
CITY OF KIRKLAND

CITY COUNCIL



Penny Sweet, Mayor • Jay Arnold, Deputy Mayor • Amy Falcone • Kelli Curtis
Neal Black • Toby Nixon • Jon Pascal • Kurt Triplett, City Manager

Vision Statement

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.

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY Relay Service 711 • www.kirklandwa.gov

AGENDA

KIRKLAND CITY COUNCIL SPECIAL MEETING

Virtual Joint Meeting with Houghton Community Council

Monday, November 22, 2021

7:00 p.m

COUNCIL AGENDA materials are available on the City of Kirkland website www.kirklandwa.gov. Information regarding specific agenda topics may also be obtained from the City Clerk's Office on the Friday preceding the Council meeting. You are encouraged to call the City Clerk's Office (425-587-3190) or the City Manager's Office (425-587-3001) if you have any questions concerning City Council meetings, City services, or other municipal matters. The City of Kirkland strives to accommodate people with disabilities.

PLEASE CALL 48 HOURS IN ADVANCE (425-587-3190) if you require this content in an alternate format or if you need a sign language interpreter in attendance at this meeting.

1. CALL TO ORDER
2. ROLL CALL
3. City of Kirkland State Legislative Agenda Discussion
4. ADJOURNMENT



CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033
425-587-3001

MEMORANDUM

To: Kurt Triplett, City Manager

From: David Wolbrecht, Communications Program Manager

Date: November 19, 2021

Subject: R-5434 Background to the City of Kirkland State Legislative Agenda

On August 4, 2020, the City Council adopted Resolution R-5434 to ensure the safety and respect of Black people and dismantle structural racism in Kirkland (Attachment A). As directed in Section 4 of R-5434, staff initiated a community engagement process centered around Black people and other people of color in November 2020. This effort consisted of seven focus groups with Black-centered groups and one focus group with a Latinx group. This initial engagement effort concluded in February 2021, and the preliminary findings of the engagement process were presented to Council at the February 16, 2021 City Council meeting.

Section 3b of R-5434 called for "Contracting for a comprehensive City organizational equity assessment to identify gaps in diversity, equity and inclusion in all areas of City policy, practice and procedures, and to identify proposed actions steps to address these gaps." The City contracted with Chanin Kelly-Rae Consulting LLC to conduct this assessment. The purpose of this comprehensive organizational equity assessment was to allow City Council, City staff, and the community to better understand issues related to organizational and community inequities and to identify strategies for addressing those inequities in City government and the community. The result of this work will be an "Equity Plan of Record," which is intended to inform various programs, policies, and practices across the City organization, not just those identified in R-5434. The Equity Plan of Record will contain as one of its chapters a Diversity, Equity, Inclusion, and Belonging 5-Year Roadmap (Roadmap), which will guide the work of the City for several years (Attachment E).

Ms. Kelly-Rae began the organizational equity assessment in January 2021. After receiving the preliminary engagement findings at the February 16, 2021 City Council meeting, the Council authorized the City Manager to broaden the community engagement for R-5434 to include all Kirkland community members. As part of this effort, the Mayor conveyed a letter to the Houghton Community Council (HCC) on March 16, 2021 requesting the HCC defer action on Resolution 2021-3, regarding the continuation of the HCC until its April meeting, so that the HCC could participate in the R-5434 process (Attachment B). The Mayor also attended the HCC meeting on March 22 and provided public comment and elaborated on the letter (HCC March 22 Meeting Minutes – Attachment C). In response to this request and invitation, five of the seven HCC members were interviewed by Ms. Kelly-Rae.

In total, Ms. Kelly-Rae conducted one-on-one interviews with each City Councilmember and five of seven HCC members; numerous interviews with City leadership and employee listening sessions; community meetings; an all-staff survey and a community survey; and strategic document review. Ms. Kelly-Rae provided an update on her work at the May 4, 2021 City Council Study Session (Attachment D). After additional research and meetings throughout the

summer, Ms. Kelly-Rae compiled an executive summary of her findings from her diversity, equity, and inclusion gap analysis. Ms. Kelly-Rae presented that and the draft Roadmap recommendations at the October 19, 2021 City Council meeting (Attachment E).

Included in the draft Roadmap is Objective 3.4, which reads:

Washington State law grants the Houghton Community Council unique authority over certain land use issues, creating a barrier to the equitable distribution of City programs, services and resources. These inequities include, but are not limited to, neighborhood level veto rights over the availability of affordable housing, increased residential and commercial density, and school expansion. Staff is therefore directed to work with the state and the Kirkland community to sunset the existence of this council.

Each objective in the draft Roadmap includes a "Next Action." The next action for Objective 3.4 reads:

The City's state legislative agenda will include sunsetting the Houghton Community Council in Q4 2021.

Based on preliminary findings provided by Ms. Kelly-Rae in anticipation of the October 19, 2021 Council meeting and recognizing the time sensitive nature of the City's State Legislative Agenda adoption, the draft City of Kirkland 2022 Legislative Agenda presented and discussed at the October 19, 2021 Council meeting included the recommendation to sunset the Houghton Community Council that was included in the Roadmap (Attachment F).

At the November 3, 2021 City Council meeting, in response to an email request (Attachment G) from Rick Whitney, Chair of the Houghton Community Council, the City Council suspended the language supporting the sunsetting of the Houghton Community Council from the legislative agenda pending a joint meeting with the Houghton Community Council to discuss the issue. The Council adopted the remaining elements of the legislative agenda and stated the intention to revisit adding back the language related to the Houghton Community Council at the December 14, 2021 City Council meeting.

Attachment A: Resolution R-5434

Attachment B: Mayor Sweet Letter to Houghton Community Council on March 16, 2021

Attachment C: Houghton Community Council Meeting March 22, 2021

Attachment D: R-5434 Update on the Comprehensive Organizational Equity Assessment (May 4, 2021)

Attachment E: Equity Plan of Record Update – Executive Summary and Draft Diversity, Equity, Inclusion, and Belonging Roadmap (October 19, 2021)

Attachment F: Proposed Draft 2022 State Legislative Priorities (October 19, 2021)

Attachment G: Email from Rick Whitney to City Council (November 3, 2021)

RESOLUTION R-5434

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING THAT BLACK LIVES MATTER AND APPROVING THE FRAMEWORK FOR KIRKLAND TO BECOME A SAFE, INCLUSIVE AND WELCOMING COMMUNITY THROUGH ACTIONS TO IMPROVE THE SAFETY AND RESPECT OF BLACK PEOPLE IN KIRKLAND AND END STRUCTURAL RACISM BY PARTNERING WITH THOSE MOST AFFECTED

1 WHEREAS, On February 21, 2017 the City Council adopted
2 Resolution R-5240 declaring Kirkland a Safe, Inclusive and Welcoming
3 Community for all people; and
4

5 WHEREAS, following adoption of Resolution R-5240, the City has
6 taken many budgetary and policy actions to make progress towards this
7 goal but recognizes there is still much more to be done to achieve
8 equity, justice and inclusion for everyone; and
9

10 WHEREAS, since the tragic killing of George Floyd by a police
11 officer on May 25, 2020 in Minneapolis, Minnesota, there have been
12 dozens of protests, marches and rallies in Kirkland calling for an end to
13 structural racism and for the City to demonstrate that Black lives matter;
14 and
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16 WHEREAS, at the June 16, 2020 City Council meeting, the
17 Council issued a formal statement to the community on issues of
18 structural racism and injustice and requested that the City Manager
19 develop "a framework for a citywide response to the issues of bias and
20 racism towards our Black and brown community members" to be
21 presented at the July 7, 2020 Council meeting; and
22

23 WHEREAS, the June 16 statement also asked the City Manager
24 to bring to the July 7, 2020 Council meeting "a request for necessary
25 resources for early implementation actions and community-wide
26 conversations on these critical topics"; and
27

28 WHEREAS, the Eastside Race and Leadership Coalition has for
29 several years brought together local stakeholders from across the
30 community in pursuit of a vision in which the diversity of leaders in local
31 government, social service and non-profit organizations, commerce and
32 education sectors reflect those living in the communities, and that the
33 decisions they make respect the cultural and social differences of those
34 living, working, learning and growing in these communities and
35 eliminate barriers that would otherwise keep them from achieving their
36 fullest potential; and
37

38 WHEREAS, several notable Black leaders from the Eastside Race
39 and Leadership Coalition formed a group called the Right to Breathe
40 Committee, and since June 12, 2020 have been engaging the City in
41 discussions and have called upon the City to abolish systemic Anti-
42 Blackness to ensure equal justice, provide oversight and accountability
43 through equitable shared decision-making that embodies the phrase
44 "nothing about us without us", and de-escalate encounters involving
45 people enforcing laws and rules against Black people; and
46

47 WHEREAS, community members have encouraged the City to
48 evaluate police policies against the national Campaign Zero's "8 Can't
49 Wait" campaign to end police violence, and to commit to President
50 Barack Obama's four part "Mayor's Pledge", which includes: reviewing
51 the City's police use of force policies; engaging the Kirkland community
52 by including a diverse range of input, experiences, and stories in the
53 review; reporting the findings of the review to the community and
54 seeking feedback; and reforming the City's police use of force policies;
55

56 WHEREAS, this resolution incorporates elements of the "8 Can't
57 Wait" and "Mayor's Pledge" initiatives and is also intended to create a
58 path to progress on the goals of community stakeholders seeking
59 change;
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61 NOW, THEREFORE, be it resolved by the City Council of the City
62 of Kirkland as follows:
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64 Section 1. The City Manager is hereby directed to develop
65 Transparency strategies to allow the community and the Council to
66 understand how the City as an organization is performing. These
67 strategies shall include but are not limited to:

- 68 a. Developing a police "use of force" public dashboard;
- 69 b. Evaluating enhancements to the existing police dashboard
70 that help guard against bias in police action;
- 71 c. Developing a School Resource Officer public dashboard;
- 72 d. Developing a Human Resources public dashboard;
- 73 e. Developing a Human Services public dashboard; and
- 74 f. Other strategies identified by the community and the
75 Council.
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77 Section 2. The City Manager is further directed to develop
78 Accountability strategies to allow the community and the Council to
79 understand the City's current police use of force policies and identify
80 possible changes to such policies. These strategies shall include but are
81 not limited to:

- 82 a. "8 Can't Wait" police use of force policy review;
- 83 b. Contracting for third party policy use of force review and use
84 of force data evaluation and analysis;
- 85 c. Structured Council use of force policy and data deliberations;
- 86 d. Evaluating options for independent civilian oversight of
87 police use of force.
- 88 e. Developing a police body camera pilot program; and
- 89 f. Review of national best practices for alternatives to police for

90 serving those experiencing homelessness, behavioral health
91 issues, drug addiction and other community challenges.
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93 Section 3. The City Manager is further directed to develop
94 further Accountability strategies to allow the community and the Council
95 to understand and identify possible changes to other City organizational
96 structures, programs, and policies. These strategies shall include but
97 are not limited to:

- 98 a. Evaluating implementation of a community court to reduce
99 disproportional impacts on traditionally marginalized
100 populations;
- 101 b. Contracting for a comprehensive City organizational equity
102 assessment to identify gaps in diversity, equity and inclusion
103 in all areas of City policy, practice and procedure, and to
104 identify proposed actions steps to address these gaps;
- 105 c. Conducting a comprehensive review of City procurement and
106 contracting processes and documents to eliminate barriers
107 for disadvantaged businesses enterprises to compete for City
108 projects;
- 109 d. Evaluating whether public art, public symbols, special events
110 and City programming in Kirkland are welcoming to all
111 community members;
- 112 e. Expanding the diversity of public art, symbols, events and
113 programming to be more inclusive; and
- 114 f. Other strategies identified by the community and the
115 Council.
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117 Section 4. The City Manager is further directed to develop
118 Community Engagement strategies to facilitate citywide conversations
119 about structural racism and policy and program solutions. These
120 strategies shall include but are not limited to:

- 121 a. Community engagement process centered around Black
122 people;
- 123 b. Targeted additional stakeholder engagement including
124 Indigenous people and people of color, with a focus on
125 including intersectional voices;
- 126 c. Town Halls, virtual meetings and small group discussion;
- 127 d. Surveys, mailers and social media campaigns;
- 128 e. Council retreat and public hearings; and
- 129 f. Other strategies identified by the community and the
130 Council.
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132 Section 5. The City Manager is further directed to develop
133 Funding strategies to implement the entire framework set forth in this
134 resolution. These strategies shall include but are not limited to:

- 135 a. Funding an outside review of police use of force;
- 136 b. Funding a body camera pilot project;
- 137 c. Funding community engagement strategies;
- 138 d. Reserving additional funding to implement ideas from
139 community engagement, a national best practices review,
140 and the equity assessment; and
- 141 e. Meeting other funding needs identified by the community

142 and the Council.

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Section 6. The City Manager is hereby directed to return to the Council by August 4, 2020 with funding recommendations for Council authorization to implement the elements of the framework resolution.

Passed by majority vote of the Kirkland City Council in open meeting this 4 day of August, 2020.

Signed in authentication thereof this 4 day of August, 2020.



Penny Sweet, Mayor

Attest:



Kathi Anderson, City Clerk

From: Jeremy McMahan <JMcMahan@kirklandwa.gov>
Sent: Friday, July 23, 2021 10:03 AM
To: Adam Weinstein <AWeinstein@kirklandwa.gov>; Kathi Anderson <KAnderson@kirklandwa.gov>
Subject: FW: Letter to Houghton Community Council from City Council

Kathi – attached is the letter that the Council sent to the HCC. The Mayor delivered it to them at their March 16 meeting.

Jeremy McMahan
Deputy Director | Planning & Building Department
425-587-3229 (office)
425-410-9264 (cell)
jmcmahan@kirklandwa.gov

From: Amy Bolen <ABolen@kirklandwa.gov>
Sent: Wednesday, March 17, 2021 1:12 PM
To: Houghton Council <houghtoncouncil@kirklandwa.gov>
Subject: Letter to Houghton Community Council from City Council

HCC members,
Please see the attached letter from Mayor Sweet and the City Council.
Thank you.

AMY BOLEN
EXECUTIVE ASSISTANT, CITY MANAGER'S OFFICE
CITY OF KIRKLAND
123 5TH AVENUE, KIRKLAND, WA 98033
P: 425.587.3007
ABOLEN@KIRKLANDWA.GOV



March 16, 2021

Dear Chair Whitney, Vice Chair Kappler, and Houghton Community Councilmembers;

As elected leaders that share a deep love of our City and a commitment to ensuring Kirkland is one of the best places in America to live, work and play, the Kirkland City Council and the Houghton Community Council have had a long and collaborative partnership. This partnership helped unite our community and guide Kirkland through the unique tragedies and triumphs of the COVID-19 pandemic that erupted in Kirkland on February 29, 2020 and continue to this day.

This partnership was reaffirmed by an important and collaborative discussion that occurred on March 10, 2021 that included me, Councilmember Neal Black, Councilmember Kelli Curtis, and Houghton Community Councilmembers Rick Whitney, John Kappler and Larry Toedtli, regarding another national tragedy this past year: the killing of George Floyd on May 25, 2020 by police officers in Minneapolis, Minnesota. In Kirkland, there were protests and necessary calls to address social injustice and structural racism and to improve the safety and respect of Black and brown people in our community. The City Council unanimously adopted Resolution R-5434 (attached) on August 4, 2020. R-5434 affirms that Black lives matter and adopts a framework of long overdue actions to improve the safety and respect of Black people and help end not just structural racism, but all structural barriers to equality in Kirkland. R-5434 builds on the important work to create a community where everyone belongs that started with adopting R-5240 on February 21, 2017. R-5240 declares Kirkland a safe, inclusive and welcoming community.

The first two sections of R-5434 are focused appropriately on police accountability and transparency measures. However, Section 3 of the resolution directs the City Manager to evaluate possible changes to City organizational structures, programs, and policies, including the Kirkland Municipal Court, procurement systems, public art and community events, and land-use planning and implementation. One of the key actions to accomplish the goals of R-5434 is initiating a comprehensive equity assessment of all areas of City policy, practice and procedure, and proposed actions to address equity gaps.

Within the framework of R-5434, the City has worked to address the need for social justice and equity in policy and procedures throughout 2020. We are taking a hard look at how our actions continue a history of inequity by denying opportunities for those that have been disadvantaged by these structural barriers. To inform this work, we need to hear from those who are most impacted by our legislative policies. Section 4 of R-5434 calls for extensive community engagement and facilitation of citywide conversations about structural barriers to equality and policy and program solutions. At the February 16 City Council meeting, the Council authorized the City Manager to broaden our public outreach, which rightly began with Black community members, to all members of the Kirkland community. This outreach will include surveys, Town Halls, public hearings, social media campaigns and much more.

The City Council has always envisioned the Houghton Community Council (HCC) as being part of this important community dialogue. As a governing body with significant land-use authority, we believe it is necessary for the Community Council to partner with us again as we look critically at ways our community has inadvertently perpetuated barriers to equity and inclusion. We invite you to join us in this work of creating equity, justice and inclusion for everyone. We offer our staff and consulting resources to support the HCC in this effort. Together, we can realize a Kirkland where everyone feels – and knows – they belong.

March 16, 2021

Page 2

The City Council understands that 2021 is the year that the HCC will consider placing a ballot measure before the voters of Houghton to extend the HCC through December 31, 2025. When the six of us met, we did not realize that RCW 35.14.060 that governs community councils requires that a resolution for continuation needs to be filed "not less than seven months" prior to the end of the current term. This means action by May 31, 2021. We appreciate the March 15 email from Mr. Whitney highlighting both this requirement, and the need for candidates for the HCC to file by May 21, 2021

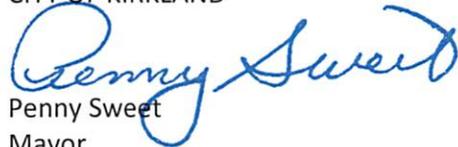
However, this still does allow the HCC to defer action until the April HCC meeting. The City Council respectfully requests the HCC not act on the resolution at the March 22 meeting so that the members of the HCC have opportunity to participate in thoughtful discussions of how everyone in Kirkland can help eliminate structural barriers to equal opportunity.

The City contracted in January with Chanin Kelly-Rae Consulting to conduct the City's equity assessment. The scope of Ms. Kelly-Rae's contact includes interviewing Kirkland City Councilmembers as well as members of the HCC and the Planning Commission. We have asked her to expedite this process with the HCC. The City Council is requesting that the HCC defer action to place an extension on the ballot until Ms. Kelly-Rae has completed her interviews with members of the HCC and some focused outreach can be completed and presented to the HCC. We believe this can be accomplished before the HCC meets in April. I will also be presenting this letter and request to you at the March 22 HCC meeting on behalf of the full Council.

If you have any questions, please contact me at psweet@kirklandwa.gov or City Manager Kurt Triplett at ktriplett@kirklandwa.gov.

Sincerely,

CITY OF KIRKLAND



Penny Sweet
Mayor

Attachment: Resolution R-5434

RESOLUTION R-5434

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133 Funding strategies to implement the entire framework set forth in this
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- 136 b. Funding a body camera pilot project;
- 137 c. Funding community engagement strategies;
- 138 d. Reserving additional funding to implement ideas from
139 community engagement, a national best practices review,
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Section 6. The City Manager is hereby directed to return to the Council by August 4, 2020 with funding recommendations for Council authorization to implement the elements of the framework resolution.

Passed by majority vote of the Kirkland City Council in open meeting this 4 day of August, 2020.

Signed in authentication thereof this 4 day of August, 2020.



Penny Sweet, Mayor

Attest:



Kathi Anderson, City Clerk



KIRKLAND HOUGHTON COMMUNITY COUNCIL
March 22, 2021

1. CALL TO ORDER AND ROLL CALL (7:01 PM)

Members Present: Rick Whitney - Chair, John Kappler - Vice Chair, Brian Gawthrop, Bill Goggins, Betsy Pringle, Larry Toedtli, and Ruth Wright.

Members Absent: None.

Staff Present: Jeremy McMahan - Deputy Director, Jeannie Dines - Recording Secretary, and Jim Marti - Office Specialist.

2. ANNOUNCEMENT OF AGENDA (7:01 PM)

3. READING AND/OR APPROVAL OF MINUTES - None

4. COUNCILMEMBER REPORTS AND COMMENTS - None

5. WORK PROGRAM REVIEW

6. REQUESTS FOR THE AUDIENCE (7:02 PM)

1. Mayor Sweet elaborated on the letter the HCC received from the City Council requesting the HCC defer action on Resolution 2021-3, regarding the continuation of HCC until their April meeting so that the HCC can participate in the Resolution 5434 process (A Resolution of the City Council of the City Of Kirkland affirming that Black Lives Matter and approving the framework for Kirkland to become a safe, inclusive and welcoming community through actions to improve the safety and respect of Black people in Kirkland and end structural racism by partnering with those most affected).

The additional month will allow HCC members to be interviewed by Chanin Kelly-Rae, who is conducting the City's equity assessment and identifying barriers to opportunity, as well as to complete an equity survey. The results can be tabulated and presented at the April HCC meeting and may suggest language or ideas to be included in Resolution 2021-3 and may suggested important themes or policy actions for potential HCC candidates to consider.

Mayor Sweet responded to HCC Members' questions.

2. Phil Allen, Kirkland, commented the next HCC meeting is April 26th, less than 7 months until the general election. HCC Member Toedtli explained HCC exists until 12/31/21, 7 months prior is May 31, 2021.

3. Matthew Gelzer, Kirkland, suggested if the HCC waits until late April to make a decision on the continuation of the HCC, it makes it difficult to inform residents about the election as well as for residents to make a decision about running for election.

4. Kristin Dickson, Kirkland, advocated for the HCC to continue.

5. John Tymczyszyn, Kirkland, thanked the HCC for its inclusive leadership in the community. The collaboration and community input the HCC brings to the table creates better results in the Houghton community and in Kirkland.

7. NEW BUSINESS (7:17 PM)

A. Continuation of Existence of Houghton Community Council

Chair Whitney referred to the staff report and the issue of placing continuation of the existence of the HCC on the ballot.

Each HCC Member spoke regarding the continued existence of the HCC being submitted to the voters as a ballot measure in the November 2021 general election.

Motion to Approve HCC Resolution 2021-3, A Resolution of the Community Council for the Houghton Community Municipal Corporation pursuant to RCW 335.14.060 and Kirkland Municipal Code Chapter 2.16, relating to the continuation of the existence of the Houghton Community Municipal Corporation and its Community Council for an additional four year period.

Moved by Bill Goggins, seconded by Brian Gawthrop

Vote: Motion carried 7-0

Yes: Rick Whitney - Chair, John Kappler - Vice Chair, Brian Gawthrop, Bill Goggins, Betsy Pringle, Larry Toedtli, and Ruth Wright.

Discussion followed.

8. ADMINISTRATIVE REPORTS AND COUNCIL DISCUSSION

Deputy Director McMahan requested HCC Members respond to Amy Bolen about scheduling an interview with Chanin Kelly-Rae.

Vice Chair Kappler inquired about dates related to the transfer station siting. Mr. McMahan suggested contacting Solid Waste Programs Supervisor, John McGillivray, the lead on the project.

Vice Chair Kappler reported HCC Member Toedtli and he plan to meet with King County Councilmember Lambert to learn more about trash mining for energy.

HCC Member Toedtli reported he planned to attend the virtual tour of the North Seattle transfer station tomorrow. Vice Chair Kappler and HCC Member Goggins indicated they also planned to attend.

9. ADJOURNMENT (7:44 PM)

Chair
Houghton Community Council

Planning Staff
Department of Planning and Community Development



CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: James Lopez, Deputy City Manager for External Affairs
Chanin Kelly-Rae, Owner, Chanin Kelly-Rae Consulting
David Wolbrecht, Senior Neighborhood Services Coordinator
Chelsea Zibolsky, Special Projects Coordinator

Date: April 26, 2021

Subject: R-5434 UPDATE ON THE COMPREHENSIVE ORGANIZATIONAL EQUITY ASSESSMENT

RECOMMENDATION:

To provide preliminary information to any qualified resident considering filing for the Kirkland City Council or the Houghton Community Council, it is recommended that City Council and the public receive an accelerated update on the City's progress conducting a comprehensive organizational equity assessment to identify gaps in diversity, equity, and inclusion in all areas of City policy, practice and procedure as directed in [Resolution R-5434](#) subsection 3b¹.

BACKGROUND DISCUSSION:

Qualified residents who wish to run for the Kirkland City Council or for the Houghton Community Council in 2021 must file as candidates with King County Elections during the week of May 17 – May 21, 2021. To help inform potential candidates interested in the City's implementation of R-5434, this memorandum provides the Council and the public background on Kirkland's Council-Manager form of government and the Houghton Community Council. It also includes an accelerated update on the City's progress conducting a comprehensive organizational equity assessment to identify gaps in diversity, equity, and inclusion in all areas of City policy, practice and procedure. Staff will use this assessment to identify proposed actions and steps necessary to address identified gaps. This update is also designed to provide the City's preliminary findings and likely conclusions as they apply to local elected leadership. A more comprehensive R-5434 update and accomplishments will be the subject of the City Council study session on May 18, 2021. The memorandum is structured in four sections.

- I. History of the Kirkland Council-Manager government and Houghton Community Council
- II. Overview of the Organizational Equity Assessment
- III. Preliminary Observations
- IV. Next Actions

¹ R-5434 landing page on the City's website. <https://www.kirklandwa.gov/Government/City-Managers-Office/Ensuring-the-Safety-and-Respect-of-Black-People>

I. History of the Kirkland Council-Manager government and Houghton Community Council

A. Kirkland Council-Manager Form of Government

The Mayor-Council form of government is the most common type in Washington and used by about 60% of the cities and towns. However, Kirkland is organized as a Council-Manager city and residents may not be as familiar with this form of government. The Municipal Research Services Center (MRSC) has an excellent summary of the various forms of local government and helpful charts that compare how each form of government operates. An MRSC excerpt summarizing the Council-Manager form of government and a link to the MRSC website are included below.

Council-manager is the other common form of government in Washington. As of 2018, this system is used by 54 cities in Washington, comprising about 40% of the incorporated population, including quite a few medium-to-large cities. The basic structure and organization of council-manager governments is set out in Ch. 35.18 RCW (non-code cities) and Ch. 35A.13 RCW (code cities).

The council-manager form consists of an elected city council (which may be elected at-large or from districts) which is responsible for policymaking, and a professional city manager, appointed by the council, who is responsible for administration. The city manager provides policy advice, directs the daily operations of city government, handles personnel functions (including the power to appoint and remove employees) and is responsible for preparing the city budget.

Under the council-manager statutes, the city council is prohibited from interfering with the manager's administration. The city manager, however, is directly accountable to and can be removed by a majority vote of the council at any time.

The council-manager form is based on the model of a business with a board of directors that appoints a chief executive officer. Another familiar public example is the school board-superintendent relationship.

In council-manager cities, a ceremonial mayor presides at council meetings and is recognized as the head of the city for ceremonial purposes but has no regular administrative duties. The mayor is generally selected by the city council and this person must also be a councilmember. According to the provisions of RCW 35A.13.033, the charter of a first class city or the voters of an optional municipal code city may provide for the mayor to be directly elected by the people.

<https://mrsc.org/Home/Explore-Topics/Governance/Forms-of-Government-and-Organization/City-and-Town-Forms-of-Government.aspx>

The Kirkland City Council consists of seven members elected at large to staggered, four-year terms. Since 1965, Kirkland has operated under a Council-Manager form of government. All budgetary, legislative and policy-making powers are vested in the City Council. Policy making often takes the form of passing ordinances or resolutions, adopting a Biennial Budget, and approving the Six Year Capital Improvement Program. The City Council also conducts interviews

of interested and eligible applicants and appoints them as members on several advisory boards and commissions. In Kirkland's Council-Manager form of government, the Mayor is not a separately elected office. Any member of the City Council may become the Mayor. All seven Councilmembers are elected by the voters, and then the Mayor is selected by a majority vote of the duly elected Council. The Mayor's responsibilities are primarily to preside at Council meetings, and act as head of the City for ceremonial purposes and for purposes of military law. The Mayor votes as a Councilmember and does not have veto power. (RCW 35.18.190; RCW 35A.13.030 Optional Municipal Code cities.)

The Council employs a professionally trained public administrator, the City Manager, to carry out the policies and budgets adopted by the Council and to manage the City's day-to-day operations. The City Manager is appointed by the Council and may be removed by the Council. All other City employees report directly or indirectly to the City Manager.

At the time of incorporation in 1905, the City of Kirkland's population was approximately 530. The current estimated population is 90,660. Kirkland is currently the thirteenth largest city in the State of Washington and the sixth largest in King County. Since its incorporation, Kirkland has grown in geographic size to eighteen square miles - approximately twenty times its original size. This growth occurred primarily through the consolidation of the cities of Houghton and Kirkland in 1968, the annexations of Rose Hill and Juanita in 1988 and the annexation of North Juanita, Finn Hill, and Kingsgate areas in 2011.

B. Houghton Community Council

The Houghton Community Council (HCC) is a creature of state law and the Kirkland Municipal Code (KMC). HCC is technically considered a "community municipal corporation" pursuant to chapter 35.14 RCW. HCC and a similar entity in Bellevue are the only two remaining community municipal corporations in Washington. Provisions related to the HCC in Kirkland constitute KMC Title 2.

In accordance with state law and the code, the HCC is governed by a body of elected by residents within the boundaries of the historical Town of Houghton. HCC exercises both advisory and approval/disapproval authority over a discrete number of specified matters related to land use and zoning regulations that would apply to land, buildings, or structures within its geographical area of jurisdiction. Those matters consist exclusively of the following: comprehensive plan; zoning ordinances; conditional use permits, special exceptions, and variances; subdivision ordinances; subdivision plats; and planned unit developments. As such, and while rare amongst Washington cities, a portion of the City's legislative power is vested in the HCC, and the HCC is a formal part of City government to that extent. City staff provide support to the HCC and the City Attorney represents the HCC in most matters unless there is a potential conflict of interest, in which case outside counsel has sometimes been provided to the HCC.

City staff resources, primarily portions of planners and administrative staff in the Planning and Building Department, as well as City Clerk's office and the City Attorney's office, directly and indirectly support the HCC. The amount of direct support varies each year based on land use issues considered in that year. A very rough estimate of the total time per year invested on direct HCC work by City staff is in the range of .5 to .85 FTE (full time equivalent employee) or

\$88,300 to \$150,100. For reference, the total time invested on HCC components of major land use permitting (e.g. Northwest University Master Plan) is roughly .15 FTE, or \$26,500.

The HCC was founded in 1968, when Kirkland merged with the Town of Houghton. At the time, Kirkland had approximately 6,700 residents and Houghton had approximately 4,000 residents. Houghton had incorporated as a town in 1947 and in 1963 the Town Council rezoned the Houghton waterfront for residential uses to prevent the development of potential future industrial uses. The Houghton Consolidation Committee explored merging Houghton with Seattle, Bellevue, or Kirkland, and ultimately settled on Kirkland, which was perceived to have a more responsive and effective government. Consolidation was allowed pursuant to House Bill 115, the Community Council Law, which was intended to make consolidation more attractive for smaller towns and cities by allowing a smaller town, after consolidation with a larger jurisdiction, to retain control over land use matters via an elected Community Council. The consolidation between Houghton and Kirkland was voted on by members of both cities and approved on April 30, 1968.

The HCC has a collaborative relationship with the City Council, the Planning staff and the Planning Commission. The HCC and the Planning Commission often meet in joint sessions to hold public hearings or deliberate on legislation. Today, the HCC also provides advisory comments on land use and zoning matters. These range from Master Plans (quasi-judicial permits) that are confined entirely within the HCC's geographic jurisdiction, to City-wide land use policies and zoning regulations (legislative actions). Examples of such policies include those that pertain to shoreline management, tree protection, and affordable housing. The HCC's advisory guidance is also considered by the Planning Commission and Hearing Examiner through the joint hearing processes, when those bodies seek to craft recommendations to the City Council that would be acceptable to the HCC.

After the City Council considers approval or rejection of these permits, policies and regulations, the City Council's decision is subject to disapproval by the HCC within the boundaries of the Houghton geographic jurisdiction. If the HCC vetoes a City-wide land use decision, that legislation does not apply within HCC's jurisdiction, although it remains in effect in the rest of the City. If the HCC vetoes a permit decision within the jurisdiction of the HCC, that permit is denied. The HCC has used its disapproval authority sparingly over the decades, preferring to seek compromise solutions. However, some vetoes have occurred. Examples of HCC's exercise of disapproval jurisdiction on matters related to the Kirkland Zoning Code Amendments (Legislative Authority) are provided in Attachment A.

II. Overview of the Organizational Equity Assessment

Among other items, R-5434 called for a comprehensive organizational equity assessment. In early January 2021, the City contracted with Chanin Kelly-Rae Consulting to conduct this assessment. Chanin Kelly-Rae Consulting led the organization-wide diversity and implicit bias training for all City staff throughout 2019. An update on that work was presented to Council on December 10, 2019². Ms. Kelly-Rae's prior work with the City provides the foundation for staff across the organization to be prepared for the equity assessment process.

² December 10, 2019, City Council meeting staff memorandum. https://www.kirklandwa.gov/files/sharedassets/public/city-council/agenda-documents/2019/dec-10-2019/8b_specialpresentation.pdf

The purpose of a comprehensive organizational equity assessment is to allow City Council, City staff, and the community to better understand issues related to organizational and community inequities and to identify strategies for addressing those inequities in City government and the community. As part of the organizational equity needs assessment, Ms. Kelly-Rae is guiding a gap analysis and strategic planning process involving the community to better position the City in identifying internal and external growth opportunities relative to the areas of diversity, equity, and inclusion. The result of this work will be an "Equity Plan of Record", which is intended to inform various programs, policies, and practices across the City organization, not just those identified in R-5434.

Ms. Kelly-Rae's approach to the organizational equity needs assessment is separated into five phases: Implicit Bias Training, Planning and Scoping, Organizational Equity Needs Assessment, Gap Analysis, Presentation and Publication of Equity Plan of Record.

Organizational Equity Needs Assessment

After planning and scoping in collaboration with a core team of staff, Ms. Chanin-Rae's work on the organizational equity needs assessment began in earnest in February 2021. The needs assessment has included interviews, focus groups, and listening sessions, an all-staff survey, forming of a Community Diversity Advisory Group, and strategic document review.

Below is a list of internal and external interviews and listening sessions conducted since the beginning of Ms. Kelly-Rae's work:

- Internal
 - City Council
 - Houghton Community Council
 - Department Directors
 - Staff listening sessions (four total)
- External
 - Eastside Change Coalition
 - Eastside Race and Leadership Coalition -organized student group
 - Eastside Embrace

Additional internal and external listening sessions are scheduled in the coming months with the following groups:

- Internal
 - Kirkland Police Department
 - Kirkland Fire Department
- External
 - Kirkland Interfaith Network
 - Indivisible Kirkland
 - Welcoming Kirkland Initiative

Further, Ms. Kelly-Rae distributed an all staff survey to garner additional feedback from staff, which will be valuable in identifying the City's strengths and needs for improvement. Ms. Kelly-Rae has also completed an initial review of internal data, policies, and related documents. Although feedback is still being collected, Ms. Kelly-Rae has begun data analysis. The insights

gained from the data gathered will identify opportunities to impact change of internal culture and external services and will aid in the development of a diversity, equity, and inclusion (DEI) dashboard. This will be done via the next phase of Ms. Kelly-Rae's work: a gap analysis.

Gap Analysis

In the coming months, Ms. Kelly-Rae, City staff, and external stakeholders will come together to engage in the strategic development process to identify performance measures and goals, develop strategies, and design and publish an Equity Plan of Record. The Equity Plan of Record will articulate those actionable strategies, processes, and initiatives that the City will pursue to accomplish organizational DEI goals. Presentation of the draft Equity Plan of Record to the City is planned for early fall of 2021 in advance of Council's anticipated adoption of the Plan sometime later in the fall or early winter of 2021.

Preliminary findings from Ms. Kelly-Rae are provided below. An overview of the status of key milestones in Ms. Kelly-Rae's process can be found in Attachment B.

III. Preliminary Observations

For those persons seeking additional information prior to running for public office this year, Ms. Kelly-Rae will be making a more detailed presentation discussing early findings and insights during the May 4, 2021 study session. Some of the points that will be discussed during this presentation include:

Houghton Community Council

The March 16, 2021 letter from Mayor Penny Sweet inviting the HCC to be part of the equity assessment process is provided as Attachment C. After her initial work, Ms. Kelly-Rae notes that decisions made by the Houghton Community Council have implications outside of their own jurisdiction that impact to the whole of the City of Kirkland. The K-12, higher education, business/commerce, and residential sectors are all impacted in ways both great and small by the HCC through the execution of their authority.

The full scope of that influence must be better understood and communicated; therefore, Ms. Kelly-Rae needs to complete additional outreach and engagement more broadly with stakeholders both within the HCC jurisdiction and outside of their three (3) neighborhood footprint. Currently, discussions are underway to secure the full participation of all members of the HCC.

Citywide Data Collection

More time and attention are required during the data collection stage because there is no central repository of information that outlines objectives and key results by department which would align specific strategic actions with data and metrics. Ms. Kelly-Rae will need to build the framework and roadmap, then review and assess. Directors and City staff are participating fully in every aspect of the initiative.

Community Diversity Advisory Group

Early in the R-5434 community engagement process, staff built off best practice research and community learning to develop a means to offer honoraria to focus group participants. Staff relied on a related Puget Sound Regional Council (PSRC) policy that was adopted in Fall 2020. Staff determined that providing honoraria to early action focus group participants would help decrease barriers to participation for those that may need to obtain child care or incur other expense in order to participate, while also acknowledging the time, energy, and effort in discussing structural racism with City staff, which often included sharing painful personal stories.

Paying community members who provide longer-term input than a single focus group remains an area of City procurement and contracting that requires additional exploration and development. As a result, special processes had to be designed and executed to compensate members of the Community Diversity Advisory Group advising this process. Procurement and contracting barriers will present a future challenge as independent contractors require business licenses with the state of Washington, City of Kirkland, and quite possibly additional jurisdictions dependent upon where those participants reside.

Further complicating the process of participation is the requirement that contractors must have professional and general liability insurance coverage as a business entity, whereby creating a disparate impact for those not meeting the requirements.

Most impacted will be people with low(er) incomes and those from underrepresented minority communities. Policies are needed that will allow for stipends to compensate participants of special advisory groups without the burdens highlighted above. Staff now working on solutions to this challenge as part of the equity assessment work plan.

IV. Next Actions

Below is an outline of Ms. Kelly-Rae's next actions on the organizational equity gap assessment:

1. Citywide Equity Survey for the entire City of Kirkland
2. Expanded Outreach and Engagement to Assess the Impacts of Houghton Community Council
 - Kirkland Chamber of Commerce
 - Northwest University
 - Lake Washington School District
3. 1:1 Equity Needs Assessment Interviews with Houghton Community Council Members
4. Community forums/focus groups
5. Completion of Kirkland City staff listening sessions
6. Continue review of departmental policies, processes, and procedures

NEXT STEPS

Ms. Kelly-Rae and staff welcome any questions or discussion during the study session. Staff will be bringing an additional update on Resolution R-5434 to the May 18, 2021, Council meeting.

Houghton Community Council

Examples of Exercise of Disapproval Jurisdiction on Matters Related to the Kirkland Zoning Code Amendments (Legislative Authority)

UPDATED April 22, 2021

General

- School heights (more restrictive)

KZC 90

- Reasonable Use Exceptions (less restrictive)

KZC 112

- Inclusionary zoning requirements for affordable housing not adopted (except for HENC zones), provisions may be used voluntarily (less restrictive)

KZC 113

- Cottage, Carriage and Two/Three-Unit Homes (more restrictive)

KZC 115

- FAR limits in single family zones (less restrictive)
- Garage design in single family zones (less restrictive)
- Solar panels on flat roofs 6" height bonus (more restrictive)
- 4' setback for bay windows and other projections in single family zones (less restrictive)
- Porches in setbacks (more restrictive)
- Boat and trailer parking (less restrictive)
- Marijuana business buffers from childcare centers (more restrictive)

KZC 127

- Homeless encampments
 - Must be sponsored by local church, can't be sponsored by other community organizations (more restrictive)
 - Notices must be sent to HCC



Diversity, Equity, Inclusion, and Belonging [DEIB] Strategic Project Mapping Initiative Milestones

ID	Deliverable Task	Start	Finish	Q1 21			Q2 21			Q3 21			Q4 21			
				Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
1	Formation of DEIB Strategic Advisory Group	1/1/2021	1/15/2021	[Progress bar: Jan 1-15]												COMPLETED
2	D&I staffing assignment for DEIB Project Initiative	1/1/2021	1/15/2021	[Progress bar: Jan 1-15]												COMPLETED
3	Develop framework and scope for needs assessment	1/1/2021	2/5/2021	[Progress bar: Jan 1-5]												COMPLETED
4	Community Diversity Advisory Group [CDAG] Seated	3/1/2021	3/31/2021	[Progress bar: Mar 1-31]												COMPLETED
5	Review of internal data, policies, and related documents	2/1/2021	4/16/2021	[Progress bar: Feb 1-16]												COMPLETED
6	Administration of individual interviews, forums, surveys for needs assessment, gap analysis.	2/1/2021	4/23/2021	[Progress bar: Feb 1-23]												COMPLETED
7	Conduct focus groups, forums with relevant stakeholders to secure input on city programs and services	2/1/2021	8/31/2021	[Progress bar: Feb 1-31]												IN PROCESS
8	Gap Analysis. Data analysis of all data/insights collected resulting in recommendations for action	4/1/2021	5/7/2021	[Progress bar: Apr 1-7]												IN PROCESS
9	Departmental Planning and Strategy for Equity Planning and Strategic Alignment	4/19/2021	9/30/2021	[Progress bar: Apr 19-30]												IN PROCESS
10	Kirkland City Council Retreat	7/1/2021	7/30/2021	[Progress bar: Jul 1-30]												
11	Equity Plan of Record – Organizational development and diversity management plan, DEI Dashboard/Output goals	11/1/2021	11/30/2021	[Progress bar: Nov 1-30]												
12	Community Engagement and Outreach Activities	1/1/2021	12/31/2021	[Progress bar: Jan 1-31]												IN PROCESS
13	Staff Diversity & Inclusion Training	1/1/2021	12/31/2021	[Progress bar: Jan 1-31]												IN PROCESS



March 16, 2021

Dear Chair Whitney, Vice Chair Kappler, and Houghton Community Councilmembers;

As elected leaders that share a deep love of our City and a commitment to ensuring Kirkland is one of the best places in America to live, work and play, the Kirkland City Council and the Houghton Community Council have had a long and collaborative partnership. This partnership helped unite our community and guide Kirkland through the unique tragedies and triumphs of the COVID-19 pandemic that erupted in Kirkland on February 29, 2020 and continue to this day.

This partnership was reaffirmed by an important and collaborative discussion that occurred on March 10, 2021 that included me, Councilmember Neal Black, Councilmember Kelli Curtis, and Houghton Community Councilmembers Rick Whitney, John Kappler and Larry Toedtli, regarding another national tragedy this past year: the killing of George Floyd on May 25, 2020 by police officers in Minneapolis, Minnesota. In Kirkland, there were protests and necessary calls to address social injustice and structural racism and to improve the safety and respect of Black and brown people in our community. The City Council unanimously adopted Resolution R-5434 (attached) on August 4, 2020. R-5434 affirms that Black lives matter and adopts a framework of long overdue actions to improve the safety and respect of Black people and help end not just structural racism, but all structural barriers to equality in Kirkland. R-5434 builds on the important work to create a community where everyone belongs that started with adopting R-5240 on February 21, 2017. R-5240 declares Kirkland a safe, inclusive and welcoming community.

The first two sections of R-5434 are focused appropriately on police accountability and transparency measures. However, Section 3 of the resolution directs the City Manager to evaluate possible changes to City organizational structures, programs, and policies, including the Kirkland Municipal Court, procurement systems, public art and community events, and land-use planning and implementation. One of the key actions to accomplish the goals of R-5434 is initiating a comprehensive equity assessment of all areas of City policy, practice and procedure, and proposed actions to address equity gaps.

Within the framework of R-5434, the City has worked to address the need for social justice and equity in policy and procedures throughout 2020. We are taking a hard look at how our actions continue a history of inequity by denying opportunities for those that have been disadvantaged by these structural barriers. To inform this work, we need to hear from those who are most impacted by our legislative policies. Section 4 of R-5434 calls for extensive community engagement and facilitation of citywide conversations about structural barriers to equality and policy and program solutions. At the February 16 City Council meeting, the Council authorized the City Manager to broaden our public outreach, which rightly began with Black community members, to all members of the Kirkland community. This outreach will include surveys, Town Halls, public hearings, social media campaigns and much more.

The City Council has always envisioned the Houghton Community Council (HCC) as being part of this important community dialogue. As a governing body with significant land-use authority, we believe it is necessary for the Community Council to partner with us again as we look critically at ways our community has inadvertently perpetuated barriers to equity and inclusion. We invite you to join us in this work of creating equity, justice and inclusion for everyone. We offer our staff and consulting resources to support the HCC in this effort. Together, we can realize a Kirkland where everyone feels – and knows – they belong.

March 16, 2021

Page 2

The City Council understands that 2021 is the year that the HCC will consider placing a ballot measure before the voters of Houghton to extend the HCC through December 31, 2025. When the six of us met, we did not realize that RCW 35.14.060 that governs community councils requires that a resolution for continuation needs to be filed "not less than seven months" prior to the end of the current term. This means action by May 31, 2021. We appreciate the March 15 email from Mr. Whitney highlighting both this requirement, and the need for candidates for the HCC to file by May 21, 2021

However, this still does allow the HCC to defer action until the April HCC meeting. The City Council respectfully requests the HCC not act on the resolution at the March 22 meeting so that the members of the HCC have opportunity to participate in thoughtful discussions of how everyone in Kirkland can help eliminate structural barriers to equal opportunity.

The City contracted in January with Chanin Kelly-Rae Consulting to conduct the City's equity assessment. The scope of Ms. Kelly-Rae's contact includes interviewing Kirkland City Councilmembers as well as members of the HCC and the Planning Commission. We have asked her to expedite this process with the HCC. The City Council is requesting that the HCC defer action to place an extension on the ballot until Ms. Kelly-Rae has completed her interviews with members of the HCC and some focused outreach can be completed and presented to the HCC. We believe this can be accomplished before the HCC meets in April. I will also be presenting this letter and request to you at the March 22 HCC meeting on behalf of the full Council.

If you have any questions, please contact me at psweet@kirklandwa.gov or City Manager Kurt Triplett at ktriplett@kirklandwa.gov.

Sincerely,

CITY OF KIRKLAND



Penny Sweet
Mayor

Attachment: Resolution R-5434

RESOLUTION R-5434

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING THAT BLACK LIVES MATTER AND APPROVING THE FRAMEWORK FOR KIRKLAND TO BECOME A SAFE, INCLUSIVE AND WELCOMING COMMUNITY THROUGH ACTIONS TO IMPROVE THE SAFETY AND RESPECT OF BLACK PEOPLE IN KIRKLAND AND END STRUCTURAL RACISM BY PARTNERING WITH THOSE MOST AFFECTED

1 WHEREAS, On February 21, 2017 the City Council adopted
2 Resolution R-5240 declaring Kirkland a Safe, Inclusive and Welcoming
3 Community for all people; and
4

5 WHEREAS, following adoption of Resolution R-5240, the City has
6 taken many budgetary and policy actions to make progress towards this
7 goal but recognizes there is still much more to be done to achieve
8 equity, justice and inclusion for everyone; and
9

10 WHEREAS, since the tragic killing of George Floyd by a police
11 officer on May 25, 2020 in Minneapolis, Minnesota, there have been
12 dozens of protests, marches and rallies in Kirkland calling for an end to
13 structural racism and for the City to demonstrate that Black lives matter;
14 and
15

16 WHEREAS, at the June 16, 2020 City Council meeting, the
17 Council issued a formal statement to the community on issues of
18 structural racism and injustice and requested that the City Manager
19 develop "a framework for a citywide response to the issues of bias and
20 racism towards our Black and brown community members" to be
21 presented at the July 7, 2020 Council meeting; and
22

23 WHEREAS, the June 16 statement also asked the City Manager
24 to bring to the July 7, 2020 Council meeting "a request for necessary
25 resources for early implementation actions and community-wide
26 conversations on these critical topics"; and
27

28 WHEREAS, the Eastside Race and Leadership Coalition has for
29 several years brought together local stakeholders from across the
30 community in pursuit of a vision in which the diversity of leaders in local
31 government, social service and non-profit organizations, commerce and
32 education sectors reflect those living in the communities, and that the
33 decisions they make respect the cultural and social differences of those
34 living, working, learning and growing in these communities and
35 eliminate barriers that would otherwise keep them from achieving their
36 fullest potential; and
37

38 WHEREAS, several notable Black leaders from the Eastside Race
39 and Leadership Coalition formed a group called the Right to Breathe
40 Committee, and since June 12, 2020 have been engaging the City in
41 discussions and have called upon the City to abolish systemic Anti-
42 Blackness to ensure equal justice, provide oversight and accountability
43 through equitable shared decision-making that embodies the phrase
44 "nothing about us without us", and de-escalate encounters involving
45 people enforcing laws and rules against Black people; and

46
47 WHEREAS, community members have encouraged the City to
48 evaluate police policies against the national Campaign Zero's "8 Can't
49 Wait" campaign to end police violence, and to commit to President
50 Barack Obama's four part "Mayor's Pledge", which includes: reviewing
51 the City's police use of force policies; engaging the Kirkland community
52 by including a diverse range of input, experiences, and stories in the
53 review; reporting the findings of the review to the community and
54 seeking feedback; and reforming the City's police use of force policies;

55
56 WHEREAS, this resolution incorporates elements of the "8 Can't
57 Wait" and "Mayor's Pledge" initiatives and is also intended to create a
58 path to progress on the goals of community stakeholders seeking
59 change;

60
61 NOW, THEREFORE, be it resolved by the City Council of the City
62 of Kirkland as follows:

63
64 Section 1. The City Manager is hereby directed to develop
65 Transparency strategies to allow the community and the Council to
66 understand how the City as an organization is performing. These
67 strategies shall include but are not limited to:

- 68 a. Developing a police "use of force" public dashboard;
- 69 b. Evaluating enhancements to the existing police dashboard
70 that help guard against bias in police action;
- 71 c. Developing a School Resource Officer public dashboard;
- 72 d. Developing a Human Resources public dashboard;
- 73 e. Developing a Human Services public dashboard; and
- 74 f. Other strategies identified by the community and the
75 Council.

76
77 Section 2. The City Manager is further directed to develop
78 Accountability strategies to allow the community and the Council to
79 understand the City's current police use of force policies and identify
80 possible changes to such policies. These strategies shall include but are
81 not limited to:

- 82 a. "8 Can't Wait" police use of force policy review;
- 83 b. Contracting for third party policy use of force review and use
84 of force data evaluation and analysis;
- 85 c. Structured Council use of force policy and data deliberations;
- 86 d. Evaluating options for independent civilian oversight of
87 police use of force.
- 88 e. Developing a police body camera pilot program; and
- 89 f. Review of national best practices for alternatives to police for

90 serving those experiencing homelessness, behavioral health
91 issues, drug addiction and other community challenges.
92

93 Section 3. The City Manager is further directed to develop
94 further Accountability strategies to allow the community and the Council
95 to understand and identify possible changes to other City organizational
96 structures, programs, and policies. These strategies shall include but
97 are not limited to:

- 98 a. Evaluating implementation of a community court to reduce
99 disproportional impacts on traditionally marginalized
100 populations;
- 101 b. Contracting for a comprehensive City organizational equity
102 assessment to identify gaps in diversity, equity and inclusion
103 in all areas of City policy, practice and procedure, and to
104 identify proposed actions steps to address these gaps;
- 105 c. Conducting a comprehensive review of City procurement and
106 contracting processes and documents to eliminate barriers
107 for disadvantaged businesses enterprises to compete for City
108 projects;
- 109 d. Evaluating whether public art, public symbols, special events
110 and City programming in Kirkland are welcoming to all
111 community members;
- 112 e. Expanding the diversity of public art, symbols, events and
113 programming to be more inclusive; and
- 114 f. Other strategies identified by the community and the
115 Council.
116

117 Section 4. The City Manager is further directed to develop
118 Community Engagement strategies to facilitate citywide conversations
119 about structural racism and policy and program solutions. These
120 strategies shall include but are not limited to:

- 121 a. Community engagement process centered around Black
122 people;
- 123 b. Targeted additional stakeholder engagement including
124 Indigenous people and people of color, with a focus on
125 including intersectional voices;
- 126 c. Town Halls, virtual meetings and small group discussion;
- 127 d. Surveys, mailers and social media campaigns;
- 128 e. Council retreat and public hearings; and
- 129 f. Other strategies identified by the community and the
130 Council.
131

132 Section 5. The City Manager is further directed to develop
133 Funding strategies to implement the entire framework set forth in this
134 resolution. These strategies shall include but are not limited to:

- 135 a. Funding an outside review of police use of force;
- 136 b. Funding a body camera pilot project;
- 137 c. Funding community engagement strategies;
- 138 d. Reserving additional funding to implement ideas from
139 community engagement, a national best practices review,
140 and the equity assessment; and
- 141 e. Meeting other funding needs identified by the community

142 and the Council.

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Section 6. The City Manager is hereby directed to return to the Council by August 4, 2020 with funding recommendations for Council authorization to implement the elements of the framework resolution.

Passed by majority vote of the Kirkland City Council in open meeting this 4 day of August, 2020.

Signed in authentication thereof this 4 day of August, 2020.



Penny Sweet, Mayor

Attest:



Kathi Anderson, City Clerk



CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033
425-587-3001

MEMORANDUM

To: Kurt Triplett, City Manager

From: James Lopez, Deputy City Manager, External Affairs
David Wolbrecht, Senior Neighborhood Services Coordinator

Date: October 8, 2021

Subject: EQUITY PLAN OF RECORD UPDATE

RECOMMENDATION:

It is recommended that the City Council hear a presentation by Chanin Kelly-Rae, President and CEO of Chanin Kelly-Rae Consulting LLC on the executive summary of the City's diversity, equity, and inclusion gap analysis and recommendations (Attachment A).

BACKGROUND DISCUSSION:

On August 4, 2020, the City Council adopted Resolution R-5434 to ensure the safety and respect of Black people and dismantle structural racism in Kirkland (Attachment B). Section 3b of R-5434 called for "Contracting for a comprehensive City organizational equity assessment to identify gaps in diversity, equity and inclusion in all areas of City policy, practice and procedures, and to identify proposed actions steps to address these gaps." The City contracted with Chanin Kelly-Rae Consulting LLC to conduct this assessment, as she had conducted the organization-wide diversity and implicit bias training for all City staff throughout 2019. Retaining Ms. Kelly-Rae for the organizational equity assessment strategically leveraged the trusted relationships and shared understanding that were developed during the 2019 training process.

The purpose of a comprehensive organizational equity assessment is to allow City Council, City staff, and the community to better understand issues related to organizational and community inequities and to identify strategies for addressing those inequities in City government and the community. As part of the organizational equity needs assessment, Ms. Kelly-Rae has guided a gap analysis and strategic planning process involving the community to better position the City in identifying internal and external growth opportunities relative to the areas of diversity, equity, and inclusion. The result of this work will be an "Equity Plan of Record", which is intended to inform various programs, policies, and practices across the City organization, not just those identified in R-5434.

Ms. Kelly-Rae's approach to the organizational equity needs assessment is separated into five phases: Implicit Bias Training, Planning and Scoping, Organizational Equity Needs Assessment, Gap Analysis, Presentation and Publication of Equity Plan of Record. Since January 2021, Ms. Kelly-Rae has conducted numerous one-on-one interviews, focus groups, employee listening sessions, community meetings, an all-staff survey, a community survey, and strategic document review. Ms. Kelly-Rae provided an update on her work at the May 4, 2021 City Council [Study](#)

[Session](#).¹ Informed by her research, Ms. Kelly-Rae has compiled executive summary findings of her diversity, equity, and inclusion gap analysis and recommendations. Ms. Kelly-Rae will present those findings for Council review and discussion.

As part of that work, Ms. Kelly-Rae worked closely with City staff on the draft City's Diversity, Equity, Inclusion, and Belonging (DEIB) Five Year Roadmap (Attachment C), which will be one chapter of the City's Equity Plan of Record. The DEIB Five Year Roadmap is structured to align with the King County Equity and Social Justice Strategic Plan and contains the same six goal areas as the King County plan. Within those six goal areas are currently a total of 18 goals and 67 objectives. Ms. Kelly-Rae and her team are still integrating additional community and City data and feedback, and additional goals and/or objectives may still be forthcoming. However, the goals and objectives that are currently drafted are not anticipated to change substantively.

NEXT STEPS

The intent after Council reviews the gap analysis and draft DEIB Roadmap is for staff to share the draft DEIB Roadmap with the community and those who attended the R-5434 focus groups for feedback and suggestions. Ms. Kelly-Rae will also convene her community diversity advisory group for review of the document. Both of these efforts will help inform potential Council adoption of the final DEIB Roadmap in January 2022. Implementing the final DEIB Roadmap will become the work program for the DEIB Manager once the position is filled. In the meantime, staff will proceed with DEIB Roadmap objectives that are listed as Q4 2021 actions.

Attachment A: Diversity, Equity, and Inclusion Gap Analysis and Recommendations
Attachment B: Resolution R-5434
Attachment C: Draft Diversity, Equity, Inclusion, and Belonging Five Year Roadmap

¹ City Council Study Session, May 4, 2021. https://www.kirklandwa.gov/files/sharedassets/public/city-council/agenda-documents/2021/may-4-2021/3b_study-session.pdf



**ASSESSMENT OF CITY OF
KIRKLAND'S
EFFORTS ON DIVERSITY,
EQUITY, INCLUSION &
BELONGING**

**EXECUTIVE SUMMARY
October 19, 2021**

The City of Kirkland has declared itself a safe, inclusive, and welcoming community for all people. Together, we are concerned with the welfare of all people who live, work, or visit the city. Our goal is that everyone feels respected, valued, and has a sense of belonging.



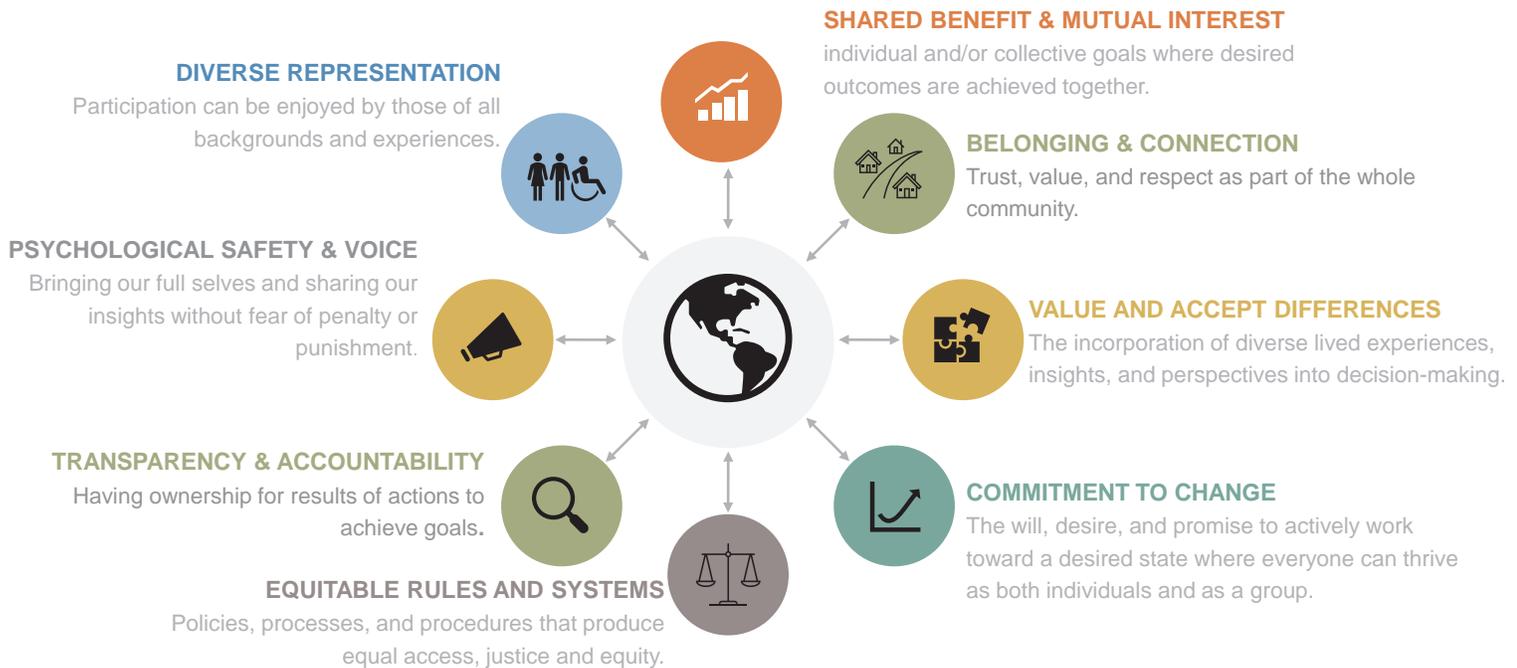
- The Purpose of the Organizational Equity Assessment and Gap Analysis: Historical Background & Background Discussion
- Review Process and methodology of assessment
- Presentation of Assessment Report Findings – Executive Summary
- Highlight of Recommendations
- Acknowledgements

Background Discussion

- Following the tragic killing of George Floyd by a police officer on May 25, 2020 in Minneapolis, Minnesota, numerous marches and rallies were held in Kirkland calling for an end to structural racism and for the City to demonstrate that Black lives matter.
- At the June 16, 2020 Council meeting, the Council issued a statement directing the City Manager to develop a framework for the City's response to the community.
- At the July 7, 2020 Council meeting, the Council held a public hearing on the draft framework, Resolution R-5434.
- At the July 21, 2020, Council meeting, the Council received further community feedback on the revised resolution and adopted various amendments to it.

8 Drivers of Diversity, Equity, Inclusion & Belonging

Critical elements that promote, support, maintain, and sustain best practices of DEIB.



Review Process and Methodology of Assessment

Diversity, Equity, Inclusion, and Belonging [DEIB] Strategic Project Mapping Initiative Milestones



ID	Deliverable Task
1	Formation of DEIB Strategic Advisory Group
2	D&I staffing assignment for DEIB Project Initiative
3	Develop framework and scope for needs assessment
4	Community Diversity Advisory Group [CDAG] Structured
5	Review of internal data, policies, and related documents
6	Administration of individual interviews, forums, surveys for needs assessment, gap analysis.
7	Conduct focus groups, forums with relevant stakeholders to secure input on city programs and services
8	Gap Analysis. Data analysis of all data/insights collected resulting in recommendations for action
9	Departmental Planning and Strategy for Equity Planning and Strategic Alignment
10	Kirkland City Council Retreat
11	Equity Plan of Record – Organizational development and diversity management plan, DEI Dashboard/Output goals
12	Community Engagement and Outreach Activities
13	Staff Diversity & Inclusion Training



Presentation of Assessment Report Findings

Gap Analysis Results and Key Findings are organized into the following focus areas:

1. Leadership Insights - Kirkland Director's Team, Houghton Community Council, Kirkland City Council
2. Staff Insights – Employees of the City of Kirkland
3. Community Insights – Business owners/operators, residents, students, visitors, and community stakeholders with an interest in the City of Kirkland.
4. Organizational Document Review Findings – Policies, processes, and procedures governing the City of Kirkland's operations and budget impacting diversity, equity, inclusion, and belonging.

High Level Leadership Insights

The assessment defines “leaders” as members of the Kirkland Director’s Team (City Manager and Department Directors), Kirkland City Council Members, and Houghton Community Council Members. Each leader participated in 1:1 interviews to assess workplace, workforce, and community culture relative to diversity, equity, inclusion, and belonging in the City of Kirkland. The following represents themes from their interview responses:

Diversity, Equity, Inclusion and Belonging (DEIB) conversations, strategies, and engagement represent a value-add for the community and city government because this represents a vehicle to constructively engage in meeting the needs of an increasingly diverse city.

Leadership commitment is seen as higher today than at any other time over the past several years.

Leaders see their individual roles as modeling best practices and behaviors, partnering with staff and community to find solutions to today’s challenges, and better communicating current efforts and successes.

The biggest missed opportunity was waiting to engage in a more formal, structured process to develop a DEI strategy plan.

The biggest win has been to engage in the process of a formal process to develop the DEI Strategic Plan in partnership with the community.

Most leaders believed that DEI efforts have been more reactive than proactive over the past five (5) years.

High Level Staff Insights – Focus Groups

There were a total of 10 Staff Listening Sessions

3 – All Staff (Virtual)

3 Kirkland Police Department (In-Person)

4 Kirkland Fire Department (In-Person)

What follows are representative samples of insights shared by staff during Listening Sessions (Focus Groups) to collect insights and experiences shared by staff as employees of the City of Kirkland.

There was a consistent theme among skilled trade female staff that participated in the listening sessions that shared a strong concern over physical safety, specifically unwanted touching by male supervisors in positions of authority.

Some staff that did not have the benefit of a college degree shared that they don't always feel like there is an opportunity to advance to manager or leadership roles. Those same participants were unclear on the competencies and requirements to advance beyond their current role.

Most staff participants felt that they could trust their immediate supervisor, but the same sentiment was not consistently shared when referencing senior (Director level) leaders. Staff are more likely to trust the leaders closest to them in the chain of command.

Sworn officers and Non-Sworn Officers (Police and Fire) were more likely than not to express distrust in senior leadership outside of their departments. Many shared instances of having been made promises of transparency and collaboration, and felt those commitments were not kept.

Many staff with Kirkland Fire Department shared that they are understaffed, overworked, and do not have the operational resource staffing support that promotes good order. There are generally a small number of officers in the fire houses that take on the additional role of ordering supplies and ensuring that equipment needs are in order during their off hours, down time, or stay on additional hours to ensure that the station operates to high standards. They "burn out," but do these tasks because they must be done.

Kirkland Police officers express low morale, feel targeted and attacked, and share that they are scapegoats when the City Council and City Manager's office cannot find solutions to difficult community problems; i.e. housing insecure residents living in RVs or unsheltered locations, people experiencing mental illness, teens drinking in the park during Covid-19. Officers shared that they are sent onsite to deal with complaints yet are not given clear direction by leaders. Or, when direction is given, and the public perception is not positive the officers take blame for because of poor planning by City leaders.

Both fire and police officers made appeals for additional time to train.

Staff were more likely than not to believe that the City Council makes decisions based on political pressure than to take on difficult issues and do what they know is the right thing to do.

Staff across every department want more opportunity to learn and grow in their professional capacity, even if they don't promote within city government.

Most staff love their jobs and feel it is a joy and privilege to work for the City of Kirkland and its community.

Most staff want a more open, transparent, and accountable government. Those same staff shared that they would like to be part of solutions-oriented strategies.

Most staff do not believe there is a culture of psychological safety to disagree with senior leaders or City Council.

Kirkland Police want to be able to share their successes and promote positive images of the officers and department without feeling like they are being punished for humanizing themselves individually and/or collectively. The vast majority shared that they want to continue to improve community and police relations. They shared that they are frustrated when something negative involving police is in the news because they believed it would negatively impact them, even when that negative action is 3000 miles away.

The vast majority of staff want to be involved in the decision-making that will affect their lives and careers.

Human Resources staff shared that there is disorganization, lack of support, and lack of consistent leadership for their department.

Most staff shared that DEI is a business imperative and want to see what is being done to improve the culture and diversity of the City of Kirkland as both an employer and community.

The majority of staff expressed a desire to continue to improve public and private interactions with the community. This was a theme that went through every listening session. Staff want to hear from the community and meet the public where they are in terms of needs from the City of Kirkland.

The workplace culture of Kirkland is strong and people express that they are happy to see the City focus on DEI efforts.

People of color on staff were more likely to share having had negative experiences as employees of the City of Kirkland. Black staff were more likely to share having negative experiences more than all other racial/ethnic groups.

Most staff felt that it is past time for the community to discuss and/or engage in conversations regarding DEI issues.

Many staff members shared that they want to see the City use data to share progress toward goals of any kind. Most staff shared that they want more information and communication from senior leaders as opposed to less information.

High Level Staff Insights

Top 3 Staff Strengths

Areas with High Sentiment Scores



City of Kirkland Gender Ethnic Diversity

Observation 1

The below observations represent the top 3 strengths as it relates to the entire survey population. Not isolating factors such as race, education, or tenure, roughly 80% of the survey population believed that the City of Kirkland is treated with respect, feels comfortable being themselves, and observed other employees within the city being treated with respect and dignity.

At work, I am treated with respect.



(1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree

At work, I feel comfortable being myself.



(1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree

Employees for the city of Kirkland are treated with respect and dignity.



(1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree



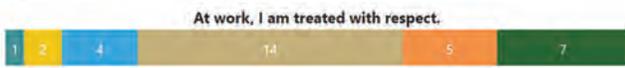
City of Kirkland Gender Ethnic Diversity

Observation 3

The below observations represent the top 3 strengths as it relates to both minority and non-minority respondents. Both groups identified with the same survey questions, with roughly 84% identifying these survey questions as overall strengths by the City of Kirkland. While the below responses represent 90% of the total population, individuals who chose to identify as "Prefer not to identify" listed "Everyone working for the city of Kirkland is treated fairly regardless of ethnic background, race, gender, age, ability, or other differences not related to job performance" as top strength, as opposed to "My supervisor creates an environment that is safe and respectful"

Minority Respondents

Non-Minority Respondents



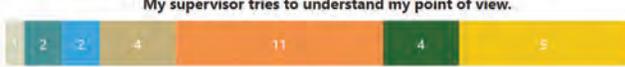
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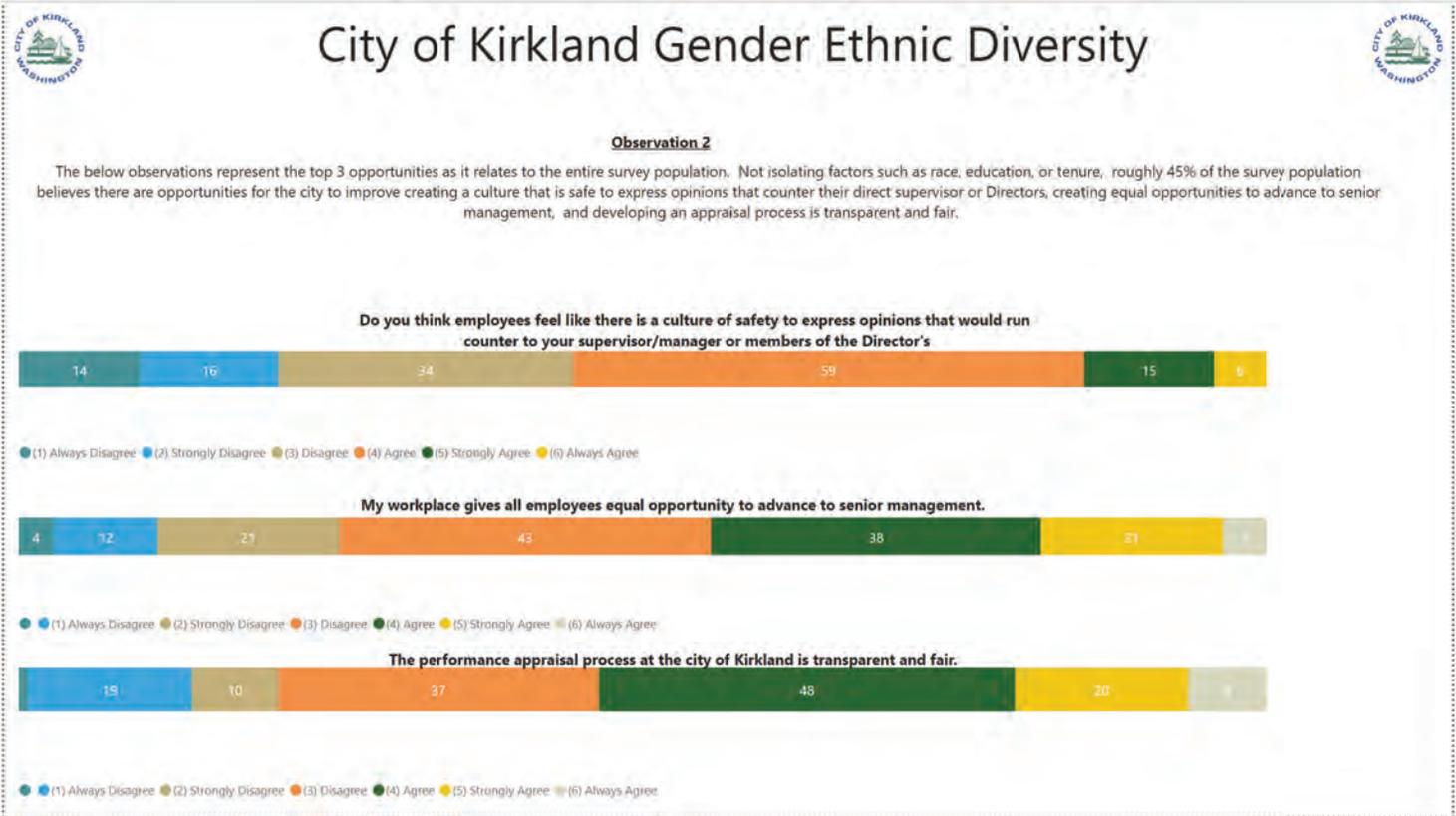


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Legend: (1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree

High Level Staff Insights Growth Opportunities

Areas with Lowest Sentiment Scores Require
Improvement





City of Kirkland Gender Ethnic Diversity

Observation 7

The below observations represent the top 3 opportunities as it relates to the entire survey population. Both populations address concerns with advancement within the organization. Minority groups express opportunities to create an environment that allows for promotions based on performance. In contrast, the non-minority populations represent opportunities to make an environment that provides equal opportunities to advance to senior leadership.

Minority Respondents

I am paid fairly for the work I do.



(1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree

I have the same opportunities for advancement as other city of Kirkland employees with similar experience and performance levels.



(1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree

Diversity and inclusiveness issues are openly discussed.



(1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree

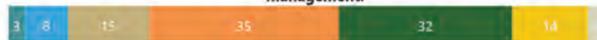
Non-Minority Respondents

Do you think employees feel like there is a culture of safety to express opinions that would run counter to your supervisor/manager or members of the Director's.



(1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree

My workplace gives all employees equal opportunity to advance to senior management.



(1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree

The performance appraisal process at the city of Kirkland is transparent and fair.



(1) Always Disagree (2) Strongly Disagree (3) Disagree (4) Agree (5) Strongly Agree (6) Always Agree



Community Insights

City of Kirkland - Diversity, Equity, Inclusion & Belonging Assessment 2021

Community Focus Group Participant High Level Insights:

- Community members mentioned the need for cultural competency training for all City staff, specifically related to public services that often happen in person, “training for the ‘first faces’ of the City - being able to be culturally responsive and speak other languages.”
- Overall community members expressed a need for social safety nets in the form of alternatives to policing, mental health services in community and schools and alternative court measures. “Community service restorative justice workshops/ideas to repair the situation that led to community court engagement; link social services to individuals as they come out of court; addresses the smaller, but equally important community issues.”
- Educate the community on ways that they can help to end anti-Black racism.
- Would like to see more BIPOC community members in decision-making, leadership roles helping to decide on policy and budget matters. Perhaps selection on Boards, Advisory, or other groups.
- Body cameras should be worn and used at all times, permitting legal use. Police show negative interactions with BIPOC community, which only perpetuates negative stereotypes. The department should be willing to also share positive interactions.
- Some community members shared that armed police don’t make kids feel safe, they feel uncomfortable.
- Police Unions cannot be allowed to protect officers who are doing the wrong things, breaking rules, harming the community and BIPOC people. There must be real accountability and responsibility for causing harm.
- The community must do more to address disparities in punishment of students, white kids don’t face same consequences as BIPOC students (who face more harsh consequences). Schools overreact when Black kids do the same things as white kids. Punishment is not equal or always appropriate.

Kirkland Promotores, Eastside for All, Eastside Refugee and Immigrant Coalition, and the Latino Community Fund Community Survey

Latinos in Kirkland Survey Result Highlights

Respondents: 209 households surveyed consisting of 477 adults and 257 youth under the age of 18.

- Thank you for taking us into account – we feel forgotten.
- 74% would feel comfortable calling the police if needed for an emergency situation.
- What respondents like about Kirkland:
 - 1) 80% feel safe in Kirkland.
 - 2) It is quiet, clean, good jobs, good education, parks, and libraries.
 - 3) Overall, the people are respectful and friendly.
- 50% do NOT have health insurance.
- What respondents don't like about Kirkland:
 - 1) Housing is very expensive.
 - 2) No Latino stores, events or cultural center ("no Latino community").
 - 3) No services in Spanish, lack of support for Latino community.
 - 4) Racism and discrimination are a real problem.
 - 5) Bad traffic.

Cities of Residence

Kirkland: 120	Duvall: 1
Bothell: 22	Renton: 1
Bellevue: 12	Auburn: 1
Lynwood: 12	Edmonds: 1
Redmond: 11	Kent: 1
Kenmore: 9	Mukilteo: 1
Woodinville: 5	Shoreline: 1
Everett: 3	Snohomish: 1
Issaquah: 2	Vancouver: 1
Seattle: 2	Burien: 1
Unknown: 1	

Respondents who did not reside in Kirkland either worked in Kirkland or had some other connection to Kirkland via family or friends.

What services and information are needed by the Latino Community?

Programs and services in Spanish!

A Latino community center

Quality art, recreation, and sports activities that are affordable

Latino social/health services

English classes for adults

Latinos in City staff positions

Opportunities to participate in civic efforts & decision-making processes

Kirkland Community Diversity, Equity, Inclusion & Belonging Survey

610 Respondents

Survey Languages:

English

Spanish

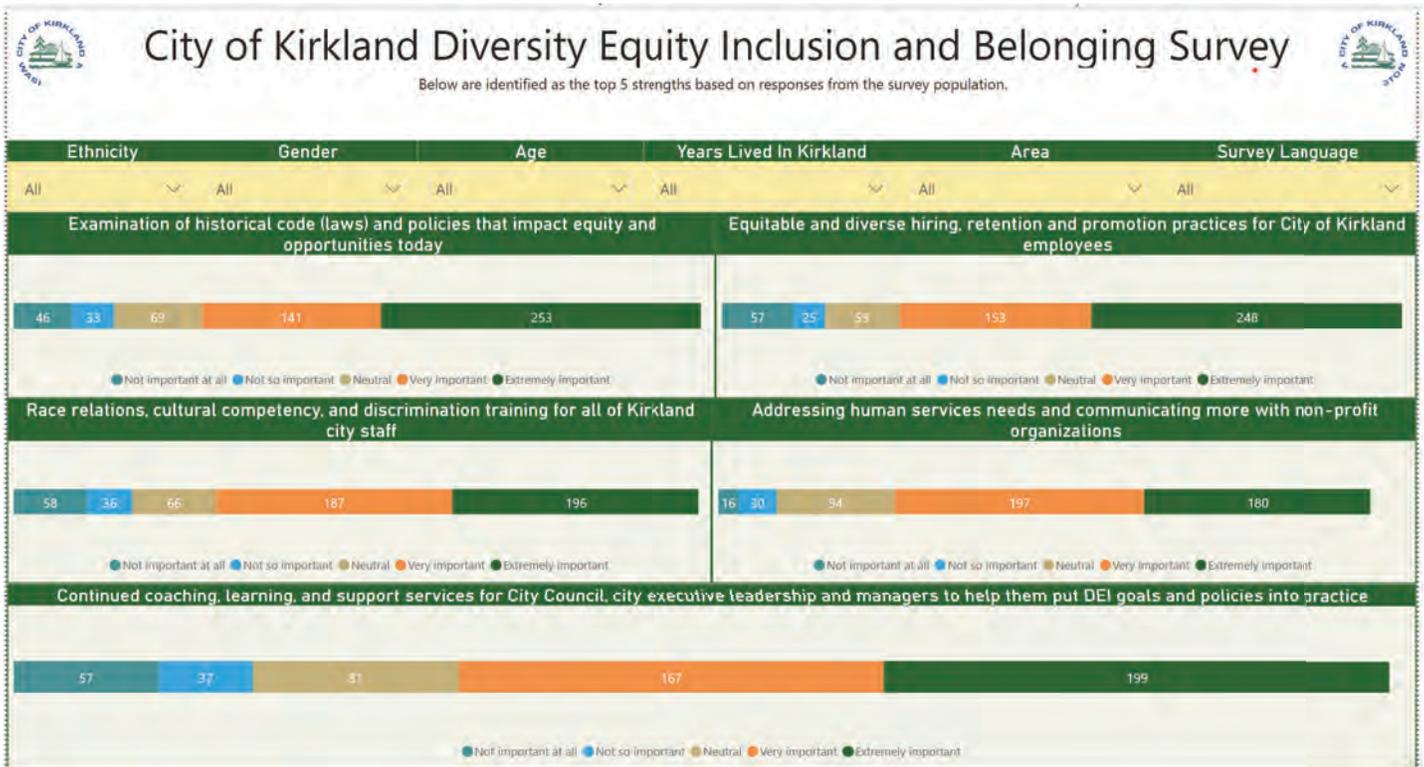
Russian

Portuguese

Chinese

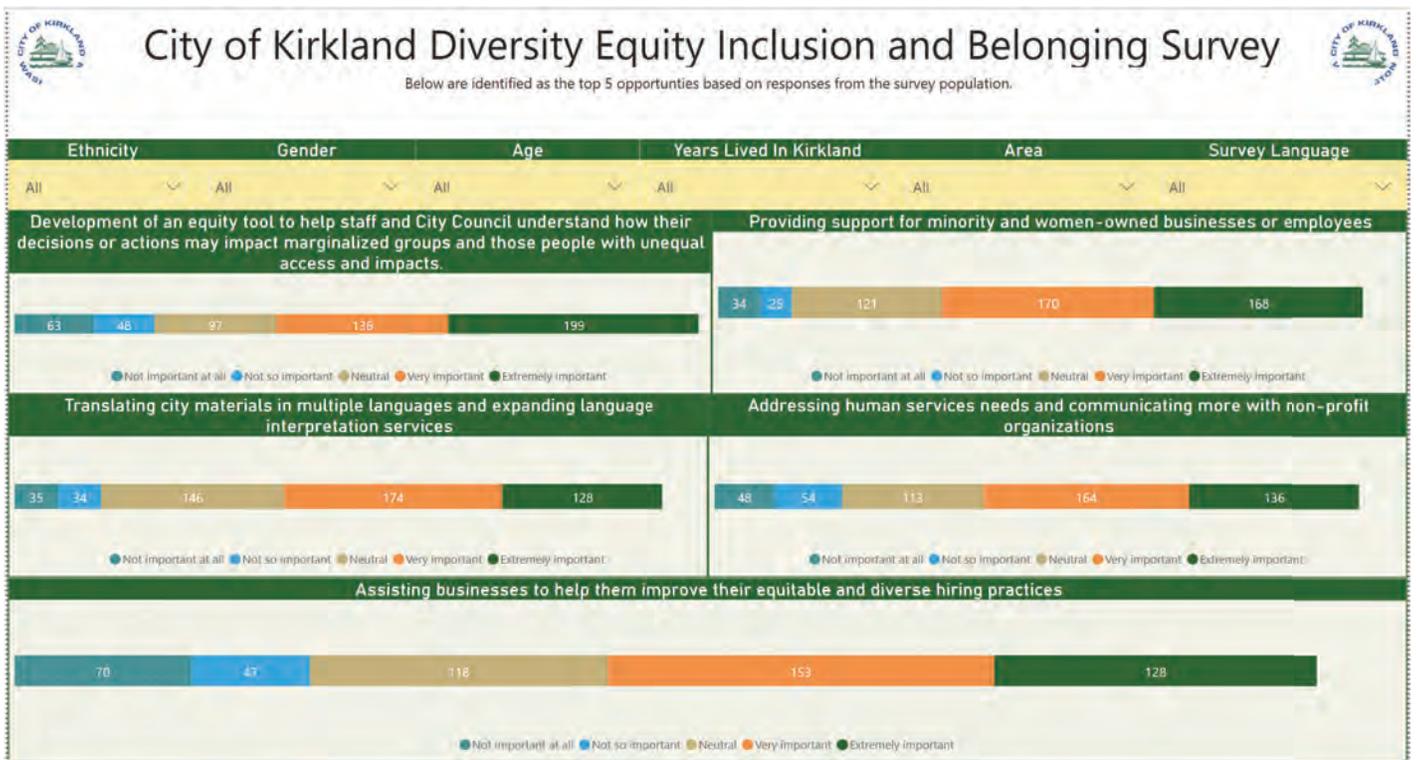


High Level Community Insights – Top 5 Most Important Priorities for Entire Community



City of Kirkland - Diversity, Equity, Inclusion & Belonging Assessment 2021

Top 5 Growth Opportunities based on Community Feedback



City of Kirkland - Diversity, Equity, Inclusion & Belonging Assessment 2021

HCC Decision Making Authority & Tenure

Any Kirkland ordinance or resolution that applies to land, buildings or structures within the HCC boundaries becomes effective only on the approval of the HCC (or by the failure of the HCC to disapprove the action). The HCC also has the authority to make recommendations to the Kirkland City Council and the City Manager on any issues which may directly or indirectly affect the area within the HCC boundaries.

The Town of Houghton was founded in 1948 and consolidated with the city of Kirkland in 1968. **The municipality existed for 20 years.**

In 1967, a new state law (the Community Council Law) allowed for the smaller of two merging cities to form their own Community Council. This council would have disapproval (veto) power over land use decisions that affected their community. After much negotiation and several votes, Houghton and Kirkland voted to consolidate in 1968. Houghton became the first community in the state of Washington to have their own neighborhood council.

The Houghton Community Council has existed for 53 years. The HCC has existed as a legal entity for 33 years longer than the community they represent today.

HCC Insights and Findings

Executive/Leader Interviews with 5 of 7 HCC Council Members

Two (2) members refused to be interviewed as part of the DEI Assessment Initiative.

Insights shared during interviews:

- Most characterize their influence as members of the HCC as “having very little influence, control or authority” over matters of the City of Kirkland; particularly, outside of their borders. Their focus is on land use in the HCC jurisdictional boundaries.
- Strong desire to maintain the neighborhood culture, which was described as “small, modest homes in a community of blue-collar shipyard workers.”
- Desire to do what is best for their neighborhoods and all of the city of Kirkland.
- When asked about the information that comes before them. The agenda and resolution will have maps, spreadsheets, etc to help consider a matter before the HCC. The City staff provides the information. We are the bosses, and they are the staff, doesn’t make sense because they know more than we do. We use the data as a jumping off point, and we can ask the staff questions.
- On understanding impact of decision-making using data as an HCC body. We don’t see what we need. We ask for data to understand impact. Northwest University wanted to do a remodel. Wanted info from subcontractors, vendors, etc. NW University made promises regarding the project. Transportation studies from both pre/post build of school. They try to predict future impact based on past decision-making (legacy/historical data)
- Vast majority of Kirkland residents and community members have no idea that the HCC exists, and of those that come to know of their existence, they are unsure of what it is that the HCC does as a governing body.

- All shared that they cannot VETO any actions outside of the HCC boundaries.
- They are elected by members of the HCC community every four (4) years.
- Most HCC Council Members have historically been seated for terms of 10-20+ years, and when some have decided they no longer want to serve (in the past) an outgoing member would identify someone that a personal friend (or known to them) and that person could generally replace the outgoing member.
- Outreach and engagement to the community is done through the efforts of either the City of Kirkland Planning staff, or the Central Houghton Neighborhood Association (and their local Homeowner's Associations). They use social media, email, newsletters, word-of-mouth, and place signs around the neighborhood to communicate when their meetings will occur.
- When asked about low turnout and participation by their HCC neighbors. Public processes generally attract the same types of people, most are busy living their lives and don't participate in matters of government unless they notice something being built near their own properties.
- They don't receive any data or information to know the impact of their decision-making. When things are built, it generally takes a long time to see any significant impact.
- HCC exists today because they are preserving a commitment, and community.
- At least 2 members wished that all 13 neighborhoods had a more direct role in the discussions and decisions that impacted their areas.
- They try to avoid having to exercise their VETO authority and prefer to maintain a close working relationship with the City Manager, City Council, and Planning Department. On decision-making: "I feel like we beat it to death how it will impact the neighborhood. Goal is not to veto but negotiate with Council and neighborhoods."

- When asked if the other Kirkland neighborhoods should have a decision-making body that is equal to the HCC, in the interests of equity. Response: Other neighborhoods weren't a City. One respondent shared, "*In a perfect world, the City Council would make decisions, but they don't.*" Some HCC members wished that it were possible, but at least one member said that if other neighborhoods had the equivalent of the HCC "nothing would ever get done." They believe that the City Council (and some in the City) doesn't want them to exist.
- When asked to describe the historical character. Response was a community with lower roof heights, low-income residents, small lots, chicken coops, and small houses. Kirkland wanted to house battleships on the waterfronts and the HCC community fought against the plans of the City of Kirkland.
- Wishes the City were more responsive to the neighborhoods.
- HCC is preserving the old neighborhoods, most on HCC live in old homes.
- Maintaining character which was working class families. When the HCC member who shared this characterization was asked if that is what they believed the current Kirkland could be described as the individual wished that it was.
- When asked, "what charm are you preserving?" Response was "single family lots, a family community."
- Most were not supportive of Triplexes and/or Accessory Dwelling Units (ADUs) on lots.
- Housing prices are the greatest barrier for the community.
- "I don't know what Kirkland's character is anymore."
- Kirkland is a lot of single young men, and a lot of tech workers.

Examples of Exercise of Disapproval Jurisdiction on Matters Related to the Kirkland Zoning Code Amendments (Legislative Authority)

General

- School heights (more restrictive)

KZC 90

- Reasonable Use Exceptions (less restrictive)

KZC 112

- Inclusionary zoning requirements for affordable housing not adopted (except for HENC zones), provisions may be used voluntarily (less restrictive)

KZC 113

- Cottage, Carriage and Two/Three-Unit Homes (more restrictive)

KZC 115

- FAR limits in single family zones (less restrictive)
- Garage design in single family zones (less restrictive)
- Solar panels on flat roofs 6" height bonus (more restrictive)
- 4' setback for bay windows and other projections in single family zones ...(less restrictive)
- Porches in setbacks (more restrictive)
- Boat and trailer parking (less restrictive)
- Marijuana business buffers from childcare centers (more restrictive)

KZC 127

- Homeless encampments
- Must be sponsored by local church, can't be sponsored by other community organizations (more restrictive)
- Notices must be sent to HCC



RECOMMENDATIONS

City of Kirkland - Diversity, Equity, Inclusion & Belonging Assessment 2021

Organizational Document Review Findings - Themes

The Strategic Plan & Vision
City Charter Documents



Recommended Action Steps

Share results, data, and information highlighting strengths and areas needing improvement.

- Hire a Diversity & Inclusion leader to regularly monitor progress, support efforts, and share key highlights from the assessment, both strengths and weaknesses.
- Celebrate key strengths and clearly communicate the benefits to staff and community members of each goal area.
- Highlight core strengths (i.e., respect) on your DEI webpage to support the community & employee value propositions.
- Emphasize the DEI Strategic Plan as the vehicle to address opportunities.
- Publish the resulting impact of DEI Strategic Plan and resulting data to address opportunities on an annual basis.

Leverage support and commitment to drive areas of improvement

- Embed reminders of City leadership commitment as a key driver of inclusion for the City of Kirkland into communications and business planning for DEI.
- Reinforce self-reported individual accountability, and perceptions of senior leadership and manager commitment to a fair and inclusive work environment in regular DEI communications, particularly those with a call to action for both City staff and community members.
- Embed DEI strategy across each business vertical and establish measurable objectives to hold leaders accountable for results.

Increase efforts to amplify voices, particularly those of marginalized populations.

- Conduct regular focus group to better understand why some team members do not feel they have a voice, probing on key areas from the survey with low scores across all demographics: voicing contrary opinions, open and honest communication and perspectives like mine are taken into consideration.
- Develop managers skills so they are more capable in listening and hearing employees. Integrate into leadership competencies and behaviors.
- Review Performance Management System to ensure regular opportunities are being taken to have open and honest discussion between employees and their managers.
- Expand mechanisms for employees and community members to share their voice and provide ongoing recommendations, such as Listening Sessions and Town Halls with opportunities for discussion and feedback, team meeting processes and practices, surveys, suggestion boxes with consistent follow up.
- Leverage community partners, task-force(s) and other diverse groups as advisory groups to solve organizational issues. Communicate their successes broadly to the community.

Recommended Action Steps

Investigate diversity, equity, and safety concerns

- Investigate concerns around merit-based recognition, equal opportunity, and psychological/physical safety concerns.
- Conduct focus groups among demographic groups who shared the greatest equity concerns (see recommended design on next slide).
- Review performance management system and rewards processes/practices, considering lower merit-based recognition responses.
- Review hiring practices / promotional practices to highlight possible inequities and redesign for equity.
- Review / Audit L&D participation data, set goals for equitable growth and development experiences.
- Review disaggregated data to identify opportunities of strength and growth that inform strategic direction and decision-making.

Investigate and monitor the experiences of marginalized populations.

- Probe into the biggest areas of concern, such as having a voice and equity.
- Leave space in the focus groups for any additional issues to come up (not covered in the survey).
- Address psychological safety, so that all employees feel that they can share concerns openly with peers, managers, directors, and senior leaders.
- Establish DEI competencies for the organization (operational), and for employees (leaders and individual contributors). Build this into performance reviews and hold all accountable for growth and effort toward goals.
- Conduct focus groups among demographic groups with lower survey scores across factors (see recommended design on next slide).

Recommended Action Steps

Regarding the Houghton Community Council (HCC)

Washington State law grants the Houghton Community Council unique authority over certain land use issues, creating a barrier to the equitable distribution of City programs, services and resources both inside and outside of their borders of jurisdiction.

These inequities include, but are not limited to, neighborhood level veto rights over the availability of affordable housing, increased residential and commercial density, and school expansion.

Based on statements made by several members of the Houghton Community Council, no one else should have the voice and authority that exists for the HCC because “nothing would get done in the City of Kirkland.”

Several former HCC members have expressed regret for having been members of the HCC in the past and believe that it is antiquated and not a fair and equitable body that serves to promote access for community members/residents that are lower income, renters, and marginalized members of the community. The HCC has been described by most people asked as not representative of a diverse community.

Staff is therefore directed to work with the Washington state legislature, the Kirkland City Council and the Kirkland community to sunset the existence of this council. Without the ability to fairly and equitably create a citywide policy that gives equal voice and decision-making authority to all neighborhoods, the City Manager should move expeditiously to bring the Houghton Community Council to a close.

STAFFING RECOMMENDATIONS

Diversity Staffing Central Services Team

The City of Kirkland should proceed to fill the following roles:

- Diversity Manager – To assist in the monitoring, communication, and operational support of city departments in the implementation of the Kirkland Diversity, Equity, and Inclusion Strategic Plan. This role should report to the City Manager or Deputy City Manager.
- Outreach and Engagement Coordinator – To increase and improve regular communication and engagement with the community and its stakeholders. Helping to connect City departments with the community for the purpose of collaboration, and shared decision-making.
- Data Analyst – To study, track, measure, and report on data at all levels of government relative to DEI goals and performance measures. This information should be available to both the community and City staff/leaders to make informed decisions.

Open and Transparent Communication with Staff and Community

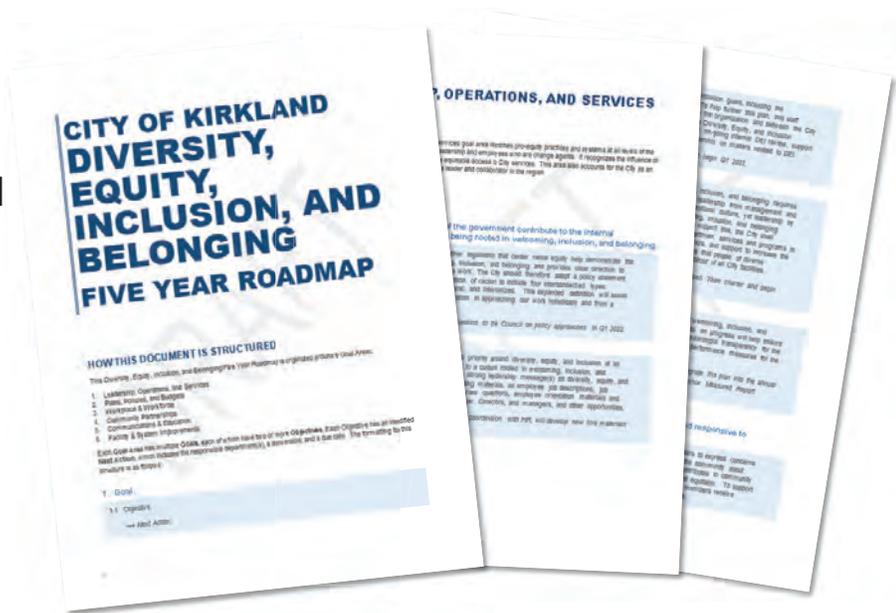
Work with Kirkland Communications and Information Technology to build and maintain a platform to share all of the assessment findings, DEI strategic plan updates in a place and manner that can be accessed by the public and staff, and other data and information informing, influencing, and guiding the DEI priorities of the City of Kirkland. The City must publish an annual update and report of their DEI Strategic Plan to the community.

All Recommended Action Steps from the gap assessment are included in the draft City of Kirkland Diversity, Equity, Inclusion, and Belonging 5 Year Roadmap

Structured to align with King County Equity & Social Justice Strategic Plan

- 6 Goal Areas
- 18 Goals
- 67 Objectives

Defines next actions, department, performance measures, and timing.



Special Acknowledgements

While this project was dependent upon the collaboration, partnership, and extraordinary efforts of many in city government and across the community, special mention is being shared of the following without whom this project would not have been successful.

James C. "Jim" Lopez, Deputy City Manager

David Wolbrecht, Senior Neighborhood Services Coordinator

Andreana Campbell, Management Analyst

Joy Johnston, Interim Communications Program Manager

Chelsea Amable-Zibolsky, Project Manager

Amy Bolen, Executive Assistant

Carmine V. Anderson, Administrative Assistant

Kirkland Promotores

Eastside for All

Eastside Refugee and Immigrant Coalition

Latino Community Fund

King County Equity and Social Justice Office

Chief Cherie Harris, Kirkland Police Department

Tim Day, Deputy Fire Chief Operations

The Kirkland City Council

The Houghton Community Council

Community Diversity Advisory Group (CDAG)

The City of Kirkland Department Directors along with their Department Leadership Teams

Lake Washington School District

Kirkland Chamber of Commerce

Lake Washington Technical School

The Community of Kirkland Washington

RESOLUTION R-5434

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING THAT BLACK LIVES MATTER AND APPROVING THE FRAMEWORK FOR KIRKLAND TO BECOME A SAFE, INCLUSIVE AND WELCOMING COMMUNITY THROUGH ACTIONS TO IMPROVE THE SAFETY AND RESPECT OF BLACK PEOPLE IN KIRKLAND AND END STRUCTURAL RACISM BY PARTNERING WITH THOSE MOST AFFECTED

1 WHEREAS, On February 21, 2017 the City Council adopted
2 Resolution R-5240 declaring Kirkland a Safe, Inclusive and Welcoming
3 Community for all people; and
4

5 WHEREAS, following adoption of Resolution R-5240, the City has
6 taken many budgetary and policy actions to make progress towards this
7 goal but recognizes there is still much more to be done to achieve
8 equity, justice and inclusion for everyone; and
9

10 WHEREAS, since the tragic killing of George Floyd by a police
11 officer on May 25, 2020 in Minneapolis, Minnesota, there have been
12 dozens of protests, marches and rallies in Kirkland calling for an end to
13 structural racism and for the City to demonstrate that Black lives matter;
14 and
15

16 WHEREAS, at the June 16, 2020 City Council meeting, the
17 Council issued a formal statement to the community on issues of
18 structural racism and injustice and requested that the City Manager
19 develop "a framework for a citywide response to the issues of bias and
20 racism towards our Black and brown community members" to be
21 presented at the July 7, 2020 Council meeting; and
22

23 WHEREAS, the June 16 statement also asked the City Manager
24 to bring to the July 7, 2020 Council meeting "a request for necessary
25 resources for early implementation actions and community-wide
26 conversations on these critical topics"; and
27

28 WHEREAS, the Eastside Race and Leadership Coalition has for
29 several years brought together local stakeholders from across the
30 community in pursuit of a vision in which the diversity of leaders in local
31 government, social service and non-profit organizations, commerce and
32 education sectors reflect those living in the communities, and that the
33 decisions they make respect the cultural and social differences of those
34 living, working, learning and growing in these communities and
35 eliminate barriers that would otherwise keep them from achieving their
36 fullest potential; and
37

38 WHEREAS, several notable Black leaders from the Eastside Race
39 and Leadership Coalition formed a group called the Right to Breathe
40 Committee, and since June 12, 2020 have been engaging the City in
41 discussions and have called upon the City to abolish systemic Anti-
42 Blackness to ensure equal justice, provide oversight and accountability
43 through equitable shared decision-making that embodies the phrase
44 "nothing about us without us", and de-escalate encounters involving
45 people enforcing laws and rules against Black people; and
46

47 WHEREAS, community members have encouraged the City to
48 evaluate police policies against the national Campaign Zero's "8 Can't
49 Wait" campaign to end police violence, and to commit to President
50 Barack Obama's four part "Mayor's Pledge", which includes: reviewing
51 the City's police use of force policies; engaging the Kirkland community
52 by including a diverse range of input, experiences, and stories in the
53 review; reporting the findings of the review to the community and
54 seeking feedback; and reforming the City's police use of force policies;
55

56 WHEREAS, this resolution incorporates elements of the "8 Can't
57 Wait" and "Mayor's Pledge" initiatives and is also intended to create a
58 path to progress on the goals of community stakeholders seeking
59 change;
60

61 NOW, THEREFORE, be it resolved by the City Council of the City
62 of Kirkland as follows:
63

64 Section 1. The City Manager is hereby directed to develop
65 Transparency strategies to allow the community and the Council to
66 understand how the City as an organization is performing. These
67 strategies shall include but are not limited to:

- 68 a. Developing a police "use of force" public dashboard;
- 69 b. Evaluating enhancements to the existing police dashboard
70 that help guard against bias in police action;
- 71 c. Developing a School Resource Officer public dashboard;
- 72 d. Developing a Human Resources public dashboard;
- 73 e. Developing a Human Services public dashboard; and
- 74 f. Other strategies identified by the community and the
75 Council.
76

77 Section 2. The City Manager is further directed to develop
78 Accountability strategies to allow the community and the Council to
79 understand the City's current police use of force policies and identify
80 possible changes to such policies. These strategies shall include but are
81 not limited to:

- 82 a. "8 Can't Wait" police use of force policy review;
- 83 b. Contracting for third party policy use of force review and use
84 of force data evaluation and analysis;
- 85 c. Structured Council use of force policy and data deliberations;
- 86 d. Evaluating options for independent civilian oversight of
87 police use of force.
- 88 e. Developing a police body camera pilot program; and
- 89 f. Review of national best practices for alternatives to police for

90 serving those experiencing homelessness, behavioral health
91 issues, drug addiction and other community challenges.
92

93 Section 3. The City Manager is further directed to develop
94 further Accountability strategies to allow the community and the Council
95 to understand and identify possible changes to other City organizational
96 structures, programs, and policies. These strategies shall include but
97 are not limited to:

- 98 a. Evaluating implementation of a community court to reduce
99 disproportional impacts on traditionally marginalized
100 populations;
- 101 b. Contracting for a comprehensive City organizational equity
102 assessment to identify gaps in diversity, equity and inclusion
103 in all areas of City policy, practice and procedure, and to
104 identify proposed actions steps to address these gaps;
- 105 c. Conducting a comprehensive review of City procurement and
106 contracting processes and documents to eliminate barriers
107 for disadvantaged businesses enterprises to compete for City
108 projects;
- 109 d. Evaluating whether public art, public symbols, special events
110 and City programming in Kirkland are welcoming to all
111 community members;
- 112 e. Expanding the diversity of public art, symbols, events and
113 programming to be more inclusive; and
- 114 f. Other strategies identified by the community and the
115 Council.
116

117 Section 4. The City Manager is further directed to develop
118 Community Engagement strategies to facilitate citywide conversations
119 about structural racism and policy and program solutions. These
120 strategies shall include but are not limited to:

- 121 a. Community engagement process centered around Black
122 people;
- 123 b. Targeted additional stakeholder engagement including
124 Indigenous people and people of color, with a focus on
125 including intersectional voices;
- 126 c. Town Halls, virtual meetings and small group discussion;
- 127 d. Surveys, mailers and social media campaigns;
- 128 e. Council retreat and public hearings; and
- 129 f. Other strategies identified by the community and the
130 Council.
131

132 Section 5. The City Manager is further directed to develop
133 Funding strategies to implement the entire framework set forth in this
134 resolution. These strategies shall include but are not limited to:

- 135 a. Funding an outside review of police use of force;
- 136 b. Funding a body camera pilot project;
- 137 c. Funding community engagement strategies;
- 138 d. Reserving additional funding to implement ideas from
139 community engagement, a national best practices review,
140 and the equity assessment; and
- 141 e. Meeting other funding needs identified by the community

142 and the Council.

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Section 6. The City Manager is hereby directed to return to the Council by August 4, 2020 with funding recommendations for Council authorization to implement the elements of the framework resolution.

Passed by majority vote of the Kirkland City Council in open meeting this 4 day of August, 2020.

Signed in authentication thereof this 4 day of August, 2020.



Penny Sweet, Mayor

Attest:



Kathi Anderson, City Clerk

CITY OF KIRKLAND DIVERSITY, EQUITY, INCLUSION, AND BELONGING FIVE YEAR ROADMAP

HOW THIS DOCUMENT IS STRUCTURED

This Diversity, Equity, Inclusion, and Belonging Five Year Roadmap is organized around 6 Goal Areas:

1. Leadership, Operations, and Services
2. Plans, Policies, and Budgets
3. Workplace & Workforce
4. Community Partnerships
5. Communications & Education
6. Facility & System Improvements

Each **Goal Area** has multiple **Goals**, each of which have two or more **Objectives**. Each Objective has an identified **Next Action**, which includes the responsible department(s), a deliverable, and a due date. The formatting for this structure is as follows:

1. Goal.

1.1 Objective.

→ *Next Action.*

Goal Area

LEADERSHIP, OPERATIONS, AND SERVICES**OVERVIEW**

The Leadership, Operations, and Services goal area identifies pro-equity practices and systems at all levels of the organization through accountable leadership and employees who are change agents. It recognizes the influence of day-to-day operations in shaping the equitable access to City services. This area also accounts for the City as an organization as it positions itself as a leader and collaborator in the region.

GOALS**1. Leadership at all levels of the government contribute to the internal organizational culture as being rooted in diversity, equity, inclusion, and belonging.**

- 1.1 Formal policy statements and other legislation that center racial equity help demonstrate the City's commitment to diversity, equity, inclusion, and belonging and provides clear direction to staff about the importance of this work. The City should therefore adopt a policy statement on racial equity, including a definition of racism to include four interconnected types: interpersonal, institutional, structural, and internalized. This expanded definition will assist leaders at all levels of the organization in approaching our work holistically and from a common ground of understanding.

→ *The City Manager will provide options to the Council on policy approaches in Q1 2022.*

- 1.2 Communicating the City's values and priority around diversity, equity, inclusion, and belonging (DEIB) at all levels of the organization contributes to a culture rooted in welcoming and belonging. As such, staff shall infuse strong leadership message(s) on DEIB into the City website, marketing materials, all employee job descriptions, job applications, job advertisements, interview questions, employee orientation materials, routine messages from the City Manager, Directors, and managers, and other opportunities.

→ *CMO and the Leadership Team, in coordination with HR, will develop new hire materials in Q2 2022.*

1.3 Sustained efforts of furthering diversity, equity, inclusion, and belonging (DEIB) goals, including the implementation of this plan, require dedicated staff. To help further this plan, this staff resource can strengthen strategic relationships within the organization and between the City and community groups. Therefore, the City will hire a Diversity, Equity, Inclusion, and Belonging Manager to guide implementation of this plan, conduct on-going internal DEIB review, support community relations, and advise City Council and leadership on matters related to DEIB.

→ *CMO will oversee hiring process to have incumbent begin Q1 2022.*

1.4 Fostering an organizational culture rooted in welcoming, inclusion, and belonging requires staff engagement at all levels of the organization. Clear leadership from management and the executive team helps set the tone for such an organizational culture, yet leadership by non-management employees also contributes to diversity, equity, inclusion, and belonging becoming daily, embodied values of the organization. To support this, the City shall restructure the Diversity Services Team to support all department services and programs in receiving racial equity and culturally specific knowledge, tools, and support to increase the effectiveness of service delivery. The City shall also ensure that people of diverse backgrounds and identities are represented in the art and décor of all City facilities.

→ *CMO and Human Resources will update Diversity Services Team charter and begin meeting in Q3 2022.*

1.5 Embarking on a commitment to an enterprise-wide culture of diversity, equity, inclusion, and belonging is a journey. The identification of regular checkpoints on progress will help ensure that the organization stays on track in its efforts and provide meaningful transparency for the community. Therefore, staff are directed to develop outcome performance measures for the goals in this plan and provide regular reports on them.

→ *CMO and the Finance & Administration department will integrate this plan into the annual performance measures report beginning with the 2021 Performance Measures Report (published in 2022).*

2. City services are accessible, inclusive, equitable, and responsive to community input.

2.1 The City currently provides multiple avenues for community members to express concerns or complaints about City personnel. Ensuring that feedback from the community about personnel is handled promptly, professionally, and transparently contributes to community members' trust in the City and its commitment to being inclusive and equitable. To support this, staff will update the City's Ombud Program so that community members receive immediate and easy-to-follow responses to complaints and concerns.

→ CMO will update the City's Ombud Program with clear workflow, mechanisms, and integration with complaint processes for the Police Department, including recent changes of oversight by the Washington state Criminal Justice Training Commission, in Q1 2022.

2.2 Stabilizing community members experiencing quality of life stressors and/or behavioral and emotional crises is a key need that has historically fallen on emergency personnel. Such personnel are not intended to provide the intensive level of support needed for individual high utilizers of 911 and other vulnerable community members. Providing services to such community members in the least restrictive setting possible, improving access to achieve earlier intervention that results in better health outcomes, and preventing hospitalization and criminal legal involvement, whenever possible, are outcomes that require a different, holistic approach to crisis intervention. Therefore, staff are directed to prioritize the implementation of the Community Responder Program.

→ CMO will oversee hiring processes to have incumbents for the Supervisor and Lead Community Responder positions to begin in Q1 2022, and to have the remaining positions filled in Q1 2022.

2.3 Park facilities and recreation programs provide an important outlet for community members' sense of well-being and belonging by supporting exercise, connecting with nature, recreating, and building community. Parks and recreation programs can be newer community members' initial entry point to City services and connection to the broader community. To help ensure a welcoming and belonging community, staff shall regularly review park usage guidelines and procedures, including facility reservation and recreation registration processes, and align future improvements and programming with needs of the community.

→ Parks and Community Services will include recommendations on equity improvements of these processes as part of the forthcoming Parks, Recreation, and Open Spaces Plan, to be adopted in 2022.

2.4 School Resource Officers in Kirkland are intended to help keep students physically, socially, and emotionally safe at school, provide for positive interactions between officers and students, families, and community members, connect students with supportive services, and help keep students out of the criminal justice system. School Resource Officers were requested by the community and included in the 2018 Police Proposition 1. However, there are also community concerns, particularly among students and families of color, about the impact on students of color by a police presence in schools. Therefore, staff are directed to make needed changes to the School Resource Officer Program to meet the varied community interests.

→ CMO will begin any needed community engagement in Q4 2021 to inform program changes in Q3 2022.

2.5 In the traditional justice system in the United States, punitive action is taken against low-level, non-violent offenses like theft, shoplifting, and trespassing, which does not address the reasons behind the crime. Problem-solving alternatives like Community Court seek to go beyond punitive actions to identify and address the underlying challenges of court participants that may contribute to further criminal activity. Community Court participants often engage with a community resource center for needed services such as drug and alcohol treatment, financial and housing assistance, and employment/educational services. This approach allows people to get the services they need to address the underlying issues, which helps reduce recidivism. The City should therefore continue operation of the Kirkland Community Court and prioritize resource needs for it and the related Resource Center.

→ *The Municipal Court and CMO will maintain ongoing support for the Community Court Pilot Program, report on performance, and will bring forward any resource needs as part of the 2023-2024 biennial budget process (Q4 2022).*

3. Kirkland is a trusted regional partner and leader in racial and social equity initiatives.

3.1 Many organizations and governments are engaging in diversity, equity, inclusion, and belonging assessments to inform their strategic planning for both internal and external policies, processes, and programming. Collaboration at the regional level is an important way for the City to contribute to this work, learn best practices, and demonstrate its commitment to these values. As such, staff will continue to contribute to regional events and conferences to develop shared analysis, learning, and planning with governments and community groups within the Northwest region, including the Governing for Racial Equity and Inclusion Group, Eastside Race and Leadership Coalition, and others.

→ *CMO will maintain attendance and planning coordination with the Human Service Division, Police Department, Human Resources, and other relevant departments, and will provide quarterly presentations on insights and trends at the City leadership retreats beginning in Q1 2022.*

3.2 Just as regional engagement helps the City position itself as a learning leader in diversity, equity, inclusion, and belonging work, many opportunities exist nationally for the City to deepen its best practices and amplify the efforts of other governments. The City shall support national racial justice initiatives within government through participation in events, peer exchanges, and best practice resource-sharing with public and private organizations, such as the Government Alliance for Race and Equity (GARE), Race Forward, PolicyLink, and the National League of Cities.

→ *CMO will maintain an ongoing list of national racial justice initiatives which the City is participating in and will publish on the City's website in Q1 2022 and will update regularly.*

3.3 Welcoming America is a nonprofit, nonpartisan organization that leads a movement of inclusive communities becoming more prosperous by ensuring everyone belongs. The City signed on as a welcoming city through the Welcoming America network in 2017. One initiative of Welcoming America is its Certified Welcoming process, a formal designation for cities and counties that have created policies and programs reflecting their values and commitment to immigrant inclusion. Obtaining Certified Welcoming would demonstrate the City's commitment to diversity, equity, inclusion, and belonging (DEIB); however Certified Welcoming requirements include several elements that would best be addressed in partnership with other Eastside cities and community-based organizations. To support this, staff will continue participation in the Welcoming Cities Collaborative with other Eastside cities and community-based organization(s) to develop a regional plan on DEIB efforts, which includes as an outcome achieving the Certified Welcoming designation for the region from Welcoming America.

→ *CMO will continue to partner with Eastside cities and community-based organization(s) to develop a draft regional plan by Q4 2022.*

3.4 Washington State law grants the Houghton Community Council unique authority over certain land use issues, creating a barrier to the equitable distribution of City programs, services and resources. These inequities include, but are not limited to, neighborhood level veto rights over the availability of affordable housing, increased residential and commercial density, and school expansion. Staff is therefore directed to work with the state and the Kirkland community to sunset the existence of this council.

→ *The City's state legislative agenda will include sunseting the Houghton Community Council in Q4 2021.*

3.5 Acknowledging and sharing an authentic history of place is a key component to creating a welcoming, inclusive, and belonging community. Giving voice to the history of the Indigenous People who resided in present-day Kirkland and understanding their contributions and challenges with Kirkland's past helps the City move forward in a more equitable way. As such, staff will continue to collaborate with local tribal communities to complete the Indigenous history of Kirkland project, with associated land acknowledgement statement, and integrate the document with relevant plans and programs, such as the 2044 Comprehensive Plan update, neighborhood plans, and wayfinding signage.

→ *CMO will bring to Council for review and potential adoption a draft document in Q4 2021.*

Goal Area

PLANS, POLICIES, AND BUDGETS**OVERVIEW**

The Plans, Policies, and Budgets goal area focuses on integrating equity into department work plans. It aligns efforts throughout City departments and with other levels of government. This goal area also emphasizes the impact financial decisions can have on equity.

GOALS**4. Department and agency business plans, including line of business and other planning processes, include analyses of equity impacts from their operations, services and programs.**

- 4.1 Integrating analysis of equity into daily work of the departments helps center equity into City processes and programs. This allows for continual reflection and improvement, which are key aspects of equity work. To support this, staff will standardize the process and implementation of an equity impact assessment tool and provide training to all managers on its application within their work plans.

→ *CMO will formalize an equity impact assessment tool and will provide at least one staff training session by Q2 2022.*

- 4.2 The City's Comprehensive Plan and other long-range planning efforts guide City Council, leadership, and staff in various decisions related to Kirkland's future. Ensuring that the perspectives, insights, and voices of Black, Indigenous, and other People of Color (BIPOC) are included in the creation and review of such plans helps them be reflective of Kirkland's diverse community. As such, the City will identify and utilize a BIPOC and equity-centered third-party review process, as a supplement to the City's use of the Urban Land Institute, for the City's Comprehensive Plan and other long-range planning processes.

→ *The Planning and Building department will provide recommendations by Q2 2022.*

- 4.3 Data from numerous sources, including Public Health – Seattle & King County and others, demonstrates the disproportionate impact that large scale emergencies have on communities of color, communities of lower income, and limited English proficiency speakers, among others. Many factors contribute to a safe community in the case of emergency, and the City provides a critical leadership role in such situations. Therefore, the City shall incorporate procedures into emergency plans to support the safety of populations that may be at higher risk of impacts, with regular review to account for demographic changes.

→ *The Office of Emergency Management will update all relevant procedures and define a regular review process by Q3 2022.*

5. Equity and social justice initiatives are synchronized across City departments and with other government entities, such as County, State, and Federal.

5.1 Collective impact with other governmental and community partners is best achieved through strategic alignment of priorities for equity and social justice. King County has demonstrated that its approach is to “lead with race” in King County’s implementation of its Equity and Social Justice Strategic Plan. To best leverage strategic alignment, the City will align Kirkland’s equity efforts with King County’s approach to “lead with race” related to prioritizing categories of equity.

→ *The City Manager will provide options to the Council on policy approaches in Q2 2022.*

5.2 Since 2011, the City Council has adopted City Work Programs to help implement priority goals, identify the priority focus of the City’s staff and resources, and enable the public to measure the City’s success in accomplishing its major policy and administrative goals. The Work Program is developed in conjunction with the biennial budget process. Implementation of Resolution R-5434 was one of the 2021-2022 Work Program items. To ensure the continuation of diversity, equity, inclusion, and belonging (DEIB) work, the City will continue to incorporate DEIB efforts into the biennial City Work Program.

→ *CMO will integrate recommendations for Council consideration into the 2023-2024 biennial budget process (Q4 2022).*

5.3 The Washington State Legislature passed several bills during the 2021 session that influence law enforcement statewide, which have now gone into effect. Some of the recent reforms to Washington’s law enforcement rely heavily on transferring services to non-law enforcement service providers, such as behavioral health providers and homeless services. This approach aligns with the City’s implementation of its new Community Responder Program. The Kirkland Police Department evaluates and implements changes to its policies regularly to reflect best practices and community feedback, and many of the new legislative changes had already been adopted in Kirkland. The City shall ensure full implementation of 2021 legislative actions on police reform in internal Police Department processes, civilian oversight processes, and responses to emergency calls related to mental health.

→ *Police Department and CMO will integrate changes and provide an update by Q1 2022.*

6. Financial decisions include equity impact assessments and considerations.

6.1 The City’s budget is not only an operational roadmap of how to support public safety, maintain parks, keep pedestrians safe, or protect our natural environment, but it is also a

statement of values. Integrating analysis of equity into the budget process centers equity into the City's core document of operational decisions. Doing so helps ensure that the investments made by the City in the provision of services embody the values and priorities of diversity, equity, and inclusion. As such, the City will factor diversity, equity, inclusion, and belonging considerations into the budget process by incorporating an equity impact assessment into each service package request and other specific and appropriate budget processes.

→ *CMO and Finance and Administration will integrate an equity impact assessment into the 2023-2024 biennial budget process (Q2 2022).*

6.2 City personnel represent a wide variety of roles and responsibilities that together demonstrates a level of service for a particular line of business. To meet service level demands that sometime shift between budget cycles, departments seek to adapt or add positions by submitting position adjustments. Integrating analysis of equity into position funding centers equity into the City's decision making around level of service related to personnel. Therefore, staff will incorporate an equity impact analysis and statement into the required components of processes used in staff funding outside of the regular budget process.

→ *Finance and Administration will integrate an equity impact assessment into memoranda in support of positions and other staff funding processes by Q2 2022.*

Goal Area

WORKPLACE & WORKFORCE**OVERVIEW**

The Workplace & Workforce goal area emphasizes fostering a workplace that is empathetic, respectful, and engaged with social and racial equity issues. It provides an overview on actions to help in developing a high-performing workforce that reflects the Kirkland community. This goal area articulates goals for intentional employee development through training, coaching, and mentoring. It also addresses staff recruitment at all levels of the organization.

GOALS**7. The workplace culture is one of empathy, respect, and engagement with social and racial equity issues.**

7.1 The perspectives, sentiment, and suggestions of staff are both valuable indicators of organizational climate and insightful sources of meaningful change. One-on-one interviews and similar opportunities for sharing, such as focus groups, are valuable for understanding the perspective of staff. Additionally, broader scale, quantitative sources of data through a survey instrument can highlight larger trends for both challenges and opportunities. Therefore, the City will implement an employee feedback program with focus groups and an annual employee engagement survey of all staff to assess, among other topics, perceptions of work culture, career advancement, and having the necessary skills and support to apply diversity, equity, and inclusion.

→ *Human Resources will pilot a focus group process and will publish a pilot employee engagement survey by Q3 2022, with results published on the City's intranet for all employees to review by Q4 2022. Data will include demographic indicators including race, gender, location, tenure, and level.*

7.2 Shared decision making between supervisors and their staff can contribute to creative problem solving within their group for business practices, policies, and programs that impact them and the community. Allowing for meaningful staff participation in decision making can also help staff feel more ownership over their role and the service they provide the community. As such, the City will provide training to supervisors to ensure that employees have opportunities to make meaningful contributions to decision making. The City shall encourage and support active engagement and collaboration among managers and staff to positively influence decision-making and outcomes.

→ *Human Resources and CMO will research best practices and begin training of supervisors by Q2 2022.*

7.3 Ongoing training in cultural competence, implicit bias, and other diversity, equity, and inclusion topics is necessary to ensure that the organizational culture continues to be one that is rooted in welcoming and belonging. Offering training on these topics annually supports the growth and deepening understanding of longer-term staff, as well as onboarding new employees. To support this, the City will integrate cultural competence, implicit bias, and other diversity, equity, inclusion, and belonging (DEIB) topics into standard City trainings and will recognize individuals and teams for their contributions made toward a welcoming and belonging workplace. Further, the City shall establish DEIB competencies that will provide the foundation of expectations for all City employees.

→ *Human Resources will audit current trainings, research options, and provide options to CMO for review by Q2 2022 with implementation by Q3 2022.*

7.4 The meaningful participation of staff in performance evaluations of their supervisors can help foster a more trusting, engaged, and higher performing workforce through all staff being provided different perspectives of their performance. Appropriate measures would need to be implemented to ensure that there was no potential for retaliation or other unintended negative consequence. As such, the City will strengthen avenues for trusted and safe staff feedback to supervisors by employing 360-degree feedback reviews or similar methods.

→ *Human Resources will identify a tool for staff feedback and will begin training supervisors on its use by Q3 2022.*

7.5 Managing conflict is an essential part of building a welcoming and belonging culture. An organization's ability to create a safe, empathetic, and respectful workplace is dependent on having conflict resolution systems and resources available and accessible to all City staff. As such the City shall create a clear protocol for managing conflicts, provide education and training on how to manage conflict productively, and implement a process to measure the performance of these efforts.

→ *Human Resources will research best practices and provide options to CMO for review by Q3 2022.*

8. Employee knowledge and talent is intentionally developed through training, coaching, and mentoring.

8.1 Many factors contribute to employee satisfaction, including the engagement and support of their supervisor in their career development. Such support could look like co-creating development plans with each employee that includes regular check-ins on the employee's experience at the City and the City's role in retaining that employee. The plan can identify next actions related to training opportunities and "on-the-job" exposure for how the employee plans to grow their talent at the City, if they want. Therefore, the City will train supervisors on working with employees on co-creating employee development plans.

→ *Human Resources will research employee development best practices, identify options for review by the leadership team, and train to supervisors on its use by Q3 2022.*

8.2 Many factors contribute to employee satisfaction, including having a clear career path to develop and grow. While some job classifications in the City have clear career paths, others do not, which can lead to talented staff feeling dissatisfied and potentially seeking employment elsewhere. To help address this, the City will work with the relevant unions to establish clear career paths for job classifications, with identified competencies, skills, and training to guide employee career development and succession planning.

→ *Human Resources will work with relevant unions to establish career development paths by job class and publish on the City's intranet by Q4 2022.*

8.3 Employees leave employment with the City for a variety of reasons. Robust data collection is needed to ensure that such reasons are not evidence of patterns of inequity or barriers to equal employment opportunities. Therefore, the City will enhance current assessment tools (e.g. application pool, hiring data, promotion data, and exit surveys) to measure attrition, identify reasons for attrition, and address barriers to equal employment opportunities.

→ *Human Resources and CMO will audit current process and implement improvements by Q3 2022.*

9. Talent acquisition practices consistently provide equal opportunity and strive to close representation gaps at all levels.

9.1 Including a diversity of perspectives on hiring panels helps counter unconscious biases towards candidates of color, women candidates, limited English proficiency candidates, veterans, and candidates with disabilities. Providing a consistent and standard approach to ensuring diverse hiring panels will operationalize this support mechanism throughout the organization. In support of this, the City will develop diverse hiring panel guidelines and process and require hiring managers to certify that they were followed for all selections prior to offer of employment. Such hiring panel guidelines and process will include a strong presumption for external job postings.

→ *Human Resources will research best practices, create interview guidelines, and distribute and provide training to hiring managers by Q2 2022.*

9.2 Due to their role in the hiring process, managers play a critical function in providing equal opportunity for diverse candidates. As such, hiring managers need to understand and be skilled at encouraging a welcoming and belonging environment. Therefore, the City will

require hiring managers to include at least one interview question to assess management candidates on their ability to foster diversity, equity, inclusion, and belonging.

→ *CMO and Human Resources will develop at least five standard DEI interview question options for hiring managers for use beginning Q2 2022.*

9.3 Emergency personnel in the Fire and Police Departments are often a community member's primary personal interaction with the City. Encouraging a diversity of emergency personnel that represents the Kirkland community demonstrates to the diverse Kirkland community that they are welcome and belong here. As such, staff will implement and enhance the current comprehensive recruitment plans for the Fire and Police Departments that focuses on underrepresented categories of staff, focusing on race, ethnicity, and gender identity, and accounting for other social factors that contribute to intersectional identities of potential candidates.

→ *Human Resources will provide an update to CMO on the status of the plans by Q2 2022 for continued enhancement and implementation in 2022.*

9.4 Regular tracking of diversity in the City's hiring process provides the needed data to adjust strategies and tactics to achieve the City's goals around diversity, equity, inclusion, and belonging (DEIB). Reporting on such progress also provides accountability and transparency to the organization and the community on the City's commitment to DEIB goals. Such tracking and reporting are best achieved using specialty software. Therefore, the City will implement a software platform that supports diversity hiring and tracking.

→ *Human Resources and Information Technology will complete implementation of a software platform by Q4 2021.*

Goal Area

COMMUNITY PARTNERSHIPS**OVERVIEW**

The Community Partnerships goal area ensures the City's contracts and other agreements express its equity and social justice values and policies. It identifies ways the City can help build internal capacity for community-based organizations partnering with the City as well as supporting the growth and sustainability of our community partners. This goal area also respects the importance of formal and informal, on-going relationships with community partners to foster continual improvement of City services.

GOALS**10. The City's equity and social justice values and policies are expressed in contracts and other agreements.**

10.1 Creating a procurement environment in which business owners of color, women-owned businesses, and immigrant-owned are afforded equitable opportunities for business partnerships with the City to create the opportunity to leverage City spending to increase utilization of such businesses. Implementing a policy and program that provides the maximum practicable opportunity for increased participation by such businesses in City contracting for public works, consulting services, supplies, material, equipment, and other services will demonstrate the City's commitment to fostering a welcoming and belonging community. Therefore, staff are directed to implement the Equity in Contracting policy and associated program to expand vendor recruitment, internal organizational training, and external vendor training.

→ *CMO and Finance and Administration, in consultation with the City Attorney's Office, will update all necessary contract language and develop a training schedule and other program elements by Q2 2022.*

10.2 The City has provided for several years grants to Kirkland's neighborhood associations that in totality represent the geographic extent of Kirkland. Although neighborhood associations provide valuable community building activities, opportunities for other groups to seek funding for community building would help foster a more welcoming culture and sense of belonging across the community. As such, staff will develop formal opportunities for funding of community building activities beyond the Neighborhood Matching Grant Program for diverse community events or similar programs that celebrate Kirkland's diversity.

→ *Based on available funding, CMO and Parks and Community Services will develop a pilot program to launch Q2 2022.*

10.3 Agencies providing human services, as well as other small non-profit or community-based organizations, often do not have enough administrative staff capacity to complete multiple funding applications. Numerous cities throughout King County came together to form the Human Services Funding Collaborative, a shared application platform that helps minimize administrative burden for organizations seeking funding to provide services in food security, housing and homelessness prevention, health, mental health, and youth services, among others. City staff will continue to utilize the shared application of the Human Services Funding Collaborative to decrease administrative burden on service providers and better understand local and regional needs.

→ *Human Services division will continue to manage the Human Services Funding Collaborative applications and tasks associated with the grant for the 2023-2024 biennial budget cycle (Q3 2022).*

11. City partnerships with community-based organizations contribute to building their internal equity practices and capacities.

11.1 Business service organizations, business associations, and health and human services organizations around the region highlighted the impacts of the pandemic on immigrant-owned businesses. Feedback from the businesses demonstrated that many of them would benefit from technical assistance in language with access to additional translation services and further technical assistance. To help foster a welcoming and inclusive business environment, staff will provide technical assistance services for business operations that is culturally competent and provides access to in-language support.

→ *CMO will launch a pilot program of cultural navigators for business technical assistance by Q1 2022.*

11.2 The active participation of community members in seeking to make a difference in the civic life of the community, including having the ability, agency, and opportunity to be involved in decision-making processes that affect them, is foundational for transparent and responsive government. Although the City provides various opportunities for engagement, additional work focused on community members from groups underrepresented in civic life, including Black, Indigenous, and People of Color (BIPOC), will help foster a community that is more welcoming and promotes a culture of belonging. Therefore, staff is directed to offer trainings to community groups about how the City works and the services it provides, with an emphasis on BIPOC and other groups underrepresented in civic life. Further, the City will encourage, develop, support, and maintain opportunities for robust collaboration between community members, City staff, and City leaders.

→ *CMO will develop a regularly occurring civic training program that provides community members with knowledge of City functions and processes with the first training occurring by Q4 2022.*

11.3 Kirkland's Neighborhood Associations are independent non-profit organizations that serve to enhance the civic life of the Kirkland community. The City recognizes 13 neighborhood association boundaries that encompass the entire geographic area of the City. Neighborhoods are the building blocks of any city, and Kirkland is enriched by these strong civic organizations that work alongside the City to improve the quality of life for everyone in Kirkland. The neighborhood associations are open to all members of the community and often engage longer term residents, particularly those that own their home. Supporting the neighborhood associations in diversity, equity, inclusion, and belonging efforts will help foster a Kirkland that is more welcoming. As such, staff will help increase the diversity of representation on neighborhood association boards and general membership.

→ *CMO will collaborate with the Kirkland Alliance of Neighborhoods in developing a plan to be implemented by Q4 2022.*

12. On-going relationships, both contractual and informal, contribute to a continual improvement of City services to better meet the needs of all Kirkland community members.

12.1 Community feedback collection as part of the City's public processes can seem transactional to some community groups. Although unintended, this impact can sometimes deter further engagement from some community members or groups who would feel more supported by the building of relationships before the City requests information from them. To support this, staff will operationalize proactive relationship-building with community groups with the goal that the relationships offer mutual benefit.

→ *CMO will develop a framework to be implemented by Q2 2022.*

12.2 The work of fostering a safe, inclusive, and welcoming community where everyone belongs includes being able to appropriately respond to incidents of hate and bias that may occur. Developing a response and support plan to such incidents will demonstrate to the community, including businesses, that the City prioritizes the well-being and safety of all community members. King County recently supported the establishment of the Coalition Against Hate & Bias. Staff will work with the community to develop a response and support plan to incidents of hate and bias that occur in the community that can be easily communicated with community partners, businesses, and neighborhoods and that aligns with the intent of the King County Coalition Against Hate & Bias.

→ *CMO and the Police Department will work with community groups to publish a draft plan by Q2 2022.*

12.3 The City has several advisory boards and commissions which are responsible for formulating new ideas, gathering information, hearing and receiving public comments, analyzing complex issues, and making recommendations for specific projects and policies. Board members and commissioners are appointed by the City Council, which seeks to make appointments of qualified candidates who reflect the diversity of Kirkland, including with

respect to race, ethnicity, gender, sexual orientation, gender identification, the presence of any sensory, mental, or physical disability, background, and perspective, and status as a home owner or renter in Kirkland. To ensure a diversity of applicants, staff will develop a strategy to ensure that applicants for City Boards and Commissions are representative of the demographic diversity of the community.

→ *CMO and the City Clerk's Office will develop a recruitment strategy to increase representation for Boards and Commissions by Q2 2022.*

12.4 The concept of third place is that of a welcoming place beyond our homes and places of work. Sometimes, community members may use businesses as third places in a way that is unintended by the business, which can have impacts on the feeling of Kirkland being a welcoming and belonging community. Therefore, staff will work with the business community to continue education, outreach, and training on developing equitable and welcoming "third places" throughout the community.

→ *CMO will work with the Greater Kirkland Chamber of Commerce and other local business organizations to implement training with the first program to occur in Q1 2022.*

DRAFT

Goal Area

COMMUNICATION & EDUCATION

OVERVIEW

The Communication & Education goal area supports the City's effective learning, outreach, and engagement with a diverse community. The City of Kirkland assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 as amended, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its federally funded programs and activities. The City further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not. This goal area identifies strategies of communicating with limited English proficiency community members. It infuses equity, inclusion, and belonging values into community member engagement with City services and opportunities. This goal area also supports the effective education, engagement, and communication of and authentic conversation about City initiatives with internal and external stakeholders.

GOALS

13. The City can effectively communicate with limited English proficiency (LEP) community members.

13.1 Kirkland, like other communities in East King County, has experienced a shift in demographics over the last several years, including an increase in those with limited English proficiency. The City values the contributions of all members of the community and makes every effort to ensure that language is not a barrier to engagement with the City. As such, staff will increase City-wide language access and interpretation resources through standardized processes and creation of a City Language Access Plan, including training to all departments on use.

→ *CMO, Finance and Administration, Human Resources, and Information Technology will collaborate on standard support documentation and training published by Q2 2022.*

13.2 Translating vital City documents is the primary means of ensuring the City meets its obligation under Title VI. Additionally, the translation of documents also demonstrates the City's commitment to fostering a community of welcoming and belonging. The cost to translate documents is generally absorbed into departmental budgets but in some cases is not anticipated during the budgeting process. To help further the City's efforts at inclusion, staff will identify funding in all department budgets for Title VI vital document translation.

→ *CMO and Finance and Administration will support all departments in identify anticipated budget needs for Title VI vital document translation, with specific funding allocations identified through the 2023-2024 biennial budget process (Q4 2022).*

13.3 Bilingual personnel can enhance the City's ability to meet the customer service needs of the community. In recognition of this additional expertise, the City will explore a pilot Bilingual Pay Program for employees with demonstrated skill in a language (including American Sign Language) used by any group constituting at least 5% of Kirkland. Such a staff person would be a resource for other staff in minimal interpretation and translation tasks.

→ *Human Resources will research best practices, liaise with relevant unions, and present options for CMO review by Q4 2022.*

14. Community member engagement with City services and opportunities embodies values of equity, inclusion, and belonging.

14.1 Due to the size of the City as an organization, outreach and engagement activities are conducted by nearly all departments semi-autonomously. Examining and reflecting on the current processes used by different work divisions will ensure that there is a consistent and coordinated approach to community engagement across the organization. Therefore, staff will assess the effectiveness of the City's community engagement processes, and, based on that assessment, develop City-wide guidelines for engagement that ensure relationship building, consistency, coordination, and follow-up.

→ *CMO, in collaboration with other departments and community partners, will assess the existing engagement processes and will make recommendations as necessary by Q3 2022.*

14.2 Actively cultivating civic leaders will help ensure that the Kirkland community is highly engaged in seeking to make a difference in the civic life of the community. Although the City provides various opportunities for engagement, additional work focused on community members from groups underrepresented in civic life, including Black, Indigenous, and People of Color (BIPOC), will help foster a community that is more welcoming and belonging. Therefore, staff will develop and implement the Civic Accelerator Program to cultivate civic engagement for the purpose of diversifying public participation in various governmental processes and neighborhood organizations.

→ *CMO, in collaboration with other departments, will finalize and implement the pilot Civic Accelerator Program by Q4 2022.*

14.3 The City currently participates in various meetings with community members or groups. These meetings can provide an opportunity and avenue to support efforts of diversity, equity, and inclusion throughout the community. As such, staff will evaluate and restructure regular meetings with community groups or leaders – such as the Inclusion Network, the Kirkland Alliance of Neighborhoods, and the Business Roundtable – to incorporate themes of diversity, equity, inclusion, and belonging (DEIB) implementation at the City and in the community. The City of Kirkland will actively model, support, benchmark, and otherwise encourage implementation of best practices of DEIB through active engagement.

→ *CMO will work with relevant groups and departments to implement recommendations by Q2 2022.*

15. City initiatives are clearly communicated and foster effective dialogue between both internal and external stakeholders.

15.1 Keeping both the community and internal staff updated on the status of this Plan is a key requirement for successful and transparent implementation. Providing such updates in ways that are most meaningful and effective to the various audiences helps ensure a sense of welcoming and belonging around this Plan, which will further engender a sense of transparency, accountability, community ownership, and commitment to its success. To support this, staff will develop and implement effective, culturally competent communication plans for internal and external audiences that provide regular updates on progress made on this Plan. Additionally, the City will design, develop, and maintain a public facing webpage to communicate information and updates regarding this plan, which includes relevant data and resources for the benefit of the community.

→ *CMO will develop initial communication plans by Q2 2022.*

15.2 This Plan should be considered a living document. Although it provides a roadmap with destinations and milestones, those should be regularly reviewed and aligned with community expectations. Therefore, the City will provide regular avenue(s) for community feedback about this Plan and its implementation at City Hall for All and/or other effective platforms. Each department should include in its diversity, equity, inclusion, and belonging (DEIB) strategic planning a mechanism to regularly receive, process, and respond to community feedback in a manner that is consistent with the spirit of promoting DEIB.

→ *CMO will incorporate feedback opportunities into its initial 2022 work plan by Q1 2022.*

15.3 Kirkland's diverse community represents various cultures and backgrounds. Effective and efficient outreach and engagement by and between the City and the community is best achieved by employing culturally sensitive and effective methods and messages. To support this, staff will identify and/or provide training for culturally effective outreach methods and develop department level culturally effective outreach plans and strategies.

→ *CMO will research best practices, develop a pilot program, and provide training by Q2 2022.*

15.4 Traditional channels for City communications, whether owned (email listservs), shared (social media), or earned (news media), have inherently limited reach in the community. Engaging with those in the community that have been historically underrepresented in civic life, including those that identify as Black, Indigenous, or People of Color (BIPOC), LGBTQIA+, and immigrants, requires proactive measures of relationship building,

community partnerships, and alternative means of outreach and engagement. As such, staff will establish a proactive network of community members that identify as BIPOC, LGBTQIA+, immigrant, and other categories of civically underrepresented community members who are interested in providing input about their lived experiences as part of City feedback collection processes.

→ *CMO will research best practices and develop a pilot program to begin Q2 2022.*

15.5 Learning and training opportunities are an important method of sharing knowledge, data, and best practices in diversity, equity, inclusion, and belonging. To support this, the City will host, sponsor, and support learning opportunities and will share information, resources, and tools designed to foster a community that reduces disparities and inequitable outcomes.

→ *CMO will incorporate such opportunities into its initial 2022 work plan by Q1 2022 and will evaluate requests on a case-by-case basis.*

15.6 Learning must be accessible to all residents, businesses, and organizations across the city to transfer information, promote collaboration, and build community. The impacts of COVID-19 have caused many in-person outreach, engagement, training, and learning opportunities to be postponed or cancelled because of concerns for public safety. With many physical spaces having closed or operating with reduced capacity, virtual spaces are increasingly being utilized by governments, businesses, and residents. Most negatively impacted are people with lower incomes lacking broadband internet access and individuals with disabilities requiring communication accommodations to effectively communicate their needs in accessing services and resources. Therefore, staff will assess and identify spaces and resources that will help close the participation gap and achieve better outcomes for the community.

→ *CMO, in collaboration with the other departments, will research best practices and develop a resource list of options by Q1 2022.*

15.7 Regular tracking and reporting of key data contributes to the City's goals around diversity, equity, inclusion, and belonging (DEIB). The City Council included the development of various dashboards for use of force, general crime, School Resource Officer, Human Resources, and Human Services as part of Resolution R-5434. Publishing such dashboards provides transparency and accountability for the community and Council to understand how the City as an organization is performing. To support this, the City will complete the dashboards called for in Resolution R-5434 for use of force, general crime, School Resource Officer, Human Resources, and Human Services.

→ *CMO will coordinate the completion of all remaining R-5434 dashboards in Q4 2021.*

Goal Area

FACILITY & SYSTEM IMPROVEMENTS

OVERVIEW

The Facility & Systems Improvements goal area affirms the City's Capital Improvement Program's role in advancing equity and identifies opportunities to be informed by underserved communities. The Capital Improvement Program (CIP) funds the City's capital needs over a six-year period based on various City-adopted long-range plans, goals and policies. Capital projects are generally large-scale in terms of cost, size, and benefit to the community. This goal area seeks to identify historically underserved areas through data and analysis to help fix historical inequities. This area also encourages planning for the impacts of large-scale events while centering the needs of disproportionately vulnerable communities.

GOALS

16. The City's Capital Improvement Program includes clear strategies to advance equity, which are informed by underserved communities.

16.1 A critical element of a balanced Capital Improvement Program (CIP) is preserving or enhancing existing facilities while providing new assets that will support service needs and community growth. Although much of the CIP is highly technical or prescriptive in nature, additional opportunities for community involvement in the CIP processes ensures underrepresented community members and groups have their voices heard for these critical services. Therefore, staff will incorporate more community feedback into prioritizing the City's capital improvement program. The City will develop, design, and implement a formal plan to solicit regular feedback and participation from the community on decisions related to the CIP, with a particular emphasis on underrepresented community members.

→ *Public Works and CMO will expand current options for community input on the CIP to inform the adoption of the 2023-2028 CIP (Q3 2022).*

16.2 Soliciting feedback from the community for City programs, policies, and plans is a key characteristic of a transparent and responsive government. However, unintended barriers to participation exist for some community members based on their social, cultural, ethnic, and/or historical experiences. Offering compensation to participants of select processes is one way to decrease barriers to active engagement and participation for those that may need to obtain child care or incur other expenses in order to participate, while also acknowledging the time, energy, and effort in discussing personal experiences that may include painful stories. To support this, the City shall adopt a policy to compensate community members from underrepresented groups who are most likely to not be engaged on a regular and consistent basis in civic life, such as those from lower income communities, people of color, and renters, for providing input from their lived experience.

→ *CMO and Finance and Administration will develop a pilot program for implementation by Q2 2022.*

16.3 Body worn cameras for police officers can demonstrate that a police agency is willing to be transparent and accountable for its actions and provide mutual safety and accountability between police and the community. Research supports that body worn cameras can lead to reductions in use-of-force incidents and community member complaints. Successful deployment of body worn cameras relies on thorough development of operational policies governing their use. To encourage transparency and safety, the City will implement a body worn camera pilot program that does not allow for facial recognition capabilities and that is informed by extensive community engagement, particularly with Black, Indigenous, and other People of Color (BIPOC).

→ *CMO will begin a community engagement process for the body worn camera pilot program by Q4 2021 for an implementation of the program by Q2 2022.*

17. Capital Improvement projects are mindful of historically underserved areas and seek to remedy any existing inequities.

17.1 Numerous public data sources exist for demographic data, including, but not limited to, the Census, Washington Office of Financial Management, Washington State Department of Transportation, and the Washington Office of Superintendent of Public Instruction. Compiling demographic data for specific areas of Kirkland will help the City identify potential gaps in service. Therefore, the City will standardize a consistent source of aggregated data from various sources that can be used by all departments to identify areas in the City of lower income, higher rates of residence by communities of color, and/or of limited English language proficiency to ensure equitable investments are made throughout the city.

→ *Planning and Building, Information Technology, and CMO will develop a pilot data tool that incorporates available demographic data sources for initial launch by Q3 2022.*

17.2 Integrating analysis of equity into the identification and prioritization of capital projects helps center equity into these major City investments. Doing so help ensure that investments are informed by any existing inequities. To support this, the City will incorporate an equity impact assessment to the Capital Improvement Program (CIP) process and projects. Every effort will be made to solicit input and experiences of residents, business, and interested community members to best inform needs.

→ *CMO, Finance and Administration, and Public Works will integrate an equity impact assessment into the 2023-2028 CIP adoption process (Q3 2022).*

17.3 Integrating analysis of equity into department strategic and master plans helps center equity in these foundational City documents that guide policy, programs, and procedures. Such

plans currently underway include the Parks, Recreation, and Open Spaces Plan, the Active Transportation Plan, and utility comprehensive plans. Therefore, the City will incorporate an equity impact assessment into the planning process for master and strategic plans. Every effort will be made to solicit input and experiences of residents, business, and interested community members to best inform needs.

→ *CMO will assist all departments in incorporating an equity impact assessment into their master and strategic planning documents beginning in Q1 2022.*

18. Anticipate facility needs related to issues from climate change, future pandemics, and other large-scale events, with an emphasis on meeting the needs of disproportionately vulnerable communities.

18.1 Cooling and warming centers are strategies used to support vulnerable residents during periods of intense heat or cold. Such centers are often air-conditioned or heated public spaces that are made available to community members. The City can better support the rapid deployment of cooling and heating centers by having approved plans and procedures that include staffing, general outreach, and community partners. As such, the City will standardize a community response plan for cooling and warming center activation in the event of future heatwaves or frigid weather.

→ *Office of Emergency Management and CMO will implement a plan in coordination with community partners that will be ready to implement by Q2 2022.*

18.2 Maintaining and enhancing the City's infrastructure is a critical public service that can have a large impact on the quality of life for the community. Keeping the public informed of impacts related to the City's infrastructure helps support the safety of the community and the trust the community has in City government. Such public information efforts that are timely, easily understood, and inclusive helps ensure that all community members feel safe and welcome. As such, City staff will enhance capital project notices, water quality reporting, spill response post cards, and similar infrastructure reporting mechanisms to include translated and culturally sensitive materials.

→ *Public Works and CMO will audit and update current materials for implementation by Q3 2022.*

18.3 Maintaining virtual connection has proven critically important for students, employees, business owners/operators, and residents across the city. The City will explore continued and expanded opportunities to make available the infrastructure required for internet access to help eliminate the negative impacts caused by poverty, COVID-19, or other factors impacting internet access.

→ *IT and Finance & Administration will research and provide options to the City Manager by Q3 2022.*

DRAFT



CITY OF KIRKLAND
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Lorrie McKay, Intergovernmental Relations Consultant

Date: October 11, 2021

Subject: PROPOSED DRAFT 2022 STATE LEGISLATIVE PRIORITIES

RECOMMENDATION:

It is recommended that the City Council reviews the Proposed Draft 2022 State Legislative Priorities (Attachment A) and provides comments to staff, so that a final priorities agenda may be brought back for adoption at the November 3, 2021 special Council meeting.

BACKGROUND DISCUSSION:

The City Council's Legislative Workgroup, consisting of Mayor Sweet, Deputy Mayor Arnold, and Councilmember Curtis, is typically staffed by the City Manager and the Intergovernmental Relations Manager. This year, the City is in the process of hiring for the currently vacant Intergovernmental Relations Manager position. Intergovernmental relations consultant, Lorrie McKay, assisted the Workgroup with this process this year. The legislative process also includes participation from Waypoint Consulting Group, the City's contracted lobbyist who work in Olympia during the session. Deputy Mayor Arnold currently serves as the Chair of the Legislative Workgroup, which guides the development of the City's legislative priorities and activities on behalf of the full Council. During session, the Workgroup will meet weekly to track the status of the City's adopted priorities and it provides support and oversight of strategies for achieving the priorities approved by the City Council.

The City's State Legislative Agenda consists of three segments: general principles; top legislative "priorities;" and selected issues/items championed by allies, which the City may "support," although they are not the City's top priority items. This memo only addresses the general principles and proposed top legislative priorities for 2022. The agenda's priority items represent the primary focus for Council's Legislative Workgroup, the Intergovernmental Relations Manager and the City's contract lobbyists during session. Staff will return to Council with a draft support items agenda for review and consideration at one of Council's regular meetings in January 2022.

The Lay of the Land: 2021 toward 2022

The regular 2022 session is a short, 60-day session that will open on Monday, January 10, 2022 and will conclude on Friday, March 11, 2022.

With community spread of COVID-19 still high in most counties throughout the state, the legislature is likely to conduct its business remotely, as it did safely and transparently last year. That said, at the writing of this memorandum, the legislature's plan for 2022 has not been officially announced. Staff will keep the Council updated.

Finally, the Legislative Workgroup has been advised that in this upcoming short session, the legislature will likely consider a very limited set of bills in 2022. Because legislators moved so many of significant issues last session, there isn't a lot of desire to do much that isn't absolutely necessary. Therefore, the strong recommendation is to keep it "focused and/or urgent", as demonstrated by the Association of Washington Cities' (AWC) adoption of three focused priorities to: Ensure basic infrastructure funding, Pass a transportation package, and Protect Transportation Benefit District funding authority (Attachment B).

Development of the Proposed Draft 2022 Legislative Agenda

The process for developing the coming session's legislative agenda begins in the preceding year, with staff maintaining a running list of ideas as they come up throughout the year from Councilmembers, legislators, Directors, staff, and constituents. Additionally, staff reach out to Directors and managers of each city department for potential new issues or ideas in the Spring. Finally, staff and consultants closely monitor and provide feedback as the Association of Washington Cities' (AWC) Legislative Committee identifies its statewide priorities.

In September, staff met individually with all seven councilmembers to gather their most current thoughts and ideas for potential legislative priorities and support items to be considered. Council's Legislative Workgroup reviewed and discussed nearly 40 legislative ideas as it narrowed the proposed priorities presented in the council review draft for full council consideration on October 19.

The Legislative Workgroup worked to categorize issues into five higher-level priorities, with 13 specific proposals offered within the priority categories. The five priority categories are:

1. Support for new local funding and policy tools to create more affordable housing
2. Support for clarifying police reform legislation (HB 1310 and HB 1054), consistent with Kirkland Resolution R-5434
3. Support for legislative actions that promote equity and social justice
4. Support for capital budget funding flexibility for feasibility studies and site acquisition for a Regional Crisis Triage Center sited in north King County
5. Support for capital budget funding for prioritized Trail Improvement Projects

Additionally, many issue ideas not included as top legislative priorities are recommended for inclusion on the support items agenda, which will be brought to Council in January.

General Principles

The Legislative Workgroup recommends adding the word "housing" to the second bullet of the City's general principles. If accepted, the revised bulleted principle would read as follows:

- Support long-term sustainability efforts related to City financial, environmental, transportation and housing goals.

Priorities

Considering Potential 2021 Carryover Priorities

Two items had been identified last session as likely carryover items for 2022. However, changing circumstances have led the Workgroup to reconsider including them as 2022 priorities. One item is related to TOD at the Kingsgate Park and Ride, and the other item is related to local residential street maintenance.

Given Sound Transit's recent realignment decisions, pushing its garage project at the site of Kingsgate Park and Ride out to 2035 and given the 60-day short session, the Legislative Workgroup recommends moving the City's TOD Pilot Project priority to the support items agenda for 2022.

The other item proposed for carryover to 2022, was allowing code cities to complete local residential street maintenance projects in-house if no contractors enter a project bid. However, Public Works is still evaluating the information to see if changes are necessary. So, at the writing of this memo, the issue is not yet ready to be included in the October 19 council review draft. Council can consider adding the item back before January when staff completes the evaluation.

Finally, at the close of the 2021 session, there was some discussion about prioritizing advocacy for a transportation package. While there remains tremendous interest in and support for the legislature to move a transportation package, the projects proposed by lawmakers for inclusion in the draft package last session (I-405 Bus Rapid Transit and Eastrail) are regional in nature and importantly, the AWC has prioritized this item. Therefore, the Workgroup recommends this item be included on the Support Items Agenda.

Legislative Workgroup Proposed 2022 Priorities

- **Kirkland supports new local funding and policy tools to create more affordable housing, such as:**
 - Providing exemptions to promote housing affordability, such as a property tax exemption for Accessory Dwelling Units (ADUs) that are dedicated for occupancy by low-income people.

The concept here is to create something like the Multifamily Property Tax Exemption for low-income Accessory Dwelling Units (ADUs) that owners dedicate for occupancy by low-income people. In effect, people would build an ADU, and then lease it long-term to an agency like Attain Housing or King County Housing Authority to manage exclusively for people who qualify as low income and for this, the owner would not have to pay property taxes on the added value of the ADU.
 - Exempting housing, affordable at certain levels, from water hook-up fees.
 - Removing barriers to building affordable housing, such as: defining affordable housing developments as essential public facilities

The concept is to include affordable housing in the definition of essential public facilities, so that jurisdictions cannot use zoning restrictions to prohibit the development of affordable housing.
 - Removing barriers to stimulate the creation of new condominiums and the conversion of existing apartments.
 - Authorizing of the development of affordable housing on WSDOT surplus property.
- **Kirkland supports clarifying police reform legislation (HB 1310 and HB 1054), consistent with Kirkland Resolution R-5434**

- Support changes to HB 1310 to clarify that a peace officer may use physical force in circumstances where the peace officer is directed by law or court order to apprehend or take a person into custody.
- Support clarifications to HB 1054 to allow law enforcement and correctional officers to use less than lethal munitions. This change would make HB 1054 consistent with language in HB 1310 that requires the use of less than lethal tools.

The two issues highlighted here, as well as clarifying recommendations have raised by Police Chief Cherie Harris to Representative Goodman, who Chairs the House Public Safety committee (Attachment C)

➤ **Kirkland supports legislative actions that promote equity and social justice,** such as:

- New local funding and policy tools to address homelessness.
This item is not specific to Kirkland, but it is a priority to Council. The Workgroup will likely look to the Housing Alliance of Washington and other allies to see what proposals are brought forward by them and return to the full council for discussion and consideration of support.
- Allow local jurisdictions to implement ranked-choice voting.
See Attachment D for an overview of the concept of ranked-choice voting.
- Provide legal funding to support HOA's in removing racist covenants from by-laws
Covenants are an historic document that follow the title of the home. The goal to incentivize the process for removing racist covenants, which is difficult.
- Sunset the Houghton Community Council.

➤ **Kirkland supports capital budget funding flexibility for feasibility studies and site acquisition for a Regional Crisis Triage Center sited in north King County**

The RADAR Navigator Program, an inter-jurisdictional, co-response social work/crisis response program being implemented in the cities of Bothell, Kirkland, Kenmore, Lake Forest Park and Shoreline, needs a crisis triage facility sited in North King County. This priority would be a combined legislative request with the five cities. The intent is either to secure new money for a feasibility study or provide flexibility for existing grant funds to be used for feasibility studies.

➤ **Kirkland supports capital budget funding for prioritized Trail Improvement Projects** (Rapid Flashing Beacons) at A) Willows Road Regional Trail Connection, at B) Tolt River Trail connection with Woodinville, and at C) 132nd Place NE/Slater Ave. NE and the Eastrail. D) Trail Bridge Crossing of Denny Creek at NE 132nd Street

Willows Road Connection: Located within Kirkland, this project is an approximately \$100K request. King County considers this a spur trail, and not the main Eastrail, but the City is responsible for safety investments in the crossing.

Tolt River Trail Connection: This location is within the City of Woodinville, but the western side of the corridor is Kirkland. This would be an approximately

\$100-150K joint request by Woodinville and Kirkland, and a Woodinville led project.

132nd Place NE/Slater Ave. NE and the Eastrail Connection: Kirkland has received \$100,000 from the King County Park levy to study safety improvements for this crossing. Options and costs have not yet been developed, but Rapid Flashing Beacons are likely to be included in any option. \$250,000 is a rough estimate of the cost of implementing RFBs on either side of the road.

Trail Bridge Crossing of Denny Creek at NE 132nd Street: This project is in the public right-of-way immediately west of Juanita Drive. The City Council prioritized Option 1 as presented on August 4, 2021. Estimated at approximately \$652,000, the project has been completed or is in process at 30% design. The added benefit of the bridge is that it would prevent continued erosion of the slopes alongside the creek, as people would no longer have to navigate a very difficult trail.

Support Items Agenda and “Hot Sheet” Items

Additional issues and items that Council may want to consider for support will be compiled and prepared for Council’s review in January 2022. As mentioned above, many issue ideas that were not included as proposed top legislative priorities are recommended for inclusion on the support items agenda, which will be brought to Council in January.

NEXT STEPS:

State Lobbyist Review

Waypoint Consulting serves as Kirkland’s contract state lobbyists. Waypoint partners Majken Ryherd and Teresita Torres were on a much-deserved vacation in Europe during the Legislative Work Group’s meetings to review and make recommendations for the draft agenda. Waypoint will be meeting with the Legislative Work Group on Friday, October 15, after this memo has been posted, to discuss the proposed agenda and provide feedback. Waypoint provided some initial observations to the Legislative Work Group this week that the priorities may need to be focused even further, some of the items be moved to support, and some of the items may already be authorized by state law. Waypoint’s feedback will be provided to the full Council at the October 19 Council meeting.

Annual Legislative Coffees with Members of the State Delegation

It is the goal of the City Council’s Legislative Workgroup to have the City’s 2022 legislative priorities adopted before it hosts its annual legislative coffees with the City’s delegation, which will be initiated in November and continue through December. Waypoint Consulting will also participate in the upcoming legislative coffees.

The City’s State Legislative Delegation

The City of Kirkland is currently included in these three legislative districts – 1st, 45th, and 48th.

Legislative District 1

The 1st Legislative District is represented by Senator Derek Stanford and Representatives Shelly Kloba and Davina Duerr.

Legislative District 45

The 45th Legislative District is represented by Senator Manka Dhingra and Representatives Larry Springer and Roger Goodman.

Legislative District 48

The 48th Legislative District is represented by Senator Patty Kuderer and Representatives Amy Walen and Vandana Slatter.

Proposed Final 2022 Legislative Priorities

After reviewing the draft agenda with Waypoint Consulting and receiving the City Council's feedback, final 2022 Legislative Priorities will be prepared for adoption at the Council's November 3, 2021 special meeting. Staff will also provide a draft Resolution adopting the priorities at that time.

- Attachments:
- A. Council Review Draft 2022 Legislative Priorities Agenda
 - B. AWC's Adopted 2022 Priorities
 - C. Background on KPD's implementation of HBs 1310 & 1054 and support for needed clarifications
 - D. Background on ranked-choice voting



CITY OF KIRKLAND 2022 LEGISLATIVE AGENDA

General Principles

Kirkland supports legislation to promote the City Council's goals and protect the City's ability to provide basic municipal services to its citizens.

- Protect shared state revenue sources available to the City and provide new revenue options and flexibility in the use of existing revenues.
- Support long-term sustainability efforts related to City financial, environmental, transportation and housing goals.
- Support reestablishing the partnership between cities and the State to ensure that critical mandates are funded, and vital services are provided to all of the residents of the state.

City of Kirkland 2022 Legislative Priorities

- Kirkland supports new local funding and policy tools to create more affordable housing, such as:
 - Providing exemptions to promote housing affordability, such as a property tax exemption for Accessory Dwelling Units (ADUs) that are dedicated for occupancy by low-income people.
 - Exempting housing, affordable at certain levels, from water hook-up fees
 - Removing barriers to building affordable housing, such as: defining affordable housing developments as essential public facilities
 - Removing barriers to stimulate the creation of new condominiums and the conversion of existing apartments
 - Authorizing of the development of affordable housing on WSDOT surplus property
- Kirkland supports clarifying police reform legislation (HB 1310 and HB 1054), consistent with Kirkland Resolution R-5434
 - Support changes to HB 1310 to clarify that a peace officer may use physical force in circumstances where the peace officer is directed by law or court order to apprehend or take a person into custody.
 - Support clarifications to HB 1054 to allow law enforcement and correctional officers to use less than lethal munitions. This change would make HB 1054 consistent with language in HB 1310 that requires the use of less than lethal tools.
- Kirkland supports legislative actions that promote equity and social justice, such as:
 - New local funding and policy tools to address homelessness
 - Allow local jurisdictions to implement ranked-choice voting
 - Provide legal funding to support HOA's in removing racist covenants from by-laws
 - Sunset the Houghton Community Council
- Kirkland supports capital budget funding flexibility for feasibility studies and site acquisition for a Regional Crisis Triage Center sited in north King County
- Kirkland supports capital budget funding for prioritized Trail Improvement Projects (Rapid Flashing Beacons) at A) Willows Road Regional Trail Connection, at B) Tolt River Trail connection with Woodinville, and at C) 132nd Place NE/Slater Ave. NE and the Eastrail. D) Trail Bridge Crossing of Denny Creek at NE 132nd Street

2022 City Legislative Priorities

Cities are home to **65%** of the state's residents, drive the economy, and provide the most accessible government. The continued success of cities depends on adequate resources and local decision-making to best meet the needs of our shared residents.

Washington's 281 cities ask the Legislature to partner with cities and take action on the following priorities—because strong cities make a great state.



Ensure basic infrastructure funding

Provide flexible state and federal dollars through programs like the Public Works Assistance Account to help cities finance basic infrastructure such as drinking water and wastewater.

Basic infrastructure is the key to our robust state economy and protecting our environment. Nearly **\$900 million** in local infrastructure projects are currently halted due to lack of funding. State investment in local infrastructure is critical to ensuring reliable, equitable, safe, and affordable service to support our residents, businesses, and environment.



Protect Transportation Benefit District funding authority

Support expanded local authority for Transportation Benefit Districts (TBDs) so cities can continue using the sales tax funding tool beyond the current time limitations.

Cities largely fund their transportation systems locally. In fact, **79%** of funding comes from local sources, such as Transportation Benefit Districts. TBDs are a crucial funding tool for critical transportation needs. TBD revenue authority must continue as a sustainable funding source for ongoing transportation needs.



Pass a transportation package

Adopt a new transportation revenue package that emphasizes maintenance/preservation funding and provides an equitable level of local funding and additional long-term, sustainable revenue options for cities.

City streets accommodate **26%** of all vehicle miles traveled and cities are responsible for many aspects of the transportation system beyond local streets. This includes sidewalks, pedestrian and bicycle infrastructure, some aspects of state highways, stormwater infrastructure, and other utilities. Cities largely fund these needs locally with only **13%** of funding coming from the state and **8%** from federal sources. Pass a statewide transportation package that addresses local transportation needs to keep our state moving.

AWC's advocacy is guided by the following core principles from our Statement of Policy:

- Local decision-making authority
- Fiscal flexibility and sustainability
- Equal standing for cities
- Diversity, equity, and inclusion
- Strong Washington state partnerships
- Nonpartisan analysis and decision-making

Contact:

Candice Bock
Government Relations Director
candiceb@awcnet.org

From: [Cherie Harris](#)
To: [Council](#)
Cc: [Kurt Triplett](#); [James Lopez](#); [Kevin Raymond](#); [Tracey Dunlap](#); [Amy Bolen](#); [Patricia Ball](#)
Subject: 2021 Legislation - Police Reform & KPD Policy Changes
Date: Wednesday, July 28, 2021 5:32:00 PM
Attachments: [image001.png](#)

All –

By now you've all seen a number of Police Chiefs & Sheriffs putting out press releases, social media posts and even being interviewed on the news about the new laws on use of force, police tactics and de-certification. There are a number of legislative bills that passed in 2021 that became law on July 25th and others that won't become law until 2022. Some of these laws have created significant changes to the way in which the Department is able to perform our law enforcement duties, others are nothing new. I am currently drafting a message to send out to the Kirkland community. It wasn't published sooner, because I was focused on the changes that needed to be made to our current policies and practices and wanted to have as much information as I was making those decisions. Communicating the changes internally took precedent. I also did not want to make any "knee jerk" decisions within the Department. The Governor signed many of these bills into law on or around May 18th. Since then myself, Deputy Chiefs St Jean & Aksdal have attended a number of webinars providing guidance on implementing the new legislation hosted by WCIA Attorneys, the Washington Association of Sheriffs and Police Chiefs and met with the City Attorney, the City Prosecutor, the City Manager and neighboring police agencies.

Some Chiefs are making very conservative decisions, taking the position that HB1310 severely limits the ability of law enforcement to respond to calls for service, such as not responding to medical calls, welfare checks or when the Fire Department is asking for help. This reaction is partly due to the uncertainty surrounding potential liability and job security created by SB 5051 – Decertification. We aren't doing that in Kirkland, at least until there are other community care takers to fill the void that would be left by Officers not responding. We can still provide assistance but there are limitations on what we can do in certain circumstances. Also, how often does a 911 call actually turn out to be exactly what the reporting party told the Dispatcher? Our new philosophy is "slow down and assess the situation". Make phone calls to reporting parties (just like we did in COVID) and coordinate with the Fire Department if your welfare check is really just a medical call. A recent "welfare check" of a woman swimming in Marina Park after hours, if it weren't for a rescue by a Police Officer when she had a seizure and started to go underwater.

Here is a short summary (not all encompassing) of the changes and how the Kirkland Police Department is implementing them:

Senate Bill 5476 – the Blake decision:

- Clarifies that possession of a controlled substance is a misdemeanor (previously a felony).
- Paraphernalia is no longer illegal, to include needles, glass pipes etc.
- Officers are required to offer referrals for assessment and services at least two times prior to an action of arrest and booking.

All NORCOM police agencies are handling these interactions in the same way. We are offering referrals to services and writing reports on the contact.

Community members who call 911 reporting that someone is using heroin, meth or cocaine will see us respond to the call but NOT physically arresting that person as we would have in the past if the person has not been offered resources at least twice. We will make referrals and leave the scene. This may be the most concerning for community members who have neighbors who use controlled substances.

House Bill 1054 – the Police Tactics Bill:

- Prohibits choke holds and neck restraints – we have always prohibited choke holds and removed neck restraints last year
- Prohibits military weapons and ammunition – we have removed the “Sage” less lethal 37 mm launcher from use. The rubber round is larger than the restriction on ammunition in the legislation (no 50 caliber size ammunition which is approximately 12 mm). This is a concern that I hope the legislature will fix in January. The Sage deploys an accurate less lethal rubber round that can be fired from a distance greater than a Taser.
- Restricts Vehicular Pursuits – we have always restricted pursuits to just dangerous felonies and require that the danger to the community of the suspect escaping be greater than the danger created by the pursuit. We will continue to restrict pursuits, even more than the new law that allows Officers to pursue for a suspected DUI. Pursuing an impaired driver is too great a danger to the community.
 - Requires an Officer to have Probable Cause to pursue a dangerous felony, this is a higher standard than was previously required.
 - New requirement for a supervisor to approve the pursuit prior to initiation.
- Prohibits shooting at moving vehicles – we have always restricted shooting at a moving vehicle. New law clarifies, the vehicle must be “used as a deadly weapon” or a suspect is shooting from the vehicle.
- Bans no knock warrants – we were already in compliance, we surround and call out with Negotiators.
- Bans tear gas unless there is a barricaded subject, a hostage situation or a riot. In a riot situation the Mayor has to approve the use of gas. Patrol Officers do not have access to gas, it’s a tool used by SWAT and approved by Command personnel. This is not a change for KPD. Important to note that OC (pepper spray) is not tear gas

House Bill 1310 – Use of Force Bill:

- Restricts the use of force to the following:
 - Probable cause for an arrest or
 - Effect an arrest or
 - Escape or
 - To protect against an imminent threat of bodily injury to the officer, others or the person force is being used upon
- Became law on July 25th but directs the AG’s office to develop a model policy by July 1, 2022.
- Requires an officer to intervene when observing excessive use of force. This is not a new policy in Kirkland.
- Requires an officer to report a policy or law violation regarding use of force.
- Requires an officer to render emergency aid. This is not a new policy in Kirkland.
- The new restrictions on use of force will mean that when a person is running away from a crime and the officer only has reasonable suspicion to believe they were involved, they cannot

use force to stop them while they investigate further. An Officer can request a person stop but if they run away, the officer has to let them go and continue to investigate. I believe this will increase the time in which it takes to investigate crimes and another area that may create confusion in the community. Remember, using force doesn't mean that we are shooting people, that's deadly force. A use of force is using "any technique or tactic reasonably likely to cause transient pain and or injury". It does not include physical touching or handcuffing. We will not be able to physically stop a person fleeing from a crime scene unless the facts and circumstances known to the Officer would warrant that Officer to believe that a specific crime has or is occurring and that the suspect is the person responsible.

- Enhances the requirement to de-escalate, Officers "shall, when possible" exhaust all available and appropriate de-escalation tactics prior to using physical force. The Department has had similar language and provides hands on training scenarios as well, but there are a few new tactics listed in this legislation.
 - Includes the language "consider leaving the area if there is no imminent threat of harm and no crime has been or is about to be committed".
- When possible, use less lethal alternatives – this is a conflict due to HB1054 that prohibits military weapons and ammunition.
- No force can be used to detain runaways, without probable cause of a crime or an imminent threat.
- This legislation will increase the need for additional ongoing hands on training.

Some Departments are no longer going to 911 calls involving suicidal subjects. We will continue to respond but again, need to slow down and assess the situation. Aside from a Mental Health Professional or an order from a Judge, a Police Officer still has the ability to take a person involuntarily into custody for a mental health evaluation. The person has to be displaying behavior that would make them an imminent harm to themselves or others. Even at this point, we have historically "walked away" from suicidal subjects that are not a threat to anyone else and are refusing help. Suicide is not a crime in and of itself and we have not wanted to force a confrontation or cause harm trying to get the person "help".

House Bill 5051 – Decertification and background checks:

- Provides stringent background policies. This is not a new policy or practice in Kirkland.
- Expands the reasons why an Officer can be decertified and provides the WA Criminal Justice Training Commission (CJTC) the ability to place an officer on probation, require remedial training, suspend their license or totally decertify them.
- Expands the civilian representatives on the CJTC Executive Board.
- Expands civilian oversight and creates a complaint reporting system at CJTC and a requirement to investigate in certain circumstances.

House Bill 1267 – Office Of Independent Investigation:

- Establishes state level office for investigation of deadly force.
- Does not eliminate the need for an Independent Force Investigative Team (IFIT).

House Bill 1089 – Audits of Investigations:

- Auditors Office has authority to audit IFIT investigations, training and certification requirements.

Officers are feeling significant anxiety and believe that the risk involved in being a police officer is greater than ever. In certain situations, I agree with that sentiment but there is also some misinformation on social media and in the news that isn't helping the situation. We will err on the side of caution and letting suspects go when there is no imminent threat or PC for a crime but we will continue to respond to 911 calls. I have told Officers that I support them leaving a call if there is no crime or imminent threat and they believe that they shouldn't be there, but they also need to explain the situation to the reporting party, the neighbor or whoever called them there. Telling the community, it's the "legislatures fault" also is not an option. We will be developing talking notes for community presentations at neighborhood meetings, chamber etc and again, a lot of new training to ensure the new laws are understood and practiced.

Please let me know if you have additional questions or concerns. This is not all inclusive of new police legislation, there are more bills that were signed in May 2021 that will become law in 2022.



Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON

MEMORANDUM

DATE: August 2, 2021

TO: Representative Roger Goodman, Chair, House Public Safety Committee
Representative Jesse Johnson, Vice Chair, House Public Safety Committee
Washington State Legislature

FROM: Alicia O. Young, Deputy Solicitor General
Shelley Williams, Assistant Attorney General

SUBJECT: House Bill 1310

I. INTRODUCTION

The Legislature has passed several laws addressing police reform. Relevant here, Engrossed Second Substitute House Bill (Bill) 1310 addresses permissible uses of force by law enforcement and correctional officers. Recently, certain law enforcement agencies may have expressed concerns that Bill 1310 limits when peace officers may respond to certain calls, including mental health calls.

II. QUESTION AND BRIEF ANSWER

1. Do the restrictions and standards in Bill 1310, section 3 prohibit a peace officer from responding to a call for assistance in a situation involving mental health crises? More specifically, do the restrictions and standards in Bill 1310, section 3 effectively prohibit a peace officer from responding to a call for assistance where the caller does not report criminal conduct?

No. Bill 1310 addresses when police may use physical force or deadly force, and provides reasonable care standards when officers use physical force. Bill 1310 does not address when law enforcement officers may respond to calls, including community caretaking calls, which do not involve criminal conduct. Washington statutes and case law recognize responding to community caretaking calls as part of a law enforcement officer's duties. Bill 1310 neither alters nor limits that authority.

III. ANALYSIS

A. Bill 1310 Addresses When Peace Officers May Use Reasonable and Necessary Force, and Provides Reasonable Care Standards When Officers Use Physical Force

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In passing Bill 1310, the Legislature stated its intent:

...

The legislature intends to address excessive force and discriminatory policing by establishing a requirement for law enforcement and community corrections officers to act with reasonable care when carrying out their duties, including using de-escalation tactics and alternatives to deadly force. Further, the legislature intends to address public safety concerns by limiting the use of deadly force to very narrow circumstances where there is an imminent threat of serious physical injury or death. It is the intent of the legislature that when practicable, peace officers will use the least amount of physical force necessary to overcome actual resistance under the circumstances.

It is the fundamental duty of law enforcement to preserve and protect all human life.¹

Relevant here, Bill 1310 addresses when an officer may use physical force:

Except as otherwise provided under this section, a peace officer may use physical force against a person when necessary to:

Protect against criminal conduct where there is probable cause to make an arrest;

[E]ffect an arrest;

[P]revent an escape as defined under chapter 9A.76 RCW; or

[P]rotect against an imminent threat of bodily injury to the peace officer, another person, or the person against whom force is being used.²

When a peace officer uses physical force, Bill 1310 requires the officer to use reasonable care and further provides reasonable care standards:

A peace officer shall use reasonable care when determining whether to use physical force and when using any physical force against another person. To that end, a peace officer shall:

(a) When possible, exhaust available and appropriate de-escalation tactics prior to using any physical force, such as: Creating physical distance by employing tactical repositioning and repositioning as often as necessary to maintain the benefit of time, distance, and cover;

¹ Laws of 2021, ch. 324, § 1 (emphasis added).

² Laws of 2021, ch. 324, § 3(1)(a).

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when there are multiple officers, designating one officer to communicate in order to avoid competing commands; calling for additional resources such as a crisis intervention team or mental health professional when possible; calling for back-up officers when encountering resistance; taking as much time as necessary, without using physical force or weapons; and leaving the area if there is no threat of imminent harm and no crime has been committed, is being committed, or is about to be committed;

(b) When using physical force, use the least amount of physical force necessary to overcome resistance under the circumstances. This includes a consideration of the characteristics and conditions of a person for the purposes of determining whether to use force against that person and, if force is necessary, determining the appropriate and least amount of force possible to effect a lawful purpose. Such characteristics and conditions may include, for example, whether the person: Is visibly pregnant, or states that they are pregnant; is known to be a minor, objectively appears to be a minor, or states that they are a minor; is known to be a vulnerable adult, or objectively appears to be a vulnerable adult as defined in RCW 74.34.020; displays signs of mental, behavioral, or physical impairments or disabilities; is experiencing perceptual or cognitive impairments typically related to the use of alcohol, narcotics, hallucinogens, or other drugs; is suicidal; has limited English proficiency; or is in the presence of children;

(c) Terminate the use of physical force as soon as the necessity for such force ends;

(d) When possible, use available and appropriate less lethal alternatives before using deadly force; and

(e) Make less lethal alternatives issued to the officer reasonably available for their use.

B. Bill 1310 Does Not Address a Peace Officer's Authority to Respond to Community Caretaking Calls

1. Washington courts and Washington statutes recognize that peace officers provide emergency aid unrelated to criminal investigations

The community caretaking doctrine recognizes that peace officers provide emergency aid and assistance to persons in crisis – situations that do not involve criminal conduct. The Washington Supreme Court has recognized that officers may provide aid functions under the community caretaking doctrine:

Under the community caretaking exception [to the warrant requirement], law enforcement officers may make a limited invasion of constitutionally protected privacy rights when it is necessary for officers to perform their community caretaking functions. . . . This exception recognizes that law enforcement officers are jacks of all trades and frequently engage in

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community caretaking functions that are unrelated to the detection and investigation of crime, including delivering emergency messages, giving directions, searching for lost children, assisting stranded motorists, and rendering first aid.³

Washington courts have “expanded the exception to include . . . situations involving either emergency aid or routine checks on health and safety.”⁴ Washington statutes also contemplate an officer’s involvement in the detention and/or transportation of vulnerable persons to appropriate facilities. These statutes include RCW 43.185C.260 (protective custody for children), RCW 26.44.050 (abused or neglected child), and RCW 71.05.150 and .153 (persons with behavioral health disorders). Accordingly, officers responding to mental health calls is a community caretaking function.

2. Bill 1310’s plain language does not address nor limit a peace officer’s authority to respond to community caretaking calls

Bill 1310 does not address peace officers responding to certain calls and does not prohibit a peace officer from responding to a community caretaking call. Neither the statute’s plain language nor its expressed intent evidence any limitation on peace officers responding to community caretaking calls.

First, nothing in Bill 1310’s language addresses when law enforcement officers may respond to community caretaking calls. When statutory “language is unambiguous, [courts] give effect to that language and that language alone because [courts] presume the legislature says what it means and means what it says.”⁵ Here, Bill 1310, Section 3(1)(a) addresses when a peace officer may use physical force:

Except as otherwise provided under this section, a peace officer may use physical force against a person when necessary to: Protect against criminal conduct where there is probable cause to make an arrest; effect an arrest; prevent an escape as defined under chapter 9A.76 RCW; or protect against an imminent threat of bodily injury to the peace officer, another person, or the person against whom force is being used.⁶

Nothing in the statute’s plain language indicates that specifying permissible uses of force prohibits an officer from responding to community caretaking calls. Indeed, Section 3(1)(a) permitting physical force when necessary to “protect against an imminent threat of bodily injury to” any

³ *State v. Boisselle*, 194 Wn.2d 1, 10, 448 P.3d 19 (2019) (citations omitted) (internal quotation marks omitted).

⁴ *Id.* at 11 (citation omitted) (internal quotation marks omitted).

⁵ *Cent. Puget Sound Reg’l Transit Auth. v. Airport Inv. Co.*, 186 Wn.2d 336, 346, 376 P.3d 372 (2016) (citation omitted).

⁶ Laws of 2021, ch. 324, § 3(1)(a) (emphasis added).

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person, including the person against whom force is being used, indicates the statute anticipated that officers may respond to calls that do not involve a crime.

Second, the statutory intent of Bill 1310 is to preserve human life. A reading that the statute limits when peace officers may respond to emergency aid calls contravenes that intent. “When interpreting a statute, the court’s fundamental objective is to ascertain and give effect to the legislature’s intent.”⁷ “A statutory statement of intent can be crucial to the interpretation of a statute.”⁸ Here, Bill 1310’s statement of intent addresses “excessive force and discriminatory policing by establishing a requirement for [peace officers] to act with reasonable care when carrying out their duties[.]”⁹ Importantly, the intent statement declares “[i]t is the fundamental duty of law enforcement to preserve and protect all human life.”¹⁰ An interpretation that Bill 1310 limits or prohibits law enforcement officers from responding to calls that do not involve a crime – such as community caretaking calls to render aid – is contrary to legislative intent to preserve and protect all human life.

Accordingly, Bill 1310 does not prohibit a peace officer from responding to calls where the caller does not report criminal conduct.

IV. CONCLUSION

Bill 1310 does not prohibit peace officers from responding to community caretaking calls, including mental health calls.

Disclaimer: This is not a formal opinion of the Attorney General, but it expresses the authors’ carefully considered legal opinion. The conclusions are based on the facts summarized herein and current law. If either changes, the analysis and conclusions may change as well.

⁷ *Columbia Riverkeeper v. Port of Vancouver USA*, 188 Wn.2d 421, 435, 395 P.3d 1031 (2017) (citation omitted).

⁸ *Food Servs. of Am. v. Royal Heights, Inc.*, 123 Wn.2d 779, 788, 871 P.2d 590 (1994) (footnote omitted).

⁹ Laws of 2021, ch. 324, § 1.

¹⁰ *Id.*

Ranked-Choice Voting Gets A Prime-Time Shot Under New York City's Bright Lights

Updated June 23, 2021



[DOMENICO MONTANARO](#)

An important election takes place Tuesday in New York City.

But beyond who wins the mayoral primaries there, what happens could have consequences for how millions of Americans vote in the future.

That's because the city is using ranked-choice voting for the first time in decades. The method, which allows voters to rank candidates by preference rather than selecting just their top choice, has gained some traction throughout the country, pushed by reformers who say it's a better election system.

New York City is by far the largest jurisdiction to implement ranked-choice voting, and that means it's about to go under a white-hot spotlight.

So what is it exactly, where has it been used, and what are the arguments for and against it?

What is ranked-choice voting?

In the system, voters get to rank their preferred candidates. New York City is having voters rank their top five — though voters are not required to choose five.

In the Democratic primary, there are 13 candidates on the ballot, while the Republican primary in the heavily Democratic city has just two candidates. New York now uses ranked-choice voting for primaries and special elections after almost three-quarters of voters approved its use in a 2019 ballot measure.

Article continues after sponsor message

Most Americans are used to casting one vote for one person per office, and the person with the most votes wins. Ranking candidates is far more complicated, but advocates believe it is fairer and more accurately reflects the collective will of the majority.

Here's an example of a Democratic ballot that a New Yorker in Flushing, Queens (where your author is from), will see:

How does it work?

1. If someone gets 50% plus one after all the first-choice votes are counted, then the election is over and that candidate wins.
2. But if no one gets 50% plus one, it's on to Round 2.
3. The person with the lowest number of first-place votes is eliminated, and that candidate's voters' second choices get redistributed as votes for other candidates.
4. This reallocation of votes goes on until someone reaches 50% plus one.

In the New York Democratic mayoral primary, with such a large field of candidates and a high percentage of undecided voters, it could take many rounds before someone reaches a majority.

Using its data, the latest WNBC/Telemundo 47/Politico/Marist poll of the race, for example, found it would take 12 rounds to get a winner.

Where else has this been used?

There are some 20 jurisdictions across the country that use ranked-choice voting, according to FairVote, a nonpartisan vote-reform advocacy group.

Just two states — Maine and Alaska — have switched to it for both statewide and presidential elections, while a few more used it for 2020 presidential primaries.

It had a serious impact on a 2018 Maine congressional race. A Republican had the most first-choice votes and was leading the Democrat narrowly by a couple thousand votes. But two independent candidates also received a fair amount of votes, and when their second-choice votes were redistributed, the Democrat wound up winning by a few thousand.

Popular overseas. It has also been used by Australia, Ireland and Malta since the early 20th century. Northern Ireland, New Zealand and Scotland have all adopted it as well.

Not the first push in the U.S. Two dozen cities adopted ranked-choice voting in this country in the early-to-mid-20th century, but it faced a backlash and was repealed in all of them but one. It is still in use in Cambridge, Mass.

Outside politics. The Oscars have also been using it since 2009 for its Best Picture category, but not everyone is a fan of the results it has produced.

What are the arguments in favor of it?

Proponents of ranked-choice voting say:

- **It means the winner gets a majority of the vote.** The usual system of "most votes wins" can mean someone with only a plurality of the overall vote can be elected, not necessarily the person with majority support. And that can make for some broadly unpopular or unqualified candidates winning. In other words, ranked-choice voting can drastically reduce the possibility of spoilers.
- **More moderate candidates.** It's less likely that extreme candidates who have a strong base of support but aren't liked more broadly could get through in a crowded primary.
- **More cost-effective than other runoff elections.** Ranked-choice voting, sometimes called "instant runoff elections," costs less than other runoffs. If no one hits a needed threshold to win those runoffs, candidates with depleted funds then have to often campaign several more weeks. It also saves local jurisdictions money because they don't have to spend more on another election to administer.
- **Less negative campaigning.** The argument goes that candidates need a majority of voters to like them (at least more than the next person).
- **People can feel good about casting their vote.** Instead of holding their nose for that one choice they get, voters can express at least a first choice for the person they really like.

What are the arguments against it?

Opponents of ranked-choice voting say:

- **It's complicated.** And complications can lead to errors. It's new and voters get confused and make more errors on a ranked-choice ballot than a regular one, one Maine policy analyst found. In fact, the analyst said ranked ballots are three to five times more likely to be uncounted because of mistakes than regular ones.

- **Some argue it's less democratic** because it eschews the idea of one person, one vote.
- **Lots of people don't fill out all the choices.** In that Marist survey of the New York race, just a quarter of potential voters made five selections. Without all the choices, opponents argue, you're getting bad data. How can you know the true will of a majority of the people if everyone isn't filling out all the choices? Australia requires everyone to rank all of the candidates (in addition to requiring everyone to vote). But without that requirement, if voters don't rank all of the candidates, it's possible to still not get to a majority. That's already happened in the U.S.
- **It could encourage horse-trading.** Ranked-choice voting might make for less strategic voting, but it could open the door for candidates to make deals with one another about who their voters should go for as a second choice. Over the weekend in New York, that was on full display. Andrew Yang, the former presidential candidate who is running for mayor, and fellow Democratic candidate Kathryn Garcia have formed a late alliance. "You can vote for both of us," Garcia said, as the two stood together. Yang added, "If you support me, please make sure to also support Kathryn Garcia on your ballot."
- **It might not necessarily reduce negative campaigning.** As it is already, candidates don't like putting their names on negative campaigning. Much of it is done by outside groups, and nothing in ranked-choice voting stops those entities from continuing to muddy up others in the race. Some argue it could have the unintended consequence of more strident candidates, as fringe extremists appeal to another hard-line candidate's followers for second-choice votes.

From: Rick Whitney <RWhitney@kirklandwa.gov>
Sent: Wednesday, November 03, 2021 2:19 PM
To: Penny Sweet <PSweet@kirklandwa.gov>; Jay Arnold <JArnold@kirklandwa.gov>; Kelli Curtis <KCurtis@kirklandwa.gov>; Neal Black <NBlack@kirklandwa.gov>; Toby Nixon <TNixon@kirklandwa.gov>; Jon Pascal <JPascal@kirklandwa.gov>; Amy Falcone <afalcone@kirklandwa.gov>
Cc: Kurt Triplett <KTriplett@kirklandwa.gov>; Amy Walen <amywalen@comcast.net>; John Kappler <JKappler@kirklandwa.gov>
Subject: REMOVE SUNSETTING HCC FROM LEGISLATIVE AGENDA

Honorable Kirkland City Council Members,

I was recently notified by a constituent that tonight the Kirkland City Council (KCC) is considering a 2022 legislative agenda which includes a provision to sunset the Houghton Community Council (HCC) in the name of equity and social justice.

As stated in my previous letter to you, Amy Walen indicated that she would arrange for a candid and respectful discussion after yesterday's election with representatives of KCC and HCC regarding all issues related to continuation of the HCC. This would provide representatives of both entities an opportunity to understand each other's concerns and discuss options for addressing those concerns, including Amy's various suggestions for sunseting.

This morning, John Kappler and I had a virtual meeting with Mayor Sweet and Deputy Mayor Arnold to express our strong opposition to KCC adopting a legislative agenda that includes sunseting HCC without any communication or participation with HCC in the process. It was a constructive discussion that concluded with Penny and Jay acknowledging that KCC should have engaged HCC in the process before adding the sunseting of HCC to their legislative agenda. To do so would be a discredit to you and would not reflect well on your action if this matter is taken up by the State Legislature.

I am aware that many KCC members have publicly expressed their support of sunseting HCC. I respect your personal opinions, and would understand if you chose to express them individually to the State Legislature. But to take KCC action unilaterally without having the courtesy and respect to engage HCC in the process is unacceptable.

During my years of service on HCC, we have had a very good relationship with KCC. If you approve sunseting HCC in your legislative agenda today, it will seriously impair any chance of a mutually agreeable solution and future relations between HCC and KCC. It will also trigger a vigorous response which will employ all means of defense, including legal action as a last resort.

I sincerely hope that is not the course you choose.

I respectfully implore you to remove the sunseting of HCC from your 2022 legislative agenda until we have a thorough discussion of the associated issues, policies, and possible courses of action.

Sincerely

Rick Whitney
Chair, Houghton Community Council
425-829-2680