



KIRKLAND CITY COUNCIL MEETING MINUTES
July 6, 2021

Council Meeting: 07/20/2021
Agenda: Approval of Minutes
Item #: 8. a. (1).

1. CALL TO ORDER

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

Motion to Excuse Deputy Mayor Arnold's absence due to travel.

Moved by Councilmember Amy Falcone, seconded by Councilmember Kelli Curtis

Vote: Motion carried 6-0

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

2. ROLL CALL

ROLL CALL:

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

Members Absent: Deputy Mayor Jay Arnold.

3. STUDY SESSION

a. Kirkland Zoning Code Chapter 95 Amendments - Tree Management

Urban Forester Deb Powers presented an overview of the draft code amendments to Kirkland Zoning Code Chapter 95 and received Council feedback.

4. HONORS AND PROCLAMATIONS

a. 2021 Park and Recreation Month Proclamation

Mayor Sweet asked Councilmember Curtis to read the proclamation which was accepted by Kirkland Park Board Chair Amanda Judd and Vice-Chair Mike Holland. Park Planning and Development Manager Mary Gardocki also introduced Parks and Community Services Director Lynn Zwaagstra, Deputy Director John Lloyd, Recreation Manager Sara Shellenbarger and shared information regarding the Kirkland Parks, Recreation and Open Space Plan (PROS Plan).

5. COMMUNICATIONS

a. Announcements

b. Items from the Audience

None.

c. Petitions

6. PUBLIC HEARINGS

None.

7. SPECIAL PRESENTATIONS

a. COVID-19 Update

City Manager Kurt Triplett provided information on Governor Inslee's extension of the statewide eviction moratorium, the status of the report of the City's rental assistance programs and evictions requested by Council for the July 20, 2021 Council meeting, and recent actions related to the City's reopening on 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.

8. CONSENT CALENDAR

a. Approval of Minutes

(1) June 15, 2021

b. Audit of Accounts

Payroll: \$4,421,812.75
Bills: \$6,761,999.87
TB0616 Checks #720288-720419
SS617A Wire #360
SS617A Wire #358
TB0623 Checks #720420-720585
SS623A Wire #359
SS625A Wire #363
SS625A Wire #364
SS625A Wire #365
SS628A Wire #361
SS628A Wire #362
TB0630 Checks #720586-720683
SS630B Wire #367
SS630B Wire #368
SS630B Wire #366

c. General Correspondence

d. Claims

(1) Claims for Damage

Claims received from Christopher Danks, Scott Lynch, and Levgeniia Zhovtobriukh, were acknowledged via approval of the consent calendar.

e. Award of Bids

(1) 2021 Annual Striping Award

Council awarded the construction contract for the Annual Striping Program-2021 Project, to Specialized Pavement Marking, Inc., of Tualatin, Oregon, in the amount of \$334,865.00 via approval of the consent calendar.

(2) 122nd Avenue N.E. Traffic Calming Award

Council awarded the construction contract for the 122nd Avenue NE Traffic Calming Project, to NPM Construction Company of Maple Valley, Washington, in the amount of \$153,052.50 and the use of \$135,000 of School Zone Safety Camera Reserves to fully fund the project via approval of the consent calendar.

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) Authorize Public Art Process for Fire Station Projects

Council authorized the staff to issue a Request For Qualifications (RFQ) and hire a qualified Art Consultant to assist the City in incorporating public art within four fire station projects.

(2) Ordinance O-4761 entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARK IMPACT FEES."

The ordinance was approved via approval of the consent calendar.

(3) Resolution R-5481 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE A REAL PROPERTY PURCHASE AND SALE AGREEMENT FOR ACQUISITION OF PROPERTY TO EXPAND JUANITA HEIGHTS PARK."

The resolution was approved via approval of the consent calendar.

- (4) Resolution R-5482 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO A CONTRACT WITH MRM KIRKLAND, LLC, REGARDING A POTENTIAL MULTIFAMILY HOUSING PROPERTY TAX EXEMPTION, AND APPROVING THE ISSUANCE OF A CONDITIONAL CERTIFICATE OF TAX EXEMPTION."

The resolution was approved via approval of the consent calendar.

- (5) Resolution R-5483 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE 2020 STREETS LEVY ACCOUNTABILITY REPORT FOR PROPOSITION 1-LEVY FOR STREET MAINTENANCE AND PEDESTRIAN SAFETY."

The resolution was approved via approval of the consent calendar.

- (6) May 2021 Sales Tax Report

The report was acknowledged via approval of the consent calendar.

- (7) Procurement Report

The report was acknowledged via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Neal Black, seconded by Councilmember Amy Falcone

Vote: Motion carried 6-0

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

9. BUSINESS

- a. Kirkland Municipal Code Update - Marina Moorage Infractions

Parks and Community Services Deputy Director John Lloyd and Program Coordinator Kevin Ball provided an overview of the proposed changes to the Kirkland Municipal Code (KMC) increasing fines associated with moorage violations.

- (1) Ordinance O-4762, Relating to Moorage Compliance and Amending Section 14.36.070 of the Kirkland Municipal Code

Motion to Approve proposed substitute Ordinance O-4762 entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MOORAGE COMPLIANCE AND AMENDING SECTION 14.36.070 OF THE KIRKLAND MUNICIPAL CODE."

Moved by Councilmember Toby Nixon, seconded by Councilmember Neal Black

Vote: Motion carried 6-0

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

Motion to Table item 9.a.(1) to end of agenda

Moved by Councilmember Toby Nixon, seconded by Councilmember Neal Black

Vote: Motion carried 6-0

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

- b. Authorize the City Manager to Enter Negotiations for Property Acquisition of the Village Plaza of Kirkland

- (1) R-5484, Authorizing the City Manager to Undertake Negotiations Related to the Potential Acquisition of Real Property of Affordable Housing Purposes

Motion to Approve Resolution R-5484 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO UNDERTAKE NEGOTIATIONS RELATED TO THE POTENTIAL ACQUISITION OF REAL PROPERTY FOR AFFORDABLE HOUSING PURPOSES."

Moved by Councilmember Amy Falcone, seconded by Councilmember Kelli Curtis

Vote: Motion carried 6-0

Yes: 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 a discussion of Challenge Seattle's "Chronic Homelessness: A Crossroad" report; the 132nd Square Park groundbreaking event; the Greater Kirkland Chamber of Commerce ribbon cutting at Lynch Chiropractic; kudos to City staff and community members for their response to the recent heat wave; the Eastside for All "Build for Belonging" conversation; the "Eastside Honoring Juneteenth" event; the Eastside Pride event at Kirkland Urban; the opening of Totem Lake Park; the upcoming Sound Cities Association Public Issues Committee meeting; an upcoming Greater Kirkland Chamber of Commerce ribbon cutting at Nothing Bundt Cakes; the upcoming Community Court graduation; an upcoming King County Regional Homelessness Authority meeting; the extension of the Juanita Beach Pop-up Off-leash Dog Park through the summer; a meeting with a student from the Environmental and Adventure School about bicycle facilities; a Cascade Water Alliance board meeting; a Association of Washington Cities Large City Advisory Committee

meeting; requested and received approval to add the issue of chronic homelessness to the agenda for the legislative committee; a ribbon cutting at The Blend by Ste. Michelle; and a meeting with Councilmember Claudia Balducci.

b. City Manager Reports

(1) Legislative Request Memoranda

(a) Busking in Parks Right-of-Ways and Commercial Areas

Parks and Community Services Director Lynn Zwaagstra provided an overview of the legislative request memorandum.

Motion to Approve the Legislative Request detailed in the memoranda and direct staff to conduct a study on the legalities and logistics of regulating busking and/or creating a permit process to regulate busking, and additionally to request that staff identify specific items that could be implemented for this summer. Moved by Councilmember Toby Nixon, seconded by Councilmember Amy Falcone

Vote: Motion carried 6-0

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

(2) Eastrail Regional Advisory Council Draft Memorandum of Understanding

City Manager Kurt Triplett provided an update about a draft memorandum of understanding (MOU) between the Eastrail Regional Advisory Council and the Eastrail Partners, and to discuss potential language amendments.

(3) Calendar Update

City Manager Kurt Triplett reminded Council that the legislative workgroup would be reconvening; confirmed that Council would like to have a study session in connection with the Cascade Water Alliance; requested and received Council support for a presentation by the King County Regional Homelessness Authority in late September or early October 2021; and provided an brief overview of a special meeting of the legislative workgroup and the Legislative Priority Coalition Advocacy process.

Motion to Suspend the Council rules to allow for freeform discussion on the proposed substitute Ordinance O-4762 to fine tune the language prior to making a formal motion to bring the legislation to the floor.

Moved by Councilmember Toby Nixon, seconded by Councilmember Neal Black

Vote: Motion carried 6-0
Yes: Councilmember Neal Black, Councilmember Kelli Curtis,
Councilmember Amy Falcone, Councilmember Toby Nixon,
Councilmember Jon Pascal, and Mayor Penny Sweet.

11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of July 6, 2021 was adjourned at 9:05 p.m.

Kathi Anderson, City Clerk

Penny Sweet, Mayor