



# CITY OF KIRKLAND

## CITY COUNCIL

Penny Sweet, Mayor • Jay Arnold, Deputy Mayor • Neal Black • Kelli Curtis  
Amy Falcone • 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.*

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## AGENDA

### KIRKLAND CITY COUNCIL MEETING

#### City Council Chamber

#### Tuesday, February 16, 2021

#### 5:30 p.m. – Study Session

#### 7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website [www.kirklandwa.gov](http://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 contact the City Clerk's Office at 425-587-3190. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

**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.

**ITEMS FROM THE AUDIENCE** provides an opportunity for members of the public to address the Council on any subject which is not of a quasi-judicial nature or scheduled for a public hearing. (Items which may not be addressed under Items from the Audience are indicated by an asterisk\*.) The Council will receive comments on other issues, whether the matter is otherwise on the agenda for the same meeting or not. Speaker's remarks will be limited to three minutes apiece. No more than three speakers may address the Council on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the Council.

**PUBLIC HEARINGS** are held to receive public comment on important matters before the Council. You are welcome to offer your comments after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment and the Council proceeds with its deliberation and decision making.

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
  - a. R-5434 Early Action Update and Next Steps
4. *HONORS AND PROCLAMATIONS*
5. *COMMUNICATIONS*
  - a. *Announcements*
  - b. *Items from the Audience*
  - c. *Petitions*
6. *PUBLIC HEARINGS*
7. *SPECIAL PRESENTATIONS*
  - a. COVID-19 Update
  - b. Resolution R-5434 Update
8. *CONSENT CALENDAR*

a. *Approval of Minutes*

- (1) February 2, 2021
- (2) February 4, 2021
- (3) February 5, 2021

b. *Audit of Accounts*c. *General Correspondence*d. *Claims*

- (1) Claims for Damage

e. *Award of Bids*

- (1) Vehicle Charging Station Project – Award Construction Contract

f. *Acceptance of Public Improvements and Establishing Lien Period*g. *Approval of Agreements*h. *Other Items of Business*

- (1) Board and Commission Resignations
- (2) Public Disclosure Semi-Annual Performance Report
- (3) Resolution R-5463, Authorizing the Duly-Appointed Administering Agency for A Regional Coalition for Housing (ARCH) to Execute all Documents Necessary to Enter Into an Agreement for the Funding of Affordable Housing Projects, as Recommended by the ARCH Executive Board, Utilizing Funds from the City's Housing Trust Fund
- (4) Resolution R-5464, Approving the 2021 A Regional Coalition for Housing (ARCH) Administrative Budget and Work Program
- (5) Resolution R-5465, Approving an Interlocal Agreement for the Creation of the Independent Force Investigation Team-King County (IFIT-KC) Between the Washington State Patrol, the King County Sheriff's Office, the University of Washington, and the Cities of Bellevue, Clyde Hill, Duvall, Issaquah, Kirkland, Lake Forest Park, Medina, Mercer Island, Redmond, and Snoqualmie
- (6) Resolution R-5466, Determining the Shortfall in Revenues for Providing Municipal Services to the Annexation Area as Required by RCW 82.14.415
- (7) 2020 4<sup>th</sup> Quarter Investment Report

**\*QUASI-JUDICIAL MATTERS** Public comments are not taken on quasi-judicial matters, where the Council acts in the role of judges. The Council is legally required to decide the issue based solely upon information contained in the public record and obtained at special public hearings before the Council. The public record for quasi-judicial matters is developed from testimony at earlier public hearings held before a Hearing Examiner, the Houghton Community Council, or a city board or commission, as well as from written correspondence submitted within certain legal time frames. There are special guidelines for these public hearings and written submittals.

**RESOLUTIONS** are adopted to express the policy of the Council, or to direct certain types of administrative action. A resolution may be changed by adoption of a subsequent resolution.

(8) December 2020 Financial Dashboard

(9) Procurement Report

**9. BUSINESS**

**ORDINANCES** are legislative acts or local laws. They are the most permanent and binding form of Council action, and may be changed or repealed only by a subsequent ordinance. Ordinances normally become effective five days after the ordinance is published in the City's official newspaper.

- a. State Legislative Update #3
- b. Amendment to the Adopted 2021-2026 Capital Improvement Plan: New Project Added – NE 124<sup>th</sup> Street/100<sup>th</sup> Avenue NE Intersection Improvements
- c. City Council Policy and Procedures Amendments
  - (1) Board and Commission Recruitment Process
- d. Setting Priority Goals for 2021-2022 and Adopting the 2021-2022 City Work Program
  - (1) Draft - Updated Goals
  - (2) Resolution R-5462, Setting Priority Goals for 2021-2022 and Adopting the 2021-2022 City Work Program

**10. REPORTS**

- a. *City Council Regional and Committee Reports*
- b. *City Manager Reports*
  - (1) Calendar Update

**11. ITEMS FROM THE AUDIENCE****12. EXECUTIVE SESSION****13. ADJOURNMENT****ITEMS FROM THE AUDIENCE**

Unless it is 10:00 p.m. or later, speakers may continue to address the Council during an additional Items from the Audience period; provided, that the total amount of time allotted for the additional Items from the Audience period shall not exceed 15 minutes. A speaker who addressed the Council during the earlier Items from the Audience period may speak again, and on the same subject, however, speakers who have not yet addressed the Council will be given priority. All other limitations as to time, number of speakers, quasi-judicial matters, and public hearings discussed above shall apply.

**EXECUTIVE SESSIONS** may be held by the City Council only for the purposes specified in RCW 42.30.110. These include buying and selling real property, certain personnel issues, and litigation. The Council is permitted by law to have a closed meeting to discuss labor negotiations, including strategy discussions.



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

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** James Lopez, Assistant City Manager  
David Wolbrecht, Senior Neighborhood Services Coordinator  
Andreana Campbell, Management Analyst  
Chelsea Zibolsky, Special Projects Coordinator  
Tracey Dunlap, Deputy City Manager  
Cherie Harris, Chief of Police  
Mike St. Jean, Deputy Chief of Police  
Todd Aksdal, Deputy Chief of Police  
Melissa Petrichor, Administrative Commander  
Anh Hoang, Human Resources Director  
Darcey Eilers, Assistant City Attorney  
Greg Piland, Financial Operations Manager  
Leslie Miller, Human Services Supervisor

**Date:** February 9, 2021

**Subject:** R-5434 EARLY ACTION UPDATE AND NEXT STEPS

## **RECOMMENDATION:**

City Council receives an update and provides direction on next steps for the various elements of Resolution R-5434 (Attachment A). Staff recommends the Council:

- Receives a briefing on Black-centered focus groups and community outreach results;
- Receives an update on major elements of Resolution R-5434;
- Reviews the proposed data elements to be tracked in the five draft R-5434 dashboards;
- Provides feedback and amendments to the data elements of the five draft dashboards;
- Affirms engagement of broad community outreach on R-5434 and the draft dashboards;
- Approves \$65,000 of R-5434 funds for equity assessment and outreach support;
- Schedules May 18 study session on R-5434 community outreach and draft dashboards;
- Provides direction at the May 18 study session on more focused community outreach for body worn cameras and School Resource Officers

Each R-5434 element can be thought of as a separate project. For each element, staff have detailed community insight, key considerations, national best practice review, and/or consultant input for Council's reference and consideration of next steps. Staff proposes to update the Council at a future meeting tentatively scheduled for May 18, 2021 with Council approval.



The update memo is lengthy, so a brief Executive Summary of key issues is provided.

## **Executive Summary**

### Key Insight from the Community Engagement: The Importance of Relationship

One consistent theme throughout the targeted stakeholder engagement centered on Black people was the importance placed on the building of trusted relationships as the first step to discuss topics such as racism. Participants were generally appreciative of the City efforts around R-5434, however many participants still expressed a sense of guardedness from negative experiences engaging local government on this topic in the past. Staff consider these initial meetings as the start of further relationships, and staff plan on following up with all participants for further conversation.

### Evaluating Options for Independent Civilian Oversight of Police Use of Force

This element was prioritized by several focus groups during the targeted stakeholder engagement. Kirkland's Council/Manager form of government provides the City Council, which is directly accountable to the public, with the civilian oversight authority to help ensure that the actions of the Police Department reflect the values and expectations of the community. In the Council/Manager form of government, the Chief of Police reports to the City Manager and may be removed by the City Manager in the discretion of the City Manager, for example if the Police Department is not reflecting these values and the Police Chief is not correcting the Department's performance. The City Manager reports to the City Council and may be removed by the City Council in its discretion, for example if the Police Department is not reflecting these values and the City Manager is not addressing the Department's performance. The voters of Kirkland have final oversight on these issues, as they may replace elected officials on the Council if the Council does not address City Manager and Police Chief performance or help ensure Police Department behaviors that reflect the values of the community. Many examples of oversight models exist that could inform a model that's best for Kirkland. Staff recommend convening an advisory committee to clearly define the goals of police oversight within Kirkland and how they inform and advise the current civilian oversight provided by the Council/Manager form of government.

### National Best Practices on Alternatives to Police / Co-Responder Models

This element was also prioritized by several focus groups. One consistent comment was not to use the term "alternative policing." Staff will implement this feedback in documents moving forward. The City has engaged consultant Anura Shah of *Beyond Force* to work with staff to evaluate options and help develop recommendations on what type of co-responders would best meet Kirkland's needs. Staff also continue to actively research models in other jurisdictions. The Eugene CAHOOTS program is tentatively scheduled to provide a briefing to the NORCOM Governing Board on February 12, 2021 on how their co-responder model would affect the current NORCOM processes. Staff will to Council with an update from this board meeting during the Spring update.

### School Resource Officer Dashboard

The School Resource Officer (SRO) Dashboard, and specifically the SRO Program itself, was among the most widely discussed and prioritized by the Black-centered focus groups. Most focus group participants were generally critical of a police officer being in a school environment as it related specifically to the safety and respect of Black students, as well as students of color

broadly. State law mandates the reporting by the Lake Washington School District of SRO's law enforcement activities, and City staff continue to collaborate with District staff on additional data about SRO activities to present in the dashboard, including student sentiment.

#### Dashboards

Staff have identified several principles that can be applied to the development of all the new dashboards, regardless of content. Any City dashboard should be accessible, sustainable, and connected. Additional characteristics related to these principles are articulated further in this memo. Staff seek direction from Council on the data set and preferred schedule for posting updated data for each dashboard. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop mockup versions of the draft dashboards for recommended presentation at a May 18 Study Session.

#### Continued Community Engagement

Staff have now concluded the first round of targeted stakeholder engagement centered on Black people and have begun transitioning to broader community engagement. As a 2021-2022 City Work Plan item, staff are prioritizing R-5434 implementation their respective work programs. Moving forward, staff anticipate the need for an additional \$65,000 to support a robust community engagement process. This would not require new revenue as the recommended funding source is the "Diversity Inclusion Initiatives Citywide" element of the Community Safety Initiative service package (21CS01), of which there is \$109,568 available.

### **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 City Manager's 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. The Council took up R-5434 for final deliberation at the August 4, 2020 Council meeting, during which the City Manager presented funding recommendations for Council authorization. The Council adopted R-5434 and the City Manager's funding recommendations at the August 4, 2020 Council meeting.

The City Manager's funding recommendations consisted of early action requests and budget process requests. The early action funding totaled \$380,000 and was intended to facilitate immediate implementation of several of the elements in the resolution. A summary of expenditures is detailed later in this memo.

### **I. Community Engagement for R-5434**

The community engagement process for R-5434 began in June 2020 when the City Manager, Police Chief, and Assistant City Manager began holding weekly meetings with the Right To Breathe Committee for on-going policy discussions. The Right To Breathe (RTB) Committee consists of several notable Black leaders from the Eastside Race and Leadership Coalition and

has since become its own organization. This group has met 20 times since June to date although the meetings have transitioned to twice per month. The Right To Breathe Committee is also in conversation with the cities of Bellevue, Redmond, and Issaquah. In late December, the Right To Breathe Committee published a [YouTube video](#) sharing appreciation for the community.<sup>1</sup> On Martin Luther King Jr. Day, January 18, 2021, the Right To Breathe Committee issued City Progress Reports for the various Eastside cities with whom it is engaging in discussions. The status reports give an overview of the Right To Breathe Committee's assessment of how safe that City is for Black people, organized around various policy areas. [Kirkland's Progress Report](#)<sup>2</sup> can be found online and in Attachment B. These meetings continue to be helpful dialogues centered around the key policy priorities of the RTB Committee, and staff anticipate continuing to meet with the RTB Committee throughout the R-5434 process.

Throughout the summer of 2020, City of Kirkland had already begun planning for a regional Welcoming Week event in collaboration with staff from the cities of Bellevue, Issaquah, Redmond, and Sammamish and the organizations Eastside Refugee and Immigrant Coalition, Eastside For All, and Eastside Race and Leadership Coalition. Upon Council's adoption of R-5434, staff explored ways to strategically link the City's forthcoming community engagement for R-5434 with the event. Held on September 26, 2020, the virtual Eastside Race and Equity Summit attracted over 240 attendees from across the Eastside. The event featured keynote speaker Mr. Delbert Richardson, a local Community Scholar, Ethnomuseumologist, Second Generation Storyteller, and Creator of the National Awarding Winning American History Traveling Museum: The "Unspoken" Truths, and the event highlighted several formal and informal Black-led and/or Black-centered groups on the Eastside who focus on racial equity. City staff reached out to those groups featured at the event to plan focus groups that would be the basis for staff's community engagement process centered on Black people called for in R-5434 § 4a.

Staff conducted a total of seven focus groups with Black-centered and/or Black-led groups between November 2020 and January 2021 and one focus group with a Latino group in February 2021. Below is a listing of the groups that staff met with for focus groups:

- Eastside Race and Leadership Coalition (ERLC)
- Black Policy Advisory Committee
- Movement of Advocacy for Youth
- Eastside Change Coalition (met twice)
- ERLC -organized student focus group
- Eastside Embrace
- Kirkland Promotores

Total attendance at the above eight meetings was approximately 52. The focus groups were conducted using a facilitation format and methodology that the Assistant City Manager, Senior Neighborhood Services Coordinator, and several other City staff were trained in by the Change & Innovation Agency in 2018. City staff first used this methodology for the focus groups for the Gun Safety & Community Safety outreach of 2018, and it has been used numerous times since then by staff to collect feedback on a variety of topics. In general, this focus group

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<sup>1</sup> Right To Breathe Committee Shares Appreciation. <https://www.youtube.com/watch?v=chIdpplgEQI>

<sup>2</sup> Right To Breathe Committee City Progress Reports. <https://www.righttobreathe.us/dashboard>

methodology provides insight into what constitutes a successful program, service, or process. During the focus groups, staff provided a general overview of the various elements within R-5434 and sought guidance from the group on which topics to discuss and prioritize. Additionally, the focus group methodology invited discussion among the participants on any topic that the group wanted. Staff have included the raw focus groups notes in Attachment C.

Building off best practice research and community learning, staff used as inspiration a recently adopted policy by the Puget Sound Regional Council (PSRC) related to offering honoraria to focus group participants. The PSRC policy is included as Attachment D. Staff provided honoraria to early action focus group participants to help decrease barriers to 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 structural racism with City staff, which often included sharing painful personal stories.

As part of the focus group process, staff requested that participants provide anonymous demographic information. This was an optional component of the focus groups, and approximately half of the participants responded. Attachment E contains a demographic overview of focus groups participants.

Since late Summer, staff have also attended numerous community group meetings, agency network meetings, and workshops held on topics related to R-5434. Although staff would sometimes be called upon to provide an overview or update on R-5434, the focus of staff attendance at these meetings was to listen and learn. Staff have attended numerous meetings not necessary to include in this memo, but some key highlights include:

- Black Policy Advisory Committee meetings (eight meetings since June 2020)
- Eastside Race and Leadership Coalition meetings (five meetings since June 2020)
- Eastside Change Coalition: "BLM? Prove It" event on August 21, 2020
- Eastside4BlackLives: Online Panel on August 25, 2020
- Governing for Racial Equity & Inclusion (GREI): Quarterly meetings (Sept. 18 and Nov. 20, 2020)
- City of Redmond: Listening Session on November 6, 2020
- ACLU: "Transforming Police Culture" on December 8, 2020
- Esri: "Using Location Intelligence to Address the Impact of Racial Injustice on Health Equity" event on January 27, 2021
- King County Coalition Against Hate and Bias (KCAHB) in Conversation with Enrique Cerna on January 28, 2021
- Indivisible Kirkland meeting on February 6, 2021

Additionally, as the targeted stakeholder focus groups concluded in early February, the City hosted a virtual community conversation on racial justice that was facilitated by Chanin Kelly-Rae, the City's consultant for an organizational equity gap assessment (detailed later in this memo). Approximately 35 community members attended and provided general feedback about their experience with race and racism in Kirkland. This event marked the transition from the targeted stakeholder engagement centered on Black people articulated in R-5434 § 4a-b to broader community-wide engagement. As the City continues through the equity gap assessment process as guided by Ms. Kelly-Rae, many more opportunities for community engagement will be available.

Finally, staff have posted two online surveys for the Kirkland community to provide feedback on the specific elements of R-5434. Published on January 5, 2021, the [first survey](#)<sup>3</sup> consists of comment boxes for each R-5434 element for respondents to provide feedback, and respondents do not need to comment on each item. The [second survey](#)<sup>4</sup>, published on January 28, 2021, focused specifically on the content of the R-5434 dashboards. The purpose of these surveys is to collect feedback from the broader Kirkland community and will be widely distributed throughout the next phase of the community engagement process.

### **Key Insight from the Community Engagement: The Importance of Relationship**

One consistent theme of nearly all the focus groups centered on Black people was the importance placed on the building of trusted relationships as the first step to discuss topics such as racism. Many focus group participants mentioned how they are generally very distrustful of engaging with local government around issues of racism, discrimination, and bias, as they have provided feedback in the past that did not result in any action or identifiable change in circumstance. Participants were generally appreciative of the City efforts around R-5434 and staff reaching out to seek insight from Black community members. However, many participants still expressed a sense of guardedness despite engaging with staff.

Staff approached these initial meetings as the start of further relationships with these groups and constituents, and staff recognize that trust takes time to build through on-going dialogue. Staff plan on following up with all the focus groups at various points throughout the implementation of R-5434 to report back and/or seek further input.

## **II. Early Action Updates and Next Steps**

What follows is an update on each element of R-5434 presented in the following format:

- *Targeted Stakeholder Feedback* – this represents the feedback collected from the eight focus groups. Staff have articulated themes heard from focus groups, as well as highlighting specific points of insight from specific focus groups and/or participants. In a few instances, staff have included other targeted feedback collected outside of the focus groups.
- *Key Considerations and Best Practice Review* - this includes policy considerations for the element as well as an overview of national best practices.
- *Current Status* - a few elements include an update on this program's current status.
- *Next Steps* - for each element, staff provide a general overview of anticipated action(s). Staff are seeking general direction from Council on each element.

Note: The Right To Breathe Committee focuses its work around a set of policy areas, some of which correspond with specific R-5434 elements. The Right To Breathe Committee's policy areas are articulated in the City's Status Report (Attachment B). Staff continue to engage in

<sup>3</sup> R-5434 Community Feedback. <https://us.openforms.com/Form/0b9fd06c-7b59-430f-8299-92614aa846ee>

<sup>4</sup> Kirkland Dashboard Survey. <https://www.research.net/r/DZH6Y2F>

dialogue about those policy areas with the RTB Committee, however staff have not included those policy areas as feedback for the purposes of this memo.

## **A. Transparency Strategies Overview (R-5434 § 1)**

Section 1 of R-5434 calls for the development of five public dashboards to allow the community and the Council to understand how the City as an organization is performing. In this context, *dashboard* refers to a way to display information that drives accountability and decision making with images and text that are easy to understand. These public dashboards will display various data in number, percentage, and/or graphic form (e.g. pie charts, line graphs, and other infographic types) and will include various filters to display specific data (e.g. disaggregated by race or other factors). Additionally, some dashboards may include written narratives, definitions, or other accompanying information to the numbers and graphs to support the data in number and graphical form.

Please note that Department staff are already reviewing data and taking action to address identified gaps even as the dashboards are being developed. For example, Deputy Chief Todd Aksdal has reviewed all use of force cases in 2019 and 2020 to identify potential operational concerns, and Human Resources Director Anh Hoang has already implemented some recruitment best management practices to improve the diversity of the City's workforce.

### **• Key Considerations and Best Practice Review**

From the early action community engagement and national best practice review, staff have identified several principles that can be applied to the development of all the new dashboards, regardless of content. Any City dashboard should be:

#### *1. Accessible*

- a. Easy to find through navigation and search on the City's website;
- b. Accommodating for screen reading technology for vision impairment and designed with color blindness best practices in mind;
- c. Understandable using common language with minimal jargon and acronyms and providing definitions where applicable; and
- d. Translatable for those in our community for which English is not their primary language.

#### *2. Sustainable*

- a. Identify and leverage existing data sources and creating efficient means of obtaining additional data as needed;
- b. Develop efficient processes for timely updates with clear staff roles and responsibilities; and
- c. Account for on-going costs to maintain, including staff time, software licensing, and other costs.

### 3. *Connected*

- a. Connected to decision making and resource allocation;
- b. Build on prior work by integrating or referencing historical data (when available);
- c. Provide a feedback mechanism for on-going community feedback; and
- d. Articulate relationships between the new dashboards and other maps/reports (e.g. Kirkland Crime Map as it relates to the updated Crime Dashboard).

Staff will use this initial framework of principles to continue to develop the dashboards and will refine and/or add principles as additional best practice and community feedback is collected.

- **Next Steps**

For each of the five dashboards called for in R-5434, staff seek direction from Council on the data set and preferred schedule for posting updated data. Staff recommend a posting schedule of quarterly updates for most dashboards. Staff recommends that both the School Resource Officer dashboard and the Human Services dashboard be updated on an annual basis. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop mockup versions of the draft dashboards. Staff will begin engaging the broader Kirkland community on the dashboards throughout development. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

The following sections detail specific feedback, key considerations, and best practice review (as appropriate) for each of the dashboards for Council consideration.

## **B. Use of Force Dashboard (R-5434 § 1a)**

- **Targeted Stakeholder Feedback**

Generally, focus group participants saw this is an important tool for police transparency and accountability, however very few groups spent much time discussing it during the focus group. Themes that did emerge from focus groups included providing transparency on how the data is collected and to continue to receive feedback from the community throughout an iterative creation and publication process. Finally, it was suggested to include a regular community meeting with police and other City staff as a way for community members to learn more, be heard about issues, and build trust.

City staff presented to the Right To Breathe Committee a draft dashboard based on proposed State legislation as a potential starting point for community discussions. The draft legislation is detailed below. The Right To Breathe Committee supported using the draft legislation as an initial framework.

- **Key Considerations and Best Practice Review**

State legislation currently under consideration by the State House (HB 1092) and Senate (SB 5259) would require the City to report quarterly to Washington State University on a number of different use of force metrics. The Washington Association of Sheriffs and Police Chiefs (WASPC) also support the standardization of reporting on deadly use of force incidents across agencies. If the Legislature adopts a standardized reporting system, State law would likely require the City to start with these metrics as a baseline to its use of force dashboard. Staff will continue to monitor the legislation as the session continues.

Following the presentation of a draft use of force dashboard at the July 7, 2020, City Council meeting, staff has further developed a draft dashboard to include geographical information on the subjects, definitions of terms, as well as further refining the data collected for the dashboard to ensure accuracy and transparency. This is being developed by staff to help guide the on-going discussion and to provide Council ideas for the final dashboard. This draft uses an incomplete data set.

<b>Draft Use of Force Dashboard Data</b>		<b>Does Kirkland Currently Collect This Data?</b>
<b>Attorney General Use of Force Dashboard Data</b>		
1. By January 31, April 30, July 31, and October 31 annually, each general authority Washington law enforcement agency and each limited authority Washington law enforcement agency shall report to Washington State University or its successor, in a manner developed by Washington State University, information under subsection (2) of this section of all incidents that occurred in the preceding three months:		
a. In which a fatality to a person occurs connected to use of force by a law enforcement officer;		Yes
b. In which there is great bodily harm to a person connected to use of force by a law enforcement officer;		Yes
c. In which there is substantial bodily harm to a person connected to use of force by a law enforcement officer; and		Yes
d. In the absence of either death, great bodily harm, or substantial bodily harm, when a law enforcement officer:		
i. Discharges a firearm at or in the direction of a person;		Yes
ii. Points a firearm at a person;		Yes
iii. Uses a choke hold or vascular neck restraint;		Yes
iv. Uses an electronic control weapon (ECW), including, but not limited to a taser, against a person;		Yes
v. Uses oleoresin capsicum (pepper) spray against a person;		Yes
vi. Discharges a less-lethal shotgun or other impact munitions at or in the direction of a person;		Yes
vii. Strikes a person using an impact weapon or instrument, including, but not limited to, a club, baton, or flashlight;		Yes
viii. Punches or kicks a person using closed fists or feet;		Yes



ix. Uses a vehicle to intentionally strike a person or vehicle; and	Yes
x. Deploys a canine that bites a person.	Yes
2. When reporting an incident as required under subsection (1) of this section, the agency employing the officer that used force shall provide the following:	
a) The date and time of the incident;	Yes
b) The location of the incident;	Yes
c) The agency or agencies employing the law enforcement officers;	Yes
d) The type of force used by the law enforcement officer;	Yes
e) The type of injury to the person against whom force was used, if any;	Yes
f) The type of injury to the law enforcement officer, if any;	Yes
g) Whether the person against whom force was used was armed or unarmed;	Yes
h) The type of weapon the person against whom force was used was armed with, if any;	Yes
i) The age, gender, race, ethnicity, of the person against whom force was used;	Yes, if known.
j) The tribal affiliation of the person against whom force was used, if applicable;	No
k) Whether the person against whom force was used exhibited any signs associated with a mental health or a substance use disorder based on the observation of the law enforcement officer;	Yes
l) The age, gender, race, ethnicity, of the law enforcement officer;	Yes for age, gender and race; No for ethnicity
m) The law enforcement officer's years of service;	Yes
n) The reason for the initial contact between the person against whom force was used and the law enforcement officer;	Yes.
o) Whether any minors were present at the scene of the incident; and	No. If captured this would be in the narrative. Not currently captured in a searchable field
p) The entity conducting the independent investigation of the incident, if applicable.	Yes
Additional Use of Force Dashboard Data	
Number of complaints	Yes
Geographic information about the subject's residence	Yes

- **Next Steps**

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the Use of Force dashboard. Staff recommend a quarterly update schedule. Based on Council feedback, staff will refine data collection procedures,

identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

Additionally, the Police Department is actively engaged with several consultants to provide a review of the use of force policies and analysis of the use of force data. The analysis of the use of force policy and data is anticipated to inform the development of the use of force dashboard. If the results of the contracted use of force analysis indicate that department changes are needed, staff won't wait until the dashboard is complete before taking action.

Staff will provide a draft dashboard at the February 16, 2021 Study Session for illustrative purposes only.

### **C. Enhancements to the Existing Police Dashboard (R-5434 § 1b)**

- **Targeted Stakeholder Feedback**

Only one focus group identified this element for discussion. Focus group participants encouraged the inclusion of demographic data for both subject and officer that can be disaggregated. Participants also suggested that the periodic publishing of the updated dashboard data be more inclusive by producing it in different languages and creating more content, such as a video, that is focused on public presentation. Finally, participants thought that the dashboard should be accompanied by a description of how the City uses this data to inform and implement policy.

- **Key Considerations and Best Practice Review**

The existing Police Dashboard had been developed over the course of several years to provide the City Council Public Safety Committee (discontinued in 2020 along with the other standing Council committees in favor of full Council topic reviews) with updates on crime trends, police program performance, and other items that might potentially inform the Council on any needed policy or resource changes. The Police Department had also developed the [Community Crime Mapping online platform](https://www.kirklandwa.gov/Government/Departments/Police-Department/Community-Resources/Community-Crime-Mapping)<sup>5</sup>, which provides Kirkland-specific crime data searchable various search parameters, including date range, crime type, or distance from a specific address.

In order to enhance the existing Police Dashboard to serve the needs of both the full Council (from a policy and resource perspective) and the public (from a performance perspective), the Chief and Deputy Chief St. Jean interviewed the Mayor, Deputy Mayor,

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<sup>5</sup> City of Kirkland Community Crime Mapping. <https://www.kirklandwa.gov/Government/Departments/Police-Department/Community-Resources/Community-Crime-Mapping>

and each of the other five Councilmembers. Several themes emerged from those interviews that could shape the development of a new police and crime dashboard:

- Include call for service data (type of calls & number of calls)
- Expand the current categories to include both crimes and calls for service that are a frequent concern of the community, add:
  - Mail/Package theft
  - Persons experiencing homelessness
  - Persons experiencing mental health issues
- Include demographics where feasible
- Include definitions and or better describe crime categories
- Continue the current Animal Services report
- Continue the School Safety Camera report

There are several examples of police and crime dashboards across the country. Many are geographically focused, which is the current focus of the Community Crime Mapping platform, while some focus more on data trends similar to the current quarterly dashboard. Staff will continue to assess feedback from the community and best practices throughout the development of the crime dashboard.

<b>Draft Kirkland Police Department Crime Dashboard Data</b>	<b>Currently Collected?</b>
• # Crimes of Interest and Calls for Services	Yes
○ Murder	Yes
○ Sex Offenses	Yes
○ Robbery	Yes
○ Aggravated Assault	Yes
○ Burglary - Residential	Yes
○ Burglary - Commercial	Yes
○ Motor Vehicle Theft	Yes
○ Motor Vehicle Prowl	Yes
○ DUI	Yes
○ Collisions	Yes
○ Mail/Package theft	No
○ Persons experiencing homelessness	No
○ Persons experiencing mental health issues	Yes
• 2012-2019 Weighted Average (for each of #1 above)	Yes
• Normal Range (for each of #1 above)	Yes
• 2020 Numbers (for each of #1 above)	Yes
• Change from Weighted Average (for each of #1 above)	Yes
• The age, gender, race, ethnicity, of suspects (for each of #1 above)	Partial*
• The age, gender, race, ethnicity, of officers (for each of #1 above)	Partial*
• Animal Services report	Yes
• School Safety Camera report	Yes

\*Ethnicity data is not currently a part of the Police Department's reporting system, nor is it collected for Officers

- **Next Steps**

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the existing Police Department dashboard. Staff recommend a quarterly update schedule. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

#### **D. School Resource Officer Dashboard (R-5434 § 1c)**

- **Targeted Stakeholder Feedback**

The School Resource Officer (SRO) Dashboard, and specifically the SRO Program itself, was among the most widely discussed and prioritized by the Black-centered focus groups. Although staff conveyed to focus group participants the fact that an evaluation of the SRO Program itself was not a part of R-5434, the focus group methodology used by staff invited discussion among the participants on any topic that the group wanted. As such, the focus group feedback on the topic of SROs was mostly related to the program and not an SRO dashboard. Most focus group participants were generally critical of a police officer being in a school environment as it related specifically to the safety and respect of Black students, as well as students of color broadly. Some focus group participants characterized the presence of an officer in schools as itself a “use of force” and that an armed officer generally made students very uncomfortable. Some focus group participants emphasized that an interpersonal relationship can’t overcome an institutional problem, describing how one friendly officer won’t erase years of evidence of police officers in general being an oppressive force. Some focus group attendees expressed past personal stories of negative interactions with SROs at Juanita and Lake Washington High Schools back when they were students there and described the traumatic effect of incidents involving SROs and students of color. Generally, focus group participants suggested replacing school resource officers with mental health counsellors, social workers, or similarly trained professionals to connect students to services, indicating that, although SROs may be trained to do so, they are not as highly trained in this area as other professionals.

- **Key Considerations and National Best Practice Review**

The Department’s SRO program expanded from two officers to six officers with the passage in 2018 of Proposition 1, –the Enhanced Police Services and Community Safety Measure, which provided specific funds dedicated to the additional positions in Kirkland Middle Schools. At the November 2018 election, 57% of Kirkland voters approved Proposition 1. In January of 2020, four additional SROs were assigned to the newly expanded Community Services Unit (CSU) comprised of both the SROs and the

Neighborhood Resource Officers (NRO). They joined the two existing SROs, who were already assigned at Lake Washington High School and Juanita High School.

Once Proposition 1 passed, and as directed by related Resolution R-5339, the City Manager and District Superintendent convened a SRO Task Force charged with becoming educated on the current SRO program, comparing the current program to national best practices, and making recommendations on improvements to the City and the District. The taskforce met seven times between June 2019 and January 2020, with a final report published in March 2020.

On July 7, 2020, Assistant City Manager Lopez and Police Chief Harris presented the final report to the City Council and recommendations from the SRO Task Force, as directed in R-5339. The overall theme of this report was that the Department has an excellent SRO program that is already following many of the national best practices. There were several recommendations presented to the Council, mostly around reinforcing the idea that the overarching goal is keep students physically, socially and emotionally safe and prevent students from entering the juvenile justice system through building relationships, counseling and providing appropriate services.

Building on the previous work of the SRO Task Force, a team consisting of staff from the Police Department, the City Manager's Office, and the Lake Washington School District continue to collaborate on an SRO dashboard. The City's consultant, Ms. Kelly-Rae, has joined these meetings. As developed by the task force as part of its [recommendations](#)<sup>6</sup>, the purpose statement of Kirkland's SRO Program is:

*The Kirkland School Resource Officer program is a partnership between the City of Kirkland and the Lake Washington School District. The primary purposes of the School Resource Officer (SRO) Program are to:*

- *Help keep students physically, socially and emotionally safe at school.*
- *Provide for positive interactions between the SROs and students, families, and community members in order to make the Police Department more accessible and approachable.*
- *Connect students with supportive services.*
- *Help keep students out of the criminal justice system.*

As it relates to the stated program goals, the focus group feedback related to SROs generally indicated that the experience of Black students and students of color is that they do not feel safe at school due to the presence of SROs, nor did they express having positive interactions with SROs. Based on this feedback, the City/District staff team explored ways to ensure those experiences were being collected and tracked through the dashboard to help inform program review. Staff used the purpose statement of the program as the basis for a set of questions related to program performance. These questions could be administered to all Kirkland middle and high school students (disaggregated by race and other demographic information) once, or potentially twice, a year. A version of this survey could also be administered to parents, caregivers, and/or others in the school community. The quantitative feedback from those surveys would

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<sup>6</sup> School Resource Officer Task Force Report of Recommendations. <http://kirklandwa.gov/files/sharedassets/public/city-managers-office/pdfs/school-resource-officer-task-force-recommendations.pdf>

provide the basis for five data points to be included in the SRO dashboard. The specific logistics of administering the survey are pending further collaboration with the District.

Additionally, there are very few national examples of SRO dashboards that staff were able to find to model best practices after. One example is from the City of Chula Vista, California. It provides a public [SRO dashboard](#)<sup>7</sup> embedded in its SRO Program webpage. The dashboard features mostly data related to calls for service by type, as well as crime activity at schools. The SRO Program webpage provides broader information about the program, including mission, SRO role and goal statements, and resources.

As with the Use of Force dashboard, staff relied on state legislation to further inform what data could be displayed on an SRO dashboard. [RCW 28A.320.124 \(2\)\(c\)](#)<sup>8</sup> requires the collection and reporting of certain data by the School District, nearly all of which is already being documented by the Police Department. One piece of data that is not collected by the Police Department but is reported by the School District under the RCW is regarding whether a student involved in a call for service has an individualized education program (IEP) or a plan developed under Section 504 of the Federal Rehabilitation Act of 1973. Ms. Chanin Kelly-Rae advised that including IEP data on an SRO dashboard would support the intent of R-5434, particularly as it relates to intersectionality between race and disability. Staff will continue to explore with the School District the possibility of incorporating into the dashboard student data that the Kirkland Police Department currently does not collect while ensuring the privacy of students.

Finally, Ms. Kelly-Rae suggested the SRO dashboard could also display information on the various activities undertaken by the SROs in support of the program goals that generally are not collected in current reporting processes, such as classroom instruction and sports and community events, such as games, fund-raising events, and service events.

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<sup>7</sup>Chula Vista SRO Program. <https://www.chulavistaca.gov/departments/police-department/programs/sro-program>

<sup>8</sup>RCW 28A.320.124 School resource officer programs. <https://app.leg.wa.gov/rcw/default.aspx?cite=28A.320.124>

<b>Draft School Resource Officer Dashboard Data</b>	<b>Currently collected?</b>	<b>If not collected, method to collect</b>
How successful is the SRO program in helping keep students physically, socially and emotionally safe at school (based on survey feedback)	No	Survey
How physically, socially, and emotionally safe do students feel at school because there is an SRO there (based on survey feedback)	No	Survey
How successful is the SRO program in providing for positive interactions between the SROs and students, families, and community members in order to make the Police Department more accessible and approachable (based on survey feedback)	No	Survey
How successful is the SRO program in connecting students with supportive services (based on survey feedback)	No	Survey
How successful is the SRO program in helping keep students out of the criminal justice system (based on survey feedback)	No	Survey
Number of arrests	Yes	
Number of cases referred	Yes	
Number of cases that could have resulted in an arrest or referral, but instead were handled internally by the school or directly between the SRO/student	Yes	
Number of calls for service	Yes	
Type of Service Call	Yes	
Offense type (if applicable)	Yes	
Race	Yes	
Gender	Yes	
Age	Yes	
Outcome (arrest, referral, internally handled by school or directly between SRO/student)	Yes	
Number of students served	Yes	
Referrals to services by type (mental health, school engagement coordinators, other)	Yes	
Child Protective Services calls supported	Yes	
Number of complaints	Yes	
Reason for complaints	Yes	
Status of Basic SRO Training*	Yes	
Status of Advanced SRO Training*	Yes	
Status of Training Required from RCW 28A.320.124*	Yes	
Classes taught, assemblies attended	No	New SRO process
School/community events attended (games, fund-raising events, service events, etc.)	No	New SRO process

\*An overview of SRO training requirements and training status is provided in Attachment F.

- **Current Status**

Since receiving the Task Force's Report in 2020, the Police Department has been implementing the various recommendations. After the schools were closed due to COVID-19 in Spring 2020, Kirkland's SROs were initially assigned to patrol and were filling in as Police Training Officers for new Officers who had just graduated from the academy. The absence of in-person schooling due to the pandemic, and the associated difficulty of meetings with student and parent groups, has limited the SRO Program from moving forward on the Task Force Recommendations to the degree that it otherwise would be able to. An overview of the status of Task Force recommendation implementation is included in Attachment G. The SROs have recently returned to their previous schedule and are rotating through a variety of community policing oriented assignments while continuing to implement various SRO Task Force recommendations. A synopsis of the recent and current SRO duties can also be found in Attachment G.

- **Next Steps**

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the SRO dashboard. Based on potential availability to administer student surveys, staff recommend an annual update schedule. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development.

SROs will potentially be returning to schools if middle and/or high schools return to in-person education this Spring. Due to the shortened nature of the time at the schools, staff will use this as an opportunity to refine the data collection process while continuing to incorporate ongoing community input. Although the pandemic still provides a large amount of uncertainty, staff anticipate the earliest potential time to conduct a student survey on SRO Program performance would be late Fall or early Winter of 2021. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September with at least a partial data set to help inform Council policy decisions into the next budget cycle.

## **E. Human Resources Dashboard (R-5434 § 1d)**

- **Targeted Stakeholder Feedback**

Developing a Human Resources (HR) Dashboard was only identified and discussed by one focus group. The focus group suggested the inclusion of promotion data to see if the City is promoting people with diverse backgrounds. Another theme was to include with the dashboard context for the City's other equity and inclusion efforts, in that diversity in staffing does not necessarily define equity but is a helpful starting point. The focus group suggested benchmarking demographics against the whole Eastside, not just the Kirkland community. Finally, the inclusion of data on members of the City's Boards and Commissions was highlighted by the group.



- **Key Considerations and Best Practice Review**

Many of the suggestions from the focus group are potentially implementable. The City currently tracks promotion data and could include that information on the dashboard. Specific information about connections to other City employees would need additional analysis. Providing context of the HR Dashboard to broader City efforts around equity and inclusion supports the broader dashboard principle of being “Connected” and is strongly supported by staff. This dashboard could theoretically benchmark against both Kirkland and broader Eastside community demographics, although defining what is meant by the “Eastside” would be needed. Finally, due to the low number of members on each Board and Commission, aggregating all Boards and Commissions into one data set may be required to ensure the data is de-identified. As volunteers, Board and Commission members could potentially be requested to provide demographic data anonymously to support this effort, although further analysis of the Public Records Act RCW 42.56 requirements and other policy considerations is needed.

There are several examples of HR Dashboards nationwide for analysis. The three that City staff analyzed in depth were the [City of Portland](#)<sup>1</sup>, the [City of Boston](#)<sup>2</sup>, and the [City of San Francisco](#)<sup>3</sup>. Generally, both Portland’s and Boston’s dashboards were highly searchable, and displayed the data in a generally comprehensible format. Portland’s was very user-friendly and provided a range of information mostly related to recruitment, including employee movement (demotion, transfer, promotion, and separation) by month, and a quality of hires analysis that tracked the time of hire to separation. Both Boston’s and San Francisco’s dashboards focused more generally on organization-wide demographics. Boston’s interface was generally considered not as user friendly, while San Francisco’s had more siloed data sets that were not integrated into one user experience. All three examples are from municipalities of far greater size than Kirkland, so pulling inspiration from them while “right-sizing” the data set for Kirkland will be a key next step.

<b>Draft Human Resource Dashboard Data</b>	<b>Currently Collected?</b>
<i>City Overall</i>	
Total number of City employees	Yes
Race / Ethnicity of City employees	Yes
Gender Identity of City employees	Yes
<i>By Department</i>	
Total number of Department employees	Yes
Race / Ethnicity of Department employees	Yes
Gender Identity of Department employees	Yes
<i>Community Demographics</i>	
Kirkland population	Yes
Race / Ethnicity of Kirkland population	Yes
Gender Identity of Kirkland population	Yes
<i>Recruitment and Hiring</i>	
Open positions posted total	Yes

Race / Ethnicity of applicants	Yes
Gender Identity of applicants	Yes
Race / Ethnicity of new hires	Yes
Gender Identity of new hires	Yes
Duration of open positions	Yes
Number of applications per open position	Yes
<i>Employee Separations</i>	
Race / Ethnicity of separated employees	Yes
Gender Identity of separated employees	Yes
<i>Employee Promotions</i>	
Race / Ethnicity of promoted employees	Yes
Gender Identity of promoted employees	Yes

- **Next Steps**

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the Human Resources dashboard. Staff recommend a quarterly update schedule. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

While the development of the HR Dashboard continues, the Human Resources Department is making strategic steps towards efforts of diversity recruitment. Notably, HR has hired two analysts, both starting in mid-February. The first comes to the City with ten years of HR and recruiting experience from the high tech and healthcare industries, including experience with Microsoft, Amazon, and OPTUM. This analyst will be responsible for the development and implementation of innovative community outreach, engagement, and recruitment programs to diversify the City's public safety recruits. This HR Analyst will also be assigned to assist the Fire Department to implement the HR-related operational aspects of the Fire Prop 1 Ballot Measure. The second new hire joins Kirkland having spent the last ten years as a diversity recruiter performing full-life cycle recruiting for Boeing, City of Seattle, and King County. This analyst will be responsible for all non-public safety recruitments throughout the City.

#### **F. Human Services Dashboard (R-5434 § 1e)**

- **Targeted Stakeholder Feedback**

This element of R-5434 was not identified for discussion by any of the focus groups.

Additional feedback:

The Human Services Commission provided feedback at its January 26 meeting. Commissioners raised the question of whether the dashboard was intended to address equity more generally or racism more specifically. A concern identified with addressing equity more generally is that the urgency of addressing racism is lost. If the intent is to track equity more generally, the success or failure of serving other historically marginalized and oppressed populations, such as transgendered people and people with disabilities, were recommended to be included. Commissioners agreed that the concerns of the members of the Black community needed to be foremost in determining the data to be included in the final dashboard. Finally, the Commission identified an additional way to assess how well the City was ensuring services for people in need, which was to track human services spending by way of measurements such as per capita spending and percentage of City budget and to compare those numbers with other cities.

- **Key Considerations and Best Practice Review**

Examples of human services dashboards are not as widespread as some of the other types of dashboards. City staff identified three dashboards that provided different user experiences, display of data, and levels of detail. The [City of Seattle's Homelessness Response](#)<sup>9</sup> performance webpage blends data, narrative, and photos by goal category, resulting in an insightful and overall positive user experience. The [City of Portland's Homelessness Statistics](#)<sup>10</sup> dashboard is similar to Seattle's but focuses on recipient category and has pared down narrative support. Finally, the [Human Services Chamber of Hamilton County](#)<sup>11</sup> provides a dashboard of the City of Cincinnati's human services funding that includes icons to help convey the categories of statistics provided.

Although the City currently tracks funded agencies, funding amounts and some demographics, additional data collection would be required of agencies in order to determine how well they serve specific populations in the community. For example, requiring disaggregated outcomes by race would be a way to determine if programs the City is funding are as successful serving the Black community as other populations.

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<sup>9</sup> City of Seattle Homelessness Response. <https://performance.seattle.gov/stories/s/Homelessness-Response/w79s-qyv8>

<sup>10</sup> City of Portland Homelessness Statistics. <https://www.portlandoregon.gov/toolkit/article/562207>

<sup>11</sup> Human Services Chamber of Hamilton County. <https://humanserviceschamber.org/portfolio/human-services-funding-2/>

<b>Draft Human Services Dashboard Data</b>	<b>Currently Collected?</b>	<b>Method to Collect</b>
<i>Who does the City Fund through human services grants?</i>		
• Agencies Funded	Yes	
○ POC Organization (founded by and led by people of color)	Yes	
○ Non-POC Organization	Yes	
• What Categories of Services Provided?	Yes	
○ Housing and Homeless Services	Yes	
○ Food and Basic Needs	Yes	
○ Supportive Relationships within Families, Neighborhoods and Communities	Yes	
○ A Safe Haven from All Forms of Violence and Abuse	Yes	
○ Health Care to Be as Physically and Mentally Fit as Possible	Yes	
○ Education and Job Skills to Lead an Independent Life	Yes	
• Grant Amount	Yes	
• Who Do They Serve? (client information)	Yes	
○ Race / Ethnicity	Yes	
○ Gender Identity	Yes	
○ Income range	Yes	
○ Age	Yes	
• How Well Do They Serve Them?	No	Agency reporting
○ Outcomes reported by race/ethnicity	No	Agency reporting
○ Outreach to historically underrepresented communities	No	Survey

### • Next Steps

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the Human Services dashboard. Currently demographic and outcome information is collected once a year from agencies and funding decisions are made two years at a time, so staff recommends an annual update schedule. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development.

Due to the potential cost and burden of additional reporting requirements to human services agencies, staff recommend engaging in conversation with nonprofit human services providers. Staff view this as important in this context because small community-based organizations that often serve their own communities the best tend to be the most burdened by reporting requirements. In addition, because the City shares a

grant application and reporting tools with fifteen other suburban King County cities, staff recommend engaging with Kirkland's human services city partners to explore the costs and benefits to additional reporting requirements, such as collecting outcome information disaggregated by community populations. If collecting outcomes disaggregated by populations, such as race, is identified as a needed tool, the City could consider contributing to the costs this additional work would entail.

Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community, agency, and city partner feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

#### **G. "8 Can't Wait" Police Use of Force Policy Review (R-5434 § 2a)**

- **Targeted Stakeholder Feedback**

Although this specific element was not identified for discussion, the "8 Can't Wait" policy framework was referenced by one group in the context of evaluating options for independent civilian oversight of police use of force. That group recommended the [Campaign Zero](https://www.joincampaignzero.org/)<sup>12</sup> model as a policy framework for use of force instead of the 8 Can't Wait framework.

- **Policy Review by the "8 Can't Wait" Organization and Key Considerations**

The Kirkland Police Department contacted the 8 Can't Wait organization for a review of Kirkland Police Department policies related to the 8 Can't Wait framework. The response for each of the eight framework components is included as Attachment H. For context, staff have provided additional information and key considerations in *italics* after each policy item found not in compliance with the 8 Can't Wait policy reform framework.

- **Next Steps**

Staff seek Council direction on any additional actions to take regarding this element.

#### **H. Contracting for Third Party Policy Use of Force Review and Use of Force Data Evaluation and Analysis (R-5434 § 2b)**

- **Targeted Stakeholder Feedback**

This element of R-5434 was not identified for discussion by any of the focus groups.

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<sup>12</sup> Campaign Zero <https://www.joincampaignzero.org/>

- **Current Status**

As directed by R-5434 § 2b, Police Department staff conducted a preliminary use of force review for incidents involving persons of color in 2019 and 2020, included as Attachment I. Staff also provided in that attachment an overview of current reporting and review procedures for reference.

Review of use of force by a third party is a topic of conversation in most neighboring jurisdictions, but few have selected a vendor. The Police Department has contacted a number of consultants who provide use of force policy and data review, including:

- The OIR Group ([www.oirgroup.com](http://www.oirgroup.com)) – a California based company focused on Independent Police Oversight and Review. Recently under contract with the City of Bellevue, utilizing a retired local law enforcement consultant that also included community listening sessions. Bellevue has not received their final report as of the date of this memo. The OIR Group provided a draft scope of work for independent review of current policies as they pertain to use of force, use of force reporting and use of force review at \$200 dollars an hour not to exceed an estimated \$25,000 dollars. Limited to policy review and analysis.
- Police Strategies ([www.policestrategies.com](http://www.policestrategies.com)) – recommended by the OIR Group to provide data analysis of use of force incidents. Currently under contract in Spokane to finalize a lengthy use of force & demographic disparity study with the Police Department. Other work includes analysis of use of force for the King County Sheriff's Office and an annual public facing dashboard. Initial estimates for analyzing use of force data and developing a public facing dashboard are approximately \$35,000 dollars and approximately \$10,000 dollars to complete a demographic disparity study. Limited to data analysis and dashboard development.
- Police Executive Research Forum – PERF ([www.policeforum.org](http://www.policeforum.org)) – a nonprofit, police research and policy organization located in Washington DC with consultants and national experts located throughout the country. The OIR group referenced PERF model policies as a standard in their use of force review. PERF recently concluded a significant review of use of force policies, use of force review, training, tactics, tools and analysis of use of force incidents for the City of Vancouver Washington Police Department. This included community meetings to solicit feedback from general members of the public. Initial estimates received are between \$74,574 and \$94,163 dependent on the inclusion of data analysis or limiting the focus to policy, training and tactics review. Provides both policy review and analysis.
- Modern Policing ([www.modernpolicing.com](http://www.modernpolicing.com)) – a Seattle based company with experience in police reform, civil rights enforcement and organizational change to drive best practices. Utilizing a cadre of national experts, Modern Policing was recommended by Police Strategies to provide use of force analysis. As of this writing, the Department has not received a draft scope of work. Limited to policy review and analysis.

- **Next Steps**

In collaboration with the City Manager's Office, the Police Department expects to select a contractor by the end of the first quarter 2021. Any necessary improvements identified by the third-party use of force analysis will be implemented even if the dashboard itself is not yet complete.

## **I. Structured Council Deliberations on Use of Force Policy and Data (R-5434 § 2c)**

- **Targeted Stakeholder Feedback**

No focus groups identified this item for discussion.

- **Next Steps**

Based on feedback and direction from Council, the City Manager will bring forward a proposed timeline for Council discussion of use of force policy and data. Periodic updates will be provided to the Council as part of the R-5434 special presentations and a more comprehensive set of discussions will occur after the third-party use of force review has concluded.

## **J. Evaluating Options for Independent Civilian Oversight of Police Use of Force (R-5434 § 2d)**

- **Targeted Stakeholder Feedback**

This element was prioritized by several focus groups. General themes included the importance of any oversight body being separate from the Police Department and that that body would review all complaints made. Membership on that body was also a theme, including that Council could select some number of positions, while other positions should be appointed based on community engagement process and/or representing specific communities or community organizations. Additionally, it was suggested that the forthcoming Diversity, Equity, and Inclusion Manager position should be involved in the selection process and that membership should be restricted to only those without direct ties through family to police officers. Finally, focus groups placed emphasis on the importance of the body having authority to take actions beyond an advisory role, such as pressing charges or having subpoena authority.

- **Key Considerations and Best Practice Review**

Under Kirkland's Council/Manager form of government, independent civilian oversight of all City personnel, including the Police Department, ultimately rests with the City Council, which is directly accountable to the public. If members of the public are not satisfied with the results of an investigation for a use of force incident from the Police Chief or the City Manager, they may contact the City Council to express their concerns. In Kirkland, the Chief of Police reports to the City Manager and may be removed by the

City Manager in the discretion of the City Manager, for example if the Police Department is not reflecting the values and expectations of the community and the Police Chief is not correcting the Department's performance. The City Manager reports to the City Council and may be removed by the City Council in its discretion, for example if the Police Department is not reflecting these values and the City Manager is not addressing the Department's performance. The voters of Kirkland have final oversight on these issues, as they may replace elected officials on the Council if the Council does not address City Manager and Police Chief performance or help ensure Police Department behaviors that reflect the values of the community. Options for further independent oversight in Kirkland should be viewed in the context of how they inform and advise the current civilian oversight provided by the Council/Manager form of government.

Independent civilian oversight of police departments involve people from outside a police department having a role in reviewing or advising on police actions, policies, and organization. The civilians performing the oversight may be either professional staff or unpaid community volunteers.

#### *Kirkland's Existing Use of Force Review Processes*

Officer-involved critical incidents are defined within Policy 305 of the [Kirkland Police Department Policy Manual](#), which essentially includes any incident involving an officer's use of force or other action resulting in the death or serious physical injury to another person, any officer-involved shooting, or any death of an inmate while in KPD custody. Currently, reviewing these critical incidents can involve several separate investigations, including:

- 1) a criminal investigation conducted independently by an outside agency (which will soon be by Independent Force Investigation Team – King County);
- 2) a review by the applicable internal policy review board (Use of Force Review Board, Collision Review Board, or Pursuit Review Board) to determine policy compliance by involved officers and to recommend training or policy reviews as may be appropriate but with no authority to recommend discipline;
- 3) an internal administrative investigation to determine if discipline is appropriate;
- 4) a formal inquest by the King County Executive's Office to determine what actions occurred and whether the officer complied with training and policy; and/or
- 5) the City Ombudsman in the City Manager's office could become involved if a complaint was made to the ombudsman.

The City Manager, City Attorney and City Council have access to the results of each of these investigation options. With the Kirkland Police Department Policy Manual, Policies 300, 301, and 305 provide details on the current policies on use of force, review boards, and investigations into critical incidents. With any officer-involved critical incident, the City engages with the Washington Cities Insurance Authority, which seeks outside legal counsel to provide the City advice and risk analysis regarding the officer's actions. To date, no officer-involved critical incident involving major use of force has resulted in litigation or legal liability for the City.



### *Types of Models*

Civilian oversight mechanisms may focus on specific individual complaints against the police department, may advise more broadly on general police practice and policy, or may perform a combination of these roles. There are many different configurations for police oversight, with three general categories of oversight systems: (1) investigation-based; (2) review-based; and (3) auditor/monitor. Communities can combine features from the different models to create an oversight agency addressing the community's specific needs or intentions. Within these models and any hybrid iterations, the authority of the oversight body can extend to making policy recommendations, facilitating community forums, and more. The level of oversight can be narrowly focused only on use of force or other critical incidents, or it can be expanded to also investigate or review any level of citizen complaint.

The three general models and some potential strengths and weaknesses of each are summarized as follows:

1. **Investigative**, where the oversight body conducts independent investigations of specific incidents or complaints through professional, non-police staff.
  - Pros: may increase community trust in the investigation process; may reduce bias or perception of bias in investigation of incidents; professional investigators may have significant training
  - Cons: most expensive approach, with additional professional staffing required; likely to require mandatory collective bargaining; unions may resist non-police investigators
2. **Review**, where the oversight body reviews and may hear appeals of completed police investigations of specific incidents or complaints through either professional or volunteer board members.
  - Pros: transparency; facilitates community involvement; policy recommendations that are public may be more likely to result in policy changes
  - Cons: requires significant, systematic training of board, which can be costly; requires substantial time commitment of board members; likely to require mandatory collective bargaining
3. **Auditor/monitor<sup>13</sup>/inspector general**, where the oversight body evaluates systemic issues with police investigations, training, policies, and supervision, rather than reviewing specific incidents, through professional staff.
  - Pros: professional staff with expertise and more extensive training; generally less expensive than review model; potential for robust public reporting; may promote long-term, systemic change; typically broader access to police records; less likely to require mandatory union bargaining

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<sup>13</sup> Staff recommends avoiding using the term "monitor" as that is the title of the individual appointed by the federal court to evaluate the City of Seattle's compliance with the consent decree (effectively a settlement agreement between Seattle and the U.S. Department of Justice) arising from the DOJ's lawsuit to enjoin Seattle's alleged patterns or practices of unconstitutional policing, including excessive force and discriminatory policing. The federal monitor is separate from Seattle's own internal accountability partners, which include the Office of Police Accountability (primarily handles complaints against officers), a Community Police Commission (provides community input on police reforms), and an Inspector General (primarily focuses on auditing and systemic review and oversight and policy improvement).

- **Cons:** focus on broad patterns rather than specific incidents may not satisfy some community interests; typically make recommendations but cannot compel change; success dependent on quality staffing

The National Association for Civilian Oversight of Law Enforcement (NACOLE), which is a non-profit organization focusing on police oversight, is a helpful resource for implementing a police oversight entity. One of NACOLE's publications, *Civilian Oversight of Law Enforcements: A Review of the Strengths and Weaknesses of Various Models* (September 2016), includes the following table detailing characteristics and forms of authority commonly granted to the different oversight models.

**Table 4: Common Characteristics and Forms of Authority by Oversight Model**

	Investigation-Focused Agencies	Review-Focused Agencies	Auditor/Monitor Agencies
Receive Community Complaints	Frequently	Frequently	Frequently
Decide How a Complaint will be Handled	Frequently	Rarely	Sometimes
Review Police Complaint Investigations (e.g., for thoroughness, completeness, accuracy)	Sometimes	Frequently	Frequently
Conduct Independent, Fact-Finding Investigations	Frequently	Rarely	Sometimes
Perform Data-Driven Policy Evaluations	Sometimes	Sometimes	Frequently
Recommend Findings on Investigations	Frequently	Sometimes	Frequently
Recommend Discipline to the Police Chief	Sometimes	Rarely	Sometimes
Attend Disciplinary Hearings	Sometimes	Rarely	Sometimes
Have a Board Composed of Community Members	Frequently	Frequently	Sometimes
Hear Appeals	Sometimes	Sometimes	Rarely
Have Paid Professional Staff	Frequently	Sometimes	Frequently
Staffing and Operational Costs	Most Expensive	Least Expensive	Intermediate Expense

*Table notes: Based on data collected from 97 U.S. oversight agencies, 2016.*

### *Essentials for Developing Effective Oversight*

Regardless of the ultimate design of the oversight model, it will be critical to legitimize the oversight entity, particularly with sworn personnel. As a basic point, in order to legitimize the oversight entity, the City Council will need to pass enabling legislation creating the entity, detailing its authority, and adopting specific procedures for the oversight process.

To ensure that the oversight addresses community needs, the entity can be further legitimized if the City provides interested parties, including the community and police union representatives, an opportunity to provide feedback on what the oversight entity's duties should include. Such community approval can help avoid perceptions that the oversight entity is merely rubber-stamping police actions. It will be important to collect

and analyze data to determine the need for civilian oversight and to ensure that the selected method and approach meets the community's needs.

Finally, with a goal of legitimizing the oversight entity with sworn personnel, oversight experts emphasize the importance of requiring board members to participate in up-to-date training in police procedures and equipment capabilities, to receive ongoing instruction in relevant law, and to participate in ride-alongs with the police department(s) they serve. As previously noted, NACOLE provides many helpful tools for implementing a police oversight entity. Among other services, NACOLE provides annual training for police oversight members and has created a standard code of ethics utilized by many cities.

- **Current Status**

The City Attorney's Office (CAO) is currently reviewing various models implemented in different cities. With more than two hundred oversight agencies throughout the U.S., the CAO is attempting to focus on models utilized in cities relatively similar to Kirkland in size, resources, and/or community. At this point, CAO is collecting information on the oversight agencies, including the extent of each agency's authority, the mechanism for its creation, and the protocols that guide it. CAO has not yet engaged in any analysis of the effectiveness or community perception of the various programs.

*Initial Review of Existing Oversight Entities*

As a preliminary highlight of some of these cities, staff have collected information on Ann Arbor, Michigan; Corvallis Oregon; and many others. In 2018, Ann Arbor, Michigan (pop. 122,000) created an unpaid 11-member community commission that serves as an advisory body to the City Council. The commission has the authority to review specific incidents following the department's internal review, and the commission can recommend changes in police practices. Ann Arbor has provided the commission with independent legal counsel and also 1 FTE supporting both the commission and another advisory commission.

Additionally, in 2007, Corvallis, Oregon (population 60,000) established a 7-member board that reviews citizen complaints when a citizen is dissatisfied with the police department's resolution, examines all officer-involved fatal shootings, and reviews data and allegations of bias. Both Santa Cruz, California (pop. 65,000) and Palo Alto, California (pop. 67,000) have a paid independent police auditor, who reviews citizen complaints and police policies.

*Proposed Legislation*

The current state legislative session includes several proposed bills related to law enforcement, including one directly addressing civilian oversight boards. [SHB 1203](#) would require local jurisdictions to establish a community oversight board by January 1, 2025, or by January 1, 2023, if the jurisdiction currently has such a board. SHB 1203 expressly authorizes local jurisdictions to establish a joint community oversight board by interlocal agreement.

The required community oversight board would have broad authority, including authority:

- 1) to investigate complaints regarding sworn and civilian staff of the law enforcement agency and to make findings on and recommend discipline related to such complaints;
- 2) to review and make findings on internal investigations;
- 3) to hold hearings (including subpoena powers);
- 4) to make policy and procedure recommendations with a requirement that the law enforcement agency provide an explanation if it declines to implement such recommendations;
- 5) to be represented on the hiring committee to fill a chief of police vacancy; and
- 6) to make budget recommendations for future appropriations to the law enforcement agency.

Several other bills more indirectly address community oversight. [SB 5134](#) would prohibit police accountability topics (including community oversight entities) from being subject to bargaining in law enforcement union contracts, preclude the use of arbitration for law enforcement officer disciplinary appeals, and dictate mandatory grounds for discharge from employment for Washington law enforcement officers. Focusing on data collection in an effort to increase transparency and accountability in police practices, [SHB 1092](#) would require law enforcement agencies to participate in a program to be developed by the Washington State University to collect, report, and publish information on law enforcement's use of force and other incidents and interactions involving the public. Finally, there are two companion bills, [SB 5051](#) and [HB 1082](#), related to police oversight with a primary focus on expanding the Criminal Justice Training Commission's oversight authority. With this legislation, the CJTC would add civilian members to the Commission for oversight and review of force incidents. Staff will continue to monitor relevant bills throughout the session.

## • **Next Steps**

The appropriate oversight model and the features and authority of the oversight body will be dependent on each community, and policy decisions on police oversight should be supported by clear and relevant data. Based on Council direction and feedback, staff recommend convening an advisory committee to clearly define the goals of police oversight within Kirkland. The advisory committee would benefit from a range of inputs, including community members, police guild representatives, police management, and other City officials. If Council would like to proceed, NACOLE provides a [Guidebook for the Implementation of New or Revitalized Police Oversight](#), which should be helpful in creating a civilian oversight model suitable for Kirkland.

## **K. Developing a Police Body Camera Pilot Program (R-5434 § 2e)**

- **Targeted Stakeholder Feedback**

This element of R-5434 received considerable Black-centered focus group prioritization and discussion. One main theme of the focus groups was the importance of having footage review being conducted by a third party outside of the Police Department. This was one criterion for another focus group's support of body cameras; the other two criteria being the need for very clear policy around body camera usage, including ramifications for officers not in compliance with the policy, and the cameras being on at all times. One focus group preferred having security cameras in public places instead of body cameras, as it would diminish the chance of an officer neglecting to turn on the camera. Finally, another focus group explored the idea body cameras being able to catch positive interactions, as only showing negative interactions that highlight Black people as criminals reinforces racial stereotypes.

- **Key Considerations and Best Practice Review**

The City Manager's preliminary budget included funding for a police body worn camera pilot. \$424,000 was budgeted for both 2021 and 2022, as well as an additional \$150,000 in start-up costs. During the Council's budget deliberations, Council identified that a robust community discussion and significant Council deliberation would be necessary in 2021 before deciding whether to proceed with a police body worn camera pilot program. Council reprioritized the \$424,000 budgeted for body cameras for 2021 to create a human services reserve fund to be allocated by the Council in 2021. The 2022 funding for a body worn camera pilot is still budgeted if the Council decides to proceed.

- **Next Steps**

There are several potential programs and policies related to police body cameras to use as a reference point when developing a Kirkland police body camera pilot. Staff recommend that Council waits for the May 18 study session to receive broader community feedback on body worn cameras before providing Council direction to proceed with deeper best practice research in support of the development of a body camera pilot program.

## **L. National Best Practices on Alternatives to Police / Co-Responder Models (R-5434 § 2f)**

- **Targeted Stakeholder Feedback**

The topic of alternatives to police response to certain 911 calls was among the most widely discussed and prioritized by focus groups. One prominent theme of the focus groups was the desire for minimum-to-no police contact on calls, and that co-responders should be dispatched directly, as informed by specific training to dispatchers, as opposed to being referred after contact has been made. Another theme of the focus groups was the differentiation between a co-responder and a Police or Fire first-

responder. Specifically, focus group participants expressed that the co-responders should be a program that is separate from the Police Department, and they should not wear the typical uniforms of those departments. Beyond just the scope of co-responders, focus groups also encouraged investing in crime prevention, as well as focusing on the continuum of care beyond the initial contact. The need for diverse representation was emphasized, including women and people of color. Community education on what resources are available outside of calling 911 was also suggested. Finally, one focus group provided the feedback that using the term “alternatives to police” was problematic, in that it wasn’t clear that the same historical trauma felt by Black people from police wouldn’t be continued in whatever new roles were created.

- **Key Considerations and Best Practice Review**

Focus groups expressed an interest in minimizing or removing uniformed and armed officers from responding to calls and want this program to exist outside of the Police Department. Note that the feasibility of minimizing Police response will need to be evaluated in light of best practice and safety considerations, informed by the dispatch practices of other programs noted below. Another reflection from the focus groups is to focus on the continuum of care when developing this program. Best practice research indicates it is not enough to respond to 911 calls and refer individuals to services. There is a need for helping individuals throughout the entire process from initial contact, to helping guide them to the potential services needed. Continual follow up all throughout from the same case worker who has the capacity to give each person the individualized attention and care that is needed makes a successful program.

The City Manager’s preliminary budget included funding for four new “co-responder” positions as part of the Community Safety Initiative. In total, these four positions represent the most significant funding priority within the Community Safety Initiative and R-5434. These positions are not yet defined or assigned to a specific department, and the most effective use of these positions will be based on the outreach and research completed as part of R-5434. There is a spectrum of co-responder programs across the nation for Council consideration, and staff continue to research best practices.

To help move the co-responder concept forward, the City has engaged consultant Anura Shah of *Beyond Force* to work with staff to evaluate options and help develop recommendations on what type of co-responders would best meet Kirkland’s needs. Ms. Shah founded *Beyond Force* in 2015 as a response to the growing need for customized education and training regarding crisis management. She is a Crisis Intervention Team Training (CIT) Instructor with the Washington State Criminal Justice Training Commission (WSCJTC) and is an Associate Faculty member at Shoreline Community College in the Criminal Justice Department. She has created the first Professional Navigator Certificate program in the nation. She will be working closely with staff and integrating her work into that of Ms. Kelly-Rae’s larger organizational equity assessment as needed. The goal is to bring an update to the Council in the Spring.

Additionally, staff continue to actively research models in other jurisdictions. Initial analysis by the City Manager’s Office and Police Department focused on the Crisis Assistance Helping Out On The Streets (CAHOOTS) model that began in Eugene,

Oregon, the City of Olympia's Crisis Response Unit (CRU), and the City of Bellevue's two-team approach. Key considerations for each program are detailed below.

Based on conversations with the White Bird Clinic, a third-party non-profit that operates CAHOOTS, it became clear that a variant of their program would be necessary for application to Kirkland, as it teams emergency medical technicians (EMTs) with co-responders. Given that EMTs would be doing work in the scope of International Association of Fire Fighters (IAFF), they would need to be City staff members, although co-responders could be from a third party. Based on this dynamic, White Bird identified Denver, Olympia, and Portland as organizations with resources on staff providing services. Additional information on Denver's Support Team Assisted Response (STAR) model is being gathered and will be brought forward at a future Council meeting. Portland's program is just starting up and staff will be tracking its progress and additional information on Olympia's program is provided below. Note that White Bird offers consulting services that may be of use as the City continues in the evaluation process.

The City of Olympia's co-responder program, Crisis Response Unit (CRU) is a partnership between the Olympia Police Department (OPD) and Recovery Innovations International, a third party that provides free and voluntary crisis response assistance. The CRU team consists of six full time "Community Response Specialists" that, like Bellevue, operate only during the day, seven days a week. CRU will proactively respond to 911 calls they are certain they can provide an effective response to as well as being dispatched by 911 and requested by the Olympia Police and Fire Departments. Their proactive response is achieved by operating on the same radio channel as the OPD, through their dispatch service Thurston County Communications (TCOMM).

In addition, staff reached out to the City of Bellevue to inquire about their co-responder models. Bellevue's model consists of a two-team approach. First, the traditional CARES (Citizen Advocates for Referral and Education Services) team is staffed by student advocates, all of whom are in graduate school to obtain their master's in social work. Referrals to the traditional CARES team are made by different departments and organizations. A full list can be seen on page two of Attachment J, provided to the City by Carol Harper of Social Visions. The second team, CARES101 Unit is staffed by professional social workers who are available during the day, seven days a week, to be dispatched to a 911 scene at the request of the Bellevue Police or Fire crews on scene. A full time of day incident report can be seen in Attachment J. As Bellevue is dispatched by NORCOM and serves many of the same individuals that Kirkland may interact with, the cities will continue to communicate to identify common interests and opportunities to work together.

- **Next Steps**

Based on all of the conversation to date, there is strong evidence that dispatch is key to a successful co-responder program. Staff asked that NORCOM evaluate how dispatch operations would be impacted and whether additional resources would be necessary as these programs are developed. The Eugene CAHOOTS program is tentatively scheduled to provide a briefing to the NORCOM Governing Board on February 12, 2021 on how

their co-responder model would affect the current NORCOM processes. Staff will provide an update for the Council from this board meeting during the Spring update.

#### **M. Evaluate Implementation of a Community Court (R-5434 § 3a)**

- **Targeted Stakeholder Feedback**

This R-5434 element was only identified for discussion by one of the focus groups. That group identified the opportunity for the Community Court to provide restorative justice and overall thought that a Community Court was very important to support systemic de-escalation. The group also emphasized the importance of resources being provided to help individuals reintegrate back into society and reduce recidivism rates.

- **Current Status**

As discussed as part of the Municipal Court briefing at the January 5, 2021 City Council meeting, the Municipal Court Judge and Administrator, prosecutors, public defenders, City Attorney, and City Manager's Office have been pursuing establishment of a Community Court program in Kirkland since early in 2020. The process has been facilitated by a contract Community Court Coordinator, Marilyn Littlejohn, and the initial Community Court calendar is anticipated to occur during the second week of March of 2021. City staff is in the process of recruiting volunteers to fulfill roles that have been key to the success of other Community Courts and ensuring that key service providers are included in the virtual Resource Center that will be part of the program (in cooperation with the Redmond District Court). The initial pilot was funded by a \$50,000 one-time service package and will be a "soft launch" to work out the logistics related to providing this program in a virtual setting. Public outreach about the program will take place prior to the first session so that the public is aware that the resources can also be accessed by community members who are not in the criminal justice system. Additional outreach will take place once the calendar and services are fully operational.

- **Next Steps**

Judge Olson and City staff will report progress and results to the City Council before the mid-biennial budget process begins in the Fall, including an assessment of the on-going resources to operate the program.

#### **N. Contracting for a Comprehensive City Organizational Equity Assessment (R-5434 § 3b)**

- **Targeted Stakeholder Feedback**

This R-5434 element was not identified for discussion by any of the focus groups, although one focus group participant suggested adding "racial" to the title of the effort, which would read "Racial Equity Assessment."



- **Current Status**

The City has contracted with Chanin Kelly-Rae Consulting to conduct the organizational equity assessment called for in R-5434 § 3b. The purpose of this work 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. Ms. Kelly-Rae conducts such assessments and has provided similar services to the cities of Seattle, Redmond, and Bothell, as well as Amazon Web Services and Hopelink. Additionally, Ms. Kelly-Rae conducted the organization-wide diversity and implicit bias training for all City staff throughout 2019, which provides the foundation for staff to be prepared for the organizational equity assessment process. Beyond the organizational equity needs assessment, Ms. Kelly-Rae will guide 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.

- **Next Steps**

This work is now actively underway. Ms. Kelly-Rae has begun interviews with the City's leadership, and Councilmember interviews will be scheduled in the coming weeks. Expanded engagement of City staff through interviews, focus groups, and a survey will follow into the Spring.

## **O. Review of the City's Procurement and Contracting Processes (R-5434 § 3c)**

- **Targeted Stakeholder Feedback**

This element of R-5434 was not identified for discussion by any of the focus groups.

Staff met in the Fall of 2020 with local community experts Ms. Ollie Garrett, President and CEO of PMT Solutions and President of the Tabor 100, an association of entrepreneurs and business advocates who are "committed to economic power, educational excellence and social equity for African-Americans and the community at large", and Mr. Luis Navarro, Director of Workforce Development in the Office of Equity Diversity and Inclusion for the Port of Seattle. Ms. Garrett and Mr. Navarro provided insight on how the City of Kirkland could increase the participation of women and minority-owned businesses in Kirkland projects and assist City Finance and Capital Projects staff to identify barriers and remove them.

- **Best Practice Review and Key Considerations**

Based on the conversations with Ms. Garrett and Mr. Navarro, the Assistant City Manager met with the Financial Operations Manager and the City Attorney to develop options that would align the City's contracting and procurement policies and processes with the goals and intentions of R-5434 § 3c. Additionally, staff researched the practices of Whatcom Transportation Authority, the Washington State Liquor and Cannabis Control Board, and the Port of Seattle for practices and programs related to this element. From those meetings and research, staff have drafted the following proposed revisions to the City's procurement process:

1. Create an aspirational goal for the organization for Disadvantaged Business Enterprises (DBEs), consistent with language in R-5434.
2. Work with current suppliers to understand their utilization of DBE suppliers and how the City could increase its utilization of these suppliers.
3. Advertise purchasing opportunities with The Office of Minority and Women's Business Enterprises (OMWBE), Washington Procurement Technical Assistance Center (PTAC) and other available outlets that can expand the City's outreach to DBE firms. This does not have an increased cost for solicitations.
4. Include language in City solicitations for subcontractor/supplier utilization requirements that could require these opportunities to be made available to registered DBE firms. This could include working with the awarded contractor to ensure they sought at least one quote from a registered firm.
5. Review City contract documents to ensure the language and requirements included do not create a barrier for entry for DBE firms.
6. Provide staff training on how to seek quotes from DBE firms on purchases.
7. Start a system of tracking DBE spend to establish utilization trends and an ability to report out on progress towards the aspirational goal.
8. When soliciting qualifications from our MRSC roster, consider making the inclusion of at least one DBE firm in each project.
9. Require prime contractors to interview at least one Black, Indigenous, or Person of Color (BIPOC) consultant or company before making a sub-contractor selection.

- **Next Steps**

Staff are still working through the details of these recommendations, such as establishing a definition of DBE given that there are different considerations at the State and Federal levels. Staff will continue this work in alignment with the organizational equity assessment currently underway by Ms. Kelly-Rae to ensure these are equitable and attainable recommendations for the City's procurement and contracting processes. Based on Council feedback and direction, staff will return to Council with final recommendations at a future meeting in the Spring.

**P. Evaluating and Expanding Public Art, Public Symbols, Special Events, and City programming (R-5434 § 3d-3e)**

- **Targeted Stakeholder Feedback**

R-5434 § 3d and 3e were not identified for discussion by any of the focus groups.

- **Key Considerations and Best Practice Review**

This element contains four sub-elements: public art, public symbols, special events, and City programming. Of these, only public art has an advisory board or commission, the Kirkland Cultural Arts Commission (KCAC). Staff determined that the R-5434 § 3d process for public art could begin immediately with the KCAC, while the remaining three sub-elements of 3d would best be evaluated as part of the organizational equity assessment.

The Kirkland Public Art Policy Guidelines are used by the KCAC in the acquisition of public art in Kirkland and would be the appropriate starting point to incorporate the themes and priorities of R-5434. Staff surveyed other agencies for art policy best practices in line with R-5434, including an in-depth analysis of the [City of Seattle Office of Arts and Culture](https://www.seattle.gov/arts/programs/racial-equity)<sup>14</sup>, the [San Francisco Arts Commission Cultural Equity Initiative](https://www.sfartscommission.org/sites/default/files/20CEI%20Guidelines_Final_0.pdf)<sup>15</sup>, and [Grantmakers in the Arts](https://www.giarts.org/arts-funding/racial-equity)<sup>16</sup>. Although the various programs for these three organizations differ, the terminology used in their racial equity statements, program criteria, and other materials guided staff in drafting updates to the Kirkland Public Art Policy Guidelines. The revisions include updated goals and criteria for selecting art, as well as a new racial equity statement. The KCAC adopted the revised guidelines at its December 16, 2020 meeting. The updated Public Art Policy Guidelines are attached (Attachment K).

As part of the 2021-2022 Budget process, City Council included funding specifically intended to support more diverse public art (\$9,000 per year for 2021-2022) and community events (\$16,000 per year per year for 2021-2022). There are potential models in other communities of programs designed specifically around expanding the diversity of public art and community events. Staff recommend that the creation of any new processes to implement funding of public art and events be evaluated as part of the organizational equity assessment.

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<sup>14</sup> City of Seattle Office of Arts and Culture: <https://www.seattle.gov/arts/programs/racial-equity>

<sup>15</sup> San Francisco Arts Commission Cultural Equity Initiative Grant Guidelines: [https://www.sfartscommission.org/sites/default/files/20CEI%20Guidelines\\_Final\\_0.pdf](https://www.sfartscommission.org/sites/default/files/20CEI%20Guidelines_Final_0.pdf)

<sup>16</sup> Grantmakers for the Arts, Racial Equity. <https://www.giarts.org/arts-funding/racial-equity>

- **Next Steps**

The Public Art Policy Guidelines require Council approval, and staff will return to a future Council meeting for Council's review and consideration of its adoption. Based on Council feedback and direction, staff will include the remaining three sub-elements of R-5434 § 3d (evaluating public symbols, special events, and City programming) and R-5434 § 3e in the organizational equity assessment process. However, if opportunities for creating cultural events, symbols or programming arise before completion of the equity assessment, staff will still pursue them. As new programs or processes are developed through the equity assessment process, staff will return to Council with an update.

**Q. Funding Strategies (R-5434 § 5)**

The early action funding authorized by Council totaled \$380,000 and helped facilitate immediate implementation of several of the elements in the resolution, notably community engagement, national best practice review, and the organizational equity assessment. Staff have now concluded the first round of targeted stakeholder engagement centered around Black people and have begun transitioning to broader community engagement. As R-5434 implementation is anticipated as one of the 2021-2022 City Work Plan items, staff are prioritizing this work in their respective work programs.

Moving forward, staff anticipate the need for an additional \$65,000 to support the equity assessment and a robust community engagement process that continues targeted stakeholder feedback while expanding engagement with the broader Kirkland community. Below is detailed the total expenditures for early actions and anticipated additional funding needed for continued community engagement. A description of each line item is provided below the table. This would not require new revenue as the recommended funding source is the "Diversity Inclusion Initiatives Citywide" element of the Community Safety Initiative service package (21CS01), of which there is \$109,568 available.

Specific additional funding needs for other R-5434 implementation (not included in the table below), such as dashboard development, use of force data analysis, use of force policy review, and a use of force disparity study, will be brought forward as additional budget and project scope details are determined based on Council feedback and direction at the February 16 Study Session.

<b>Early Action Expenditures</b>	<b>Amount</b>
Extension of Management Analyst through 2021	164,676
Hiring a Temp. Special Projects Coordinator	68,891
Virtual Services Center (Development Services / Welcoming Hall)	8,000
Kirkland Indigenous History Compilation	6,154
Community Court Consultant	2,850
Organizational Equity Assessment Consultant Contract	129,429
<b>Total</b>	<b>380,000</b>
<b>Anticipated Funding Needed</b>	
Organizational Equity Assessment Consultant Contract (expanded)	9,071
Ongoing Community Engagement	55,929
<b>Total</b>	<b>65,000</b>

**Extension of Management Analyst through 2021** – The City Manager’s Office has extended the temporary Management Analyst Andreana Campbell’s position through December 31, 2021. Ms. Campbell has taken lead on national best practice review for several topics, has provided internal coordination of consultant contract scopes of work for select vendors, and has supported focus group facilitation. Additionally, this position is anticipated to work closely with the City’s equity consultant and CMO’s temporary Special Projects Coordinator on the organizational equity assessment and equity strategic plan.

**Hiring a Temp. Special Projects Coordinator** – The City Manager’s Office has hired Chelsea Zibolsky as a temporary Special Projects Coordinator to support all elements of the community engagement process for R-5434. Ms. Zibolsky started on November 23, 2020 and has taken lead on coordinating with community groups for focus groups, organized the February 4, 2021 community meeting, has supported some best practice review and research, and is anticipated to work closely with the City’s equity consultant and CMO’s Management Analyst for the organizational equity assessment and equity strategic plan.

**Virtual Services Center** – The City Manager provided a presentation on an initial concept for a development services / welcoming hall (renamed the Virtual Services Center) to Council on November 4, 2020. The capital budget includes the adaptation of the pending expansion of City Hall for development services staff into a more open customer service space designed to provide virtual service during the COVID-19 pandemic. The structure of this facility will also create a welcoming space and exhibition hall where the multicultural heritage of Kirkland and the Eastside can be celebrated. This new hall would be funded by development services fees and not general-purpose tax dollars. As directed by Council, staff will return with schematic designs, which will include architectural/engineering consulting, preliminary construction cost estimates, and an overall forecasted project budget.

**Kirkland Indigenous History Compilation** – The CMO Volunteer Services Coordinator has compiled a first draft from available written resources the hyper-local indigenous history of present-day Kirkland and the shores of Lake Washington. The result of this project will be a 12-page report that includes an equity affirmation, local

land acknowledgment, native place name map, and a summary history narrative. The next stage of this work includes contracting with local Native key experts for their review of the draft report, as well as additional review by leaders of hyper-local tribal governments, federally recognized or otherwise. Staff will bring the final report to Council for review and adoption.

**Community Court Consultant** – The current status of the work of Ms. Littlejohn, the City’s consultant to support Community Court implementation, is detailed previously in this memo. This expenditure was for 2020 actuals; all remaining cost for Ms. Littlejohn’s contract will be covered by the Community Safety Initiative Service Package.

**Organizational Equity Assessment Consultant** – The current status of the work of Ms. Kelly-Rae is detailed previously in this memo. This amount is for the entirety of Ms. Kelly-Rae’s contract, which will result in an equity plan of record anticipated to come to Council in late 2021.

**Ongoing Community Engagement** – This includes both the early action targeted stakeholder outreach, as well as funds for continued outreach. This funding has and/or would be used for various consultants and services, such: translation/interpretation services, an all-city mailing, a paid diversity community advisory group, focus group honoraria, additional communications collateral and advertising, and community organizing consultants and/or staff capacity. Staff anticipated this funding to cover the extent of the community engagement needed through the equity assessment and strategic planning process.

## **NEXT STEPS:**

Staff are seeking direction on the various elements of R-5434 as detailed previously in this memo and approval to schedule the next Council update at the May 18 study session.

Staff are also seeking Council’s concurrence on the allocating the additional funding requested from R-5434 funds to supplement the equity assessment and continue the community engagement for R-5434 implementation.

Attachment A – Resolution R-5434

Attachment B – Right To Breathe Committee Status Report

Attachment C – Focus Group Notes

Attachment D – Puget Sound Regional Council

Attachment E – Focus Group Demographic Overview

Attachment F – School Resource Officer Training Requirements and Status

Attachment G – SRO Task Force Recommendations Status and SRO Current Duties

Attachment H – 8 Can’t Wait Policy Review

Attachment I – Use of Force Preliminary Review

Attachment J – City of Bellevue Citizen Advocates for Referral and Education Services Overview

Attachment K – Kirkland Public Art Policy Guidelines

## 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



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

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

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

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

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

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

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

- a. "8 Can't Wait" police use of force policy review;
- b. Contracting for third party policy use of force review and use of force data evaluation and analysis;
- c. Structured Council use of force policy and data deliberations;
- d. Evaluating options for independent civilian oversight of police use of force.
- e. Developing a police body camera pilot program; and
- 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.  
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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

City of Kirkland Progress Report  
[Right To Breathe Committee Status Report<sup>1</sup>](https://www.righttobreathe.us/dashboard)






**RIGHT TO  
BREATHE**

**CITY OF KIRKLAND  
PROGRESS REPORT**




**Right To Breathe Policies**

Purpose: Ensure safety and respect for Black people by abolishing anti-Black systemic racism, establishing equitable oversight and advisory processes, and de-escalating the policing of Black bodies.

**Status and Legends**




-  Aligned: Common understanding of objectives & means. Work needed towards policy and implementation
-  Exploring: Working to determine whether objectives and means can be aligned.
-  Impasse: Objectives not in alignment

**Local Government Domain Status**



-  Establish Community Oversight Board/ Commission for Black people.
-  Establish Black people advisory committees for each department
-  Establish Community Forum

<sup>1</sup> <https://www.righttobreathe.us/dashboard>




## City of Kirkland Progress Report

	<b>RIGHT TO BREATHE</b>	<b>CITY OF KIRKLAND PROGRESS REPORT</b>
<b><u>Right To Breathe Policies</u></b>		
Purpose: Ensure safety and respect for Black people by abolishing anti-Black systemic racism, establishing equitable oversight and advisory processes, and de-escalating the policing of Black bodies.		
<b><u>Retailers and Public Accommodations Domain Status</u></b>		
	Post signage for patrons to call Oversight Board/Ombudsman if they feel they are being singled out or followed by employees	
	Annual anti-racism training for any public-facing employees for businesses operating in the municipality	




## City of Kirkland Progress Report

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Municipal Government	Establish Community Oversight Board/ Commission for Black people.	<ul style="list-style-type: none"> <li>Oversight, not advisory - Clarify shared objectives.</li> <li>Made up of Black members of the municipality.               <ul style="list-style-type: none"> <li>Centers Black people and their historical/personal experiences.</li> <li>City residents, business owners, or employees in a municipality.</li> </ul> </li> <li>Acts as an Ombudsman for issues/concerns that Black people (including City employees) have with the City - investigating concerns and advocating for redress.</li> <li>Authority to review any and all municipal policies.               <ul style="list-style-type: none"> <li>While under consideration by commissions, councils, or departments.</li> <li>Review existing municipal policies.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Review and adopt language for shared objectives.</li> <li>City's Management Consultant will review other cities for possible models.</li> </ul>	
		<ul style="list-style-type: none"> <li>Fully independent.               <ul style="list-style-type: none"> <li>Self-governing. Board self-selects, not appointed by Mayor, Council, or City Manager.</li> <li>Funding with a separate line item in the budget.</li> <li>Makes rulings directly to the departments, not to Council.</li> </ul> </li> </ul>		

## City of Kirkland Progress Report




Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Municipal Government (Cont'd)	Establish Black people advisory committees for each department	<ul style="list-style-type: none"> <li>Made up of Black members of the municipality.               <ul style="list-style-type: none"> <li>Centers Black people and their historical/personal experiences.</li> <li>City residents, business owners, or employees in a municipality. <i>We have to get to the intent in ways that are lawful.</i></li> </ul> </li> <li>Advise on anti-racist hiring policies to help reach defined hiring goals.</li> <li>Acts as a sounding board (and early warning system) for department heads and Council.</li> </ul>	<ul style="list-style-type: none"> <li>City makes next proposal - possibly establish a single advisory committee for whole government (other than police).</li> </ul>	
		<ul style="list-style-type: none"> <li>Quasi-independent.               <ul style="list-style-type: none"> <li>Self-governing. Board self-selects, not appointed by Mayor, Council, or City Manager - with criteria established by the municipality.</li> </ul> </li> </ul>		
	Establish Community Forum	<ul style="list-style-type: none"> <li>Regularly bring people together to discuss and collectively advance solutions for ongoing issues and concerns for Black people. Could be a part of some larger program.</li> <li>Ongoing education about historical context and current systemic issues related to anti-Blackness.</li> <li>Standing membership/participation includes:               <ul style="list-style-type: none"> <li>Community members - Black, PoC and non-PoC.</li> <li>Business Community - Public Accommodations and Employers.</li> <li>Civic/Community/Faith-Based Orgs - Black, PoC Focused and not PoC Focused.</li> <li>City Government including police.</li> <li>City Council members to liaison.</li> </ul> </li> <li>Run by and prioritized within the appropriate City Department.</li> </ul>	<ul style="list-style-type: none"> <li>Budgeted.</li> <li>Possible evolution of Welcoming Kirkland Initiative.</li> <li>Next step: planning session for implementation.</li> </ul>	

## City of Kirkland Progress Report

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department	Immediate Policing Changes	<ul style="list-style-type: none"> <li>Institute de-escalation measures for protests - use of tear gas and batons only as last resort.</li> <li>Establish a community-led commission to review all arrests and uses of force since May 25<sup>th</sup>.</li> <li>Distribute financial compensation for all people who have been teargassed or had force used against them.</li> <li>Donate equivalent funds that were used for riot control.</li> </ul>	<ul style="list-style-type: none"> <li>COK believes its actions during the summer protests were consistent with the intent behind these strategies.</li> </ul>	
		<ul style="list-style-type: none"> <li>Eliminate all tactics that restrict the airways (ie. Compressing the neck/knee)</li> <li>Eliminate all choke holds - even in cases of use of deadly force.</li> </ul>	<ul style="list-style-type: none"> <li>Reviewing policy language on key measure of elimination of all chokeholds including Vascular Neck Restraint.</li> </ul>	
	Establish Civilian Oversight and Accountability Committee (in addition to Advisory Committee to the Chief)	<ul style="list-style-type: none"> <li>Oversight, not advisory with public rulings and ability to issue an infraction.</li> <li>Comprised of Black members of the municipality centered on Black people and can include City residents, business owners or employees in a municipality.</li> <li>Fully funded Independent and self-governing body, with ability make rulings to the Chief, IA and Council.</li> <li>With Authority to review any and all incidents including use of force, review incident reports and release all videos within 48hrs to public. Liaise with Police Tribunal, propose policy changes and recommend firing officers, Publicly issue information about the Police Department.</li> <li>Works in parallel to internal police tribunal and/or internal investigations on major incidents.</li> <li>Works in parallel to internal police tribunal and/or internal investigations on major incidents.</li> </ul>	<ul style="list-style-type: none"> <li>Agreement in principle. Next steps include discussions about implementation discussion and timing.</li> </ul>	






## City of Kirkland Progress Report




Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department (Cont'd)	Defund School Resource Officers	<ul style="list-style-type: none"> <li>• Reallocate funds to school counselors and mental health support.</li> </ul>	<ul style="list-style-type: none"> <li>• Reviewing Impasse. Direction from levy and School District partnership are among reasons cited.</li> </ul>	
	Establish De-escalation as the highest priority for police interactions	<ul style="list-style-type: none"> <li>• Mandatory to deploy de-escalation tactics upon contact with all subjects. <ul style="list-style-type: none"> <li>• Mandatory de-escalation training of all officers that results in decreased uses of force as well as in-custody and officer casualties.</li> <li>• Evaluate and update training until uses of lethal and potentially lethal means decreases in cases where the officer determines force is needed.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Agreement on intent. De-escalation language added to Use of Force policy (was in separate location). Consolidating language across functions, including jail.</li> </ul>	
		<ul style="list-style-type: none"> <li>• Develop and train on compassionate Uses of Force For restraint, i.e. use tactics used by nurses and mental health providers. (Excluding tranquilizer/sedatives ie. Elijah McClain). For responses to violent threats, i.e. use non-lethal and less lethal uses of weapons and tools.</li> </ul>		




## City of Kirkland Progress Report



Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department (Cont'd)	Demilitarize the police Department	<ul style="list-style-type: none"> <li>Reject AI &amp; Machine Learning surveillance in community.               <ul style="list-style-type: none"> <li>Not intended to restrict cameras.</li> </ul> </li> <li>Reserve assault weapons for SWAT-specific missions, approved by the Police Chief who will have informed the CEO of the municipality (mayor or city manager as well as the elected council).</li> <li>Money from police department seizures of property goes to community policing and/or school counselors.               <ul style="list-style-type: none"> <li>Federal and state law restricts where money can go.</li> </ul> </li> <li>Oversight board evaluates and holds accountable.</li> <li>Eliminate military-style equipment and tactics (including "No-Knock" warrants).</li> </ul>	<ul style="list-style-type: none"> <li>Aligned, current practices consistent with this objective.</li> <li>State law restricts No-Knock Warrants.</li> <li>Next steps include clarifying how this interrelates to Oversight.</li> </ul>	
	Mental Health Training for Officers	<ul style="list-style-type: none"> <li>Establish policies to require mental health- and trauma-informed policing by all officers.</li> </ul>	<ul style="list-style-type: none"> <li>Aligned, current practices consistent with this objective.</li> <li>Review language, including whether the State mandate falls short.</li> </ul>	
		<ul style="list-style-type: none"> <li>Clear targets set to decrease uses of force when contacting people with mental illnesses.</li> <li>Clear consequences established if target is not achieved.</li> </ul>		

## City of Kirkland Progress Report

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department (Cont'd)	Establish non-commission (unarmed) Officers	<ul style="list-style-type: none"> <li>Create a timeline to make 50% of officers unarmed to handle issues where use of force is rare and/or not anticipated (i.e. traffic enforcement, taking reports, etc).</li> </ul>	<ul style="list-style-type: none"> <li>Aligned on intention behind the Goal.</li> <li>The City's approach is to add unarmed co-responders with subject matter expertise available 24/7</li> <li>Budgeted</li> </ul>	
	Make enforcement of non-violent quality of life and "broken window" violations the lowest priority for the police department	<ul style="list-style-type: none"> <li>If called to the scene by a civilian, contact the caller first to educate them of steps to take instead of calling the police.</li> <li>If no violation of law - then no law enforcement</li> </ul>	<ul style="list-style-type: none"> <li>Aligned on intention behind the Goal.</li> <li>Review language to ensure no ambiguity</li> </ul>	
	Educate/inform people who call the police due to feeling unsafe or on suspicion	<ul style="list-style-type: none"> <li>Shift the stance of protection and service from the caller to the person who has had the police called upon them. Treat this as a threat of violence, unless, upon arrival, the officer sees a clear violation of law or threat to safety.</li> <li>Do not contact the person who has had the police called on them unless the officer sees a clear violation of law and/or threat.</li> <li>No more "move along" service by the police. Only intervene in cases where a law has clearly been violated.</li> <li>Contact the caller first to assess whether there is a legitimate threat</li> <li>Educate the caller about unnecessary police calls.</li> </ul>	<ul style="list-style-type: none"> <li>Aligned on intention behind the Goal.</li> <li>Review language to ensure no ambiguity.</li> </ul>	

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department (Cont'd)	Establish program to recruit Black police officers	<ul style="list-style-type: none"> <li>Publicly commit to increasing the percentage of Black officers on the police force to reflect the Black population of the municipality.</li> <li>Escalate the issue if target is not achieved.</li> </ul>	<ul style="list-style-type: none"> <li>Agreed and in process.</li> </ul>	

## City of Kirkland Progress Report

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Retailers and Public Accommodations	Post signage for patrons to call Oversight Board/ Ombudsman if they feel they are being singled out or followed by employees	<ul style="list-style-type: none"> <li>Calls compiled and tracked.               <ul style="list-style-type: none"> <li>Excessive calls lead to termination of business license.</li> <li>Police must consult the tracking list when/if being called for an "unwanted person," trespass, or other contact to add context to the call.</li> <li>Oversight Board publishes an annual rating to be publicly posted at business site.</li> </ul> </li> <li>Make requirements for business license application and/or renewal.</li> </ul>	<ul style="list-style-type: none"> <li>Agreed and in process.</li> <li>Next steps include developing a pilot program, potentially with regional partners.</li> <li>Pilot program will likely not include business license requirements.</li> </ul>	
	Annual anti-racism training for any public-facing employees for businesses operating in the municipality	<ul style="list-style-type: none"> <li>Minimum training specifications established by Community Oversight Board.               <ul style="list-style-type: none"> <li>Make certification a requirement for business license renewal.</li> <li>Access to training that meets the specifications made available for free through the city or local chamber of commerce.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Clarify shared objectives to move this to alignment.</li> <li>Include in workplan for development of Community Oversight Function.</li> </ul>	

### R-5434 Targeted Stakeholder Engagement - Focus Group Notes

Staff conducted a total of seven focus groups with Black-centered and/or Black-led groups between November 2020 and January 2021 and one focus group with a Latino group in February 2021. Below is a listing of the groups that staff met with for focus groups:

- Eastside Race and Leadership Coalition (ERLC)
- Black Policy Advisory Committee
- Movement of Advocacy for Youth
- Eastside Change Coalition (met twice)
- ERLC -organized student focus group
- Eastside Embrace
- Kirkland Promotores

Total attendance at the above eight meetings was approximately 52.

Below are staff's raw notes from the focus groups. All focus group notes are organized together by R-5434 topic.

#### **Use of Force Dashboard**

- Is supplemented by a monthly standing meeting with KPD / City staff
- Listening/conversational session; gives an opportunity for community members to be heard.
- Is easily findable and accessed
- Has transparent methodology for tracking
- Transparent about how the data is collected (for example race and gender)
- Use of Force Investigation – Should be a third party investigating
- Need accessible information and objective analysis.
- Reduce the potential to have a conflict of interest.

#### **Existing Crime Dashboard**

- Including drug offenses - tends to discriminate on POC.
- Don't just include DUIs
- Diversify who looks at the data and gives the City feedback on the data.
- Make it available in different languages
- Report on non-criminal activities - conditions and criteria of the call; what criteria would we put it on the dashboard?
  - Was the call made anonymously; who is the individual who made the call; and what was the reason for their call; the officers' reaction(s) to the call.
- Turn the report into a video
- Don't just post to website and not say anything
- Do more than just present to the council; mailing list for updates; also in different languages
- Include demographic data
- How does the city use this dashboard to inform and implement policy?
- Break down each metric to show demographics, reasons for the call, outcome of the call.
- Usable data. Capture metrics that you can then use to respond to what the community needs

- Make it clear to the community that this data will not be siloed
- Get many points of feedback from the community throughout the process
- All the dashboards play into one another.

### **School Resource Office Dashboard**

- Students don't generally have that great of a relationship with their SRO
- The SRO makes students more uncomfortable (armed individual walking around the school)
- For the dashboard to be effective, need to reimagine SRO program
- Right now SROs are dealing with the fear of an active shooter, but that's something that's not day-to-day; instead they should be working with counsellors to support students as highly-trained mental health professionals; data will follow
- Armed individuals (SROs) in middle schools is not needed because students are too young
- SROs seem to monitor / hang around Black and brown students, implicit bias at play
- Undermines confidence in SRO system due to Asian and white students being able get away with drugs, etc.
- Armed individuals do not help students feel safe
- Makes students uncomfortable, predatory feeling
- Doesn't seem like SROs are there to protect students but are there to criminalize students
- Reprioritize funding for counsellors (particularly BIPOC) to connect students with services they need
- SRO Program itself needs evaluation
- Should work more as mental health professionals
- How are we counting "number of students served."
- Middle school students are too young to have SRO
- Tend to hang around the black and brown kids at school; Implicit bias; don't need to be armed
- Doesn't make students feel safe; more money should go to BIPOC counselors
- Uncomfortable around the SRO
- Predatory presence
- SRO would constantly hover over groups of black and brown people, chime in their conversations in the common area when students were minding their own business (all were saying this was their experience).
- Seems like it's only meant to deal with active shooters, and not patrol drugs at all
- Especially when those drug using kids are white/Asian
- SRO – plays into the same rules as outside of school but is more detrimental
- An environment dedicated to learning, students of color see badges as threats to the lives
- Want SROs taken completely out of schools
- Money reinvested in counsellors, co-responders
- Initial impetus for SROs was Columbine, but they have detrimental effects
- SROs allow for prison pipeline to happen in schools
- Officers might enter situations inappropriately – could lead to arrests, etc. Oftentimes officers don't see de-escalation as being their priority
- If student taken out of school, then they're just getting behind
- Reductive to assume putting a "good officer" in front of student of color will help them become more comfortable with police

- An institutional problem can't be overcome with an interpersonal relationship
- Presence of police is a form of use of force – presence of a weapon imposes your authority over others
- One friendly cop won't melt years of evidence that cops are an oppressive force
- Police officer in a school – purpose of police officer outside of school will be replicated in school – default is to criminalize
- For those that say SRO does more than policing (building connections with students, wellness, etc.), those actions should be carried out by "wellness responders"
- Systems/programs in place to help achieve this, but lacking funding
- Don't just reform the program; invest in counseling and therapy – not just reactive policing; definition of SRO seems more in line with counselor than officer; need for targeted conversations with BIPOC students that the average experience isn't capturing; Define SRO and ask the community if these roles and responsibilities could be filled more effectively with a different position.
- Community Wellness Committees: adults serving the overall health of students (mental and physical); Mental Health Counselor – proactively checking in with students; potential for a board that helps provide mentorship for students; could perform the role of SROs at a higher proficiency
- Student advocate model in place of SROs - in line with ECC vision
- Do we have data on the number of crimes on a school day?
- How often are ready-on-call police officers needed?
- Activities SROs are doing daily?
- If no arrests are made, why do we have officers on site?
- How are things being reported?
- Is evidence being misinterpreted?
- Introduce the SRO – students may not know their role or the fact that they're there.
- Role of the SRO is diluted when they're asked to handle things like mental health – divest those resources into positions that are more equipped to handle these things (Restorative justice counselor)
- We need representation in schools of Black SROs
- Address the issue of the "empathy drop" (cognitive dissonance) around BIPOC students by raising our level of understanding.
- Need more than just a month dedicated to Black history.
- Address systemic sustained racism with the same urgency and COVID.
- Take accountability
- Want to see people of color on the 5434 team so when we have these conversations we're not needing to be educated on the past.
- Visibility of an SRO doesn't tell the full story of what the data is showing.
- Be very cognizant of what your policies are inadvertently allowing SROs to do/be.
- Students' rights inside and outside of school are very different.
- Proactive accountability needs to be written into the policy.
- "Good apples in a bad orchard" isn't going to cut it.
- A restorative justice dashboard is needed.
- RJ Counselor helps students with restoring individuals into the community, between students and teachers, etc.
- Invest in new programs and don't just allow SROs to have more resources for them to send students to.

- Divest in SROs and reinvest in other resources for mental health, domestic violence, and general instances that need de-escalation
- Don't like the phrase "alternative policing" because it's not all encompassing of the problem that needs to be solved – same guidance for "co-responders" as well ("Support and Serve" should be front and center).
- Larger review by a committee that consists of a broad range of stakeholders (especially the schools regarding SROs) – ongoing engagement with the community on the process.
- Imbalance of negative SRO impact on BIPOC community.
- Rather you spend the money to train officers to not be abusive/racist/profiling behavior rather than catch poor behavior on camera and review and debate about it the treatment. Think about what the answer be if it were profiling/abusing white students. Equal and opposite reactions to consider
- Stats on incidents that need police response – i.e. need for full police gear, immunity? If not much data, why do we need police officers at schools?
- A Dashboard for Restorative Justice is needed
- SRO experience – student accused of having a knife, the SRO didn't confront them, but called for backup (3 officers), no knife found; why have a police officer there in the first place? As a Black student, does not feel comfortable to ever go up to an SRO
- Common denominator for African American students to ever go up to an SRO is that situations are often not assessed correctly (being misinterpreted by SROs)
- Didn't know had SRO for a year – SRO should be introduced
- Biggest defense is they can be a bridge for service – seems to dilute the role of SROs, don't believe SROs are best equipped to handle things like mental health; divest those resources to people that are more – restorative health counsellors, school counsellors, psychologists or Restorative Justice Counsellors – relationship, racial healing circles
- There is safety in SRO relationships when the SRO is a Black man. Safety for Black students is with Black representation present in their schools. That is not the case in suburbia schools on the Eastside. [Seattle SRO's]
- The school where my son attended in NC had a Black man as an SRO. He was a mentor to many students of color and Black students. I have seen a very different role here. My Black students have absolutely been tracked and followed by the SRO.
- Rise level of understanding so policing won't be needed in schools
- Racism is the biggest disease that we face; learning loss and bringing students back to school – there's equal learning lost when Black students are in places where they are oppressed; these conversations can't remain siloed; accountability
- Hire Black people to positions of power to address and held accountable; people not held responsible for racism and racist acts
- There's also a stress factor to our BIPOC students' ability to access their education to the fullest that white people will never understand.
- SRO – pandemic of silent policing; even if we have SROs giving presentations, at the same time, they are still policing and profiling Black and brown students; call to rewrite policy to be direct about what the SRO can and can't do; youth rights is an ongoing issue – within schools those rights are blurred; re: representation matters, but not all the way for police in a school; "Good apples in a bad orchard"; no uniform "he's one of you, but he still has all the power to intimidate".
- There is no accountability for any of it. SRO is not transparent while they have total access to students with no protection from them. Their word against white male adult.
- More effective to invest in schools that need school psychologists or other resources

- Hopes that it doesn't become a jurisdiction issue where the city sees it a District issue, etc.
- Wants us to go to City Council to put real pressure for divesting SRO in support of co-responders
- Police in schools: 1) badge can be a means for intimidation (if that officer can't relate to students, that is a problem)
- Majority of SROs are not PoC; if white officer in majority (or just high amount of) POC student school, communication is key
- Students of color need to have leadership examples
- Those wearing the badge need to respect students of color as well as other students
- (growing up, experienced harassment) different here than in CA;
- Putting cops immediately into children's lives is not helpful for students – presence of authority isn't necessary for a school; SROs were never nice, blew situations into a bigger situation
- No reason to have cops in schools in Kirkland (as opposed to other cities with more danger for students) – resources should be going somewhere else; white students at schools can feel safe around the nice cops – can be manipulative;
- Went to Juanita HS, saw kids get arrested, if both Black and white kids, observed Black kids getting arrested first – different treatment by administration, officers; in Kirkland we don't have the same type of issues as in other cities, but there's a clear difference in treatment between Black and brown kids vs. white kids; instead of having someone with a badge and gun, would prefer counselling skills, instead of arrest could talk kids out of the behavior issues to keep students out of prison system
- Saw someone get detained – white and Black students got in a fight, SRO decided to detain the Black student and do nothing to the white student, when tried to complain/report, was denied rights; whenever that SRO walked into the room, all the Black and brown students would take three steps back; SROs were cold to students of color; all the students wanted him fired; if the Black students feel uncomfortable, there's a reason for that, listen to that; white students could get away with vaping, students of color were reported/searched – reports about white students wouldn't be followed up on; ... would have very happy to never see an SRO again – students would skip classes or avoid areas because the SRO was there, when grades drop whose fault is that – the hostile environment or student? Whenever brought up with school administration, always dismissed for students being too young and not knowing; SROs automatically putting experience onto students of color is not okay; SRO made the situation uncomfortable; day to day interactions
- Dealing with administration at the school on a couple occasions, made contact with the SRO – automatic fear from SRO; authority mis-used is going to traumatize kids; the America of PoC is different from the SRO's America
- If only 1 arrest for the whole year, then funding should be reprioritized for other services
- Whole system issue – America as a country is so ingrained with white supremacy and anti-Blackness, so subsidiary systems (schools, etc.) will have that also; to decrease harm is an urgent thing – replace people with guns with counsellors, etc.
- Not just the SROs – administration and teachers, brush issues under the rug

### **HR Dashboard**

- Includes City leadership, appointed Boards and Commissions



- Disaggregated (management – is the City advancing into leadership positions people with diverse backgrounds?)
- Includes context for equity and inclusion efforts – that diversity in staffing does not equal/define equity, but is a helpful starting point; context in a demographic landscape with larger explanation of equity in hiring -Has benchmarks with the larger Eastside, not just Kirkland demographics

### **Civilian Oversight of Police use of Force**

- One pillar of Campaign Zero - <https://www.joincampaignzero.org/oversight>
- History or track record review of officers
- Reference Campaign Zero for structure/format
- Campaign Zero goes beyond 8 Can't Wait
- Use of Force is part of 8 Can't Wait
- Other pillar – community representation, demilitarization, end of for-profit policing
- Who is chosen to be on that oversight, and what powers do they have?
- Housed completely separate from PD building
- No friends/family, etc. of PD – no way related to PD -Should have power to press charges within a timeframe depending
- Community members should have easy access to view and submit complaints
- All complaints should be going to oversight board separate from PD
- DEI Manager should have stake in who's on the oversight board
- Council can select some number of positions
- Others should be appointed based on community engagement process
- Reaching out to specific community organizations for reps and/or recommendations, and/or providing input to Council appointee selection
- Semi-judicial authority; subpoena power
- Needs to have actionable power, so they can have correct info when needed and can act upon the info if they deem actions were handled incorrectly by the PD
- Would like to see a Black commission or board
- Middle option described in our memo – are there additional powers depending on the outcome of the investigation? What happens after the appeal is given is open for discussion – ECC likes this if the board can elevate to a third party to perform an investigation
- One of the biggest issues is that they are overfunded – toys and gadgets that essentially results in a military force (no need for that level of equipment, assault rifles, etc.) overuse of money
- Officers trained more to use force than not to use force – de-escalation needs to be first
- Personal experience with officers always results in force Agree with divesting of KPD; getting overpaid and there are no repercussions; equipment/gear, wages, and number of officers
- Defund 50%; teachers and social workers are underpaid compared to police officers
- Generally, the concept of “defund police” means take X amount from PDs and put those funds into the community – put the mental health –type concerns to trained professionals (psychologists, mental health counsellors, social workers, etc.)
- Readdress background checks (if patterns of excessive force [ref: officer who killed George Floyd])
- If you defund the police departments, then most of the officers of color would lose their jobs

- The gear/equipment is for what might happen; actions of a few reflect on the attitude of the mass
- If you defund, they're not sending the equipment back; defunding takes dealing with the Unions – designed to protect the people they represent, lawsuits
- Tough work, good training out there, but some troublesome people causing issue
- When you are being fired upon or have to fire back
- Some people out there should not be in certain jobs; people making choices, and there are unfortunately white people out in the community that look at Black people and think the worst
- Laws should be made so Unions can't protect people doing bad things; if there are police officers who have patterns of excessive force, then the Union shouldn't be protecting them; what happens after review of excessive force incidents? Real accountability and consequences Notion of defund the police therefore BIPOC officers will get laid off is a manipulative tactic of police
- Kirkland could follow Seattle's example of defunding

### **Body Cameras**

- Whether we need these things or not, get body cams out there, do the hard police reform work.
- There's a desire to focus on other things, but those other things are not what the public is focusing on and the media isn't focusing on either.
- Body camera memo - quotes an old 2013 ACLU report that has since been superseded. Thinks the ACLU will reach out to the City.
- Worn and on at all times, with ramifications if not done
- Outside body should be able to access that footage – community oversight
- PD shouldn't be only ones reviewing their footage – that would defeat the purpose
- Outside body can evaluate for use of force policy
- Policy is very clear – very clear actions if policy broken – then they can serve a great function
- We want body cams as long as they're on at all times
- Clear consequences if not, and third party oversight
- If no to any of the above, then no body cams
- Use the body cams to catch the positive interactions; only showing bad interactions, highlighting Black people as criminals, reinforces the stereotype
- Body cam needs to happen with the identity work first; Having the police see Black people as human and Black people see them as human, that's more important than the camera
- Instead of body cams, rather have security cams in public places
- How does the City gauge success in a pilot program (body cameras)?
- Works only if the review of footage doesn't come directly from the PD.
- Needs to be progressive.
- Worth investing in, but needs independent review.
- Training is needed, not cameras that address the issue after the fact – be proactive.
- Body cams for sure!
- It'd be helpful for to go back and check what happened
- Will only work if review of footage isn't within PD; it being in Charlottesville helped; worth investing but would need to be reviewed by outside body to be effective [seconded]

- Makes the most sense to have a third party conducting investigations; PDs are struggling to have more accessible info, so even from that standpoint, having a 3rd party would add validity
- Reviewing SRO program (Chief, PD, parents, students) and hired independent contractors to review use of force – middle ground of addressing stakeholders and having them be involved in review, as well as PD
- Input about SROs in schools and a connection/understanding that there is actually legislation (RCW) – very important that people are educated (nothing about us without us); Black community has been the most impacted historically by racism and racist acts in this area; bring this out to broader community (not just word of mouth – who you know)

### **National Best Practices on Alternatives to Policing**

- (Reference) Eugene's CAHOOTS program; from dispatcher's perspective for calls that are nonviolent; has the same resources as the police department (can be dispatched from 911 calls)
- Police aren't present when healthcare professional doesn't arrive; if PD is there, they should stay in the car or monitor from a distance; armed individuals can be incredibly stressful (particularly mental health situations), and may help deescalate situations
- (Reference) New Zealand where police officers aren't armed – aren't considered scary because they don't have guns; not carrying guns will help build trust
- Not in typical police/fire uniforms; shouldn't look like a police officer; easily identifiable and not armed
- Having these co-responders be diverse as well would be really beneficially. More women and POC would be better
- Should come automatically to calls and not on a request basis; will help with baseline de-escalation; 911 operator could ask certain questions to help inform and understand the specific situation, what kind of crisis; when is a weapon even necessary/needed in a situation – how does that influence the escalation of a call?
- Informing excessive force usage to ensure safety; can take action to intervene on police action to protect suspect from potential abuse of use of force
- Is separate from police department culture; distanced from the institution while culture change is happening
- Based on a relationship of trust between the co-responder and the police officers; co-responder has full authority (legal, reporting, etc.) over the police officer – separate enough to still encourage action if needed -CAHOOTS
- Officers stays in the car and doesn't wear a uniform; can trigger a negative response from
- Are the co-responders on every call or on a request only basis? Should be on every call
- Who should make that decision? The dispatcher? Maybe ask certain questions of the situation to figure out who should respond to the call; get an idea of the crisis and respond accordingly.
- Excessive force - when is that necessary? Which areas of a body not to touch? - neck
- Do you exchange efficiency and safety for accountability?
- Are there going to be mental health co-responder program part or adjacent to PD?
- What department will they be in?
- Who's responsible for showing up to homelessness coordinators
- Redmond has co-responder in PD and homeless coordinator in different department

- We want to see more where they are housed outside of PD
- We don't want to add mental health to PD budget
- Dispatch logistics will need to be worked out
- Our goal is to create alternative systems, groups that are separate from PD
- Homeless coordinator should be department of their own, or together with mental health responder
- First FTE should be separate from PD
- "Community Wellness" Department – designated to these alternative functions
- Drug resources
- Homeless coordination
- Mental health assistance
- If unclear PD presence is necessary and MHP sent, PD should have pulse on situation
- De-escalation really comes in; PD should never be the ones to escalate
- Historically PD has escalated situations with those experiencing homelessness, mental health issues, etc.
- Escalation only harms community more
- Policing is inherently reactionary
- PD has authority to exercise use of force
- Situations that require a forceful reaction are very few
- Many reactionary responses need to have de-escalation
- Use of force - enabled individual should not be default response
- Crime – people break the law, but only those caught, tried, guilty are criminal
- The increase of policing tied to increase in crime because more police find more crime
- Instead fund those that stop the crimes before they happen
- Survival crimes – lack of housing, food, etc.
- Crux of defund police movement is to shift that funding to treat issues before crime occurs
- We need to invest in crime prevention and not forceful reactions to crime (i.e. police)
- Resources for mental health co-responder program in City of Redmond Demand Document <https://bja.ojp.gov/program/pmhc>
- More than one-year plan
- Growth of alternative policing strategies; homeless coordinators > police showing up on scenes where police are not needed
- Big need for a homeless coordinator – continuum of care, connecting homeless individuals to resources
- Redmond homeless coordinator has 60 cases alone – not sustainable; recidivism rates could be diminished if coordinator has less cases.
- No police officer in a social situation where they don't belong – not the complete abolishment of the police dept.; sweeps of encampments do more harm than good – this position can help; funding community systems in place of what police have been asked to do.
- Model for a City: Mental Health Dept.; specialized training for dispatcher to determine requirements needed on scene and what social services are required – a 911 call is not an immediate need for police to be dispatched; educating the community on the resources besides calling 911; streamlining of City resources; connection to the "complete system;"
- Police Mental Health Collaboration - ECC's demands have a link to a "how to" – unique to each cities needs; prefer separate PD and Mental Health Dept but have strong

collaboration; subtle differences are key; Council of State Govt Justice Center – reach out and begin conversation on collaborative efforts.

- “Alternative Policing” – doesn’t like that phrase, having racial equity and support and services and understanding of Black community experience – look creatively at what will support Black community; begin with how we’re respectively saying services, support, and collaborate
- CAHOOTS (Oregon) - 911 call related to mental distress, drugs – there’s a team of trained social workers with or without police depending on situation; models like that are cities in general need to be looking at; mental calls don’t necessarily need to respond to those calls; when you add a gun to a mental distress situation, it generally would escalate.
- Need to rely less on police being social workers Kirkland has an opportunity to do something that can be used elsewhere.

### **Community Court**

- Very important
- Needs to have community representation
- Anyone who goes through community court has resources, so they don’t repeat crimes; part of their “sentence” is to engage in resources
- Reference Redmond
- Safety net – shouldn’t be one strike and you’re done. Should restorative justice, prevention. Tying in with systemic de-escalation
- Restorative not punitive justice
- Ties well with defund the police conversation – end goal is to have no need for policing in the first place. If there are disputes, then they can be handled civilly.
- Community Court support system
- Community Court – 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.

### **Organizational Equity Assessment**

- Add “racial equity” to title of organizational assessment

### **Diversity Equity and Inclusion Manager**

- Job description / responsibilities include that they are there for anti-racism, specifically anti-Black racism, work
- Reference - Vera Institute re: funding of staffing
- (Relations Specialist) – isn’t just to make the City look good; job description as the mechanism for safeguarding against this

### **General Notes**

- Add the list of groups we're reaching out to, to our website.
- Keep demographic questions very open ended.
- With an enhanced effort towards Black inclusion, are City of Kirkland events and festivals typically directed at resident businesses and organizations or more widely open to (what I assume) application to participate? If it's by application, the city Black/BIPOC pool is fairly small.
- Uncomfortable with the lack of Black representation on this meeting; Doesn't want to represent Black opinions and priorities when they aren't Black.
- Recommends asking each participant to state their racial identity when they introduce themselves.
- Glad it's City employees and not a third party doing the outreach.

- Define terms to make sure we're all speaking the same language when we review these 11 actions. SRO, Use of force, diversity initiatives within the city (HR dashboard, org equity assessment, and additional staff for diversity and inclusion efforts).
- Address the statistics from the Indivisible Kirkland meetings; Money per week spent on small crimes, amount of Black population v. reports involving Black people and use of force incidents on Black people.
- Be proactive about sharing Police information; WKI letter out to the City might be an appropriate place for this report; Presentations about the report as well; Also include when the Police Chief asks for money in memos to the Council.
- Make sure that there are BIPOC people representing services and staffing
- Relationship was the most important – but relationship wasn't reflected on any of the tiles for review
- KPD should issue an apology about what is happening and has happened to Black people; What would it mean for KPD to apologize?; Humanize them to our communities
- Relationship is the real progress; tangible action
- Upsetting to see the first slide – is that really the beginning of this conversation?; Acknowledgement that 5434 starts in May, but don't want the City to be off the hook that it's taken this long. Timeline should start in 2013-2014; if not earlier; Acknowledge history
- The City listening and following up about the empathetic/relationship focus sends a message hope
- Need to acknowledge that you've told a lie about us and have upheld; We feel like we're not part of the community because of how we're viewed by police; Relationships are built on trust, on agreements.
- Historically, Black people do not trust white people;
- When you start to move forward with this work, you need to consider why Black people might not trust what you're doing; Just because you are doing something for Black people doesn't mean that you should expect Black people to stop telling you about issues/concerns.
- White people have said things for centuries, but their actions speak louder than words
- Funds go to priorities
- Conversations with the City, we know what the priority is by what the City is funding.
- Hoping that through this process that the City can do this right.
- Funds follow priorities – hope that this does begin to have action and funds follow.
- A lot of what we're talking about is around PD – more so it has to go back to starting from square one – how do we train? How do we humanize how officers view Black people? Until we get the police department to that side, all the rest isn't as important
- How do we make the organization a compassionate organization?
- Accountability levers to balance out the over-power that Police has; Need to have a mechanism to influence – way to provide complaints
- It'd be great to have compensation for these meetings
- What is the funding sustainability of these issues?
- Hoping for consistency across region (ref: RTB); although students from Bellevue, experience is mirrored across the Eastside
- Impressed with where Kirkland is at compared to other Eastside cities
- Be present and start to connect with communities
- We've never been openly asked or invited to help
- When filling out forms there are no checkboxes that made us feel included

- American culture of “titles” excludes a lot of immigrants.
  - In my country I am white, here I am a person of color, that is not something I identify as
  - I do not identify as Latinx
  - It would be better to ask “What is the country you identify with?”
- Mosquito bite theory, one bite is okay... lots of bites can make you exhausted and annoyed
- Training for the “first faces” of the city - being able to be culturally responsive, speak other languages
- Colorism within government
- When I moved here I couldn't navigate the website, I had to get married in Redmond because I couldn't find out how to do that here. I couldn't find ways to volunteer or get involved. I live in Kirkland but travel to other cities to be a part of their communities.
- How can families be involved or communicate their needs when they don't speak English?
- There are fears over their status and whether they can get involved at a community level
- Build relationships to different ethnic groups, understand their culture
- We need to include them in our conversations and when you do, be ready for people to want to be actively involved.
- Asking is not enough, building relationships is very important
- Understanding that Spanish speakers are not all the same
- It would be helpful to create different community “ambassador” groups who could build trust in the community. Start small and then have them all meet together
  - School level
  - Neighborhood
  - Whole community
- Family Connection Centers & Equity teams in schools - all schools should have this
- Invite more people to participate
- Build small groups to grow community
- Coneccion de Familiar - they help families in schools with resources
- Also important to remember we have individuals in the community without kids who need access and support
- Look into the programs Bellevue has, but dont think similar programs are a fix all, understand the needs of Kirkland’s community and then meet them
- I learned a lot about inclusion and acceptance through my children, they will be the next generation to carry on this work
- Schools and/or the City could invite communities to come together and share their culture
- Relationship building
- We need people within the City who speak different languages and understand the passion behind the culture
- When I first immigrated here there were four things I needed to know:
  - School
  - Health
  - How to get other services
  - My rights
- I would travel far to get services at Hopelink

- Workers feel less than others - Gardeners, cleaners etc.
  - Need for professional development
  - Resources for business owners in different languages
- This community doesn't just need help, they want to offer help too. There is a missed opportunity in that
- People will give their hands and hearts
- Translators vs. facilitators - we need actual employees who speak the language
- There is a lot of economical help, but we need heart language
- There is so much talent and knowledge in the community - it's a shame it's not being used
- It states with the initial connection
- Immigration status, disability, homeless
- The community is ready, it's just matter of starting the conversation
- Tired of being viewed as "people in need" there are many people who want to help
- How do you feel about interactions with police?
- In my country you see cops, and cross the sidewalk... I have interacted with the police twice and they were good interactions, but I know a lot of that had to do with the fact that I can speak English
- The police make me very nervous. I worry that they will treat me differently because of my accent and wonder what my immigration status is. I am a female and I feel that way, I can only imagine how scary it is a young Black man who might be going out at night to walk his dog.
- We conducted a survey, the answer to "do you feel comfortable around police" was much different than "who do you call in an emergency" - most people felt comfortable but wouldn't call them





## Puget Sound Regional Council

### ACTION ITEM

October 15, 2020

**To:** Operations Committee

**From:** Josh Brown, Executive Director

**Subject:** **New Policy on Compensating Members of PSRC Funded Focus Groups and/or Committees**

### IN BRIEF

A new policy for compensating certain committee members to participate in focus groups and/or committees is being proposed. The intent of this policy is to engage and elicit feedback from historically underrepresented residents through their participation on focus groups and/or committees.

### RECOMMENDED ACTION

Recommend that the Executive Board approve a new policy on compensating members of PSRC funded focus groups and/or advisory committees.

### DISCUSSION

Many members of PSRC's existing committees represent local jurisdictions, agencies, and professional advocacy groups and are paid by their respective employers to attend meetings. The proposed new policy would allow PSRC to compensate focus group members and/or committee members who are not already compensated by their employer, thereby encouraging greater participation by members of the community.

This policy would be used as a basis for providing compensation to focus group and/or committee members engaged in the upcoming Regional Housing Strategy effort and in the development of a new Regional Equity Strategy.

The guidance for the compensation policy comes from a combination of scoping conversations conducted with peer MPOs, member jurisdictions, partner organizations, consultation with PSRC's consulting CPA firm, and staff research into best practices.

Contingent upon approval, the policy will be added to PSRC's Administrative Policies and Procedures Document.

For additional information, please contact Diana Lauderbach at 206-802-5231; email [dlauderbach@psrc.org](mailto:dlauderbach@psrc.org).

Attachments:

Focus Group and/or Committee Member Compensation Policy and Procedures

**Puget Sound Regional Council  
Focus Group and/or Committee Member Compensation Policy and Procedures  
October 22, 2020**

**Purpose**

To establish a policy and procedures for compensating focus group members or committee members who are not compensated by their employers for participating in the PSRC funded meetings.

**Policies**

Members of focus groups/committees who are not already being compensated by their employers or other organizations for participating in the PSRC funded meetings may be compensated for attending the group meetings.

The compensation rate structure is set by PSRC based in part on its review of focus group/committee compensation paid by other peer metropolitan planning organizations (MPOs), member jurisdictions, and partner organizations. The compensation rate structure will be subjected to periodic evaluation, at the discretion of PSRC.

At the discretion of PSRC, adjustment may be made to the set compensation rate per meeting, if unusual and significant time commitment would be required for a particular meeting.

**Procedures**

**1. Member's Questionnaire**

Each member of the focus group/committee must fill out the Member Questionnaire, on an annual basis. The Member Questionnaire is required to be updated when personal information changes. The Member Questionnaire form is available at PSRC's website: [www.psrc.org](http://www.psrc.org).

Members of focus group/committees must disclose in the Member Questionnaire if he or she is being compensated by his or her employer for preparing for and attending the meetings.

Member Questionnaire must be submitted to PSRC's accounting department, email to [finance@psrc.org](mailto:finance@psrc.org).

**2. Attendance**

Regular attendance to focus group/committee meeting is required for the member's compensation. Attendance must be recorded by the focus group/committee and emailed to PSRC's accounting department within 3 business days after each meeting. The record of attendance will serve as support for processing compensation to members.

Attendance sheet is available at PSRC's website: [www.psrc.org](http://www.psrc.org).

### 3. Compensation

PSRC's accounting department is responsible for calculating the total compensation per member based on the current compensation rate structure. This task can be delegated to a consultant. The Compensation Schedule will be the current standard compensation per meeting and any adjustment based on anticipated unusual time commitment for a particular meeting. The Compensation Schedule shall be communicated to each focus group/committee two weeks prior to the schedule of meeting, as the schedule allows.

PSRC's accounting department, or the consultant, is also responsible the processing of checks for the member's compensation in accordance with its accounts payable policy and procedures. The check will be mailed to the focus group member's address provided on the member's questionnaire.

Exhibits:

Exhibit A: Sample Member Questionnaire

Exhibit B: Sample Attendance Sheet

Exhibit C: Sample Compensation Schedule

**Exhibit A: Sample Member Questionnaire**

**Puget Sound Regional Council**  
**1011 Western Avenue Suite 500, Seattle, WA 98104**

[www.psrc.org](http://www.psrc.org)

(Focus Group/Committee Mission): \_\_\_\_\_

**(Name of Focus Group/Committee) Member Questionnaire**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Occupation/Position: \_\_\_\_\_ Employer: \_\_\_\_\_

1. Have you ever served on a Board or been a Member of (Name of Focus Group/Committee)? If yes, please describe, including dates served.

\_\_\_\_\_  
 \_\_\_\_\_

2. Based on your experience and skills, what do you anticipate would be your primary contribution(s) to the work of the (Name of Focus Group/Committee)?

\_\_\_\_\_  
 \_\_\_\_\_

3. Are you compensated by your employer or other organization for participating in (Name of Focus Group/Committee)?

\_\_\_\_\_

4. If your answer is no for the question 3 above, please provide your social security number for identity and tax reporting:

\_\_\_\_\_

I certify the above information is correct and true.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Exhibit B: Sample Attendance Sheet**

Date	Purpose of Meeting or Name of Focus Group/Committee

---

Signature

---

Date

I attest that I attended these meetings

**Exhibit C: Sample Compensation Schedule**

**Puget Sound Regional Council  
Compensation Schedule  
(Name of Focus Group/Committee)  
Date: \_\_\_\_\_**

Members of (Name of Focus Group/Committee) that are not already compensated by their employers or other organizations for participating in the (Name of Focus Group/Committee) will be compensated for preparing for and attending the (Name of Focus Group/Committee) meetings.

The compensation rate structure is set by PSRC based in part on its review of equity advisory member compensation paid by other peer metropolitan planning organizations (MPOs), member jurisdictions, and partner organizations. The compensation rate structure will be subjected to periodical evaluation, at the discretion of PSRC.

The current compensation rate for (Name of Focus Group/Committee) members is a flat fee of \$125 per meeting. No other expenses shall be reimbursed by Puget Sound Regional Council.

Puget Sound Regional Council makes a discretionary decision on the compensation adjustments for each (Name of Focus Group/Committee) meeting based on the level of commitment required for each meeting.

Adjustments to be made to the flat fee of \$125 for the meeting scheduled on: \_\_\_\_\_

<b>Reason for Adjustment</b>	<b>Increase and Reduction in Compensation Rate</b>	<b>Adjusted Compensation Rate</b>

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

### Targeted Stakeholder Engagement - Focus Group Demographic Overview

Staff conducted a total of seven focus groups with Black-centered and/or Black-led groups between November 2020 and January 2021 and one focus group with a Latino group in February 2021. Below is a listing of the groups that staff met with for focus groups:

- Eastside Race and Leadership Coalition (ERLC)
- Black Policy Advisory Committee
- Movement of Advocacy for Youth
- Eastside Change Coalition (met twice)
- ERLC -organized student focus group
- Eastside Embrace
- Kirkland Promotores

Total attendance at the above eight meetings was approximately 52. As part of the focus group process, staff requested that participants provide anonymous demographic information. This was an optional component of the focus groups, and approximately half of the participants responded. Below is a demographic overview of the focus group participants.

Racial Identity		Number of Respondents	Percentage
American Indian or Alaska Native ONLY		0	0%
American Indian or Alaska Native AND Black or African American		1	4%
Asian ONLY		2	8%
Asian AND White		1	4%
Black or African American ONLY		17	65%
Native Hawaiian or Other Pacific Islander ONLY		0	0%
White ONLY		4	15%
Not Listed		1	0%
<b>TOTAL</b>		<b>26</b>	<b>4%</b>

Hispanic or Latino Identity	Number of Respondents	Percentage
Yes	1	4%
No	25	96%
<b>TOTAL</b>	<b>26</b>	<b>100%</b>

Gender Identity	Number of Respondents	Percentage
Female	16	62%
Male	10	38%
Non-binary or third gender	0	0%
Not listed	0	0%
<b>TOTAL</b>	<b>26</b>	<b>100%</b>



Age	Number of Respondents	Percentage
Under 18	5	19%
18-24	10	38%
25-34	1	4%
35-44	0	0%
45-54	4	15%
55-64	6	23%
65+	0	0%
<b>TOTAL</b>	<b>26</b>	<b>100%</b>

Housing Situation	Number of Respondents	Percentage
Own	10	38%
Rent	5	19%
Unhoused	0	0%
I live with family or friends and don't pay rent	9	35%
Other ("college campus" specified)	2	8%
<b>TOTAL</b>	<b>26</b>	<b>100%</b>

Location of Residence*	Number of Respondents	Percentage
South Kirkland (Moss Bay, Everest, South Rose Hill, Lakeview, Central Houghton, Bridle Trails)	1	4%
Central Kirkland (Market, Norkirk, Highlands, North Rose Hill)	0	0%
North Kirkland (Finn Hill, Juanita, Kingsgate, Totem Lake)	3	12%
I live outside of Kirkland	22	85%
<b>TOTAL</b>	<b>26</b>	<b>100%</b>

\*Some focus group participants noted that they had previously lived or attended school in Kirkland, although they don't reside in Kirkland currently. Staff have noted this feedback and are evaluating how to update the location of residence demographic question for future surveys.

*School Resource Officer Training Requirements and Status*

Kirkland's School Resource Officers have mandated training either via state law (RCW or WAC) and/or Kirkland PD Policy. Kirkland requires that SROs complete both the Basic and Advanced SRO training courses. An overview of the training is provided below:

- Basic SRO training course

The National Association of School Resource Officers Basic School Resource Officer Course is a forty-hour (40) block of instruction designed for law enforcement officers and school safety professionals working in an educational environment and with school administrators. The course provides tools for officers to build positive relationships with both students and staff. The course is also beneficial for educational professionals dedicated to providing a safe learning environment and provides a more in-depth understanding of the role and functions of an SRO. The course emphasizes three main areas of instructions:

1. Law Enforcement Function – Instruction on the differences between law enforcement when conducted inside a school environment including understanding the teen brain and de-escalation techniques.
2. Mentoring Students – Instruction designed to provide tools to be a positive role model for youth including informal counseling techniques.
3. Guest Speaking – Instruction on a variety of instructional techniques as well as classroom management tools to provide law-related education to students.

Attendees gain a solid working knowledge of the School Resource Officer concept and how to establish a lasting partnership with their schools. The purpose of this course is to provide participants with information regarding the school resource officer concept and the skills necessary for its successful implementation.

Course Objectives:

- Clearly define and explain the SRO Triad concept.
  - Demonstrate positive and professional communication.
  - Apply the concepts of planning, prevention, and response to school safety
- Advanced SRO training course  
The NASRO Advanced School Resource Officers Course is a twenty-four hour (24) block of instruction that focuses on more advanced techniques for the School Resource Officer. Topics covered include law updates, technology and social media, improving communication with administrators and information on current youth-related topics. Participants will also spend two hours at a school building conducting a "Site Assessment." The Course is designed for any law enforcement officer working in an educational environment. This course, following the SRO Triad model, advances the SRO's knowledge and skills as a law enforcement officer, informal counselor, and educator.

Course Objectives:

- Learn strategies to work closely with school administrators on problem solving and crime prevention strategies.
  - Develop a better understanding of the causes and solutions for school violence.
  - Conduct a site assessment on the school buildings within their school district.
- 
- RCW 28A.320.124 Required Training Topics
    1. Constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools
    2. Child and adolescent development
    3. Trauma-informed approaches to working with youth
    4. Recognizing and responding to youth mental health issues
    5. Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities
    6. Collateral consequences of arrest, referral for prosecution, and court involvement
    7. Resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement
    8. Local and national disparities in the use of force and arrests of children
    9. De-escalation techniques when working with youth or groups of youth
    10. State law regarding restraint and isolation in schools, including RCW 28A.600.485
    11. Bias free policing and cultural competency, including best practices for interacting with students from particular backgrounds, including English learners, LGBTQ, and immigrants
    12. The federal family educational rights and privacy act, FERPA

Basic and Advanced SRO training classes are offered during the Summer months. Kirkland's more experienced SROs, who are assigned to the two high schools, have attended both the Basic and Advanced classes. Kirkland's newest four SROs, who are assigned to the middle schools, attended the Basic SRO class in their first year and will hopefully attend the Advanced class during their second year of SRO assignment dependent on availability due to COVID. All of Kirkland's SROs have attended the required training per the RCW.



**CITY OF KIRKLAND**  
**Kirkland Police Department**  
11750 NE 118<sup>th</sup> Street, Kirkland, WA 98034  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Cherie Harris, Chief of Police  
Mike St. Jean, Deputy Chief of Police

**Date:** January 29, 2021

**Subject:** SCHOOL RESOURCE OFFICER TASK FORCE RECOMMENDATIONS AND CURRENT DUTIES

### **RECOMMENDATION:**

It is recommended that the City Council receive a status check on the recommendations contained in the SRO Taskforce final report.

### **BACKGROUND DISCUSSION:**

The Department's SRO program expanded from two officers to six officers with the passage of Proposition 1, which provided specific funds dedicated to the additional positions in Kirkland Middle Schools. At the November 2018 election, 57% of Kirkland voters approved Proposition 1, the Enhanced Police Services and Community Safety Ballot Measure. In January of 2020, four additional SROs were assigned to the newly expanded Community Services Unit (CSU) comprised of both the SROs and the Neighborhood Resource Officers (NRO). They joined the two existing SROs, who were already assigned at Lake Washington High School and Juanita High School.

Once Proposition 1 passed, and as directed by related Resolution R-5339, the City Manager and District Superintendent convened a SRO taskforce charged with becoming educated on the current SRO program, comparing the current program to national best practices, and making recommendations on improvements to the City and the District. The taskforce met seven times between June 2019 and January 2020, with a final report published in March 2020.

On July 7, 2020, Assistant City Manager Lopez and Police Chief Harris presented the final report to the City Council and recommendations from the SRO Task Force, as directed in R-5339. The overall theme of this report was that the Department has an excellent SRO program that is already following many of the national best practices. There were several recommendations present to the Council, mostly around reinforcing the idea that the overarching goal is keep kids out of the juvenile justice system through building relationships, counseling and providing appropriate services.

### **School Resource Office Program Update**

The Kirkland Police Department, in partnership with Lake Washington School District (LWSD), provides six School Resource Officers (SRO) assigned to Lake Washington High School, Juanita

High School, Kirkland Middle School, Finn Hill Middle School, Kamiakin Middle School, and International Community School/Emerson High School. Currently there are 18 public schools in the City of Kirkland: three high schools, three middle schools, and twelve elementary schools.

In March of 2020, LWSD closed all schools due to the Covid-19 pandemic. The Department SROs were rotated out of the Community Services Unit to Patrol squads (three to day shift patrol and two to swing shift). They remained assigned to Patrol squads throughout the summer to help with staffing and to function as Police Training Officers for newly hired recruits. SROs returned to the Community Services Unit in September 2020. Their current assignment consists of (but is not limited to):

- Conducting school checks and communicating with school staff
- Assisting LWSD with checks on absentee students
- Conducting investigations related to Child Protective Service (CPS) referrals concerning students
- Conducting directed enforcement on community complaint areas (parks, traffic complaints zone, etc.)
- Community-specific projects such as organizing presentations for community engagement groups about the role of SROs.

LWSD schools are scheduled to reopen in a phased approach, starting with elementary schools on February 18th. Middle schools and high schools are scheduled to return possibly in March, but there is no firm date yet, and more delays could occur. The SROs will return to the schools as the students return to in class learning.

### **Task Force Recommendations**

The following is a list of the recommendations developed by the SRO Task Force and the current status of the work being done to accomplish these recommendations. It is the Department's belief that the work done by this task force, along with the input gathered from the City's outreach and engagement team will drive many aspects of what a future SRO public dashboard will contain.

- Recommendation 1.1: Define a clear statement of purpose for the SRO program that includes "help keep students out of the criminal justice system" as one key purpose of the SRO program. ***In Progress***
  - The following statement was developed by the SRO taskforce for use in defining the SRO program:  
*The Kirkland School Resource Officer program is a partnership between the City of Kirkland and the Lake Washington School District. The primary purposes of the School Resource Officer (SRO) Program are to:*
    - *Help keep students physically, socially and emotionally safe at school.*
    - *Provide for positive interactions between the SROs and students, families, and community members in order to make the Police Department more accessible and approachable.*
    - *Connect students with supportive services.*
    - *Help keep students out of the criminal justice system.*
  - The Lake Washington School District is currently working on updating the contract language between the Kirkland Police Department and the district. Kirkland SROs are members of the National Association of School Resource Officers (NASRO) where they have received training aligned with the sentiments of the Task Force recommendations. The Washington State School Directors Association has developed a model policy, which states, amongst other things, the focus of any SRO working in the district is to keep students out of the

criminal justice system when possible. The full model policy can be found here: <https://wssda.app.box.com/s/9mrdb038xxqy5q86vnpbi0fk13u725ih>.

- The Department will continue to collaborate with LWSD to incorporate the above statements into the new SRO contract.
- Recommendation 1.2: Align authorization documents related to the SRO program to use a consistent purpose statement and roles and responsibilities. ***In Progress***
  - As the task force developed and released a concrete purpose statement, the next steps will be to align the purpose statement with the LWSD program and the Department policy manual (Lexipol). The Department's contract with LWSI is still under development/review with their legal advisors. The LWSD experienced recent turn over with the departure of their Risk, Health, and Safety Manager. LWSD is currently hiring a new "School Safety and Crisis Manager," a currently empty position due to the unexpected departure of the prior manager. This position will be the liaison position between the Department and LWSD.
- Recommendation 1.3: Include future documents currently being developed by the State Superintendent's Office to update relevant authorizing documents, such as the City-District contract, KPD policies, and SRO job description. ***In Progress***
  - The Department's SRO policy and job description are in the process of being updated to better match model policy from the State Superintendent's Office and the task force language recommendations. See above concerning the current status of the LWSD-KPD contract.
- Recommendation 2.1: Create proactive communication materials to better introduce the SRO program to the school community, including potentially impacted community members. ***Completed/On-Going***
  - City Staff and the Department have taken multiple steps to introduce the program and the SROs to the school community and residents of Kirkland. This continues to be a focus by the City and the Department, with presentations continuing throughout 2020 and into 2021 with community stake holders. This included, but was not limited to:
    - A video from Chief Harris that had video introductions and interviews with the current SRO team
    - Meet-and-greets with the SROs at the beginning and end of multiple school days at schools that were receiving a new SRO (Kirkland Middle School, Finn Hill Middle School, Kamiakin Middle School, International Community School, and Emerson High School)
    - Community groups, PTA/PTSA, and school staff presentations on the role of SROs in schools (on-going).
    - SRO presentations to the AM and PM Rotary, Kiwanis, and the Downtown Business Association.
    - The Department assigned a bilingual (Spanish speaking) SRO to Kamiakin Middle School to help serve the Spanish speaking population that attends.
- Recommendation 2.2: SROs should meet with affinity groups, which are groups formed around a shared interest or common goal, to learn about the varied perspectives and experiences of students and families. ***In Process***
  - The current SROs have been actively reaching out and presenting to community engagement groups.

- SROs have been actively engaging student groups that represent students of color, LGBTQ+ students, students with disabilities, and students new to the country and their families. However, COVID 19 has limited the opportunities with these groups.
- SROs were able to meet virtually with the AM and PM Rotary, Kiwanis and the Downtown Business Association. The City and the Department will continue to reach out to student body and community groups for comments, discussions, and presentations.
- Recommendation 2.3: Formalize the community feedback requirement of RCW 28A.320.124, with a focus on proactive outreach to potentially impacted community members. *In Progress*
  - The process of community feedback has been an on-going project for the City and the Kirkland Police Department. Community outreach through participation in community meetings, PTSA/PTA meetings, student group meetings, LWSD staff meetings, and other venues has been a focus of the SROs for the last six months.
  - The new City website offers the option of completing an online survey and other feedback forms within the SRO program page. These online forms are currently being explored by the Department. Members of the community have the ability to file concerns about any SRO via the City of Kirkland website or e-mail/phone or in person at the Kirkland Police Department through the formal complaint process, which is in accordance with state law.
  - Staff is currently working on a survey of the SRO program, as part of their outreach and engagement efforts.
- Recommendation 2.4: Explore ways for SROs to be provided information on student behavior-intervention plans for use in emergency response situations, so SROs are best prepared to interact with students who may have specific needs. *In Progress*
  - SROs are currently collaborating with LWSD to develop systems of communication for students with behavior-intervention plans. Due to privacy concerns, SROs are not allowed access to the LWSD's Skyward student database where this information is housed. SROs only are made aware of behavior plans/individualized education plans (IEP) by staff on a case-by-case basis. SROs also become aware of behavioral or mental health issues as they build personal relationships with the students over the school year. The SRO unit will continue to engage LWSD on this matter in the upcoming year. This recommendation is complex in nature, and requires compliance with all relevant privacy regulations, including recognizing the confidential nature of medical information or IEP plans.
- Recommendation 2.5: Explore ways to regularly collect and report relevant data that indicates whether disparate negative impacts are occurring for particular groups of students, including students of color, LGBTQ+ students, and students with disabilities. *In Progress*
  - The Department and LWSD are currently collaborating on the continued data collection concerning SRO interactions with different student groups. The City and the Department are actively developing a SRO dashboard to better display this information to the public. There are privacy concerns that need to be taken into account to prevent identifying individuals when the information is presented. This also requires an ever-evolving method to accurately document SRO interactions with students, which is not easily quantifiable.

- SROs took 292 total cases between 2017 and 2020. Of those cases, 92% did not involve an arrest or any charges being filed with the King County Juvenile Court or the City of Kirkland Municipal Court.
  - The types of cases handled by SROs during this time period were generally related to Child Protective Service (child abuse/neglect), drugs, mental/emotional/suicidal cases, assault, theft, threats, and sexual assault/rape.
  - The most common type of cases taken by SROs are CPS-related cases.
  - There were 32 total criminal charges forwarded by SROs, with only 4 being physical arrests.
  - The other 28 criminal charges did not involve an in-custody booking; instead charging documents were forwarded to prosecutors for review, charging, and in many cases diversion.
  - Of those 32 criminal charges: 27 were male, 5 were female, 23 were White, 2 were Black, 4 were Asian, and 3 were Hispanic.
- Recommendation 2.6: Evaluate additional mechanisms for feedback, such as 360 or other similar evaluation tools, that includes students, staff, and families to help inform existing evaluation protocols. ***In Progress***
  - The CSU unit is developing internal goals for the SRO program and the individual SROs to continually evaluate their performances. Currently, LWSD staff are asked to provide input for annual evaluations for SROs by the CSU supervisors. A community survey of the SRO program is currently being drafted by City Staff, as part of their outreach and engagement efforts.
- Recommendation 3.1: Update training requirements and offerings for SROs to meet or exceed expectations for RCW 28A.320.124. ***Completed/On-Going***
  - All Department SROs have attended the National Association of School Resource Officers (NASRO) Basic SRO course. This is a 40-hour course that focuses on providing tools and best practices for law enforcement officers and school safety professionals working in an educational environment and with school administrators to build positive relationships with both students and staff. SROs are encouraged and regularly complete additional training in the form of webinars and other training opportunities outside of the NASRO. Per RCW 28A.320.124, SROs are now required to have received specialized training in the below 12 topics.
  - As of August 2020, each Department SRO had attended these trainings and are in compliance with current state training requirements:
    - Constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools;
    - Child and adolescent development;
    - Trauma-informed approaches to working with youth;
    - Recognizing and responding to youth mental health issues;
    - Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities;
    - Collateral consequences of arrest, referral for prosecution, and court involvement;
    - Resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement;
    - Local and national disparities in the use of force and arrests of children;



- De-escalation techniques when working with youth or groups of youth;
  - State law regarding restraint and isolation in schools, including RCW 28A.600.485;
  - Bias free policing and cultural competency, including best practices for interacting with students from particular backgrounds, including English learners, LGBTQ, and immigrants;
  - The federal family educational rights and privacy act, FERPA.
- Recommendation 3.2: Maintain the current expectation of NASRO training for all SROs. ***Completed/On-Going***
    - All Department SROs have attended the National Association of School Resource Officers (NASRO) Basic SRO course which is offered on an annual basis in the summer months.
    - The two senior SROs have also attended NASRO's Advanced SRO course, which is also offered on an annual basis in the summer months. This is a 24-hour course that focuses on advancing the SRO's knowledge and skills as a law enforcement officer, informal counselor, and educator.
    - All four SROs who were appointed in 2020, have applied to attend this training in the summer of 2021 (pending COVID 19 restrictions).
    - All SROs maintain an active NASRO membership, allowing them to receive occasional updates and information on best practices for SROs along with legal updates.
  - Recommendation 3.3: Ensure SROs receive training on referring students to counseling or other services. ***Completed/On-Going***
    - Department SROs receive training on resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement. Along with training, and resources, SROs collaborate with school counselors and school administration directly to refer students to resources. The CSU supervisors are involved when a physical arrest, or criminal referral may be warranted. The CSU supervisors also help to identify any appropriate alternatives to arrest. SROs are expected to follow the training they have received and make every effort to avoid creating any "school to prison" pipeline. SROs in the schools are in a unique position to build relationships with at risk students, and they encourage students to make positive decisions.
  - Recommendation 3.4: Maintain the current hiring requirement of a minimum of two years of experience as a commissioned police officer. Additionally, in the SRO job description, pursuant to bargaining with the Police Guild, consider replacing "willingness and desire" with "demonstrated ability" with respect to interactions with youth. ***In Progress/Ongoing***
    - The Department intends to maintain the minimum experience requirement for the SRO position. The current job description and command structure still need to be updated (see Plans Going Forward section below). The Department has a documented history of not appointing officers to the SRO position if they have not demonstrated the desired qualities.
  - Recommendation 3.5: Continue emphasizing retention of SROs through the current five-year SRO assignment commitment. ***Completed/On-Going***

- SROs are currently assigned to the unit for 5-years, with the possibility of one-year extensions. With the current 5-year assignments, it is common for SROs to look to other job opportunities within KPD between the 4, and 5-year mark. The length of assignment for the SRO's could be increased but would need to be bargained between the City and the Kirkland Police Guild.

The SROs have been exploring new ways to reach out to different groups within the community and have adapted to online remote meetings to actively engage with new groups. The SROs have attended several group meetings over the previous year and will continue to make group engagement a top priority. One proposal being explored is to add a "request an officer" portal on the new Department School Resource Officer and Neighborhood Resource Officer webpage; where community members can request a SRO or NRO officer to attend group meetings in which they may not have historically been requested. When the schools reopen, the SROs will make it a priority to meet with different student groups, with a specific focus on affinity groups that meet after school.

The Department will continue to make progress in implementing the above listed recommendations from the School Resource Officer Task Force as schools "return to normal" and the SROs return to their assignments.

### **Next steps**

The Department is actively collaborating with City Staff and the School District to develop a new "SRO Dashboard." This public facing dashboard would allow for increased transparency, but it is not a common feature among other police agencies. The Department has developed a new way to record SRO generated reports so it will be easier for our agency to pull case report data when schools reopen. One challenge is finding ways to document or showcase the positive work conducted by Kirkland SROs without invading the privacy of students. In the meantime, the Department SROs will continue to complete monthly reports to document their activity. Listed below are just a few of the positive and impactful incidents the Department's SROs experienced in just the first quarter of 2020:

- A high school SRO and Associate Principal responded to an incident of an emotional student who had brought a large kitchen knife from home. They were able to peacefully persuade the student to surrender the weapon. The SRO was familiar with the student's mental disability and we worked with the school to get the student appropriate help. No criminal charges were filed.
- A student reached out to our SRO as she was being bullied about relationship issues as well as a teen pregnancy and miscarriage. The SRO worked closely with the student to help her through a difficult time.
- An SRO was able to intervene when he observed a group of students bullying another student in the hallway. The SRO involved the school administration to help in drawing an end to the ongoing bullying behavior.
- A special needs middle school student missed their bus and did not make it home. The SRO was able to locate the student and return them back to the school for parent contact.
- A middle school SRO participated in an 8<sup>th</sup> grade assembly where he had the opportunity to answer questions the students had about police.

- During the start of the COVID-19 Pandemic, several students looked to their school SROs for reassurance that things would be “OK” during uncertain times.
- A School Resource Officer earned the trust from a female student, who finally built up enough courage to report a sexual assault she had suffered at the hands of a coach three years prior. The SRO was able to support her through the victim interview process.

DRAFT

**CITY OF KIRKLAND****Police Department****11750 NE 118<sup>th</sup> Street, Kirkland, WA 98034-7114 425.587.3400****www.kirklandwa.gov****MEMORANDUM**

**To:** Cherie Harris, Chief of Police

**From:** Mike St. Jean, Deputy Chief of Police

**Date:** February 2, 2021

**Subject:** Response to 8 Can't Wait policy review

I have included the policy review e-mail we received from 8 Can't Wait on August 13, 2020 in the below text. I have responded in red text to those areas in which they have found our current policy to not be in compliance with their suggested policy reform.

*From: 8 Can't Wait <community@8cantwait.org>*

*Sent: Thursday, August 13, 2020 11:41 AM*

*To: Cherie Harris <CHarris@kirklandwa.gov>*

*Subject: Re: Policy Review*

*Hi Cherie,*

*We've reviewed the Kirkland policy and here is what we have concluded the following:*

- 1. The policy requires de-escalation: YES*
- 2. The policy includes a use of force continuum: NO*
  - A use of force continuum is a chart or checklist that correlates specific tools and tactics to specific forms of resistance. For example, if, in the continuum, a suspect's resistance is identified as "passive resistance or verbal refusal," a use of force continuum might identify acceptable force responses as "verbal commands, control holds, and/or pain compliance techniques." Several police reform groups advocate for law enforcement agencies to adopt a use of force continuum as a means of addressing concerns of excessive force and to reduce the types of force used by law enforcement professionals. Proponents of a use of force continuum assert it "restricts the most severe types of force to the most extreme situations and creates clear policy restrictions on the use of each police weapon and tactic."

As numerous legal and police professionals have noted, however, use of force continuums are difficult to apply because they cannot encompass all the variables present in use of force incidents, which are often unpredictable and dynamic. The inconsistencies and discrepancies within continuum models (one

report highlighted more than 50 variations) also create risks by mandating that officers use a level of force that may be far greater or far less than what is reasonable in a given situation. Further, use of force continuums fail to take into account, as the Supreme Court has noted, that the use of force occurs in "tense, uncertain, and rapidly evolving" situations. Neither case law nor state legislation requires the adoption of use of force continuums within policy. Accordingly, Lexipol's Use of Force Policy does not include a continuum, instead following precedent set by the Supreme Court in *Graham v. Connor* that force must be "objectively reasonable."

3. *The policy bans or restricts neck restraints: NO While neck restraints are classified as deadly force, and deadly force is defined correctly in this policy, the issue with this language is that it does not say that the technique may "only" be used in those circumstances. Also, there are no deadly force restrictions included in the document. "Neck restraints are considered deadly force and may be used in circumstances outlined in the Deadly Force Applications section of this manual..."*

- The policy language was amended in January of 2021 to the following:
  - Neck restraints, to include carotid control holds, are considered deadly force and may be used in circumstances outlined in the Deadly Force Applications section of this manual. A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. The proper application of the carotid control hold may be effective in restraining a violent or combative individual and was taught as a defensive tactics skill in this department until 2020. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and effective June, 2020, is no longer taught at this department. The use of any neck restraint is subject to the following:
    - Any individual who has had a Neck Restraint applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until examined by paramedics or other appropriate medical personnel.
    - The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to a Neck Restraint and whether the subject lost consciousness as a result.
    - Any officer attempting or applying a Neck Restraint shall promptly notify a supervisor of the use or attempted use of such hold.
    - All Neck Restraint applications shall be thoroughly documented and reviewed in accordance with section 300.5 of this policy.
    - All Neck Restraint applications that result in the death of, or serious injury to, another person will be thoroughly investigated using the Officer-Involved Critical Incident policy.

- The following deadly force language is found in our policy manual and is based on federal case law and state law.
- 300.4 DEADLY FORCE APPLICATIONS  
Use of deadly force is justified in the following circumstances:
  - a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
  - b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible. Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:
    - 1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
    - 2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

4. *The policy requires officers to warn suspects before using deadly force: NO*

- Some police reform groups recommend requiring officers to give a verbal warning in every instance where deadly force might be used. There is no legal precedent for this position. Instead, the Supreme Court only requires a warning before the use of deadly force to stop a fleeing felon, and then only when the warning is feasible. There are also practical reasons not to require warnings in every incident: We can imagine a use of force scenario where a verbal warning would not be reasonable (e.g., hostage situation). Accordingly, best practice is to require officers to provide verbal warnings in deadly force situations whenever it is **feasible** and safe to do so. Lexipol policy reflects this position. Ultimately, training is vital to lower the likelihood of death or serious injury to officers, suspects, and other citizens in any encounter.

5. *The policy bans officers for shooting at a moving vehicle: NO In this case, the use of the word "should" reduces the language to suggestive rather than directive. A simple solution would be to replace "should" with "shall". "Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or*

*others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle."*

- Shooting at moving vehicles, whether in an attempt to disable the vehicle or neutralize the driver, is often ineffective and dangerous. It typically does not stop the vehicle, fails to mitigate the threat to the officer, jeopardizes uninvolved people, and injures or kills occupants. Recently, police reformers have initiated a movement to ban police from shooting at moving vehicles. As with many position statements, this view at first sounds sensible. However, there have been numerous incidents where vehicles were used as weapons in attacks on crowds. A complete ban on shooting at moving vehicles would prevent officers from intervening to save lives in such situations. Accordingly, Lexipol policy acknowledges the ineffectiveness and dangers of shooting at moving vehicles without prescribing a complete ban.

6. *The policy requires that officers exhaust all means before resorting to the use of deadly force: NO*

- A common push in police reform efforts is to require officers to exhaust all alternatives before resorting to deadly force. It is not uncommon to hear the question, "Why couldn't you have just shot the (knife/crowbar/gun, etc.) out of his hand or shot him in the leg? Why did you have to kill him?" While this may initially sound sensible, in practice it is an unrealistic expectation that fails to account for the split-second decisions officers may have to make during rapidly evolving situations. There is no general law that every alternative must be exhausted before using deadly force. Instead, courts require the force used by an officer to be "objectively reasonable" given the totality of the circumstances known to the officer in the presenting situation. This does not mean, however, that officers shouldn't consider other alternatives before using deadly force when they can—they should, and Lexipol policy supports doing so. Lexipol policies make it clear that officers may only use reasonable force, and, in a number of situations, recommend or prescribe actions and alternatives that make it less likely an officer will need to use deadly force.

7. *The policy explicitly states that officers have a duty to intervene: YES*

8. *The policy requires comprehensive reporting of all use of force incidents, including when an officer threatens force by aiming a firearm at a suspect: NO*

- Transparency and accountability are critical to ethical policing. Without these two factors, the public rightfully becomes mistrustful of and cynical toward the law enforcement profession. Comprehensive reporting of police use of force, including threats to use force, is a key component of transparency and accountability, which is why police reform advocates have made reporting a focus of their efforts. Lexipol policy requires officers to completely and accurately document the circumstances that surround all uses of force. In addition, **Lexipol policy includes requirements to document even the threat of certain intermediate force options (e.g., TASER use), the circumstances why warnings were not given, and pointing of a firearm.** These policies remain

consistent with best practices and allow agencies, courts, and communities to analyze the reasonableness of officer threat assessments and responses. Agencies that adopt Lexipol's reporting policies have the data necessary to track uses of force, identify force and resistance trends, monitor individual officer trends, develop responsive training programs, adjust deployment strategies in response to data, and share data with their community in an effort to remain transparent.

DRAFT





**CITY OF KIRKLAND**  
**Kirkland Police Department**  
11750 NE 118<sup>th</sup> Street, Kirkland, WA 98034  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Cherie Harris, Chief of Police  
Mike St. Jean, Deputy Chief of Police  
Todd Aksdal, Deputy Chief of Police  
Melissa Petrichor, Administrative Commander

**Date:** February 2, 2021

**Subject:** UPDATE ON R-5434: USE OF FORCE PRELIMINARY REVIEW

### **RECOMMENDATION:**

It is recommended that the City Council review the department's preliminary review of use of force incidents involving persons of color that occurred in 2019 and 2020.

### **BACKGROUND DISCUSSION:**

At the July 7, 2020, City Council study session, Chief Harris presented a draft visual of a public facing use of force dashboard developed by staff. Council provided feedback, which has been utilized to further refine the draft dashboard.

The Council adopted R-5434 and the City Manager's funding recommendations at the August 4, 2020, Council meeting. As part of the transparency strategies outlined in Section 1 of R-5434, the City Manager was directed to develop a police use of force public dashboard. In addition, under the accountability strategies outlined in Section 2 of R-5434, the City Manager was directed to contract with a third party to review the department's use of force policies and to conduct a use of force data evaluation and analysis.

### **Use of Force evaluation and analysis by the Department**

#### **Current Reporting and Review Procedures**

- Department members are required to document any use of force including the display of weapons to gain compliance. Documentation includes writing a case report in the records management system as well as a use of force report in the department's use of force tracking system.
- Sergeants and Corporals (the involved Officer's supervisor) conduct the initial review of all case reports and use of force reports. The supervisor can either send the use of force report back for additional investigation or approve it. Once supervisors are

satisfied with the documentation, they forward the use of force reports to their assigned Lieutenant with input on any policy and training issues.

- Lieutenants are responsible for conducting the second review on all use of force reports. Lieutenants can either close the use of force report with a finding on policy compliance or request additional investigation. Additional investigation may include additional review by Department subject matter experts, such as the Supervisor assigned to the Less Lethal Training Unit for a Taser deployment, sending the report back for additional documentation or having the incident reviewed by the Chief of Police for assignment as an Internal Investigation.
- Policy violations and training issues that are identified during the use of force review process are addressed via documented coaching and counseling, remedial training and/or formal discipline.
- The Administrative Lieutenant drafts an annual use of force report as part of the Washington State Sheriff's and Police Chief's Association Accreditation process. That report is provided to the Risk Management Lieutenant for review and distribution to Supervisors in each of the training units such as the firearms instructors, less-lethal instructors and defensive tactics instructors.
- Supervisors and Lieutenants receive internal training on reviewing and approving use of force reports as well as attending WCIA sponsored classes specific to their role in the process.

### **Deadly Force Investigation**

- When a use of force response occurs that involves deadly force, the Chief of Police requests mutual aid from an outside law enforcement agency to conduct an independent criminal investigation. The outside law enforcement agency takes responsibility for conducting the investigation and forwards their findings directly to the King County Prosecuting Attorney's Office for review. These findings are available to the City Manager and City Attorney. As reported in the January 19<sup>th</sup>, 2021 City Council meeting, an Independent Force Investigative Team (IFIT-KC) which will include members of the community, is in the final stages of development by Interlocal Agreement (ILA).

### **Use of Force Review Board**

- A Use of Force Review board is convened when an Officer uses force that results in either death or serious bodily injury to another.
- The Board is composed of the Administrative Lieutenant, a Deputy Chief or a Lieutenant not involved in the Officer's chain of command, a certified instructor for the type of force used, a non-administrative commissioned supervisor and a peer of the Officer who used force (a peer is considered a member of the Department in a similar classification as that of the involved Officer)
- The Board thoroughly reviews all available information and develops a written report to the Chief of Police that includes recommendations for training, equipment and/or policy violations.
- The Chief of Police reviews the written recommendations of the Board and makes the final determination as to whether the employee's actions were within policy. The Chief of Police will determine whether additional actions, investigations or reviews are appropriate.
- The Chief of Police may direct a Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

## Early Warning System

- The Department utilizes an early warning system to alert supervisors and members of command staff if an employee reaches a preset threshold on certain types of incidents in a rolling 12-month period.
- Use of Force entries are part of the Department's early warning system. If an Officer is involved in six (6) use of force incidents within a rolling 12-month period, their supervisor receives an automated email that triggers additional review of all the specific reports during that time period. This includes the actual use of force and or the show of force by drawing a firearm or Taser. This threshold was set during training conducted by the Department's vendor "IA Pro – Blue Team" a nationally recognized software solution utilized to catalog use of force reporting.

## Analysis of 2019-2020 Use of Force Incidents Involving Persons of Color or Unknown Race

- The Deputy Chief of Professional Standards and the Deputy Chief of Operations recently conducted additional reviews of all use of force incidents from 2019 and 2020 involving persons of color or unknown race.
- There were 39 use of force incidents in 2019 and 2020 involving persons of color or unknown race. Those incidents were documented in 77 individual use of force reports. Individual officers are required to document their own use or display of force in a separate use of force report for each incident. If more than one officer uses or displays force during an incident, there will be more than one report generated to thoroughly document an incident.
- Dispatched calls for service accounted for 28 (72%) of the 39 uses of force.
- The remaining 11 (28%) were associated with incidents that were observed by officers, not all are considered self-initiated activity as in some instance they were flagged down by community members.
- A show of force (only) safely resolved 18 (46%) of the incidents (the display of a Taser or firearm only.) In these incidents, no other use of force was applied.
- The remaining 21 (54%) use of force incidents involved one or more applications of a force technique.
- Injuries to subjects were observed or reported in six (15%) of the incidents. There were no observed injuries or complaints of pain in the remaining 33 (85%) of incidents.
- All 39 use of force incidents have previously been reviewed by at least a Sergeant or Corporal and their Lieutenant following the procedures previously discussed in this memo.
- Two of the 39 incidents were found to contain policy violations or training issues:
  - During the first incident, the reviewing Lieutenant requested that the Supervisor of the Firearms Training Unit review an Officer's deployment of a rifle. The Supervisor of the Firearms Training Unit determined that the rifle deployment was out of policy and that the Officer had not followed training and best practices when he pointed his rifle at a subject who was being taken into custody, instead of keeping his rifle pointed towards the ground. Having no other similar training, policy violations or history of discipline, the Officer received documented coaching and counseling as well as remedial training as a result of this incident. When the Deputy Chief's reviewed this incident, they disagreed with the finding that the officers decision to deploy the rifle was out of policy but

agreed with the finding that the officer had not followed training and best practices when he pointed his rifle at the subject.

- During the second incident, Officers located a subject that was wanted on a misdemeanor warrant and had fled from officers in his vehicle on multiple occasions in the preceding days. The subject was observed parked near the pumps at a gas station, located just outside the Kirkland City limits. Officers utilized their patrol cars to put pressure on the front and rear bumper of the subject's car to prevent him from fleeing again. The subject refused to exit his car and a prolonged standoff ensued. Eventually, the subject started his car and began ramming the patrol cars in front of and behind him in order to create enough space to flee. While he was ramming the patrol cars, the on-scene Sergeant directed an Officer to break one of the car windows using a less lethal munitions launcher. Once the subject had created enough room, the subject fled. The Officers did not pursue him. A short time later the car was located at a grocery store. The on-duty Sergeant requested assistance from the Washington State Patrol (WSP) in case the subject tried to flee again. The subject did in fact flee, driving out of the City and was pursued by WSP Troopers. The on-duty Sergeant had authorized the deployment of spike strips and a Kirkland Officer was able to successfully deploy spikes on the subject's vehicle as Troopers pursued him. The subject eventually entered I-405 traveling southbound (the wrong way) in the northbound lanes. He collided with a Trooper who was traveling northbound and was taken into custody. The review of this incident included analysis by the Supervisor of the Less Lethal Training Unit as well as the Supervisor of the Emergency Vehicle Operations Unit and was coordinated by the Investigations Lieutenant. The Supervisor of the Less Lethal Training unit found that the deployment of the less lethal munitions launcher to break the window was out of policy. Department policy did not allow for deployment on inanimate objects. However, he recommended that the policy be amended to reflect the agency's past practice of utilizing less lethal munitions on inanimate objects to safely resolve barricaded subject calls. The Supervisor of the Emergency Vehicle Operations unit found that the tactic of using the patrol cars to pin the subject's car had not been trained by the Department and was not reasonable given that the subject was wanted for a misdemeanor warrant at the time of contact. The Supervisor also found that the authorization and the deployment of the spike strips was a violation of policy because the pursuit itself was not within policy. The final investigation was reviewed by the Chief of Police. The Officers who executed the pin tactic and deployed spike strips received documented coaching and counseling. The Sergeant received formal discipline for failing to provide appropriate command and control of the incident.
- During the initial review process, Officers were found to have acted within policy in the remaining 37 use of force incidents. The Deputy Chiefs agreed with those findings.



## Fire Department

January 20, 2021

Deputy City Manager Tracy Dunlap  
[TDunlap@kirklandwa.gov](mailto:TDunlap@kirklandwa.gov)

Dear Deputy City Manager Dunlap,

Thank you for your interest in our CARES program. I'm writing to provide the information you were interested in regarding time of day of incidents that are referred to our CARES team.

Our CARES program was launched in 2012 and has grown exponentially since then. Our highly capable staff have been an essential service to our community, especially during this pandemic. CARES is currently comprised of two teams. The traditional CARES team is staffed by student advocates, all of whom are in graduate school to obtain their Masters in Social Work. Referrals to this team are made internally, through an online referral form. Our second team, the CARES101 Unit, is staffed by professional social workers who are available during the day, seven days a week, to be dispatched to a 911 call at the request of police or fire crews at the scene.

Please do not hesitate to reach out to me or to our CARES Program Manager, Natasha Grossman ([ngrossman@bellevuewa.gov](mailto:ngrossman@bellevuewa.gov)), if we can be of any help as you develop your program.

Again, thank you for your concern and support.

Respectfully,

A handwritten signature in cursive script that reads "Jay Hagen".

Jay Hagen  
Fire Chief

Attachment: Bellevue CARES Time of Day Incident Report

### Bellevue CARES Analysis of 2020 Referrals by Incident Day of Week and Time

In 2020 Bellevue CARES received a total of 707 referrals. Most of the referrals were to the traditional CARES team which received 59.3% (419) of all referrals while CARES101 received 40.7% (288) of these referrals. Table 1 provides both the count and percent of referrals to each CARES team. It also provides data on which organization made the referral. Bellevue Fire Department (BFD) accounted for 60.4% (427) of all referrals to the CARES Program. BFD was the most likely referent to both traditional CARES team and CARES101.

**Table 1: 2020 referrals by program type and referent type**

<b>Program and Referring Organization</b>	<b>Count</b>	<b>Percent of all referrals</b>
<b><i>Traditional CARES</i></b>	<b><i>419</i></b>	<b><i>59.3% of all referrals</i></b>
Bellevue Fire	281	39.7%
Bellevue Police	114	16.0%
CARES	8	1.0%
Redmond Fire	7	1.0%
Homeless Outreach	4	0.6%
Overlake Hospital	3	0.4%
Code Compliance	2	0.3%
Parks Department	0	0%
NORCOM	0	0%
Eastside Fire and Rescue	0	0%
Other	0	0%
<b><i>CARES101</i></b>	<b><i>288</i></b>	<b><i>40.7% of all referrals</i></b>
Bellevue Fire	146	20.7%
Bellevue Police	129	18.2%
CARES101	13	1.8%
<b><i>Total CARES Program</i></b>	<b><i>707</i></b>	<b><i>100%</i></b>

An analysis of incidents by day of week and time for the 707 cases referred to the CARES program, revealed that 79% of the incidents occurred between Monday through Friday. Incident time was available for most cases. However, 17% (117) referrals did not have incident times. Just over one-fifth (21%, 149) of all incidents occur between 6 p.m. and 6 a.m. The data in Table 2 presents numbers and percentages which includes those referrals with missing time of incident.

**Table 2: Day of week and time of incident for all referrals**

Day of week (percent & number of referrals)	Monday 18% (124)		Tuesday 15% (107)		Weds 13% (95)		Thursday 17% (123)		Friday 17% (123)		Saturday 9% (67)		Sunday 10% (68)		Total 100% (707)	
Incident Time	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Missing time	15	12%	24	22%	15	16%	23	19%	19	15%	12	18%	9	13%	117	17%
12 a.m. to 5:59 a.m.	14	11%	16	15%	8	8%	17	14%	9	7%	5	7%	5	7%	74	10%
6 a.m. to 6:59 a.m.	0	0%	1	1%	1	1%	1	1%	5	4%	2	3%	2	3%	12	2%
7 a.m. to 7:59 a.m.	3	2%	3	3%	3	3%	2	2%	4	3%	2	3%	5	7%	22	3%
8 a.m. to 8:59 a.m.	10	8%	1	1%	3	3%	1	1%	1	1%	1	1%	1	1%	18	3%
9 a.m. to 9:59 a.m.	6	5%	10	9%	5	5%	7	6%	6	5%	5	7%	4	6%	43	6%
10 a.m. to 10:59 a.m.	5	4%	8	7%	9	9%	7	6%	17	14%	6	9%	7	10%	59	8%
11 a.m. to 11:59 a.m.	12	10%	8	7%	9	9%	4	3%	6	5%	7	10%	5	7%	51	7%
12 p.m. to 12:59 p.m.	6	5%	8	7%	7	7%	11	9%	7	6%	3	4%	4	6%	46	7%
1 p.m. to 1:59 p.m.	9	7%	5	5%	8	8%	10	8%	4	3%	1	1%	3	4%	40	6%
2 p.m. to 2:59 p.m.	7	6%	4	4%	7	7%	2	2%	8	7%	6	9%	4	6%	38	5%
3 p.m. to 3:59 p.m.	10	8%	8	7%	2	2%	11	9%	7	6%	5	7%	5	7%	48	7%
4 p.m. to 4:59 p.m.	8	6%	1	1%	4	4%	13	11%	14	11%	4	6%	4	6%	48	7%
5 p.m. to 5:59 p.m.	3	2%	1	1%	2	2%	3	2%	4	3%	2	3%	1	1%	16	2%
6 p.m. to 11:59 p.m.	16	13%	9	9%	12	13%	11	9%	12	10%	6	9%	9	13%	75	11%

In support of decision-making regarding staffing during the day, percentages in this narrative include only those incidents where incident time is known (590 referrals). Nearly 73% (407) of these incidents occurred during the CARES program business hours (between 8 a.m. and 6 p.m.). A majority (63%) of the incidents occurred between 9 a.m. and 5 p.m.

Since the CARES program consists of two teams, incident data (day of the week and time) was also analyzed separately for CARES101 and Traditional CARES. The CARES101 service model ideally has the team on-site at the time of incident. They are available between 8 a.m. and 5:30 p.m., working seven days a week. The analysis of the 288 incidents referred to CARES101, revealed that 87% of the incidents occurred between Monday through Friday (it is notable that CARES101 did not extend their service time to the weekends until August of 2020). With regards to incident times, times were unavailable for 4% (12) of these referrals. Excluding these incidents revealed that 88% (243) of all incident times occurred during the hours CARES101 is available to response (between 8 a.m. and 5:30 p.m.). The flow of calls/referrals to CARES101 are nearly equally distributed between 9 a.m. and 4 p.m. Additional details are provided in Table 3.

**Table 3: Day of week and time of incident for CARES101 referrals**

Day of week (percent & number of referrals)	Monday 18% (52)		Tuesday 17% (48)		Weds 16% (45)		Thursday 20% (58)		Friday 16% (47)		Saturday 7% (20)		Sunday 6% (18)		Total 100% (288)	
Incident Time	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Missing time	0	0%	3	6%	2	4%	5	9%	2	4%	0	0%	0	0%	12	4%
12 a.m. to 5:59 a.m.	5	10%	4	8%	0	0%	4	7%	3	6%	1	5%	1	6%	18	6%
6 a.m. to 6:59 a.m.	0	0%	0	0%	0	0%	0	0%	1	2%	1	5%	0	0%	2	1%
7 a.m. to 7:59 a.m.	0	0%	3	6%	3	7%	2	3%	1	2%	1	5%	2	11%	12	4%
8 a.m. to 8:59 a.m.	3	6%	1	2%	1	2%	1	2%	0	0%	0	0%	0	0%	6	2%
9 a.m. to 9:59 a.m.	3	6%	6	13%	3	7%	6	10%	5	11%	2	10%	2	11%	27	9%
10 a.m. to 10:59 a.m.	3	6%	4	8%	7	16%	4	7%	6	13%	1	5%	3	17%	28	10%
11 a.m. to 11:59 a.m.	9	17%	4	8%	5	11%	4	7%	1	2%	4	20%	3	17%	30	10%
12 p.m. to 12:59 p.m.	4	8%	6	13%	7	16%	6	10%	5	11%	1	5%	0	0%	29	10%
1 p.m. to 1:59 p.m.	7	13%	5	10%	5	11%	7	12%	1	2%	1	5%	1	6%	27	9%
2 p.m. to 2:59 p.m.	5	10%	4	8%	6	13%	2	3%	7	15%	4	20%	1	6%	29	10%
3 p.m. to 3:59 p.m.	6	12%	6	13%	2	4%	9	16%	5	11%	2	10%	3	17%	33	11%
4 p.m. to 4:59 p.m.	7	13%	1	2%	2	4%	8	14%	8	17%	2	10%	2	11%	30	10%
5 p.m. to 5:59 p.m.	0	0%	0	0%	2	4%	0	0%	2	4%	0	0%	0	0%	4	1%
6 p.m. to 11:59 p.m.	0	0%	1	2%	0	0%	0	0%	0	0%	0	0%	0	0%	1	0%

Traditional CARES staff work Monday through Friday. Over 77% of the incidents referred to them occurred on those days. Incident times were unavailable for 25% (105) of these referrals as shown in Table 4. However, to assess time of day impact, the referrals without incident times were excluded from the analysis in this narrative, leaving a total 314 referrals. Since the Traditional CARES model does not involve real time incident engagement, the incidents referred to them were more evenly distributed throughout the day. In other words, unlike CARES101 there was not a pattern of peak incident times occurring during the business day (8 a.m. to 6 p.m.). In fact, 52% of the incidents with time data occurred during business hours, compared to 88% for CARES101 referrals. Additional details are provided in Table 4.

**Table 4: Day of week and time of incident for Tradition CARES referrals**

Day of week (percent & number of referrals)	Monday 17% (72)		Tuesday 14% (59)		Weds 12% (50)		Thursday 16% (65)		Friday 18% (76)		Saturday 11% (47)		Sunday 12% (50)		Total 100% (419)	
Incident Time	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Missing time	15	21%	21	36%	13	26%	18	28%	17	22%	12	26%	9	18%	105	25%
12 a.m. to 5:59 a.m.	9	13%	12	20%	8	16%	13	20%	6	8%	4	9%	4	8%	56	13%
6 a.m. to 6:59 a.m.	0	0%	1	2%	1	2%	1	2%	4	5%	1	2%	2	4%	10	2%
7 a.m. to 7:59 a.m.	3	4%	0	0%	0	0%	0	0%	3	4%	1	2%	3	6%	10	2%
8 a.m. to 8:59 a.m.	7	10%	0	0%	2	4%	0	0%	1	1%	1	2%	1	2%	12	3%
9 a.m. to 9:59 a.m.	3	4%	4	7%	2	4%	1	2%	1	1%	3	6%	2	4%	16	4%
10 a.m. to 10:59 a.m.	2	3%	4	7%	2	4%	3	5%	11	14%	5	11%	4	8%	31	7%
11 a.m. to 11:59 a.m.	3	4%	4	7%	4	8%	0	0%	5	7%	3	6%	2	4%	21	5%
12 p.m. to 12:59 p.m.	2	3%	2	3%	0	0%	5	8%	2	3%	2	4%	4	8%	17	4%
1 p.m. to 1:59 p.m.	2	3%	0	0%	3	6%	3	5%	3	4%	0	0%	2	4%	13	3%
2 p.m. to 2:59 p.m.	2	3%	0	0%	1	2%	0	0%	1	1%	2	4%	3	6%	9	2%
3 p.m. to 3:59 p.m.	4	6%	2	3%	0	0%	2	3%	2	3%	2	4%	2	4%	14	3%
4 p.m. to 4:59 p.m.	1	1%	0	0%	2	4%	5	8%	6	8%	3	6%	2	4%	19	5%
5 p.m. to 5:59 p.m.	3	4%	1	2%	0	0%	3	5%	2	3%	2	4%	1	2%	12	3%
6 p.m. to 11:59 p.m.	16	22%	8	13%	12	24%	11	17%	12	16%	6	13%	9	18%	74	18%
7 p.m. to 11:59 p.m.	15	21%	21	36%	13	26%	18	28%	17	22%	12	26%	9	18%	105	25%





## **CITY OF KIRKLAND PUBLIC ART POLICY GUIDELINES**

### **Public Art Vision**

Kirkland maintains a diverse public art collection that invites interaction, fosters civic identity and community pride, inspires a sense of discovery, stimulates cultural awareness, and encourages economic development.

### **The Kirkland Cultural Arts Commission (KCAC)**

The Kirkland Cultural Arts Commission is responsible for helping the City Council implement the Public Art Vision in Kirkland. The KCAC is a volunteer advisory board that works to help arts, culture and heritage grow and thrive in the City of Kirkland. Along with supporting art and cultural initiatives, the KCAC promotes strategic arts planning and advises the City Council on art acquisition in Kirkland.

### **KCAC Mission**

The KCAC curates and advises the City Council on public art acquisitions and loans, and it reviews and recommends projects under the City's "1 Percent for Art" program.

### **KCAC Goals:**

- Curate a diverse public art collection representing various cultural and ethnic communities and perspectives
- Facilitate exposure to public art
- Encourage community dialogue through public art
- Use public art to reflect the characteristics of the greater Kirkland community
- Determine that the art is appropriate for its location
- Regularly re-evaluate the Commission's policies, practices, and programs to ensure there are no structural barriers to artists from historically marginalized communities.

## **RACIAL EQUITY STATEMENT**

### **Background**

The Kirkland City Council took action in August of 2020 in response to community calls for the City to demonstrate that Black lives matter and help end structural racism. The City committed to several actions intended to improve the safety and respect of Black people and to examine and dismantle structural racism in Kirkland. Among other actions, the City was to develop accountability strategies for evaluating whether public art, public symbols, special events and City programming in Kirkland are welcoming to all community members, as well as expanding the diversity of public art, symbols, events and programming to be more inclusive.

## Racial Equity Statement

The KCAC, in alignment with the City Council, seeks to dismantle structural racism in Kirkland. The KCAC affirms that all people, their cultures, and their art contribute to the meaning and understanding of our shared humanity and should be honored and celebrated. The KCAC strives to proactively solicit and curate art that reflects the diversity of the Kirkland community, encourages a sense of belonging for all people, and supports the expression of historically marginalized communities. The art created by Black, Indigenous, and People of Color performs a unique role in our community and helps provide inspiration to resolve societal inequity and injustice. This important work of bringing equity to art is pivotal to the KCAC's efforts to confront injustices of the past and reveal inequities of the present in order to build a more diverse, inclusive collection of public art, now and in the future.

### A. PUBLIC ART ACQUISITION GUIDELINES

Proposed public art acquisitions shall be reviewed by the KCAC with recommendations to the City Council as appropriate. A recommendation will be requested from affected boards, commissions, organizations, and associations when appropriate.

#### Proposed public art acquisitions will be evaluated on the following:

1. The quality and aesthetic merit of the artwork.
2. Context within the City collection should be considered with the following criteria:
  - a. Does the artwork add diversity, convey artistic expression rooted and reflective of historically marginalized communities by artists from those communities, or enhance existing collections?
  - b. How does the piece engage the public?
  - c. Are the materials appropriate?
  - d. Is the piece susceptible to vandalism or graffiti?
3. Coordination with the Park Board or other affected commissions and departments concerning siting, costs of installation, and maintenance of artwork.
  - a. Availability of an appropriate site.
  - b. Appropriateness in size, scale, material, form and style for the area in which it is to be placed.
  - c. Condition, durability, installation, and maintenance requirements of the artwork.
4. Donor conditions, if applicable.
5. If applicable, loaned artwork can be purchased if there is sufficient public support to acquire it via public fundraising or City Council action.

#### Other Considerations:

- Whenever appropriate, siting decisions that are not part of a pre-authorized location will be determined by a public art jury made up of surrounding neighbors, businesses, or associations (e.g., business or neighborhood) impacted by an artwork location.
- Priority will be given to artists based within the greater Puget Sound region.

- For a work proposed for loan to the City, the owner or owner's representative will be required to enter into an Art Display Agreement setting forth the length of the loan and other terms such as location, maintenance requirements, insurance, value of art work, installation and removal responsibility, and other conditions pertinent to the agreement.
- Donated or loaned artwork will include identifying plaques if accepted by the City.
- Donated or loaned art may be declined at the discretion of the City consistent with the criteria in the public art policy guidelines.
- All accepted donated works become part of the City art collection and, as such, may be relocated.
- Unrestricted monetary donations to help fund public art acquisitions will be accepted at any time. Donations with conditions or restrictions such as use for acquisition of a specific artwork or theme will be reviewed and accepted in accordance with this policy and declined if the conditions or restrictions are not approved.
- The KCAC may form a racial equity subcommittee to help guide its process to examine and seek to expand the diversity of the City's public art.

## B. APPROVAL PROCESS FOR ART ACQUISITION

For the purposes of these guidelines, public art can be classified according to the following categories:

- Cost
  - Less than \$7,500
  - Greater than \$7,500
- Duration of Display
  - Ephemeral Art – art intended to be displayed **up to 60 days**
  - Temporary Art – art intended to be displayed **from 60 days to two years**
  - Permanent – art intended to be displayed **for more than two years**
- Location
  - Pre-Authorized Location
  - New Location
    - Park - For a proposed public art acquisition to be sited in a park, a recommendation from the Kirkland Park Board will also be requested.

### Approval Authority

To streamline the art acquisition process, the KCAC has the authority to approve ephemeral and temporary art that is sited in a pre-authorized location and is less than \$7,500. For all other types of art acquisition, the KCAC will make a recommendation to the City Council for review and approval. The following table articulates the approval authority for different categories of art:

ART CATEGORIES	PRE-AUTHORIZED LOCATION	NEW LOCATION
Less than \$7,500; Ephemeral	KCAC	City Council
Less than \$7,500; Temporary	KCAC	City Council
Less than \$7,500; Permanent	City Council	City Council
Greater than \$7,500	City Council	City Council

### C. PRE-AUTHORIZED LOCATIONS

#### Objectives

To provide clear guidelines for locations on public property - such as in parks, in the right-of-way, or along the Cross Kirkland Corridor - that are pre-authorized for site selection of public art. The City currently has several locations/pedestals located in the downtown business district provided for the purpose of displaying temporary and ephemeral public art. Other venues throughout the community, in public facilities and neighborhoods, are encouraged.

#### General Guidelines

- The KCAC will work with relevant City staff in the Parks and Community Services, Public Works, and other departments to develop a list of Pre-Authorized Locations
- Proposed use of the existing locations for artwork in public parks or rights-of-way shall be reviewed by the KCAC in coordination with Parks and Community Services for installation assistance (if required) and Public Works for any permit requirements.

Proposed use of the existing pedestals on Park Lane or artwork in public parks or rights-of-way shall be reviewed by the KCAC in coordination with Parks and Community Services for installation assistance (if required), Public Works for any permit requirements, and Transportation for possible right-of-way clearance review.

**PARK LANE OUTDOOR ART GALLERY** - An outdoor art gallery located on Park Lane intended to display art to the public.

#### Park Lane Outdoor Art Gallery Guidelines:

- Generally, no more than six pieces of art will be displayed at one time on city-owned plinths that have been installed in the public right-of-way. The City may establish an agreement with the artist for the sale of selected art to the public.

- The KCAC may accept sculpture display applications on a rolling basis and curate the selection of art based on recommendations by the Kirkland Cultural Arts Commission's Park Lane Outdoor Gallery Committee.
- Generally, art is displayed as temporary art for up to two years unless it is sold, at which time the display term may be shortened, and the art replaced with another selected piece.

**Cross Kirkland Corridor** - a civic open space and active transportation connection. Art on the CKC has been envisioned as civic expression of the City and its residents, and as a catalyst for the corridor becoming a sought-after destination for visitors to the City. Reference the CKC Masterplan and CKC Art Integration Plan for further detail.

**Cross Kirkland Corridor Guidelines:**

- Stakeholders, representatives from the KCAC, representatives from the CKC Steering Committee, Office of the Special Events Coordinator and others as deemed appropriate may be included in conceptual review of the art.
- Approval of the art may require recommendations from these stakeholders and any other affected City departments with final approval vested in the KCAC. The CKC Art Integration Plan requirement that: "The City Council makes final decisions about all art on the CKC" (page 6: <https://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/Art+Integration+Plan+for+the+CKC.pdf>) shall be limited to the terms of section B of these guidelines.
- In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties involved in the decision shall consider:
  - The compatibility of the concept to the proposed character zone of the Cross Kirkland Corridor as specified in the Cross Kirkland Corridor Art Integration Plan.
  - The compatibility and sensitivity of the art to its natural surroundings and particularly critical areas.
  - The compatibility and sensitivity of the art to abutting neighborhoods, business districts and schools.
  - The art must not impede transportation flow – bike and pedestrian - on the CKC, or connections from the CKC.
  - That artists or event producers be charged with making sure the art remains in good condition while on display, (is not a safety hazard or the target for graffiti, and that it is removed if the latter conditions ensue).
  - That artists and event producers abide by the city events policies and business licensing and insurance requirements.

- The artists and/or event producers will be required to leave the location or locations of the art as they found them unless exceptions are made.

## **PUBLIC PARKS**

### **Public Park Guidelines:**

- Stakeholders, representatives from the KCAC, representatives from the Park Board, Office of the Special Events Coordinator, the Parks Operation Manager and others as deemed appropriate may be included in the conceptual review of the art.
- The art must be evaluated by the Parks Operation Manager for ongoing maintenance requirements and susceptibility to vandalism and graffiti.
- Whenever possible, at least one onsite meeting shall be convened, including the Parks Operation Manager, representative(s) from the Park Board, representative(s) from the KCAC, and other stakeholders as deemed appropriate, to evaluate and discuss potential locations for the art.
- In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties involved in the decision shall consider:
  - The compatibility of the concept and its ability to integrate into the proposed park location.
  - The compatibility and sensitivity of the art to its natural surroundings and particularly critical areas.
  - The compatibility and sensitivity of the art to different facets of the proposed park, including beaches, docks, off-leash dog areas, playgrounds, athletic fields, picnic areas, public spaces, and walking/jogging/hiking trails.
  - The art must not impede the ability of parkgoers to fully utilize the park.

## **D. ART EXHIBIT DURATION**

### **Objectives**

To provide clear definitions and guidelines for ephemeral, temporary, and permanent art installations.

### **Ephemeral Art**

Ephemeral Art is built to last and/or be displayed only a short period of time, up to 60 days. These artworks are often left to degrade in natural environmental conditions. Examples of such art include art made out of natural material and water-soluble paintings. Ephemeral Art can also be art performances or art installations that are created and then dismantled after their exhibit.

## **Ephemeral Art Guidelines**

- Ephemeral art, visual or performance art or some other art expression will last for no more than 60 days, and in this way is distinguished from permanent art and other temporary art.
- Art Display Agreements are required.
- Ephemeral art installments require a plan for demobilization and a commitment by the artist to leave the site as it was prior to the art installment or better.
- Ephemeral art exhibits that are performances shall be conducted with respect to site surroundings with deliberate consideration given to noise levels and proximity to neighbors.

## **Temporary Art**

Temporary Art allows for the exhibition of artwork in cooperation with art galleries and other organizations and to showcase artists, promote awareness and foster education regarding public art in the community.

## **Temporary Art Guidelines**

- Art Display Agreements are required.
- If appropriate, partnerships with other arts organizations, agencies, and the business community are encouraged.
- Length of term on loans is clearly established in artwork loan agreements between 60 days and two years. Loan term shall be reviewed and considered by the KCAC on an individual basis.

## **Permanent Art**

Permanent Art is planned, positioned and constructed for longevity. Art curated as the result of the 1 Percent for Art program typically manifests as fixed, permanent art installations at designated project sites. Permanent Art undergoes a robust process for inclusion into the permanent City collection, including feasibility, ongoing maintenance costs and susceptibility to theft, vandalism and graffiti. All Permanent Art shall be reviewed by the KCAC and relevant stakeholders. The KCAC recommends Permanent Art to the City Council. All Permanent Art requires City Council approval.

## **Permanent Art Guidelines**

- All permanent, public art curated through the 1 Percent for Art process must adhere to the 1 Percent for Public Art Guidelines and follow the established process for 1 Percent for Art projects.
- Donated permanent art will be carefully considered based on above Public Art Acquisition Guidelines.
- If appropriate, partnerships with other arts organizations, agencies, and the business community are encouraged.
- Art Display Agreements may be required.



## E. MEMORIAL PUBLIC ART CONSIDERATIONS

- Donation of memorial artwork can honor the memory of an event (contemporary or historical), an occasion, an outstanding member of the community, or serve a similar purpose.
- Proposed memorial public art shall be reviewed by the KCAC and recommended to the City Council. The KCAC will work with the donor and relevant City departments to recommend an appropriate site for the work. For proposed memorial public art to be sited in a park, a recommendation from the Kirkland Park Board and an assessment by the Parks Operation Manager are also required.
- Proposed commissioned memorial art shall not ordinarily honor a living person, unless that person has made a significant and outstanding contribution to the arts or civic service. A waiting period of at least one year should elapse from the time of (1) the initial nomination of the living individual, (2) the passing away of the deceased individual(s) or, (3) the occurrence of the event in order to be eligible for consideration as a commissioned memorial public art work.
- Celebratory gifts may be commemorative in nature or may mark a life event such as: the birth of a loved one, an anniversary, a graduation, a business, or a celebration of an event or a group.
- Memorials accepted by the City become a part of the City art collection and, as such, may be relocated.

In addition to the requirements in section A of these guidelines, proposed memorial public art will be evaluated on the following criteria:

- A. Cohesiveness of the artwork with the overall character of public art already on display throughout the city.
- B. The timeless qualities of the artwork, including its significance and appeal to future generations. Memorial proposals honoring individuals or a personal event should be represented in a form that has a broader community interest and moves the viewer to a special experience. Examples include community parks, landscaped gardens and plazas, sculpture and artworks, plaques about history or the environment, poetry, fountains, park benches, and site furnishings.
- C. The artwork's success in expressing the spirit of the person(s) or event to be commemorated.
- D. Memorial artwork should not set a precedent that goes against the criteria outlined above. Artwork should be congruent with the existing collection, its immediate environment and site-specific existing artwork.
- E. The artistic merit of the artwork.
- F. The proposed location of the artwork. The location should be an appropriate setting for the memorial and should not interfere with existing and proposed circulation and use patterns. It is recognized that a particular location may reach a saturation point and it would then be appropriate to consider limitations or a moratorium on future memorial installations at that location or area.

- G. The fit in terms of the size, scale, material, form and style for the area in which it is to be placed.
- H. Condition, durability, installation, and maintenance requirements of the artwork.

## **F. DEACCESSION OF ARTWORK**

### **Objectives**

To provide procedures for the withdrawal of City-owned permanent artwork from public display.

### **Guidelines**

Deaccessioning should be cautiously applied only after careful and impartial evaluation including input from the KCAC, art professionals, the public, the artist, and final review and decision by the City Council.

- Deaccessioning of artwork may be considered for one or more of the following reasons:
  - A. The condition or security of the artwork cannot be reasonably guaranteed in its present location.
  - B. The artwork presents a public safety risk.
  - C. The artwork is damaged and repair is not feasible.
  - D. Significant changes in the use, character or actual design of the site require a re-evaluation of the artwork's relationship to the site.
  - E. The artwork requires excessive maintenance or has failures of design or workmanship.
  - F. The artwork no longer meets the mission and goals of the Public Art Policy.

## **G. RELOCATION OF ARTWORK**

### **Objectives**

To provide procedures for the relocation of City owned artwork.

- A. The condition or security of the artwork cannot be reasonably guaranteed in its present location.
- B. The artwork presents a public safety risk.
- C. Significant changes in the use, character or actual design of the site require a re-evaluation of the artwork's relationship to the site.
- D. A more suitable location for the artwork has been proposed.

Procedures for possible deaccessioning or relocation of artwork shall be initiated by a majority vote of the KCAC or direction from the City Council. The following describes specific procedures for deaccessioning or relocation of artwork:

- A. Review of any restriction which may apply to the specific work.

- B. Assessment of options for storage or disposition of artwork, which may include sale, trade, return to the artist, or gift.
- C. Analysis of reasons for deaccessioning and a deferral to City Council for the final decision. The KCAC may seek additional information regarding the artwork from the public, the artist, art galleries, curators, appraisers, or other professionals prior to making a recommendation.

#### **H. PUBLIC ART JURIES FOR COMMISSIONED WORKS OF ART**

- The KCAC may convene a jury to review individual public art memorials or acquisitions.
- Candidate jurors can include but will not be limited to: artists, architects, landscape architects, engineers, urban designers, representatives from the community, art professionals and other stakeholders.
- An appointed jury shall not include City Councilmembers, or their partners or families.
- A jury shall not ordinarily be comprised of more than 50 percent membership from the KCAC.
- Proposals for commissioned works shall include:
  - A. A three-dimensional model (when appropriate) or complete drawing of a two-dimensional work
  - B. Drawings or photographs that demonstrate the relationship of the artwork to the site
  - C. Material samples for the artwork and any relevant construction materials
  - D. Installation details
  - E. Description of routine maintenance and estimate of maintenance costs
  - F. Approval for the installation and use of site by the appropriate city department(s)
  - G. Artist's resume
  - H. Budget and schedule

#### **I. PUBLIC INPUT FOR PUBLIC ART OPPORTUNITIES**

##### **Objective**

To encourage community involvement in art, cultural and heritage activities, the City Council may seek community input on public art decisions.

- After City Council receives the recommendation from the KCAC and/or Public Art Jury, the Council, at its discretion, may seek broader community input on the recommendation before making a decision to acquire and site public art, to approve temporary and memorial art, or to approve the deaccession of public art.



## KIRKLAND CITY COUNCIL MEETING MINUTES February 2, 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. Countywide Growth Targets Briefing

Planning and Building Director Adam Weinstein provided a briefing on the current update of the Countywide Planning Policies, including growth targets, and together with Deputy Director Jeremy McMahan, and Demographic Planner Rebeccah Maskin and Senior Policy Analyst Karen Wolf from the King County Office of Performance, Strategy and Budget, responded to Council questions.

### 4. EXECUTIVE SESSION

#### a. To Discuss Potential Litigation

Mayor Sweet announced that Council would enter into executive session to discuss potential litigation and would return to regular meeting at 7:30 p.m., which they did. Also attending the session were City Manager Kurt Triplett, Deputy City Manager Tracey Dunlap, City Attorney Kevin Raymond, Finance and Administration Director Michael Olson, Finance and Administration Deputy Director Sri Krishnan, Fire Chief Joe Sanford, Management Analyst Andreana Campbell and Deanna Gregory of Pacifica Law Group.

### 5. HONORS AND PROCLAMATIONS

#### a. Black History Month Proclamation

Mayor Sweet asked Councilmember Neal Black to read the proclamation designating February 2021 as Black History Month in the City of Kirkland.

6. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience  
Yasmin Karimli
- c. Petitions

7. PUBLIC HEARINGS

None.

8. 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 preview of the topics that will be discussed in detail at the February 16 council meeting study session.

9. CONSENT CALENDAR

- a. Approval of Minutes
  - (1) January 7, 2021
  - (2) January 11, 2021
  - (3) January 11, 2021
  - (4) January 19, 2021

The minutes of the January 7, 11, and 19, 2021 City Council meetings were approved via approval of the consent calendar.

- b. Audit of Accounts  
  
Payroll: \$4,685,188.09  
Bills: \$6,867,563.35  
TB0120 Checks #717319-717417  
HS121 Wire #262  
TB0127 Checks #717418-717572

SS127D Wire #268  
SS127D Wire #269  
SS127C Wire #265  
SS127C Wire #267  
SS127B Wire #263  
SS127B Wire #264

- c. General Correspondence
- d. Claims
- e. Award of Bids

(1) 98th Avenue NE Preservation - Authorization to Bid

Council authorized staff to advertise for contractor bids for the 98th Avenue NE Preservation Project, which will satisfy the City's agreement with the Washington State Department of Transportation (WSDOT) for administering projects that include federal funding via approval of the consent calendar.

- f. Acceptance of Public Improvements and Establishing Lien Period
- g. Approval of Agreements
- h. Other Items of Business

(1) 2020 Miscellaneous Code Amendments

- a. Ordinance O-4749, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE CHAPTERS 5, 10, 15, 20, 25, 40, 50, 75, 90, 105, 112, 113, 114, 115, 118, 130, 135, 140, 152, 160, AND 161, ORDINANCE 3719 (AS AMENDED) AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM20-00616."

The ordinance was adopted via approval of the consent calendar.

- b. Ordinance O-4750, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SUBDIVISIONS AND AMENDING TITLE 22 OF THE KIRKLAND MUNICIPAL CODE; FILE NO. CAM20-00616."

The ordinance was adopted via approval of the consent calendar.

(2) Resolution R-5461, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A SEVENTH AMENDED AND

RESTATED EMPLOYMENT AGREEMENT BETWEEN THE KIRKLAND CITY COUNCIL AND KURT TRIPLETT, ITS CITY MANAGER."

The resolution was adopted via approval of the consent calendar.

(3) 2021 City Council Calendar Adjustments

The changes to the Council calendar were authorized via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Amy Falcone, 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.

10. BUSINESS

a. State Legislative Update #2

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.

Motion to Elevate SHB 1277, providing for an additional revenue source for eviction prevention and housing stability services, to make this Priority Coalition Advocacy (PCA) bill a city priority bill on the City's adopted 2021 legislative priorities.

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

Vote: Motion carried 6-1

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

No: Councilmember Toby Nixon.

Motion to Elevate HB 1234, prohibiting weapons in state capitol buildings and grounds and certain other governmental buildings and facilities, to make this Priority Coalition Advocacy (PCA) bill a city priority bill on the City's adopted 2021 legislative priorities.

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

Vote: Motion carried 6-1

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

No: Councilmember Toby Nixon.

Motion to Elevate HB 1283, including the open carry or display of weapons within the offense of criminal mischief, to make this Priority Coalition Advocacy (PCA) bill a city priority bill on the City's adopted 2021 legislative priorities

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

Vote: Motion failed 2 - 5

Yes: Deputy Mayor Jay Arnold, and Councilmember Kelli Curtis.

No: Councilmember Neal Black, Councilmember Amy Falcone, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Motion to Identify HB 1283, including the open carry or display of weapons within the offense of criminal mischief, to be "monitor" as a Priority Coalition Advocacy (PCA) bill.

Moved by Councilmember Neal Black, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

Council recessed for a short break.

b. Amending Title 21 – Building Construction

Building Official Kurt Aldworth presented an overview of the proposed ordinances and answered Council questions.

- (1) Ordinance O-4751, Making Amendments to the City's Building and Construction Codes, Amending Kirkland Municipal Code Title 21 and Kirkland Zoning Code Chapter 110.10; Declaring an Emergency and Establishing an Immediate Effective Date.

Motion to Approve Ordinance O-4751, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND MAKING AMENDMENTS TO THE CITY'S BUILDING AND CONSTRUCTION CODES, AMENDING KIRKLAND MUNICIPAL CODE TITLE 21 AND KIRKLAND ZONING CODE CHAPTER 110.10; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE."

Moved by Councilmember Amy Falcone, 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.

- (2) Ordinance O-4752, Repealing and Reenacting Chapter 21.20 of the Kirkland Municipal Code Entitled "International Fire Code"; Declaring an Emergency and Establishing an Immediate Effective Date

Motion to Approve Ordinance O-4752, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND REPEALING AND REENACTING CHAPTER 21.20 OF



THE KIRKLAND MUNICIPAL CODE ENTITLED "INTERNATIONAL FIRE CODE"; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE."

Moved by Councilmember Jon Pascal, 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.

- c. Draft Resolution R-5462, Setting Priority Goals for 2021-2022 and Adopting the 2021-2022 City Work Program

City Manager Kurt Triplett reviewed the draft resolution regarding the 2021-2022 Priority Goals and City Work Program of major initiatives for the City of Kirkland and received Council direction for additional edits to be incorporated for consideration at the February 16, 2021 regular meeting.

## 11. REPORTS

- a. City Council Regional and Committee Reports

Councilmembers shared information regarding a recent King County Regional Law, Safety and Justice Committee meeting; a Water Resource Inventory Area (WRIA) 8 Salmon Recovery Council meeting; Lake Washington High School Economics Class presentations on the NE 85th Street Station Area Plan; the Everest Neighborhood Association meeting; an Eastrail Regional Advisory Council meeting; a request from Councilmember Arnold to have staff provide a recommendation on the City's ability to support a production of "The Alaska Suite: a story of beauty, loss and hope," at the Kirkland Performance Center as an online Earth Day commemoration; an upcoming King County Conservation District meeting; an upcoming Sound Cities Association Public Issues Committee meeting; a tour of the new Fire Station 24 site; the Highlands Neighborhood Association meeting; the Master Builders Association of King and Snohomish Counties Economic Forecast Breakfast meeting; a Washington State Active Transportation Safety Council meeting; a King County Regional Transit Committee meeting; and Eastside For All - Eastside Renters in Crisis meeting; the Eastside Human Services Forum search for a new Executive Director; an upcoming meeting with the Lake Washington School District Superintendent Dr. Jon Holmen; a Sound Cities Association networking event; Councilmember Falcone received support for her application to the Sound Cities Association Equity and Inclusion Cabinet; the recent passage of Washington state COVID Relief Legislation; an Association of Washington Cities Mayors' Exchange; a North End Mayors' meeting; a King County Zero Waste of Resources Task Force meeting; a meeting with Judge Olson at the Municipal Court; a Greater Kirkland Chamber of Commerce Public Policy Committee meeting; and a Regional Homeless Authority Executive Candidate Open House.

b. City Manager Reports

City Manager Kurt Triplett shared information regarding A Regional Coalition for Housing (ARCH) Board meeting; the upcoming February 5th Council Retreat; the resumption of the school safety cameras when schools return to in-person instruction; and the March 16th City Council Study Session with Sound Transit and the Washington State Department of Transportation.

(1) Calendar Update

12. ITEMS FROM THE AUDIENCE

None.

13. EXECUTIVE SESSION

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of February 2, 2021 was adjourned at 10:36 p.m.

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Kathi Anderson, City Clerk

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Penny Sweet, Mayor

**KIRKLAND CITY COUNCIL  
VIRTUAL SPECIAL MEETING**

**123 Fifth Avenue  
Kirkland, WA 98033**

**Thursday, February 4, 2021  
5:30 p.m.**

**Minutes**

**1. CALL TO ORDER**

The Community Conversation about Racial Justice event commenced at 5:30 p.m.; due to an expected quorum of City Councilmembers in attendance, the event was noticed as a special City Council meeting.

**2. ROLL CALL**

Present: Mayor Penny Sweet, Deputy Mayor Jay Arnold and Councilmembers Neal Black, Kelli Curtis, and Amy Falcone.

**3. VIRTUAL COMMUNITY CONVERSATION ABOUT RACIAL JUSTICE**

Following introductory comments by Assistant City Manager James Lopez, Consultant Chanin Kelly-Rae facilitated the virtual public conversation. City Councilmember Amy Falcone provided closing comments.

**4. ADJOURNMENT**

The February 4, 2021 Virtual Special Meeting concluded at 7:00 p.m.

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Kathi Anderson, City Clerk

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Penny Sweet, Mayor

**KIRKLAND CITY COUNCIL  
VIRTUAL SPECIAL MEETING  
123 Fifth Avenue  
Kirkland, WA 98033**

**Friday, February 5, 2021  
9:00 a.m.**

**Minutes**

**1. CALL TO ORDER/ROLL CALL**

Mayor Sweet called the meeting to order at 9 a.m.

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

The retreat was facilitated by Marilynne Beard, Principal of MMB Consulting.

**2. COUNCIL GOALS**

Following a review of a January communications styles training provided to Council and executive staff, City Manager Kurt Triplett participated in the discussion of Council Goals, the draft 2021-2022 City Work Program, responding to Council questions and receiving feedback for Council consideration and action at a future regular meeting.

**3. CITY COUNCIL MEETING POLICIES AND PROCEDURES**

City Manager Triplett and City Attorney Kevin Raymond reviewed draft updates for Council feedback to be brought back to a future regular meeting for further consideration and action.

**4. BOARDS AND COMMISSIONS DISCUSSION**

Council discussed current Board and Commission structure and recruitment strategies, providing feedback for potential revisions to be discussed at a future regular meeting.

**5. COUNCIL TOPICS OF INTEREST**

Councilmembers discussed a variety of possible future issues for consideration at future regular business meetings.

**6. ADJOURNMENT**

The February 5, 2021 Virtual Special Meeting/Retreat was adjourned at 3:55 p.m.



**CITY OF KIRKLAND**  
**Department of Finance and Administration**  
**123 Fifth Avenue, Kirkland, WA 98033 425.587.3100**  
**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** Kathi Anderson, City Clerk  
**Date:** February 4, 2021  
**Subject:** CLAIM(S) FOR DAMAGES

### **RECOMMENDATION**

It is recommended that the City Council acknowledge receipt of the following Claim(s) for Damages and refer each claim to the proper department (risk management section) for disposition.

### **POLICY IMPLICATIONS**

This is consistent with City policy and procedure and is in accordance with the requirements of state law (RCW 35.31.040).

### **BACKGROUND DISCUSSION**

The City has received the following Claim(s) for Damages from:

- (1) William Burke  
16838 NE 155<sup>th</sup> Place  
Woodinville, WA 98072

**Amount:** \$8,500.00

**Nature of Claim:** Claimant states damage occurred to their property resulting from a landslide initiating from City owned property.

- (2) Chris Danks  
8404 NE 141<sup>st</sup> Street  
Kirkland, WA 98034

**Amount:** \$15,000.00

**Nature of Claim:** Claimant states damage occurred to personal property located on/at their residential property resulting from a tree which fell from an adjoining City easement.

- (3) Francine and Jim Kruschwitz  
12320 Juanita Way NE  
Kirkland, WA 98034

**Amount:** \$10,000,000.00

**Nature of Claim:** Claimant states personal injuries were sustained resulting from Kirkland Fire Department emergency response/treatment.

- (4) David Lee  
10933 NE 60<sup>th</sup> St.  
Kirkland, WA 98033

**Amount:** \$153.04

**Nature of Claim:** Claimant states damage occurred to their water heater after service restoration following a City construction project related water shut-off.

- (5) Farmers Insurance for Insured, Luu Nguyen  
3120 SW Holly Street  
Seattle, WA 98126

**Amount:** \$640.53

**Nature of Claim:** Claimant states damage occurred to their insured's personal vehicle following a collision with a City vehicle.

**Note:** Names of Claimants are no longer listed on the Agenda since names are listed in the memo.

**CITY OF KIRKLAND****City Manager's Office****123 Fifth Avenue, Kirkland, WA 98033 425.587.3000****www.kirklandwa.us****MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Tracey Dunlap, Deputy City Manager  
Chris Dodd, Facilities Services Manager  
Ray Steiger, Public Works Superintendent  
Archie Ferguson, Fleet Manager

**Date:** February 4, 2021

**Subject:** Vehicle Charging Station Project – Award Construction Contract

**RECOMMENDATION:**

It is recommended that the City Council award the Vehicle Charging Station Project construction contract to A & R Solar of Seattle, WA in the amount of \$219,618.00. Fully funding the bid will require an additional \$150,000. The amount and funding sources for the additional \$150,000 are included in the attached fiscal note. Awarding the bid and the associated fiscal note will be approved by a motion from the Council approving the Consent Calendar.

**BACKGROUND DISCUSSION**

The City of Kirkland's commitment to greenhouse gas emission reduction has been a key part of fleet vehicle acquisition and future purchase planning. Today, there are 24 Hybrid light-duty vehicles being utilized by the City. To continue to make progress towards Kirkland's K4C emission reduction goals and implement portions of the recently adopted Sustainability Master Plan, the City is investing in electric vehicles as well. The City Hall vehicle charging station project expands the City's sustainable fleet capability and goals.

During the City Hall Renovation, City Council made a commitment to invest \$60,000 to install four (4) vehicle charging heads specifically for City fleet vehicle use and continue to introduce clean, zero emissions and sustainable fleet vehicles.

In the 2019-2020 budget cycle, City Council made further commitments by authorizing a service package of \$480,000 as an estimated placeholder using Development Services funds to provide electric vehicles for all ten (10) Building Inspectors and Public Works Inspectors and build the necessary vehicle charging infrastructure.

The two projects were combined and the original \$60,000 added to the \$480,000 providing a total of \$540,000.00 in funding.

Currently, Fleet has begun to replace light-duty administration vehicles with full electric vehicles (EVs). The process began by replacing the Inspection, Development, and Planning work group vehicles at City Hall. Three of the ten selected vehicles were replaced with EVs in 2019 – 2020, and in 2021, seven additional EVs will be purchased to replace their gasoline counterparts used in the work groups. These purchases are made from the fleet fund as one to one vehicle replacements.

To determine the infrastructure requirements for that many vehicles, an electrical load capacity analysis was needed to determine what the current electrical service at City Hall could accommodate. The City enlisted the services of Sequoia Electric to provide building load capacity metering. For a variety of reasons, including the constraints of COVID-19, metering took longer than anticipated. Upsizing electrical service to the building would be a very large investment and was not part of the placeholder service package, so the decision was made to install charging stations up to the current electrical capacity as described below.

Two levels of charging stations were considered. Chargepoint Level II charging stations (with two charging heads each) can provide an 85% charge to a standard electric vehicle within 120 minutes. Chargepoint Level III charging stations (with one charging head each) can provide an 85% charge to a standard electric vehicle within 45 minutes. Using Sourcewell (a cooperative purchasing agency for local governments, schools, and non-profit organizations), the cost of each Level II station (providing two available charging ports) is approximately \$11,000, and Level III stations (providing one fast charging port) is approximately \$59,000. Note that these prices include site validation (power testing), activation and configuration, mounting kit, power management system, 5-year commercial cloud plan, and 5-year customer service data support.

To maximize charging speeds and achieve the greatest number of vehicle charges per day, it was determined by Stantec Electrical Engineers that the current power service to City Hall could accommodate six Level III charging heads (6 units with one charging port each) and eight Level II charging heads (4 units with two charging ports each) to maximize capacity of the 14 charging heads. The decision was made to use the placeholder budget to purchase units up to that capacity, recognizing that it would likely result in the need to supplement the approved budget to fund completion of the infrastructure as described below.

The benefits of maximizing charging speeds include the ability to cycle more vehicles per day. Also, in the event of an emergency, electric vehicles would charge as quickly and efficiently as the current electrical service would allow. These units would be placed on the City Hall emergency generator and provide the most flexibility as the City introduces more electric fleet vehicles in the future.

## **BIDDING**

Forma, the City's Job Order Contractor was first offered the opportunity to bid the project. Informing the project team that their cost was projected to significantly exceed the Engineers Estimate of \$225,000.00, staff decided to move forward with the public bid process.

On January 15, 2021 plans and specifications were available to the public. On January 19, 2021 at 10 am, the City held a mandatory site visit for potential installing contractors to review the plans and ask the design team questions about the project.



The bid opening was held on January 29, 2021 that included Bidder Responsibility Criteria specific to completion of projects of similar size and scope. 3 bids were received as follows:

<u>Contractor</u>	<u>Bid Amount</u>
A & R Solar	\$219,618.00 low bid
Pellco Construction, Inc.	\$276,900.00
Accord Contractors	\$247,260.00

With an award of the contract to A & R Solar by City Council at their February 16, 2021 meeting, construction will begin in February/March of 2021. A 65-day construction period is required in the contract plus an additional 25 days to complete punch list items and close out the project. Staff is working diligently with A & R Solar to complete this project in a shorter timeframe, ideally before Earth Day April 22, 2021. This project is subject to weather conditions, so some schedule uncertainty is anticipated.

### **BUDGET**

With the beginning placeholder budget of \$540,000.00, the entire cost of the project has increased for a variety of reasons outlined above. Using the approved service package funding and additional funds coming from Facilities reserves, Fleet reserves and Development Services reserves as summarized in the attached fiscal note, the entire project budget would increase to \$690,193.00. The funding needs are as follows:

<u>ITEM</u>	<u>Amount</u>
Design	\$ 16,000.00
Metering	\$ 4,800.00
Permitting	\$ 8,000.00
Bid Advertising	\$ 350.00
Construction Bid*	\$219,618.00
Chargepoint Units*	\$405,925.00
Installation of Chargers	\$ 35,000.00
Landscaping	\$ 500.00
Total:	\$690,193.00

\*RCW 82.08.816 relieves the City from Washington State Sales Tax on these items.

Current Budget	\$540,000.00
Additional Budget Authorization	\$150,193.00

#### Proposed Sources:

Facilities Fund	\$ 50,000.00
Fleet Fund	\$ 50,000.00
Development Services Reserve	\$ 50,193.00

### **NEXT STEPS**

At the regular meeting on February 16, 2021, City Council will be asked to award the Vehicle Charging Station Project Contract to A & R Solar and approve the associated fiscal note as part of approving the Consent Calendar. With City Council approval of the contract, the project will formally begin.

In addition, the EV market continues to grow rapidly with many companies committing to new and improved models. It will not be long before heavy-duty class 5-8 trucks are available, and the City will have the opportunity to consider multiple options for vehicle replacement as those vehicles reach the end of their useful lives. Based on the lessons learned related to facility electric service limitations and the evolving technology, Public Works will be bringing a service package request at the mid biennium for the completion of a strategic plan for expanding charging capabilities at City facilities to accommodate future conversions.

**FISCAL NOTE***CITY OF KIRKLAND*

Source of Request							
Tracey Dunlap, Deputy City Manager							
Description of Request							
One-time addition of \$150,193 to the City Hall Vehicle Charging Stations (GGC0351600) project. This will increase the budget of the project from \$540,000 to \$690,193 and fully fund the request. Funding will come from a combination of Development Services Reserves and available balance in the Facilities and Fleet funds.							
Legality/City Policy Basis							
Fiscal Impact							
<ul style="list-style-type: none"> <li>- One-time transfer of \$50,193 from the Development Services Technology Reserve to GGC01351600.</li> <li>- One-time transfer of \$50,000 from Facilities fund balance to GGC01351600.</li> <li>- One-time transfer of \$50,000 from Fleet fund balance to GGC01351600.</li> </ul>							
Recommended Funding Source(s)							
	Description	2022 Est End Balance	Prior Auth. 2021-22 Uses	Prior Auth. 2021-22 Additions	Amount This Request	Revised 2022 End Balance	2022 Target
<b>Reserve</b>	DS Technology Reserve	5,743,836	0	0	50,193	5,693,643	
	Facilities fund balance	2,646,279	0	0	50,000	2,596,279	
	Fleet fund balance	2,154,214	0	0	50,000	2,104,214	
<b>Revenue/Exp Savings</b>							
<b>Other Source</b>							
Other Information							
This fiscal note also authorizes the transfer of \$480,000 from the Fleet fund (527) to the General Capital fund (310). This funding was allocated in the 2019-2020 budget via service package (19PW25) to this project, but was appropriated in the Fleet fund. This administrative transfer moves this service package into the correct fund.							
Prepared By	Robby Perkins-High, Senior Financial Analyst				Date	February 5, 2021	



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**Department of Finance & Administration**  
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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Kathi Anderson, City Clerk  
Michael Olson, Director of Finance and Administration

**Date:** February 4, 2021

**Subject:** Resignation of Board and Commission Members

### **RECOMMENDATION:**

That Council acknowledges receipt of the resignations of Teresa Alonso Thompson, Kim Cremers, Richard Chung and David Edwards from the Kirkland Cultural Arts Commission, Library Board, Park Board and Salary Commission, respectively, and authorizes the attached draft responses thanking them for their past years of service. By approving the consent calendar, the Council authorizes these actions.

### **BACKGROUND DISCUSSION:**

Ms. Alonso Thompson will redirect her service to other projects, and Ms. Cremers, Mr. Chung and Mr. Edwards cite changes in residence outside of Kirkland as their reasons for departure. Efforts to fill these positions will be included with the annual Boards and Commissions recruitment set to begin as soon as authorized by the Council.

January 21, 2020

Dear Mayor Sweet and Kirkland City Council Members,

I am writing to inform you of my resignation as Commissioner for the Kirkland Cultural Arts Commission. It has become increasingly clear that I will not be able to be as impactful or productive as I had wished when I initially agreed to serve in this capacity. In no way does this reflect any diminishment of my passion for the role that public art plays in enhancing the Kirkland community.

I will now be able to turn my attention to other community service and philanthropic projects that support innovation, inclusivity, and respect for one another.

Thank you for the opportunity to serve the wonderful City of Kirkland.

I remain respectfully yours,

Teresa Alonso Thompson

**DRAFT**

February 4, 2021

Teresa Alonso Thompson  
10244 NE 65<sup>th</sup> Street  
Kirkland, WA 98033

Dear Ms. Alonso Thompson,

We have received your resignation from the Kirkland Cultural Arts Commission.

The City Council appreciates your contributions to the Commission during your past service, and we thank you for volunteering your time and talent to serve the Kirkland community.

Best wishes on your current and future endeavors!

Sincerely,

Kirkland City Council

By Penny Sweet,  
Mayor

**From:** Richard Chung <[RChung@kirklandwa.gov](mailto:RChung@kirklandwa.gov)>  
**Sent:** Tuesday, January 19, 2021 11:15 AM  
**To:** City Council <[citycouncil@kirklandwa.gov](mailto:citycouncil@kirklandwa.gov)>; Park Board <[parkboard2@kirklandwa.gov](mailto:parkboard2@kirklandwa.gov)>  
**Cc:** Rosalie Wessels <[RWessels@kirklandwa.gov](mailto:RWessels@kirklandwa.gov)>; Kathi Anderson <[KAnderson@kirklandwa.gov](mailto:KAnderson@kirklandwa.gov)>  
**Subject:** Richard Chung Resignation from Park Board

Hello Council, PCS leaders, & Park Board members,

It is with sincere regret that I tender my resignation from the Park Board effective immediately, as I've moved outside of Kirkland.

In my five-year tenure on the Board, I was able to learn much from the old guard and welcome all of the new, to the point that I somehow managed to become the "oldest" surviving member. It's been a privilege to watch the Department work and see all the thoughtfulness that goes into every decision. I most enjoyed our time together taking & giving feedback and debating all things, from programming in parks, budgets, the color of playground equipment, to why people don't pick up after their pets! I'm proud of all our accomplishments, and sad at some missed opportunities--but hey, we made progress!

After sixteen years in Kirkland, leaving this city is a little daunting. I hope to serve in a similar capacity in my new home of Edmonds, taking everything folks here have taught me about community service, camaraderie, and professionalism.

I will miss you all. Please stay in touch. I can be reached for personal correspondence at [rich238@gmail.com](mailto:rich238@gmail.com).

See you again soon! (My in-laws live in Kirkland so we may still bump into each other.)

Richard Chung  
Kirkland Park Board Member 2015-2021  
Kirkland Reserve Firefighter/EMT 2008-2011

# DRAFT

February 4, 2021

Richard Chung  
615 6<sup>th</sup> St. #206  
Kirkland, Washington 98033

Dear Mr. Chung,

We have received your resignation from the Kirkland Park Board.

The City Council appreciates your contributions to the Board during your past service, and we thank you for volunteering your time and talent to serve the Kirkland community.

Best wishes on your current and future endeavors!

Sincerely,

Kirkland City Council

By Penny Sweet,  
Mayor



**From:** Kim <[kimabc2112@gmail.com](mailto:kimabc2112@gmail.com)>  
**Sent:** Thursday, September 24, 2020 11:09 AM  
**To:** 'Kathi Anderson' <[KAnderson@kirklandwa.gov](mailto:KAnderson@kirklandwa.gov)>  
**Subject:** Library Advisory Board Resignation

Hello Kathi –

I am moving from the Kirkland area and I am therefore tendering my resignation from the Kirkland library advisory board.

Thank you for the opportunity.

*Please forward this email to the City Council as I couldn't locate their email address.*

Thank you,  
Kim Cremers

**DRAFT**

February 4, 2021

Kim Cremers  
712 Kirkland Circle, A203  
Kirkland, WA 98033

Dear Ms. Cremers,

We have received your resignation from the Kirkland Library Board.

The City Council appreciates your contributions to the Board during your past service, and we thank you for volunteering your time and talent to serve the Kirkland community.

Best wishes on your current and future endeavors!

Sincerely,

Kirkland City Council

By Penny Sweet,  
Mayor

**From:** David Edwards <David.N.Edwards@outlook.com>  
**Sent:** Sunday, February 07, 2021 9:26 PM  
**To:** City Council <citycouncil@kirklandwa.gov>  
**Cc:** Kevin Raymond <KRaymond@kirklandwa.gov>; Kathi Anderson <KAnderson@kirklandwa.gov>  
**Subject:** Kirkland Salary Commission Resignation Letter

Kirkland City Council,

I hope this email finds you well. I am emailing you to inform you that I have very recently moved just outside of Kirkland to Woodinville for the time being. Therefore, I will be required to resign from my position on the Kirkland Salary Commission. I am resigning effective immediately. Thank you for the opportunity to serve Kirkland on the Salary Commission for the past 3 years. As always, feel free to reach out to me if you have any further questions. I look forward to continuing to work with you all in other capacities to serve the people of the Kirkland over the coming years.

Best Regards,  
David Edwards

**DRAFT**

February 4, 2021

David Edwards  
12710 86<sup>th</sup> PI NE  
Kirkland, WA 98034

Dear Mr. Edwards,

We have received your resignation from the Kirkland Salary Commission.

The City Council appreciates your contributions to the Commission during your past service, and we thank you for volunteering your time and talent to serve the Kirkland community.

Best wishes on your current and future endeavors!

Sincerely,

Kirkland City Council

By Penny Sweet,  
Mayor



**CITY OF KIRKLAND**  
**Department of Finance & Administration**  
**123 Fifth Avenue, Kirkland, WA 98033 425.587.3190**  
**www.kirklandwa.gov**

## MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Michael Olson, Director of Finance and Administration  
 Kathi Anderson, City Clerk/Public Records Officer  
 JamieLynn Estell, Deputy City Clerk

**Date:** February 4, 2021

**Subject:** PUBLIC DISCLOSURE SEMI-ANNUAL PERFORMANCE REPORT

### **RECOMMENDATION**

City Council receives the semi-annual status report on the City's public records disclosure program pursuant to [KMC 3.15.120](#).

### **BACKGROUND**

In accordance with [KMC 3.15.120](#), this report presents the performance of the City's Public Disclosure Program during the second half of 2020. [KMC 3.15.120](#) states that the semi-annual public records disclosure report shall include: (1) the number of open records requests at the beginning of reporting period; (2) the number of records requests received during the reporting period; (3) the number of records requests closed in the period; and (4) the number of open requests at the end of the reporting period. This information is represented in Figure A.

**Figure A**

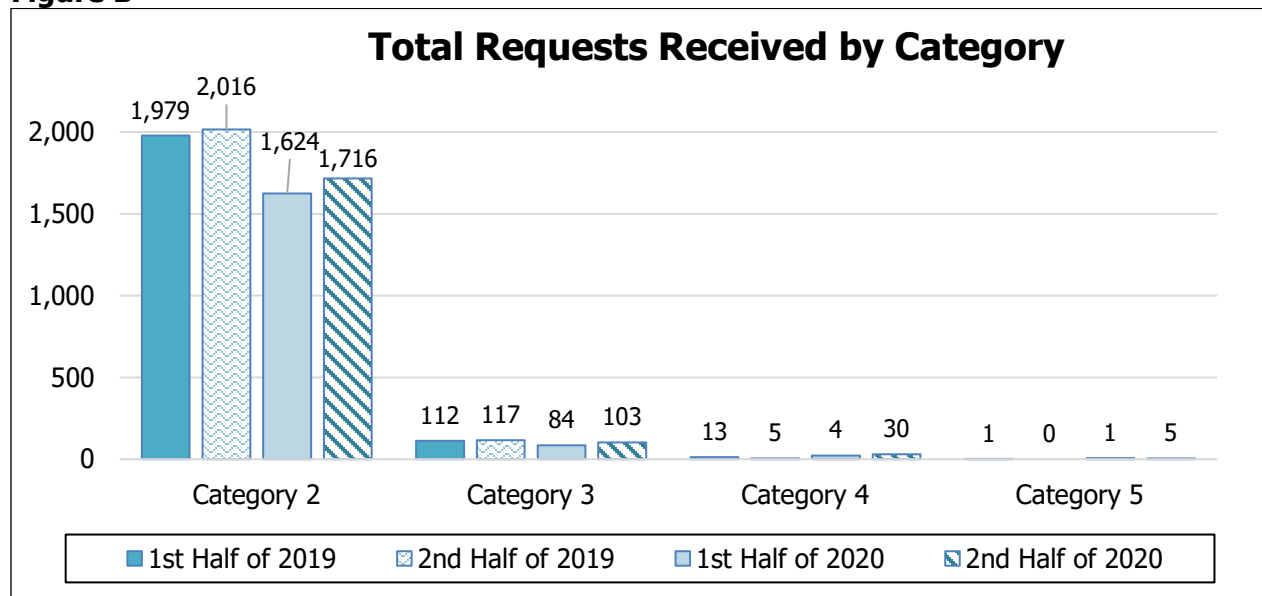
<b>Mandatory Reporting Information</b>	
Requests Open on July 1, 2020	71
Requests Received July 1 – December 31, 2020	1,854
Requests Closed July 1 – December 31, 2020	1,846
Requests Open on December 31, 2020	79

### **DATA-BASED ANALYSIS OF PERFORMANCE**

This report presents information on the City's performance by comparing the total requests received and the average time it took to process them. Performance is presented as a comparison between four reporting periods: the first and second halves of 2019, and the first and second halves of 2020.

The City experienced an 8.2% increase in the total number of requests from the first half of 2020 compared to the second half of 2020; 1,713 to 1,854. The comparison of requests by category between the four reporting periods is presented in Figure B.

Those numbers include a significant increase in category 4 and 5 requests during the last half of 2020 which will result in a corresponding increase in processing times in future reports when those requests are fulfilled and close.

**Figure B<sup>1</sup>**

Pursuant to the City's PRA Rule 080, the following goals for standard response time periods are established as follows: <sup>2</sup>

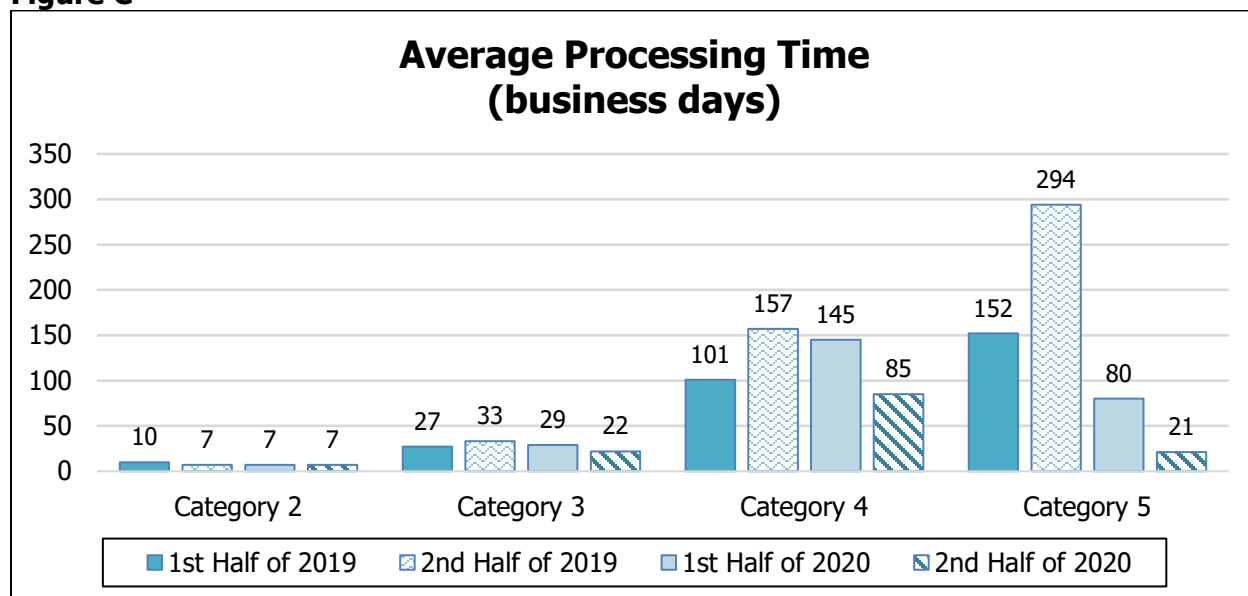
- a) Category 1 records requests are defined as needing immediate response in the interest of public safety (imminent danger). These requests shall take priority over all other requests. *Public Records has never received requests that fall in this designation.*
- b) Category 2 records requests are defined as routine or readily filled requests for easily identified and immediately accessible records requiring little or no coordination between departments.
- c) Category 3 records requests are defined as routine requests that involve:
  - i. A large number of records, and/or
  - ii. Records that are not easily identified, located and accessible, and
  - iii. Records that require some coordination between departments.
- d) Category 4 records requests are defined as complex requests which may be especially broad or vague which involve:
  - i. A large number of records that are not easily identified, located or accessible, requiring significant coordination between multiple departments, and
  - ii. Research by City staff who are not primarily responsible for public disclosure and/or
  - iii. Review by public disclosure staff to determine whether any of the records are exempt from production
- e) Category 5 records requests are complex requests that may be especially broad or vague which involve:
  - i. A large number of records that are not easily identified, located or accessible, requiring coordination between multiple departments, and
  - ii. Research by City staff who are not primarily responsible for public disclosure and/or
  - iii. Legal review and creation of an exemption log. These requests may require additional assistance from third parties in identification and assembly.

<sup>1</sup> There were no Category 1 requests received during any of the reporting periods

<sup>2</sup> Time is dependent on the nature and scope of the request for category 3, 4, and 5 requests

Figure C presents data for the average processing time (in business days) by category. The data only reflects processing time for requests that have been closed during the current reporting period.

**Figure C**



### **TIMELINE FACTORS**

The primary factors contributing to the decrease of average processing times in this reporting period for all categories were:

- COVID-19 slowed the number of records requests from a normal 80-100+ total requests in queue per day to 50-60 total requests in queue per day

### **PUBLIC RECORDS ACT UPDATES**

[Senate Concurrent Resolution 8402](#)- extends pandemic related provisions of [Proclamation 20-28](#) relating to the Open Public Meetings Act and Public Records Act until:

- Termination of the state of emergency pursuant to RCW 43.06.210 or
- Rescinded by gubernatorial or legislative action

### **RELATED UPDATES**

Staff anticipates completing a review of the internal minimum threshold under which fees for hardcopy and electronic records are currently being charged and to implement any resulting changes before the next semi-annual report.

The Public Disclosure Steering Team will continue to assess the needs of the public records program. The current funding level appears to be adequate. To date, the program has not needed to draw on the \$100,000 Public Records Contingency Fund approved by the City Council in 2017.

On August 31, 2020, the City submitted the State tracking and reporting requirements to the Joint Legislative Audit and Review Committee (JLARC). The 2019 data report was comprised of 15 metrics collected from January 1 to December 31, 2019 and is Attachment A to this memo.

Baseline data

The reporting period is for the calendar year (January 1st to December 31st). [Click here](#) for guidance related to Baseline data.

Baseline data
<div>Total number of open public records requests at the beginning of the reporting period</div> <div>119</div>
<div>Of the number of requests open at the beginning of the reporting period, how many were closed during the reporting period?</div> <div>116</div>
<div>Total number of public records requests received during the reporting period</div> <div>4353</div>
<div>Total number of public records requests closed during the reporting period</div> <div>4136</div>

Metric 1

Total number of requests closed within five days. [Click here](#) for guidance related to Metric 1.

Number of requests closed within five days
<div>Number of requests closed within five days</div> <div>2485</div>
<div>If your agency feels the data provided for this metric is unduly influenced by a small number of unusually large requests, you may provide additional explanation here</div>

Metric 2

The number of requests where an estimated response time beyond five days was provided. [Click here](#) for guidance related to Metric 2.

Number of requests where an estimated response time beyond 5 days was provided
<div>Number of requests where an estimated response time beyond five days was provided</div> <div>1868</div>
<div>You may provide additional explanation here for the data provided for this metric</div>

Metric 3

Average and median number of days from receipt of request to the date of final disposition of request. [Click here](#) for guidance related to Metric 3.

Average and median number of days from receipt to final disposition



**Number of requests with final disposition**

E-Page141

4252

**Number of days to final disposition**

43248

**Median number of days to final disposition**

6

**Average number of days to final disposition (calculated)**

10.2

**If your agency feels the data provided for this metric are unduly influenced by a small number of unusually large requests, you may provide additional explanation here**

# Metric 4

Number of public records requests for which the agency formally sought additional clarification from the requester. [Click here](#) for guidance related to Metric 4.

Number of requests for which additional clarification was sought
<b>Number of requests with additional clarification sought</b>
387
<b>You may provide additional explanation here for the data provided for this metric</b>

# Metric 5

Number of requests denied and the most common reasons for denying requests. [Click here](#) for guidance related to Metric 5.

Number of requests denied in part or in full.
<b>Number of closed requests that were denied in full</b>
105
<b>Number of closed requests that were partially denied or redacted</b>
2409
<b>Please provide the 5 to 10 most common reasons for denying requests during this reporting period</b>
<b>Reason 1</b>
42.56.240
<b>Reason 2</b>
42.56.230
<b>Reason 3</b>
42.56.250
<b>Reason 4</b>
5.60.060(2)(a)
<b>Reason 5</b>

Reason 6

Reason 7

Reason 8

Reason 9

Reason 10

You may provide additional explanation here for the data provided for this metric

## Metric 6

Number of requests abandoned by requesters. [Click here](#) for guidance related to Metric 6.

Number of requests abandoned by requesters

Number of requests abandoned by requesters

142

You may provide additional explanation here for the data provided for this metric

## Metric 7

Number of requests, by type of requester. [Click here](#) for guidance related to Metric 7.

Number of requests, by type of requesters

Requester type	Individuals
Other (please explain)	
Total requests	914
Requester type	Law firms
Other (please explain)	
Total requests	374
Requester type	Organizations
Other (please explain)	
Total requests	274
Requester type	Insurers
Other (please explain)	
Total requests	76

<b>Requester type</b>	Governments
<b>Other (please explain)</b>	
<b>Total requests</b>	187
<b>Requester type</b>	Incarcerated persons
<b>Other (please explain)</b>	
<b>Total requests</b>	3
<b>Requester type</b>	Media
<b>Other (please explain)</b>	
<b>Total requests</b>	56
<b>Requester type</b>	Current or former employees
<b>Other (please explain)</b>	
<b>Total requests</b>	10
<b>Requester type</b>	Anonymous
<b>Other (please explain)</b>	
<b>Total requests</b>	2394
<b>Requester type</b>	Other
<b>Other (please explain)</b>	It's a designated option on the dropdown
<b>Total requests</b>	65

**You may provide additional explanation here for the data provided for this metric**

## Metric 8

Percent of requests fulfilled electronically compared to the percent of requests fulfilled by physical records. [Click here](#) for guidance related to Metric 8.

<b>Percent of requests fulfilled electronically compared to percent fulfilled by physical records</b>
<b>Number of requests fulfilled electronically</b>
3172
<b>Number of requests fulfilled by physical records</b>
248
<b>Number of requests fulfilled by electronic and physical records</b>
202
<b>Number of requests closed with no responsive records</b>

**Percent of requests fulfilled electronically (calculated)**

75%

**Percent of requests fulfilled by physical records (calculated)**

6%

**Percent of requests fulfilled by electronic and physical records (calculated)**

5%

**Percent of requests closed with no responsive records (calculated)**

15%

You may provide additional explanation here for the data provided for this metric

## Metric 9

Number of requests where one or more physical records were scanned to create an electronic version to fulfill disclosure. [Click here](#) for guidance related to Metric 9.

**Number of requests where records were scanned**

**Requests scanned**

2499

You may provide additional explanation here for the data provided for this metric

## Metric 10

Average estimated staff time spent on each public records request. [Click here](#) for guidance related to Metric 10.

**Average estimated staff time spent on each request**

**Estimated total staff time in hours**

3912

**Average estimated staff time in hours per request (calculated)**

1

If your agency feels the data provided for this metric is unduly influenced by a small number of unusually large requests, you may provide additional explanation here

## Metric 11

Estimated total costs incurred by the agency in fulfilling records requests, including staff compensation and legal review and average cost per request. [Click here](#) for guidance related to Metric 11.

**Estimated total costs incurred**

**Estimated total cost**

\$301,248

**Average estimated cost per request (calculated)**

☒ **Our agency applied an overhead rate in our calculation of estimated costs.**

**You may provide additional explanation here for the data provided for this metric**

1. Took the 11 most prolific users of our records request software + the City Attorney 2. Took the mid step of each position multiplied by loaded rate of 2.04. 3. Divided that number by the 12 staff to calculate the average hourly rate. 4. Ran a report out of our system that calculates time spent per request = 4035.16 hours 5. 4035.16 hours multiplied by the average hourly rate (\$288,007.53) + the cost of GovQA from for 2019 (\$13,240.88) = \$301,248.41 6. \$301,248.41/4353 requests = \$69.20

## Metric 12

Number of claims filed alleging a violation of Chapter 42.56 or other public records statutes during the reporting period, categorized by type and exemption at issue (if applicable). [Click here](#) for guidance related to Metric 12.

### Number of claims filed alleging a violation of Chapter 42.56 RCW

There were no claims filed alleging a violation of Chapter 42.56 RCW.

**You may provide additional explanation here for the data provided for this metric**

## Metric 13

Costs incurred by the agency litigating claims alleging a violation of Chapter 42.56 RCW or other public records statutes during the reporting period, including any penalties imposed on the agency. [Click here](#) for guidance related to Metric 13.

### Costs incurred litigating claims alleging a violation of Chapter 42.56 RCW

#### Total litigation costs

\$0

**You may provide additional explanation here for the data provided for this metric**

## Metric 14

Estimated costs incurred by the agency with managing and retaining records, including staff compensation and purchases of equipment, hardware, software, and services to manage and retain public records. [Click here](#) for guidance related to Metric 14.

### Estimated costs incurred managing and retaining records

#### Cost of agency staff who manage/retain records

\$3,971,037

#### Cost of systems that manage/retain records

\$308,141

#### Cost of services purchased for managing/retaining records

\$44,559

#### Total estimated cost for managing and retaining records (calculated)

\$4,323,737

☒ **Our agency applied an overhead rate in our calculation of estimated costs.**

# Metric 15

Expenses recovered by the agency from requesters for fulfilling public records requests, including any customized charges. [Click here](#) for guidance related to Metric 15.

Expenses recovered from requesters

Total Expenses Recovered	\$244
Customized Service Charges	
Description of Service Charges	

You may provide additional explanation here for the data provided for this metric

Scanning and hard copy costs



**CITY OF KIRKLAND**  
**Planning and Building Department**  
123 Fifth Avenue, Kirkland, WA 98033  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM**

**To:** City Council

**From:** Adam Weinstein, Planning and Building Director  
Dawn Nelson, Planning Manager

**Date:** February 2, 2021

**Subject:** ARCH 2020 HOUSING TRUST FUND RECOMMENDATION, FILE PLN21-00001

**RECOMMENDATION:**

It is recommended that the City Council adopt the enclosed resolution and approve the recommendations and conditions of approval of the ARCH Executive Board to allocate Kirkland funds as part of the Fall 2020 ARCH Housing Trust Fund:

- \$321,600 to the Plymouth Housing Group/Horizon Housing Eastgate Supportive Housing project;
- \$321,600 to the Imagine Housing Samma Senior Apartments project; and
- \$2,573,100 to the Inland Group/Horizon Housing Totem Lake Apartments project.

These amounts are Kirkland's proportional share of the amount awarded to each project as part of this Housing Trust Fund process and are fully funded through the 2021-2022 budget, as well as other sources. Approval by each jurisdiction is required by the ARCH interlocal agreement.

**BACKGROUND DISCUSSION:**

As in previous years, general funds set aside by the City Council for low- and moderate-income housing development projects are administered through the ARCH Housing Trust Fund. ARCH has one application process each year in the fall. This year, there were four new applications for funding from ARCH. The ARCH Executive Board has recommended that awards be made to three of the four projects, all of which would use Kirkland funds. The total amount of Kirkland funds being committed is \$3,216,300 from a variety of sources, including a budgeted set aside of \$415,000 for 2020, unallocated set asides from previous years, money repaid to ARCH from previously funded projects, and payments received by the City in lieu of the construction of affordable housing. Even with this large distribution, the City has approximately \$1.25 million available for future funding rounds, primarily as a result of payment of in lieu funds from smaller market rate developments throughout Kirkland.

Short summaries of the projects recommended for funding are included below. Kirkland has traditionally approved the ARCH Trust Fund on consent. A PowerPoint presentation overview of the ARCH Trust fund that is being presented to other ARCH cities is included as an attachment to provide additional background. More thorough project descriptions, along with the Executive Board's rationale for not funding a request from Friends of Youth for redevelopment of their

New Ground Kirkland site at 11105 NE 68<sup>th</sup> Street, can be found in Exhibit A to the enclosed Resolution. Additional information about all the projects and their financing is included as Attachments 1 through 3 to this memo.

***Plymouth Housing Group/Horizon Housing Eastgate Supportive Housing***

The Eastgate Supportive Housing project includes 92 units of affordable apartments with permanent supportive services, including mental and behavioral health services. Rents will be affordable to those earning 30% to 50% of median income. The project is adjacent to the Eastside Men's Permanent Shelter and a 298-unit apartment for families, both of which received ARCH funding last year. At least 75% of the units in this project would be set aside for households transitioning out of homelessness. The funding award would be a deferred, contingent loan.

***Imagine Housing Samma Senior Apartments***

The Samma Senior Apartments project is a 76-unit affordable senior rental project for senior households with rents affordable at 50% of median income, including set asides of units for persons with disabilities. The site is located on a Bus Rapid Transit corridor that is part of the ST3 funding. The project will be built on property acquired from the City of Bothell at a reduced price. Funding in this round is in addition to \$750,000 awarded from the 2019 round for site acquisition. The number of affordable units in the project has increased from 54 units to 76 units. The award would be in the form of a deferred, contingent loan.

On January 21, 2021, ARCH and several member city councils (including the Kirkland City Council) received a letter from a group of community advocates outlining complaints about management at Imagine Housing properties throughout east King County. The ARCH Executive Board held a special meeting on February 2, 2021 to discuss those concerns and consider additional conditions that should be placed on the recommended funding award (see Attachment 4). The Executive Board added two new conditions for the project to address concerns about asset and property management, including establishing a tracking and resolution system for current and future tenant complaints. The revised conditions are included in Exhibit A to the enclosed resolution and are "Special Condition 7" for the Samma project. The key provision is that ARCH will not release any funding for the project until the Executive Board receives an update and determines that the problems have been resolved.

***Inland Group/Horizon Housing Totem Lake Apartments***

The Totem Lake Apartments project includes 299 affordable apartments affordable to those earning between 30% and 60% of median income. Approximately one quarter of the units will include three bedrooms to accommodate families. Funds will be used for site acquisition. The proposal is located on the former GMC dealership property near the Fred Meyer and will include development of an additional 168 units of workforce rental housing on an adjacent parcel. The award would be in the form of a deferred, contingent loan.

**ATTACHMENTS**

1. Funding Sources for Recommended Projects
2. Economic Summaries of Recommended Projects
3. Past Projects Funded Through ARCH Trust Fund
4. ARCH Executive Board Special Meeting Materials
5. ARCH Housing Trust Fund PowerPoint

Cc: Lindsay Masters, ARCH, [lmasters@bellevuewa.gov](mailto:lmasters@bellevuewa.gov)



**Attachment 1**  
**Recommended Projects and Funding Sources**

Recommended Projects

	Eastgate Supportive Housing	Samma Senior Apartments	Horizon at Totem Lake	Total 2020 Recommended Funding
<u>Member Cities</u>				
<u>Funding</u>				
Bellevue	\$62,200	\$62,200	\$497,500	\$621,900
Bothell	\$8,600	\$8,600	\$68,800	\$86,000
Clyde Hill	\$1,900	\$1,900	\$15,000	\$18,800
Hunts Point	\$500	\$500	\$3,900	\$4,900
Issaquah	\$11,800	\$11,800	\$94,700	\$118,300
Kenmore	\$10,700	\$10,700	\$85,400	\$106,800
Kirkland	\$321,600	\$321,600	\$2,573,100	\$3,216,300
Medina	\$1,000	\$1,000	\$8,300	\$10,300
Mercer Island	\$5,500	\$5,500	\$44,300	\$55,300
Newcastle	\$4,100	\$4,100	\$32,500	\$40,700
Redmond	\$50,800	\$50,800	\$406,700	\$508,300
Sammamish	\$15,600	\$15,600	\$124,600	\$155,800
Woodinville	\$4,800	\$4,800	\$38,300	\$47,900
Yarrow Point	\$900	\$900	\$6,900	\$8,700
	\$500,000	\$500,000	\$4,000,000	\$5,000,000
Prior Award		\$750,000		
Total Award	\$500,000	\$1,250,000	\$4,000,000	

**ATTACHMENT 2: ECONOMIC SUMMARIES OF RECOMMENDED PROJECTS****ECONOMIC SUMMARY: PLYMOUTH HOUSING/PSH AT EASTGATE**

**1. Applicant/Description:** New construction of 95 supportive housing units (92 affordable) for homeless individuals

**2. Project Location:** 13620 SE Eastgate Way, Bellevue

**3. Financing Information:**

<b>Funding Source</b>	<b>Funding Amount</b>	<b>Commitment</b>
ARCH	\$500,000	
King County	\$5,703,705	Committed
Commerce Trust Fund	\$2,000,000	Committed
Tax Credits	\$19,703,538	Committed
Private Debt	\$0	
Sponsor	\$2,211	Committed
<b>TOTAL</b>	<b>\$27,909,454</b>	

**4. Development Budget:**

<b>ITEM</b>	<b>TOTAL</b>	<b>PER UNIT @ 92 units</b>	<b>HTF</b>
Acquisition	\$2,300,000	\$25,000	
Construction	\$19,003,073	\$206,555	
Design	\$370,000	\$4,022	
Consultants/Other	\$434,750	\$4,726	
Developer fee	\$1,796,337	\$26,087	
Finance costs	\$1,070,233	\$11,633	
Reserves	\$1,191,398	\$12,950	
Permits/Fees	\$1,140,000	\$12,391	\$500,000
<b>TOTAL</b>	<b>\$27,909,454</b>	<b>\$303,364</b>	<b>\$500,000</b>

**5. Debt Service Coverage:** Debt service payments will be finalized upon commitment. Basic terms will include a 50-year amortization, cash flow loan, 1% interest, and ability to request a deferral of annual payment to preserve economic integrity of property.

**6. Security for City Funds:**

- A recorded covenant to ensure affordability and use for targeted population for 50 years.
- A promissory note secured by a deed of trust. The promissory note will require repayment of the loan amount upon non-compliance with any of the loan conditions.

**7. Rental Subsidy:** None

**ATTACHMENT 2: ECONOMIC SUMMARIES OF RECOMMENDED PROJECTS****ECONOMIC SUMMARY: IMAGINE HOUSING / SAMMA SENIOR APARTMENTS****1. Applicant/Description:** New construction of 76 affordable rental units for seniors**2. Project Location:** 17816 Bothell Way NE, Bothell**3. Financing Information:**

<b>Funding Source</b>	<b>Funding Amount</b>	<b>Commitment</b>
ARCH	\$1,250,000	\$750,000 of which committed in 2019
King County	\$5,350,000	Committed
Commerce Trust Fund	\$3,496,159	Committed
HDC Grant	40,000	Committed
Tax Credits	\$7,599,377	Proposed
Bonds/Private Debt	\$4,899,407	Proposed
Deferred Developer Fee/Sponsor	\$1,091,340	Committed
<b>TOTAL</b>	<b>\$23,726,283</b>	

**4. Development Budget:**

<b>ITEM</b>	<b>TOTAL</b>	<b>PER UNIT</b>	<b>HTF</b>
Acquisition	\$750,000	\$10,263	\$750,000
Demolition	\$55,000	\$724	
Construction	\$15,541,627	\$204,495	\$500,000
Design	\$1,482,997	\$19,513	
Consultants/Other	\$1,025,101	\$13,488	
Developer fee	\$1,796,337	\$23,636	
Finance costs	\$1,601,614	\$21,074	
Reserves	\$371,524	\$4,888	
Permits/Fees	\$1,072,083	\$14,106	
<b>TOTAL</b>	<b>\$23,726,283</b>	<b>\$312,188</b>	<b>\$1,250,000</b>

**5. Debt Service Coverage:** Debt service payments will be finalized upon commitment. Basic terms will include a 50-year amortization, deferral of payments until deferred developer fee is repaid, 1% interest, and ability to request a deferral of annual payment to preserve economic integrity of property.

**6. Security for City Funds:**

- A recorded covenant to ensure affordability and use for targeted population for 50 years.
- A promissory note secured by a deed of trust. The promissory note will require repayment of the loan amount upon non-compliance with any of the loan conditions.

**ATTACHMENT 2: ECONOMIC SUMMARIES OF RECOMMENDED PROJECTS**

7. Rental Subsidy: None

**ATTACHMENT 2: ECONOMIC SUMMARIES OF RECOMMENDED PROJECTS****ECONOMIC SUMMARY: INLAND/HORIZON TOTEM LAKE**

**1. Applicant/Description:** New construction of 467 rental housing units (299 affordable units) with 60 units set aside for households exiting homelessness

**2. Project Location:** 12335 12-0<sup>th</sup> Ave Ne, Kirkland

**3. Financing Information:**

<b>Funding Source</b>	<b>Funding Amount</b>	<b>Commitment</b>
ARCH	\$4,000,000	
King County	\$0	
Commerce Trust Fund	\$0	
Tax Credits	\$65,425,544	Proposed
Private Debt	\$32,267,490	Proposed
Deferred Developer Fee	\$10,687.675	Committed
<b>TOTAL</b>	<b>\$112,380,709</b>	

**4. Development Budget:**

<b>ITEM</b>	<b>TOTAL</b>	<b>PER UNIT @ 299 units</b>	<b>HTF</b>
Acquisition	\$12,650,000	\$42,308	\$4,000,000
Construction	\$71,027,954	\$237,552	
Design	\$751,229	\$2,512	
Consultants/Other	\$2,663,337	\$8,907	
Developer fee	\$12,721,894	\$42,548	
Finance costs	\$7,594,171	\$25,399	
Reserves	\$596,524	\$1,995	
Permits/Fees	\$4,375,500	\$14,634	
<b>TOTAL</b>	<b>\$112,380,609</b>	<b>\$375,855</b>	<b>\$4,000,000</b>

**5. Debt Service Coverage:** Debt service payments will be finalized upon commitment. Basic terms will include a 50-year amortization, cash flow loan, 1% interest, and ability to request a deferral of annual payment to preserve economic integrity of property.

**6. Security for City Funds:**

- A recorded covenant to ensure affordability and use for targeted population for 50 years.
- A promissory note secured by a deed of trust. The promissory note will require repayment of the loan amount upon non-compliance with any of the loan conditions.

**7. Rental Subsidy:** None

## Attachment 3: Past Projects Funded through the Trust Fund

Project name	Location	ARCH Contributions	Total Units	Population Type	Affordability Level (% median income)
30 Bellevue	Bellevue	\$ 1,012,926	62	Family	30/40/60
AIDS Housing	Bellevue/Kirkland	\$ 130,000	6	Special Needs	30
Andrew's Glen	Bellevue	\$ 1,587,187	40	Family/Homeless	30/40/60
Andrew's Heights	Bellevue	\$ 400,000	24	Family	25/50
Ashwood Court	Bellevue	\$ 1,070,000	51	Senior	35/60
Athene	Kirkland	\$ 1,147,126	91	Senior	30/40/60
August Wilson Place	Bellevue	\$ 1,058,539	56	Family/Homeless	30/50/60
Avon Villa Mobile Home Park	Redmond	\$ 525,000	76	Family	50/80
Avondale Park	Redmond	\$ 280,000	18	Homeless	30
Avondale Park Redevelopment	Redmond	\$ 1,502,469	60	Homeless	30
Bellevue Manor/Harris Manor	Bellevue/Redmond	\$ 1,334,749	107	Senior	30
Cambridge Court	Bellevue	\$ 160,000	20	Senior	50
				Family/Homeless/	
Capella at Esterra Park	Redmond	\$ 7,452,906	260	Special Needs	30/40/50/60
CHI Adult Family Home 8	Bothell	\$ 150,500	5	Special Needs	30
CHI Shared Living 1	Newcastle	\$ 100,500	3	Special Needs	30
Clark Street	Issaquah	\$ 355,000	30	Family	50/60
Coal Creek Terrace	Newcastle	\$ 240,837	12	Family	50
Copper Lantern	Kenmore	\$ 452,321	33	Family/Homeless	50/60/80
Crestline Apartments	Kirkland	\$ 195,000	22	Family	45/60
DD Group Home	Bellevue	\$ 40,000	5	Special Needs	50
DD Group Home 3	Bellevue	\$ 21,000	5	Special Needs	30
DD Group Home 4	Redmond	\$ 111,261	5	Special Needs	30
DD Group Home 7	Kirkland	\$ 100,000	5	Special Needs	30
DD Group Homes 5 & 6	Redmond/Bothell	\$ 250,000	10	Special Needs	30
Dixie Price Apartments	Redmond	\$ 71,750	14	Homeless	30
Eastwood Square	Bellevue	\$ 600,000	48	Family	50/60
Ellsworth House	Mercer Island	\$ 900,000	59	Senior	50
Evergreen Court	Bellevue	\$ 2,480,000	64	Senior	50/60/Medicaid

## Attachment 3: Past Projects Funded through the Trust Fund

Project name	Location	ARCH Contributions	Total Units	Population Type	Affordability Level (% median income)
FFC DD Home II	Kirkland	\$ 168,737	4	Special Needs	30
FFC DD Homes	KC	\$ 300,000	4	Special Needs	30
Foster Care Home	Kirkland	\$ 35,000	4	Special Needs	50
FOY Extended Foster Care	Kirkland	\$ 112,624	10	Special Needs	30
FOY New Ground	Kirkland	\$ 250,000	7	Special Needs	30
FOY Transitional Housing	Kirkland	\$ 247,603	10	Special Needs	30
Francis Village	Kirkland	\$ 1,500,000	60	Family/Homeless	30/40/60
Garden Grove Apartments	Bellevue	\$ 180,000	18	Family	50/60
Glendale Apartments	Bellevue	\$ 300,000	82	Family	50/60/80
Greenbrier Family Apartments	Woodinville	\$ 286,892	50	Family	30/50/60
Greenbrier Senior Apartments	Woodinville	\$ 196,192	50	Senior	30/50/60
Habitat Issaquah Highlands	Issaquah	\$ 318,914	10	Family	50
Habitat Patterson Park	Redmond	\$ 446,629	24	Family	50
Habitat Sammamish	Sammamish	\$ 972,376	10	Family	50/60
Harrington House	Bellevue	\$ 290,209	9	Special Needs	30
Heron Landing	Kenmore	\$ 65,000	50	Senior	40
Hidden Village	Bellevue	\$ 200,000	78	Family	50
Highland Gardens	Sammamish	\$ 291,281	51	Family	30/45/60
Homeowner Downpayment Loan	Various	\$ 615,000	84	Family	30/50/60/80
Hopelink Place	Bellevue	\$ 500,000	20	Homeless	30
Houghton Apartments	Kirkland	\$ 2,827,250	15	Family	60
IERR DD Home	Issaquah	\$ 50,209	7	Special Needs	30
John Gabriel House	Redmond	\$ 2,330,000	74	Senior	30/40/60
Kensington Square	Bellevue	\$ 250,000	6	Homeless	30
Kirkland Plaza Apartments	Kirkland	\$ 610,000	24	Senior	50
Lauren Heights	Issaquah	\$ 730,381	50	Family	30/50/60
Men's Group Home	Kirkland	\$ 150,000	6	Homeless	30
Men's Shelter	Bellevue	\$ 1,200,000	50	Homeless	30
Mine Hill	Issaquah	\$ 482,380	28	Family	30/50/60

**Attachment 3: Past Projects Funded through the Trust Fund**

Project name	Location	ARCH Contributions	Total Units	Population Type	Affordability Level (% median income)
My Friend's Place	KC	\$ 65,000	10	Special Needs	30
Overlake Townhomes	Bellevue	\$ 120,000	10	Family	50
Oxford House	Bellevue	\$ 80,000	10	Special Needs	50
Pacific Inn	Bellevue	\$ 600,000	118	Family	50/60
Parkview DD Condos III	Bellevue	\$ 200,000	4	Special Needs	30/50
Parkview DD Homes VI	Bellevue/Bothell	\$ 150,000	6	Special Needs	30
Parkview DD Homes XI	Kenmore	\$ 200,800	3	Special Needs	30
Parkway Apartments	Redmond	\$ 100,000	41	Family	50
Petter Court	Kirkland	\$ 100,000	4	Homeless	50
Plum Court	Kirkland	\$ 1,000,000	60	Family	30/50/60
Polaris at Eastgate	Bellevue	\$ 575,000	298	Family	60
REDI TOD Land Loan	Various	\$ 500,000	100	Family	80
Riverside Landing	Bothell	\$ 225,000	50	Senior	50/60
Rose Crest	Redmond	\$ 1,148,558	50	Family/Homeless	30/50/60
Samma Senior Apartments	Bothell	\$ 750,000	54	Senior	40/50/60
Somerset Gardens (Kona)	Bellevue	\$ 700,000	198	Family	30/50/80
Sophia's Place	Bellevue	\$ 250,000	20	Homeless	30
Spiritwood Manor	Bellevue	\$ 400,000	129	Family	50
Stillwater House	Redmond	\$ 187,787	19	Special Needs	50
Summerwood	Redmond	\$ 1,187,265	112	Family	30/50/60
Terrace Hill	Redmond	\$ 442,000	18	Family	35/40/50
				Family/Homeless/	
Together Center Redevelopment	Redmond	\$ 6,750,000	280	Special Needs	30/50/60
Trailhead	Issaquah	\$ 4,710,000	155	Family	40/60
UCP Group Homes	Bellevue/Redmond	\$ 25,000	9	Special Needs	50
Vasa Creek	Bellevue	\$ 190,000	51	Senior	40
Velocity	Kirkland	\$ 1,126,744	58	Family/Homeless	30/40/60
Village at Overlake Station	Redmond	\$ 1,645,375	308	Family	50/60
Wildwood Apartments	Bellevue	\$ 270,000	36	Family	30



**Attachment 3: Past Projects Funded through the Trust Fund**

Project name	Location	ARCH Contributions	Total Units	Population Type	Affordability Level (% median income)
Women/Family Shelter	Kirkland	\$ 2,689,000	98	Homeless	50
Youth Haven	Kirkland	\$ 332,133	20	Special Needs	30
YWCA Family Apartments	Bellevue	\$ 100,000	12	Family	35/40
YWCA Family Village I	Issaquah	\$ 4,886,329	97	Family/Homeless	30/50/60
YWCA Family Village II	Issaquah	\$ 2,760,000	48	Family	50/60
<b>Total</b>		<b>\$ 74,101,739</b>	<b>4591</b>		



## ARCH EXECUTIVE BOARD AGENDA

### *Special Meeting*

February 2, 2021  
--Virtual Meeting via Zoom--

**11:00 a.m. – 12:00 p.m.**

- 1) Call to Order
- 2) Approval of the Agenda
- 3) Reports / Action Items
  - a) 2020 Trust Fund Recommendations – Potential Revised Funding Condition for Imagine Housing Award
- 4) Adjournment

**ITEM 3A: Imagine Housing Funding Recommendation**

Potential revision to the 2020 Housing Trust Fund recommendations to include additional conditions for funding to Imagine Housing

**Background**

In December, the ARCH Executive Board unanimously approved the funding recommendations delivered by ARCH's Citizen Advisory Board (CAB), which included awards to three projects. These recommendations, which include a set of associated funding conditions, are in process to be considered by member city councils in the next two to three months. One council (Clyde Hill) has already approved the resolution. A summary of the recommended allocations is shown in the table below.

<i>Project</i>	<i>Sponsor</i>	<i>City</i>	<i>Units/ Beds</i>	<i>Prior ARCH Commitment</i>	<i>Executive Board Recommendation</i>
Eastgate Supportive Housing	Plymouth Housing	Bellevue	92		\$500,000
Samma Senior Apartments	Imagine Housing	Bothell	76	\$750,000	\$500,000
Horizon at Totem Lake	Inland/ Horizon Housing	Kirkland	299		\$4,000,000
Total			491	\$750,000	\$5,000,000

Samma Senior Apartments, a project sponsored by Imagine Housing, was partially funded by ARCH in the previous funding round to support acquisition of the site. In the Board's previously adopted recommendation, the following reasons were listed as rationale for recommending funding:

- Aligns with local housing strategy.
- The City of Bothell is excited to support this affordable project through discounting land and having worked collaboratively to address land use issues.
- The project would increase affordability within the revitalized Bothell Landing.
- The project is sited at an excellent location for senior housing, with proximity to a major senior center, planned bus rapid transit, parks and trails, and shopping.
- The project will strive to achieve Ultra High Energy Efficiency.
- The project leverages significant funding from other public and private sources.
- The scale of project fits developer's past track record and capabilities.

A set of standard and special funding conditions was included with the recommendation, and is included in **Attachment 2** for reference.

The project remains an important opportunity and priority for the City of Bothell, which has provided significant support in the form of discounted land and zoning changes to enable additional building height. In addition to ARCH's award, Imagine was also successful in securing full awards from King County and the State Department of Commerce.

***Past Investments***

Founded as St. Andrew's Housing Group in 1992, Imagine has been an important community partner over the years. ARCH cities have made significant investments in properties developed by Imagine, and the housing they own and operate is a critical community asset.

<b>Project Names</b>	<b>Location</b>	<b>Funding Year</b>	<b>ARCH Support*</b>	<b>Units</b>	<b>Population</b>
30 Bellevue	Bellevue	2015/16	\$1,012,926	62	Family/Homeless
Andrew's Glen	Bellevue	2008	\$1,587,187	40	Family/Homeless
Andrews Heights Apartments	Bellevue	1993	\$400,000	24	Family
Athene (Totem 2)	Kirkland	2012/15	\$1,147,126	91	Senior/Homeless
Capella at Esterra	Redmond	2016/17	\$7,452,906	261	Family/Homeless
Chalet Apts	Bellevue	2003	\$210,000	18	Family/Homeless
Clark Street (Johnson Hill)	Issaquah	2006	\$355,000	30	Family
Ellsworth House (Grace Place)	Mercer Island	1999	\$900,000	59	Senior
Francis Village	Kirkland	2009	\$1,500,000	60	Family/Homeless
Highland Gardens (Klahanie)	Sammamish	1995	\$291,281	54	Family
Kirkland Plaza	Kirkland	1997	\$610,000	24	Senior
Lauren Heights	Issaquah	2003	\$657,343	45	Family
Mine Hill	Issaquah	2005	\$482,380	28	Family
Rose Crest (Talus)	Issaquah	2001	\$1,148,558	50	Family/Homeless
Samma Senior Apartments	Bothell	2019	\$750,000	54	Senior
Terrace Hills	Redmond	1997	\$442,000	18	Family
Velocity	Kirkland	2011	\$1,126,744	58	Family/Homeless
<b>TOTAL</b>			<b>\$20,073,451</b>	<b>976</b>	

***Recent Concerns and Follow Up***

On January 21, ARCH and several member city councils received a letter from a group of community advocates describing complaints from tenants regarding the management of Imagine Housing properties (see **Attachment 1**). ARCH and city human services staff were aware of related complaints in the fall of 2020, specifically at Imagine's Issaquah properties and their Athene property in Kirkland. At the same time, ARCH was aware of a leadership transition scheduled to occur at the end of 2020.

ARCH followed up on these issues during application review, and Imagine provided detailed responses to ARCH's questions on steps they had taken to respond to concerns presented by residents, as well as corrections to statements they felt were inaccurate. In the fall of 2020, Imagine also completed a transition of its property management for a number of its properties to Allied Residential, which was already managing the remainder of Imagine's portfolio. At the end of 2020, Imagine appointed a new Interim CEO, Sean Heron.

Since receipt of the Jan. 21 letter, ARCH has taken additional steps, as follows:

- Staff visited each Imagine property and documented satisfactory conditions surrounding the exterior of the buildings.
- Staff requested Imagine follow up on a specific tenant household with mold in their apartment, based on information shared by Eastside Legal Assistance Program (ELAP). Imagine communicated, and ELAP confirmed, that the tenant had been provided with hotel accommodations while repairs to the unit are made. No other tenant has yet shared specific complaints with ARCH.
- Staff confirmed that Imagine is in compliance with their contracts with other public funders, including King County and the State Department of Commerce. Funders are not currently performing physical unit inspections during the COVID pandemic. Earlier in 2020, King County followed up on a complaint of inadequate services being provided to a resident at Athene. County staff concluded that services were provided, contrary to the complaint from a concerned community member.
- Staff solicited information on the general reputation of Allied Residential, which manages both market rate and affordable housing portfolios for a wide range of providers. Allied has a very good reputation with the statewide agency that monitors the largest portfolio of affordable projects in Washington. In addition, the King County Housing Authority had very positive things to say about Allied, which manages a large portion of their portfolio, noting that the relationship has been carefully cultivated over many years.
- Staff contacted Debbie Lacey, the lead organizer of the letter, to discuss how best to coordinate efforts in response to the letter.

Overall, staff believe that Imagine is committed to addressing the concerns raised, and confident that current leadership is acting with appropriate swiftness. However, because the concerns raise questions about the strength of Imagine's property and asset management capacity, staff are recommending the Board consider additional funding conditions that would ensure confidence in the organization's capacity as we continue to support the creation of new affordable housing.

### Options

The Executive Board has the option to:

1. Amend its previous recommendation to member city councils to incorporate new funding conditions, as drafted in the staff recommendation below.
2. Do not amend the funding recommendation, but direct staff to continue working with Imagine through voluntary cooperation in coordination with other funders.
3. Delay the recommendation to award funding for Samma.
4. Withdraw the funding award.

**Staff Recommendation**

Staff recommend Option 1 to approve the following funding conditions be added to the previous recommendation to City Councils:

1. To demonstrate Agency's capacity to provide appropriate asset management and property management over its properties, Agency shall provide ARCH with information related to active complaints regarding property conditions and management at existing properties, and shall prepare an implementation plan to address verified habitability complaints to be submitted by February 15, 2021. Agency will provide regular reporting on its implementation to ARCH. No funds will be contracted or disbursed until the ARCH has determined the Agency has sufficient property and asset management capacities.
2. Agency shall maintain the project in good and habitable condition for the duration of period of affordability.

**Attachments**

1. January 21 Letter from Community Advocates
2. Samma Senior Apartments Funding Conditions

*January 21, 2021*

*Dear Mr. Heron and Members of the Imagine Housing Board of Directors,*

*We are advocates, organizers, and nonprofit providers in East King County who have spent the better part of 2020 responding to urgent requests from Imagine Housing (IH) residents regarding disturbing patterns of unresponsive and neglectful property management, lack of accountability, lack of transparency, and abuse of power.*

*Our attempts to address these issues directly with the former CEO, Villette Nolon, were unsuccessful. Similarly, communications sent to Board members were met with either no response or suggestions to contact Ms. Nolon.*

*Facing a myriad of problems including a lack of response to repairs that pose health and safety risks, residents received no support from Imagine Housing leadership in holding Allied Residential (the current property management company) accountable.*

*Some residents are working with legal advocates to address tenant rights violations. In these situations, the residents have tried for many months (in at least one case, years) to appeal to the property managers and Imagine Housing. Many of the complaints stem from a failure to make necessary repairs, including ones that put residents' safety and health at risk:*

- 1. Black mold*
- 2. Infestations including bats and bed bugs (It's estimated that 20-25% of Athene's units are infested with bed bugs and caregivers are unable to come to provide critical assistance to their elderly clients. There is also a significant cockroach infestation at Athene.)*
- 3. Broken appliances (Washers and dryers in two buildings at Terrace Hill have been broken since May. We know of one mother who is spending \$40-\$50 per month at the laundromat. A woman who works as a nurse hand washes her uniform in the sink and air dries it every night. This is unacceptable at any time but particularly during a pandemic.)*

*Residents have been left to advocate for themselves with Allied Residential. When they get no response or an inadequate solution, they turn to Imagine Housing, but nothing gets resolved. Delay tactics are common, allowing months to pass with empty promises. After resident repair requests and injuries go unaddressed by management, residents have had to bring in specialists (at residents' own expense) to "prove" to management that repairs are required, and that health/safety concerns exist; this has happened with mold assessments, plumbing issues, and infestation problems.*

*The problems have gotten progressively worse since Allied took over management of all the IH properties.*

- 1. Residents report absentee managers who are unresponsive at several properties, some of which do not have a maintenance person. In at least one instance, trash and recycling were no longer being picked up.*
- 2. Residents' vehicles were getting towed regularly during the summer. Our understanding was that in some cases this was because property managers weren't on site to issue parking stickers. That didn't matter to the tow company; people paid hundreds of dollars to claim their cars. Residents' vehicles are still being towed at Rose Crest. A resident there just sold his car after the fifth time being towed.*

3. *Athene is not wired for landline phones and cell phone service is unreliable in the building. Many seniors are not comfortable using cell phones, or can't afford to have minutes the entire month. They also cannot get life alert due to the weak signal. In the three years since Athene opened, there have been three medical emergencies where the person suffered a few days before dying in their unit alone.*

***These are not isolated incidents.*** *There is a culture and practice that leaves residents with no voice and no recourse when their requests are unanswered. Furthermore, when they complain, they face retaliation and intimidation.*

*In the first half of 2020, Imagine Housing announced successful fundraising for a rental assistance fund, but residents were told to seek help elsewhere first and apply for IH's funds as a last resort. When residents were able to get rental assistance from other nonprofits and from IH, there was a lack of communication about whether the money was being applied to residents' ledgers. The nonprofits were left to wonder what happened to the assistance provided.*

*The issue with ledgers and the lack of transparency around rent funding and pledges predates COVID; it's a longstanding issue that prevented people from getting assistance they needed even before the shutdowns. There are ongoing concerns regarding overall fiscal accountability and transparency.*

*The disenfranchisement, abuse of power, and complete lack of accountability are all the more disturbing given the makeup of the Imagine Housing population which includes many elderly, people with disabilities, people of color, new immigrants, and families who have recently exited homelessness. Many are trauma survivors. One single mother came to Imagine Housing hoping to heal and go back to school. Instead, Imagine Housing inflicted more trauma, resulting in chronic physical and mental health problems. Her life dreams are on hold.*

*There are too many stories to share. The documentation exists and can be provided.*

*Our first priority is to support the residents, and we'll continue to center their needs.*

*We call for an immediate and proactive response from Imagine Housing's leadership to address the following:*

1. *Support residents' list of demands. (Residents sent a list to IH leadership in the spring of 2020.)*
2. *Repairs that pose health/hazard risks must be made **immediately**. In cases where residents cannot safely remain in their homes while repairs are being made (for example, when black mold is present), Imagine Housing needs to provide motel vouchers or a mutually acceptable alternative, with transportation for those who do not drive or have no access to a vehicle.*
3. *A secure and reliable way for seniors to call for help in a medical emergency.*
4. *Clarity and transparency with tenants and the public regarding rental assistance funds and holiday gift cards.*
5. *A thorough external assessment and documentation of the complaints and experiences of residents.*
6. *Significant organizational culture changes are required:*
  1. *There are fundamental conflicts that stem from having a for-profit company provide property management for a nonprofit housing community. What alternatives are*



*being considered, and in the meantime, how will the many complaints against Allied be addressed?*

2. *Tenants need to have a voice in the decisions that impact their lives. A transition to a resident-centered model for decision-making is long overdue. There is valuable leadership within the resident community; they have recommendations for solutions beyond what's in the above-mentioned list of demands.*

*We look forward to your response and most importantly, to your communication with residents about how you will resolve the complaints and address their demands and suggestions.*

*Respectfully,*

*Debbie Lacy, Founder/CEO, Eastside For All*

*Karla Davis, Housing Justice Project*

*Katharine Nyden, Housing Attorney, WSBA #56409*

*Renay Ferguson, Terrace Hill resident*

*Kara Latchinian, Imagine Housing Tenants Union*

*Chris Lovings, Community Member*

*Cindy Charlebois, Imagine Housing Tenants Union*

*Elizabeth Maupin, Community Advocate*

*Isaac Organista, Community Advocate*

*Liliana Godinez, Community Advocate*

*Monik Martinez, Founder, 4 Tomorrow*

*Catherine Cruz, Community Advocate*

CC:

1. ARCH
2. Bellevue, Redmond, Kirkland, Issaquah, and Sammamish City Councilmembers and human services staff
3. King County Councilmembers Balducci and Lambert

Samma Senior Apartments Funding ConditionsSpecial Conditions:

1. Funds shall be used by the Agency for construction.
2. ARCH's funding commitment shall continue for twelve (12) months from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to ARCH staff no later than sixty (60) days prior to the expiration date. At that time, the Agency will provide a status report on progress to date. ARCH staff will consider up to a 12-month extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion. At a minimum, the Agency will demonstrate all capital funding is likely to be secured within a reasonable period of time.
3. Funds will be in the form of a deferred, contingent loan. It is anticipated that loan payments will be based on a set repayment schedule and begin after repayment of deferred developer fee with 1% interest. The terms will also include a provision for the Agency to a defer payment if certain conditions are met (e.g. low cash flow due to unexpected costs). Any requested deferment of loan payment is subject to approval by ARCH Staff, and any deferred payment would be repaid from future cash flow or at the end of the amortization period. Loan terms will account for various factors, including loan terms from other fund sources and available cash flow. Final loan terms shall be determined prior to release of funds and must be approved by ARCH Staff. The terms are expected to include a provision for the Agency to defer payment if certain conditions are met (e.g., low cash flow due to unexpected costs).
4. A covenant is recorded ensuring affordability for at least 50 years, with affordability generally as shown in the following table. Limited changes to the matrix may be considered based on reasonable justification as approved by ARCH staff.

Affordability	Studio	Total
50% AMI	76	76
TOTAL	76	76

5. Agency shall work with City to minimize parking requirements and dependence on private vehicles, but support residents with alternative modes of transportation, including exploring bus vouchers, shared electric bikes and a van.
6. The net developer fee shall be established at the time of finalizing the Contract Budget and will follow the schedule established by ARCH. Net developer fee is defined as that portion of the developer fee paid out of capital funding sources and does not include the deferred portion which is paid out of cash flow from operations after being placed in service.

Standard Conditions (Apply to all projects):

1. The Agency shall provide revised development and operating budgets based upon actual funding commitments, which must be approved by ARCH staff. If the Agency is unable to adhere to the budgets, ARCH must be immediately notified and (a) new budget(s) shall be submitted by the Agency for ARCH's approval. ARCH shall not unreasonably withhold its approval to (a) revised budget(s), so long as such new budget(s) does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the budgets, either original or as amended may result in withdrawal of ARCH's commitment of funds.
2. The Agency shall submit evidence of funding commitments from all proposed public sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify ARCH, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to ARCH review and approval.
3. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements. CDBG funds may not be used to repay (bridge) acquisition finance costs.
4. The Agency shall maintain documentation of any necessary land use approvals and permits required by the city in which the project is located.
5. The Agency shall submit monitoring quarterly reports through completion of the project, and annually thereafter, and shall submit a final budget upon project completion. If applicable, Agency shall submit initial tenant information as required by ARCH.



# A Regional Coalition for Housing

## Trust Fund Recommendations

***Kenmore City Council***

***February 8, 2021***

***Lindsay Masters, ARCH Executive Manager***

***Klaas Nijhuis, Senior Planner***

# Agenda

- Housing Trust Fund Program Overview
- 2020 Funding Recommendations:
  - Eastgate Supportive Housing
  - Samma Senior Apartments
  - Horizon at Totem Lake



# ARCH Housing Trust Fund

- Senior Housing
- Family and Workforce Housing
- Homeless and Special Needs Housing
- Homeownership
- Transit-Oriented Development
- Shelter and Transitional Housing



# Investment Principles

**Cross-jurisdiction support** - credit for joint investments in the region

**Competition** - advance best projects each year

**Leverage** - maximize return on local investment

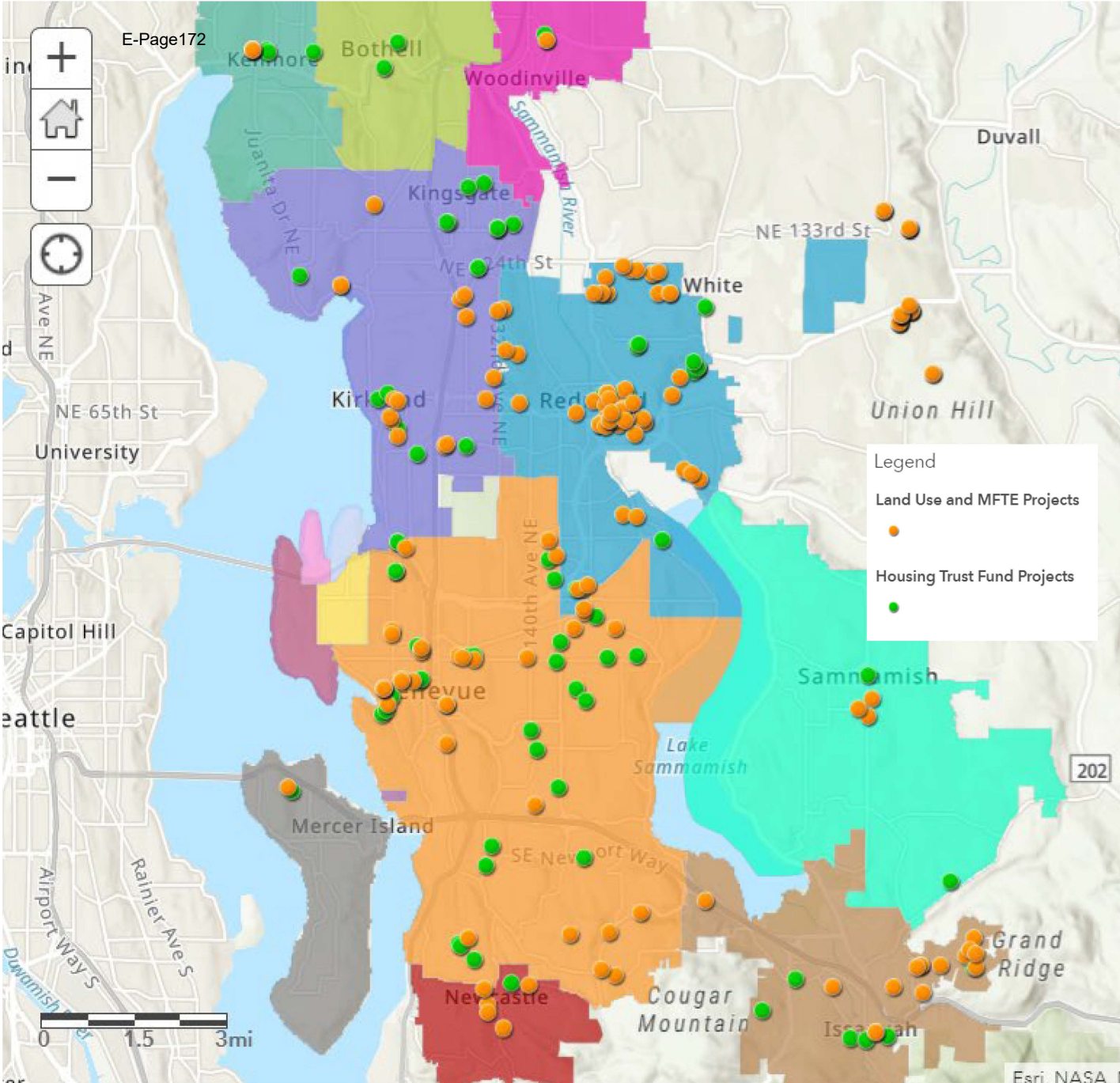
**Geographic equity** - create diverse housing choices across the Eastside

**Community** - projects shaped by professional expertise and community perspectives

**Sustainability** of projects and investments

**Coordination** between local, county and state priorities - elevate Eastside projects





## Housing Trust Fund Projects by Location

Project Location	Units/ Beds	ARCH Member Contributions
Bellevue	1,441	\$15,203,846
Bothell	117	\$1,205,500
Issaquah	473	\$15,441,771
Kenmore	86	\$718,121
Kirkland	482	\$12,441,217
Mercer Island	59	\$900,000
Newcastle	15	\$341,337
Redmond	1,410	\$23,528,206
Sammamish	64	\$1,263,657
Scattered/Multiple Locations	241	\$2,185,000
Woodinville	100	\$483,084
<b>Grand Total</b>	<b>4,488</b>	<b>\$73,711,739</b>

*Note: Includes projects in development. Contributions include grants/loans, land, and fee waivers*

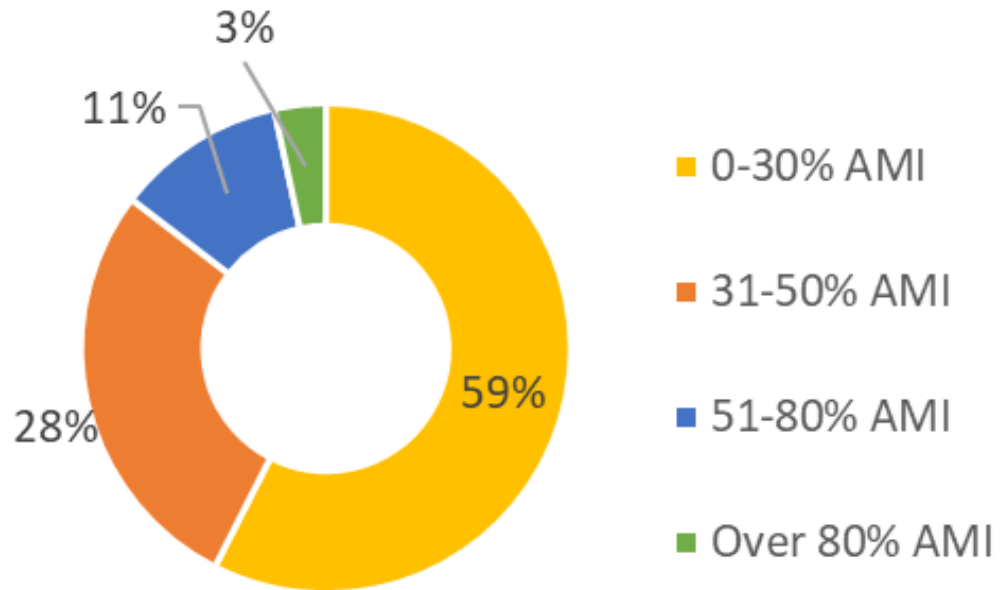
## Land Use and MFTE Projects by Tenure

Tenure	Affordable Units
Rental	1,616
Ownership	758
<b>Grand Total</b>	<b>2,374</b>



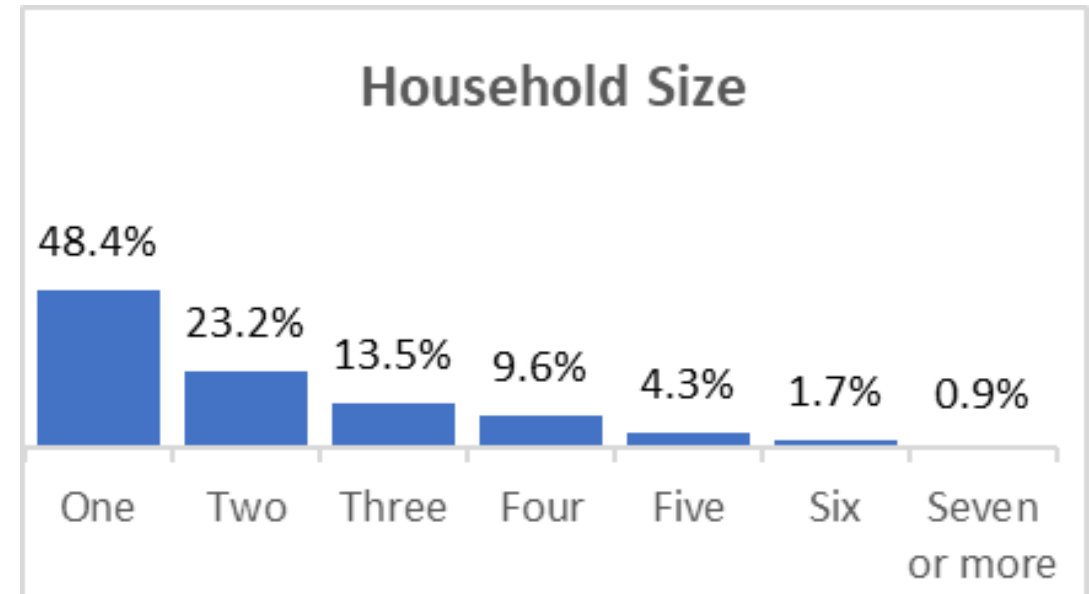
# Housing Trust Fund: Who is Served?

Household Income  
(Percent of Median Income)



HH Size	1 Person	2 People	3 People	4 People	5 People
<b>30% AMI [VERY LOW INCOME]</b>					
Household Income	\$23,793	\$27,192	\$30,591	\$33,990	\$36,709
<b>50% AMI [LOW INCOME]</b>					
Household Income	\$39,655	\$45,320	\$50,985	\$56,650	\$61,182
<b>60% AMI</b>					
Household Income	\$47,586	\$54,384	\$61,182	\$67,980	\$73,418
<b>80% AMI [MODERATE INCOME]</b>					
Household Income	\$63,448	\$72,512	\$81,576	\$90,640	\$97,891

# Housing Trust Fund: Who is Served?

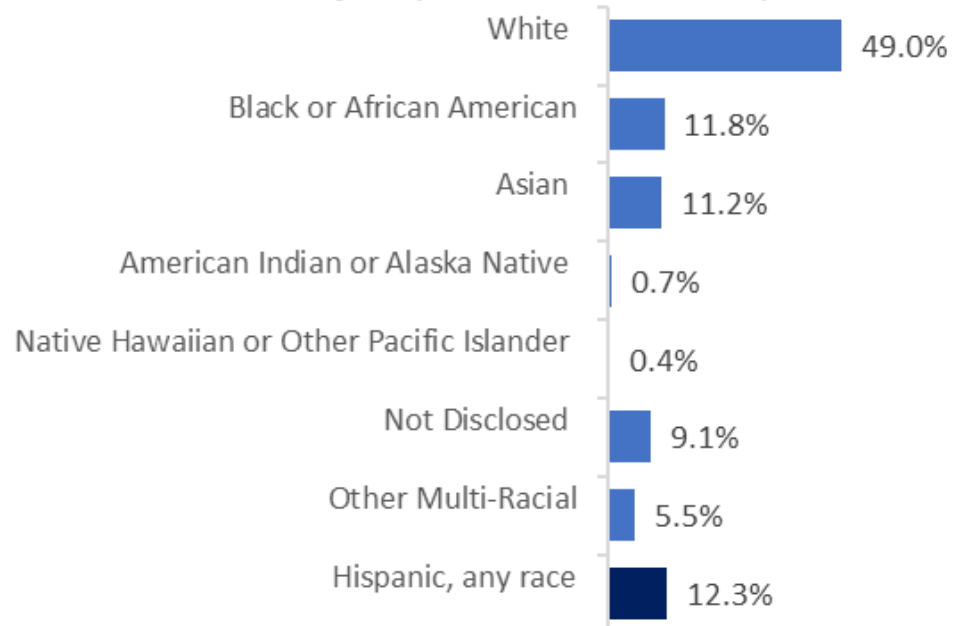


Number of Single Parent Households	Percent of Total Households Served
408	13.6%

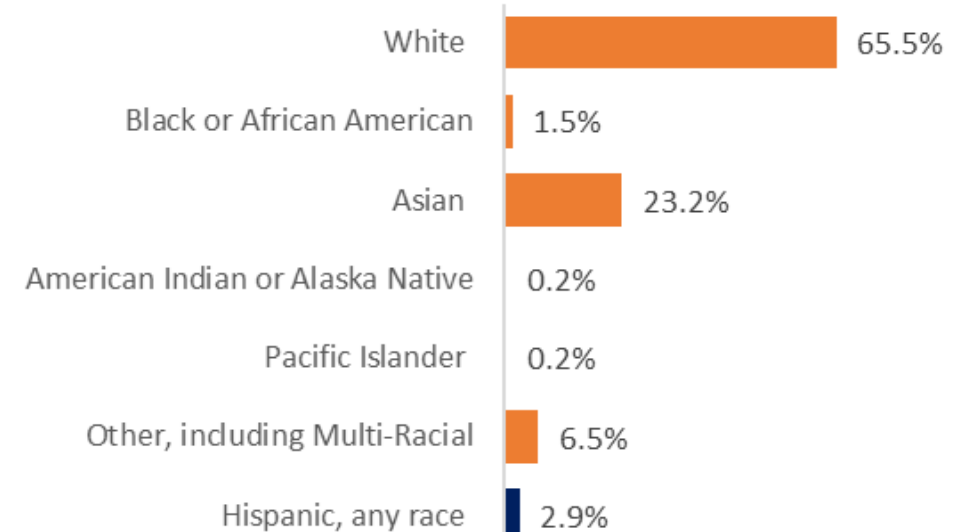
Household Type	Number of Homeless Households	Percent of Total Households Served
Homeless Family	170	5.7%
Homeless Individual	309	10.3%
All	479	16.0%

# Housing Trust Fund: Who is Served?

**RACE & ETHNICITY**  
**HTF Projects, Head of Household, 2019**



**RACE & ETHNICITY**  
**East King County, Head of Household**  
**2019 ACS 5-year estimate, Renter Occupied HHs**





# Eastgate Supportive Housing

Plymouth Housing / Horizon Housing

Funding Request: \$500,000

Recommendation: \$500,000

93 studio units (30% AMI), 2 manager units

Permanent Supportive Housing Model

Population: Homeless single adults

Partnership with  
Congregations for the  
Homeless, Sophia Way

Location: 13520 SE Eastgate  
Way, Bellevue, WA

# Permanent Supportive Housing

- Housing is “permanent” or non-time limited
- Housing is paired with wrap-around supportive services
- No or low barriers to tenancy (aka “Housing First”)
- Designed for homeless individuals with significant barriers to housing stability (mental illness, substance abuse, or other health conditions)
- Common building features:
  - Secure entry with 24-hour staffing
  - Designated space for social services
  - Ample community space / common kitchen
- Research supports effectiveness in:
  - Housing retention
  - Health outcomes
  - Overall cost savings across systems

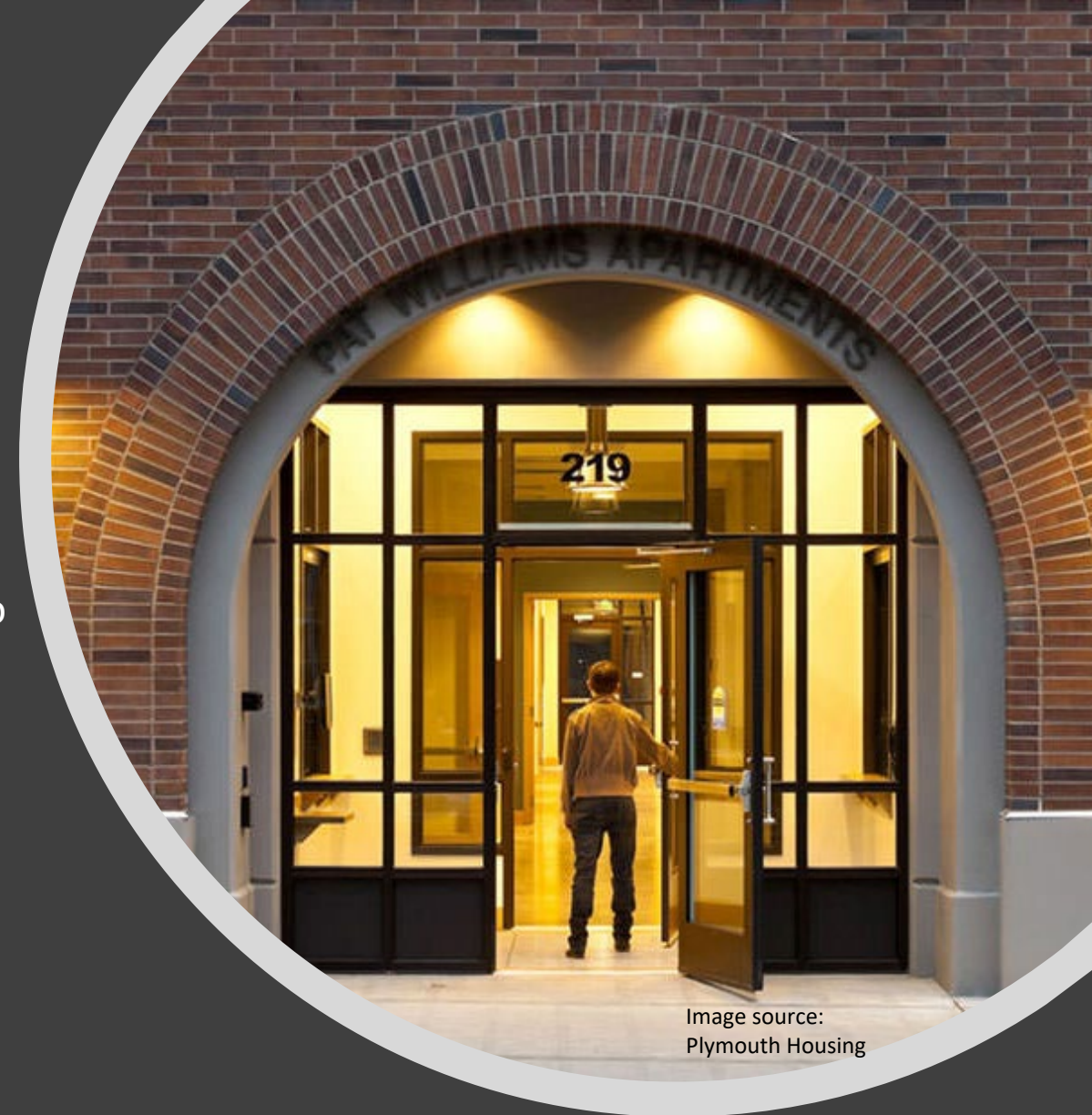
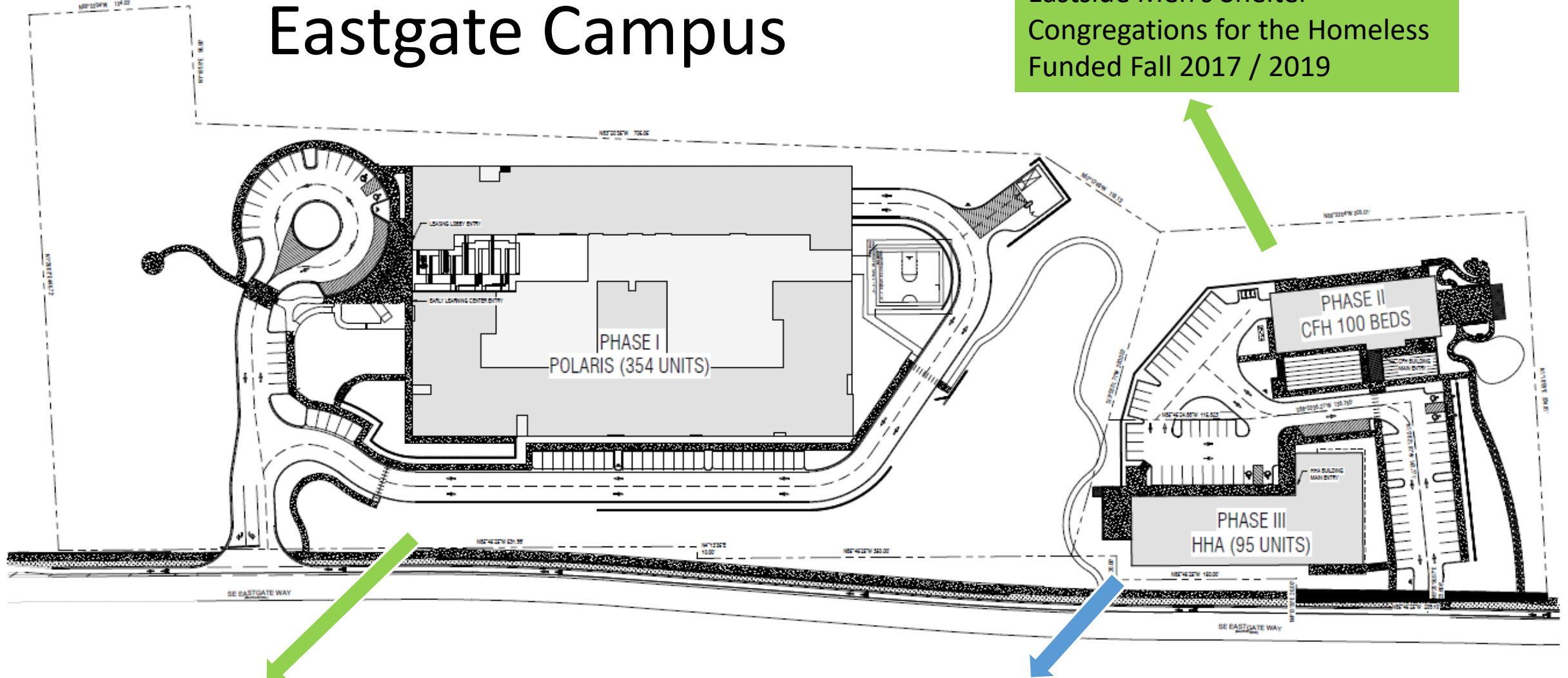


Image source:  
Plymouth Housing



# Eastgate Campus

Eastside Men's Shelter  
Congregations for the Homeless  
Funded Fall 2017 / 2019

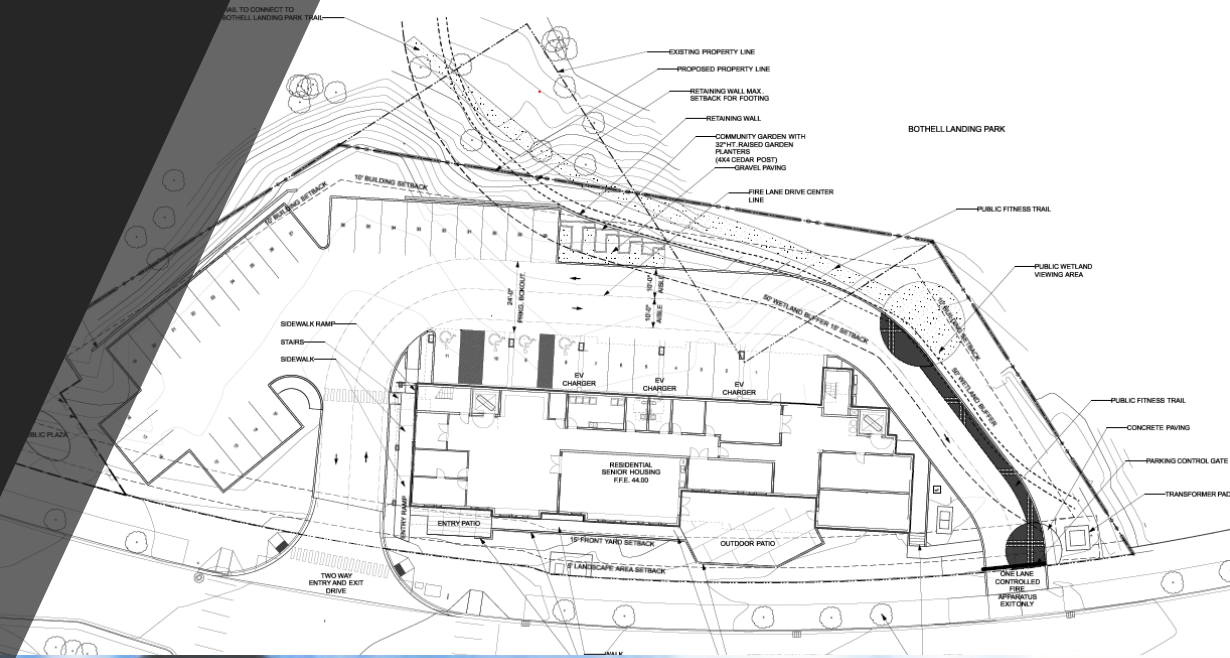


Polaris Workforce Housing  
Inland Group  
Funded Fall 2019

Eastgate Supportive Housing  
Plymouth Housing / Horizon Housing Alliance  
Fall 2020 Recommendation

# Samma Senior Apartments Imagine Housing

- Funding Request: \$500,000
- Recommendation: \$500,000
  - Previous award \$750,000
  - Total \$1.25 million award
- 76 studio units (50% AMI)
- Population: Seniors
- Ultra High Energy Efficiency project
- Location: 17816 Bothell Way NE, Bothell WA







## Horizon Housing / Polaris at Totem Lake Inland/Horizon Housing Alliance

- ARCH Funding Request: \$4,000,000
- Recommendation: Up to \$4,000,000
- Total units: 467 units
  - 80 units at 30% AMI and 50% AMI
  - 219 units at 60% AMI
  - 168 units at 60-100% AMI
- Service Provider: Hopelink
- Location: 12335 120th Ave NE, Kirkland, WA
- Additional \$8 million committed by Microsoft for ARCH Bridge Funding Program



## Funding Sources

Project	Affordable Units	Prior ARCH Award	2020 ARCH Request	Other Public Funds	Private Funds	Sponsor Funds/Deferred Fee	Total Cost	ARCH % of Total Cost	ARCH \$\$ per Unit/Bed
Plymouth Eastgate Supportive Housing	92		\$500,000	\$7,703,705	\$19,703,538	\$2,211	\$27,909,454	2%	\$5,435
Imagine Samma Senior Apartments	76	\$750,000	\$500,000	\$8,846,159	\$12,538,784	\$1,090,580	\$23,725,523	5%	\$16,447
Inland Horizon at Totem Lake	299		\$4,000,000	\$0	\$97,532,116	\$10,848,593	\$112,380,709	4%	\$13,378
Total	467	\$750,000	\$5,000,000	\$16,549,864	\$129,774,438	\$11,941,384	\$164,015,686	3%	\$10,707

	Recommended Projects				
	Eastgate Supportive Housing	Samma Senior Apartments	Horizon at Totem Lake		Total 2020 Recommended Funding
<u>Member Cities Funding</u>					
Bellevue	\$62,200	\$62,200	\$497,500		\$621,900
Bothell	\$8,600	\$8,600	\$68,800		\$86,000
Clyde Hill	\$1,900	\$1,900	\$15,000		\$18,800
Hunts Point	\$500	\$500	\$3,900		\$4,900
Issaquah	\$11,800	\$11,800	\$94,700		\$118,300
Kenmore	\$10,700	\$10,700	\$85,400		\$106,800
<b>Kirkland</b>	<b>\$321,600</b>	<b>\$321,600</b>	<b>\$2,573,100</b>		<b>\$3,216,300</b>
Medina	\$1,000	\$1,000	\$8,300		\$10,300
Mercer Island	\$5,500	\$5,500	\$44,300		\$55,300
Newcastle	\$4,100	\$4,100	\$32,500		\$40,700
Redmond	\$50,800	\$50,800	\$406,700		\$508,300
Sammamish	\$15,600	\$15,600	\$124,600		\$155,800
Woodinville	\$4,800	\$4,800	\$38,300		\$47,900
Yarrow Point	\$900	\$900	\$6,900		\$8,700
	\$500,000	\$500,000	\$4,000,000		\$5,000,000
Prior Award		\$750,000			
Total Award	\$500,000	\$1,250,000	\$4,000,000		

## RESOLUTION R-5463

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE DULY-APPOINTED ADMINISTERING AGENCY FOR A REGIONAL COALITION FOR HOUSING (ARCH) TO EXECUTE ALL DOCUMENTS NECESSARY TO ENTER INTO AN AGREEMENT FOR THE FUNDING OF AFFORDABLE HOUSING PROJECTS, AS RECOMMENDED BY THE ARCH EXECUTIVE BOARD, UTILIZING FUNDS FROM THE CITY'S HOUSING TRUST FUND.

WHEREAS, A Regional Coalition for Housing (ARCH) was created by interlocal agreement to help coordinate the efforts of Eastside cities to provide affordable housing; and

WHEREAS, the ARCH Executive Board has recommended that the City of Kirkland participate in the funding of a certain affordable housing project hereinafter described; and

WHEREAS, the ARCH Executive Board has developed a number of recommended conditions to ensure that the City's affordable housing funds are used for their intended purpose and that projects maintain their affordability over time; and

WHEREAS, the City Council approved Resolution R-4804 on March 2, 2010, approving the Amended and Restated Interlocal Agreement for ARCH; and

WHEREAS, the City Council desires to use \$3,216,300 from the City's Housing Trust Funds as designated below to finance the projects recommended by the ARCH Executive Board.

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

Section 1. The City Council authorizes the duly-appointed administering agency of ARCH, pursuant to the Amended and Restated Interlocal Agreement for ARCH, to execute all documents and take all necessary actions to enter into Agreements on behalf of the City with:

Plymouth Housing Group/Horizon Housing Eastgate Supportive Housing in an amount not to exceed \$321,600;

Imagine Housing Samma Senior Apartments in an amount not to exceed \$321,600; and

Inland Group/Horizon Housing Totem Lake Apartments in an amount not to exceed \$2,573,100.;

Section 2. The agreements entered into pursuant to Section 1 of this Resolution shall be funded in a total amount not

43 to exceed \$3,216,300. Such agreements shall include terms and  
44 conditions to ensure that the City's funds are used for their  
45 intended purpose and that the affordability of projects is  
46 maintained over time. In determining what conditions should be  
47 included in the agreements, the duly-appointed administering  
48 agency of ARCH shall be guided by the recommendations set forth  
49 in the ARCH Executive Board's memorandum as of December 17,  
50 2020, a copy of which is attached hereto as Exhibit A.

51  
52 Passed by majority vote of the Kirkland City Council in open  
53 meeting this \_\_\_\_ day of \_\_\_\_\_, 2021.

54  
55 Signed in authentication thereof this \_\_\_\_ day of  
56 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Penny Sweet, Mayor

Attest:

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



**TOGETHER CENTER CAMPUS**  
**16225 N.E. 87TH STREET, SUITE A-3**  
**REDMOND, WA 98052**  
**425-861-3677**

## MEMORANDUM

**TO:** City of Bellevue Council Members  
City of Clyde Hill Council Members  
City of Issaquah Council Members  
City of Kirkland Council Members  
City of Mercer Island Council Members  
City of Redmond Council Members  
City of Woodinville Council Members  
City of Bothell Council Members  
Town of Hunts Point Council Members  
City of Kenmore Council Members  
City of Medina Council Members  
City of Newcastle Council Members  
City of Sammamish Council Members  
Town of Yarrow Point Council Members

**FROM:** Kurt Triplett, Chair, ARCH Executive Board

**DATE:** December 17, 2020

**RE:** Fall 2020 Housing Trust Fund (HTF) Recommendation

The 2020 ARCH Housing Trust Fund round again demonstrated high demand for funding to support affordable housing development in East King County, with four applications representing requests for over six million dollars in local funds to develop close to 500 units of affordable housing. After careful deliberation, the ARCH Executive Board concurred with the recommendations of the ARCH Citizen Advisory Board (CAB), and is recommending funding of \$5,000,000 for three projects, including one project that received a partial award last year.

**These recommendations advance projects that meet urgent local priorities, including mixed income workforce housing, affordable housing for seniors, and the first permanent supportive housing project for homeless individuals on the Eastside, which will be developed as part of a master planned community that also includes the previously funded permanent year-round emergency shelter for men.**

In the last three decades, the ARCH Trust Fund has supported nearly 4,500 units of affordable housing and shelter beds, more than any other program in East King County, notably creating housing for those with the greatest needs and the fewest opportunities to live in our community. At a time when public resources are scarce but the needs in the community have only grown, your investments will be amplified by the other public and private funding leveraged by these projects, with every \$1 of local funding matched by an estimated \$27 of other funding.

Following is a description of the applications received, the Executive Board recommendation and rationale, and proposed contract conditions for the proposals recommended for funding at this time. Also enclosed is an economic summary of the projects recommended for funding, and a summary of past projects funded through the Trust Fund to date.

### ARCH MEMBERS

BEAUX ARTS VILLAGE ♦ BELLEVUE ♦ BOTHELL ♦ CLYDE HILL ♦ HUNTS  
POINT ♦ ISSAQUAH ♦ KENMORE ♦ KIRKLAND ♦ MEDINA ♦ MERCER  
ISLAND ♦ NEWCASTLE ♦ REDMOND ♦ SAMMAMISH ♦ WOODINVILLE ♦ YARROW  
POINT ♦ KING COUNTY

**1. Plymouth Housing Group/Horizon Housing Eastgate Permanent Supportive Housing**

Funding Request: \$500,000 (Deferred, Contingent Loan)  
92 Affordable Units; 3 Manager Units

Executive Board Recommendation: \$500,000 (Deferred, Contingent Loan)

**Project Summary:**

Horizon Housing Alliances is proposing to develop and turn over to Plymouth Housing– a non-profit corporation with a 40-year history of serving the homeless in Seattle King County – a 95-unit permanent supportive housing project located adjacent to the Eastside Men’s Shelter by Congregations for the Homeless. Plymouth is an established owner and operator of permanent supportive housing, a model that provides critical wrap-around supportive services such as mental and behavioral health services in a permanent housing setting.

The building will be sited on the upper shelf of the 10-acre King County Solid Waste site in the Eastgate area of Bellevue. The site comprises a larger master development with three components, including the Eastside Men’s Shelter, which will share a surface parking lot. Another 300 units for workforce housing on the lower portion of the site completes the development. ARCH has previously awarded funding for the shelter and workforce housing components of the project.

**Funding Rationale:**

The Executive Board supports the intent of this application for the following reasons:

- The project is the last component necessary to realize the shelter at this location, which remains a high priority for ARCH and its member jurisdictions, particularly the City of Bellevue and King County.
- The project creates permanent supportive housing with a very experienced provider, and benefits from the thoughtful community outreach process coordinated by Congregations for the Homeless
- The project benefits from being built simultaneously with other components by a vertically integrated developer.
- The project scores well for very competitive 9% tax credits.
- The project provides significant financial leverage of other resources.
- Site has convenient access to transit, shopping, and services.

**Proposed Conditions:**

**Standard Conditions:** Refer to list of standard conditions found at end of this memo.

**Special Conditions:**

1. The funding commitment continue for twelve (12) months from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to ARCH staff no later than sixty (60) days prior to the expiration date. At that time, the Agency will provide a status report on progress to date and expected schedule for start of construction and project completion. ARCH staff will consider a twelve-month extension only on the basis of documented, meaningful

progress in bringing the project to readiness or completion. At a minimum, the Agency will demonstrate that all capital funding has been secured or is likely to be secured within a reasonable period of time.

2. Funds shall be used by Agency toward soft costs, design, permits and construction. Funds may not be used for any other purpose unless ARCH staff has given written authorization for the alternate use. Spending of construction contingency must be approved in advance by City or Administering Agency. If after the completion of the project there are budget line items with unexpended balances, the public funders shall approve adjustments to the project capital sources, including potentially reductions in public fund loan balances.
3. Funds will be in the form of a deferred, contingent loan. Loan terms will account for various factors, including loan terms from other fund sources, available cash flow and receipt of an asset management fee or deferred developer fee to the Agency and project reserves. Final loan terms shall be determined prior to release of funds and must be approved by ARCH Staff. Based on the preliminary development budget, it is anticipated that loan payments will be deferred throughout the life of the loan.
4. The net developer fee shall be established at the time of finalizing the Contract Budget and will follow ARCH Net Developer Fee Schedule. Net developer fee is defined as that portion of the developer fee paid out of capital funding sources and does not include the deferred portion which is paid out of cash flow from operations after being placed in service.
5. A covenant is recorded ensuring affordability for at least 50 years, with size and affordability distribution per the following table. Limited changes to the matrix may be considered based on reasonable justification as approved by ARCH staff.

Affordability	Studio	Total
30%	46	46
50%	46	46
Non-restricted	3	3
Total	95	95

6. Based on the availability of adequate support services, at least 75% of the units may be set aside for occupancy for households transitioning out of homelessness, unless otherwise approved by ARCH. Plymouth will work with the Coordinated Entry for All system to seek preference for homeless individuals from Sophia Way and Congregations For the Homeless shelters, while maintaining flexibility to change how units may be filled based on actual experiences at the site and within the community.

## **2. Imagine Housing Samma Senior Apartments**

Funding Request: \$500,000 additional to \$750,000 awarded in 2019 (Deferred, Contingent Loan)  
76 affordable rental units

Executive Board Recommendation: \$500,000 (Deferred, Contingent Loan)

### **Project Summary:**

Imagine Housing is proposing a 76-unit affordable 55 and older senior rental project utilizing 4% tax credits and tax-exempt bond financing. The project includes set asides of apartments for disabled persons. The project will be built on land to be acquired from the City of Bothell at a reduced price. The site is located on the Bus Rapid Transit corridor which is being expanded with ST3 funding. The City has indicated its strong support for the project including zoning changes for increased height and reduced parking.

The proposed affordable building is five levels of wood construction. Imagine is pursuing an Ultra High Energy Efficiency (UHEE) rating for this building. The design envisions around 40 surface parking spaces. Imagine has also submitted applications for funding from King County and the State Housing Trust Fund. ARCH believes the application will be competitive for King County Transit-Oriented Development housing funds, as well as State funds designated for UHEE projects. Imagine has made substantial progress working through site, design and environmental issues, and is poised to move quickly on the project, if successful in securing a tax credit allocation.

### **Funding Rationale:**

The Executive Board recommends funding with conditions listed below for the following reasons:

- Aligns with local housing strategy.
- The City of Bothell is excited to support this affordable project through discounting land and having worked collaboratively to address land use issues.
- The project would increase affordability within the revitalized Bothell Landing.
- The project is sited at an excellent location for senior housing, with proximity to a major senior center, planned bus rapid transit, parks and trails, and shopping.
- The project will strive to achieve Ultra High Energy Efficiency.
- The project leverages significant funding from other public and private sources.
- The scale of project fits developer's past track record and capabilities.

### **Proposed Conditions:**

**Standard Conditions:** Refer to list of standard conditions found at end of this memo.

### **Special Conditions:**

1. Funds shall be used by the Agency for construction.
2. ARCH's funding commitment shall continue for twelve (12) months from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to ARCH



staff no later than sixty (60) days prior to the expiration date. At that time, the Agency will provide a status report on progress to date. ARCH staff will consider up to a 12-month extension only on the basis of documented, meaningful progress in bringing the project to readiness or completion. At a minimum, the Agency will demonstrate all capital funding is likely to be secured within a reasonable period of time.

3. Funds will be in the form of a deferred, contingent loan. It is anticipated that loan payments will be based on a set repayment schedule and begin after repayment of deferred developer fee with 1% interest. The terms will also include a provision for the Agency to a defer payment if certain conditions are met (e.g. low cash flow due to unexpected costs). Any requested deferment of loan payment is subject to approval by ARCH Staff, and any deferred payment would be repaid from future cash flow or at the end of the amortization period. Loan terms will account for various factors, including loan terms from other fund sources and available cash flow. Final loan terms shall be determined prior to release of funds and must be approved by ARCH Staff. The terms are expected to include a provision for the Agency to defer payment if certain conditions are met (e.g., low cash flow due to unexpected costs).
4. A covenant is recorded ensuring affordability for at least 50 years, with affordability generally as shown in the following table. Limited changes to the matrix may be considered based on reasonable justification as approved by ARCH staff.

Affordability	Studio	Total
50% AMI	76	76
TOTAL	76	76

5. Agency shall work with City to minimize parking requirements and dependence on private vehicles, but support residents with alternative modes of transportation, including exploring bus vouchers, shared electric bikes and a van.
6. The net developer fee shall be established at the time of finalizing the Contract Budget and will follow the schedule established by ARCH. Net developer fee is defined as that portion of the developer fee paid out of capital funding sources and does not include the deferred portion which is paid out of cash flow from operations after being placed in service.
7. To demonstrate Agency's capacity to provide appropriate asset management and property management over its properties, Agency shall:
  - A. Establish and maintain an internal system of complaint tracking including documentation of resolution;
  - B. Provide ARCH with information related to active complaints regarding property conditions and management at existing properties and prepare an implementation plan to address verified habitability complaints, to be submitted to ARCH by February 15, 2021; and
  - C. Provide regular reporting on implementation to ARCH. No funds will be contracted or disbursed until the ARCH has determined the Agency has sufficient property and asset

management capacities and has adequately addressed resident complaints regarding life safety and livability issues.

8. Agency shall maintain the project in good and habitable condition for the duration of period of affordability.

### **3. Inland Group/Horizon Housing Totem Lake Development**

Initial Funding Request: \$4,000,000 (Deferred, Contingent Loan)  
80 affordable rental units in 9% deal and 219 affordable units in 4% deal

Executive Board Recommendation: Up to \$4,000,000 based on documented gap (Deferred, Contingent Loan)

#### **Project Summary:**

Based on their successful proposal for the Together Center redevelopment, Inland/Horizon seek to create a similarly configured affordable development comprising approximately 300 income-restricted units supplemented by an additional 168 workforce rental units in the redeveloping Totem Lake neighborhood of Kirkland.

The proposed project is located at the site of a former new car dealership will consist of three residential towers with level 1 of sub-grade parking and 2 levels of above grade parking. The first floor will consist of common areas/commercial space and the majority of the residential units will be on the third floor and above. The project proposes to utilize 9% tax credits in 80 units affordable at 30% and 50% AMI, of which 60 would be set aside for those exiting homelessness. Another 219 units is proposed at 60% AMI, which will be funded through 4% tax credits and tax-exempt bond financing. The developer is in conversations with Hopelink to provide services to the formerly homeless.

Microsoft has indicated interest in financing the workforce component of the project, as well as supplying bridge financing through ARCH for the tax credit portion of the development, similar to the loan provided to the Together Center development.

#### **Funding Rationale:**

The Executive Board recommends funding with conditions listed below for the following reasons:

- The project has the opportunity to deliver mixed income housing on a significant scale in a location with access to transit and other amenities.
- The project leverages a significant amount of tax credit and other private financing.
- If successful in obtaining a 9% allocation, the project would provide housing for homeless families as well as other low-income families and individuals.
- If unsuccessful in obtaining a 9% allocation, the project would still deliver a significant amount of housing affordable to a range of incomes.
- The project will deliver a large amount of family-sized, 3-bedroom units.

- The developer is vertically integrated bring economies to the development. The project will be co-located with workforce housing creating a project of around 470 units built simultaneously, bringing an economy of scale.
- The project envisions bringing social services and behavioral health services to the Totem Lake neighborhood.
- The project would allow timely investment of in lieu fees collected from downtown development to invest in another redeveloping neighborhood.
- The project maximizes utilization of the site per zoning.

Proposed Conditions:

Standard Conditions: Refer to list of standard conditions found at end of this memo.

Special Conditions:

1. The funding commitment shall continue for eighteen (18) months from the date of Council approval and shall expire thereafter if all conditions are not satisfied. An extension may be requested to ARCH staff no later than sixty (60) days prior to the expiration date. ARCH staff will grant up to a 12-month extension.
2. Funds shall be used by the Agency towards acquisition. Funds may not be used for any other purpose unless ARCH staff has given written authorization for the alternate use.
3. Funds will be in the form of a deferred, contingent loan. Loan terms will account for various factors, including loan terms from other fund sources and available cash flow. Final loan terms shall be determined prior to release of funds and must be approved by ARCH Staff. It is anticipated that loan payments will be based on a set repayment schedule and begin after repayment of deferred developer fee with 1% interest. The terms will also include a provision for the Agency to a defer payment if certain conditions are met (e.g. low cash flow due to unexpected costs). Any requested deferment of loan payment is subject to approval by ARCH Staff, and any deferred payment would be repaid from future cash flow or at the end of the amortization period.
5. The net developer fee shall be established at the time of finalizing the Contract Budget and will follow the ARCH Net Developer Fee Schedule. Net developer fee is defined as that portion of the developer fee paid out of capital funding sources and does not include the deferred portion which is paid out of cash flow from operations after being placed in service.
6. A covenant is recorded ensuring affordability for at least 50 years, with affordability generally as shown in the following table. Limited changes to the unit mix may be considered based on reasonable justification as approved by ARCH staff. If the project is unsuccessful in securing 9% tax credits in the current round, the project may shift the allocation of units set aside at 30% AMI to either 50% or 60% AMI. The total number of units affordable up to 60% AMI may not be decreased by more than 10% without ARCH Board approval. The total number of units affordable up to 50% AMI may also not be decreased by more than 10% without ARCH Board approval. Decreases of 50% and 60% AMI units greater than 10% may be approved by the ARCH Board, but shall not exceed 20%.

Affordability	Studio	1 BR	2BR	3BR	Total
30%		8	20	12	40
50%		8	20	12	40
60%	22	42	108	47	219
Total	22	58	148	71	299

7. The final loan amount shall be up to \$4 million, subject to approval by ARCH staff based on a documented funding gap. ARCH reserves the right to reduce its total loan amount based on changes to the project sources and uses, and unit mix.
8. The Agency shall submit evidence of private funding commitments for all components of the project, including the workforce housing. In the event commitment of funds cannot be secured consistent with the timeframe identified in the application, the Agency shall immediately notify ARCH, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to ARCH review and approval.
9. Agency must submit for ARCH staff approval a management and services plan which includes coordination of services with outside providers and parking management.
10. Agency shall submit a marketing plan for approval by ARCH staff. The plan should include how the Agency will do local targeted marketing outreach to local, media business and community organizations.
11. The Agency shall work with the city to minimize required parking and to provide alternative transportation options for the residents that reduce reliance on private automobiles, such as provision of public transit passes, bike storage, car sharing programs and other incentives. The Agency may charge for parking, subject to approval by ARCH staff, provided that the Agency has minimized the overall cost burden on residents with the lowest incomes.
12. In the interest of discouraging segregation of residents by income within the project, the Agency shall look for ways to integrate the population across the project with shared amenities, unifying esthetics and other programmatic features to build community within the project.

#### **4. Friends of Youth New Ground Kirkland Redevelopment**

Funding Request: \$1,069,979 additional to previously invested \$250,000 awarded in 2005 (Secured Grant)  
24 total affordable beds replacing existing 8 beds

Executive Board Recommendation: \$0

#### **Project Summary:**

Friends of Youth proposes to redevelop a site currently occupied by their 8-unit transitional living program in the Houghton neighborhood of Kirkland. The existing building would be razed and replaced

by a similarly sized building configured to have 8 suites of congregate housing, each with 3 private bedrooms, for a total of 24 residences. The target population would be clients who are ready for more independent living, likely pursuing education or entry level employment, including young adults who are not current clients of the agency. This would represent a re-balancing of the agency's housing portfolio.

Funding Rationale:

The CAB potentially supports the concept of the Friends of Youth proposal but does not recommend funding at this time. The CAB would welcome an application in the next round. This would provide an opportunity for Friends of Youth to address the issues identified below. In the event Friends of Youth does provide an application to ARCH in the upcoming round, the application should address the following issues:

- Building design, siting and parking and conformance with zoning requirements
- Interior arrangement for congregate/independent living
- On site management necessary for successful congregate living
- Neighborhood outreach
- Capital campaign plan that includes this project and the permanent relocation of the youth shelter, which the agency has indicated is its other top priority

Standard Conditions (Apply to all projects):

1. The Agency shall provide revised development and operating budgets based upon actual funding commitments, which must be approved by ARCH staff. If the Agency is unable to adhere to the budgets, ARCH must be immediately notified and (a) new budget(s) shall be submitted by the Agency for ARCH's approval. ARCH shall not unreasonably withhold its approval to (a) revised budget(s), so long as such new budget(s) does not materially adversely change the Project. This shall be a continuing obligation of the Agency. Failure to adhere to the budgets, either original or as amended may result in withdrawal of ARCH's commitment of funds.
2. The Agency shall submit evidence of funding commitments from all proposed public sources. In the event commitment of funds identified in the application cannot be secured in the time frame identified in the application, the Agency shall immediately notify ARCH, and describe the actions it will undertake to secure alternative funding and the timing of those actions subject to ARCH review and approval.
3. In the event federal funds are used, and to the extent applicable, federal guidelines must be met, including but not limited to: contractor solicitation, bidding and selection; wage rates; and Endangered Species Act (ESA) requirements. CDBG funds may not be used to repay (bridge) acquisition finance costs.
4. The Agency shall maintain documentation of any necessary land use approvals and permits required by the city in which the project is located.
5. The Agency shall submit monitoring quarterly reports through completion of the project, and annually thereafter, and shall submit a final budget upon project completion. If applicable, Agency shall submit initial tenant information as required by ARCH.

**Attachments**

Attachment 1: Recommended Projects and Funding Sources

Attachment 2: Economic Summaries of Recommended Projects

Attachment 3: Past Projects Funded through the Trust Fund



**CITY OF KIRKLAND**  
**Planning and Building Department**  
123 Fifth Avenue, Kirkland, WA 98033  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM**

**To:** City Council

**From:** Adam Weinstein, Planning and Building Director  
Dawn Nelson, Planning Manager

**Date:** February 2, 2021

**Subject:** ARCH 2021 ADMINISTRATIVE BUDGET AND WORK PROGRAM, FILE PLN21-00001

**RECOMMENDATION:**

It is recommended that the City Council adopt the enclosed resolution approving the 2021 A Regional Coalition for Housing (ARCH) Administrative Budget and Work Program. By taking action on this legislation through the adoption of the consent calendar, the Council is approving this resolution.

**BACKGROUND DISCUSSION:**

The enclosed memo from Lindsay Masters, ARCH Executive Manager, provides an overview of the ARCH budget and work program for 2021. Both were based on the following key principles:

- Acknowledge and prepare for fiscal impacts from the current public health crisis;
- Preserve existing assets to ensure no net loss of affordable housing; and
- Continue to make progress on current projects and planning to the greatest extent possible.

The ARCH Executive Board has reviewed and approved the 2021 Administrative Budget and Work Program (see Attachments 1 and 2 to the enclosed memo) and retained membership contributions at 2020 levels in recognition of the financial impacts of the pandemic. Pursuant to the ARCH Interlocal Agreement, these are being forwarded to the member Councils for their review and approval.

The proposed 2021 Administrative Budget for ARCH, which totals \$1,155,261, is itemized in Attachment 1. A comparison with the 2020 Budget is provided and shows costs for all members remain the same as last year. The expenditure of \$175,946 for Kirkland's share was approved as part of the City's budget for 2021.

The ARCH Work Program maintains the organization's core services, including monitoring and stewarding existing affordable housing assets throughout east King County. A complete list of activities to be undertaken by ARCH in 2021 is contained in Attachment 2. This year, ARCH will assist the City of Kirkland with the following:

- Implementing programs to encourage construction of more ADUs;
- Housing-related issues in on-going neighborhood plan updates;
- Assist in implementing affordable housing regulations as part of transit-oriented development (TOD) at the Kingsgate Park and Ride
- Housing issues that come before the Council and resulting initiatives;
- Housing issues related to the Station Area Plan (I-405/NE 85<sup>th</sup> Street);
- Affordable housing preservation efforts and initiatives; and
- Scoping potential affordable housing levy options.

Finally, the ARCH Housing Trust Fund Parity Goals for each member jurisdiction are outlined in Attachment 3 to the enclosed memo. The Parity Goals help to inform each member jurisdiction's contribution to the ARCH Housing Trust Fund, which is the subject of a separate City Council agenda item scheduled for consideration on February 16, 2021.

Enclosure – ARCH Memo dated May 29, 2020

cc: Lindsay Masters, ARCH, [lmasters@bellevuewa.gov](mailto:lmasters@bellevuewa.gov)



## MEMORANDUM

Date: May 29, 2020

From: Lindsay Masters, ARCH Executive Manager

To: ARCH Member Councils

Subject: ARCH 2021 Budget and Work Program

Please find attached the 2021 ARCH Budget and Work Program, which was for adopted for recommendation by a unanimous vote of the ARCH Executive Board on April 20, 2020. This memo provides an overview of the recommendation, including the key principles that guided the proposal, highlights from the budget and work program, and information on ARCH's ongoing work to facilitate affordable housing projects and planning.

### **Background and Principles**

In accordance with the ARCH Interlocal Agreement, each year the ARCH Executive Board is responsible for delivering a recommended budget and work program to member councils by June 1 for the following calendar year. In light of the extraordinary challenges currently facing ARCH member communities, the proposed Budget and Work Program for 2021 was developed with the following core principles in mind:

- Acknowledge and prepare for fiscal impacts from the current public health crisis.
- Preserve existing assets to ensure no net loss of affordable housing.
- Continue to make progress on current projects and planning to the greatest extent possible.

These principles recognize the very real economic hardships faced by local governments, while also demonstrating a continued commitment to creating and preserving safe, stable and affordable housing for members of the community also suffering from economic impacts. Now more than ever, we recognize the value of safe, stable and affordable homes for all members of the community.

#### **ARCH MEMBERS**

BEAUX ARTS VILLAGE ♦ BELLEVUE ♦ BOTHELL ♦ CLYDE HILL ♦  
HUNTS POINT ♦ ISSAQUAH ♦ KENMORE ♦ KIRKLAND ♦ MEDINA ♦ MERCER  
ISLAND ♦ NEWCASTLE ♦ REDMOND ♦ SAMMAMISH ♦ WOODINVILLE ♦ YARROW  
POINT ♦ KING COUNTY

**2021 Administrative Budget and Work Program**

The recommended 2021 Administrative Budget and Work Program are shown in **Attachments 1 and 2.**

*Administrative Budget*

- Member dues are held constant at 2020 levels
- Planned expenses are limited to the minimum necessary to preserve current operations and staffing
- New administrative fees are established to cover any inflation in costs from 2020 and help replenish operating reserves while mitigating any impacts to member dues

*Work Program*

- ARCH's core services are maintained, including critical monitoring and stewardship functions that will ensure preservation of existing affordable housing assets.
- Priorities established in 2020 are carried over into 2021, reflecting an ongoing commitment to preserve and expand housing opportunities to the greatest extent possible, including:
  - Provide excellent stewardship of affordable housing assets
  - Finalize and begin reporting on measurable goals for production and preservation of affordable housing across ARCH member communities
  - Continue to support proposals for dedicated revenue sources for the Housing Trust Fund to expand production of affordable housing.
  - Recommend options for expanding ARCH's capacity to accomplish its broader mission.
  - Seek opportunities to advance projects and programs with high potential impact and facilitate projects in the pipeline to the greatest extent possible.
  - Respond to emerging needs identified by local communities and member jurisdictions.

**Continued Improvements to Monitor and Steward Affordable Units**

ARCH is continuing to make significant improvements in monitoring and stewardship of existing affordable housing to ensure long-term preservation of these valuable community resources. Based on a consultant evaluation in 2019, the ARCH Executive Board approved and member councils concurred with the decision to dedicate two new staff positions to these functions.

The staffing levels established in 2019 were the minimum amount deemed necessary to carry out essential responsibilities, given the major growth in the portfolio overseen by ARCH without any growth in staffing since the early-2000s. The value of this portfolio is now immense, saving renter households roughly \$50 million annually in rent, and bringing ownership opportunities below market by roughly \$375 million to create a pathway to homeownership for many low to middle income households.

The addition of staff capacity, together with a continuing commitment by ARCH's board and management on preserving and strengthening existing programs, has resulted in the following improvements:

*Rental Program*

- Developed written policies and standard forms to ensure consistent documentation and procedures for verifying income eligibility
- Established procedures for routine on-site file audits to verify compliance data submitted in annual reports
- Expanded data collection and analysis to evaluate program outcomes, and developed a dashboard to track program metrics
- Developed web-based training and resources to train property managers on compliance requirements

*Homeownership Program*

- Established a comprehensive database to track affordable homes
- Adopted procedures for annual monitoring of owner occupancy requirements
- Conducted in-depth analysis of resale data and adopted a standardized resale formula that, together with modifications to initial home pricing, will better preserve long-term affordability
- Developed a program manual of policies and procedures to ensure clear and consistent implementation of program rules
- Refined income eligibility requirements to ensure affordable homes go to buyers without significant assets
- Adopted a priority policy for buyer selection to target newly developed homes based on income, household size, first time homebuyer status and residency or employment within the community
- Adopted procedures to extend the term of affordability when homes are re-sold
- Adopted administrative fees to strengthen the financial sustainability of the program
- Began tracking demographic information of buyers and applicants on the waitlist, and developed a dashboard to report on key demographic measures

In addition to the above improvements, ARCH staff have stepped up efforts to respond to the growing number of community members in need, providing assistance and referrals to renters and homeowners to a range of resources.

**Housing Trust Fund Contributions / HB 1406 Sales Tax**

Separate from contributions to ARCH's administrative budget, each year ARCH member jurisdictions are encouraged to contribute on a voluntary basis toward the ARCH Housing Trust Fund (see **Attachment 3** for updated Parity Goals for each jurisdiction). The Trust Fund is a critical program with a long and successful track record of financing local affordable housing projects, which are developed by mission-driven agencies and carefully vetted by a Citizen Advisory Board each year.

The need and demand for these resources remains urgent. In 2019, ARCH received applications for a record \$19 million in funding for development of affordable housing, and

was able to recommend approximately \$5 million based on available funds from 2018 and 2019. These awards will have an important impact in expanding both the production of affordable homes and emergency shelter capacity on the Eastside, but left some projects partially funded with the intent of providing full funding in subsequent funding rounds. In addition, ARCH is working with multiple jurisdictions to ensure affordable housing is included within transit-oriented development projects. These opportunities are also dependent on securing critical public investment.

In 2019, ARCH provided a recommendation memo encouraging all members to implement the sales tax authorized by HB 1406, which allows local jurisdictions to retain a portion of the state's sales tax for affordable housing and related uses. Recognizing the significant impacts to local general funds already materializing from the current public health crisis, ARCH urges all member jurisdictions to ensure timely passage of the required ordinance by the deadline of July 27, 2020 to ensure this valuable revenue stays with local communities.

### **Conclusion**

The ARCH coalition continues to serve an incredible need on the Eastside. The affordable homes created through cooperative local actions and funding over the last three decades are more valuable than ever, as the need for homes that provide stability and affordability is growing dramatically. ARCH remains committed to preserving these assets for the community long-term, and seeking strategic opportunities to continue facilitating additional housing opportunities for the growing number of households in need.

### **Attachments:**

1. 2021 ARCH Administrative Budget
2. 2021 ARCH Work Program
3. Housing Trust Fund Parity Goals

# Attachment 1

## 2021 ARCH Administrative Budget

*Final Adopted by Executive Board*

*April 2020*

	2020 Budget	Final 2021 Budget		
	2020 Approved Budget	2021 Recommended Budget	% Change	
I. TOTAL EXPENSES	\$ 1,110,097	\$ 1,155,261	4.1%	
A. Personnel	\$ 1,003,399	\$ 1,039,303	3.6%	
Salary and Benefits	\$ 1,003,399	\$ 1,039,303	3.6%	
(7.0 FTEs, 2 part-time interns)				
B. Operating	\$ 67,195	\$ 76,456	13.8%	
Rent & Utilities	\$ 24,780	\$ 24,780	0.0%	
Telephone	\$ 4,586	\$ 5,500	19.9%	
Travel/Training	\$ 2,600	\$ 2,730	5.0%	
Auto Mileage	\$ 3,500	\$ 3,605	3.0%	
Copier/Printing Costs	\$ 1,803	\$ 1,893	5.0%	
Office Supplies	\$ 3,100	\$ 3,255	5.0%	
Internet/Website Fees	\$ 2,215	\$ 2,326	5.0%	
Postage	\$ 1,500	\$ 1,575	5.0%	
Periodical/Membership	\$ 4,112	\$ 4,317	5.0%	
Misc. (events,etc.)	\$ 2,000	\$ 2,100	5.0%	
Equipment Replacement	\$ 2,000	\$ 3,000	50.0%	
Database/software licensing	\$ 15,000	\$ 18,375	22.5%	
Relocation Costs		\$ 3,000	N/A	
C. In-Kind Admin/Services	\$ 19,503	\$ 19,503	0%	
Insurance	\$ 9,660	\$ 9,660		
IT Services	\$ 9,843	\$ 9,843		
D. Grants and Consultant Contracts	\$ 20,000	\$ 20,000	0%	
Consultant Contracts	\$ 20,000	\$ 20,000	0%	

	2020 Approved Budget	2021 Recommended Budget	% Change
		City Per Capita \$1.98 KC Per Capita \$0.93	
<b>II. TOTAL INCOME</b>	<b>\$ 1,110,097</b>	<b>\$ 1,155,261</b>	<b>4.1%</b>
<b>A. Member Contributions</b>	<b>\$ 1,103,897</b>	<b>\$ 1,103,897</b>	<b>0.0%</b>
Beaux Arts Village	\$ 2,000	\$ 2,000	0.0%
Bellevue	\$ 281,876	\$ 281,876	0.0%
Bothell	\$ 89,384	\$ 89,384	0.0%
Clyde Hill	\$ 6,551	\$ 6,551	0.0%
Hunts Point	\$ 2,000	\$ 2,000	0.0%
Issaquah	\$ 72,244	\$ 72,244	0.0%
Kenmore	\$ 44,921	\$ 44,921	0.0%
Kirkland	\$ 175,946	\$ 175,946	0.0%
Medina	\$ 6,523	\$ 6,523	0.0%
Mercer Island	\$ 50,222	\$ 50,222	0.0%
Newcastle	\$ 23,006	\$ 23,006	0.0%
Redmond	\$ 123,104	\$ 123,104	0.0%
Sammamish	\$ 127,494	\$ 127,494	0.0%
Woodinville	\$ 23,673	\$ 23,673	0.0%
Yarrow Point	\$ 2,401	\$ 2,401	0.0%
King County	\$ 75,000	\$ 75,000	0.0%
<b>Bellevue Detail</b>	<b>\$ 281,876</b>	<b>\$ 281,876</b>	<b>0%</b>
Cash Contributions	\$ 86,673	\$ 86,173	
In-Kind Contributions	\$ 195,203	\$ 195,703	
Personnel	\$ 175,700	\$ 176,200	
Insurance	\$ 9,660	\$ 9,660	
IT Services	\$ 9,843	\$ 9,843	
<b>B. Other Income</b>	<b>\$ 6,200</b>	<b>\$ 51,364</b>	<b>728.5%</b>
New Homeownership Program Fees	\$ -	\$ 45,064	
Existing Administrative Fees	\$ 4,200	\$ 4,200	
Interest Earned	\$ 2,000	\$ 2,100	

**III. RESERVES, CONTINGENT INCOME AND EXPENSES**

*Note: This section expresses intended use of any excess revenues above levels needed to cover basic operating costs.*

**A. Contingent Expenses**

Replenish operating reserves	\$ -	\$ 150,936	N/A
Homeownership Program Staffing/Expenses	\$ 150,000	\$ -	-100%
Other Staffing/Services	\$ 150,000	\$ -	-100%

**B. Contingent Revenue**

Excess Administrative Fees	\$ 150,000	\$ 150,936	1%
Service Fees	\$ 150,000	\$ -	-100%

## Attachment 2

### ARCH WORK PROGRAM: 2021

#### 2021 Priorities

In 2021, ARCH will elevate the following priorities in its Work Program:

- Provide excellent stewardship of affordable housing assets
- Finalize and begin reporting on measurable goals for production and preservation of affordable housing in the ARCH region
- Continue to support proposals for dedicated revenue sources for affordable housing
- Recommend options for expanding ARCH's capacity to accomplish its broader mission
- Seek opportunities to advance projects and programs with high potential impact and facilitate projects in the pipeline to the greatest extent possible
- Respond to emerging needs identified by local communities and member jurisdictions

### I. AFFORDABLE HOUSING INVESTMENT

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#### A. ARCH Housing Trust Fund

Parity Goals. Develop updated goals for member investments through the ARCH HTF.

Annual Funding Round. Develop funding priorities and evaluation criteria for the annual funding round. Advertise available funds and manage a competitive process on behalf of member cities. Review funding applications and develop recommendations through the Citizen Advisory Board (CAB), with input from member staff. Develop final recommendations by the ARCH Executive Board and facilitate final funding allocations through member councils.

Public Funding Coordination. Work collaboratively with public funders at the State and local levels to promote shared affordable housing goals and equitable geographic distribution of resources. Review and provide input to other funders for Eastside projects that apply for County (HOF, RAHP, HOME, TOD, etc.) and State (Tax Credit, State Housing Trust Fund) funds. Provide input to the King County Joint Recommendations Committee (JRC) on behalf of participating Eastside jurisdictions. Assist N/E consortium members with evaluating and making a recommendation to the County regarding CDBG allocations to affordable housing.

Private Funding Coordination. Work with private investors and lenders to maximize leverage of public investment into affordable housing. Negotiate maximum public benefits from investment of housing funds into private projects.

Project Pipeline Management. Work with member cities and project sponsors to develop a robust pipeline of projects to be funded over the next five years (see related work on Transit Center sites, below). Actively vet potential HTF projects, and lead funding policy and prioritization discussions with the ARCH Executive Board to facilitate planning and decision-making.

Contract Development and Monitoring. Prepare contract documents and distribute funds for awarded projects. Monitor funded projects including evaluating performance and tracking loan payments. Monitor for long term sustainability of previously funded projects.

Centralized Trust Fund Reporting. Work with Administering Agency (Bellevue) to maintain records and produce regular financial reports for the ARCH Trust Fund accounts.

## B. Special Projects

Transit-Oriented Development Sites. Assist cities with advancing and coordinating affordable housing projects near transit. Partner with Sound Transit, King County Metro and other public agencies to maximize opportunities on public property. Current opportunities include sites in Bel-Red, Overlake, Downtown Redmond, Issaquah, Kirkland, Bothell, and Kenmore.

Surplus Property/Underdeveloped Property. Assist with evaluation of public surplus or underutilized private property (e.g. faith community properties) for suitability of affordable housing. Provide technical assistance to property owners interested in supporting affordable housing. Develop an inventory of promising public and nonprofit property and begin to engage owners to gauge interest in disposition for housing.

Eastside Shelter Capacity. Support efforts by Eastside shelter providers, Eastside Human Services Forum, and member cities to implement an East King County sub-regional strategic approach to shelter and related services for homeless adults and families. Support the construction of a permanent year-round men's shelter, and support efforts by member jurisdictions to fund long-term operations of shelter for men, women, families, youth and young adults.

Preservation of At Risk Affordable Housing. Work with member cities to facilitate acquisitions or other strategies to preserve existing housing where affordability is at risk of being lost, including at-risk manufactured housing communities. As needed, assist with responding to notices of sale of HUD assisted properties received by member cities, or other information indicating an impending loss of existing affordable housing.

Strategic Predevelopment Investment. With approval of the Executive Board invest in predevelopment studies to investigate feasibility and financial efficiency of special projects.



## II. HOUSING POLICY AND PLANNING

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### A. Local Policy, Planning and Code Development

ARCH provides assistance directly to member cities on a range of local planning efforts. Local planning efforts with individual member cities may be found in *Attachment A*. These efforts may take different forms, such as:

- **Housing Element Updates.** Work with members to update comprehensive plan housing elements.
  - Prepare an east King County housing needs analysis with focused analyses for each city—including projected affordable housing needs—to fulfill GMA requirements.
  - Coordinate local and ARCH affordable housing goals with King County Affordable Housing Committee and Countywide Planning Policies.
  - Assist with policy writing, outreach, presentations, etc. as needed.
- **Housing Strategy Plans.** Assist members to prepare housing strategies to implement housing elements and create council work plans. Cities with recently completed strategy plans include Bellevue, Issaquah, Kenmore, Bothell, Kirkland, Redmond, and Sammamish.
- **Incentive Program Design.** Provide economic analysis and policy and program development support to design housing incentive programs, including land use, property tax, impact fee waivers and other incentives.
- **Land Use Code Amendments.** Assist city staff on land use and other code amendments in order to implement comprehensive plan policies.
- **Other Support.** Other areas in which ARCH could provide support to member cities include preservation of valuable community housing assets, assistance to households displaced by development activity, or negotiation of agreements for specific development proposals. ARCH views this as a valuable service to its members and will continue to accommodate such requests to the extent they do not jeopardize active work program items.

### B. Inter-Local / Eastside Planning Activities

Interlocal planning activities are coordinated by ARCH for the benefit of multiple members.

ARCH Regional Affordable Housing Goals and Reporting. Work with member staff and the ARCH Executive Board to report on adopted goals for production and preservation of affordable housing across ARCH member communities.

Eastside Equitable Transit-Oriented Development Plan. Partner with transit agencies and other stakeholders to plan for equitable transit-oriented development on the Eastside. Define shared policy goals and strategies, establish numerical goals for affordable unit production, advance specific site opportunities and manage the affordable housing funding pipeline.

Long-Term Funding/Dedicated Revenue Strategy. Continue work on a long-term funding strategy for the ARCH Trust Fund. Facilitate conversations with member cities on identifying and exploring dedicated sources of revenue for affordable housing at the local and regional level (e.g., REET, property tax levy, 0.1% sales tax, etc.). Provide relevant data and develop options for joint or individual revenue approaches across ARCH member cities and determine any shared state legislative priorities to authorize local options for funding.

Eastside Housing Data Analysis. On an annual basis, provide local housing and demographic data as available. Make information available to members for planning efforts and incorporate into ARCH educational materials.

Housing Diversity/Accessory Dwelling Units (ADUs). Continue to support a diversity of housing options among member cities:

- Accessory Dwelling Units (ADUs): Explore outreach and other ways to promote ADU development (e.g., improve online resources, provide connections to financing options). Explore partnership with eCityGov Alliance to increase accessibility of ADU permitting (e.g., update tip sheets and create streamlined portal through MyBuildingPermit.com). Explore a centralized system for tracking ADU production.
- Facilitate sharing of best practices for encouraging “missing middle” housing types.
- Help jurisdictions develop strategies and codes to address emerging housing types, like micro-housing, small efficiency dwelling units, and others.

## C. State Legislative Activities

The ARCH Executive Board will discuss and explore shared legislative priorities for advancing affordable housing in the region. ARCH staff will track relevant state (and, where feasible, federal) legislation. As needed, staff will report to the Executive Board and members, and coordinate with relevant organizations (e.g. AWC, SCA, WLIHA, HDC) to advance shared legislative priorities.

## D. Regional/Countywide Planning Activities

ARCH participates in regional planning efforts to advance Eastside priorities and ensure that perspectives of communities in East King County are voiced in regional housing and homelessness planning.

King County GMPC Affordable Housing Committee / Housing Inter-Jurisdictional Team (HIJT). Support efforts to advance the five-year action plan developed by the Regional Affordable Housing Task Force (RAHTF) in 2018. ARCH will help staff the HIJT, which provides support to the Growth Management Planning Council’s Affordable Housing Committee (AHC).

Regional Affordable Housing Task Force Action Plan. In addition to staffing the GMPC committee, pursue other opportunities to advance strategies called for in the RAHTF Action Plan. Facilitate discussions as needed with members and the Executive Board to consider actions recommended in the five-year plan.

All Home/ Eastside Homeless Advisory Committee (EHAC). Collaborate with All Home, EHAC and other relevant organizations and initiatives to advance shared work on homelessness. Coordinate allocation of resources, and work on specific initiatives (e.g., coordinated entry and assessment for all populations).

Explore Collaboration with Cities in North and East King County. As requested, engage cities interested in supporting affordable housing in north and east King County that are not currently members of ARCH. Explore collaboration that provides benefits for additional cities and current ARCH member cities.

### III. HOUSING PROGRAM IMPLEMENTATION

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#### A. Administration of Housing Incentive and Inclusionary Programs

ARCH partners with member cities to administer local housing incentive and inclusionary programs, including mandatory inclusionary, voluntary density bonus, multifamily tax exemption (MFTE) and other programs. Specific programs administered by ARCH include:

<b>Jurisdiction</b>	<b>Incentive/Inclusionary Programs</b>
Bellevue	Voluntary density bonuses, MFTE, impact fee waivers.
Bothell	Inclusionary housing.
Issaquah	Development agreements, voluntary and inclusionary programs, impact and permit fee waivers.
Kenmore	Voluntary density bonuses, MFTE, impact fee waivers.
Kirkland	Inclusionary program, MFTE.
Mercer Island	Voluntary density bonus, MFTE.
Newcastle	Inclusionary program, impact fee waivers.
Redmond	Inclusionary program, MFTE.
Sammamish	Inclusionary and voluntary density bonuses, impact fee waivers.
Woodinville	MFTE.
King County	Development agreements.

ARCH roles and responsibilities will typically include:

- Communicate with developers/applicants and city staff to establish applicability of codes and policies to proposed developments
- Review and approve proposed affordable housing (unit count, location/distribution, bedroom mix, and quality)
- Review and recommend approval of MFTE applications.
- Review and recommend approval of alternative compliance proposals
  - For fee in lieu projects, provide invoices and receipts for developer payments
- Develop contracts and covenants containing affordable housing requirements
- Ensure implementation of affordable housing requirements during sale/lease-up
- Register MFTE certificates with County Assessor and file annual MFTE reports with state Commerce.
- On-going compliance monitoring (see Stewardship, below).

[MyBuildingPermit.com](#). Explore feasibility of using MyBuildingPermit.com to take in, review, and process projects (covenants) using land use and/or MFTE programs.

## B. Stewardship of Affordable Housing Assets

ARCH provides long-term oversight of affordable housing created through city policies and investment to ensure stewardship of these critical public assets for residents, owners and the broader community.

Affordable Rental Housing Monitoring. Enforce ongoing compliance with affordability requirements in rental housing projects created through direct assistance (e.g. Trust Fund allocation, land donations) from member jurisdictions, and through incentive and inclusionary programs. For Trust Fund projects, monitor project income and expenses to determine cash flow payments, and conduct long-term sustainability monitoring of projects and owners. Proactively problem-solve financial and/or organizational challenges in partnership with project owners and other funders.

Administer a robust compliance monitoring program, including:

- Ensure compliance with rent and income restrictions through timely annual report reviews and supplemental on-site file audits
- Provide training and technical assistance for property managers
- Maintain written standards for eligibility, leasing and other program requirements
- Implement standard remedies for non-compliance
- Respond to tenant issues and questions

In addition, work with cities to implement fee structures that build more sustainable monitoring efforts, and develop formal MOUs with other funders to govern shared monitoring responsibilities. To the extent feasible, establish working relationship with other public organizations that can help assess how well properties are maintained and operated (e.g. code compliance, police, and schools).

ARCH Homeownership Program Stewardship. Provide effective administration to ensure ongoing compliance with affordability and other requirements in ARCH ownership housing, including enforcement of resale restrictions, buyer income requirements, and owner occupancy requirements. Implement adopted policies and procedures for monitoring and work with cities to address non-compliance.

Continue to implement long-term recommendations in the 2019 Program Assessment from Street Level Advisors that support the program objective of preserving long-term affordability, including:

- Work with member planning and legal staff to make improvements to boilerplate legal documents, in consultation with key stakeholders and outside counsel, as needed
- Develop strategies to preserve homes at risk of foreclosure
- Preserve expiring units and pursue strategies to re-capture lost affordability
- Pursue offering brokerage services to provide cost-savings to homebuyers and diversify program revenue
- Plan for additional staff capacity as the number of ARCH homes continues to grow.
- Implement program fees to ensure program financial sustainability

Program Database Development. Continue to improve and refine use of new ARCH Homeownership Program database to collect critical program data and evaluation, compliance monitoring, communication with program participants, and other key functions. Continue to improve and streamline data systems for ARCH Rental Program.

## IV. EDUCATION AND OUTREACH

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### A. Housing 101/Education Efforts

Housing 101. Develop educational tools and conduct or support events to inform councils, member staff and the broader community of current housing conditions, and of successful housing programs. Build connections with community groups, faith communities, developers, nonprofits and others interested in housing issues. Plan and conduct a Housing 101 event to occur no later than the end of 2021.

Private Sector Engagement. Support efforts by ARCH member cities to engage employers and private sector entities in discussions around the need for more affordable housing and identifying options for public-private partnerships.

Share media coverage on topics related to affordable housing in East King County, including work done by cities/ARCH.

### B. Information and Assistance for the Public

ARCH Website. Update information on the ARCH website on a regular basis, including information related to senior housing opportunities. Maintain the ARCH web site and update the community outreach portion by incorporating information from Housing 101 East King County, as well as updated annual information, and links to other sites with relevant housing information (e.g. All Home, HDC). Add information to the website on ARCH member affordable incentive programs and fair housing.

Assist Community Members Seeking Affordable Housing. Maintain up-to-date information on affordable housing in East King County (rental and ownership) and distribute to people looking for affordable housing. Continue to maintain a list of households interested in affordable ownership and rental housing and advertise newly available housing opportunities.

Work with other community organizations and public agencies to develop appropriate referrals for different types of inquiries received by ARCH (e.g., rapid re-housing, eviction prevention, landlord tenant issues, building code violations, fair housing complaints, etc.).

### C. Equitable Access to Affordable Housing in East King County

Collect and analyze data on existing programs to determine potential gaps in access by different populations, such as communities of color, immigrant and refugee communities, homeless individuals and families, and workers in EKC commuting from other communities. Pursue strategies to increase access to affordable housing in EKC by underserved communities. Develop outreach and marketing efforts to maximize awareness of affordable housing opportunities in East King County, and build partnerships with diverse community organizations.

## V. ADMINISTRATION

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### A. Administrative Procedures

Maintain administrative procedures that efficiently and transparently provide services to both members of ARCH and community organizations utilizing programs administered through ARCH. Activities include:

- Prepare the Annual Budget and Work Program and ensure equitable allocation of administrative costs among ARCH members.
- Prepare quarterly budget performance and work program progress reports, Trust Fund monitoring reports, and monitor expenses to stay within budget.
- Manage the ARCH Citizen Advisory Board, including recruiting and maintaining membership that includes broad geographic representation and a wide range of housing and community perspectives.
- Staff the Executive Board.
- Work with Administering Agency to streamline financial systems.
- Review and update bylaws and ensure timely renewal of the ARCH Interlocal Agreement.

### B. Organizational Assessment and Planning

The ARCH Executive Board will continue to evaluate ARCH's organizational capacity to accomplish its Work Program and broader mission. The Board will review ARCH's organizational structure, staffing resources, capital resources and other foundational aspects of the organization to determine any gaps, and assess options for expanding organizational capacity. The assessment will result in recommendations for the following year's work program and budget.

*Attachment A*  
*Local Planning Efforts by City*

ARCH staff plan to assist members' staff, planning commissions, and elected councils in the following areas:

**Bellevue**

Implementing Bellevue's Affordable Housing Strategy, including:

- Increasing development potential on suitable land owned by public agencies, faith-based groups, and non-profits housing entities.
- Reviewing parking requirements and other code changes to encourage micro-apartments around light rail stations.
- Updating Wilburton and East Main neighborhood plans, including affordable housing density incentives.
- Developing funding strategy for affordable housing on suitable public lands in proximity to transit hubs including 130th TOD parcels and TOD parcels at the OMFE.

**Bothell**

Implementing its Housing Strategy Plan.

Establishing an MFTE program.

Evaluating affordable housing provisions related to zoning and other code amendments and implementing those adopted.

Work related to affordable housing component of the city's LIFT program in their downtown areas. Includes assisting with any reporting requirements and potentially exploring additional opportunities for affordable housing on private and city owned properties in the downtown revitalization area.

Evaluating the updated state legislation regarding impact fee waivers for affordable housing and explore potential revisions to local regulations related to impact fee waivers for affordable housing.

Evaluating and implementing affordable housing strategies in its Canyon Park plan.

Supporting updates to policies and codes for affordable housing options, including ADUs, micro-housing, small efficiency dwelling units, and "missing middle" housing.

**Issaquah**

Preparing the annual Affordable Housing Report Card/Analysis.

Updating and consolidating Title 18 and Central Issaquah Development and Design Standards.

Evaluating and, as needed, implementing development standards and regulations related to the housing policies adopted in the Central Issaquah Plan and Central Issaquah Standards, including inclusionary zoning.

Evaluating and strategizing sequencing potential projects/opportunities such as those near transit facilities, including coordination with potentially utilizing the King County TOD funds.

Initial work on high priority strategies identified in the Housing Strategy Work Plan including:

- Improving marketing and the understanding of ADUs and the development process.
- Facilitating development of a TOD.
- Amending codes to increase allowed diverse housing types such as SROs and cottage housing.
- Supporting housing options and services to assist people experiencing housing insecurity and those with barriers to independent living.

Marketing and maximizing awareness of affordable housing opportunities in Issaquah.

### **Kenmore**

Implementing a high priority item identified in the Housing Strategy Plan.

Completing the Preservation of Affordable Housing/Mobile Home Park project started in 2018, including assistance with developing regulations to implement Council's policy direction on land use and other strategies.

Assisting with technical questions, provide supporting data as needed, and:

- Review proposed code provisions for "missing middle" housing.
- Negotiating agreements where affordable housing is proposed including the Transit Oriented District (TOD) overlay.

Reviewing and developing options and opportunities for partnerships to incorporate affordable housing into transit projects including the siting of parking structures in Kenmore for the Sound Transit ST3 proposal.

### **Kirkland**

Implementing programs to encourage construction of more ADUs.

Housing-related issues in on-going neighborhood plan updates.

Developing regulations to promote transit-oriented development (TOD) at the Kingsgate Park and Ride, including affordable housing.

Housing issues that come before Council Planning and Economic Development Committee and resulting initiatives.

Housing issues related to Station Area Plan (I-405/NE 85th Street).

Affordable housing preservation efforts and initiatives.

Scoping potential affordable housing levy options.

### **Mercer Island**

Reviewing the City's MFTE program and evaluating options for a fee-in-lieu alternative to land use requirements.

Updating the Housing Strategy Plan.



Reviewing components of residential development standards that are associated with housing stock diversity.

**Newcastle**

Updating the Housing Strategy Plan.

Outreach efforts related to ADUs.

**Redmond**

Implementing strategies to increase the level of affordability for new housing in Overlake and Southeast Redmond as part of the development of master plans and development agreements, including exploring ways to leverage other resources.

Promoting affordable housing and other programs available to Redmond residents and developers, e.g., Accessory Dwelling Units (ADUs).

Implementing other high priority items identified in the City Council's 2019 Strategic Plan.

Updating the Strategic Housing Plan and the Affordable Housing Strategies Work Plan of June 2016, such as encouraging public/private partnerships to promote the development of affordable housing in urban centers.

**Sammamish**

Implementing the Housing Strategy Plan.

Finalizing resale requirements and other tasks related to the affordability provisions for site donated to Habitat.

Exploring impacts to and solutions for affordable housing related to code and policy updates during legislative review.

Promoting available housing assistance and affordable housing programs to Sammamish's workforce and residents.

**Woodinville**

Updating the Housing Strategy Plan.

Reviewing and updating affordable housing and accessory dwelling unit programs and regulations.

Evaluating and developing incentives for affordable housing as provided for in the Downtown/Little Bear Creek Master Plan area.

Reviewing components of residential development standards that are associated with housing stock diversity.

**King County**

Monitoring affordable housing in the Northridge/Blakely Ridge and Redmond Ridge Phase II affordable housing development agreements.

## Attachment 3

**ARCH Housing Trust Fund Parity Goals**  
(May 2020)

Parity goals are voluntary goals established to foster equitable distribution of investment in affordable housing across ARCH member cities. Goals are calculated using cities' population, projected employment and housing, with updates based on the most recent annual Consumer Price Index.

<b>City</b>	<b>Low Goal</b>	<b>High Goal</b>
Beaux Arts Village	\$54	\$1,855
Bellevue	\$696,389	\$1,076,709
Bothell	\$177,102	\$320,955
Clyde Hill	\$0	\$18,825
Hunts Point	\$0	\$2,596
Issaquah	\$174,597	\$355,511
Kenmore	\$54,437	\$183,257
Kirkland	\$351,271	\$539,345
Medina	\$0	\$20,062
Mercer Island	\$18,146	\$150,045
Newcastle	\$13,337	\$76,722
Redmond	\$302,535	\$626,475
Sammamish	\$32,662	\$392,392
Woodinville	\$57,799	\$154,876
Yarrow Point	\$0	\$6,584
<b>Total</b>	<b>\$1,878,329</b>	<b>\$3,926,210</b>

## RESOLUTION R-5464

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE 2021 A REGIONAL COALITION FOR HOUSING (ARCH) ADMINISTRATIVE BUDGET AND WORK PROGRAM.

1 WHEREAS, A Regional Coalition for Housing (ARCH) is a  
2 partnership of King County and East King County Cities, including  
3 the City of Kirkland, which have joined together to assist with  
4 preserving and increasing the supply of housing for low-and  
5 moderate-income households in the region; and  
6

7 WHEREAS, ARCH's member governments have supported  
8 a wide range of housing created and operated by local  
9 organizations and private developers that serve individuals,  
10 families, seniors, the homeless and people with special needs; and  
11

12 WHEREAS, the ARCH Executive Board has reviewed and  
13 approved the 2021 Administrative Budget and Work Program; and  
14

15 WHEREAS, the ARCH Interlocal Agreement, to which the  
16 City is a party, requires that the 2021 Administrative Budget and  
17 Work Program be reviewed and approved by the City Council.  
18

19 NOW, THEREFORE, be it resolved by the City Council of the  
20 City of Kirkland as follows:  
21

22 Section 1. The 2021 A Regional Coalition for Housing  
23 (ARCH) Administrative Budget and Work Program are approved.  
24

25 Passed by majority vote of the Kirkland City Council in open  
26 meeting this \_\_\_\_ day of \_\_\_\_\_, 2021.  
27

28 Signed in authentication thereof this \_\_\_\_ day of  
29 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Penny Sweet, Mayor

Attest:

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

**CITY OF KIRKLAND****Police Department****123 Fifth Avenue, Kirkland, WA 98033 425.587.3481**  
**www.kirklandwa.gov****MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Cherie Harris, Chief of Police  
Darcey Eilers, Assistant City Attorney

**Date:** February 4, 2021

**Subject:** INTERLOCAL AGREEMENT FOR A NORTH KING COUNTY REGIONAL  
INDEPENDENT FORCE INVESTIGATION TEAM (IFIT-KC)

**RECOMMENDATION:**

It is recommended that the City Council authorize the City Manager to sign an Interlocal Cooperation Agreement (ILA) between north King County regional law enforcement agencies creating the Independent Force Investigation Team – King County (IFIT-KC) to provide independent investigation services for officer-involved uses of deadly force.

**BACKGROUND DISCUSSION:**

At the January 19, 2021 study session, Staff provided Council a special presentation on the statutory requirement to conduct an independent investigation into all officer-involved uses of deadly force incidents that result in death, substantial bodily harm, or great bodily harm. Specifically, RCW 10.114.011, which is part of the Law Enforcement Training and Community Safety Act (LETSCA), requires a completely independent investigation into an officer-involved deadly use of force that results in death, great bodily harm, or substantial bodily harm to inform any determination of whether the use of deadly force met the good faith standard established in RCW 9A.16.040 and satisfied other applicable laws and policies.

Even prior to the enactment of LETSCA, the Kirkland Police Department has always recognized the gravity of an officer-involved shooting and has utilized an outside agency to conduct the investigation into a critical incident of this nature in order to maintain independence and objectivity, including investigations through a prior multi-agency team titled KCIRT that dissolved in 2015.

Following the enactment of the LETSCA, the Washington State Criminal Justice Training Commission (WSCJTC) adopted chapter 139-11 WAC, providing specific regulations for regional independent investigation teams to conduct independent investigations. This independent investigation is a criminal investigation into the involved officer(s) actions, separate from an internal Department administrative investigation into policy or procedure violations.

### *IFIT-KC Member Agencies*

To ensure compliance with the LETSCA and the WSCJTC regulations, the Department has worked with other north King County law enforcement agencies to develop a regional team titled the Independent Force Investigation Team – King County (IFIT-KC). This team will be created through an Interlocal Cooperation Agreement (ILA) with the following agencies:

- King County Sheriff's Office
- Kirkland PD
- Bellevue PD
- Redmond PD
- Lake Forest Park PD
- Medina PD
- University of Washington PD
- Washington State Patrol (Bellevue Detachment)
- Issaquah PD
- Mercer Island PD
- Clyde Hill PD
- Snoqualmie/North Bend PD
- Duvall PD

### *Interlocal Cooperation Agreement (ILA)*

A draft version of the ILA creating the IFIT-KC was provided to Council on January 19, 2021. At the January 19 meeting, staff presented an overview of the IFIT-KC, the purpose for the team, and described the process for selecting non-law enforcement community representatives. Since then, only minor changes were made to the ILA, resulting in the final ILA (**Attachment A**), which was reviewed by Assistant City Attorney Darcey Eilers and legal counsel from neighboring agencies to ensure it meets all of the requirements created by the LETSCA.

There is little financial impact to the department as there is no independent IFIT-KC budget or other such startup costs. Instead, each agency is responsible for all costs of its own participation, including compensation and benefits for their employee(s) assigned to IFIT-KC.

Under the ILA, the IFIT-KC will be governed by an executive board comprised of one representative of each participating agency, with the Chief of Police representing Kirkland. The executive board will adopt protocols consistent with chapter 139-12 WAC. The executive board will also appoint qualified and certified team members, except that community representatives will be selected by each agency for their jurisdiction and crime scene and evidence specialists will be selected through a review board. The IFIT-KC command structure will include a commander, two assistant-commanders, an administrative commander, and a number of investigative unit supervisors who will be responsible for directing participating detectives.

The investigators must be experienced detectives who have demonstrated a history of honorable behavior and have received specialized training in the investigation of fatal or otherwise serious injury incidents to include, but not limited to, officer-involved shootings, basic homicide investigation, LETSCA de-escalation, and mental health training. To be assigned to the IFIT-KC, the detectives must receive WSCJTC approval. The Department has identified two Kirkland Detectives with the necessary skills needed to participate as investigators and both recently received their certification as "Lead Investigator" from the WSCJTC.

When a participating agency's officer is involved in a deadly use of force incident, an IFIT-KC team will be activated. Upon activation, an incident commander will be selected to lead the IFIT-KC investigation, and the investigating team will include investigators, crime scene and evidence specialists, and at least two non-law enforcement community representatives, operating completely independent of the involved agency whose officer was involved in the use of force. During the course of an investigation, the IFIT-KC team will provide public updates about the investigation and will provide a family liaison to the family of the person against whom deadly force was used. If a critical incident occurred in Kirkland, the investigation would

occur completely independent of the Department and Kirkland Detectives and other personnel would not be utilized in, or informed about, the ongoing investigation.

*Public Records*

IFIT-KC investigative records will be released pursuant to RCW Chapter 42.56 which governs public records. IFIT-KC as an entity will not be an agency with responsibility for responding to public records requests. The IFIT-KC team protocols include guidance to involved agencies on making notifications and filling public records requests in an expeditious fashion within the public records statutory requirement(s) and notifying the requestor of an anticipated release date.

Attachments:     Attachment A – Resolution  
                         Attachment B – ILA for IFIT-KC

## RESOLUTION R-5465

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN INTERLOCAL AGREEMENT FOR THE CREATION OF THE INDEPENDENT FORCE INVESTIGATION TEAM-KING COUNTY (IFIT-KC) BETWEEN THE WASHINGTON STATE PATROL, THE KING COUNTY SHERIFF'S OFFICE, THE UNIVERSITY OF WASHINGTON, AND THE CITIES OF BELLEVUE, CLYDE HILL, DUVALL, ISSAQUAH, KIRKLAND, LAKE FOREST PARK, MEDINA, MERCER ISLAND, REDMOND, AND SNOQUALMIE.

1 WHEREAS, the Law Enforcement Training and Community  
2 Safety Act, which is a result of Initiative 940 and subsequent  
3 legislative modifications, requires independent investigations into  
4 officer-involved uses of deadly force, as expressed in RCW  
5 10.114.011; and

6  
7 WHEREAS, the Washington State Criminal Justice Training  
8 Commission (WSCJTC) adopted chapter 139-11 WAC, providing  
9 rules for regional independent investigation teams to conduct  
10 such investigations; and

11  
12 WHEREAS, the WSCJTC's independent investigation  
13 requirements focus on enhancing public trust in the integrity of  
14 independent investigations involving police use of deadly force by  
15 focusing on independence, transparency, communication, credible  
16 process, and credible investigators; and

17  
18 WHEREAS, the Washington State Patrol, the King County  
19 Sheriff, the University of Washington, and the cities of Bellevue,  
20 Black Diamond, Bothell, Issaquah, Kirkland, Mercer Island,  
21 Redmond, and Snoqualmie developed a team referred to as the  
22 Independent Force Investigation Team – King County (IFIT-KC)  
23 to provide independent investigations with regard to officer-  
24 involved uses of deadly force in north King County, as several of  
25 the participating agencies also provide law enforcement services  
26 to other north King County cities; and

27  
28 WHEREAS, the participating agencies are all public  
29 agencies as defined by chapter 39.34 RCW and chapter 10.93  
30 RCW and are authorized to enter into interlocal agreements to  
31 provide for joint or cooperative actions to provide services; and

32  
33 WHEREAS, the Kirkland City Council desires to formalize  
34 the City's participation in the IFIT-KC by entering into an Interlocal  
35 Agreement between the participating agencies.

36  
37 NOW, THEREFORE, be it resolved by the City Council of the  
38 City of Kirkland as follows:

39  
40 Section 1. The City Manager is hereby authorized and  
41 directed to execute on behalf of the City of Kirkland an interlocal  
42 agreement for the creation of the Independent Force Investigation

43 Team–King County (IFIT-KC) substantially similar to that attached  
44 as Exhibit A.

45  
46 Passed by majority vote of the Kirkland City Council in open  
47 meeting this \_\_\_\_ day of \_\_\_\_, 2001.

48  
49 Signed in authentication thereof this \_\_\_\_ day of  
50 \_\_\_\_, 2021.

\_\_\_\_\_  
Penny Sweet, Mayor

Attest:

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



**INTERLOCAL COOPERATIVE AGREEMENT TO PROVIDE LAW ENFORCEMENT MUTUAL AID BETWEEN THE WASHINGTON STATE PATROL, KING COUNTY SHERIFF'S OFFICE, UNIVERSITY OF WASHINGTON, AND THE CITIES OF BELLEVUE, CLYDE HILL, DUVALL, KIRKLAND, ISSAQUAH, LAKE FOREST PARK, MEDINA, MERCER ISLAND, REDMOND, AND SNOQUALMIE/NORTH BEND FOR THE CREATION OF THE INDEPENDENT FORCE INVESTIGATION TEAM – KING COUNTY (IFIT-KC)**

THIS INTERLOCAL AGREEMENT ("Agreement") is made and entered into by and between the undersigned municipal corporations or towns organized or created under the laws of the State of Washington, the Washington State Patrol, University of Washington, and King County, collectively referred hereinafter as the "Parties" to provide law enforcement mutual aid and mobilization between the Parties. The "member agencies" of this Agreement are the following Law Enforcement Agencies:

- Washington State Patrol;
- King County Sheriff's Office;
- Bellevue PD;
- Duvall PD;
- Kirkland PD;
- Clyde Hill PD;
- Issaquah PD;
- Lake Forest Park PD;
- Medina PD;
- Mercer Island PD;
- Redmond PD;
- Snoqualmie/North Bend PD; and
- University of Washington Police Department.

**I. RECITALS**

WHEREAS, the authority of the cooperating agencies entering into this Agreement is that authority provided by Washington law including, and subject to, the general powers of the Parties, the Washington Interlocal Cooperation Act as codified in Chapter 39.34 RCW, and the Washington Mutual Peace Officers Powers Act as codified in Chapter 10.93 RCW; and

WHEREAS, RCW 10.114.011 requires that if deadly force by a peace officer results in death, great bodily harm, or substantial bodily harm, an independent investigation must be completed to inform any determination of whether the use of deadly force met the good faith standard established in RCW 9A.16.040 and satisfied other applicable laws and policies; and

WHEREAS, RCW 10.114.011 requires that such investigation be carried out completely independent of the agency whose officer was involved in the use of deadly force; and

WHEREAS, the Washington State Criminal Justice Training Commission (CJTC) adopted and established criteria to determine what qualifies as an independent investigation (WAC Chapter 139-12, the Law Enforcement Training and Community Safety Act – Independent Investigations Criteria).

NOW THEREFORE, in consideration of the terms and provisions herein, it is agreed between the Parties as follows:

## **II. AGREEMENT**

1. **PURPOSE OF THE AGREEMENT.** The Parties signing below recognize the need to establish a regional independent investigative team in King County and a protocol for satisfying the independent investigation requirements of state law. The Parties seek to form a regional independent force investigation team, available for the purpose of conducting the criminal investigation into an officer involved shooting or use of deadly force by an officer or officers of an agency that is a member of the Independent Force Investigation Team of King County (IFIT-KC).
2. **DEFINITIONS.** For the purposes of this Agreement, the terms “deadly force,” “great bodily harm,” and “substantial bodily harm” are given the same meaning as defined in RCW 9A.16.010 and RCW 9A.04.110.

3. **ADMINISTRATION.**

The IFIT-KC governing body is the “Executive Board.” The Executive Board is comprised of the member agency Police Chiefs and Sheriff, with each agency providing one Board member on behalf of its organization. The Executive Board elects their Board Chair. The IFIT-KC Executive Board is authorized to draft, implement and amend policies and procedures consistent with the purposes of this Agreement and Chapter 139-12 WAC. Such policies and procedures will be known as the “Independent Force Investigations Team – King County Protocol and Guidelines” (“IFIT-KC Protocol”).

4. **MUTUAL AID AND LAW ENFORCEMENT SERVICES.** Each party will, to the best of its ability and as resources allow, furnish employees to work as part of IFIT-KC. The Parties agree to the following:
  - a. Consistent with RCW 10.114.011, when a member agency engages in conduct resulting in the use of deadly force by a peace officer resulting in death, substantial bodily harm, or great bodily harm, it shall contact the IFIT-KC to seek an independent investigation to inform any determination of whether the use of deadly force met the good faith standard established in RCW 9A.16.040 and satisfied other applicable laws and policies.
  - b. IFIT-KC will provide independent investigative services to any member agency that requests assistance under this Agreement. IFIT-KC shall render those independent investigative services consistent with the IFIT-KC Protocol, purposes of this Agreement, and Chapter 139-12 WAC.
  - c. In order to maintain independence, no person employed by the agency which used deadly force (“Involved Agency”) may participate in the investigation of the use of deadly force, except as where allowed by the independent investigation protocols laid out in Chapter 139-12 WAC and the IFIT-KC Protocol.
  - d. Member agencies acknowledge that some member agencies may be required to provide some level of access at the scene to an independent oversight agency/committee. Member agencies with an oversight agency/committee shall prepare a list of practices and protocols, which will be made available to the commander of IFIT-KC as soon as practical.

- e. The Parties expressly recognize that compelled statements by involved officers implicate certain legal rights under *Garrity v. New Jersey*, 385 U.S. 493 (1967). The parties agree that a statement by an involved officer may only be compelled by the officer's employing agency pursuant to that agency's policies and procedures. At no point during the investigation will a compelled statement, or information flowing directly therefrom, be disclosed to the IFIT-KC independent investigators or otherwise to the IFIT-KC. The Parties further recognize that the rights against self-incrimination established under *Garrity* do not extend to the observations of officers who witnessed, but were not involved in, a use of force incident. Accordingly, the restrictions set forth above do not extend to officers other than those using force.

**5. INDEPENDENT CONTRACTOR; EMPLOYEE RESPONSIBILITY; PAYMENT.**

Investigators provided by Parties shall meet the criterion established by the IFIT-KC Protocol and in compliance with WAC 139-12-030. Each member's employees shall be considered employees of their employing agency while participating in the investigation into the use of force. The member agencies shall be solely and exclusively responsible for the compensation and benefits for their employee(s) assigned to IFIT-KC. Each member agency shall generally be responsible for all costs of its participation, including overtime and/or back-fill requirements. All rights, duties, and obligations of the employer and employee shall remain with the party for which the employee works. Each member agency agrees to provide sufficient equipment needed by its participating employees to conduct a thorough investigation. Each party shall be responsible for ensuring compliance with all applicable laws with regard to its employees and with provisions of any applicable collective bargaining agreements and civil service regulations.

**III. GENERAL PROVISIONS**

**1. INDEMNITY AND HOLD HARMLESS.**

- a. Subject to Paragraph b below, each party to this Agreement agrees to indemnify and hold harmless the other member agencies and their elected officials, officers, employees, from any loss, claim, judgment, settlement of liability, including costs and attorneys' fees, arising out of and to the extent caused by the negligent acts or omissions of the indemnifying party. By mutual negotiation, each party hereby waives, as respects to IFIT-KC and all other non-indemnifying parties only, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. In the event a non-indemnifying member incurs any judgment, award, and/or cost arising therefrom including attorneys' fees to enforce the provisions of this Section, all such fees. Expenses and costs shall be recoverable from the indemnifying party.
- b. Nothing herein shall require or be interpreted to cover or require indemnification or payment of any judgment against any individual or member agency/Party for intentionally wrongful conduct of any individual or for any judgment for punitive damages against any individual or member agency/Party. Payment of punitive damage awards shall be the sole responsibility of the individual who said judgment is rendered and/or his or her employer, should that employer elect to make said payment voluntarily and consistent with the requirements of Washington law.

- c. Each member agency shall be responsible for selecting and retaining legal counsel for itself and or any employee of that agency which is named in a lawsuit alleging liability arising out of the operations of IFIT-KC. Each agency retaining counsel shall be responsible for payment of attorney's fees and costs incurred by that counsel. Should there be an agreement to share the costs of legal counsel, in lieu of the provisions above, such agreement shall be in writing.
2. **COUNTERPARTS.** This Agreement may be signed in counterparts and, if so signed, shall be deemed one integrated agreement.
3. **MERGER AND ENTIRE AGREEMENT.** This Agreement merges and supersedes all prior negotiations, representations, and/or agreements between the Parties relating to the subject matter of this Agreement and to independent investigative services for law enforcement-involved deadly uses of force, and it constitutes the entire contract between the Parties.
4. **NO THIRD-PARTY BENEFICIARIES.** There are no third-party beneficiaries to this Agreement, and this Agreement shall not impart any rights enforceable by any person or entity that is not a party hereto.
5. **SEVERABILITY.** If any part, paragraph, section, or provision of this Agreement is held to be invalid by any court of competent jurisdiction, such adjudication shall not affect the validity of any remaining section, part, or provision of this Agreement.
6. **TERM OF AGREEMENT AND TERMINATION.** This Agreement shall be effective on the date it is signed by two or more members and it shall become effective for a subsequently signing member on the date it is signed by the member. It shall remain effective until December 31, 2021, regardless of the date of execution, and shall be automatically renewed on the last day of December of each successive year for an additional one (1) year period. Additionally, any party may withdraw from this Agreement for any reason by providing written notice to each member agency of such withdrawal specifying the effective date thereof at least thirty (30) days prior to such date. The withdrawal of any party does not result in the dissolution of IFIT-KC, but rather the withdrawing party shall, after the effective date of the withdrawal, no longer be considered a party under this Agreement. This Agreement may be terminated, and the IFIT-KC dissolved at any time by unanimous agreement of the Executive Board.
7. **MODIFICATIONS.** The provisions of this Agreement may only be modified, amended, or supplemented by written agreement executed by all the Parties hereto.
8. **AGENCY CONTACTS**

Contact between the Parties regarding Agreement administration will be between the representatives of each Party or their designee at the time of this Agreement. Updates to the IFIT-KC Agency Contact list shall be maintained by the Executive Board after execution of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement through their duly authorized officers as of the day and year written below for each.

**CITY OF BELLEVUE**

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Name:

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Title:

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Date:

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Attest:

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City Clerk

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Approved as to Form:

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City Attorney

**CITY OF KIRKLAND**

---

Name:

---

Title:

---

Date:

---

Attest:

---

City Clerk

---

Approved as to Form:

---

City Attorney

**CITY OF MEDINA**

---

Name:

---

Title:

---

Date:

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Attest:

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City Clerk

---

Approved as to Form:

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City Attorney

**CITY OF DUVALL**

---

Name:

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Title:

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Date:

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Attest:

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City Clerk

---

Approved as to Form:

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City Attorney

**CITY OF CLYDE HILL**

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Name:

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Title:

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Date:

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Attest:

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City Clerk

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Approved as to Form:

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City Attorney

**CITY OF MERCER ISLAND**

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Name:

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Title:

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Date:

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Attest:

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City Clerk

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Approved as to Form:

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City Attorney

**CITY OF REDMOND**

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Name:

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Title:

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Date:

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Attest:

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City Clerk

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Approved as to Form:

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City Attorney

**WASHINGTON STATE PATROL**

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Name:

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Title:

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Date:

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Attest:

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Clerk

---

Approved as to Form:

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Attorney

**UNIVERSITY OF WASHINGTON**

---

Name:

---

Title:

---

Date:

---

Attest:

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Clerk

---

Approved as to Form:

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Attorney

**CITY OF SNOQUALMIE**

---

Name:

---

Title:

---

Date:

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Attest:

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City Clerk

---

Approved as to Form:

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City Attorney

**KING COUNTY SHERIFF'S OFFICE**

---

Name:

---

Title:

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Date:

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Attest:

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Clerk

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Approved as to Form:

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Attorney

**CITY OF ISSAQUAH**

\_\_\_\_\_  
Name:  
\_\_\_\_\_  
Title:  
\_\_\_\_\_  
Date:  
\_\_\_\_\_  
Attest:  
City Clerk  
\_\_\_\_\_  
Approved as to Form:  
  
\_\_\_\_\_  
City Attorney

**CITY OF LAKE FOREST PARK**

\_\_\_\_\_  
Name:  
\_\_\_\_\_  
Title:  
\_\_\_\_\_  
Date:  
\_\_\_\_\_  
Attest:  
City Clerk  
\_\_\_\_\_  
Approved as to Form:  
  
\_\_\_\_\_  
City Attorney



**CITY OF KIRKLAND**  
**Department of Finance & Administration**  
**123 Fifth Avenue, Kirkland, WA 98033 425.587.3100**  
**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Michael Olson, Director of Finance and Administration  
George Dugdale, Financial Planning Manager  
Andrea Peterman, Budget Analyst

**Date:** January 29, 2021

**Subject:** ANNEXATION STATE SALES TAX CREDIT RESOLUTION

### **RECOMMENDATION:**

City Council receives information on the Annexation State Sales Tax Credit (ASTC) and approves the resolution required for notification of the Department of Revenue (DOR) regarding the annexation state sales tax credit threshold and actual costs for the fiscal year July 1, 2019 through June 30, 2020. By approving the consent calendar, the Council authorizes this action.

### **BACKGROUND DISCUSSION:**

An important part of the implementation strategy for the 2011 annexation was the use of the Annexation State Sales Tax Credit (ASTC) to assist the City in providing municipal services in the area where the revenues are not yet sufficient to fund those services. This credit was made available by the state for 10 years, and the City is now in the final year of eligibility for the tax credit.

As part of the strategy to prepare for the expiration of the ASTC, the amount requested was kept relatively constant at \$3.935 million for fiscal years one through eight. The request for year nine was increased to \$4.935 million and maintained for year ten. This additional \$1 million per year was budgeted to be added to the ASTC reserve, with the intent to manage the revenue loss that starts in mid-2021. Accordingly, the recently adopted 2021-22 Budget intentionally uses this reserve throughout the biennium.

RCW 82.14.415 (9) requires the City to provide the DOR with a certification of the City's true and actual costs to provide municipal services to the annexed area. This certification language, noted below, is included in the resolution for the last completed State fiscal year (in this case, July 1, 2019 to June 30, 2020). This notification is required to be submitted to the Department of Revenue no later than March 1, 2021.

The true and actual costs to provide municipal services to the Annexation Area totaled \$32.049 million for the period corresponding to the State's fiscal year July 1, 2019 to June 30, 2020; and the revenue from the Annexation Area, excluding gambling and sales tax revenues for the same period totaled \$23.841 million, resulting in a difference of \$8.208



million. The gambling tax revenue from the Annexation Area of \$1.117 million reduced this gap to \$7.091 million. The annexation sales tax credit received from the State was \$5.097 million.

Next year the Council will need to certify through a similar resolution that annexation costs for July 1, 2020 to June 30, 2021 were at least \$4.935 million. It is important to note that the credit is only available up to the amount needed to offset actual shortfalls due to annexation.

The ASTC has helped to bridge the gap between revenues and expenditures in the annexation area since the 2011 annexation. The impact of the expiration on the City's overall budget has been planned for and acted upon by Council throughout recent budget cycles.

## RESOLUTION R- 5466

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DETERMINING THE ANTICIPATED SHORTFALL IN REVENUES FOR PROVIDING MUNICIPAL SERVICES TO THE ANNEXATION AREA AS REQUIRED BY RCW 82.14.415.

1 WHEREAS, RCW 82.14.415 authorizes the City to impose  
2 a sales and use tax as a credit against the state tax to assist the  
3 City in providing municipal services to the newly annexed areas;  
4 and  
5

6 WHEREAS, on April 7, 2009, the City Council passed  
7 Resolution R-4751 which directed the City Clerk to file a notice of  
8 intent to annex the Finn Hill, Kingsgate and North Juanita  
9 Annexation Area with the King County Boundary Review Board;  
10 and  
11

12 WHEREAS, the Boundary Review Board held a public  
13 hearing on the proposed annexation on June 8, 2009, and  
14 approved the annexation on July 9, 2009; and  
15

16 WHEREAS, the City Council passed Resolution R-4763  
17 calling for an election which was held pursuant to state statute;  
18 and  
19

20 WHEREAS, the King County Council transmitted a certified  
21 abstract of the vote in the November 3, 2009, general election  
22 reflecting that the annexation was approved by the voters; and  
23

24 WHEREAS, the City Council passed Ordinance No. 4229 on  
25 December 15, 2009, annexing the Finn Hill, Kingsgate and North  
26 Juanita Annexation Area, an area that has a population of at least  
27 twenty thousand people; and  
28

29 WHEREAS, on February 16, 2010, the City Council passed  
30 Ordinance No. 4237 creating Chapter 5.07 of the Kirkland Municipal  
31 Code and imposing the sales and use tax at the rate of 0.2 percent;  
32 and  
33

34 WHEREAS, the annexation sales tax credit revenues for the  
35 fiscal year July 1, 2019 to June 30, 2020 were necessary to support  
36 the true and actual costs to provide municipal services to the  
37 Annexation Area; and  
38

39 WHEREAS, the City Council certifies the true and actual  
40 costs to provide municipal services to the Annexation Area  
41 totaled \$32.049 million for the period corresponding to the  
42 State's fiscal year July 1, 2019 to June 30, 2020; and the  
43 revenue from the Annexation Area, excluding gambling and sales  
44 tax revenues for the same period totaled \$23.841 million,  
45 resulting in a difference of \$8.208 million. The gambling tax  
46 revenue from the Annexation Area of \$1.117 million reduced this  
47 gap to \$7.091 million. The annexation sales tax credit received  
48 from the State was \$5.097 million.

49  
50 NOW, THEREFORE, be it resolved by the City Council of the  
51 City of Kirkland as follows:

52  
53 Section 1. Purpose. The Kirkland City Council certifies that  
54 annexation sales tax credit revenues for the fiscal year July 1,  
55 2019 to June 30, 2020 were necessary to support the true and  
56 actual costs to provide municipal services to the Annexation Area.  
57 The City Council previously imposed a sales and use tax at the  
58 rate of 0.2 percent, with the passage of Ordinance No. 4237 on  
59 February 16, 2010.

60  
61 Section 2. Implementation. The City Manager is authorized  
62 to implement such administrative procedures as may be necessary  
63 to carry out the directions of this Resolution.

64  
65 Passed by majority vote of the Kirkland City Council in open  
66 meeting this 16th day of February, 2021.

67  
68 Signed in authentication thereof this 16th day of February,  
69 2021.

\_\_\_\_\_  
Penny Sweet, Mayor

Attest:

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



**CITY OF KIRKLAND**  
**Department of Finance & Administration**  
**123 Fifth Ave, Kirkland, WA 98033 · 425.587.3100**  
**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

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## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Michael Olson, Director of Finance and Administration

**Date:** February 2, 2021

**Subject:** QUARTERLY INVESTMENT REPORT, 4<sup>TH</sup> QUARTER 2020

### **RECOMMENDATION:**

It is recommended that the City Council receive the Quarterly Investment Report

### **BACKGROUND DISCUSSION**

This report was previously provided to the Council Finance and Administration Committee and will now be presented to the City Council each quarter on the consent agenda.

The Quarterly Investment report is prepared by the City's Investment Advisor. The City began contracting with an Investment Advisor in late 2014 to supplement limited internal resources, provide for dedicated resources in managing the portfolio and provide for more active trading in the portfolio to ensure the most advantageous yield. The Investment Advisor assists City staff with the management of the City's investment portfolio by providing non-discretionary advisory services for the City's investment portfolio and investment policy. Non-discretionary service means that the City retains control of the portfolio and authorizes all transactions.

Kirkland's Investment Policy, adopted by resolution from the City Council, establishes standards and guidelines for the direction, management and oversight for all the City's investable funds. Government revenues are collected and spent for public purposes and their use must be legal, transparent and accountable to the public. Public funds that are invested must be strongly protected against loss and must be available to be spent if the need arises. Therefore, the primary objectives for the City of Kirkland's investment activities are legality, safety, liquidity and finally, yield. Additionally, the City diversifies its investments according to established maximum allowable exposure limits so that reliance on any one issuer will not place an undue financial burden on the City. As is noted on page 3 of the report, all current investments remain fully compliant with Kirkland's adopted investment policies.

Investments are limited those securities and deposits authorized by statute (RCW 39.58, 39.59, 43.250, and 43.84.080). The current investment portfolio consists primarily of U.S. Treasury obligations, Government Sponsored Enterprises (GSE's) such as the Federal Home Loan Banks (FHLB), the Washington State Local Government Investment Pool and deposits in banks approved by the Public Deposit Protection Commission (PDPC) where those funds are 100% collateralized and protected by other assets.

The attached Quarterly Investment Report includes a brief market commentary and market outlook at the beginning of the report on page 2. Following that, the status of compliance to Kirkland's Investment Policy pages 3 & 4 and a strategic outlook is presented on page 5. A summary of Portfolio characteristics, structure, activity and returns can be found on pages 8-10. The report also includes a full listing of the security holdings in Kirkland's Portfolio is listed on pages 14-16. Information on the Investment Core only begin on page 17.

The City issued a request for proposals in early 2020 for the Investment Advisor as the original contract and extensions for Government Portfolio Advisors were completed. Although the City did receive multiple qualified submittals for the contract, Government Portfolio Advisors provided the best combination of services and expertise and began their new three-year contract on September 1, 2020.



## Quarterly Investment Report City of Kirkland

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December 31, 2020

Total Aggregate Portfolio

## Market Commentary

**Market Yields:** The interest rate curve steepened during the fourth quarter as longer-dated yields increased in response to continued economic improvement, additional stimulus from Washington, and positive news on the rollout of vaccines. The curve, as measured by the difference in 10-year and 2-year yields, ended the year at 0.80%, a level not seen since early 2018. Front-end interest rates remained anchored at low levels given market's expectation that the Fed will hold interest rates near zero for some time ahead. Going forward, rate markets will grapple with growth and inflation expectations as we begin to see the light at the end of the tunnel and begin the economic healing process more fully. If economic activity and employment gains accelerate in the months to come, higher long-term and intermediate yields and a steeper curve will likely follow.

**FOMC:** The Federal Reserve concluded their most recent policy-setting meeting on December 16th with no changes to their monetary policy stance. The Fed did commit to maintaining their current pace of asset purchases until substantial further progress was made in the economy and pledged to inform markets well in advance of removing any accommodation. The Fed also updated their economic projections to reflect an economy and labor market that is healing faster than originally projected but left unchanged their long run expectations of an economy growing at 1.8% with inflation at 2%.

**Employment and Inflation:** The labor market slowed as the year ended with renewed lockdowns dragging on the services sector. The labor market is poised to rebound once people can safely return to normal activities. Market participants and economists have been debating the impact of fiscal stimulus on inflation, a Fed seeking to allow inflation to run above their target, and an economic reopening set to unleash pent up demand. Market pricing for inflation has picked up over recent months with the 5-year inflation swap pricing CPI at 2.2% over the next 5 years well above the 10-year historical average of 1.7%. Meaningful inflation in the economy is something we haven't seen in the United States in several years, but we have seen inflation in asset markets such as stocks, housing, and fine art. A return of sustained inflation would certainly take a toll on the bond market with rates still near historic lows.

## Quarterly Yield Change

	03/31/20	06/30/20	09/30/20	12/31/20
3 month bill	0.06	0.13	0.09	0.06
2 year note	0.25	0.15	0.13	0.12
5 year note	0.38	0.29	0.28	0.36
10 year note	0.67	0.66	0.68	0.91

## Economists' Survey Projections

	Q1-21	Q2-21	Q3-21	Q4-21
Real GDP	2.5	3.6	3.8	3.4
Core PCE (YOY%)	1.5	2.0	1.7	1.7
Unemployment	6.6	6.3	5.8	5.5

## Market Outlook

**GDP:** Growth for the fourth quarter is set to show another gain despite the recent lockdowns aimed to stem the spread of the COVID-19 virus. Economists expect an annualized growth rate of 4.6% for the quarter which would lead to an annual decline of 3.5% for the year. Looking forward, economists are expecting a buoyant back-half of 2021 and full-year 2022 as economic reopening is expected to spur the services sector and lead to rapid employment gains as schools reopen and activity picks up. Looking past 2022, we face the more challenging question on what the domestic and global economy will look like once healed yet scarred from the pandemic. While long-term forecasts are fraught with error, the Congressional Budget Office projects a long-run GDP growth rate of 1.7% while the Fed and International Monetary Fund predict long-run GDP growth of 1.8%.

**Fed Funds:** The Federal Reserve provided an update to their summary of economic projections in December where they continue to project the policy rate at zero through at least 2023 as the economy slowly returns toward more normal levels. Fresh stimulus efforts and Democratic control of D.C. led markets to accelerate their call for rate hikes out of the Fed as market pricing now calls for liftoff in 2023 with a shallow path toward a terminal rate around 1%.

**Two-year Yield Expectations:** We continue to expect the Fed-policy sensitive two-year yield to remain low and trade in a narrow range over the coming months.

**Portfolio Positioning:** Today's markets are uniquely challenging for conservative investors in the fixed income space as yields are historically low and spread sectors are historically rich in valuation. Within this challenging backdrop, we continue to advise clients to remain at, or near, their duration targets as the curve remains positively sloped and breakeven rates provide compelling reason to remain engaged. Given increased stimulus efforts and a healing economy, we continue to be mildly cautious of yields in the three to five-year sector but fall short of outright avoiding the tenors as we anticipate low rates will be with us for some time. Furthermore, we anticipate 2021 will be another robust year for agency and taxable municipal issuance which should provide pockets of opportunities to safely add income to portfolios.

## Economists' Survey Projections for Rates

	Q1-21	Q2-21	Q3-21	Q4-21
Fed Funds	0.25	0.25	0.25	0.25
2 Year	0.2	0.24	0.28	0.33
10 year	0.96	1.07	1.14	1.24

# Compliance Report

City of Kirkland | Total Aggregate Portfolio



December 31, 2020

## Category

Policy Diversification Constraint	Policy Limit	Actual Value*	Status
US Treasury Obligations Maximum % of Holdings	100.000	8.997	Compliant
US Agency Callable Securities Maximum % of Total Portfolio	25.000	2.055	Compliant
US Agency FFCB Issuer Concentration	30.000	15.054	Compliant
US Agency FHLB Issuer Concentration	30.000	22.949	Compliant
US Agency FHLMC Issuer Concentration	30.000	9.329	Compliant
US Agency FNMA Issuer Concentration	30.000	17.856	Compliant
US Agency Obligations - Primary FHLB, FNMA, FHLMC, FFCB Maximum % of Holdings	100.000	65.187	Compliant
US Agency Obligations - Secondary FICO, FARMER MAC etc. Maximum % of Holdings	20.000	0.000	Compliant
US Agency Obligations Issuer Concentration - Secondary FICO, FARMER MAC etc.	10.000	0.000	Compliant
Municipal Bonds Issuer Concentration	5.000	0.000	Compliant
Municipal Bonds Maximum % of Holdings	20.000	0.000	Compliant
Commercial Paper Issuer Concentration	3.000	0.000	Compliant
Commercial Paper Maximum % of Holdings	25.000	0.000	Compliant
Certificates of Deposit Issuer Concentration	5.000	2.189	Compliant
Certificates of Deposit Maximum % of Holdings	10.000	2.189	Compliant
Banker's Acceptance Issuer Concentration	5.000	0.000	Compliant
Banker's Acceptance Maximum % of Holdings	5.000	0.000	Compliant
LGIP Maximum % of Holdings	100.000	13.992	Compliant
PDPC Bank Deposits Issuer Concentration	100.000	9.634	Compliant
PDPC Bank Deposits Maximum % of Holdings	50.000	11.823	Compliant

\*Market Value



# Compliance Report

City of Kirkland | Total Aggregate Portfolio



December 31, 2020

## Category

Policy Maturity Structure Constraint	Policy Limit	Actual %	Status
Maturity Constraints Under 30 days Minimum % of Total Portfolio	10.000	23.535	Compliant
Maturity Constraints Under 1 year Minimum % of Total Portfolio	25.000	41.592	Compliant
Maturity Constraints Under 5 years Minimum % of Total Portfolio	100.000	100.000	Compliant
Policy Maturity Constraint	Policy Limit	Actual Term	Status
US Treasury Maximum Maturity At Time of Purchase (years)	5.000	4.923	Compliant
US Agency Maximum Maturity At Time of Purchase (years)	5.000	0.000	Compliant
US Agency Obligations - Secondary Must be rated by Atleast one	0.000	0.000	Compliant
Municipals Maximum Maturity At Time of Purchase (years)	5.000	0.000	Compliant
Commercial Paper Days to Final Maturity (days)	270.000	0.000	Compliant
Weighted Average Maturity (years)	3.000	1.653	Compliant
Policy Credit Constraint			Status
US Agency Obligations - Secondary Minimum Ratings AA-/Aa3/AA- if rated			Compliant
Municipal Bonds Ratings Minimum AA-/Aa3/AA- by All if rated			Compliant
Commercial Paper Ratings Minimum Ratings A1/P1 by both and F1 (if rated)			Compliant

\*Market Value

# Strategic Quarterly Update

City of Kirkland | Total Aggregate Portfolio



December 31, 2020

## Strategic Outlook

- Consistent with our expectations, Congress agreed to another round of fiscal stimulus to help bridge the economy to the other side of the viral pandemic. With the results in, the Democratic Party was able to wrest control of the legislative process for at least the next two years. Policy makers appear willing to bring more stimulus to the economy in late winter or early spring as vaccine rollouts have been slower than originally anticipated.
- Spread sectors ended the year with continued strong performance and end the year near historically rich valuations. As markets come back to life in the new year, our focus will be on the new issue pipeline to source potential opportunities.
- Progress on the vaccine rollout and additional stimulus from Washington will be the focus as we enter a challenging first quarter for the economy. While there is light at the end of the tunnel, fresh lockdowns around the nation will be a drag on the economic healing process that will forestall meaningful economic healing to the back half of the year. Despite the challenges at hand, the domestic economy has proved resilient and is well-positioned to spring back to robust activity once herd immunity is sufficiently at hand.

## Portfolio Positioning

- Your core account continues to be well-positioned to the strategic duration target. Efforts going forward will be on maintaining the excellent account structure.
- The agency market ended the year near historically high valuations. Your account has room to take advantage should opportunities arise in the agency market as we expect robust issuance in 2021.
- The total portfolio book yield decreased from 1.528 to 1.415.
- The total portfolio unrealized gain ended the quarter at \$5,076,565.
- The core portfolio duration decreased over the quarter from 2.161 last quarter to 2.106 this quarter. The benchmark duration ended the quarter at 2.181.
- Net total return for the core portfolio, which includes change in market value and interest income, was 0.07%. The benchmark total return for the period was 0.02%.

Strategy	09/30/2020	12/31/2020
<b>Effective Duration</b>		
Investment Core	2.16	2.11
Benchmark Duration	2.19	2.18
<b>Total Effective Duration</b>	<b>1.68</b>	<b>1.58</b>

<b>Total Return (Net of Fees %)*</b>		
Investment Core	0.23	0.07
Benchmark Return	0.11	0.02
<b>Total Portfolio Performance</b>	<b>0.19</b>	<b>0.06</b>

\*Changes in Market Value include net unrealized and realized gains/losses.

<b>Maturity Total Portfolio</b>		
<b>Average Maturity Total Holdings</b>	<b>1.76</b>	<b>1.66</b>

Book Yield	09/30/2020	12/31/2020
<b>Ending Book Yield</b>		
Certificates of Deposit	0.60%	0.60%
Investment Core	1.91%	1.84%
Liquidity	0.21%	0.15%
<b>Total Book Yield</b>	<b>1.53%</b>	<b>1.41%</b>

Values	09/30/2020	12/31/2020
<b>Market Value + Accrued</b>		
Certificates of Deposit	5,325,858	5,333,905
Investment Core	182,343,040	181,705,816
Liquidity	49,790,957	57,567,859
<b>Total MV + Accrued</b>	<b>237,459,855</b>	<b>244,607,581</b>

<b>Net Unrealized Gain/Loss</b>		
<b>Total Net Unrealized Gain/Loss</b>	<b>5,769,813</b>	<b>5,076,565</b>

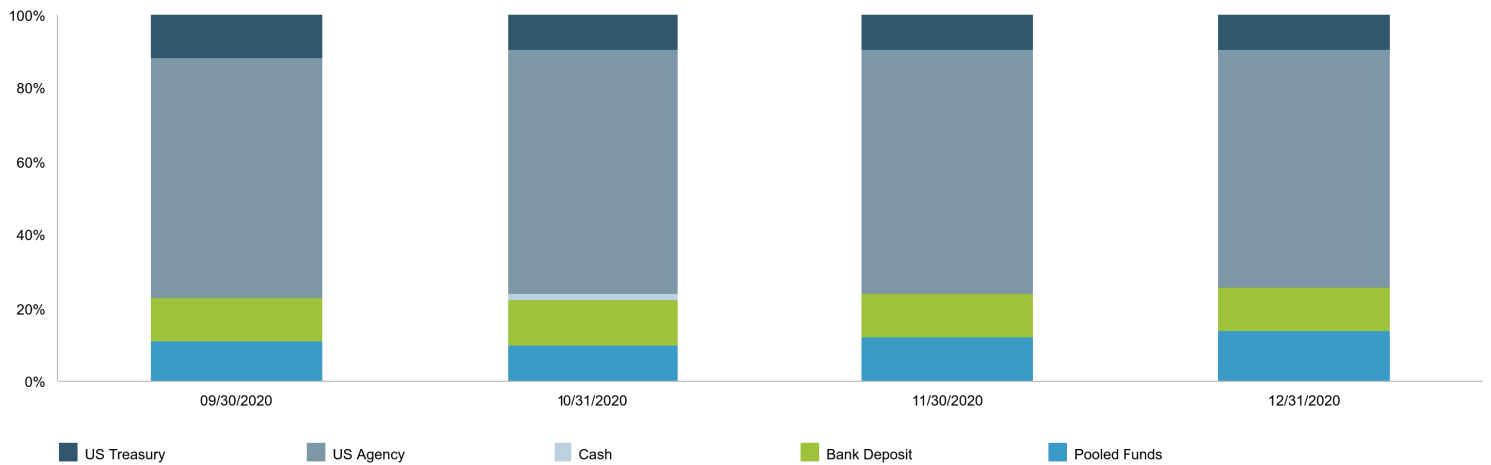
# Asset Allocation Change over Quarter

City of Kirkland | Total Aggregate Portfolio

**GPA**  
December 31, 2020

## Asset Allocation Changes

Security Type	09/30/2020		12/31/2020		Change	
	Market Value + Accrued	% of Portfolio	Market Value + Accrued	% of Portfolio	Market Value + Accrued	% of Portfolio
US Treasury	27,211,373.09	11.46%	22,011,116.68	9.00%	(5,200,256.41)	(2.46%)
US Agency	155,131,666.81	65.33%	159,694,699.78	65.29%	4,563,032.97	(0.04%)
Bank Deposit	28,788,013.06	12.12%	28,808,122.51	11.78%	20,109.45	(0.35%)
Pooled Funds	26,328,802.23	11.09%	34,093,642.19	13.94%	7,764,839.96	2.85%
Total	237,459,855.18	100.00%	244,607,581.16	100.00%	7,147,725.98	



If negative cash balance is showing, it is due to a pending trade payable at the end of period.

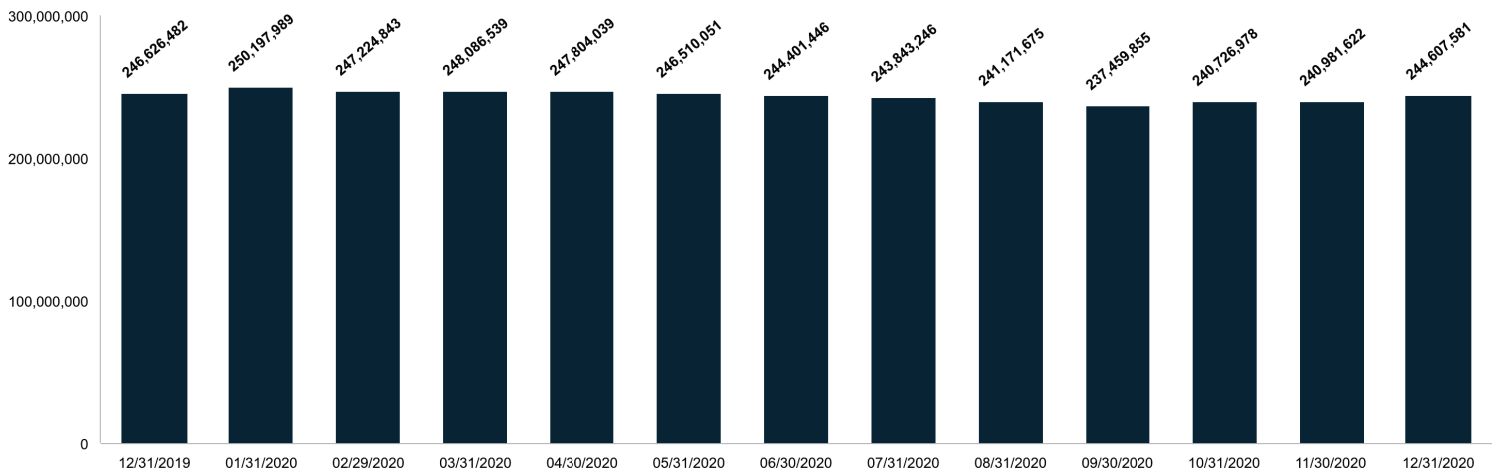
## Historical Balances

City of Kirkland | Total Aggregate Portfolio



December 31, 2020

### Market Value



### Market Value and Return

Period Begin	Period End	Market Value + Accrued	Interest Income	Book Yield	Effective Duration	Maturity in Years
12/01/2019	12/31/2019	246,626,482	426,836	1.95%	1.50	1.69
01/01/2020	01/31/2020	250,197,989	430,398	1.95%	1.51	1.68
02/01/2020	02/29/2020	247,224,843	419,994	1.97%	1.54	1.71
03/01/2020	03/31/2020	248,086,539	414,390	1.93%	1.49	1.67
04/01/2020	04/30/2020	247,804,039	378,337	1.77%	1.54	1.71
05/01/2020	05/31/2020	246,510,051	363,675	1.71%	1.48	1.66
06/01/2020	06/30/2020	244,401,446	342,926	1.59%	1.61	1.71
07/01/2020	07/31/2020	243,843,246	330,850	1.55%	1.65	1.75
08/01/2020	08/31/2020	241,171,675	321,712	1.56%	1.61	1.70
09/01/2020	09/30/2020	237,459,855	316,546	1.53%	1.68	1.76
10/01/2020	10/31/2020	240,726,978	309,318	1.48%	1.65	1.73
11/01/2020	11/30/2020	240,981,622	305,959	1.44%	1.67	1.75
12/01/2020	12/31/2020	244,607,581	303,743	1.41%	1.58	1.66

## Summary Overview

City of Kirkland | Total Aggregate Portfolio

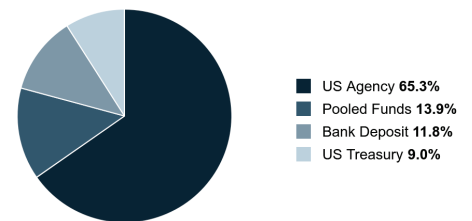


December 31, 2020

### Portfolio Characteristics

Metric	Value
Cash and Cash Equivalents	57,567,859.36
Investments	187,039,721.80
Book Yield	1.41%
Market Yield	0.21%
Effective Duration	1.58
Years to Maturity	1.66
Avg Credit Rating	AA+

### Allocation by Asset Class



### Strategic Structure

Account	Par Amount	Book Value	Original Cost	Market Value	Net Unrealized Gain (Loss)	Accrued	Yield at Cost	Effective Duration	Benchmark Duration	Benchmark
KIRK-Investment Core	175,000,000.00	175,678,974.62	176,054,364.69	180,755,539.50	5,076,564.88	950,276.96	1.84%	2.11	2.18	ICE BofA 0-5 Year US Treasury Index
KIRK-Liquidity	57,567,859.36	57,567,859.36	57,567,859.36	57,567,859.36	0.00	0.00	0.15%	0.01	0.09	ICE BofA US 1-Month Treasury Bill Index
KIRK-Certificates of Deposit	5,333,817.81	5,333,817.81	5,333,817.81	5,333,817.81	0.00	87.53	0.60%	0.47	0.16	ICE BofA 0-3 Month US Treasury Bill Index
<b>Total</b>	<b>237,901,677.17</b>	<b>238,580,651.79</b>	<b>238,956,041.86</b>	<b>243,657,216.67</b>	<b>5,076,564.88</b>	<b>950,364.49</b>	<b>1.41%</b>	<b>1.58</b>	<b>1.64</b>	

## Portfolio Activity

City of Kirkland | Total Aggregate Portfolio



December 31, 2020

### Accrual Activity Summary

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Beginning Book Value	230,890,399.95	243,476,806.22
Maturities/Calls	(10,000,000.00)	(55,310,465.76)
Purchases	9,985,601.92	55,775,846.18
Sales	0.00	0.00
Change in Cash, Payables, Receivables	7,776,902.36	(5,114,075.59)
Amortization/Accretion	(72,252.43)	(249,458.43)
Realized Gain (Loss)	0.00	1,999.18
Ending Book Value	238,580,651.79	238,580,651.79

Maturities/Calls	Market Value
Quarter to Date	(10,000,000.00)
Fiscal Year to Date	(55,310,465.76)

Purchases	Market Value
Quarter to Date	9,985,601.92
Fiscal Year to Date	55,775,846.18

### Fair Market Activity Summary

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Beginning Market Value	236,660,212.89	245,623,973.59
Maturities/Calls	(10,000,000.00)	(55,310,465.76)
Purchases	9,985,601.92	55,775,846.18
Sales	0.00	0.00
Change in Cash, Payables, Receivables	7,776,902.36	(5,114,075.59)
Amortization/Accretion	(72,252.43)	(249,458.43)
Change in Net Unrealized Gain (Loss)	(693,248.07)	2,929,397.51
Net Realized Gain (Loss)	0.00	1,999.18
Ending Market Value	243,657,216.67	243,657,216.67

Sales	Market Value
Quarter to Date	0.00
Fiscal Year to Date	0.00

# Return Management-Income Detail

City of Kirkland | Total Aggregate Portfolio



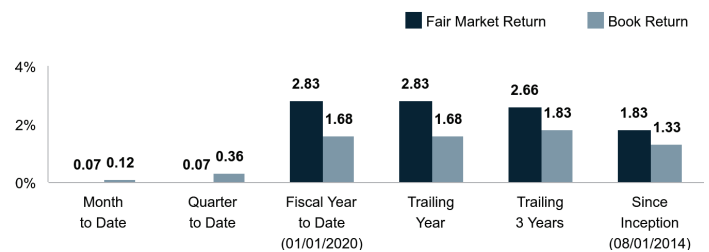
December 31, 2020

## Accrued Book Return

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Amortization/Accretion	(72,252.43)	(249,458.43)
Interest Earned	919,020.12	4,237,848.10
Realized Gain (Loss)	0.00	1,999.18
Book Income	846,767.68	3,990,388.84
Average Portfolio Balance	237,431,821.12	243,385,361.80
Book Return for Period	0.36%	1.68%

## Return Comparisons

Periodic for performance less than one year. Annualized for performance greater than one year.



## Fair Market Return

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Market Value Change	(693,248.07)	2,929,397.51
Amortization/Accretion	(72,252.43)	(249,458.43)
Interest Earned	919,020.12	4,237,848.10
Fair Market Earned Income	153,519.62	6,917,787.17
Average Portfolio Balance	237,431,821.12	243,385,361.80
Fair Market Return for Period	0.07%	2.83%

## Interest Income

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Beginning Accrued Interest	799,642.29	1,002,508.73
Coupons Paid	768,957.64	4,405,456.11
Purchased Accrued Interest	659.72	115,463.77
Sold Accrued Interest	0.00	0.00
Ending Accrued Interest	950,364.49	950,364.49
Interest Earned	919,020.12	4,237,848.10

## Security Type Distribution

City of Kirkland | Total Aggregate Portfolio

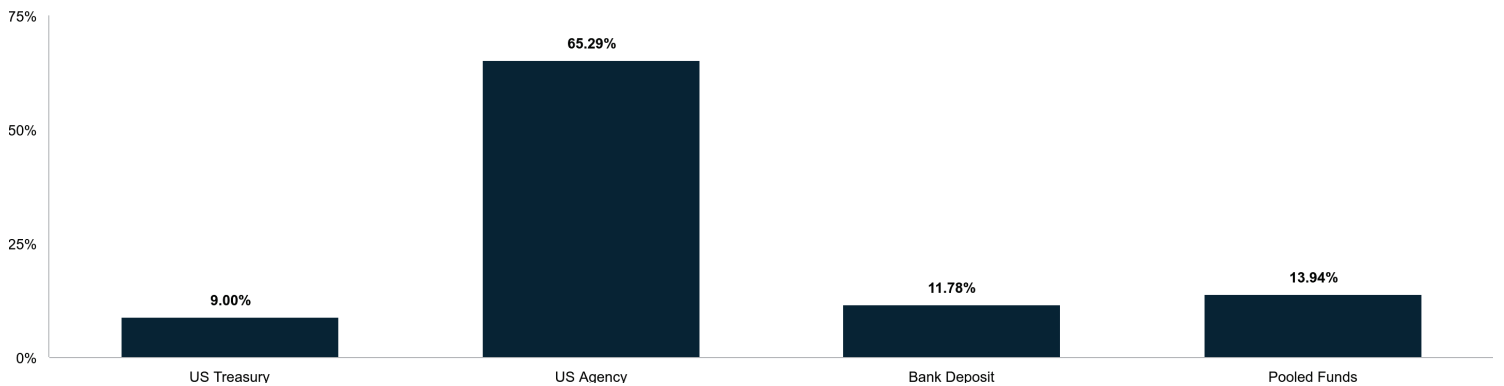


December 31, 2020

### Security Type Distribution

Security Type	Par Amount	Book Yield	Market Value + Accrued	% of Market Value + Accrued
US Treasury	21,000,000.00	1.64%	22,011,116.68	9.00%
US Agency	154,000,000.00	1.87%	159,694,699.78	65.29%
Bank Deposit	28,808,034.98	0.25%	28,808,122.51	11.78%
Pooled Funds	34,093,642.19	0.13%	34,093,642.19	13.94%
<b>Total</b>	<b>237,901,677.17</b>	<b>1.41%</b>	<b>244,607,581.16</b>	<b>100.00%</b>

### Security Type Distribution





## Risk Management-Credit/Issuer

City of Kirkland | Total Aggregate Portfolio

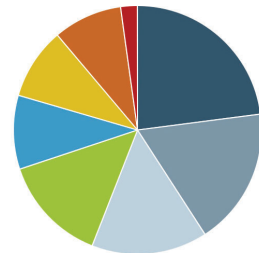


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### Credit Rating S&P/Moody's/Fitch

	Market Value + Accrued	%
<b>S&amp;P</b>		
AA+	181,705,816.46	74.28
NA	62,901,764.70	25.72
<b>Moody's</b>		
Aaa	181,705,816.46	74.28
NA	62,901,764.70	25.72
<b>Fitch</b>		
AAA	181,705,816.46	74.28
NA	62,901,764.70	25.72
<b>Total</b>	<b>244,607,581.16</b>	<b>100.00</b>

### Issuer Concentration



## Risk Management-Maturity/Duration

City of Kirkland | Total Aggregate Portfolio



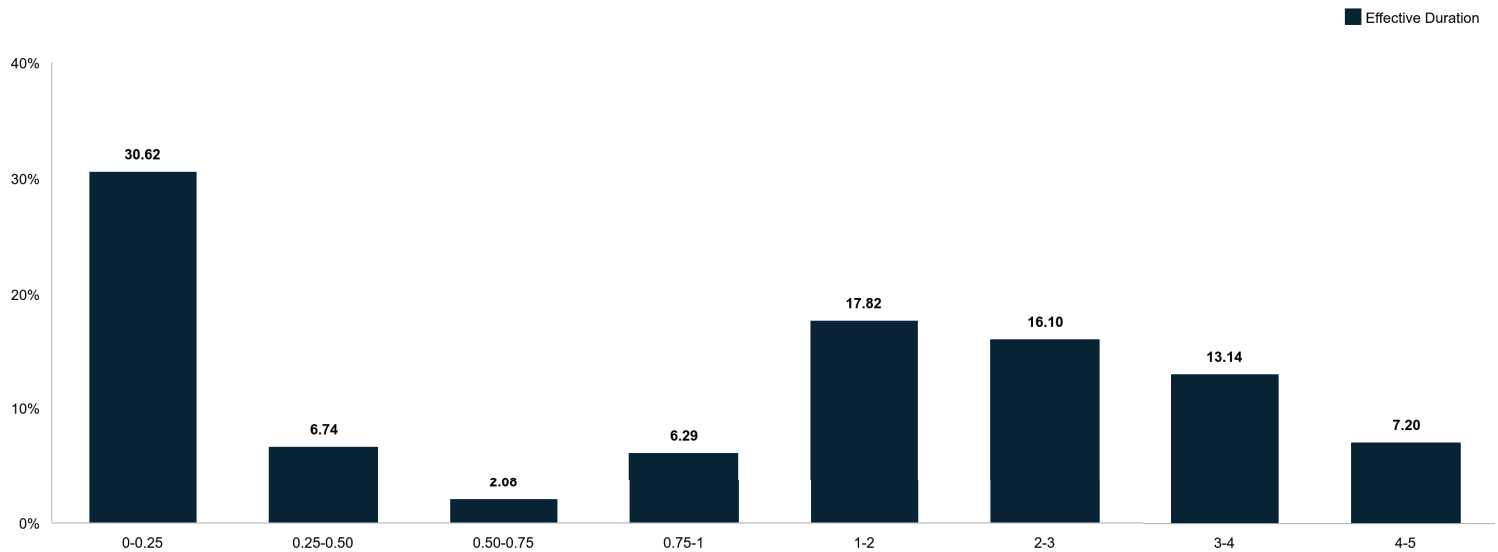
December 31, 2020

**1.58 Yrs**      **Effective Duration**

**1.66 Yrs**      **Years to Maturity**

**604**      **Days to Maturity**

### Distribution by Effective Duration



# Holdings by Maturity & Ratings

City of Kirkland | Total Aggregate Portfolio



December 31, 2020

Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Market Value	Accrued	Market Value + Accrued	Book Yield	Market Yield	% of Portfolio	Years to Maturity	Eff Duration	S&P, Moody, Fitch
KIRK_PCFC_DEP	23,474,217.17	PACIFIC PREMIER DEPOSIT	0.174%	12/31/2020		23,474,217.17	0.00	23,474,217.17	0.17%		9.60	0.01	0.01	NA NA NA
WA_LGIP	34,093,642.19	WASHINGTON LGIP	0.129%	12/31/2020		34,093,642.19	0.00	34,093,642.19	0.13%		13.94	0.01	0.01	NA NA NA
3130A7CV5	2,000,000.00	FEDERAL HOME LOAN BANKS	1.375%	02/18/2021		2,003,380.00	10,159.72	2,013,539.72	1.63%	0.08%	0.82	0.13	0.13	AA+ Aaa AAA
3135G0J20	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	1.375%	02/26/2021		5,009,750.00	23,871.53	5,033,621.53	1.45%	0.10%	2.06	0.16	0.15	AA+ Aaa AAA
3130AFV61	5,000,000.00	FEDERAL HOME LOAN BANKS	2.500%	03/12/2021		5,023,000.00	37,847.22	5,060,847.22	2.52%	0.17%	2.07	0.19	0.20	AA+ Aaa AAA
912828WN6	6,000,000.00	UNITED STATES TREASURY	2.000%	05/31/2021		6,046,170.00	10,549.45	6,056,719.45	1.66%	0.14%	2.48	0.41	0.41	AA+ Aaa AAA
313379RB7	5,000,000.00	FEDERAL HOME LOAN BANKS	1.875%	06/11/2021		5,038,235.00	5,208.33	5,043,443.33	1.84%	0.15%	2.06	0.44	0.44	AA+ Aaa AAA
KIRK-17340 25-2021	5,333,817.81	East West Bank	0.599%	06/19/2021		5,333,817.81	87.53	5,333,905.34	0.60%	0.60%	2.18	0.47	0.47	NA NA NA
313378JP7	5,000,000.00	FEDERAL HOME LOAN BANKS	2.375%	09/10/2021		5,076,790.00	36,614.58	5,113,404.58	1.64%	0.15%	2.09	0.69	0.69	AA+ Aaa AAA
3130AF5B9	5,000,000.00	FEDERAL HOME LOAN BANKS	3.000%	10/12/2021		5,112,905.00	32,916.67	5,145,821.67	2.50%	0.10%	2.10	0.78	0.77	AA+ Aaa AAA
3130A0EN6	5,000,000.00	FEDERAL HOME LOAN BANKS	2.875%	12/10/2021		5,129,375.00	8,385.42	5,137,760.42	2.61%	0.12%	2.10	0.94	0.93	AA+ Aaa AAA
3135G0S38	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.000%	01/05/2022		5,095,075.00	48,888.89	5,143,963.89	2.05%	0.12%	2.10	1.01	1.00	AA+ Aaa AAA
3135G0U92	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.625%	01/11/2022		5,128,855.00	61,979.17	5,190,834.17	2.59%	0.12%	2.12	1.03	1.01	AA+ Aaa AAA
3133EKBV7	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.550%	03/01/2022		5,140,290.00	42,500.00	5,182,790.00	2.52%	0.14%	2.12	1.16	1.15	AA+ Aaa AAA

# Holdings by Maturity & Ratings

City of Kirkland | Total Aggregate Portfolio



December 31, 2020

Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Market Value	Accrued	Market Value + Accrued	Book Yield	Market Yield	% of Portfolio	Years to Maturity	Eff Duration	S&P, Moody, Fitch
313378WG2	5,000,000.00	FEDERAL HOME LOAN BANKS	2.500%	03/11/2022		5,142,175.00	38,194.44	5,180,369.44	2.36%	0.12%	2.12	1.19	1.18	AA+ Aaa AAA
3135G0T45	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	1.875%	04/05/2022		5,110,855.00	22,395.83	5,133,250.83	1.11%	0.12%	2.10	1.26	1.25	AA+ Aaa AAA
3130AEBM1	5,000,000.00	FEDERAL HOME LOAN BANKS	2.750%	06/10/2022		5,189,810.00	8,020.83	5,197,830.83	2.84%	0.11%	2.12	1.44	1.42	AA+ Aaa AAA
9128283C2	5,000,000.00	UNITED STATES TREASURY	2.000%	10/31/2022		5,170,900.00	17,127.07	5,188,027.07	1.59%	0.13%	2.12	1.83	1.80	AA+ Aaa AAA
3130A3KM5	7,000,000.00	FEDERAL HOME LOAN BANKS	2.500%	12/09/2022		7,317,282.00	10,694.44	7,327,976.44	2.94%	0.16%	3.00	1.94	1.90	AA+ Aaa AAA
3135G0T94	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.375%	01/19/2023		5,228,260.00	53,437.50	5,281,697.50	3.04%	0.14%	2.16	2.05	1.99	AA+ Aaa AAA
3133ELMD3	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.600%	02/10/2023	02/10/2021	5,007,340.00	31,333.33	5,038,673.33	1.60%	1.53%	2.06	2.11	0.12	AA+ Aaa AAA
3133EJFK0	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.650%	03/08/2023		5,268,890.00	41,590.28	5,310,480.28	1.60%	0.18%	2.17	2.18	2.12	AA+ Aaa AAA
3135G04Q3	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.250%	05/22/2023		5,011,230.00	1,354.17	5,012,584.17	0.32%	0.16%	2.05	2.39	2.38	AA+ Aaa AAA
3133EJUS6	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.875%	07/17/2023		5,336,325.00	65,486.11	5,401,811.11	3.07%	0.22%	2.21	2.54	2.44	AA+ Aaa AAA
313383YJ4	5,000,000.00	FEDERAL HOME LOAN BANKS	3.375%	09/08/2023		5,427,040.00	52,968.75	5,480,008.75	3.04%	0.19%	2.24	2.69	2.57	AA+ Aaa AAA
3135G0U43	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.875%	09/12/2023		5,357,905.00	43,524.31	5,401,429.31	2.54%	0.21%	2.21	2.70	2.59	AA+ Aaa AAA
3137EAEY1	5,000,000.00	FEDERAL HOME LOAN MORTGAGE CORP	0.125%	10/16/2023		4,995,850.00	1,302.08	4,997,152.08	0.24%	0.15%	2.04	2.79	2.78	AA+ Aaa AAA

# Holdings by Maturity & Ratings

City of Kirkland | Total Aggregate Portfolio



December 31, 2020

Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Market Value	Accrued	Market Value + Accrued	Book Yield	Market Yield	% of Portfolio	Years to Maturity	Eff Duration	S&P, Moody, Fitch
3137EAEZ8	2,500,000.00	FEDERAL HOME LOAN MORTGAGE CORP	0.250%	11/06/2023		2,501,755.00	972.22	2,502,727.22	0.28%	0.23%	1.02	2.85	2.83	AA+ Aaa AAA
912828V80	5,000,000.00	UNITED STATES TREASURY	2.250%	01/31/2024		5,319,530.00	47,078.80	5,366,608.80	1.60%	0.17%	2.19	3.08	2.97	AA+ Aaa AAA
3133EKBW5	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.610%	02/27/2024		5,369,515.00	44,950.00	5,414,465.00	2.57%	0.26%	2.21	3.16	3.03	AA+ Aaa AAA
3130A1XJ2	5,000,000.00	FEDERAL HOME LOAN BANKS	2.875%	06/14/2024		5,456,935.00	6,788.19	5,463,723.19	2.03%	0.22%	2.23	3.45	3.31	AA+ Aaa AAA
3133EKWV4	10,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.850%	07/26/2024		10,556,880.00	79,652.78	10,636,532.78	1.92%	0.28%	4.35	3.57	3.44	AA+ Aaa AAA
912828G38	5,000,000.00	UNITED STATES TREASURY	2.250%	11/15/2024		5,385,155.00	14,606.35	5,399,761.35	1.69%	0.25%	2.21	3.88	3.72	AA+ Aaa AAA
3137EAEPO	5,000,000.00	FEDERAL HOME LOAN MORTGAGE CORP	1.500%	02/12/2025		5,242,700.00	28,958.33	5,271,658.33	0.55%	0.31%	2.16	4.12	3.98	AA+ Aaa AAA
3135G03U5	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.625%	04/22/2025		5,056,505.00	5,989.58	5,062,494.58	0.53%	0.36%	2.07	4.31	4.25	AA+ Aaa AAA
3137EAEU9	5,000,000.00	FEDERAL HOME LOAN MORTGAGE CORP	0.375%	07/21/2025		5,000,145.00	8,229.17	5,008,374.17	0.44%	0.37%	2.05	4.55	4.51	AA+ Aaa AAA
3137EAEX3	5,000,000.00	FEDERAL HOME LOAN MORTGAGE CORP	0.375%	09/23/2025		4,989,410.00	5,000.00	4,994,410.00	0.42%	0.42%	2.04	4.73	4.68	AA+ Aaa AAA
3135G06G3	2,500,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.500%	11/07/2025		2,509,322.50	1,701.39	2,511,023.89	0.52%	0.42%	1.03	4.85	4.78	AA+ Aaa AAA
<b>Total</b>	<b>237,901,677.17</b>		<b>1.542%</b>			<b>243,657,216.67</b>	<b>950,364.49</b>	<b>244,607,581.16</b>	<b>1.41%</b>	<b>0.24%</b>	<b>100.00</b>	<b>1.66</b>	<b>1.58</b>	

## Summary Overview

City of Kirkland | Investment Core

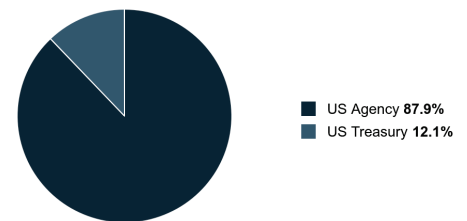


December 31, 2020

### Portfolio Characteristics

Metric	Value
Investments	181,705,816.46
Book Yield	1.84%
Market Yield	0.20%
Effective Duration	2.11
Years to Maturity	2.21
Avg Credit Rating	AA+

### Allocation by Asset Class



### Strategic Structure

Account	Par Amount	Book Value	Original Cost	Market Value	Net Unrealized Gain (Loss)	Accrued	Yield at Cost	Effective Duration	Benchmark Duration	Benchmark
KIRK-Investment Core	175,000,000.00	175,678,974.62	176,054,364.69	180,755,539.50	5,076,564.88	950,276.96	1.84%	2.11	2.18	ICE BofA 0-5 Year US Treasury Index
<b>Total</b>	<b>175,000,000.00</b>	<b>175,678,974.62</b>	<b>176,054,364.69</b>	<b>180,755,539.50</b>	<b>5,076,564.88</b>	<b>950,276.96</b>	<b>1.84%</b>	<b>2.11</b>	<b>2.18</b>	

## Portfolio Activity

City of Kirkland | Investment Core



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### Accrual Activity Summary

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Beginning Book Value	175,773,672.06	175,536,667.63
Maturities/Calls	(10,000,000.00)	(50,000,000.00)
Purchases	9,977,555.00	50,389,766.25
Sales	0.00	0.00
Change in Cash, Payables, Receivables	0.00	0.00
Amortization/Accretion	(72,252.43)	(249,458.43)
Realized Gain (Loss)	0.00	1,999.18
Ending Book Value	175,678,974.62	175,678,974.62

Maturities/Calls	Market Value
Quarter to Date	(10,000,000.00)
Fiscal Year to Date	(50,000,000.00)

Purchases	Market Value
Quarter to Date	9,977,555.00
Fiscal Year to Date	50,389,766.25

### Fair Market Activity Summary

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Beginning Market Value	181,543,485.00	177,683,835.00
Maturities/Calls	(10,000,000.00)	(50,000,000.00)
Purchases	9,977,555.00	50,389,766.25
Sales	0.00	0.00
Change in Cash, Payables, Receivables	0.00	0.00
Amortization/Accretion	(72,252.43)	(249,458.43)
Change in Net Unrealized Gain (Loss)	(693,248.07)	2,929,397.51
Net Realized Gain (Loss)	0.00	1,999.18
Ending Market Value	180,755,539.50	180,755,539.50

Sales	Market Value
Quarter to Date	0.00
Fiscal Year to Date	0.00

# Return Management-Income Detail

City of Kirkland | Investment Core



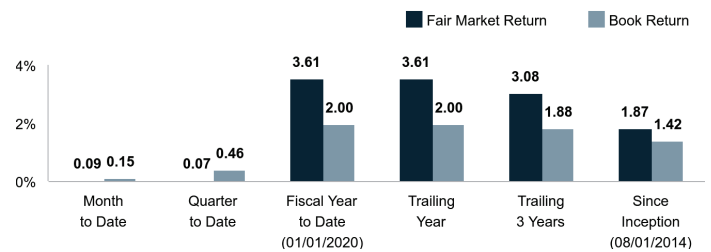
December 31, 2020

## Accrued Book Return

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Amortization/Accretion	(72,252.43)	(249,458.43)
Interest Earned	888,013.74	3,760,431.32
Realized Gain (Loss)	0.00	1,999.18
Book Income	815,761.30	3,512,972.06
Average Portfolio Balance	181,336,974.68	181,158,992.79
Book Return for Period	0.46%	2.00%

## Return Comparisons

Periodic for performance less than one year. Annualized for performance greater than one year.



## Fair Market Return

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Market Value Change	(693,248.07)	2,929,397.51
Amortization/Accretion	(72,252.43)	(249,458.43)
Interest Earned	888,013.74	3,760,431.32
Fair Market Earned Income	122,513.24	6,440,370.39
Average Portfolio Balance	181,336,974.68	181,158,992.79
Fair Market Return for Period	0.07%	3.61%

## Interest Income

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Beginning Accrued Interest	799,554.89	1,002,166.59
Coupons Paid	737,951.39	3,927,784.72
Purchased Accrued Interest	659.72	115,463.77
Sold Accrued Interest	0.00	0.00
Ending Accrued Interest	950,276.96	950,276.96
Interest Earned	888,013.74	3,760,431.32



# Return Management-Performance

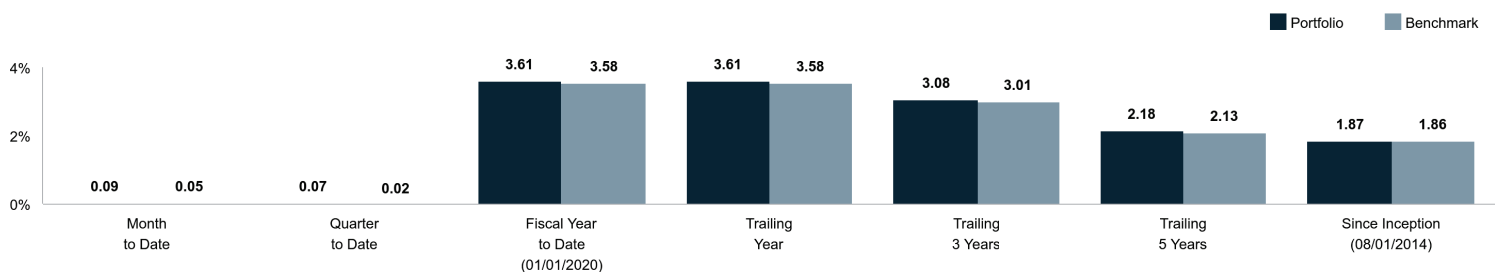
City of Kirkland | Investment Core



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## Performance Returns Gross of Fees

Periodic for performance less than one year. Annualized for performance greater than one year.



## Historical Returns

Period	Month to Date	Quarter to Date	Fiscal Year to Date (01/01/2020)	Trailing Year	Trailing 3 Years	Trailing 5 Years	Since Inception (08/01/2014)
Return (Net of Fees)	0.084%	0.066%	3.582%	3.582%	3.067%	2.151%	1.842%
Return (Gross of Fees)	0.086%	0.074%	3.607%	3.607%	3.084%	2.177%	1.871%
ICE BofA 0-5 Year US Treasury Index	0.053%	0.019%	3.575%	3.575%	3.005%	2.128%	1.864%

## Risk Management-Relative to Benchmark

City of Kirkland | Investment Core

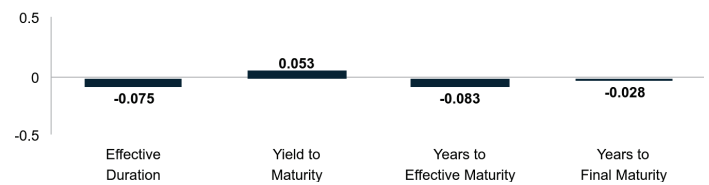


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### Benchmark Comparison Summary

Risk Metric	Portfolio	Benchmark	Difference
Effective Duration	2.11	2.18	(0.07)
Yield to Maturity	0.23	0.18	0.05
Years to Effective Maturity	2.16	2.24	(0.08)
Years to Final Maturity	2.21	2.24	(0.03)
Avg Credit Rating	AA+	AAA	---

### Benchmark Comparison Summary



### Benchmark vs. Portfolio Variance-Market Sector



### Benchmark Comparison-Market Sector

Market Sector	Portfolio	Benchmark	Difference
Treasury	12.11	100.00	(87.89)
Agency	87.89	0.00	87.89

## Risk Management-Maturity/Duration

City of Kirkland | Investment Core



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**2.11 Yrs**

**Effective Duration**

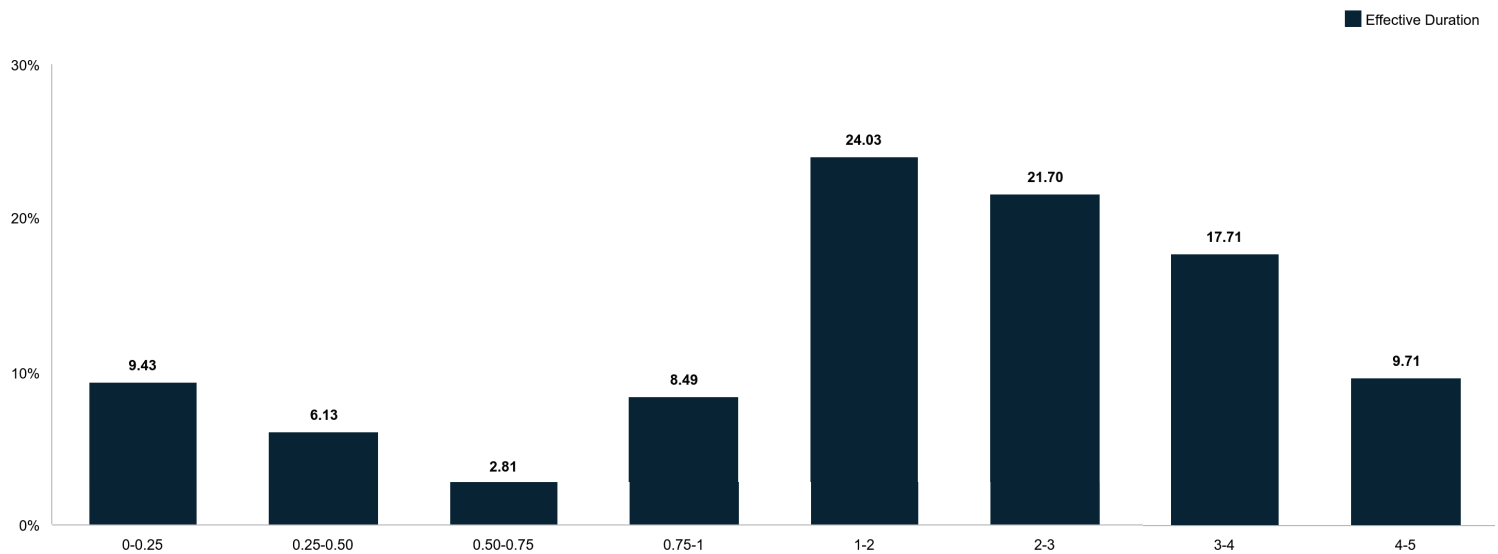
**2.21 Yrs**

**Years to Maturity**

**808**

**Days to Maturity**

### Distribution by Effective Duration



## Risk Management-Credit/Issuer

City of Kirkland | Investment Core

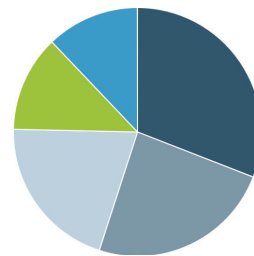


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### Credit Rating S&P/Moody's/Fitch

	Market Value + Accrued	%
<b>S&amp;P</b>		
AA+	181,705,816.46	100.00
<b>Moody's</b>		
Aaa	181,705,816.46	100.00
<b>Fitch</b>		
AAA	181,705,816.46	100.00
<b>Total</b>	<b>181,705,816.46</b>	<b>100.00</b>

### Issuer Concentration



- Federal Home Loan Banks **30.9%**
- Federal National Mortgage Association **24.1%**
- Farm Credit System **20.4%**
- Freddie Mac **12.5%**
- United States **12.1%**

# Holdings by Maturity & Ratings

City of Kirkland | Investment Core



December 31, 2020

Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Market Value	Accrued	Market Value + Accrued	Book Yield	Market Yield	% of Portfolio	Years to Maturity	Eff Duration	S&P, Moody, Fitch
3130A7CV5	2,000,000.00	FEDERAL HOME LOAN BANKS	1.375%	02/18/2021		2,003,380.00	10,159.72	2,013,539.72	1.63%	0.08%	1.11	0.13	0.13	AA+ Aaa AAA
3135G0J20	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	1.375%	02/26/2021		5,009,750.00	23,871.53	5,033,621.53	1.45%	0.10%	2.77	0.16	0.15	AA+ Aaa AAA
3130AFV61	5,000,000.00	FEDERAL HOME LOAN BANKS	2.500%	03/12/2021		5,023,000.00	37,847.22	5,060,847.22	2.52%	0.17%	2.79	0.19	0.20	AA+ Aaa AAA
912828WN6	6,000,000.00	UNITED STATES TREASURY	2.000%	05/31/2021		6,046,170.00	10,549.45	6,056,719.45	1.66%	0.14%	3.33	0.41	0.41	AA+ Aaa AAA
313379RB7	5,000,000.00	FEDERAL HOME LOAN BANKS	1.875%	06/11/2021		5,038,235.00	5,208.33	5,043,443.33	1.84%	0.15%	2.78	0.44	0.44	AA+ Aaa AAA
313378JP7	5,000,000.00	FEDERAL HOME LOAN BANKS	2.375%	09/10/2021		5,076,790.00	36,614.58	5,113,404.58	1.64%	0.15%	2.81	0.69	0.69	AA+ Aaa AAA
3130AF5B9	5,000,000.00	FEDERAL HOME LOAN BANKS	3.000%	10/12/2021		5,112,905.00	32,916.67	5,145,821.67	2.50%	0.10%	2.83	0.78	0.77	AA+ Aaa AAA
3130A0EN6	5,000,000.00	FEDERAL HOME LOAN BANKS	2.875%	12/10/2021		5,129,375.00	8,385.42	5,137,760.42	2.61%	0.12%	2.83	0.94	0.93	AA+ Aaa AAA
3135G0S38	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.000%	01/05/2022		5,095,075.00	48,888.89	5,143,963.89	2.05%	0.12%	2.83	1.01	1.00	AA+ Aaa AAA
3135G0U92	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.625%	01/11/2022		5,128,855.00	61,979.17	5,190,834.17	2.59%	0.12%	2.86	1.03	1.01	AA+ Aaa AAA
3133EKBV7	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.550%	03/01/2022		5,140,290.00	42,500.00	5,182,790.00	2.52%	0.14%	2.85	1.16	1.15	AA+ Aaa AAA
313378WG2	5,000,000.00	FEDERAL HOME LOAN BANKS	2.500%	03/11/2022		5,142,175.00	38,194.44	5,180,369.44	2.36%	0.12%	2.85	1.19	1.18	AA+ Aaa AAA
3135G0T45	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	1.875%	04/05/2022		5,110,855.00	22,395.83	5,133,250.83	1.11%	0.12%	2.83	1.26	1.25	AA+ Aaa AAA

# Holdings by Maturity & Ratings

City of Kirkland | Investment Core



December 31, 2020

Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Market Value	Accrued	Market Value + Accrued	Book Yield	Market Yield	% of Portfolio	Years to Maturity	Eff Duration	S&P, Moody, Fitch
3130AEBM1	5,000,000.00	FEDERAL HOME LOAN BANKS	2.750%	06/10/2022		5,189,810.00	8,020.83	5,197,830.83	2.84%	0.11%	2.86	1.44	1.42	AA+ Aaa AAA
9128283C2	5,000,000.00	UNITED STATES TREASURY	2.000%	10/31/2022		5,170,900.00	17,127.07	5,188,027.07	1.59%	0.13%	2.86	1.83	1.80	AA+ Aaa AAA
3130A3KM5	7,000,000.00	FEDERAL HOME LOAN BANKS	2.500%	12/09/2022		7,317,282.00	10,694.44	7,327,976.44	2.94%	0.16%	4.03	1.94	1.90	AA+ Aaa AAA
3135G0T94	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.375%	01/19/2023		5,228,260.00	53,437.50	5,281,697.50	3.04%	0.14%	2.91	2.05	1.99	AA+ Aaa AAA
3133ELMD3	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.600%	02/10/2023	02/10/2021	5,007,340.00	31,333.33	5,038,673.33	1.60%	1.53%	2.77	2.11	0.12	AA+ Aaa AAA
3133EJFK0	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.650%	03/08/2023		5,268,890.00	41,590.28	5,310,480.28	1.60%	0.18%	2.92	2.18	2.12	AA+ Aaa AAA
3135G04Q3	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.250%	05/22/2023		5,011,230.00	1,354.17	5,012,584.17	0.32%	0.16%	2.76	2.39	2.38	AA+ Aaa AAA
3133EJUS6	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.875%	07/17/2023		5,336,325.00	65,486.11	5,401,811.11	3.07%	0.22%	2.97	2.54	2.44	AA+ Aaa AAA
313383YJ4	5,000,000.00	FEDERAL HOME LOAN BANKS	3.375%	09/08/2023		5,427,040.00	52,968.75	5,480,008.75	3.04%	0.19%	3.02	2.69	2.57	AA+ Aaa AAA
3135G0U43	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	2.875%	09/12/2023		5,357,905.00	43,524.31	5,401,429.31	2.54%	0.21%	2.97	2.70	2.59	AA+ Aaa AAA
3137EAEY1	5,000,000.00	FEDERAL HOME LOAN MORTGAGE CORP	0.125%	10/16/2023		4,995,850.00	1,302.08	4,997,152.08	0.24%	0.15%	2.75	2.79	2.78	AA+ Aaa AAA
3137EAEZ8	2,500,000.00	FEDERAL HOME LOAN MORTGAGE CORP	0.250%	11/06/2023		2,501,755.00	972.22	2,502,727.22	0.28%	0.23%	1.38	2.85	2.83	AA+ Aaa AAA
912828V80	5,000,000.00	UNITED STATES TREASURY	2.250%	01/31/2024		5,319,530.00	47,078.80	5,366,608.80	1.60%	0.17%	2.95	3.08	2.97	AA+ Aaa AAA

# Holdings by Maturity & Ratings

City of Kirkland | Investment Core



December 31, 2020

Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Market Value	Accrued	Market Value + Accrued	Book Yield	Market Yield	% of Portfolio	Years to Maturity	Eff Duration	S&P, Moody, Fitch
3133EKBW5	5,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	2.610%	02/27/2024		5,369,515.00	44,950.00	5,414,465.00	2.57%	0.26%	2.98	3.16	3.03	AA+ Aaa AAA
3130A1XJ2	5,000,000.00	FEDERAL HOME LOAN BANKS	2.875%	06/14/2024		5,456,935.00	6,788.19	5,463,723.19	2.03%	0.22%	3.01	3.45	3.31	AA+ Aaa AAA
3133EKWV4	10,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP	1.850%	07/26/2024		10,556,880.00	79,652.78	10,636,532.78	1.92%	0.28%	5.85	3.57	3.44	AA+ Aaa AAA
912828G38	5,000,000.00	UNITED STATES TREASURY	2.250%	11/15/2024		5,385,155.00	14,606.35	5,399,761.35	1.69%	0.25%	2.97	3.88	3.72	AA+ Aaa AAA
3137EAEPO	5,000,000.00	FEDERAL HOME LOAN MORTGAGE CORP	1.500%	02/12/2025		5,242,700.00	28,958.33	5,271,658.33	0.55%	0.31%	2.90	4.12	3.98	AA+ Aaa AAA
3135G03U5	5,000,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.625%	04/22/2025		5,056,505.00	5,989.58	5,062,494.58	0.53%	0.36%	2.79	4.31	4.25	AA+ Aaa AAA
3137EAEU9	5,000,000.00	FEDERAL HOME LOAN MORTGAGE CORP	0.375%	07/21/2025		5,000,145.00	8,229.17	5,008,374.17	0.44%	0.37%	2.76	4.55	4.51	AA+ Aaa AAA
3137EAEX3	5,000,000.00	FEDERAL HOME LOAN MORTGAGE CORP	0.375%	09/23/2025		4,989,410.00	5,000.00	4,994,410.00	0.42%	0.42%	2.75	4.73	4.68	AA+ Aaa AAA
3135G06G3	2,500,000.00	FEDERAL NATIONAL MORTGAGE ASSOCIATION	0.500%	11/07/2025		2,509,322.50	1,701.39	2,511,023.89	0.52%	0.42%	1.38	4.85	4.78	AA+ Aaa AAA
<b>Total</b>	<b>175,000,000.00</b>		<b>2.012%</b>			<b>180,755,539.50</b>	<b>950,276.96</b>	<b>181,705,816.46</b>	<b>1.84%</b>	<b>0.23%</b>	<b>100.00</b>	<b>2.21</b>	<b>2.11</b>	

# Holdings by Security Type

City of Kirkland | Investment Core



December 31, 2020

Settlement Date	Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Book Yield	Market Yield	Market Value + Accrued	Net Unrealized Gain (Loss)	% Asset	Eff Dur
<b>US Treasury</b>												
06/15/2017	912828WN6	6,000,000.00	United States	2.000%	05/31/2021		1.66%	0.14%	6,056,719.45	38,165.57	3.33	0.41
10/02/2019	9128283C2	5,000,000.00	United States	2.000%	10/31/2022		1.59%	0.13%	5,188,027.07	134,716.67	2.86	1.80
01/21/2020	912828V80	5,000,000.00	United States	2.250%	01/31/2024		1.60%	0.17%	5,366,608.80	223,334.28	2.95	2.97
12/13/2019	912828G38	5,000,000.00	United States	2.250%	11/15/2024		1.69%	0.25%	5,399,761.35	281,225.95	2.97	3.72
<b>Total</b>		<b>21,000,000.00</b>					<b>1.64%</b>	<b>0.17%</b>	<b>22,011,116.68</b>	<b>677,442.46</b>	<b>12.11</b>	<b>2.18</b>
<b>US Agency</b>												
03/15/2016	3130A7CV5	2,000,000.00	Federal Home Loan Banks	1.375%	02/18/2021		1.63%	0.08%	2,013,539.72	4,016.53	1.11	0.13
04/27/2016	3135G0J20	5,000,000.00	Federal National Mortgage Association	1.375%	02/26/2021		1.45%	0.10%	5,033,621.53	10,290.96	2.77	0.15
02/28/2019	3130AFV61	5,000,000.00	Federal Home Loan Banks	2.500%	03/12/2021		2.52%	0.17%	5,060,847.22	23,235.85	2.79	0.20
05/12/2017	313379RB7	5,000,000.00	Federal Home Loan Banks	1.875%	06/11/2021		1.84%	0.15%	5,043,443.33	37,559.66	2.78	0.44
08/31/2017	313378JP7	5,000,000.00	Federal Home Loan Banks	2.375%	09/10/2021		1.64%	0.15%	5,113,404.58	52,404.29	2.81	0.69
02/28/2019	3130AF5B9	5,000,000.00	Federal Home Loan Banks	3.000%	10/12/2021		2.50%	0.10%	5,145,821.67	94,323.20	2.83	0.77
01/15/2019	3130A0EN6	5,000,000.00	Federal Home Loan Banks	2.875%	12/10/2021		2.61%	0.12%	5,137,760.42	117,698.75	2.83	0.93
01/31/2017	3135G0S38	5,000,000.00	Federal National Mortgage Association	2.000%	01/05/2022		2.05%	0.12%	5,143,963.89	97,392.79	2.83	1.00
01/15/2019	3135G0U92	5,000,000.00	Federal National Mortgage Association	2.625%	01/11/2022		2.59%	0.12%	5,190,834.17	127,136.39	2.86	1.01
03/01/2019	3133EKBV7	5,000,000.00	Farm Credit System	2.550%	03/01/2022		2.52%	0.14%	5,182,790.00	138,508.81	2.85	1.15
04/15/2019	313378WG2	5,000,000.00	Federal Home Loan Banks	2.500%	03/11/2022		2.36%	0.12%	5,180,369.44	134,252.45	2.85	1.18
03/04/2020	3135G0T45	5,000,000.00	Federal National Mortgage Association	1.875%	04/05/2022		1.11%	0.12%	5,133,250.83	63,569.57	2.83	1.25
07/16/2018	3130AEBM1	5,000,000.00	Federal Home Loan Banks	2.750%	06/10/2022		2.84%	0.11%	5,197,830.83	195,939.30	2.86	1.42
05/21/2018	3130A3KM5	7,000,000.00	Federal Home Loan Banks	2.500%	12/09/2022		2.94%	0.16%	7,327,976.44	372,370.15	4.03	1.90
10/01/2018	3135G0T94	5,000,000.00	Federal National Mortgage Association	2.375%	01/19/2023		3.04%	0.14%	5,281,697.50	291,768.54	2.91	1.99
02/26/2020	3133ELMD3	5,000,000.00	Farm Credit System	1.600%	02/10/2023	02/10/2021	1.60%	0.24%	5,038,673.33	7,340.00	2.77	0.12
10/22/2019	3133EJFK0	5,000,000.00	Farm Credit System	2.650%	03/08/2023		1.60%	0.18%	5,310,480.28	158,140.77	2.92	2.12
06/17/2020	3135G04Q3	5,000,000.00	Federal National Mortgage Association	0.250%	05/22/2023		0.32%	0.16%	5,012,584.17	20,017.40	2.76	2.38
10/01/2018	3133EJUS6	5,000,000.00	Farm Credit System	2.875%	07/17/2023		3.07%	0.22%	5,401,811.11	359,089.24	2.97	2.44
11/30/2018	313383YJ4	5,000,000.00	Federal Home Loan Banks	3.375%	09/08/2023		3.04%	0.19%	5,480,008.75	385,032.77	3.02	2.57
02/28/2019	3135G0U43	5,000,000.00	Federal National Mortgage Association	2.875%	09/12/2023		2.54%	0.21%	5,401,429.31	315,746.30	2.97	2.59
11/02/2020	3137EAEY1	5,000,000.00	Freddie Mac	0.125%	10/16/2023		0.24%	0.15%	4,997,152.08	11,998.24	2.75	2.78



# Holdings by Security Type

City of Kirkland | Investment Core



December 31, 2020

Settlement Date	Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Book Yield	Market Yield	Market Value + Accrued	Net Unrealized Gain (Loss)	% Asset	Eff Dur
11/17/2020	3137EAEZ8	2,500,000.00	Freddie Mac	0.250%	11/06/2023		0.28%	0.23%	2,502,727.22	4,175.18	1.38	2.83
02/28/2019	3133EKBW5	5,000,000.00	Farm Credit System	2.610%	02/27/2024		2.57%	0.26%	5,414,465.00	363,925.53	2.98	3.03
06/13/2019	3130A1XJ2	5,000,000.00	Federal Home Loan Banks	2.875%	06/14/2024		2.03%	0.22%	5,463,723.19	318,286.75	3.01	3.31
08/01/2019	3133EKVV4	10,000,000.00	Farm Credit System	1.850%	07/26/2024		1.92%	0.28%	10,636,532.78	579,616.74	5.85	3.44
04/20/2020	3137EAEPO	5,000,000.00	Freddie Mac	1.500%	02/12/2025		0.55%	0.31%	5,271,658.33	50,932.92	2.90	3.98
06/12/2020	3135G03U5	5,000,000.00	Federal National Mortgage Association	0.625%	04/22/2025		0.53%	0.36%	5,062,494.58	36,843.93	2.79	4.25
07/29/2020	3137EAEU9	5,000,000.00	Freddie Mac	0.375%	07/21/2025		0.44%	0.37%	5,008,374.17	15,823.38	2.76	4.51
09/28/2020	3137EAEX3	5,000,000.00	Freddie Mac	0.375%	09/23/2025		0.42%	0.42%	4,994,410.00	(386.60)	2.75	4.68
11/17/2020	3135G06G3	2,500,000.00	Federal National Mortgage Association	0.500%	11/07/2025		0.52%	0.42%	2,511,023.89	12,072.62	1.38	4.78
<b>Total</b>		<b>154,000,000.00</b>					<b>1.87%</b>	<b>0.20%</b>	<b>159,694,699.78</b>	<b>4,399,122.41</b>	<b>87.89</b>	<b>2.10</b>
<b>Portfolio Total</b>		<b>175,000,000.00</b>					<b>1.84%</b>	<b>0.20%</b>	<b>181,705,816.46</b>	<b>5,076,564.88</b>	<b>100.00</b>	<b>2.11</b>

# Transactions

City of Kirkland | Investment Core



December 31, 2020

Cusip	Security	Trade Date	Settlement Date	Coupon Payment	Price	Par Amount	Principal Amount	Accrued Amount	Total Amount	Broker
<b>Buy</b>										
3137EAEY1	FREDDIE MAC 0.125 10/16/23 MTN	10/29/2020	11/02/2020	0.00	99.66	5,000,000.00	4,982,900.00	277.78	4,983,177.78	TD SECURITIES
3137EAEZ8	FREDDIE MAC 0.250 11/06/23 MTN	11/13/2020	11/17/2020	0.00	99.90	2,500,000.00	2,497,475.00	208.33	2,497,683.33	TD SECURITIES
3135G06G3	FANNIE MAE 0.500 11/07/25	11/13/2020	11/17/2020	0.00	99.89	2,500,000.00	2,497,180.00	173.61	2,497,353.61	Mizuho
<b>Total</b>				<b>0.00</b>		<b>10,000,000.00</b>	<b>9,977,555.00</b>	<b>659.72</b>	<b>9,978,214.72</b>	
<b>Maturity</b>										
912828L99	US TREASURY 1.375 10/31/20 MATD	10/31/2020	10/31/2020	0.00	100.00	5,000,000.00	5,000,000.00	0.00	5,000,000.00	
3137EAEK1	FREDDIE MAC 1.875 11/17/20 MTN MAT	11/17/2020	11/17/2020	0.00	100.00	5,000,000.00	5,000,000.00	0.00	5,000,000.00	
<b>Total</b>				<b>0.00</b>		<b>10,000,000.00</b>	<b>10,000,000.00</b>	<b>0.00</b>	<b>10,000,000.00</b>	
<b>Coupon</b>										
3135G0T45	FANNIE MAE 1.875 04/05/22	10/05/2020	10/05/2020	46,875.00		0.00	0.00	0.00	46,875.00	
3130AF5B9	FHLBANKS 3.000 10/12/21	10/12/2020	10/12/2020	75,000.00		0.00	0.00	0.00	75,000.00	
3135G03U5	FANNIE MAE 0.625 04/22/25	10/22/2020	10/22/2020	15,451.39		0.00	0.00	0.00	15,451.39	
912828L99	US TREASURY 1.375 10/31/20 MATD	10/31/2020	10/31/2020	34,375.00		0.00	0.00	0.00	34,375.00	
9128283C2	US TREASURY 2.000 10/31/22	10/31/2020	10/31/2020	50,000.00		0.00	0.00	0.00	50,000.00	
912828G38	US TREASURY 2.250 11/15/24	11/15/2020	11/15/2020	56,250.00		0.00	0.00	0.00	56,250.00	
3137EAEK1	FREDDIE MAC 1.875 11/17/20 MTN MAT	11/17/2020	11/17/2020	46,875.00		0.00	0.00	0.00	46,875.00	
3135G04Q3	FANNIE MAE 0.250 05/22/23	11/22/2020	11/22/2020	6,250.00		0.00	0.00	0.00	6,250.00	
912828WN6	US TREASURY 2.000 05/31/21	11/30/2020	11/30/2020	60,000.00		0.00	0.00	0.00	60,000.00	
3130A3KM5	FHLBANKS 2.500 12/09/22	12/09/2020	12/09/2020	87,500.00		0.00	0.00	0.00	87,500.00	
3130A0EN6	FHLBANKS 2.875 12/10/21	12/10/2020	12/10/2020	71,875.00		0.00	0.00	0.00	71,875.00	
3130AEBM1	FHLBANKS 2.750 06/10/22	12/10/2020	12/10/2020	68,750.00		0.00	0.00	0.00	68,750.00	
313379RB7	FHLBANKS 1.875 06/11/21	12/11/2020	12/11/2020	46,875.00		0.00	0.00	0.00	46,875.00	
3130A1XJ2	FHLBANKS 2.875 06/14/24	12/14/2020	12/14/2020	71,875.00		0.00	0.00	0.00	71,875.00	
<b>Total</b>				<b>737,951.39</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>737,951.39</b>	
<b>Cash Transfer</b>										
CCYUSD	US DOLLAR	10/05/2020	10/05/2020	0.00		46,875.00	(46,875.00)	0.00	(46,875.00)	
CCYUSD	US DOLLAR	10/13/2020	10/13/2020	0.00		75,000.00	(75,000.00)	0.00	(75,000.00)	
CCYUSD	US DOLLAR	10/22/2020	10/22/2020	0.00		15,451.39	(15,451.39)	0.00	(15,451.39)	
CCYUSD	US DOLLAR	10/30/2020	10/30/2020	0.00		4,983,177.78	4,983,177.78	0.00	4,983,177.78	
CCYUSD	US DOLLAR	11/02/2020	11/02/2020	0.00		34,375.00	(34,375.00)	0.00	(34,375.00)	

# Transactions

City of Kirkland | Investment Core



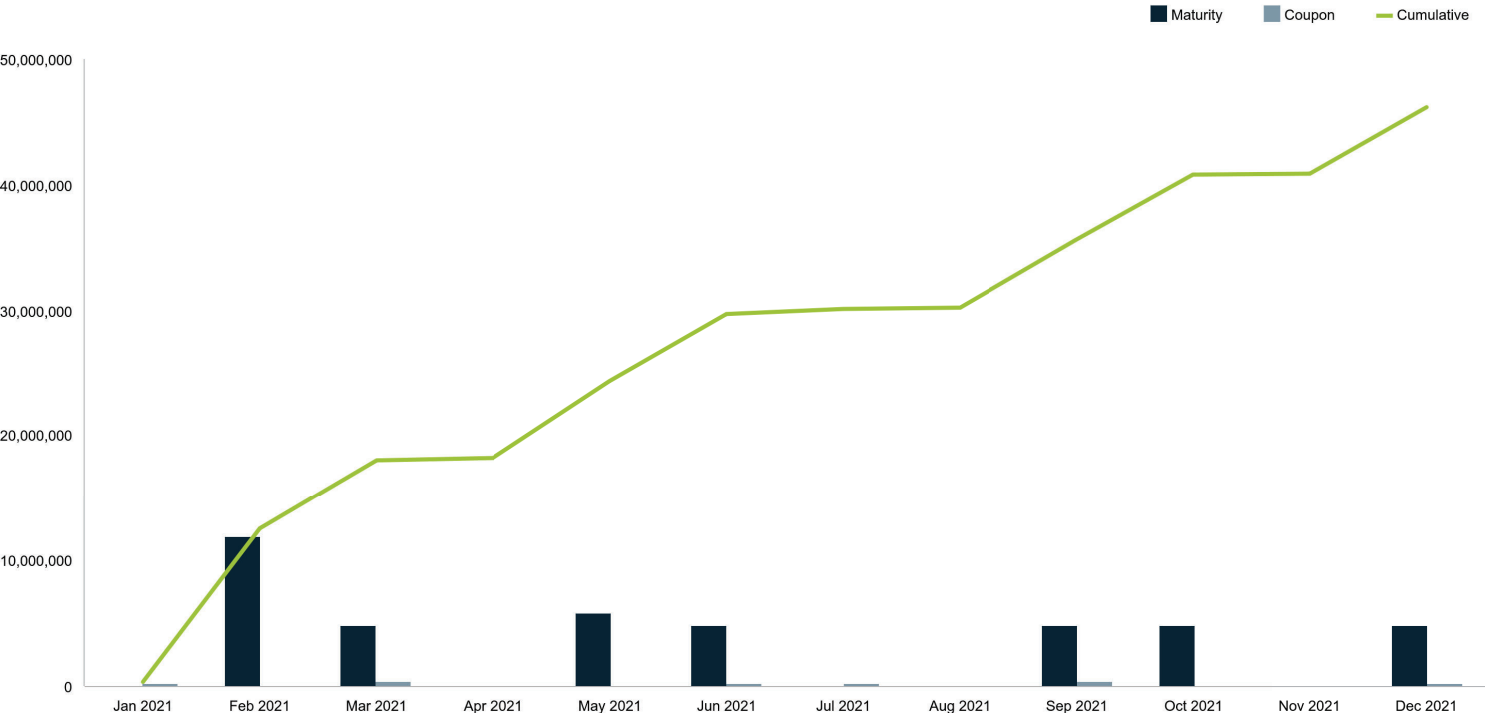
December 31, 2020

Cusip	Security	Trade Date	Settlement Date	Coupon Payment	Price	Par Amount	Principal Amount	Accrued Amount	Total Amount	Broker
CCYUSD	US DOLLAR	11/02/2020	11/02/2020	0.00		50,000.00	(50,000.00)	0.00	(50,000.00)	
CCYUSD	US DOLLAR	11/02/2020	11/02/2020	0.00		5,000,000.00	(5,000,000.00)	0.00	(5,000,000.00)	
CCYUSD	US DOLLAR	11/16/2020	11/16/2020	0.00		2,497,683.33	2,497,683.33	0.00	2,497,683.33	
CCYUSD	US DOLLAR	11/16/2020	11/16/2020	0.00		56,250.00	(56,250.00)	0.00	(56,250.00)	
CCYUSD	US DOLLAR	11/16/2020	11/16/2020	0.00		2,497,353.61	2,497,353.61	0.00	2,497,353.61	
CCYUSD	US DOLLAR	11/17/2020	11/17/2020	0.00		5,000,000.00	(5,000,000.00)	0.00	(5,000,000.00)	
CCYUSD	US DOLLAR	11/17/2020	11/17/2020	0.00		46,875.00	(46,875.00)	0.00	(46,875.00)	
CCYUSD	US DOLLAR	11/23/2020	11/23/2020	0.00		6,250.00	(6,250.00)	0.00	(6,250.00)	
CCYUSD	US DOLLAR	11/30/2020	11/30/2020	0.00		60,000.00	(60,000.00)	0.00	(60,000.00)	
CCYUSD	US DOLLAR	12/09/2020	12/09/2020	0.00		87,500.00	(87,500.00)	0.00	(87,500.00)	
CCYUSD	US DOLLAR	12/10/2020	12/10/2020	0.00		68,750.00	(68,750.00)	0.00	(68,750.00)	
CCYUSD	US DOLLAR	12/10/2020	12/10/2020	0.00		71,875.00	(71,875.00)	0.00	(71,875.00)	
CCYUSD	US DOLLAR	12/11/2020	12/11/2020	0.00		46,875.00	(46,875.00)	0.00	(46,875.00)	
CCYUSD	US DOLLAR	12/14/2020	12/14/2020	0.00		71,875.00	(71,875.00)	0.00	(71,875.00)	
<b>Total</b>				<b>0.00</b>		<b>759,736.67</b>	<b>(759,736.67)</b>	<b>0.00</b>	<b>(759,736.67)</b>	

# Cash Flow Forecasting

City of Kirkland | Investment Core

## One Year Projection



## Summary Overview

City of Kirkland | Liquidity

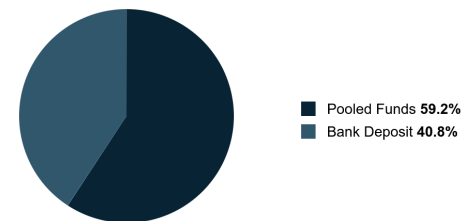


December 31, 2020

### Portfolio Characteristics

Metric	Value
Cash and Cash Equivalents	57,567,859.36
Book Yield	0.15%
Market Yield	
Effective Duration	0.01
Years to Maturity	0.01
Avg Credit Rating	NA

### Allocation by Asset Class



### Strategic Structure

Account	Par Amount	Book Value	Original Cost	Market Value	Net Unrealized Gain (Loss)	Accrued	Yield at Cost	Effective Duration	Benchmark Duration	Benchmark
KIRK-Liquidity	57,567,859.36	57,567,859.36	57,567,859.36	57,567,859.36	0.00	0.00	0.15%	0.01	0.09	ICE BofA US 1-Month Treasury Bill Index
<b>Total</b>	<b>57,567,859.36</b>	<b>57,567,859.36</b>	<b>57,567,859.36</b>	<b>57,567,859.36</b>	<b>0.00</b>	<b>0.00</b>	<b>0.15%</b>	<b>0.01</b>	<b>0.09</b>	

## Return Management-Income Detail

City of Kirkland | Liquidity



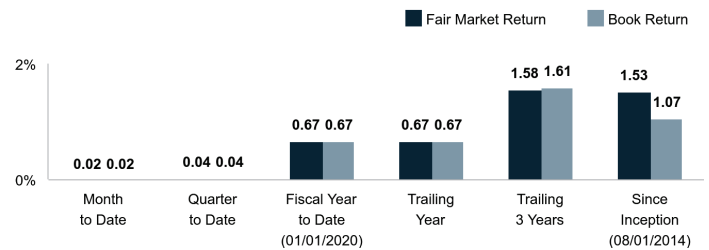
December 31, 2020

### Accrued Book Return

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Interest Earned	22,959.33	402,057.85
Book Income	22,959.33	402,057.85
Average Portfolio Balance	50,766,248.07	56,921,419.93
Book Return for Period	0.04%	0.67%

### Return Comparisons

Periodic for performance less than one year. Annualized for performance greater than one year.



### Interest Income

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Beginning Accrued Interest	0.00	0.00
Coupons Paid	22,959.33	402,057.85
Purchased Accrued Interest	0.00	0.00
Sold Accrued Interest	0.00	0.00
Ending Accrued Interest	0.00	0.00
Interest Earned	22,959.33	402,057.85

# Holdings by Security Type

City of Kirkland | Liquidity

**GPA**  
December 31, 2020

Settlement Date	Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Book Yield	Market Yield	Market Value + Accrued	Net Unrealized Gain (Loss)	% Asset	Eff Dur
<b>Bank Deposit</b>												
	KIRK_PCFC_DEP	23,474,217.17	PACIFIC PREMIER DEPOSIT	0.174%			0.17%		23,474,217.17	0.00	40.78	0.01
<b>Total</b>		<b>23,474,217.17</b>					<b>0.17%</b>		<b>23,474,217.17</b>	<b>0.00</b>	<b>40.78</b>	<b>0.01</b>
<b>Pooled Funds</b>												
	WA_LGIP	34,093,642.19	WASHINGTON LGIP	0.129%			0.13%		34,093,642.19	0.00	59.22	0.01
<b>Total</b>		<b>34,093,642.19</b>					<b>0.13%</b>		<b>34,093,642.19</b>	<b>0.00</b>	<b>59.22</b>	<b>0.01</b>
<b>Portfolio Total</b>		<b>57,567,859.36</b>					<b>0.15%</b>		<b>57,567,859.36</b>	<b>0.00</b>	<b>100.00</b>	<b>0.01</b>

# Transactions

City of Kirkland | Liquidity



December 31, 2020

Cusip	Security	Trade Date	Settlement Date	Coupon Payment	Price	Par Amount	Principal Amount	Accrued Amount	Total Amount	Broker
<b>Buy</b>										
WA_LGIP	WASHINGTON LGIP	12/13/2020	12/13/2020	0.00	1.00	9,129,183.84	9,129,183.84	0.00	9,129,183.84	Direct
<b>Total</b>				<b>0.00</b>		<b>9,129,183.84</b>	<b>9,129,183.84</b>	<b>0.00</b>	<b>9,129,183.84</b>	
<b>Sell</b>										
WA_LGIP	WASHINGTON LGIP	10/31/2020	10/31/2020	0.00	1.00	1,364,343.88	1,364,343.88	0.00	1,364,343.88	Direct
<b>Total</b>				<b>0.00</b>		<b>1,364,343.88</b>	<b>1,364,343.88</b>	<b>0.00</b>	<b>1,364,343.88</b>	
<b>Interest Income</b>										
WA_LGIP	WASHINGTON LGIP	12/31/2020	12/31/2020	4,029.12		0.00	4,029.12	0.00	4,029.12	
KIRK_OPUS_DEP	OPUS BANK DEPOSIT	10/31/2020	10/31/2020	308.41		0.00	308.41	0.00	308.41	
WA_LGIP	WASHINGTON LGIP	10/31/2020	10/31/2020	3,540.22		0.00	3,540.22	0.00	3,540.22	
WA_LGIP	WASHINGTON LGIP	11/30/2020	11/30/2020	3,327.59		0.00	3,327.59	0.00	3,327.59	
KIRK_PCFC_DEP	PACIFIC PREMIER DEPOSIT	12/31/2020	12/31/2020	5,315.28		0.00	5,315.28	0.00	5,315.28	
KIRK_PCFC_DEP	PACIFIC PREMIER DEPOSIT	11/30/2020	11/30/2020	6,438.71		0.00	6,438.71	0.00	6,438.71	
<b>Total</b>				<b>22,959.33</b>		<b>0.00</b>	<b>22,959.33</b>	<b>0.00</b>	<b>22,959.33</b>	



## Summary Overview

City of Kirkland | Certificates of Deposit

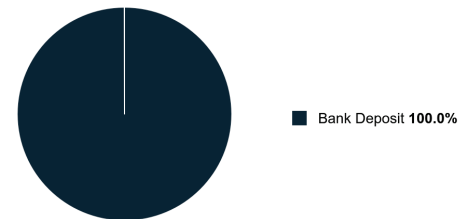


December 31, 2020

### Portfolio Characteristics

Metric	Value
Investments	5,333,905.34
Book Yield	0.60%
Market Yield	0.60%
Effective Duration	0.47
Years to Maturity	0.47
Avg Credit Rating	NA

### Allocation by Asset Class



### Strategic Structure

Account	Par Amount	Book Value	Original Cost	Market Value	Net Unrealized Gain (Loss)	Accrued	Yield at Cost	Effective Duration	Benchmark Duration	Benchmark
KIRK-Certificates of Deposit	5,333,817.81	5,333,817.81	5,333,817.81	5,333,817.81	0.00	87.53	0.60%	0.47	0.16	ICE BofA 0-3 Month US Treasury Bill Index
<b>Total</b>	<b>5,333,817.81</b>	<b>5,333,817.81</b>	<b>5,333,817.81</b>	<b>5,333,817.81</b>	<b>0.00</b>	<b>87.53</b>	<b>0.60%</b>	<b>0.47</b>	<b>0.16</b>	

# Return Management-Income Detail

City of Kirkland | Certificates of Deposit



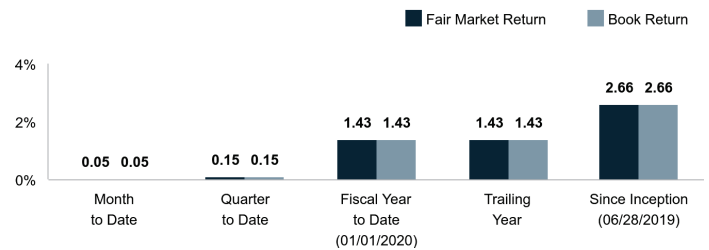
December 31, 2020

## Accrued Book Return

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Amortization/Accretion	0.00	0.00
Interest Earned	8,047.05	75,358.93
Realized Gain (Loss)	0.00	0.00
Book Income	8,047.05	75,358.93
Average Portfolio Balance	5,328,598.36	5,304,949.08
Book Return for Period	0.15%	1.43%

## Return Comparisons

Periodic for performance less than one year. Annualized for performance greater than one year.



## Interest Income

	Quarter to Date	Fiscal Year to Date (01/01/2020)
Beginning Accrued Interest	87.40	342.14
Coupons Paid	8,046.92	75,613.54
Purchased Accrued Interest	0.00	0.00
Sold Accrued Interest	0.00	0.00
Ending Accrued Interest	87.53	87.53
Interest Earned	8,047.05	75,358.93

## Holdings by Security Type

City of Kirkland | Certificates of Deposit



December 31, 2020

Settlement Date	Cusip	Par Amount	Security	Coupon Rate	Maturity Date	Call Date	Book Yield	Market Yield	Market Value + Accrued	Net Unrealized Gain (Loss)	% Asset	Eff Dur
<b>Bank Deposit</b>												
	KIRK-1734025-2021	5,333,817.81	East West Bank	0.599%	06/19/2021		0.60%	0.60%	5,333,905.34	0.00	100.00	0.47
<b>Total</b>		<b>5,333,817.81</b>					<b>0.60%</b>	<b>0.60%</b>	<b>5,333,905.34</b>	<b>0.00</b>	<b>100.00</b>	<b>0.47</b>
<b>Portfolio Total</b>		<b>5,333,817.81</b>					<b>0.60%</b>	<b>0.60%</b>	<b>5,333,905.34</b>	<b>0.00</b>	<b>100.00</b>	<b>0.47</b>

# Transactions

City of Kirkland | Certificates of Deposit



December 31, 2020

Cusip	Security	Trade Date	Settlement Date	Coupon Payment	Price	Par Amount	Principal Amount	Accrued Amount	Total Amount	Broker
<b>Buy</b>										
KIRK-1734025-2021	East West Bank	10/30/2020	10/30/2020	0.00	100.00	2,710.11	2,710.11	0.00	2,710.11	Unknown
KIRK-1734025-2021	East West Bank	11/30/2020	11/30/2020	0.00	100.00	2,623.99	2,623.99	0.00	2,623.99	Unknown
KIRK-1734025-2021	East West Bank	12/31/2020	12/31/2020	0.00	100.00	2,712.82	2,712.82	0.00	2,712.82	Unknown
<b>Total</b>				<b>0.00</b>		<b>8,046.92</b>	<b>8,046.92</b>	<b>0.00</b>	<b>8,046.92</b>	
<b>Coupon</b>										
KIRK-1734025-2021	East West Bank	10/30/2020	10/30/2020	2,710.11		0.00	88.08	0.00	2,710.11	
KIRK-1734025-2021	East West Bank	11/30/2020	11/30/2020	2,623.99		0.00	0.63	0.00	2,623.99	
KIRK-1734025-2021	East West Bank	12/31/2020	12/31/2020	2,712.82		0.00	0.68	0.00	2,712.82	
<b>Total</b>				<b>8,046.92</b>		<b>0.00</b>	<b>89.38</b>	<b>0.00</b>	<b>8,046.92</b>	

This report is for general informational purposes only and is not intended to provide specific advice or recommendations. Government Portfolio Advisors (GPA) is an investment advisor registered with the Securities and Exchange Commission and is required to maintain a written disclosure statement of our background and business experience.

**Questions About an Account:** GPA's monthly & quarterly reports are intended to detail the investment advisory activity managed by GPA. The custodial bank maintains the control of assets and settles all investment transactions. The custodial statement is the official record of security and cash holdings and transactions. GPA recognizes that clients may use these reports to facilitate record keeping and that the custodial bank statement and the GPA report should be reconciled, and differences documented.

**Trade Date versus Settlement Date:** Many custodial banks use settlement date basis and post coupons or maturities on the following business days when they occur on weekend. These items may result in the need to reconcile due to a timing difference. GPA reports are on a trade date basis in accordance with GIPS performance standards. GPA can provide all account settings to support the reason for any variance.

**Bank Deposits and Pooled Investment Funds Held in Liquidity Accounts Away from the Custodial Bank are Referred to as Line Item Securities:** GPA relies on the information provided by clients when reporting pool balances, bank balances and other assets that are not held at the client's custodial bank. GPA does not guarantee the accuracy of information received from third parties. Balances cannot be adjusted once submitted however corrective transactions can be entered as adjustments in the following months activity. Assets held outside the custodial bank that are reported to GPA are included in GPA's oversight compliance reporting and strategic plan.

**Account Control:** GPA does not have the authority to withdraw or deposit funds from or to any client's custodial account. Clients retain responsibility for the deposit and withdrawal of funds to the custodial account. Our clients retain responsibility for their internal accounting policies, implementing and enforcing internal controls and generating ledger entries or otherwise recording transactions.

**Custodial Bank Interface:** Our contract provides for the ability for GPA to interface into our client's custodial bank to reconcile transactions, maturities and coupon payments. The GPA client portal will be available to all clients to access this information directly at any time.

**Market Price:** Generally, GPA has set all securities market pricing to match custodial bank pricing. There may be certain securities that will require pricing override due to inaccurate custodial bank pricing that will otherwise distort portfolio performance returns. GPA may utilize Refinitiv pricing source for commercial paper, discount notes and supranational bonds when custodial bank pricing does not reflect current market levels. The pricing variances are obvious when market yields are distorted from the current market levels.

**Amortized Cost:** The original cost on the principal of the security is adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report. Discounts or premiums are amortized on a straight-line basis on all securities. This can be changed at the client's request.

**Callable Securities:** Securities subject to redemption in whole or in part prior to the stated final maturity at the discretion of the security's issuer are referred to as "callable". Certain call dates may not show up on the report if the call date has passed or if the security is continuously callable until maturity date. Bonds purchased at a premium will be amortized to the next call date while all other callable securities will be amortized to maturity. If the bond is amortized to the call date, amortization will be reflected to that date and once the call date passes, the bond will be fully amortized.

**Duration:** The duration is the effective duration. Duration on callable securities is based on the probability of the security being called given market rates and security characteristics.

**Benchmark Duration:** The benchmark duration is based on the duration of the stated benchmark that is assigned to each account.

**Rating:** Information provided for ratings is based upon a good faith inquiry of selected sources, but its accuracy and completeness cannot be guaranteed.

**Coupon Payments and Maturities on Weekends:** On occasion, coupon payments and maturities occur on a weekend or holiday. GPA's report settings are on the accrual basis so the coupon postings and maturities will be accounted for in the period earned. The bank may be set at a cash basis, which may result in a reconciliation variance.

**Cash and Cash Equivalents:** GPA has defined cash and cash equivalents to be cash, bank deposits, LGIP pools and repurchase agreements. This may vary from your custodial bank which typically defines cash and equivalents as all securities that mature under 90 days. Check with your custodial bank to understand their methodology.

**Account Settings:** GPA has the portfolio settings at the lot level, if a security is sold our setting will remove the lowest cost security first. First-in-first-out (FIFO) settings are available at the client's request.

**Historical Numbers:** Data was transferred from GPA's legacy system, however, variances may exist from the data received due to a change of settings on Clearwater. GPA is utilizing this information for historical return data with the understanding the accrual settings and pricing sources may differ slightly.

**Financial Situation:** In order to better serve you, GPA should be promptly notified of any material change in your investment objective or financial situation.

**No Guarantee:** The securities in the portfolio are not guaranteed or otherwise protected by GPA, the FDIC (except for non-negotiable certificates of deposit) or any government agency. Investment in securities involves risks, including the possible loss of the amount invested.





**CITY OF KIRKLAND**  
**Department of Finance & Administration**  
123 Fifth Ave, Kirkland, WA 98033 · 425.587.3100  
www.kirklandwa.gov

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** Michael Olson, Director of Finance and Administration  
George Dugdale, Financial Planning Manager  
Kevin Lowe Pelstring, Budget Analyst  
**Date:** February 1, 2021  
**Subject:** Monthly Financial Dashboard Report through December 31, 2020

**RECOMMENDATION:**

It is recommended that the City Council receive the monthly Financial Dashboard for December 2020.

**BACKGROUND DISCUSSION**

The Financial Dashboard is a high-level summary of some of the City's key revenue and expenditure indicators. It provides a budget to actual comparison for year-to-date revenues and expenditures for the general fund, as well as some other key revenues and expenditures. The report also compares this year's actual revenue and expenditure performance to the prior year. It is even more important during the current COVID-19 pandemic and associated economic impacts to closely track the City's revenues and expenditures.

We see the continued effects of COVID-19 and the Governor's 'Safe Start' restrictions reflected in this report. Total General Fund revenues ended 2020 at 102.1 percent of budget, which is slightly above the 100 percent budget threshold, but down 1.5 percent relative to 2019 mostly due to net effect of strong Sales Tax revenue (primarily from a very large excise audit back payment) and significant decline in Development Fees described below. Total Expenditures are 93.9 percent of budget and modestly below total budget primarily due to position vacancy savings balanced by COVID-19 related expenses—some of which are reimbursable.

The December results include Sales Tax revenues through October. Relative to the same period in 2019, Sales Tax is up 2.7 percent due to the following business sectors, which comprise about 47 percent of total revenues: Miscellaneous (up \$1,076,076, or 62.9 percent), Other Retail (up \$324,437, or 10.4 percent), General Merchandise/Miscellaneous Retail (up \$201,542, or 7.5 percent), and Services (up \$152,278, 4.4 percent). Much of this apparent growth is due to a \$1.4 million one-time payment from an excise audit in the Miscellaneous sector received in November. These gains are offset somewhat by losses in the following business sectors, which comprise about 24 percent of total revenues: Auto/Gas Retail (down \$385,767, or 7.6 percent), Retail Eating/Drinking (down \$381,886, or 20.4 percent), and Communications (down \$244,359, or 34.6 percent).

Development Fees in 2020 were 92.3 percent of budget, which is modestly below budget, and down 15.6 percent relative to 2019, primarily due to the COVID-19 shutdown and the unusually high level of development activity in 2019 at the Totem Lake and Kirkland Urban sites.

Financial Planning will continue to monitor and project these and all City revenues being affected by COVID-19 in 2021, providing that information where needed to inform policy decisions.

**December 2020 Financial Dashboard**  
February 1, 2021

**Revenues (through 12/31/20):**

- General Fund Revenues** finished the year at 102.1 percent of budget, which is slightly above the 100 percent budget threshold but slightly lower than normal, primarily due to the negative economic impact of COVID-19 on Development Fees and lower than expected Utility Taxes. Typically, General Fund Revenues are 102.5-104.5 percent of budget due to the net effect of the City's conservative Sales Tax budgeting policy and the timing of Property Tax distributions by King County. Relative to 2019, General Fund Revenues are down 1.5 percent mostly due to significant declines in Development Fees (-15.6 percent).

- Sales Tax** ended 2020 at 118.2 percent of budget, which is significantly above the 100 percent budget threshold despite COVID-19 economic impacts, primarily due to the effect of the City's modified two-year sales tax lag policy and a \$1.4 million back payment in the Miscellaneous sector received in November from an excise tax audit. Relative to 2019, Sales Tax is up 2.7 percent due to the following business sectors, which comprise about 47 percent of total revenues: Miscellaneous (up \$1,076,076, or 62.9 percent), Other Retail (up \$324,437, or 10.4 percent), General Merchandise/Miscellaneous Retail (up \$201,542, or 7.5 percent), and Services (up \$152,278, 4.4 percent). These gains are offset somewhat by losses in the following business sectors, which comprise about 24 percent of total revenues: Auto/Gas Retail (down \$385,767, or 7.6 percent), Retail Eating/Drinking (down \$381,886, or 20.4 percent), and Communications (down \$244,359, or 34.6 percent). Note that 2019 also included two large back tax payments totaling \$458,733 from the Communications and Miscellaneous business sectors. As a reminder, there is a two-month lag between when Sales Tax is generated and when it is distributed to the City (i.e., December receipts are for October retail activity).

- Property Taxes** finished the year at 101.0 percent of budget, which is slightly above the 100 percent budget threshold. Property taxes are slightly above budget because the City budgets property tax at 98.3% of what King County estimates receipts will be to account for delinquencies and other non-payment, and may receive late payments from previous tax years
- Utility Taxes** ended at 95.2 percent of budget, which is modestly below budget. Relative to 2019, Utility Taxes are down 1.2 percent due to the net effect of a 9.3 percent increase in Solid Waste Utility Taxes, a 4.3 percent increase in Electric Utility Taxes, a 16.6 percent decrease in Telephone Utility Taxes (reflecting an ongoing, double digit downward trend), a 8.8 percent decrease in Gas Utility Taxes, and a 3.9 percent decrease in TV Cable Taxes.
- Development Fees** finished 2020 at 92.3 percent of budget, which is modestly below the 100 percent budget threshold, and are down 15.6 percent relative to 2019, primarily due to the COVID-19 shutdown and the unusually high level of development activity in 2019 at the Totem Lake and Kirkland Urban sites.
- Business Fees** ended 2020 at 115.4 percent of budget, which is significantly above the 100 percent budget threshold, partially due to a temporary anomaly as the City's business license renewal timing is re-aligned by the Washington State Department of Revenue.

**Expenditures (through 12/31/20):**

- General Fund Expenditures** finished the year at 93.9 percent of budget, which is modestly below the 100 percent budget threshold, with position vacancy and other budget savings offsetting unbudgeted expenditures related to COVID-19.
- General Fund Salaries/Benefits** were 96.4 percent of budget across the entire year, which is slightly below the full budgeted amount, due to position vacancy savings. In particular, seasonal hires are down significantly in Parks & Community Services due to COVID-19 restrictions.
- Fire Suppression Overtime** is 139.3 percent of budget, very significantly above the budget threshold, partially due to overtime incurred from COVID-19 quarantine procedures for firefighters and the deployment of some firefighters to support wildland fire suppression. Since the beginning of July, Fire Suppression Overtime has averaged 3,100 hours of overtime per month, well above the average of around 1,300 hours per month for the first 6 months of the year (which included COVID-related overtime). Relative to 2019, it is up 30.2 percent. In January 2021 the City received a reimbursement of \$179,171 from Washington State for wildland firefighting deployment, however, this was received too late to adjust the 2020 budget. Including this reimbursement, Fire Suppression overtime would have finished 2020 \$331,830 over budget, or 125.5 percent of budget.

City of Kirkland Financial Dashboard									
Annual Budget Status as of 12/31/2020									
Budget Threshold (% Complete) : 100.0%									
	2020 Budget	Year-to-Date Actual 2020	% Received/ % Expended	December YTD	November YTD	Year-to-Date Actual 2019	YTD Change: 19 to 20		
							\$	%	
<b>General Fund</b>									
Total Revenues	108,258,083	110,495,459	102.1%			112,198,955	(1,703,497)	-1.5%	
Total Expenditures	112,355,958	105,510,447	93.9%			94,808,816	10,701,631	11.3%	
<b>Key Indicators (All Funds)</b>									
<i>Revenues</i>									
Sales Tax	23,130,166	27,329,667	118.2%			26,602,368	727,299	2.7%	
Property Taxes	19,995,776	20,201,360	101.0%			19,541,764	659,596	3.4%	
Utility Taxes	14,211,368	13,530,631	95.2%			13,691,468	(160,837)	-1.2%	
Development Fees	11,370,515	10,492,733	92.3%			12,433,397	(1,940,664)	-15.6%	
Business Fees	3,682,887	4,250,938	115.4%			3,858,994	391,943	10.2%	
Gas Tax	1,935,654	1,638,325	84.6%			1,839,251	(200,926)	-10.9%	
<i>Expenditures</i>									
General Fund Salaries/Benefits	74,222,324	71,518,220	96.4%			68,492,070	3,026,150	4.4%	(1)
Fire Suppression Overtime	1,299,544	1,810,545	139.3%			1,390,941	419,604	30.2%	
Contract Jail Costs	539,630	324,439	60.1%			376,598	(52,159)	-13.9%	
Fuel Costs	604,912	322,894	53.4%			451,564	(128,670)	-28.5%	
<b>Status Key</b>									
Revenues are higher than expected or expenditures are lower than expected						<b>NOTES:</b>			
Revenues or expenditures are within expected range						(1) Excludes Fire Suppression Overtime			
WATCH - Revenues lower/expenditures higher than expected range or outlook is cautious									



## CITY OF KIRKLAND

Department of Finance & Administration

123 Fifth Avenue, Kirkland, WA 98033 425.587.3100

www.kirklandwa.gov

### MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Greg Piland, Financial Operations Manager

**Date:** February 3, 2021

**Subject:** REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF February 16, 2021.

This report is provided to apprise the Council of recent and upcoming procurement activities where the cost is estimated or known to be in excess of \$50,000. The "Process" column on the table indicates the process being used to determine the award of the contract.

The City's major procurement activities initiated since the last report dated December 16, 2020 are as follows:

	Project/Purchase	Process	Estimate/Price	Status
1.	Fire Station 27 roofing project	Invitation for Bids	\$274,949.00	Contract awarded to Commercial Industrial Roofing of Lynnwood, WA.
2.	Structural engineering services for Petco project	Request for Qualifications	\$60,000.00	Contract awarded to WSP USA, Inc. of New York, NY. based on qualifications per RCW 39.80.
3.	Residential recycling events	Request for Proposals	\$88,800.00	Contract awarded to Olympic Environmental Resources of Seattle, WA.
4.	Organizational equity audit and needs assessment	Direct Hire*	\$138,500.00	Contract awarded to Chanin Kelly-Rae Consulting of Everett, WA.
5.	Street preservation design support services	Request for Qualifications	\$51,655.00	Contract awarded to CM Design Group LLC of Seattle, WA. based on qualifications per RCW 39.80.
6.	Public Works safety and training coordination consultant	Direct Hire*	\$135,048.00	Contract awarded to Winstead Works LLC of Snohomish, WA.

\*See attached competitive process waiver memo



**CITY OF KIRKLAND**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3000  
www.kirklandwa.gov

**MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** James Lopez, Assistant City Manager  
**Date:** December 22, 2020  
**Subject:** REQUEST FOR WAIVER OF COMPETITIVE BIDDING – ORGANIZATIONAL EQUITY ASSESSMENT

**RECOMMENDATION:**

Staff recommends the waiver of a competitive process to enter into contract with CHANIN KELLY-RAE CONSULTING for an organizational equity assessment.

**BACKGROUND DISCUSSION:**

Resolution R-5434 commits the City to several actions related to examining and dismantling institutional and structural racism in Kirkland. One such action is item 3b: "Contracting for a comprehensive City organizational equity assessment to identify gaps in diversity, equity and inclusion in all areas of City policy, practice and procedure, and to identify proposed actions steps to address these gaps." Chanin Kelly-Rae Consulting conducts such assessments and has provided this or similar services to the cities of Seattle, Redmond, and Bothell, as well as Amazon Web Services and Hopelink. Additionally, Chanin Kelly-Rae Consulting conducted the organization-wide diversity and implicit bias training for all City staff throughout 2019, which provides the foundation for staff to be prepared for the organizational equity assessment process. Throughout the coming process, staff will be tasked with identify internal and external growth opportunities as the City seeks to improve – both positionally in the community and operationally as an organization – relative to the areas of diversity, equity, and inclusion. Retaining Chanin Kelly-Rae Consulting for the organizational equity assessment strategically leverages the trusted relationships that were developed during the training process throughout 2019, and Chanin Kelly-Rae Consulting is uniquely qualified to fill this role due to the provision of prior training.

Working through the project plan, staff have identified an overall cost of \$138,500.00. The project is expected to start January 1, 2021, and finish in December of 2021.

KMC 3.85.210 provides that the competitive process may be waived by the City Manager when the purchase is legitimately limited to a single source of supply. However, for purchases costing more than \$50,000, the purchase must be reported to the City Council. If you approve this purchase, this memo and the supporting documents will be included in the next Procurement Activities Report to the Council.

Please contact James Lopez if you require additional information.

☒ Request Approved ☐ Request Denied

 12/22/2020  
Kurt Triplett, City Manager

**CITY OF KIRKLAND****Public Works Department****123 Fifth Avenue, Kirkland, WA 98033 425.587.3800****www.kirklandwa.gov**

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Julie Underwood, Director of Public Works

**Date:** January 20, 2021

**Subject:** REQUEST FOR CONTRACT APPROVAL TO PROVIDE TEMPORARY SAFETY & TRAINING COORDINATOR TO THE PUBLIC WORKS DEPARTMENT

**RECOMMENDATION:**

Staff recommends the approval of a sole source contract with an independent contractor to provide safety and training coordination for the Public Works Department. This limited term contract is intended to help the department address new Labor & Industries COVID related requirements, promote voluntary COVID vaccinations to our workforce, develop a training plan and schedule, and assist the Human Resources Department with PW matters.

**BACKGROUND DISCUSSION:**

The COVID-19 pandemic, which started in late February 2020, has changed the workplace dramatically. Changes have included one member per vehicle to travel to job sites; new PPE requirements such as face coverings at all times when indoors or outdoors within close proximity to others; no group meetings with more than five people, etc. At times, these changes can be a compliance challenge especially since there are no work from home options for our teams working from the Maintenance Center. The coordinator's role would be to work directly with staff to develop policy and procedure recommendations and safety plans that comply with federal, state and county guidance and requirements. Gaining buy-in and support is key to sustained compliance. Additionally, the coordinator would promote safety awareness and employee wellness using a variety of communication methods. In addition, the coordinator will work with the entire department on post COVID return-to-work planning.

Since the pandemic, it has been difficult to arrange for training and re-certifications, which are required of the Fleet, Stormwater, Streets, Sewer and Water Divisions. The coordinator would assist the managers and supervisors in identifying required trainings and re-certifications, source trainers, arrange logistics, provide records to HR, and ensure employees have the appropriate tools for training. This function is currently decentralized among the Maintenance Center managers and supervisors. Centralizing it under a single coordinator would capture economies of scale, better coordinate schedules, and develop cohesion across all operational programs. The primary function of the coordinator is to help the City get caught up from missed trainings in 2020 and to develop a plan that can be rolled out and sustained in 2021 and beyond.

Moreover, a concerted effort is needed to support HR in collecting current and accurate records of employee training, driving abstracts, CDL licenses, certifications, etc. (due to HR turnover this has not been a high priority). This role would assist HR in catching up on this important responsibility.

Another function that this role would take on is to assist HR with contact tracing of impacted PW employees. This involves proper employee notification, regular follow-up and check-in of quarantined employees, and return-to-work procedures such as testing are tracked and recorded.

We continue to experience vacancies at the Maintenance Center and this role could help us improve our onboarding and orientation with new employees. In addition, it would allow us to put a spotlight on employee safety by establishing a Safety Committee (purpose: COVID compliance, input for training and development, and identifying and addressing various workplace safety issues).

Finally, this role would work with Emergency Management to identify ongoing emergency readiness and preparedness priorities. If there's one thing we have learned in 2020 is that emergencies and unforeseen events leave us vulnerable and exposed. We want to proactively address safety and risk management duties through this role.

In the fall of 2020, staff reached out to a company that provides safety consulting services and COVID-19 safety services requesting a proposal for a full-time COVID safety officer; however, they noted that they did not have the bandwidth to supply a full-time position. In light of this information, we decided to directly recruit assistance through our LinkedIn network and were successful in identifying someone who can support us with this effort.

Shari Winstead of Winstead Works, LLC is an ideal match for our needs. Winstead is an experienced project manager with a diverse background in local government (former King County Councilmember Chief of Staff and former municipal elected official). Winstead spent most of her career at Davis Wright Tremaine law firm, with the last 12 years in HR developing and implementing engagement programs, strategic plans, policies, and wellness initiatives. Most recently Winstead prepared and launched COVID related "back-to-work" plans ensuring they met legally required protocols. Winstead also worked in the firm's employment law department specializing in L&I and EEOC claims and investigations. She is keenly aware of the role that unions play in the workplace and would bring an open, collaborative style.

The consultant would be able to devote an average of 30-40 hours per week. Additionally, the consultant has the flexibility to work onsite as well as work from home. We recommend funding this contract, estimated at \$80,000-90,000 annually, for an 18-month period, using either vacancy savings and/or reserves from:

Water-Sewer/411  
Storm/421  
Street/117  
Fleet/521

Thank you for your consideration. Please do not hesitate to let me know if you need additional information.

 1/21/21  
Concur: Kurt, Triplett, City Manager

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

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Lorrie McKay, Intergovernmental Relations Manager  
Andreana Campbell, Management Analyst

**Date:** February 7, 2021

**Subject:** 2021 STATE LEGISLATIVE PRIORITIES UPDATE #3

**RECOMMENDATION:**

It is recommended that the City Council receive its third update on the City's 2021 State Legislative Priorities (Attachment A).

**BACKGROUND DISCUSSION:**

The City Council's Legislative Workgroup, consisting of Mayor Sweet, Deputy Mayor Arnold and Councilmember Curtis, is staffed by the City Manager, the Intergovernmental Relations Manager and Management Analyst Andreana Campbell, with participation from Waypoint Consulting Group, the City's contracted lobbyist. Deputy Mayor Arnold is the Chair the Legislative Workgroup, which meets weekly to track the status of the City's priorities and it provides support and oversight of strategies for achieving the priorities.

The legislature convened the 2021 session on Monday, January 11. This session is a long, 105-day session that, according to the session cut-off calendar, will conclude on Saturday, April 25. The first cut-off to be aware of is February 15, which is the last day to pass policy bills out of committee in their house of origin. February 22 is the last day to pass house of origin fiscal and transportation bills out of committee and March 9 is the last day to pass bills out of the house of origin.

**Kirkland's adopted 2021 Legislative Priorities and Status Update**

The top legislative priorities represent the City's direct interests in which the City is the lead and they are the primary focus for Council's Legislative Workgroup, the City Manager's Office and its contracted lobbyists during session.

- **Support legislative actions that facilitate Transit-Oriented Development (TOD) for the Kingsgate Park and Ride TOD Pilot project, the I-405 & NE 85th Street Station Area and future TOD projects at other WSDOT-owned properties**
  - ✓ At its January 5, Council agreed with a recommendation from its Legislative Workgroup to pull back from advancing legislation this session and continue to work with WSDOT on developing a future proposal, ideally as WSDOT agency-request legislation.



- **Allow Code Cities to complete local residential street maintenance projects in-house if no contractors enter a project bid**
  - ✓ At its February 2 meeting, Council agreed with a recommendation from its Legislative Workgroup to pull back from advancing legislation this session and continue to work with the Capital Projects Advisory Review Board (CPARB) on a recommendation for legislative consideration in 2022. This recommendation came about following post-hearing conversations with CPARB leadership, where Kirkland was informed that its proposed amendment was outside the scope of a bill currently under consideration by the legislature. CPARB leadership offered to work with City staff to study the city's issue and work through CPARB's process to address it. CPARB expects to have more local government recommendations in May of 2021.
- **Capital budget funding for prioritized local infrastructure projects** (Attachment B)
  - [SB 5083](#) (Sen Frockt) Concerning the capital budget
  - [HB 1080](#) (Rep Tharinger) Concerning the capital budget
  - ✓ The City's delegation members have agreed to advocate for capital budget funding for the following projects. Staff have completed and submitted the legislatures member request forms.
    1. PKCC New Roof and Retrofitted Generator - 45<sup>th</sup> and 48<sup>th</sup> LDs
    2. Parks Maintenance and Operations Center Emergency Generator - 48<sup>th</sup> and 45<sup>th</sup> LDs
    3. Non-motorized Improvements on NE 131st Way - 1<sup>st</sup> LD
    4. Fire training prop at site of new Fire Station 24 - 1<sup>st</sup> LD
- **I-405 / NE 132nd St. Interchange Ramps funding issue**
  - ✓ At its January 19 meeting, in response to a January 18 letter received from the Transportation Secretary that delayed certain projects, including the I-405 / NE 132<sup>nd</sup> St. Interchange Ramps project, Council agreed with a recommendation to prioritize advocating for maintaining the funding timeline for the I-405 / NE 132<sup>nd</sup> St. Interchange Ramps project. At its February 2 meeting, Council was informed of a January 28 letter (Attachment C) issued by OFM Director Schumacher, that "released the pause" from all projects listed on the January 18 letter. Funding for the NE 132<sup>nd</sup> ramps will not be interrupted.

#### Kirkland's adopted 2021 Priority Coalition Advocacy Items

The Priority Coalition Advocacy (PCA) items are a new segment to Kirkland's legislative agenda. Council adopted these this year in order to elevate important and timely legislative goals that are not Kirkland specific, and are best championed by organizations with whom the City is allied. Working in coalition, the City may provide a similar level of legislative engagement on these items as it does its top priorities, but the City is not the lead on the issues. To keep efforts focused, no more than three items are included on the City's Priority Coalition Advocacy Agenda. Based on council's expressed interests, coalition issue areas included for 2021 are Housing/Homelessness, Gun Safety/Responsibility, and Police Reforms. Respectively, the organizational leads are the Washington Low Income Housing Alliance, the Alliance for Gun Responsibility, and the Association of Washington Cities.

Staff and the City's lobbyist are tracking the bills that each of the three lead organizations have identified as most directly associated with their legislative priorities. On the Bill Tracker Report, these bills are identified in the following ways. If a bill has a "PCA" designation in the city priority column, this means that the bill is among the bills identified by the lead organization. Where PCA designated bills are also identified by the lead organization as its priority, have received a city staff recommendation of "Support" and/or have received Council approval of support then, they are identified in the city priority column as "Yes-PCA" which means the bill may be treated as a priority by the city. Where PCA designated bills have received a recommendation of "Monitor" then, just "PCA" is included in the city priority column. And while this designation can mean many things, it

does indicate that the bill is being watched to see if the committee in which it is being heard takes action on it.

When Council adopted the City's 2021 legislative agenda, members requested the Legislative Workgroup bring forward to the full council, bills related to priority coalition advocacy items for review and for the opportunity for Councilmembers to go on the record with their agreement or disagreement. The bills below that include a "Yes-PCA" designation have received council review and discussion.

**Washington Low Income Housing Alliance's efforts for new local funding and policy tools to address homelessness and create more affordable housing**

**HB 1035** (Kloba) Providing local governments with options to grant rent relief and preserve affordable housing in their communities - (**Yes - PCA**)

- Jan. 11 – Referred to House Finance Committee
- Feb. 8 – Heard in Finance
- ✓ Mayor Sweet submitted the City's testimony in writing

**HB 1070** (Ryu) Modifying allowed uses of local tax revenue for affordable housing and related services to include the acquisition and construction of affordable housing and facilities - (**Yes - PCA**)

*This bill would modify what King County can do with HB 1590 funding.*

- Jan. 11 – Referred to House Finance Committee
- Jan. 25 – Heard in Finance
- Jan. 28 – Executive action taken in Finance
- Feb. 1 – Substitute referred to the Rules Committee

**HB 1277** (Ormsby) Revenue source for eviction prevention & housing stability - (**Yes - PCA**)

*This bill proposes a document recording fee.*

- Jan. 19 – Referred to House Housing, Human Services and Veterans Committee
- Jan. 22 – Heard in Housing, Human Services and Veterans
- Jan. 29 – Executive action taken in Housing, Human Services and Veterans
- Feb. 2 – Substitute referred to the Appropriations Committee

HB 1277 does have a senate companion bill, **SB 5279**.

**SB 5012** (Lovelett) Local Option - funding essential affordable housing programs- (**Yes - PCA**)

- Jan. 11 – Referred to Senate Housing & Local Government
- Jan. 13 – Heard in Housing & Local Government
- Feb. 3 – Executive action taken in Housing & Local Government
- Feb. 4 – Substitute referred to Ways & Means

**SB 5160** (Kuderer) Tenant protections - (**PCA** – monitor)

- Jan. 12 – Referred to Senate Housing & Local Government
- Jan. 20 – Heard in Housing & Local Government
- Feb. 3 – Executive action taken in Housing & Local Government
- Feb. 4 – Substitute referred to Ways & Means

**HB 1108** (Orwall) "Early action needed" fix to maintain foreclosure counselor program and funding (**PCA** – Staff recommend "support" on original bill)

- Jan. 11 – Referred to House Civil Rights & Judiciary
- Jan. 19 – Heard in Civil Rights & Judiciary
- Jan. 22 – Executive action taken in the House Committee on Civil Rights & Judiciary
- Jan. 26 – Substitute place on second reading
- Jan. 29 – Sub passed House 96/0/0/2
- Feb. 3 – Referred to Senate Business, Financial Services & Trade

[HB 1236](#) (Macri) Eviction protection (**PCA** – Staff recommend “monitor” on original bill)

- Jan. 18 – Referred to House Housing, Human Services & Veterans
- Jan. 26 – Heard in Housing, Human Services & Veterans
- Feb. 5 – Executive action taken in Housing, Human Services & Veterans

[SB 5139](#) (Das) Limiting rent increases (under city staff review)

- Jan 11 – Referred to Senate Housing & Local Government
- Jan 21 – Heard in Housing & Local Government
- Jan 28 – Scheduled for executive session in Housing & Local Government
- Feb. 5 – Executive action taken in Housing & Local Government

**Alliance for Gun Responsibility’s recommendations for gun safety measures that promote safe and responsible gun ownership and reduce gun violence.**

- **Include a Kirkland focus on amending state law as necessary, consistent with the Washington State Constitution, to prevent the visible presence of firearms from intimidating those exercising rights to assembly.**

[SB 5038](#) (Kuderer) Prohibiting the open carry of certain weapons at public demonstrations and the state capitol - (**Yes - PCA**)

- Jan. 11– Referred to Senate Law & Justice
- Jan. 26– Heard in Law & Justice
  - ✓ Councilmember Black submitted the City’s testimony in writing
- ✓ Jan. 28– Executive action taken in Law & Justice
- ✓ Jan. 29 – Substitute referred to Rules

[HB 1026](#) (Walen) Concerning the restoration of the right to possess a firearm - (**Yes - PCA**)

- Jan. 11– Referred to House Civil Rights & Judiciary

[HB 1234](#) (Senn) Prohibiting weapons in state capitol buildings and grounds and certain other governmental buildings and facilities - (**Yes - PCA**)

- Jan. 18– Referred to Civil Rights & Judiciary

[SB 5078](#)/ [HB 1164](#) (Lias/Valdez/AG request) Addressing firearm safety measures to increase public safety - (**PCA** - Monitor)

- Jan. 11– Referred to Senate Law & Justice
- Jan. 25– Heard in Law & Justice
- Jan. 28– Scheduled for executive session in Law & Justice
- Jan. 29 – Substitute referred to Rules

[SB 5217](#)/ [HB 1229](#) (Kuderer/Peterson/AG request) Concerning assault weapons - (**PCA** - Support)

- Jan. 14– Referred to Law & Justice

[HB 1071](#) (Valdez) Concerning bias-based criminal offenses - (**PCA** – Staff recommend “Support”)

- Jan. 11– Referred to House Public Safety
- Jan. 21– Heard in Public Safety
- Jan. 28 – Executive action taken in Public Safety
- Feb. 1 – Referred to Rules 2 Review
- Feb. 2 – Placed on second reading in Rules

[HB 1283](#) (Senn) Including the open carry or display of weapons within the offense of criminal mischief - (**PCA** - Monitor)

- Jan. 19– Referred to House Civil Rights & Judiciary
- Feb. 2 – Heard in Civil Rights & Judiciary
- Feb. 5 – Executive session scheduled, but no action taken in Civil Rights & Judiciary
- Feb. 10 – Scheduled for executive session in Civil Rights & Judiciary
- Feb. 12 – Scheduled for executive session in Civil Rights & Judiciary

[SB 1313](#) (Hackney) Relating to local government authority to regulate firearms - (**PCA** – Staff recommend “Monitor”)

- Jan. 20– Referred to House Civil Rights & Judiciary

[HB 1320](#)/SB 5297 (Goodman/Dhingra) Modernizing, harmonizing, and improving the efficacy and accessibility of laws concerning civil protection orders - (**PCA** – Staff recommend “Monitor”)

- Jan. 20– Referred to House Civil Rights & Judiciary
- Jan. 27– Heard in Civil Rights & Judiciary
- Feb. 5 – Executive session scheduled, but no action taken in Civil Rights & Judiciary
- Feb. 10 – Scheduled for executive session in Civil Rights & Judiciary
- Feb. 12 – Scheduled for executive session in Civil Rights & Judiciary

### **Association of Washington Cities’ (AWC) Statewide Policing Reforms priority.**

[HB 1054](#) (Johnson) Establishing requirements for tactics and equipment used by peace officers - (**PCA** - Monitor)

- Jan. 11– Referred to House Public Safety
- Jan. 12– Public hearing in Public Safety
- Jan. 19– Executive session scheduled, but no action was taken in Public Safety
- Jan. 21– Executive session scheduled, but no action was taken in Public Safety
- Jan. 22– Executive action taken in Public Safety (1st substitute)
- Jan. 26 – Substitute referred to Rules 2 Review

[SB 5051](#)/HB 1082 (Pedersen/Goodman) Concerning state oversight and accountability of peace officers and corrections officers - (**PCA** - Monitor)

- Jan. 11– Referred to Senate Law & Justice
- Jan. 18– Public hearing in the Senate Committee on Law & Justice
- Jan. 21– Executive action taken in Law & Justice (1st substitute bill)
- Jan. 22– On motion, referred to Ways & Means
- Feb. 1– Heard in Ways & Means

[SB 5066](#) (Dhingra) Concerning a peace officer's duty to intervene - (**PCA** - Monitor)

- Jan. 11– Referred to Law & Justice.
- Jan. 19– Public hearing in the Senate Committee on Law & Justice
- Jan. 21– Executive action taken in Law & Justice (1st substitute)
- Jan. 22– On motion, referred to Ways & Means
- Feb. 1– Heard in Ways & Means
- Feb. 11– Scheduled for executive session in Ways & Means

Staff and the Legislative Workgroup originally proposed using the term “monitor” for PCA bills until such bills passed the February 15 cut-off. The reason for “monitor” was not to diminish the city’s support, but to acknowledge the sheer volume and complexity of these types of bills early in session makes them difficult follow carefully. Similar to Senator Kuderer’s SB 5038, these bills often contain elements the city supports but also language that the city may not. There is not sufficient staff capacity early in the session to review all PCA bills at such a level of detail as to ascertain what the city’s overall position on the bills should be. Nor is there sufficient Council capacity to testify on the dozens of such bills initially. The “monitor” proposal was designed to recognize these limits. Once the first cut-off occurs, the number of bills drops significantly, and the City can more fully engage. But there is capacity to follow a limited number of PCA bills more carefully and have those re-designated to “support.”



**KIRKLAND'S BILL REVIEW PROCESS:**

State bill drafts are introduced daily in Olympia by lawmakers in the Senate and House, beginning in mid-December with "pre-filed" bills. The City's review process is initiated at that point, relevant bills are flagged for the City to review. These bills are assigned to department(s) and subject-matter experts for review and analysis to determine potential impacts to the City. This process also includes staff making an initial assessment and recommendation on what the City's position should be on a given bill (Support/Oppose/Neutral/Monitor). Intergovernmental staff then provide reviewed bills, their Analysis and Recommendations Report (Attachment D) to Council's Legislative Workgroup. The Workgroup, whose activities are guided by the adopted legislative agenda's general principles, as well as the City Council's Goals, discusses, confirms or adjusts staffs' recommendations.

The "Bill Status and Position Tracker" Report is also reviewed by the Legislative Workgroup at its weekly Fridays and represents a tool by which the City's lobbyists make certain the City's interests are reflected at bill hearings (Attachment E).

If, during the session, a proposed bill (of concern to the City) is determined to be beyond the scope of the legislative agenda's general principles, or not in sync with the Council Goals, then the Legislative Workgroup will bring the bill proposal before the full Council for consideration and discussion at its next regular council meeting.

**AWC'S ANNUAL CITY ACTION DAYS CONFERENCE (February 10-11 virtual)**

The Association of Washington Cities (AWC) will host its annual City Action Days Conference on-line this year. Wednesday, February 10 and Thursday the 11. (See the link to the [schedule](https://wacities.org/events-education/conferences/city-action-days/schedule) at <https://wacities.org/events-education/conferences/city-action-days/schedule>)

Attachments: A – 2/5/21 Status update on the City's 2021 State Legislative Priorities  
B – Capital Projects Submitted by Members  
C – 1/28/21 Letter from OFM re: Transportation Projects  
D – 2/7/21 Bill Analysis & Recommendation Report (1/28 – 2/4)  
E – 2/7/21 Bill Status & Position Tracker Report (through 2/4)

**City of Kirkland 2021 Legislative Priorities – Status**  
**Updated: February 5, 2021**

Attachment A

2021 Legislative Priority	Bill #	Prime Sponsor	Status
Support facilitating TOD at Kingsgate, NE 85/405 and other WSDOT-owned properties			Re-Approach with WSDOT agency lead in 2022
Support allowing Code Cities to complete local residential street maintenance projects in-house if no contractors bid			Re-Approach w/CPARB recommendation in 2022
Support capital budget funding for prioritized local infrastructure projects	SB 5083 HB 1080	Sen Frockt Rep Tharinger	House & Senate Local Project Form being completed for 1. Peter Kirkland Community Center New Roof and Retrofitted Emergency Generator 2. Parks Maintenance & Operations Center Emergency Generator 3. Non-motorized Improvements on NE 131st Way 4. Fire training prop at site of new Fire Station 24 * Forms due (submitted via web form) by noon February 19)
NE 132 <sup>nd</sup> St. Interchange Ramps funding issue	HB 1135 SB 5165	Rep Fey Sen Hobbs	1/28 – Pause released by OMB Director – Issue resolved

2021 Priority Coalition Advocacy <i>evaluate support for proposed legislative agendas from the following organizations</i>	Bill #	Prime Sponsor	Status
Support WA Low Income Housing Alliance's efforts for new local funding and policy tools to address homelessness and create more affordable housing	HB 1035 SHB 1070 SHB 1277 SB 5012	Rep. Kloba Rep Ryu Rep Ormsby Sen Lovelett	1/11 – Referred to H Finance 2/8 – Hearing scheduled in Finance 1/28 – Executive action taken in Finance 2/1 – Sub referred to Rules 2 Review 1/29 – Exec action taken in Housing, Human Services & Vets 2/2 – Referred to Appropriations 1/13 – Heard in S Housing & Local Gov't
Support Alliance for Gun Responsibility's recommendations for gun safety measures that promote safe and responsible gun ownership and reduce gun violence <ul style="list-style-type: none"> <li>Including amending state law as necessary, consistent with the WA State Constitution, to prevent the visible presence of firearms from intimidating those exercising rights to assembly.</li> </ul>	SSB 5038 HB 1026 HB 1234	Sen Kuderer Rep Walen Rep Senn	1/28 – Executive action taken in Law & Justice 1/29 – Passed to Rules Second Reading 1/11 – Referred to H. Civil Rights & Judiciary 1/18 – Referred to H. Civil Rights & Judiciary
Support Association of Washington Cities' Statewide Policing Reforms priority.	HB 1054 SSB 5051 SSB 5066	Rep Johnson Sen Pederson Sen. Dhingra	1/26 – Referred to Rules 2 Review 2/1 – Heard in Ways & Means 2/1 – Heard in Ways & Means

\* No HIGHLIGHTS = No change in status from last update.



## District 45 Local Project – New Roof for the Peter Kirk Community Center

**REQUEST:** \$450,000 for design and construction of a new roof on the Peter Kirk Community Center. *(Project can be scaled or phased as funding allows)*

A vital resource to community members daily is the Peter Kirk Community Center, including the Teen Union Building. The Peter Kirk Community Center is our community's hub of activity for people age 50 and over. Every year, thousands of residents enjoy programs provided at these facilities. Adult fitness, adult dance, preschool activities, special interest, special activities, gymnastics, and movement is just a small list of the many activities provided. Meals, comradery with peers and a sense of community happen in the Peter Kirk Community Center. By investing in the aging infrastructure, the Peter Kirk Community Center would have many more years of community and provide a vital service to the community.



**Timeline:** Design and construction would begin in 2021.





## District 45 Local Project – Standby Generators: Peter Kirk Community Center & Teen Union Building and the Parks Maintenance & Operations Center

**TOTAL REQUEST:** \$550,000 for design, purchase and installation of a new commercial facility standby generators *(Project can be scaled or phased as funding allows)*

### Peter Kirk Community Center/Teen Union Building Generator

**REQUEST:** \$300,000 for design, purchase and installation of a new commercial facility standby generator for the Peter Kirk Community Center/Teen Union Building.

The lack of emergency power at this location makes the space nearly useless when the City and community would need it most. An investment in generation at these facilities, would build resiliency and redundancy for essential City operations and serve the Kirkland community, particularly our most vulnerable residents, during the most challenging of times. A vital resource to community members daily is the Peter Kirk Community Center, including the Teen Union Building. This facility is a tremendous asset for mass care efforts such as sheltering, community feeding, disaster recovery services, emotional and health support needs, and distribution of essential supplies to the community, however, without power none of these necessary offerings can be achieved.



**Timeline:** The generator would be purchased as soon as funding were available.



### **Parks Maintenance and Operations Center Generator**

**REQUEST:** \$250,000 for design, purchase and installation of a new commercial facility standby generator at the Parks Maintenance and Operations Center.

Parks leads and provides support to several mission critical tasks during weather situations and most importantly post-earthquake restoration and recovery. Through emergency operations exercises and response efforts, the lack of emergency power at critical City facilities was identified as a gap in City's ability to deliver essential services for restoration and recovery and support the community during crisis. The new Parks Maintenance and Operations Center increased the overall functionality and efficiency of Parks operations, however a facility specific or regional power outage, would limit the capability of the staff and resources to respond to and recover from a disaster.



**Timeline:** Generator would be purchased as soon as funding were available.





**District 1 Local Project** - *Project can be scaled or phased as funding allows.*

**1. Nonmotorized Improvements on NE 131st Way/90th Avenue NE from 97th Avenue NE to NE 134th Street.**

**REQUEST:** Up to \$500,000

The preliminary 2021-2026 Capital Improvement Program includes \$439,000 for design, permits, and partial construction of both this section and along 90th Avenue NE. Contributions from the legislature will help fund construction of this project. The project can be scaled to match the funding level.



**Broken curbs and inadequate pedestrian and bicycle facilities:**

Many years ago, King County installed sections of extruded curb along the north side of 90th Avenue NE/131st Way as a form of surface water control. The original purpose of the curb was to stop surface water run-off from entering the roadway where it would sheet-flow across to the other side and occasionally freeze in winter months. The curb is now broken in many places and no longer functions as intended. The broken extruded curb also presents a hazard for people walking, biking and driving in the corridor.

**Nonmotorized connection from Finn Hill to rest of Kirkland:** The missing nonmotorized facility leads to school and Metro bus stops and connects Finn Hill to 100<sup>th</sup> Avenue NE business district, Juanita Village, parks and schools.

**Timeline:** Design is expected to be complete in 2021 with construction in 2021/2022.





## District 1 Local Project – Fire training facility at the site of new Fire Station 24

**REQUEST:** \$500,000 for design and construction (*Project can be scaled or phased as funding allows*)

Kirkland Fire is in need of a training facility reflective of the growth and new conditions methods present in our community. Furthermore, we are unable to complete training requirements mandated by WAC or NFPA without leaving our jurisdiction.

The training ground, consisting of three containerized buildings, would represent townhomes, center hallway apartments, and large commercial structures. Each prop is designed to present similar challenges and conditions firefighter would encounter during real emergencies. The building would be equipped with propane burn props to simulate fire and smoke found inside building on fire. Live Fire training is an annual training requirement for all firefighters.

The building would include interior and exterior stairs, standpipes and sprinkler systems, have floor plans similar to actual buildings, and areas for specialized training like rope rescue, confined space and firefighter safety and survival.



Containerized training facilities are cost effective. Reconfiguration of buildings allows departments to alter or change training building layout based on training needs, alterations in building construction methods, or to “renew” interest in training buildings.

KFD envisions a all hazards training facility that could support regional training opportunities for multiple King County fire departments.

**Timeline:** Design and construction would begin in 2021.





STATE OF WASHINGTON

## OFFICE OF FINANCIAL MANAGEMENT

*Insurance Building, PO Box 43113 • Olympia, Washington 98504-3113 • (360) 902-0555*

January 28, 2021

**TO:** Roger Millar, Secretary  
Department of Transportation

**FROM:** David Schumacher  
Director

**SUBJECT: TRANSPORTATION BUDGET – LIFTING PAUSE ON PROJECTS**

On January 11, 2021, I directed the Department of Transportation to pause advertisements and to review projects that were in the bid process to identify projects that could be paused. That pause was to remain in place until the Legislature and Governor Inslee reached agreement on a plan.

I am lifting the pause today based on the agreement reached between the Legislature and the governor. WSDOT may proceed with projects as authorized in the current budget.

Thank you for your assistance. Please let me know if you have any questions.

cc: Honorable Steve Hobbs, Chair, Senate Transportation Committee  
Honorable Jake Fey, Chair, House Transportation Committee  
Honorable Curtis King, Ranking Member, Senate Transportation Committee  
Honorable Andrew Barkis, Ranking Member, House Transportation Committee  
Jamila Thomas, Chief of Staff, Office of the Governor  
Erik Hansen, Senior Budget Assistant, Office of Financial Management  
Nona Snell, Assistant Director for Budget, Office of Financial Management  
Scott Merriman, Legislative Director, Office of Financial Management  
Debbie Driver, Senior Policy Advisor, Executive Policy Office

Attachment D

**Reviewer Analysis & Position Recommendation Report (01/28/21-02/04/21)**  
**City of Kirkland**

2/7/2021

Bill #	Short Description	Sponsor	Date Completed	City Priority	PCA	Summary	Rec. Position
HB 1001	Establishing a law enforcement professional development outreach grant program.	Maycumber	02/01/2021			PD recommends "Support" and provided no analysis.	Support
SHB 1054	Establishing requirements for tactics and equipment used by peace officers.	Johnson	01/28/2021		Yes	2/2 - Council direction to maintain "monitor"  PD remains concerned - The restriction on the use of a K9 may lead to an increase in injuries to suspects and Officers. Most suspects surrender when they see a K9 and the dog provides the ability to increase the distance between the officer and the suspect, allowing for more opportunities to de-escalate. The inability to use CS during a barricaded subject situation may increase the risk to neighbors, who will be displaced for longer periods of time as Officers attempt to extricate the subject without forcing a confrontation.	Monitor
ESHB 1056	Concerning open public meeting notice requirements and declared emergencies.	Pollet	02/02/2021			The City Clerk recommends "Neutral" as this bill does not impact the City of Kirkland	Neutral
SHB 1059	Concerning fireworks prohibitions adopted by cities or counties.	Fitzgibbon	02/01/2021			PD recommends "Support" - reduces the wait on firework bans from 1 year to 90 days	Support
2SHB 1069	Concerning local government fiscal flexibility.	Pollet	01/29/2021			Finance recommends "Support" - Review of second substitute: It is good for water and sewer liens after the governor's emergency declaration is over, however, it is also good for use of REET for affordable housing, increasing the limit to 35% of revenues and taking off the \$1 million cap for that use. Very good for Kirkland. A A	Support
SHB 1070	Modifying allowed uses of local tax revenue for affordable housing and related services to include the acquisition and construction of affordable housing and facilities.	Ryu	02/02/2021	Yes	Yes	Finance recommends "Support" and agrees with and support the comments entered by Parks and Community Services	Support

HB 1071	Concerning bias-based criminal offenses.	Valdez	01/27/2021		Yes	<p>CAO - Recommends 'support'. There is already a "hate crimes" statute on the books in Washington. This proposed legislation (which includes as co-sponsors Reps. Goodman and Kloba) would add the hate crimes statute to the list of "crimes against persons" in a separate statute relate to prosecution decisions, thereby perhaps making it more likely that prosecutors will prosecute this crime (rather than to decline to prosecute) if sufficient evidence exists to justify conviction by a reasonable and objective fact-finder. It would also make inclusion of a "hate crime" an aggravating factor that could increase sentencing periods when considered together with other crimes. Kirkland Municipal Court prosecutes misdemeanors only (not felonies) and Hate Crimes are felonies, but assume City will want to support this legislation.</p> <p>PD - Recommends 'support'</p>	Support
HB 1082 (SB 5051)	Concerning state oversight and accountability of peace officers and corrections officers.	Goodman	01/29/2021		Yes	2/2 - Council voted to "Monitor"	Monitor
SHB 1088 (SB 5067)	Concerning potential impeachment disclosures.	Lovick	02/01/2021			PD recommends "Monitor" - A working group to ensure there aren't conflicts in this bill would be smart.	Monitor
SHB 1092 (SB 5259)	Concerning law enforcement data collection.	Lovick	01/27/2021			<p>PD - Recommends 'monitor'</p> <p>CAO - Had previously recommended "Support". Recommends Monitor while Council and AWC align.</p>	Monitor

SHB 1099	Improving the state's climate response through updates to the state's comprehensive planning framework.	Duerr	02/02/2021			<p>Finance recommends "Monitor" - As noted in original bill, there should be funds made available by the state to implement the directives of this legislation. Alternatively, there should be the ability to implement these directives in stages over time.</p> <p>Planning recommends "Support" and offers clarifying feedback. This Substitute is an improvement to the original bill. Summary comments</p> <p>&gt; The reference to 36.70A.020(14) is still confusing. 36.70A.020(14) is intended to guide natural hazard mitigation plans (this section refers the reader to the shorelines of the State's Section, which in Kirkland, at least, would not shed a lot of light on climate resiliency)</p> <p>&gt; A lot of the analytical work has been bestowed on the Department of Commerce, which should reduce costs for local governments preparing the new Comprehensive Plan Element</p> <p>&gt; The requirement for Commerce to create a model GHG element is good, and would also reduce costs to local governments</p> <p>&gt; The increased focus on per capita VMT is also good</p> <p>&gt; Planning is hopeful that the requirements of the bill for a separate GHG/resiliency element will allow for a lot of cross-referencing to other elements. As we discussed as part of the city's Sustainability Master Plan, GHG reduction measures are inherently multi-disciplinary (encompassing land use, transportation, waste, critical area protection), making it difficult (and counter-intuitive) to sequester GHG policies in one element.</p>	Support
ESHB 1108	Maintaining funding and assistance for homeowners navigating the foreclosure process.	Orwall	02/02/2021			<p>Finance recommends "Support" - No fiscal impact to Kirkland. Provides support for those in foreclosure.</p>	Support
HB 1164 (SB 5078)	Addressing firearm safety measures to increase public safety.	Valdez	01/27/2021		Yes	<p>PD - Recommends 'support'</p> <p>CMO recommends "monitor" through committee cutoff</p>	Monitor
SHB 1221	Standardizing homelessness definitions.	Rule	02/02/2021			<p>PCS recommends "Support" - Standardizing definitions to improve access to services for children and families. Outlines shelter care court procedures for cases where homeless children are taken into custody. Updated bill links definitions to terms used in federal McKinney-Vento homeless assistance act.</p>	Support

HB 1236	Protecting residential tenants from the beginning to end of their tenancies by penalizing the inclusion of unlawful lease provisions and limiting the reasons for eviction, refusal to continue, and termination.	Macri	01/28/2021		Yes	CAO recommends "Monitor" - This legislation includes COVID-19 related protections against non-payment of rent but is fundamentally a "just cause eviction" bill. It would generally prohibit landlords from evicting tenants absent specified "just causes," which include non-payment of rent leading to a court order; material breaches of a lease other than those related to monetary penalties and following an opportunity to cure period; unlawful activities; waste and nuisance; shared spaces between landlord and a tenant; decision to sell the property; decision to convert the property; decision to demolish or substantially remodel; or violation of subsidized housing requirements. I found the the interplay between Section 2(1)(a) and (b) potentially confusing. Is the intent to prohibit evictions absent just cause even when one year lease term has expired and a landlord has given timely notice to terminate not? I think the intent here might be clarified. The bill includes various penalties against landlord, including the right to recover the greater of actual damages associated with an unlawful eviction or 4.5 times monthly rent. Landlords can also be penalized 2.0 times rent for including unlawful provisions in a lease.	Monitor
SHB 1277 (SB 5279)	Providing for an additional revenue source for eviction prevention and housing stability services.	Ormsby	02/02/2021	Yes	Yes	2/2 Council voted to elevate to City priority Yes-PCA support  Finance recommends "monitor" - City of Kirkland has a large amount of documents which are recorded by King County, this will increase expenditures for Kirkland, the approximate impact is being researched at this time. This bill also supports affordable housing and landlord mitigation.	Support
HB 1283	Including the open carry or display of weapons within the offense of criminal mischief.	Senn	1/27/2021		Yes	2/2 - Council voted to take a "Monitor" position. 1/28 - Legislative Workgroup recommends "Support" and recommends "City Priority" CAO - This simple bill would make it a class C felony to openly carry or display a deadly weapon in a manner that would lead a reasonable person to feel threatened. Not sure how full Council will feel about this bill. PD - Recommends 'monitor'	Monitor

HB 1335	Concerning review and property owner notification of recorded documents with unlawful racial restrictions.	Valdez	01/27/2021		Planning: Getting rid of racially-restrictive covenants through property owner notification is a commendable goal, and hopefully one day these provisions will no longer exist. One minor concern is: Is this really a good use of excise tax, considering the U.S. Supreme Court long ago ruled that racially-restrictive covenants are unenforceable and null/void? Seems like this extra tax revenue could be more effectively used elsewhere to promote anti-racism and equity.	Neutral
HB 1337	Concerning accessory dwelling units.	Gregerson	01/28/2021		<p>In general, Kirkland would be very supportive of this proposal. I think we meet almost all of the required provisions to access the incentives, so appreciate that there's an alternative route for accessing the incentives that would make high-performing ADU codes even better. The fact that 10 alternative compliance options are listed but only 5 are required to be adopted would seem to make the alternative compliance manageable.</p> <p>Believe it would share Sightline and MBAC's concerns that lifting the property tax lid would create intense opposition, but it is indeed a powerful tool. I suspect our City Council would be interested in both revenue options. Overall, a really promising proposal, and none of the specific policy provisions seem particularly problematic (they represent a very comprehensive cookbook of sound ADU policies).</p> <p>Comments on current bill version:</p> <p>Looks good (now there's a big pot of money managed by the State, with \$10,000 going to cities for every ADU that gets built). I can't imagine the \$1,000,000 pot will last long and am not sure what are the ground for replenishing, but sounds like a good (and relatively low-cost) experiment.</p>	Support
ESHB 1368 (SB 5344)	Responding to the COVID-19 pandemic through state actions supported by federal funding.	Ormsby	02/02/2021		Finance recommends "Support" - no fiscal impact noted to Kirkland. Does support a variety of forms of COVID relief.	Support
HB 1388	Concerning motor vehicle sales.	Kloba	01/28/2021		Finance: No impact to Kirkland, however, will make vehicles more expensive by doubling document service limit to \$300.	Neutral
HB 1389	Concerning transportation.	Corry	01/28/2021		Finance recommends "Neutral" - No perceivable financial impact to Kirkland	Neutral
HB 1391 (SB 5356)	Concerning prime contractor bidding submission requirements on public works contracts.	Goehner	01/28/2021		CAO recommends "Support" - This is the companion bill to SB 5356. For the reasons stated, I think the City should support this helpful clarification of what appears to have been a simple mistake in the use of "or" when "and" was intended.	Support

HB 1398	Preserving affordable housing and assisting tenants and rental housing providers in response to the COVID-19 public health crisis.	Dufault	02/02/2021		PCS recommends "Oppose" - Creation of a temporary program that provides funds for tenants impacted by COVID. Eviction moratorium is suspended and program put in place. Landlords must provide delinquent tenants with notice of affidavit of the program. Tenant must then respond within 7 days. Essentially the same as HB 1228 but has a shorter window for tenant to respond (30 days vs 7 days)	Oppose
HB 1414	Aligning marijuana licensing decisions by the liquor and cannabis board with local zoning ordinances.	Goehner	02/02/2021		Finance recommends "Support" - This bill seems to expand on our ability to deny a marijuana license with a written statement if we object to the location based on zoning restrictions. Â Â	Support
HB 1419	Adjusting experience factors for certificated instructional staff.	Dolan	02/02/2021		Finance recommends "Support" - No fiscal impact to City of Kirkland. Appears to provide more support to hire an educator workforce that reflects the diversity of the students they teach and will establish systems to retain their educator workforce as critical teaching skills and practices are cultivated and developed over time by providing a faire and equitable salary allocation to districts.	Support
HB 1435	Authorizing local authorities to implement bicycle tour permits.	Kretz	02/02/2021		Finance recommends "Monitor" - Costs of providing this service may exceed the \$20 per participant limit in this bill. So, while providing revenue and a certain amount of control, could create additional costs. This bill would potentially add a new line of service that I am not sure we are currently providing. One aspect that does not seem to be covered is our ability to collect additional fees in the permit for maintenance. For example, if we have a large group coming out for a ride and we decide to dispatch additional staff to clean the path that will be travelled, that would be a cost above and beyond what seems to be allowed in this bill. If approved, Kirkland would need to establish the cost to administer the program and set rates, likely in the KMC, for permits based on group size and if a police escort is required.	Monitor
HB 1436	Encouraging economic recovery by reducing regulatory burdens during declared public health crises.	Walsh	02/02/2021		CAO recommends "Oppose" - This bill would suspend permit requirements in many different subject matter areas during the pendency of a public health crisis. Many of these permit requirements are environmental in nature and I do not expect the would support this legislation. Examples: water pollution control, in-water construction projects, and local project reviews.	Oppose
HB 1438	Expanding eligibility for property tax exemptions for service-connected disabled veterans and senior citizens by modifying income thresholds for eligibility to allow deductions for common health care-related expenses.	Orcutt	02/02/2021		Finance recommends "Support" - Potential for some fiscal impact to Kirkland with the exemptions, however, does provide property tax relief for disabled veterans and senior citizens. Â Â	Support

HB 1440	Bringing innovation and investment to Washington's economy by streamlining the requirements for deployment of small wireless facilities.	Boehnke	02/02/2021		Finance recommends "Oppose" - I agree with and support the comments from Public Works which is, " Prima facie, this appears to be tightly linked to an FCC rule that cities nationwide fought (and lost). Kirkland joined the consortium to fight it. I need to connect with Stephanie Croll about this, but at this time-- provided I have the right to change later--I believe we want to oppose. It takes local controls away from cities and gives them to the small cell companies."	Oppose
HB 1441	Prohibiting discrimination against prospective tenants for unpaid rent or eviction during the COVID-19 pandemic.	Morgan	02/02/2021		CAO recommends "Monitor" - This bill would prohibit landlords from discriminating against a prospective tenants for residential properties who had previously not paid rent or been evicted for non-payment of rent during a COVID-19 pandemic moratorium period. A landlord in violation of the bill would be liable in a civil action for up to 4.5 months of rent plus court costs and reasonable attorney's fees. Includes an emergency clause so would go into immediate effect.	Monitor
HB 1442	Concerning epidemic and pandemic preparedness.	Chase	02/02/2021		The Emergency Manager recommends "Oppose" - This bill is a combination of many topics, mostly subjective statements, with little to no science based citations. The sections on planning are redundant with existing planning requirements, unrealistic given a November due date in the midst of responding to a pandemic, and intends to limit the ability of a local health agency to appropriately respond to a specific health threat. The definitions of epidemic and pandemic should match that of the CDC. The language is a clear attempt to limit the authorities of the Governor and/or Secretary of Health, with limited regard for overall incident response. A	Oppose
HB 1458	Amending the growth management act for adaptive planning, affordable housing, and tribal consultation.	Pollet	02/02/2021		Planning and Building recommends "Support" - This bill includes a new definition for "tribe" and "tribal government" allows tribes to voluntarily participate in county and regional planning processes pursuant to the Growth Management Act (while protecting tribes' sovereign rights). It also allows for (but does not mandate) that Comprehensive Plans include elements pertaining to port containers, and coordination with tribes when such elements are prepared. In addition, the bill also establishes a process for tribes to object to planning processes/outcomes that would compromise their rights. A Seems supportable, and long overdue.	Support



HB 1488	Concerning the management of plastic packaging materials.	Fey	02/04/2021		<p>Bill is opposed by the NW Product Stewardship Council and the AWC</p> <p>Bill is supported by the Teamsters and NW Waste &amp; Recycling Association</p> <p>SUMMARY</p> <p>This bill sets a requirement for plastic packaging to meet minimum recycled content requirements. Producers must report out on virgin and recycled plastics used in Washington State annually.</p> <p>A producer that does not meet the minimum postconsumer recycled content requirements is subject to a fee. The recycling improvement account is created in the state treasury to collect fees from producers. However, until June 30, 2024, \$1,000,000 from the fee imposed on plastic packaging must be deposited in the waste reduction, recycling, and litter control account. The money collected must be distributed to cities and counties, for use for recycling infrastructure, recycling depots, education, enforcement, etc. Local governments must report out on how the funds are used to improve plastics recycling infrastructure and the recyclability of plastic packaging.</p> <p>A stakeholder advisory committee is established and will recommend exemptions and alternative compliance recommendations. Multiple types of plastic packaging are</p>	Monitor
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SSB 5038	Prohibiting the open carry of certain weapons at public permitted demonstrations and the state capitol.	Kuderer	02/01/2021	Yes	Yes	2/2 Council's position is "Support with concerns" and members are communicating with the bill's sponsor.  PD recommends "Monitor" - Councilmember Black's language was a better approach vs the "open carry". Also appears to greatly broaden the definition of a permitted demonstration? Asking City Attorney Raymond if this would be in conflict with any current ordinance and would it allow for 2nd amendment demonstrations?  CAO recommends "Monitor" - This bill would prohibit the open carry of guns and weapons in public places during demonstrations as well as at the state capitol. If adopted, I am confident this legislation could be prosecuted in Kirkland Municipal Court in appropriate cases. This bill would be vigorously challenged in court I am sure. The focus of the challenge would be around the state's ability to legislate in this manner notwithstanding state and federal "right to bear arms" constitutional protections.	Support
SSB 5051 (HB 1082)	Concerning state oversight and accountability of peace officers and corrections officers.	Pedersen	01/28/2021		Yes	2/2 - Council direct maintain "monitor"  1/29 - Legislative Workgroup recommends "support"  FYI - CJTC provided a verbal briefing on this legislation at a recent King County Chief's meeting. The Director estimated the budget needed to carry out the new language in this legislation at approximately \$2,7 million dollars. With that funding they could expand the certification program to include investigators and attorneys needed to handle this new work.	Monitor
SSB 5059	Concerning protecting state and federal monuments, memorials, and statues from damage intentionally inflicted during the course of unpeaceful demonstrations or riots.	McCune	02/01/2021			The Emergency Manager recommends "Support" and provided no analysis.	Neutral
SSB 5066	Concerning a peace officer's duty to intervene.	Dhingra	01/28/2021		Yes	This new legislation is consistent with our current policy	Monitor
SSB 5078 (HB 1164)	Addressing firearm safety measures to increase public safety.	Liias	02/01/2021		Yes	PD recommends "Support" and provided no analysis.	Support
SSB 5089	Concerning peace officer hiring and certification.	Kuderer	02/01/2021		Yes	PD recommends "Monitor" and provided no analysis.	Monitor
SB 5094	Concerning vascular neck restraints.	Padden	02/02/2021			CAO recommends "Monitor" - This bill would require the development of a written model policy on the proper use of vascular neck constraints by the Washington state criminal justice commission, and then every law enforcement agency (including Kirkland Police Department) would have to have adopted such a policy by June 1, 2022.	Monitor

SB 5095	Concerning public records act exemptions regarding concealed pistol licenses.	Wagoner	02/02/2021		City Clerk recommends "Neutral" as this bill has no impact to the City of Kirkland - no negative impact.Â Good additions.	Neutral
SSB 5117	Concerning rental vouchers to eligible incarcerated individuals.	Nguyen	01/28/2021		PD recommends "Monitor" and provided no analysis.	Monitor
SSB 5157	Providing incentives to reduce involvement by persons with behavioral disorders in the criminal justice system.	Wagoner	02/03/2021		<p>PD recommends "Monitor"</p> <p>Community Services is "Neutral"</p> <p>The Health Care Authority and DSHS will implement performance measures when contracting with service agencies:</p> <ol style="list-style-type: none"> <li>1. Improvement in client health and wellness</li> <li>2. Increased client participation in meaningful activities</li> <li>3. Reduced client involvement in the criminal justice system</li> <li>4. Reduction in avoidable costs (emergency rooms, crisis svcs, etc.)</li> <li>5. Increase in stable housing</li> <li>6. Improved quality of life</li> <li>7. Reduction in health disparities.</li> </ol> <p>Updated Bill adds performance measures that must track rates of criminal justice system involvement of clients w. behavioral health needs.</p>	Monitor
SSB 5169	Concerning provider reimbursement for personal protective equipment during the state of emergency related to COVID-19.	Frockt	02/01/2021		The Emergency Manager recommends "Support" - Passing of this legislation could provide some financial compensation to the City for expended PPE as Fire currently tracks PPE usage by call, thus the data is present should the opportunity come to seek reimbursement.	Support
SSB 5211 (HB 1189)	Authorizing tax increment financing for local governments.	Frockt	02/02/2021		Finance recommends "Support" - Could provide for greater revenue sources for the City.Â	Support

SB 5310	Combatting violence, disorder, and looting while ensuring protection for law enforcement.	Holy	01/27/2021		CAO - This bill would add new crimes or make existing crimes more serious in the areas of violence, disorder and looting. It appears to be a response to the protests experienced in many cities during 2020. It is specifically directed at assaults on police, riots and unlawful assembly, also making it a crime to be in a street for these purposes if there is a sidewalk or obstructing passage on a highway. It also has serious potential penalties for cities and counties. For Kirkland, the bill would require a ration of at least one police officer for every 1,000 inhabitants. If that ratio is not maintained and a local police department is determined not to have exercised reasonable care or diligence in the suppression of a riot or unlawful assembly, the city may be liable for damages related to loss of life, injury, theft, damage and destruction of property. Cities (and counties) may also be stripped of 50% of state funding it might otherwise receive from a municipal criminal justice assistance account that would also be created by this legislation and funded initially with \$4.6 million.	Oppose
SB 5314	Concerning standing and science under the growth management act.	Short	01/29/2021		Planning and Building Recommends "Oppose" - We would share Futurewise's concern that this bill too-narrowly defines "best available science" and would otherwise hamstring the Growth management Hearing Board's deliberations.	Oppose
SB 5333	Concerning void and unenforceable clauses in construction contracts related to delays caused by the COVID-19 pandemic emergency proclamations.	Holy	01/28/2021		CAO recommends "Monitor" - This bill would make it unlawful for any constructions to include provisions providing for contract waiver of damages or equitable contract amount adjustments arising out of a COVID-19 caused delay. This could affect the City but I don't see us asking for this right in any of our public works contracts just as a matter of public policy.	Monitor
SB 5353	Creating a partnership model that facilitates community engagement with law enforcement.	Conway	01/28/2021		CMO defers position recommendation to PD. Otherwise, this bill not only seems in-line with the spirit of R-5434, but a good idea in general. Engaging in a more formal process for community engagement from the Police Department is good. Recommend Monitor until PD's review.  PD recommends "Monitor" - Interesting concept. Grants for community engagement but can't be awarded to a Govt or Police agency? Interesting!	Monitor
SB 5354	Addressing traffic control in large cities.	Saldaña	02/03/2021			Neutral

SB 5356 (HB 1391)	Concerning prime contractor bidding submission requirements on public works contracts.	Short	01/28/2021		CAO recommends "Support" - This bill appears to correct an small mistake in RCW 39.30.060. If adopted, City public works contracts expected to cost \$1 million or more must both required bidders (1) to publish the names of their proposed subcontractors for various specified types of work within one hour after bid closing AND (2) do so within 48 hours if the subcontractor work pertains to structural steel installation and rebar installation. Right now, the statute says "or" and I think the intent was always probably "and." Senator Kuderer is one of the three senate sponsors.	Support
SB 5365	Establishing a Washington state cannabis commission.	Stanford	01/28/2021		Finance: No immediate financial impact noted. Not sure why this board is needed as there is already the Liquor and Cannabis board. This creates a committee where the majority of members are the retailers which this committee is overseeing and creating rules on. Also creates an additional tax to the retailers and creates increased costs to the industry.	Neutral
SB 5375	Concerning a study of the differences in low-income housing development in urban and rural locations.	Warnick	02/01/2021		Planning and Building recommends "Neutral" as this bill has no impact to the City - Adds a requirement for the joint legislative audit and review committee to conduct a study of the differences in low-income housing development in urban and rural locations. Intent is to help legislature address barriers to affordable housing in rural areas.	Neutral
SB 5391	Increasing the income eligibility requirement for the senior citizen and persons with disabilities property tax exemption program.	McCune	02/02/2021		Finance recommends "Monitor" - This provides for a significant increase in the income threshold for property tax exemption. This would need to be evaluated to see what impact on what the impact to Kirkland property tax revenues would be.	Monitor
SB 5392	Concerning criteria for excluding artificial water bodies as shorelines of the state.	Wagoner	02/02/2021		Planning & Building recommends "Oppose" - This bill, which would exclude certain artificial water bodies from protection under the shoreline management act seems problematic. For instance, the bill doesn't seem to define "artificial," and would also exclude "artificial water bodies" that are "restricted to people operating the facility." Not sure why such a water body, if it meets other criteria established for State waters (e.g., size), should be excluded solely because access to it is restricted.	Oppose
SB 5398	Providing small business excise tax relief to address the financial hardship caused by COVID-19.	Wellman	02/02/2021		Finance recommends "Monitor" - Generally support relief to impacts of COVID 19. Did not realize that any business with \$55 million or less in annual revenue is a small business.	Monitor
SB 5407	Concerning firearm theft.	Wilson	02/02/2021		CAO recommends "Monitor" - This bill would make it a class B felony to steal a firearm from a residence, store, shop, sales outlook or vehicle and include it as a lesser included offense in connection with other, more serious crimes.	Monitor

SB 5408	Concerning the homestead exemption.	Stanford	02/02/2021			Finance recommends "Neutral" - No fiscal impact to Kirkland.Â	Neutral
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## Bill Status Report City of Kirkland

2/7/2021

Bill #	Abbrev. Title	Leg. Status	Sponsor	Position	City Priority
HB 1000	Law enf. mental health	H Approps	Maycumber	Support	
HB 1001	Law enf. professional dev.	H APPDP	Maycumber	Support	
HB 1004	Emergency health orders/leg.	H State Govt & Tr	Klippert	Support	
HB 1012	B&O tax credit/COVID-19	H Finance	MacEwen	Support	
HB 1013	Emergency rule duration	H State Govt & Tr	Klippert	Monitor	
HB 1020	Governor's emergency powers	H State Govt & Tr	Klippert	Support	
HB 1026	Firearm rights restoration	H Civil R & Judi	Walen	Support	Yes - PCA
HB 1029	Emergency orders and rules	H State Govt & Tr	Walsh	Oppose	
HB 1035	Rent relief & housing	H Finance	Kloba	Support	Yes - PCA
HB 1038	Firearm possession/crimes	H Civil R & Judi	Walen	Support	
SHB 1054	Peace officer tactics, equip	H Rules R	Johnson	Monitor	PCA
HB 1058	Cultural access programs/tax	H Finance	Bateman	Support	
SHB 1059	Fireworks prohibitions	H Rules R	Fitzgibbon	Support	
HB 1060	Emergency proclamations	H State Govt & Tr	Dent	Oppose	
2SHB 1069	Local gov fiscal flexibility	H Rules R	Pollet	Support	
SHB 1070	Housing/local tax revenue	H Rules R	Ryu	Support	Yes - PCA
HB 1071	Bias-based criminal offenses	H 2nd Reading	Valdez	Support	PCA
HB 1082 (SB 5051)	Peace & corrections officers	H Public Safety	Goodman	Monitor	PCA
SHB 1088 (SB 5067)	Impeachment disclosures	H Rules R	Lovick	Monitor	
SHB 1092 (SB 5259)	Law enforcement data	H Exec Action	Lovick	Monitor	
SHB 1099	Comprehensive planning	H Approps	Duerr	Support	
HB 1103 (SB 5366)	Building materials	H Cap Budget	Duerr	Support	
ESHB 1108	Foreclosure assistance	S Business, Finan	Orwall	Support	
HB 1125	Energy investments	H Env & Energy	Shewmake	Support	
HB 1133	Lost or stolen firearms	H Civil R & Judi	Berry	Monitor	
HB 1135 (SB 5165)	Transp. budget 2021-2023	H Transportation	Fey	Support	Yes
HB 1136 (SB 5166)	Supp. transportation budget	H Transportation	Fey	Monitor	Yes
SHB 1151	Public assistance	H Approps	Leavitt	Support	
HB 1152 (SB 5173)	Comp public health districts	H HC/Wellness	Riccelli	Monitor	
HB 1158	Emergencies/executive branch	H State Govt & Tr	Eslick	Oppose	
HB 1164 (SB 5078)	Firearm safety	H Civil R & Judi	Valdez	Monitor	PCA
HB 1175	Host homes/property tax	H Finance	Johnson	Monitor	
HB 1183	Home sharing support grants	H Hous, Human Svc	Caldier	Support	
HB 1188	B&O tax payment deferral	H Finance	MacEwen	Support	
HB 1189 (SB 5211)	Tax increment financing	H Finance	Duerr	Support	
HB 1202	Police misconduct/civil rem.	H Exec Action	Thai	Monitor	
HB 1203	Community oversight boards	H Exec Action	Johnson	Monitor	
HB 1204 (SB 5256)	Transp. electrification	H Transportation	Macri	Support	
HB 1220	Emergency shelters & housing	H Local Govt	Peterson	Support	
SHB 1221	Homelessness definitions	H Rules R	Rule	Support	
HB 1228	Landlord-tenant/COVID-19	H Hous, Human Sv	Barkis	Oppose	
HB 1229 (SB 5217)	Assault weapons	H Civil R & Judi	Peterson	Monitor	PCA

HB 1232	GMA/affordable housing plans	H Local Govt	Barkis	Monitor	
HB 1234	Weapons/government buildings	H Civil R & Judi	Senn	Support	Yes - PCA
HB 1236	Residential tenants	H Exec Action	Macri	Monitor	PCA
HB 1241	Growth management act plans	H Local Govt	Duerr	Monitor	
HB 1259	Women & minority contracting	H Approps	Santos	Support	
HB 1262	Officer background checks	H Public Safety	Klippert	Support	
HB 1267	Police use of force	H Exec Action	Entenman	Monitor	
SHB 1277 (SB 5279)	Housing/revenue source	H Approps	Ormsby	Support	Yes - PCA
HB 1283	Criminal mischief/weapons	H Civil R & Judi	Senn	Monitor	PCA
HB 1310	Uses of force by officers	H Public Safety	Johnson	Monitor	
HB 1313	Local gov firearm regulation	H Civil R & Judi	Hackney	Monitor	PCA
HB 1320 (SB 5297)	Civil protection orders	H Civil R & Judi	Goodman	Monitor	PCA
HB 1335	Racial restrictions/review	H Exec Action	Valdez	Support	
HB 1337	Accessory dwelling units	H Local Govt	Gregerson	Support	
HB 1340	Pandemic task force	H Comm & Econ De	Lovick	Support	
HB 1350	Limited equity coop. housing	H Finance	Bateman	Monitor	
HB 1362	Property tax revenue growth	H Finance	Duerr	Support	
ESHB 1368 (SB 5344)	Federal funding/COVID-19	S 2nd Reading	Ormsby	Support	
HB 1391 (SB 5356)	Public works/bidding	H Cap Budget	Goehner	Support	
HB 1398	Housing/COVID-19	H Hous, Human Sv	Dufault	Oppose	
HB 1414	Marijuana licensing/zoning	H Commerce & Gami	Goehner	Support	
HB 1419	Certificated staff/factors	H Approps	Dolan	Support	
HB 1435	Bicycle tour permits	H Local Govt	Kretz	Monitor	
HB 1436	Regulations/health crises	H State Govt & T	Walsh	Oppose	
HB 1438	Property tax/health expenses	H Finance	Orcutt	Support	
HB 1440	Small wireless facilities	H Comm & Econ De	Boehnke	Oppose	
HB 1441	Prospective tenants/COVID-19	H Hous, Human Sv	Morgan	Monitor	
HB 1442	Epidemic preparedness	H HC/Wellness	Chase	Oppose	
HB 1458	Growth management act	H Local Govt	Pollet	Support	
HB 1488	Plastic packaging materials	H Env & Energy	Fey	Monitor	
SB 5028	Vehicle taxes & fees	S Transportation	Fortunato	Oppose	
SB 5032	Alt public works contracting	S Passed 3rd	Hasegawa	Support	
SSB 5038	Open carry of weapons	S Rules 2	Kuderer	Support	Yes - PCA
SB 5039	Gubernatorial emergencies	S State Govt & E	Wilson	Support	
SSB 5051 (HB 1082)	Peace & corrections officers	S Ways & Means	Pedersen	Monitor	PCA
SB 5054	Impaired driving	S Ways & Means	Padden	Monitor	
SSB 5066	Officer duty to intervene	S Ways & Means	Dhingra	Monitor	PCA
SB 5067 (HB 1088)	Impeachment disclosures	S Law & Justice	Dhingra	Monitor	
SB 5069 (HB 1089)	Law enforcement audits	S Law & Justice	Dhingra	Monitor	PCA
SSB 5078 (HB 1164)	Firearm safety	S Rules 2	Lias	Support	PCA
SSB 5089	Peace officer hiring & cert.	S Rules 2	Kuderer	Monitor	PCA
SB 5094	Vascular neck restraints	S Law & Justice	Padden	Monitor	
SSB 5117	Rental voucher/incarceration	S Ways & Means	Nguyen	Monitor	
SB 5134	Law enforcement	S Labor, Comm &	Salomon	Monitor	
SB 5135	Unlawfully summoning police	S Rules 2	Das	Monitor	PCA
SB 5138	Financial instit./B&O tax	S Business, Fina	Kuderer	Support	
SSB 5157	Behavioral disorders/justice	S 2nd Reading	Wagoner	Monitor	



SB 5165 (HB 1135)	Transp. budget 2021-2023	S Transportation	Hobbs	Support	Yes
SB 5166 (HB 1136)	Supp. transportation budget	S Transportation	Hobbs	Monitor	Yes
SSB 5169	Provider PPE reimbursement	S 2nd Reading	Frockt	Support	
SB 5173 (HB 1152)	Comp public health districts	S Health & Long	Robinson	Monitor	
SB 5186	Emerg. orders/const. rights	S State Govt & El	Fortunato	Support	
SB 5188	State public bank	S Business, Fina	Kuderer	Support	
SSB 5211 (HB 1189)	Tax increment financing	S Ways & Means	Frockt	Support	
SB 5212	Sports wagering	S Labor, Comm &	King	Monitor	
SB 5217 (HB 1229)	Assault weapons	S Law & Justice	Kuderer	Support	PCA
SB 5232	Toll revenue bonding	S Transportation	King	Oppose	
SB 5248	Jail standards task force	S Ways & Means	Darneille	Monitor	
SB 5256 (HB 1204)	Transp. electrification	S Environment, E	Lias	Support	
SB 5261	Police data collection	S Law & Justice	Padden	Monitor	
SB 5279 (HB 1277)	Housing/revenue source	S Housing & Loca	Robinson	Support	Yes - PCA
SB 5297 (HB 1320)	Civil protection orders	S Law & Justice	Dhingra	Monitor	
SB 5310	Violence, disorder, looting	S Law & Justice	Holy	Oppose	
SB 5314	GMA/standing & science	S Housing & Local	Short	Oppose	
SB 5333	Construction contracts/COVID	S Labor, Comm &	Holy	Monitor	
SB 5341	Local sales tax uses	S Housing & Loca	Wilson	Support	
SB 5344 (HB 1368)	Federal funding/COVID-19	S Ways & Means	Rolfes	Support	
SB 5353	Law enf community engagement	S Law & Justice	Conway	Monitor	
SB 5356 (HB 1391)	Public works/bidding	S Housing & Loca	Short	Support	
SB 5391	Property tax exempt./income	S Ways & Means	McCune	Monitor	
SB 5392	Artificial water bodies	S Environment, E	Wagoner	Oppose	
SB 5398	Small businesses/excise tax	S Ways & Means	Wellman	Monitor	
SB 5407	Firearm theft	S Law & Justice	Wilson	Monitor	

**CITY OF KIRKLAND****123 Fifth Avenue, Kirkland, WA 98033 425.587.3000**  
**www.kirklandwa.gov**

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Laura Drake, P.E., Project Engineer  
Rod Steitzer, P.E., Capital Projects Manager  
Julie Underwood, Director of Public Works

**Date:** February 4, 2021

**Subject:** AMENDMENT TO THE ADOPTED 2021-2026 CAPITAL IMPROVEMENT PLAN:  
NEW PROJECT ADDED—NE 124<sup>TH</sup> STREET/100<sup>TH</sup> AVENUE NE INTERSECTION  
IMPROVEMENTS

**RECOMMENDATION:**

It is recommended that the City Council:

- Amend the 2021—2026 Capital Improvement Plan (CIP) by adding a new intersection improvement project at NE 124<sup>th</sup> Street/100<sup>th</sup> Avenue NE (Project) (TRC 140000); and
- Approve both the receipt of \$125,000 of Regional Mobility Grant funds and also the transfer of \$10,000 of available Citywide Transit Study Project funds (PTC 001000) to fully fund the new Project.

**BACKGROUND AND DISCUSSION:**

King County Metro informed the City that it had excess grant funds available and asked if the City had a project that would qualify for the funds. Staff is proposing a project that it is not in the recently adopted CIP but is in an adopted plan.

The City developed the *Kirkland Transit Implementation Plan* (KTIP) to address the City's growing population, increasing employment, and because the City is attracting more transit trips from around the region. The KTIP follows goals from the *Transportation Master Plan* and underwent a robust planning and community outreach process in 2017 and 2018. The Council adopted the KTIP in March 2019.

The KTIP identified delay and reliability issues at the intersection of NE 124<sup>th</sup> Street and 100<sup>th</sup> Avenue NE. Transit delays in the westbound-to-southbound left-turn movement could be improved by the creation of a dual left-turn westbound approach. The KTIP determined this improvement would save over 30 seconds per bus trip. This would improve travel times for 700 to 1,000 transit riders per day, which equates to about ten person-hours saved per day. The intersection signal is part of Kirkland's Intelligent Transportation System signal network.

In late 2020, King County Metro determined it had an excess of up to \$200,000 from a secured Regional Mobility Grant. Metro contacted City staff to see if Kirkland might have a project, provided the funds would be expended by the end of June 2021, which is the deadline by which the grant funds must be spent. Staff mentioned NE 124<sup>th</sup> Street and 100<sup>th</sup> Avenue NE intersection improvements as one that would benefit both the City and Metro, to which Metro agreed in principal. The Regional Mobility Grant is administered by WSDOT, and Metro has secured WSDOT's approval to include the Kirkland project in it. Metro has drafted an interlocal agreement to outline the scope and funding details of the Project.

The scope of work includes:

- 1) signal improvements to allow for dual westbound to southbound turn lanes,
- 2) re-channelization, and
- 3) the relocation of a bus shelter. There is a bus shelter on southbound 100<sup>th</sup> Avenue NE now. This Project would create a new bus shelter pad a few dozen feet south of its current location. At its own expense independent of the budget for this Project, Metro either will move the existing shelter to the new pad or install a new shelter.

### Budget

The Project's expected expenses and proposed funding are outlined in Table 1, below. While the grant will pay for Kirkland staff time, it will not pay for Kirkland overhead expenses, which must be paid locally. Staff determined \$10,000 of City funds are available from the Citywide Transit Study (PTC 00100) project, which is anticipated to be enough to cover all ineligible/overhead expenses for the Project.

**Table 1: Anticipated Expenses and Funding TRC 140 (new project)**

Anticipated Expenses	City	Grant Funds	Total
Consultant Design	-	(\$ 28,000)	(\$ 28,000)
In-house Support	(\$ 10,000)	(\$ 10,000)	(\$ 20,000)
Right-Of-Way	-	-	-
Construction	-	(\$ 55,000)	(\$ 55,000)
Contingency	-	(\$ 32,000)	(\$ 32,000)
<b>Total Expected Expenses</b>	<b>(\$ 10,000)</b>	<b>(\$125,000)</b>	<b>(\$135,000)</b>
<b>Funding</b>	<b>\$ 10,000</b>	<b>\$125,000</b>	<b>\$135,000</b>
<b>Difference</b>	<b>-zero-</b>	<b>-zero-</b>	<b>-zero-</b>

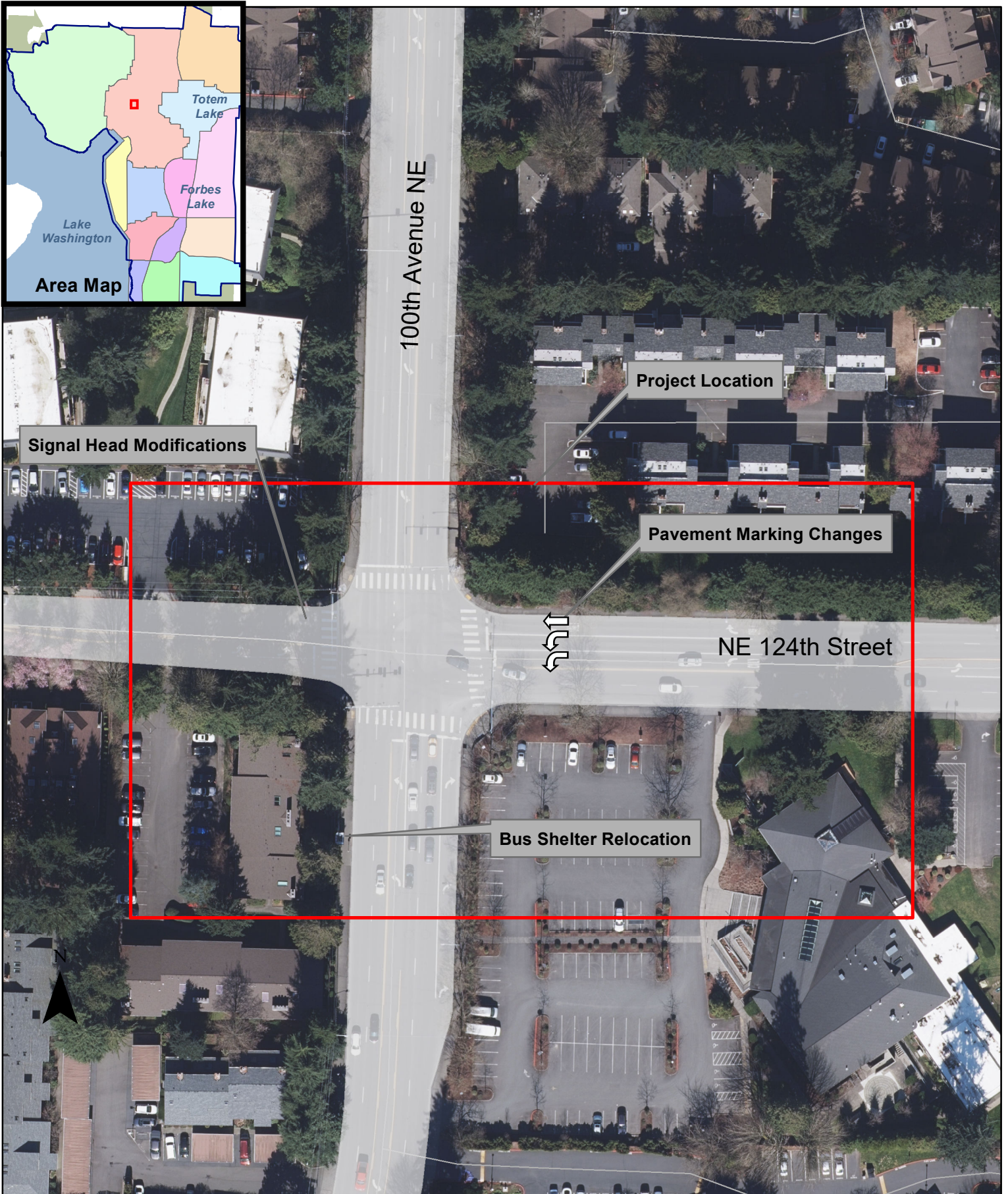
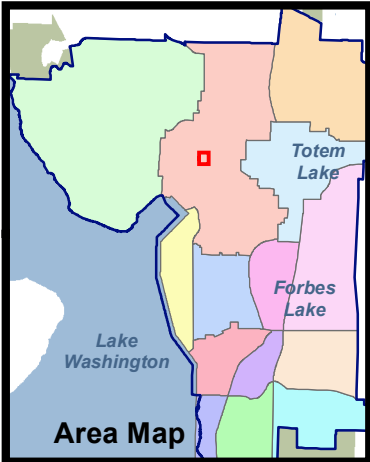
### Schedule and Recommendation

Acting on the City Manager's direction, staff has begun preliminary design efforts and environmental permitting coordination. Were the City Council to approve adding this Project to the CIP and accept the proposed funding strategy, staff would then move to prepare construction-ready documents and procure a construction contract. Construction is planned to begin in May 2021 and be completed by the end of June. Staff anticipates returning to the City Council for the project acceptance in Summer of 2021.

Attachment A: Vicinity Map and Area Map Inset

Attachment B: Fiscal Note





**FISCAL NOTE***CITY OF KIRKLAND*

Source of Request							
Julie Underwood, Interim Director of Public Works							
Description of Request							
Amend the 2021 – 2026 CIP with the creation of NE 124th St / 100th Ave NE Intersection Improvements (TRC 1400000). Approve the receipt of \$125,000 in King County Metro Regional Mobility Grant funding and the transfer of \$10,000 in funding from the Citywide Transit Study program (PTC 0010000) to fully fund the new project.							
Legality/City Policy Basis							
Fiscal Impact							
<p><b>- One-time transfer of \$10,000 in Gas Tax funding from PTC0010000 to TRC1400000.</b> This will reduce the total funding in PTC0010000 from \$300,000 to \$290,000. Available balance will move from \$73,046 to \$63,046.</p> <p><b>- Recognition of \$125,000 in Regional Mobility Grant funding to TRC1400000.</b> The total funding for this project will be \$135,000.</p>							
Recommended Funding Source(s)							
	Description	2020 Est End Balance	Prior Auth. 2019-20 Uses	Prior Auth. 2019-20 Additions	Amount This Request	Revised 2020 End Balance	2020 Target
<b>Reserve</b>							
<b>Revenue/Exp Savings</b>							
<b>Other Source</b>	\$10,000 in Gas Tax from PTC001000 \$125,000 in external funding from the King County Metro Regional Mobility Grant						
Other Information							

Prepared By	Robby Perkins-High, Senior Financial Analyst	Date	February 3, 2021
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Exhibit A

# CITY OF KIRKLAND CITY COUNCIL POLICIES AND PROCEDURES



March 2021~~December 2019~~

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## CHAPTER 1: CITY COUNCIL VISION AND GOALS

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

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

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

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

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

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#### 1.04 City Council Goals

##### ***NEIGHBORHOODS***

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

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

##### ***PUBLIC SAFETY***

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

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

##### ***HUMAN SERVICES***

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

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

##### ***BALANCED TRANSPORTATION***

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

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

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

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

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

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#### ***DIVERSE HOUSING***

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

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

#### ***FINANCIAL STABILITY***

**Value Statement:** ~~Community members~~citizens of Kirkland enjoy high-quality services that meet the community's priorities.

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

#### ***ENVIRONMENT***

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

**Goal:** To protect and enhance our natural environment for current ~~resident~~community members and future generations.

#### ***ECONOMIC DEVELOPMENT***

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

**Goal:** To attract, retain, and grow a diverse and stable economic base that supports City revenues, needed goods and services, and jobs for ~~resident~~community members.

#### ***DEPENDABLE INFRASTRUCTURE***

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

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

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## CHAPTER 2: CITY COUNCIL CODE OF CONDUCT

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

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

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

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

We assure fair and equal treatment of all people.

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

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

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

We show no tolerance for intimidating behaviors.

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

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

Our actions inspire public confidence in Kirkland government.

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

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

We respect differences and views of other people.

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

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

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

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

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

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

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

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

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

**CHAPTER 3: CITY COUNCIL MEETINGS**

3.01 Rules Governing the Conduct of Meetings. The order of procedure contained in this Chapter shall govern deliberations and meetings of the Council of the City of Kirkland, Washington. *Roberts Rules of Order, Newly Revised, Latest Edition*, shall govern the deliberations of the City Council except when in conflict with any of the rules set forth in this Chapter. Notice of Council meetings shall be given in accordance with chapter 42.30 RCW, the Open Public Meetings Act. Public notice is not required for events at which no action as defined by law may be taken, e.g. trainings, social and purely ceremonial events, such as ribbon-cuttings.

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

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

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

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

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

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b. City Manager Reports  
(1) Calendar Update

11. Items from the Audience
12. Executive Session
13. Adjournment

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

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

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

1. During the time for "Items from the Audience," speakers may not comment on matters which are scheduled for a public hearing, or quasi-judicial matters. The Council will receive comments on other issues, whether the matter is on the agenda for the same meeting or not. When possible, items on the agenda will be marked with an asterisk when the Council cannot receive comments on such matters during the time for "Items from the Audience." Comments should be directed to the Council and speakers are encouraged to follow the Council's own principles of conduct related to professionalism, respect and civility in working for the greater good of Kirkland.
2. Speakers are not allowed under state law to offer public comment for the purposes of assisting a campaign for election of any person to any office. In addition, speakers are not allowed to offer public comment in support of or in opposition to any certified ballot measure unless the Council could but has not yet taken a position with respect to such measure.
3. During the times for "Items from the Audience," whether at the beginning or end of the meeting, each speaker will be limited to three minutes. No more than three speakers may address the Council on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the Council. Unless it is 10:00 p.m. or later, speakers may continue to address the Council during an additional Items from the Audience period at the end of the meeting; provided, that the total amount of time allotted for the additional Items from the Audience period shall not exceed 15 minutes. A speaker who addressed the Council during the earlier Items from the Audience period may speak again, and on the same subject; however, speakers who have not yet addressed the Council will be given priority. Speakers may participate remotely through telephone or internet access provided by City staff even at meetings where in person comments may also be received.
4. Signs and placards may interfere with the orderly conduct of Council business and are not allowed at Council meetings, regardless of content.

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

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

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

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

3.09 Regional ~~and Committee~~ Reports. The Councilmember representative ~~or chair~~ of each respective regional ~~or other committee or regional meeting~~, or the Councilmember acting for him/her in his/her place, shall submit or make all reports to the Council related to new or significant items or when so requested by the presiding officer or any member of the Council. ~~The purpose of such reports will be to provide other Councilmembers with information from the regional committees and meetings that may have significant financial or policy impacts to the City of Kirkland.~~

Commented [KR1]: Deleted proposed sentence that read "Such reports should generally be limited to no more than three (3) minutes each."

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

1. Call the meeting to order.
2. Keep the meeting to its order of business.
3. Announce the agenda item and determine if the Council wishes to receive a staff report.
4. If, after presentation of the report or based upon the written report, action is desired, recognize a Councilmember to make a motion to propose appropriate action. Require a second to each motion; for those motions which must be seconded.
5. Handle discussion in an orderly way:
  - a. Give every Councilmember who wishes an opportunity to speak.
  - b. Permit audience participation at appropriate times.
  - c. Keep all speakers to the rules and to the question.
  - d. Give pro and con speakers equal opportunity to speak.
  - e. Repeat motions, put motions to a vote and announce the outcome.
  - f. Suggest but not make motions for adjournment.
  - g. Appoint committees when authorized to do so.
6. Maintain order and decorum.
7. Provide direction to remove an individual or individuals from a Council meeting based on speech or conduct that has actually disrupted, disturbed, or impeded the orderly conduct of the meeting. If a disruption has rendered the orderly conduct of a meeting unfeasible and order cannot be restored through a recess or by the removal of the individual or individuals who interrupted the meeting, the Presiding Officer, upon a majority vote of the Councilmembers present, may order the meeting room cleared and continue the session or may adjourn the meeting and reconvene in another location in accordance with the provisions of ~~Chapter 42.30 RCW~~, the Open Public Meetings Act. This subsection will be followed and enforced on a content-neutral basis.

3.11 Rules for Councilmember Conduct.



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1. No Councilmember shall speak more than twice on the same subject without permission of the presiding officer.
2. No person, not a member of the Council, shall be allowed to address the Council while it is in session without the permission of the presiding officer.
3. All questions on order shall be decided by the presiding officer ~~of the Council~~ with the right of appeal to the Council of any Councilmember.
4. Motions shall be reduced to writing when required by the presiding officer of the Council or any Councilmember ~~of the Council~~. All resolutions and ordinances shall be in writing. The substance of Councilmember proposed amendments to resolutions and ordinances should be communicated to the City Manager whenever possible in order that City staff may reduce such amendments to writing for distribution by hard copy and ~~email~~ Email to remaining Councilmembers no later than ~~5:00~~ five p.m. on Council meeting days; provided, however, that nothing herein shall preclude amendments from being offered later, including orally during Council consideration of such resolutions and ordinances.

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

1. To adjourn, to table or continue a matter,
2. To go into or out of executive session,
3. To schedule a special meeting of the ~~City~~ Council,
4. To add or remove items on a future Council meeting agenda,
5. To approve or authorize the sending of a letter or other communication so long as the letter or communication sets forth a policy or position previously agreed to by a majority of the entire Council membership,
6. To establish the date for a public hearing, unless such hearing is required to be set by ordinance or resolution,
7. To authorize call for bids or requests for proposals, ~~and~~
8. To approve a Consent ~~C~~alendar, provided that any ordinance, any grant or revocation of franchise or license, or any resolution for payment of money included on the ~~Consent~~ calendar, has first been removed, ~~and~~;
9. To authorize a Councilmember to serve as presiding officer in the event of the absence, extended unavailability or vacancies in the offices of both the Mayor and Deputy Mayor.

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

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

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

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

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

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

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

3.20 City Staff Attendance at Meeting. The City Manager, City Attorney, City Clerk, and such other officers and/or employees of the City ~~of Kirkland~~ shall, when requested, attend all meetings of the Council, which attendance may be either in person or remote and shall remain in the Council chamber for such length of time as the Council may direct, whether held in person or otherwise.

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

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

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

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

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

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

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

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

- a. The presiding officer shall confirm and announce that all present at the meeting and in the remote location can clearly hear all other parties and (as appropriate) access visual content that may be presented.
- b. With such confirmation, Council~~m~~-Members – whether they are physically at the meeting or at a remote location - constituting a majority may approve the use of remote communication for all or any specified portion of the meeting.
- c. Unless the Council~~m~~-Member is participating remotely for the entire meeting, when the portion of the Council meeting for which remote attendance has been approved has concluded, the presiding officer shall announce the same and the attendance of the Council~~m~~-Member communicating remotely shall end. The City Clerk shall record the beginning and ending times of the remote attendance.
- d. In the event that a remote communication link is broken or significantly degraded such that it no longer meets the full requirements of this section, the presiding officer shall confirm the loss of service and announce the close of the remote attendance. The attendance of the Council~~m~~-Member communicating remotely shall end. The City Clerk shall record the time of the closure.

3. Requirements of the System. The Council~~m~~-Member attending remotely must be able to hear the discussion on the agenda item taking place in the Council Chambers~~;~~ and must be able to be heard by all present in Council Chambers.

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4. For purposes of voting, remote attendance at a Council meeting shall be considered equal to being physically present at the meeting. All votes conducted with a Councilm-~~Member~~ attending remotely shall be conducted by roll call; provided, however, that when the Council is not meeting in person, for example during an emergency, roll call votes are required only in those instances where necessary to clarify voting in the event of a divided vote and in those instances where a roll call vote would have been required, e.g. ordinances, and had the meeting been conducted in person.

3.25 Special Meetings and Emergencies. Special meetings, including dates, times and locations for meetings conducted during emergencies, shall be held in accordance with ~~Chapter 42.30 RCW,~~ the Open Public Meetings Act. Special meetings are held at the request of the Mayor or, in the event of the extended unavailability of the Mayor, the Deputy Mayor. In the event of the extended unavailability of both the Mayor and the Deputy Mayor, special meetings are held at the request of the Councilm-~~Member~~ designated by the Council as presiding officer in the extended unavailability or vacancies in the offices of the Mayor and Deputy Mayor or, if no Councilm-~~Member~~ has been so designated, then the Presiding Officer shall be the Councilm-~~Member~~ present at such special meeting and selected as acting chair by motion for the duration of such meeting. When the unavailability of any Councilm-~~Member~~ becomes extended depends on the facts and circumstances but generally occurs when a special meeting needs to be scheduled and held on an urgent basis and such Councilm-~~Member~~ is not available for any reason other than vacancy. The extended unavailability of a Councilm-~~Member~~ does not, by itself, constitute a vacancy.

3.26 Vacancies. Vacancies on the Council created by operation of applicable state law shall be filled as follows in accordance with RCW 42.12.070:

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

3.27 Legislative Request Memo Impact Analyses. The City Manager Calendar Update is the time during the order of business of a Council meeting for a Councilmember to propose the consideration of new legislation or request staff resources be allocated to issues not included in a

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current adopted budget, City Work Program, or department work plan. The process by which such proposals should be made is follows:

1. The Councilmember summarizes the issue and requests the preparation of a legislative ~~impact analysis request memo~~ for the proposal. In appropriate consultation with the Councilmember, the legislative ~~request memo~~ ~~impact analysis~~ will follow a structured template which identifies at a high level:
  - a. Potential costs and benefits of the proposal.
  - b. How the proposal supports the Council vision and goals.
  - c. How the proposal impacts equity and inclusion.
  - d. Potential stakeholders impacted.
  - e. Potential outreach needed.
  - f. Potential staff resources needed.
  - g. Whether current staff resources and budget authority could accommodate the request.

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2. The Council must by motion approve the preparation of a legislative ~~request memo~~~~impact analysis~~ in connection with a proposal. The City Manager will include such approved ~~analysis~~~~memos~~ as part of a City Council packet for inclusion as part of a City Manager Calendar Update within two regular City Council meetings following the approved request. As part of such update the Council may by motion approve authorizing staff to proceed with development of the proposal, but such authorization does not mean the Council has made a decision or taken an action to approve adoption of the proposal. Any such decision or action must be taken if at all when final proposed legislation comes before the Council.

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#### CHAPTER 4: STUDY SESSIONS AND RETREATS

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

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

**CHAPTER 5: COUNCIL COMMUNICATIONS**

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

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

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

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

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

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

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

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

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

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

1. The content and tenor of all public communications should model the same professional behavior displayed during Council meetings and community meetings and reflect well on the individual Councilmember, the ~~City~~ Council as a whole, and the community.
2. The following disclaimers should be included in whole or referenced with a link to the disclaimers for all communications initiated by Councilmembers in open forums.
  - a. The views expressed represent the views of the author and may not reflect the views of the City of Kirkland or the Kirkland City Council.
  - b. Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act, under which a policy discussion or other action taken must be held in an open public meeting if a quorum of the ~~City~~ Council participates.
  - c. Comments posted in response to a Councilmember-initiated communication may be subject to public disclosure under chapter 42.56 RCW, the Public Records Act.
3. Media outlets such as newspapers, radio and television news coverage may be used as communications medium by individual Councilmembers provided that the communication clearly states that the views expressed do not represent those of the City Council or the City of Kirkland but the views of the individual Councilmember.
4. Communications Initiated by Councilmembers. Guest editorials, letters to the editor and blog posts published by Councilmembers should be provided to the full ~~City~~ Council at the same time they are delivered to the media outlet. Drafts of guest editorials, letters to the editor or blog posts may not be circulated for comment by a quorum of the Council prior to publication as this may violate the Open Public Meetings Act.
5. Use of Social Media. Posts to social media sites (Web 2.0) such as blogs, Facebook and Twitter may be used by individual Councilmembers to communicate with the public provided the following guidelines are used:
  - a. Blog posts or other posts to social media sites should include, or reference by a link, the disclaimers listed in Section 2.
  - b. Social media sites are not to be used for the conduct of ~~City~~ Council business other than to informally communicate with the public. Public notices, items of legal or fiscal significance that have not been released to the public and discussion of quasi-judicial matters may not be included in Councilmembers social media posts. Councilmembers are encouraged to maintain social media sites with settings that can restrict users' ability to comment in order to avoid inadvertent



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discussions of these items. Unsolicited public comments on quasi-judicial matters must be placed on the record by the Councilmember at the time the matter is before the ~~City~~ Council for consideration.

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

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

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other City policy. Use of City-owned equipment or ~~email~~Email accounts for campaign purposes is prohibited by RCW 42.17A.555.

**CHAPTER 6: PROCLAMATIONS**

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

1. All proclamations and commendations will be issued at the discretion of the Mayor.
2. Proclamations generally can recognize international, national, state, and local events, as well as matters of historical interest, in order to bring them to the attention of Kirkland community membercitizens. Commendations generally honor a group or individual for civic achievements. Proclamation and commendation content should relate to a public purpose or benefit. The City Council shall maintain and publicly display a list of recurring proclamations generally issued by the Mayor on at least an annual basis.
3. A proclamation or commendation that has not previously been issued by the Mayor ~~of Kirkland~~ shall be reviewed by the Mayor and Deputy Mayor for content to ensure that it does not conflict with an adopted policy position of the ~~Kirkland City~~ Council.
4. The City Manager's Office will coordinate all requests for proclamations and commendations. Proclamation and commendation requests should be received no later than thirty (30) days in advance two weeks prior to a City Council Meeting to allow time for the proclamation or commendation to be prepared and reviewed. Proclamations are generally, and added to the Council Meeting Agenda. Commendations are generally mailed to the recipient. Proclamation and commendation requests shall be made through the City Manager's Office on a template form that includes at least the following information: (a) target issuance date; (b) requestor's name, organization, address, telephone, and Email contact information; (c) proposed written content; and (d) brief narrative that includes a description of the event, cause or civic achievement to be recognized and the public benefits or purposes that would be served thereby.
5. Proclamations shall be presented at Council ~~m~~Meetings only if a recipient is participating in the meeting present in the audience or at the discretion of the Mayor. All other proclamations, like commendations, will be sent by mail to the recipient.

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Exhibit A**CHAPTER 7: COUNCIL COMMITTEES**

7.01 Purpose and Relationship to City Council. Council Committees are advisory and do not take action on behalf of the Council. The purpose of committees is to review matters in detail and to make reports to the full Council for possible Council actions. The Council does not have standing committees but may have ad hoc or intermittent committees, which are appointed for special or time-limited subjects. Ad hoc committees are disbanded when they complete their assigned task(s). Issues which are not assigned to ad hoc or intermittent committees may be addressed by the Council during study sessions and at retreats.

7.02 Council Committee Meetings.

Unless a quorum of the Council is in attendance, meetings of Council ~~C~~committees do not need to be posted to the City's website.

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

7.03 Council Intermittent Committees

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

7.04 Council Committee Membership and Attendees. Each ad hoc or intermittent Council Committee will consist of no more than three appointed Councilmembers in order to support their advisory nature. In some limited instances, and with the prior approval of the Council by action taken at a Council meeting, additional Councilmembers may attend a committee meeting, but in such instances the committee may not vote on any matter before it. Further, each committee meeting expected to be attended by more than three Councilmembers will be noticed as a special meeting of the Council in accordance with ~~Chapter 42.30 RCW~~, the Open Public Meetings Act. Councilmembers not attending a committee meeting noticed as a special meeting of the Council and not appointed to such committee shall not be considered absent from such meeting.

**CHAPTER 8: BOARD AND COMMISSION APPOINTMENTS**

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

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

Cultural Arts Commission

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

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

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

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

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

8.05 Terms. Appointments shall be made for four-year terms, unless otherwise provided by statute or Kirkland Municipal Code. Terms shall expire on the 31<sup>st</sup> of March of the applicable year. A member being appointed to fill a vacant position shall be appointed to fill the vacancy for the remainder of the unexpired term. Subject to Section 8.06, and by mutual agreement, appointments may be extended by the Council for up to an additional one year in exigent circumstances and after considering the general benefits of staggered advisory board terms.

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

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

8.08 Appointment/Reappointment. Pursuant to Section 2.1, all City advisory board members shall adhere to the City Council code of conduct. An open competitive process will be used to fill vacancies. TheCity Council will initiate an open and competitive application process and solicit applicants for the position(s). All advisory board members completing their term who are interested in and eligible for reappointment may be reappointed by the City Council for a second term without an open competitive process.

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

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

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

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

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

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

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

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8.11 Application Process. Openings for City advisory board positions shall be widely advertised in local newspapers, as well as other means available and appropriate for this purpose. Strong efforts will be made to encourage applications from a diverse pool of candidates, including with respect to race, ethnicity, gender, sexual orientation, gender identification, and the presence of any sensory, mental, or physical disability. Applicants shall be required to complete a City application form provided for this purpose, and to submit a completed application by the specified recruitment deadline. Late applications will not be accepted; however, the ~~City~~ Council may choose to extend an application deadline, if necessary, to obtain a sufficient number of applicants for consideration. Copies of all applications will be provided to the ~~City~~ Council.

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

Interviews of applicants shall be conducted in open session. The Council may choose to share anticipated interview questions with the applicant pools on advance of interviews. The chairperson of the respective advisory board (or a representative) will also be invited to attend the interviews, and may participate in the process to the degree desired by the Council. Upon completion of the interviews, the Council shall, in open session, make its reappointments of incumbents and appointments of new members and may designate alternates that could be considered for appointment in the event of a vacancy occurring within six months one year of the appointment

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through resignation or removal. The Council will seek to make appointments of qualified candidates who reflect the diversity of Kirkland, including with respect to race, ethnicity, gender, sexual orientation, gender identification, or the presence of any sensory, mental, or physical disability. Following appointment, the appointee and alternates, as well as all other candidates, will be notified in writing of the Council's decisions.

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

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

**CITY OF KIRKLAND****City Attorney's Office****123 Fifth Avenue, Kirkland, WA 98033 425.587.3030**[www.kirklandwa.gov](http://www.kirklandwa.gov)**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Kevin Raymond, City Attorney

**Date:** February 11, 2021

**Subject:** REVISED DRAFT AMENDMENTS CITY COUNCIL POLICIES AND PROCEDURES  
BASED ON CITY COUNCILMEMBER FIRST DRAFT REVIEW COMMENTS AT  
FEBRUARY 5, 2021 RETREAT

**RECOMMENDATION:**

That City Council provide City staff with feedback and direction relative to the revised draft proposed amendments to the Council's policies and procedures, attached hereto in redline format. Changes which have been made to the first draft, all based on Councilmember comments at the retreat, are highlighted in yellow. Based on this additional feedback and direction from the Council, staff would intend to bring a resolution to the Council at its March 2, 2021 meeting for possible action on final policies and procedures amendments.

It is also recommended that the City Manager discuss with Council during his City Manager Report a proposal to extend existing, expiring board and commission appointments through May 2021 due to the pending COVID-19 pandemic emergency. This extension will provide staff time to develop recruitment strategies to increase the number of diverse candidates for boards and commissions as requested by the Council at the retreat. If approved by the Council, this one-time extension of board and commission terms would be the subject of a separate resolution brought to the Council's March 2, 2021, but this resolution would not anticipate a formal amendment of the Council's policies and procedures.

**BACKGROUND DISCUSSION:**

The attached draft red-lined amendments to the Council's policies and procedures begin with the version that was shared with Councilmember at the Council's February 5, 2021 retreat and now includes additional changes based on Councilmember retreat comments. Those changes are all highlighted in yellow and summarized below:

- Date of amendment is changed to March 2021.
- Section 3.07(1) is amended to encourage community member speakers to direct comments to the Council rather than to others, as sometimes occurs, and to adhere to the Council's own code of conduct related to professionalism, respect and civility.
- Section 3.07(3) is amended to make clear that the opportunity for community members to speak to the Council remotely through internet and telephone will be maintained even after in person meetings are resumed following the end of the COVID-19 pandemic emergency.



- Section 3.08 is amended to delete a reference to the general referral of some petition-related issues to a "Council Committee."
- Section 3.09 is amended to delete a proposed amendment that Councilmember regional reports should generally be limited to three minutes each in duration. As requested by the Council, proposed language clarifying the purpose of the regional reports is provided to the Council for discussion.
- Section 3.27 is amended to change the name of the requested document to "Legislative Request Memo" rather than "Legislative Impact Analysis."
- Section 8.08 is amended to reiterate that City board and commission members are subject to the City Council code of conduct (set forth in Chapter 2).
- Sections 8.09 and 8.10 are amended to provide for all sitting board and commission members to also be consulted (in addition to board and commission chairs and the City Manager) regarding reappointments.
- Sections 8.11 and 8.12 are amended to add the categories of gender identification and individuals with disabilities as classes of individuals sought by the Council to help ensure diverse candidate pools and appointees to City boards and commissions.
- Section 8.12 is also amended to allow designated board and commission alternates to be considered for appointments to fill vacancies for up to one year after such designation (instead of the current six months).

Attachment: Revised Draft Redlined Amendments to City Council Policies and Procedures (March 2021)



# CITY OF KIRKLAND

## CITY COUNCIL GOALS

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

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

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

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

*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.*



### NEIGHBORHOODS

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

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



### PUBLIC SAFETY

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

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



### HUMAN SERVICES

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

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



### BALANCED TRANSPORTATION

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

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



### PARKS, OPEN SPACES AND RECREATIONAL SERVICES

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

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



### HOUSING

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

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



### FINANCIAL STABILITY

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

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



### ENVIRONMENT

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

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



### ECONOMIC DEVELOPMENT

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

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



### DEPENDABLE INFRASTRUCTURE

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

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

## 2012 KIRKLAND WORK PLAN

☑ Task Completed

- ☑ 1. Implement Totem Lake regulatory changes, Phase II flooding projects and NE 120th Street construction.
- ☑ 2. Complete a Development Agreement and permit process for Park Place redevelopment.
- ☑ 3. Complete design and permitting of the Public Safety Building and initiate construction bidding.
- ☑ 4. Complete Phase I utility undergrounding of the 85th Street Corridor Project.
- ☑ 5. Resolve each of the four currently open Collective Bargaining Agreements in 2012.
- ☑ 6. Develop partnership initiatives with employees to achieve sustainability of wages and benefits.
- ☑ 7. Adopt a 2013-2014 budget that demonstrates efficient, cost effective services.
- ☑ 8. Evaluate Kirkland's tax and regulatory environment to identify and remove barriers and spur jobs and economic recovery.
- ☑ 9. Initiate a review of Kirkland's planning, building and development services to facilitate predictable, effective planning and permitting for economic growth.
- ☑ 10. Initiate a Master Plan and community vision of the Cross Kirkland Corridor.
- ☑ 11. Evaluate and potentially implement a street maintenance funding initiative.
- ☑ 12. Evaluate and potentially implement parks capital project and maintenance ballot measures.

## 2013-2014 KIRKLAND WORK PLAN

☑ Task Completed

*(Changed to a biennial work plan to match budget)*

- ☑ 1. Revitalize Totem Lake Business District through continued implementation of the Totem Lake Action Plan.
- ☑ 2. Partner with private sector to attract tenants to Kirkland's major business districts.
- ☑ 3. Reenergize neighborhoods through partnerships on capital project implementation.
- ☑ 4. Complete Comprehensive Plan update and incorporate new neighborhoods into all planning documents.
- ☑ 5. Implement Development Services Organizational Review recommendations and simplify Zoning Code.
- ☑ 6. Develop City-wide Multimodal Transportation Master Plan.
- ☑ 7. Achieve Kirkland's adopted legislative agendas, with emphasis on securing transportation revenues and funding for the NE 132nd Street ramps to I-405. (Now an annual initiative)
- ☑ 8. Complete Cross Kirkland Corridor Master Plan and construction of the Interim Trail.
- ☑ 9. Develop cost effective 2015-2016 Budget that maintains Kirkland's AAA credit rating and implements an improved performance management system.
- ☑ 10. Continue partnership initiatives with employees to achieve sustainability of wages and benefits.
- ☑ 11. Complete construction and occupy Public Safety Building.
- ☑ 12. Continue to implement Fire Strategic Plan recommendations, including evaluation of a Regional Fire Authority and resolution of a consolidated Finn Hill Fire Station.
- ☑ 13. Partner with Lake Washington School District and other interested public and private organizations to explore options for replacing the Juanita Aquatic Center by 2017.

## 2015-2016 KIRKLAND WORK PLAN

☑ Task Completed

*(Changed to a biennial work plan to match budget)*

- ☑ 1. Continue to implement Cross Kirkland Corridor Master Plan.
- ☑ 2. Complete Comprehensive Plan Update and Transportation Master Plan.
- ☑ 3. Complete comprehensive update of the Capital Improvement Program.
- ☑ 4. Invest Fire District #41 funds and City revenues to improve fire and emergency medical services to Finn Hill, Juanita, and Kingsgate, site new north end fire stations and improve existing stations and operations.
- ☑ 5. Continue annexation-related facility investments by renovating City Hall, enhancing customer service and identifying expansion for Parks and Public Works Maintenance Centers.
- ☑ 6. Implement capital, financial, legislative and organizational actions for redevelopment of Parkplace and Totem Lake Mall.
- ☑ 7. Provide Kirkland residents an opportunity to vote on a ballot measure in 2015 or 2016 to fund an Aquatics, Recreation, and Community Center replacing the Juanita Aquatic Center.
- ☑ 8. Engage Sound Transit Board to ensure any ballot measure connects Totem Lake to High Capacity Transit.
- ☑ 9. Convert all employees of the City to an email archiving system improving City responsiveness and transparency while reducing the cost and complexity of storing email data.
- ☑ 10. Partner with A Regional Coalition for Housing and non-profit organizations to site a permanent Eastside women's shelter in Kirkland.
- ☑ 11. Implement the Healthy Kirkland Plan, including establishing an employee clinic.

## 2017-2018 KIRKLAND WORK PLAN

☑ Task Completed

☒ Task Underway

☒ Task Deferred

*(Changed to a biennial work plan to match budget)*

- ☑ 1. Renovate Fire Station 25
  - ☒ Construct new Station 24, and site new Station 27
- ☒ 2. Explore potential ballot measures for Fire Station modernization and public safety operations.
- ☑ 3. Facilitate Community Policing through implementation of Police Strategic Plan.
- ☑ 4. Fund capital investments to support growth in Totem Lake Urban Center.
- ☒ 5. Partner with Sound Transit, the State Department of Transportation and King County Metro Transit to ensure that investments along I-405 serve Kirkland's mobility needs.
- ☑ 6. Partner with A Regional Coalition for Housing, churches and non-profits to construct a permanent women and family shelter in Kirkland.
- ☑ 7. Implement the Cross Kirkland Corridor Master Plan focused on the Totem Lake Connector and South Kirkland Park and Ride connection.
- ☒ 8. Expand Maintenance Center capacity to meet the service needs of the larger City.
- ☑ 9. Procure a new solid waste contract and engage King County and Kirkland residents to determine the future of the Houghton Transfer Station and Houghton Landfill.
- ☑ 10. Replace the City's core financial and human resources software.
- ☑ 11. Enhance resident and business engagement in Kirkland through community-based initiatives that foster a safe, inclusive and welcoming City and a love of Kirkland.

## RESOLUTION R-5462

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SETTING PRIORITY GOALS FOR 2021-2022 AND ADOPTING THE 2021-2022 CITY WORK PROGRAM.

1 WHEREAS, in 2011 and 2012 the City Council approved  
2 annual City Work Programs, but determined that subsequent City  
3 Work Programs be adopted as biennial initiatives to better align  
4 with the biennial budget process; and  
5

6 WHEREAS, the City Council has adopted Council Goals for  
7 the City that articulate key policy and service priorities and guide  
8 the allocation of resources for Kirkland through the budget and  
9 capital improvement programs; and  
10

11 WHEREAS, due to economic cycles and fiscal constraints,  
12 equal progress cannot always be made on all City Goals and the  
13 City Council must prioritize certain Goals at certain times; and  
14

15 WHEREAS, in 2021-2022 the City Council desires to help  
16 the community and the economy recover from COVID-19, help  
17 eliminate systemic racism, ensure the safety and respect of Black  
18 residents, create more affordable housing, increase parks and  
19 open space, improve multi-modal transportation options and fire  
20 and emergency medial services througout the city, retain a high  
21 quality of life in Kirkland, and provide efficient, cost-effective City  
22 services to an informed and engaged public; and  
23

24 WHEREAS, to help achieve these purposes in 2021-2022,  
25 the Council is prioritizing the Council Goals of Balanced  
26 Transportation, Dependable Infrastructure, Economic  
27 Development, Environment, Financial Stability, Housing, Human  
28 Services, Neighborhoods, Parks and Recreation, and Public  
29 Safety; and  
30

31 WHEREAS, the City Council believes it is appropriate to  
32 adopt a 2021-2022 City Work Program to help implement these  
33 priority Goals, identify the priority focus of the City of Kirkland's  
34 staff and resources, and enable the public to measure the City's  
35 success in accomplishing its major policy and administrative goals;  
36 and  
37

38 WHEREAS, the 2021-2022 City Work Program is a list of  
39 high priority, major cross-departmental efforts, involving

significant financial resources designed to maintain public safety and quality of life in Kirkland, as well as an effective and efficient City government; and

WHEREAS, since over the course of two years new issues may arise that require substantial City resources and City Council review, the adopted 2021-2022 City Work Program will be evaluated during the mid-biennial budget process to proactively determine whether emerging items can be accommodated, deferred, or if the City Work Program must be revised or reprioritized;

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

Section 1. The 2021-2022 City Work Program consisting of the following initiatives is adopted:

1. Implement R-5434 elements such as non-commissioned emergency responders, Police transparency and accountability measures, and community-wide equity and inclusion programs to create a safer and more equitable Kirkland that increases the safety and respect of Black people and reduces systemic racism and poverty to implement R-5240 and R-5434 and to further the goals of **Public Safety, Neighborhoods,** and **Human Services**;
2. Complete construction and open Fire Station 24 in Juanita with a cross-staffed crew of three firefighter/EMTs to implement the Fire Strategic Plan and further the goal of **Public Safety**;
3. Adopt a Fire and Emergency Medical Services ballot measure implementation plan, stockpile pandemic personal protective equipment, initiate hiring of new firefighter/EMTs, complete the design of new Fire Station 27 in Totem Lake, complete the design the renovation of Fire Station 22 in Houghton, and locate and complete a temporary fire station to implement the Fire Strategic Plan and further the goals of **Public Safety** and **Neighborhoods**;
4. Initiate a supportive housing project in Kirkland, implement significant affordable housing projects at the Kingsgate Park and Ride and ~~other locations~~ in the Totem Lake Urban Center, develop affordable housing priorities for the NE 85<sup>th</sup> Street Station Area Plan, and adopt and track affordable housing targets at 30%, 50% and 80% of Area Median Income (AMI) [or] for low-income and moderate income residents as determined by the Area Median Income (AMI) for the City to

implement the Housing Strategy Plan and further the goals of **Housing** and **Neighborhoods**;

5. Complete actions and investments necessary to keep Kirkland residents, City staff and City facilities safe during the COVID-19 pandemic, support renewed economic activity, and prepare the City organization and the Kirkland community for recovery to implement the Comprehensive Emergency Management Plan, Continuity of Government (COG) Plan, and Continuity of Operations (COOP) Plan and further the goals of **Public Safety, Human Services, Neighborhoods, Dependable Infrastructure** and **Financial Stability**;
6. Complete design and initiate construction of the Juanita Drive and 100<sup>th</sup> Avenue NE multi-modal transportation projects to implement the Transportation Master Plan and further the goals of **Balanced Transportation** and **Dependable Infrastructure**;
7. Complete the Totem Lake Connector, Totem Lake Park, 132<sup>nd</sup> Square Park and continue capital investments to support growth throughout the City and the Totem Lake Urban Center to implement the Parks, Open Space and Recreation Services (PROS) Plan, the Cross Kirkland Corridor Master Plan and further the goals of **Economic Development, Balanced Transportation, and Parks, Open Spaces and Recreational Services**;
8. Continue to Partner with Sound Transit, the State Department of Transportation and King County Metro Transit to ensure that investments along I-405 serve Kirkland's mobility needs to implement the Transportation Master Plan and the Transit Implementation Plan and further the goals of **Balanced Transportation** and **Economic Development**;
9. Complete work for designation of Greater Downtown Kirkland as a Regional Center. Complete a vision statement and placemaking name for the NE 85<sup>th</sup> St. Station Area Plan that integrates with surrounding neighborhoods and connects with downtown. Complete a Level of Service Benefit and Impact Analysis to inform Council decisions regarding Station Area Plan options and the Plan's potential environmental impacts to implement the Comprehensive Plan and further all Council goals;
10. Initiate city-wide outreach and planning efforts to update the Comprehensive Plan, the Transportation Master Plan the Parks, Recreation and Open Space Plan and related documents to maintain the quality of life in Kirkland and further all Council goals;

- 138  
139 11. Develop an equitable, cost effective 2023-2024 balanced  
140 budget that reduces future deficits while investing in  
141 community priorities and retaining Kirkland's AAA credit rating  
142 to further the goals of **Financial Stability** and all council  
143 goals.  
144

145 Section 2. The City organization shall demonstrate the  
146 operational values of civic engagement, regional partnerships,  
147 efficiency and accountability as the 2021-2022 City Work Plan is  
148 implemented.  
149

150 Section 3. The City Manager is hereby authorized and  
151 directed to develop implementation steps and benchmarks for  
152 each initiative in the 2021-2022 City Work Program, prioritize  
153 resources and efforts to achieve those benchmarks, and  
154 periodically update the Council regarding progress on these  
155 efforts.  
156

157 Passed by majority vote of the Kirkland City Council in open  
158 meeting this \_\_\_\_ day of \_\_\_\_\_, 2021.  
159

160 Signed in authentication thereof this \_\_\_\_ day of  
161 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Penny Sweet, Mayor

Attest:

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

**CITY OF KIRKLAND****123 Fifth Avenue, Kirkland, WA 98033 425.587.3000**  
**www.kirklandwa.gov**

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**MEMORANDUM**

**To:** City Council

**From:** Kurt Triplett, City Manager

**Date:** February 8, 2021

**Subject:** COUNCIL GOALS AND 2021-2022 CITY WORK PROGRAM RESOLUTION

**RECOMMENDATION:**

That the City Council reviews draft changes to the Council Goals and updates to the draft resolution adopting the 2021-2022 Priority Goals and City Work Program. Once the Council has reviewed and revised the Goals and the resolution, the final resolution will be brought to the Council for adoption at a future Council meeting.

**BACKGROUND DISCUSSION:**

The City Council received presentations and discussions regarding the Draft 2021-2022 Priority Goals and City Work Program as part of biennial budget process. The Council reviewed and amended the Draft 2021-2022 City Work Program at the October 27, 2020 and November 4, 2020 Study Sessions. The Draft Resolution adopting the City Work Program was reviewed and amended by the Council at both the February 2 Council meeting and the February 5 Council retreat. Council Goals were also reviewed at the February 5 Council retreat.

**Council Vision and Goals**

The City Council has adopted ten goals to help implement the City's 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.*

These goals are periodically reviewed and revised to ensure the goals are current and relevant. The last time the Council goals were revised was in June of 2019. The current goals are found on the City's website and a pdf of the goals is included as Attachment A. The Council discussed proposed revisions to the goals at the February 5 Council retreat. The revised goals that attempt to reflect the initial input received by the Council are included as Attachment B and shown in track changes mode.



The revisions include four significant changes as a result of the Council retreat discussion:

A new “Inclusive Community” goal is proposed that uses the value language previously included under *Human Services*. The goal itself is taken directly from R-5240 declaring Kirkland a Safe, Inclusive and Welcoming community. The new goal is shown in its entirety below:

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

**Council Goal:** To protect and serve everyone who resides in, works in, or visits Kirkland without discrimination based on race, religion, color, national origin, sex, age, income or economic status, political affiliation, military status, sexual orientation, or physical, mental or sensory ability.

The Council also suggested looking at the *Public Safety* and *Human Services* goals in the context of the new *Inclusive Community* goal. The revision proposes to change *Public Safety* to *Community Safety* and adds the term “appropriate” before “response” to reflect the evolving view of the appropriate first responders for many emergency calls such as those related to mental and behavioral health and homelessness.

**Public Community Safety:** Ensure that all those who live, work and play in Kirkland are safe.

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

The *Human Services* value statement is replaced with the current mission statement of the Human Services Division, which is also the guiding statement for the allocation of human services grants.

**Supportive Human Services:** ~~Kirkland is a diverse and inclusive community that respects and welcomes everyone and is concerned for the welfare of all. Kirkland meets basic human needs, helps people through economic and personal crises and provides low- and moderate-income persons with opportunities to succeed~~

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

Council requested that the Environment goal also be updated to reflect the adoption of the Sustainability Master Plan (SMP) and incorporate language from the plan. The new goal statement reflects the definition of sustainability from the SMP.

**Sustainable Environment:** ~~We are~~ Kirkland is committed to the protection of the natural environment through an integrated natural resource management system.

**Council Goal:** ~~To sustainably protect and enhance our natural environment for current residents and future generations. to meet the needs of present residents for clean air and water, healthy food, housing options, economic opportunity and an equitable and just society without compromising the ability of future generations to meet their needs.~~

Finally, the Council discussed adding descriptive adjectives to each goal to ensure consistency among the goals and provide a better indication to the public of the purpose of the goal. Staff has suggested a descriptor word for each goal that did not have one as a starting place for the conversation.

Further discussion and direction on the goals will be needed. Council will be reviewing the proposed changes on February 16. Further discussions will be scheduled at future Council meetings as needed.

### **Draft 2021-2022 City Work Program Revisions**

At the February 2 Council meeting, the Council requested that each City Work Program initiative include the relevant adopted city plan(s) implemented, in addition to the Council goal(s) that are advanced. The draft resolution (Attachment C) includes initial plans show in track changes mode. The following eleven items were also approved by the Council at the February 5 retreat. The list includes new element #9 related to the 85<sup>th</sup> Street Station Area Plan and the Downtown Kirkland Regional Center. New language is highlighted in track changes below and in the attached draft resolution. The Council did not complete the discussion of Item 4 related to housing and requested that two options be provided. As the Council goals are revised and finalized, the updated goal language will also be included in the resolution.

1. Implement R-5434 elements such as non-commissioned emergency responders, Police transparency and accountability measures, and community-wide equity and inclusion programs to create a safer and more equitable Kirkland that increases the safety and respect of Black people and reduces systemic racism and poverty. (Council Goals: Public Safety, Neighborhoods, Human Services).
2. Complete construction and open Fire Station 24 in Juanita with a cross-staffed crew of three firefighter/EMTs. (Council Goal: Public Safety).
3. Adopt a Fire and Emergency Medical Services ballot measure implementation plan, stockpile pandemic personal protective equipment, initiate hiring of new and diverse firefighter/EMTs, complete the design of new Fire Station 27 in Totem Lake, complete the design for renovation of Fire Station 22 in Houghton, and locate and complete a temporary fire station (Council Goals: Public Safety, Neighborhoods).
4. Initiate a supportive housing project in Kirkland, implement significant affordable housing projects at the Kingsgate Park and Ride and ~~other locations~~ in the Totem Lake Urban Center, develop affordable housing priorities for the 85<sup>th</sup> Station Area Plan, and adopt and track affordable housing targets at 30%, 50% and 80% of Area Median Income (AMI) [or] for low-income and moderate income residents as determined by the Area Median Income (AMI) for the City (Council Goals: Housing, Neighborhoods).
5. Complete actions and investments necessary to keep Kirkland residents, City staff and City facilities safe during the COVID-19 pandemic, support renewed economic activity, and prepare the City organization and the Kirkland community for recovery (Council

Goals: Public Safety, Human Services, Neighborhoods, Dependable Infrastructure, Financial Stability).

6. Complete design and initiate construction of the Juanita Drive and 100<sup>th</sup> Avenue NE multi-modal transportation projects (Council Goals: Balanced Transportation, Dependable Infrastructure).
7. Complete the Totem Lake Connector, Totem Lake Park, 132<sup>nd</sup> Square Park and continue capital investments to support growth throughout the City and the Totem Lake Urban Center (Council Goals: Economic Development, Balanced Transportation, Parks, Open Spaces and Recreational Services).
8. Continue to Partner with Sound Transit, the State Department of Transportation and King County Metro Transit to ensure that investments along I-405 serve Kirkland's mobility needs (Council Goals: Balanced Transportation, Economic Development).
9. Complete work for designation of Greater Downtown Kirkland as a Regional Center. Complete a vision statement and placemaking name for the NE 85<sup>th</sup> St. Station Area Plan that integrates with surrounding neighborhoods and connects with downtown. Complete a Fiscal Impact and Benefit Analysis to inform Council decisions regarding Station Area Plan options and the Plan's potential environmental impacts (Council Goals: All Council goals).
10. Initiate city-wide outreach and planning efforts to update the Comprehensive Plan, the Transportation Master Plan and the Parks, Recreation and Open Space Plan and related documents to maintain the quality of life in Kirkland (Council Goals: All Goals).
11. Develop an equitable, cost effective 2023-2024 balanced budget that reduces future deficits while investing in community priorities and retaining Kirkland's AAA credit rating (Council Goals: Financial Stability and All Goals).

### **Council Direction Needed**

Staff is seeking final review and approval of the list of the initiatives, the language contained in each of the initiatives, and the resolution language itself. A final resolution will be brought to the Council for adoption at the March 2, 2021 Council meeting if the Council goal discussion is also concluded.

Attachment A: Adopted Council Goals  
Attachment B: Revised Council Goals  
Attachment C: Draft Resolution