; an upcoming King County Regional Transit Committee meeting; the Greater Kirkland Chamber of Commerce Diversity Equity and Inclusivity Leadership Summit; the Kirkland Community Court graduation ceremony; a Water Resource Inventory Area (WRIA) 8 Salmon Recovery Council meeting; a King County Metropolitan Solid Waste Management Advisory Committee meeting; a future Cascade Water Alliance and Clean Water Plan update; and Mayor Sweet shared her appreciation for her fellow Councilmembers and their love and dedication for the City and their work.

b. City Manager Reports

(1) Calendar Update

11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of July 20, 2021 was adjourned at 10:39 p.m.

Kathi Anderson, City Clerk

Penny Sweet, Mayor