



KIRKLAND CITY COUNCIL MEETING MINUTES April 6, 2021

1. CALL TO ORDER

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

2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

a. NE 85th Street Station Area Plan

Senior Planner Allison Zike provided a briefing on the results of the NE 85th Street Station Area Plan Draft Supplemental Environmental Impact Statement (DSEIS) public comment period, current project status, and the project team's proposal to address previous Council direction with additional tasks, including a fiscal impact and benefit analysis. Deputy City Manager Tracey Dunlap, Berk Associate Julia Tesch, Mithun Partner Erin Christensen Ishizaki, and Mithun Senior Associate Brad Barnett also presented and were available to respond to questions.

4. HONORS AND PROCLAMATIONS

a. Sexual Assault Awareness Month Proclamation

Mayor Sweet asked Councilmember Curtis to read the proclamation which was accepted by Marnix Brinkhoff from the King County Sexual Assault Resource Center.

5. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Curtis Brown
Rick Balakier
Liz Hunt

Dana Nunnelly
Ken MacKenzie
A.J. Antrim
Luis Navarro
Genn

c. Petitions

6. PUBLIC HEARINGS

None.

7. SPECIAL PRESENTATIONS

a. COVID-19 Update

City Manager Kurt Triplett provided information on recent actions related to the COVID-19 response.

b. Resolution R-5434 Update

City Manager Kurt Triplett provided a briefing on actions relating to the implementation of Resolution R-5434.

8. CONSENT CALENDAR

a. Approval of Minutes

(1) March 16, 2021

b. Audit of Accounts

Payroll: \$4,288,998.30
Bills: \$5,710,302.82
TB0317 Checks #718405-718524
HS317B Wire #305
HS0319 Wire #306
HS0319 Wire #306
TB0324 Checks #718525-718675
HS0323 Wire #308
HS0323 Wire #309
PCARD ACH
TB0331 Checks #718676-718750

c. General Correspondence

d. Claims

(1) Claims for Damage

Claims received from Johnny Du, Christine Lewis, and Alin Rujoni were acknowledged via approval of the consent calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) Tourism Development Committee Resignation

Council acknowledged the resignation of Danielle Dorland from the Tourism Development Committee and authorized the attached draft response via approval of the consent calendar.

(2) Major Development Projects List and Planning Work Program Status Update

Council acknowledged the list via approval of the consent calendar.

(3) Ratification of 2021 Teamsters Local #763 Collective Bargaining Agreement

Pre-approval authority was granted to the City Manager to adopt the 2018-2020 Collective Bargaining Agreement between the City and the Teamsters Local 763 via approval of the Consent Calendar.

(4) Alaska Suites Livestream Concert Funding

A fiscal note for \$1,000 was approved to fund a livestream concert by musical group "Alaska Suite" in honor of the 50th National Anniversary of Earth Day on April 24, 2021, via approval of the consent calendar.

(5) School Impact Fee Report

Council acknowledged the report via approval of the consent calendar.

(6) February 2021 Sales Tax Report

Council acknowledged the report via approval of the consent calendar.

(7) Procurement Report

Council acknowledged the report via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Kelli Curtis, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

9. BUSINESS

a. City Impact Fee Update

FCS Group Managing Principal John Ghilarducci presented an overview of the results of the Park and Transportation impact fee updates and the initial calculation of a potential Fire Impact Fee. Deputy City Manager Tracey Dunlap also responded to Council questions.

b. 2021 State Legislative Update #6

Intergovernmental Relations and Economic Development Manager Lorrie McKay provided an update on legislative activities to date related to the City's adopted 2021 legislative priorities.

Council recessed for a short break.

c. Urban Forestry Six-Year Work Plan

Urban Forester Deborah Powers presented an overview of the resolution.

- (1) Resolution R-5472, Approving the 2021-2026 Urban Forestry Six-Year Work Plan

d. Amending Surface Water Regulations

Water Quality Program Coordinator Ryeann-Marie Tuomisto presented an overview of the ordinance.

- (1) Ordinance O-4756, Amending Surface Water Regulations

e. Animal Control Authority

Senior Assistant City Attorney Stephanie Croll presented an overview of the ordinance and the resolution.

- (1) Ordinance O-4757, Amending Chapter 8.09 of the Kirkland Municipal Code Entitled "Animal Control Authority" to Clarify that Certain Violations

of the Code are Non-Traffic Civil Infractions; Declaring an Emergency and Establishing an Immediate Effective Date

Motion to Approve Ordinance O-4757 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING CHAPTER 8.09 OF THE KIRKLAND MUNICIPAL CODE ENTITLED "ANIMAL CONTROL AUTHORITY" TO CLARIFY THAT CERTAIN VIOLATIONS OF THE CODE ARE NON-TRAFFIC CIVIL INFRACTIONS; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE."

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

- (2) Resolution R-5473, Amending Exhibit A to R-5262 Related to Pet License Fees and Civil Penalties Applied to Local Animal Services to Clarify That Certain Animal Control Authority Code Violations are Charged as Class 1 Civil Infractions

Motion to Approve Resolution R-5473, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AMENDING EXHIBIT A TO R-5262 RELATED TO PET LICENSE FEES AND CIVIL PENALTIES APPLIED TO LOCAL ANIMAL SERVICES TO CLARIFY THAT CE."RTAIN ANIMAL CONTROL AUTHORITY CODE VIOLATIONS ARE CHARGED AS CLASS 1 CIVIL INFRACTIONS," as amended.

Moved by Councilmember Jon Pascal, seconded by Councilmember Kelli Curtis

Vote: Motion carried 7-0

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

Motion to Amend Resolution R-5473, Exhibit A, Section II.A.2. to insert "\$250" following "2. Civil infractions: Vicious animal or animal cruelty violations" and to strike "a. First violation within one year \$250" and "b. Subsequent violations within one year \$250", so that the section now read as, "2. Civil infractions: Vicious animal or animal cruelty violations \$250."

Moved by Councilmember Jon Pascal, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

Motion to Amend Resolution R-5473, Exhibit A, Section II.A.2. to strike the words "or animal cruelty" so that the section now reads as, "2. Civil infractions: Vicious animal violations \$250."

Moved by Councilmember Toby Nixon, seconded by Deputy Mayor Jay Arnold

Vote: Motion carried 7-0

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

f. 2021 Board and Commission Interview Selection Committee

City Clerk Kathi Anderson drew names; the interview selection committee members chosen were Mayor Sweet and Councilmembers Curtis and Falcone.

g. Park Lane Outreach Options

Public Works Director Julie Underwood provided an overview of street closure options for Park Lane and received Council direction.

10. REPORTS

a. City Council Regional and Committee Reports

Councilmembers shared information regarding the upcoming Sound Cities Association Public Issues Committee meeting; an upcoming King Conservation District meeting; an upcoming Eastside Transportation Partnership meeting; Council designated Councilmember Pascal as the official alternate for the Eastside Transportation Partnership; a Water Resource Inventory Area (WRIA) 8 Salmon Recovery Council meeting; a Governing for Racial Equity and Inclusion (GREI) event; the recent Ismaili Community Engaged in Responsible Volunteering (i-CERV) food drive; North Seattle Transfer Station virtual tour; the Virtual Community Resource Center information session; an upcoming Sound Cities Association Equity and Inclusion Cabinet meeting; an upcoming Sit Down and Listen event; several recent correspondence regarding waste water and the North East Transfer Station siting process; an upcoming Cascade Water Alliance meeting; and phone call with King County Councilmember Claudia Balducci about the Best Starts for Kids initiative.

b. City Manager Reports

City Manager Kurt Triplett reported on the Feriton Spur Park extension project on the Cross Kirkland Corridor; a use agreement for the new addition to the Feriton Spur Park will be coming before Council at the April 20 meeting; and discussions with King County about having a supported housing site in Kirkland.

(1) Legislative Request Memoranda

Motion to Ask staff to prepare a Legislative Request Memorandum on the question of allowing allow Wheeled All-Terrain Vehicles (WATVs), also known as Utility Terrain Vehicles (UTVs) on city streets as is permitted by state law.

Moved by Councilmember Toby Nixon, seconded by Councilmember Neal Black

Vote: Motion carried 7-0

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

Motion to Ask staff to prepare a Legislative Request Memorandum on the question of relaxing restrictions for the business license requirements for small rental properties.

Moved by Councilmember Toby Nixon, seconded by Councilmember Jon Pascal

Vote: Motion carried 7-0

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

(2) Calendar Update

City Manager Kurt Triplett reminded the Council about the upcoming Council Retreat on Thursday, April 29.

11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of April 6, 2021 was adjourned at 11:21 p.m.

Kathi Anderson, City Clerk

Penny Sweet, Mayor