



KIRKLAND CITY COUNCIL SPECIAL MEETING MINUTES December 8, 2020

1. CALL TO ORDER

Mayor Sweet called the study session to order at 5:30 p.m. and called the special 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. Solid Waste Contract Procurement Update

Solid Waste Programs Supervisor John MacGillivray provided a briefing on the status of the procurement of a new Comprehensive Garbage, Recyclables, and Compostable Collection Contract and responded to Council questions.

b. Northeast Recycling and Transfer Station Siting Update

King County Interim Project Management Office Manager Margaret Bay, King County Solid Waste Division Manager Pat McLaughlin and King County Government Relations Administrator Dorian Waller presented on the status of the siting of the Northeast Recycling and Transfer Station (NERTS).

Council recessed for a break prior to the regular meeting.

4. HONORS AND PROCLAMATIONS

None.

5. COMMUNICATIONS

a. Announcements

b. Items from the Audience

David Hoffman
MJ Carlson
Addie Smith

- c. Petitions
- 6. PUBLIC HEARINGS
 - None.
- 7. SPECIAL PRESENTATIONS
 - a. COVID-19 Update
 - (1) CARES Act Final Report

Deputy City Manager Tracey Dunlap provided background on the CARES Act funds received and COVID eligible costs. Human Services Supervisor Leslie Miller then shared information about the human services grants awarded using CARES funds, followed by Assistant City Manager James Lopez who provided an update on small business COVID-19 related expenses and next steps.
 - (2) COVID-19 Initial Response After Action Report

Emergency Preparedness Manager Heather Kelly Provided a presentation on the "COVID-19 Initial Response After Action Report" and the report's recommendations.
 - b. Resolution R-5434 Update

Assistant City Manager James Lopez provided an update on community outreach efforts to date.
- 8. CONSENT CALENDAR
 - a. Approval of Minutes
 - (1) November 17, 2020
 - b. Audit of Accounts

Payroll: \$7,543,590.29
Bills: \$6,656,039.40
S1118A Checks #716046-716208
S1108B Wire #239
G1125B Checks #716209-716380
G1125A Wire #247
S1130A Wires #240, 241
S1202A Checks #716381-716483
S1202B Wire #246
S1202C Wire #248

ACH

c. General Correspondence

d. Claims

(1) Claims for Damage

Claims received from Lakeside Christian Church and John Tymczynsyn were acknowledged via approval of the consent calendar.

e. Award of Bids

(1) Citywide Greenways Network Project: NE 75th Street and 128th Avenue NE

Council awarded a construction contract for Schedules A and B for the Citywide Greenways Network Project: NE 75th Street and the 128th Avenue NE (Project) to Rodarte Construction, Inc., of Auburn, Washington, in the amount of \$1,006,078.50.

(2) NE 124th Street & 113th Ave. Pedestrian Safety Enhancements

Council awarded a construction contract for the NE 124th Street / 113th Avenue NE Pedestrian Safety Enhancements Project to RW Scott Construction, of Auburn, Washington, in the amount of \$69,773.10.

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Annual Street Preservation Program: 2019 Phase I Street Overlay

Council accepted the work on the Annual Street Preservation Program: 2019 Phase I Street Overlay (Project), as completed by Watson Asphalt of Redmond, Washington, thereby establishing the statutory lien period.

g. Approval of Agreements

h. Other Items of Business

(1) Resignation of Cultural Arts Commission Member

Ms. Klein's resignation was acknowledged, and draft response letter was approved via approval of the consent calendar.

(2) Contract with American Federation of State, County and Municipal Employees AFL-CIO (AFSCME), Local #1837.

The contract was ratified via approval of the consent calendar.

- (3) Ordinance O-4744, entitled " AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PERSONNEL, MANAGEMENT LEAVE FOR ELIGIBLE EMPLOYEES AND CITY MANAGER DISCRETIONARY AUTHORITY TO AUTHORIZE ADDITIONAL MANAGEMENT LEAVE FOR ELIGIBLE EMPLOYEES SERVING IN OVERTIME-EXEMPT POSITIONS IDENTIFIED BY THE CITY MANAGER IN THE CITY MANAGER'S DISCRETION FOR USE IN 2021 ONLY DUE TO EXTRAORDINARY ADDITIONAL WORK TIME REQUIRED IN 2020 RESULTING FROM COVID-19, SOCIAL UNREST, ECONOMIC DISRUPTIONS AND BUDGET CHALLENGES."

The Ordinance was approved via approval of the consent calendar.

- (4) October 2020 Sales Tax Report

Council acknowledged the report via approval of the consent calendar.

- (5) Procurement Report

Council acknowledged the report via approval of the consent calendar.

Motion to Approve the consent calendar.

Moved by Councilmember Kelli Curtis, seconded by Councilmember Jon Pascal

Vote: Motion carried 7-0

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

9. BUSINESS

a. 2019-2020 Budget Adjustment

Finance and Administration Director Michael Olson presented an overview of the Ordinance adjusting the 2019-2020 budget appropriation.

- (1) Ordinance O-4747 and its Summary, Amending the Biennial Budget for 2019-2020

Motion to Approve Ordinance O-4747 entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2019-2020."

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

Vote: Motion carried 7-0

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

b. Property Tax Levy Adoption

Finance and Administration Director Michael Olson presented an overview of the Ordinance that establishes the final regular and excess property tax levies for the City of Kirkland for the 2021 fiscal year.

- (1) Ordinance O-4746, Establishing the Amount of Property Taxes to be Levied for the Year 2021, the First Year of the City of Kirkland's 2021-2022 Biennium, and Repealing Ordinance O-4742

Motion to Approve Ordinance O-4746 entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING THE AMOUNT OF PROPERTY TAXES TO BE LEVIED FOR THE YEAR 2021, THE FIRST YEAR OF THE CITY OF KIRKLAND'S 2021-2022 BIENNIUM, AND REPEALING ORDINANCE O-4742."

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

Vote: Motion carried 7-0

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

c. 2021-2022 Budget Adoption

Finance and Administration Director Michael Olson presented an overview of the Ordinance for the 2021-2022 biennium and the 2019-2020 Real Estate Excise Tax (REET) report.

- (1) Ordinance O-4748 and its Summary, Adopting the Biennial Budget for 2021-2022

Motion to Approve Ordinance O-4748 entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING THE BIENNIAL BUDGET FOR 2021-2022."

Moved by Councilmember Amy Falcone, seconded by Councilmember Kelli Curtis

Vote: Motion carried 7-0

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

d. 2021-2026 Capital Improvement Program Adoption

Finance and Administration Deputy Director Sandi Hines presented an overview of resolution adopting the 2021-2026 Capital Improvement Program.

- (1) Resolution R-5459, Adopting the 2021-2026 Six-Year Capital Improvement Program for the City of Kirkland

Motion to Approve Resolution R-5459 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE 2021-2026 SIX-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF KIRKLAND."

Moved by Councilmember Jon Pascal, seconded by Councilmember Amy Falcone

Vote: Motion carried 7-0

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

Council recessed for a short break.

e. Sustainability Master Plan

Senior Planner David Barnes reviewed the resolution adopting the City of Kirkland Sustainability Master Plan.

(1) Resolution R-5457, Approving the Sustainability Master Plan

Motion to Approve Resolution R-5457 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE SUSTAINABILITY MASTER PLAN," as amended.

Moved by Councilmember Kelli Curtis, seconded by Councilmember Neal Black

Vote: Motion carried 6-1

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

No: Councilmember Toby Nixon.

Motion to Amend Resolution R-5457, by adding an additional Action HC-10.2 to the Sustainability Master Plan that reads, "Action HC-10.2: Prior to the 2024 Comprehensive Plan Update, expand the proposed Geographic Information System (GIS) community analysis to include a gap analysis of environmental justice inequities. This analysis should include the identification of where BIPOC and low-income housing communities are located in Kirkland that may have less access to community and environmental amenities and/or greater exposure to environmental pollution and hazards. If any such impacts are identified, the City shall develop a plan to prioritize and equitably direct resources to address these deficiencies as part of the 2024 Comprehensive Plan and other functional plan updates."

Moved by Councilmember Amy Falcone, seconded by Councilmember Kelli Curtis

Vote: Motion carried 7-0

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

f. 2020 Comprehensive Plan and Zoning Map Amendments

Senior Planner Janice Coogan presented an overview of the Ordinance.

- (1) Ordinance O-4745, Relating to Comprehensive Planning, Land Use, and Amending the Comprehensive Plan Ordinance 3481, as Amended, to Update Chapter XIII Capital Facilities Plan, Chapter VI Land Use, Chapter X Parks, Recreation and Open Space, Chapter IX Transportation Elements, Chapter XV Replace the Market, Norkirk, Highlands Neighborhood Plans, Market Street Corridor Plan, Legislative Rezones, and the City of Kirkland Zoning Map, Ordinance 3710 as Amended, to Ensure the Zoning Map Conforms to the Comprehensive Plan and the City Complies with the Growth Management Act, and Approving a Summary for Publication, File No. CAM18-00741 and File No. CAM20-00471

Motion to Approve Ordinance O-4745 entitled, "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING, LAND USE, AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481, AS AMENDED, TO UPDATE CHAPTER XIII CAPITAL FACILITIES PLAN, CHAPTER VI LAND USE, CHAPTER X PARKS, RECREATION AND OPEN SPACE, CHAPTER IX TRANSPORTATION ELEMENTS, CHAPTER XV REPLACE THE MARKET, NORKIRK, HIGHLANDS NEIGHBORHOOD PLANS, MARKET STREET CORRIDOR PLAN, LEGISLATIVE REZONES, AND THE CITY OF KIRKLAND ZONING MAP, ORDINANCE 3710 AS AMENDED, TO ENSURE THE ZONING MAP CONFORMS TO THE COMPREHENSIVE PLAN AND THE CITY COMPLIES WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. CAM18-00741 AND FILE NO. CAM20-00471."

Moved by Councilmember Toby Nixon, seconded by Councilmember Kelli Curtis

Vote: Motion carried 7-0

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

Motion to Amend Ordinance O-4745, by amending Exhibit M, Policy MS-15 of the Comprehensive Plan to read, "Commercial and multi-family development that is oriented toward Market Street will reduce impact on adjacent lower-intensity residential neighborhoods" as amended.

Moved by Councilmember Toby Nixon, seconded by Councilmember Jon Pascal

Vote: Motion carried 7-0

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

Motion to Amend the amendment to Ordinance O-4745, to insert "with reduced setbacks" after "Market Street".

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

Vote: Motion carried 5-2

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

No: Councilmember Toby Nixon, and Councilmember Jon Pascal.

10. REPORTS

a. City Council Regional and Committee Reports

Councilmembers shared information regarding the upcoming Sound Cities Association Public Issues Committee meeting; a King Conservation District Advisory Committee meeting; the I-CERV (Ismaili Community Engaged in Responsible Volunteering) food drive; an upcoming I-CERV (Ismaili Community Engaged in Responsible Volunteering) book and toy drive on December 19; the first annual city-wide Holiday Lights contest; and Eastside Renters in Crisis meeting; a Governing for Racial Equity and Inclusion meeting; the King County Developmental Disabilities and Early Childhood Supports Division 2021 Legislative Forum; the monthly Eastside Embrace "Sit Down and Listen" event; community meetings to discuss the Homes Point Drive Corridor Study and the NE 131st Way/90th Avenue NE Corridor Study; the Puget Sound Regional Council Regional Transit-Oriented Development Advisory Committee meeting; the upcoming Sound Cities Association North Caucus Meeting; the upcoming Kirkland Downtown Association's Kirkland Winter Market on December 12; upcoming Comfort Kit Drive on December 12; an upcoming Eastside Human Services Forum meeting; a panel presentation to the Washington State Transportation Commission about Eastrail; a legislative workgroup meeting with State Representative Kloba and State Senator Stanford; an Eastrail Regional Advisory Council meeting; a Transportation Work Group meeting; an upcoming legislative workgroup meeting with State Representative Fey; and an upcoming legislative workgroup meeting with Representative Senn; and upcoming Eastside Transportation Partnership meeting; a King County Regional Law Safety & Justice Committee meeting; a Washington State Active Transportation Safety Council meeting; a King County Regional Transit Committee meeting; further removal of old rails from the Kirkland Corridor; a Water Resource Inventory Area (WRIA) 8 Salmon Recover Council meeting; a Cascade Water Alliance meeting; the Pacific Northwest Waste Summit; a King County Solid Waste Advisory Committee meeting; a King County Metropolitan Solid Waste Management Advisory Committee meeting; the Sound Cities Association Annual Meeting; a groundbreaking event for the Lake Street Project; and many words of

appreciation for all of the work of the Council and the City Staff over the past year.

b. City Manager Reports

City Manager Kurt Triplett shared some brief remarks of appreciation for the Council's leadership over the past year.

(1) Calendar Update

City Manager Kurt Triplett mentioned upcoming council topics will include eviction issues, and an agenda for the upcoming Council retreat in February; and Councilmember Black requested a State of the Municipal Court presentation which will be a topic for the January 5th study session.

11. ITEMS FROM THE AUDIENCE

None.

12. EXECUTIVE SESSION

a. To Review the Performance of Public Employee

Mayor Sweet announced that Council would enter into executive session to review the performance of a public employee and would return to regular meeting for the purpose of adjournment only at 10:55 p.m., which they did. Also attending the session were City Attorney Kevin Raymond and Human Resources Director Anh Hoang.

13. ADJOURNMENT

The Kirkland City Council special meeting of December 8, 2020 was adjourned at 10:58 p.m.

Kathi Anderson, City Clerk

Penny Sweet, Mayor