



MEMORANDUM

To: City Council
From: Kurt Triplett, City Manager
Date: June 24, 2020
Subject: SAFE, INCLUSIVE AND WELCOMING FRAMEWORK

Recommendation

City Council holds a public hearing on draft Resolution R-5434, affirming that Black Lives Matter and establishing a framework to becoming a safe, inclusive and welcoming community. The public hearing will follow a study session that includes presentations on the Police Strategic Plan, police use of force, the School Resource Officer Task Force report, and how the 2018 Proposition 1 is investing in community policing, behavioral health, domestic violence, suicide prevention, and gun safety education.

This framework resolution is proposed in response to renewed and significant community interest in addressing issues of structural racism and creating a Kirkland where the lived experience of Black people is that they are safe and respected. The Council should receive public comment on potential changes and improvements to the draft resolution and then provide direction for staff to return with a final resolution and funding at a future Council meeting.

Background

Since the tragic killing of George Floyd by a police officer on May 25, 2020 in Minneapolis, Minnesota there have been dozens of protests, marches and rallies 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, Mayor Penny Sweet read a statement (Attachment A) on behalf of the Council directing the City Manager to develop a framework for the City's response to the community. The relevant excerpts from the statement regarding the framework resolution are included below:

"We have asked the City Manager to provide us a framework for a citywide response to the issues of bias and racism towards our Black and brown community members. That framework will be presented to the Council at our July 7th Council meeting."

"We also asked the City Manager to bring to us on July 7th a request for necessary resources for early implementation actions and community-wide conversations on these critical topics."

Both requests from the Council are reflected in the draft resolution.

Guiding Principles

There are several guiding principles that shaped the draft resolution which are summarized below and then described in more detail:

- Build on previous City work to become safe, inclusive and welcoming.
- Listen, learn and partner with the Black community and People of Color on actions and outcomes.
- Create broad community engagement to identify actions to increase the safety of Black residents and visitors and reduce structural racism.
- Create policy and program outcomes that are specific, measurable, timely and funded.

Build on previous City work to become safe, inclusive and welcoming

On February 21, 2017 the City Council adopted Resolution R-5240 declaring Kirkland a Safe, Inclusive and Welcoming Community for all people. Following adoption of that resolution the City has taken many budgetary and policy actions over to make progress towards this goal. Some of these actions are highlighted below:

- Adopted **Ordinance O-4558** on February 21, 2017 adding a new Chapter 3.18 to the Kirkland Municipal Code prohibiting City of Kirkland officers and employees from inquiring into immigration status or collecting information regarding religious affiliation.
- Created the **Inclusion Network** in 2017, an informal group of representatives from non-profit and faith-based organizations, civic and community-based organizations, service provider agencies, and other governmental agencies. Staff convenes this group for meetings every other month.
- Funded the creation of the **KirklandTalks** framework, which was used for the 2020 "Kirkland Talks About Racism" community learning component of the Welcoming Kirkland Initiative (see below).
- Hosted three major civic **City Hall for All** engagement / welcoming events, in 2017, 2018 and 2019.
- Conducting themed resident engagement on **Community Policing**, identifying actions to foster better relationships between police and the Kirkland community.
- Regular staff participation in the **Governing for Regional Equity and Inclusion** bi-monthly meetings, a group convened by King County and consisting of staff from various cities, County departments, and the Port of Seattle.
- City staff have been members of the **Eastside Race and Leadership Coalition**, including regularly participating in monthly meetings. The City was a partner organization in ERLC's 2018 and 2019 annual summit, including staff helping to plan and facilitate the 2019 summit.

- Conducted themed resident engagement on the City's **Americans with Disabilities Act** priorities, resulting in, among other outcomes, the development of an **equity impact assessment tool** and associated staff training.
- Supported hard-to-count outreach for the **2020 Census**, including contributing to the Regional Census Fund and staff participating in the grant selection process for fund dispersal to community-based organizations.
- On-going participation as a member city in **Welcoming America** and **Cities for Citizenship**.

The City's commitment to being safe, inclusive and welcoming was severely tested by an incident that occurred on November 7, 2018 at the Menchie's Yogurt Shop in Totem Lake. The owner of the shop made an "unwanted person" 911 call and requested police to have Byron Ragland, a Black man, leave the yogurt shop. As a result of these events, Kirkland police reviewed and changed department protocols around responding to "unwanted person" calls. Now police will not ask someone to leave a public or private establishment unless the person is violating the law. In 2019, the City Council and the City Manager also invested in implicit bias training for all Kirkland police and all other City employees, including all Councilmembers, City prosecutors and the Municipal Court Judge. Around 90% of the workforce received in-person training in 2019, including close to 100% of the Kirkland Police Department. All new hires will continue to be required to complete online training in Diversity, Bias, Discrimination, and Harassment. In December of 2019, Kirkland's Human Resources Director provided a summary of the City's actions to the Council. The memorandum and attachments from that presentation are included as Attachment B. As detailed in the memorandum, the City has also begun other important initiatives related to race, bias and inclusion.

One significant highlight was the City partnering with Leadership Eastside to create the **Welcoming Kirkland Initiative**, a community engagement effort developed in response to expressed concerns that People of Color in general, and Black people in particular, have lived experiences of an unwelcoming and inequitable community in contrast to the City's stated goal to be safe, inclusive and welcoming for all. Interrupted by the coronavirus pandemic, this process included a review and recommendations for business and police protocols, together with town hall events and a community learning series envisioned and supported by Eastside for All entitled "**Kirkland Talks About Racism**."

The framework resolution is intended to build on all this previous City work.

Listen, learn and partner with the Black community and People of Color on all actions

Shortly after the death of Mr. Floyd, City leaders and staff called upon the relationships that had been built following the Menchie's incident to get guidance on how the City could be part of the solution to injustice and structural racism. The City received important feedback that it was critical to first listen and learn, especially from members of the Black community, prior to action.

At the same time, notable Black members from the Eastside Race and Leadership Coalition formed a new group called the "Right to Breathe Committee," with the goal of ensuring safety and respect for Black people in Kirkland. The Right to Breathe Committee includes Kalika Curry, Anne Morisseau, Shomari Jones, Paul Lwali and James Whitfield. They reached out to the City

Manager, the Assistant City Manager and Police Chief to partner with the City to create sustainable, structural change in the areas of local government, law enforcement, school districts, employers, retailers and other public accommodations, and community education and communication. The group has met three times so far to exchange interests and identify shared desired outcomes.

The Right to Breathe Committee shared three core principles for the policy discussions:

- Abolishing systemic Anti-Blackness to ensure equal justice;
- Oversight and accountability through equitable, shared decision-making – “nothing about us without us;” and
- De-escalation of encounters with people enforcing laws and rules against Black people.

The framework resolution before the Council is structured to keep City actions limited and focused so that goals and outcomes may be developed in partnership with Black community members from the Eastside. City staff believe this is important both as a matter of good policymaking, but also as a matter of trust-building and accountability to the Black community, who the resolution must ultimately serve.

Create broad community engagement to identify actions to increase the safety of Black residents and visitors and reduce structural racism.

The City Council and staff have also received outreach from other Black community members, Black youth, other communities of color, religious leaders, neighborhood leaders and interested stakeholders, all of whom desire to be part of creating overdue societal change. Staff may also identify additional non-profits, community-based organizations and expert advisors who can contribute. The framework resolution provides funding and authorization for City staff to develop a comprehensive community engagement plan that may include town halls, further public hearings, social media campaigns, small group discussions, training, mailings, surveys and more.

Create policy and program outcomes that are specific, measurable, timely, and funded.

The dialogue with the Black community, non-profits, community-based organizations, experts and other community members will be used to inform the Council’s budget deliberations in the fall of 2020 as the Council considers specific policies and programs to be funded as part of the 2021-2022 Biennial Budget. The community engagement will also highlight potential legislative actions that could be taken by the Council or the state legislature.

The draft Resolution articulates the initial strategies to becoming a Safe, Welcoming and Inclusive Community:

- Transparency strategies:
 - a. Develop police use of force dashboard
 - b. Implement Body Camera pilot
 - c. Develop Human Resources dashboard
 - d. Develop Human Services dashboard
 - e. Other strategies identified by the community and the Council

- Accountability strategies:
 - a. "8 Can't Wait" police use of force policy review
 - b. Contracted third party policy use of force review
 - c. Use of force data evaluation and analysis
 - d. Council use of force policy discussion
 - e. Police body camera pilot
 - f. Staff review of national best practices for alternatives to police for serving those experiencing homelessness, behavioral health issues, drug addiction and other community challenges
 - g. Contracted organizational "equity assessment" to identify gaps in diversity, inclusion and proposed action steps to address gaps
 - h. Other strategies identified by the community and the Council

- Community Engagement strategies:
 - a. Community engagement process centered around Black people
 - b. Targeted stakeholder engagement
 - c. Town Halls, virtual meetings and small group discussion
 - d. Surveys, graphics, mailers and social media campaigns,
 - e. Council retreat
 - f. Other strategies identified by the community and the Council

- Funding strategies:
 - a. Fund outside review of police use of force
 - b. Fund body camera pilot
 - c. Fund community engagement strategies
 - d. Reserve funding to implement ideas from community engagement, national best practice review, and equity assessment
 - e. Meet other funding needs identified by the community and the Council

Funding estimates, including staff and consultant support for these elements, are still being developed and will be presented to the Council on July 7th.

The draft resolution is presented as a starting point for very important, complex and difficult community discussions about police, structural racism, and actions the City can take to be a leader for change on these issues. The public hearing is intended to solicit comments from any member of the community on these challenging topics or on changes to the resolution itself. The public hearing is scheduled for one hour on the Council agenda, with no restriction on the number of speakers during that timeframe. Comments from individuals will be limited to three

minutes. If many people wish to speak, the time limit may be adjusted to two minutes to accommodate as many speakers as possible.

Following the public hearing, staff will be seeking Council input and direction on any changes to the resolution. A final resolution and funding options will be brought back for discussion and action at the July 21 or August 4 Council meeting.

RESOLUTION R-5434

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING 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

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

WHEREAS, following adoption of Resolution R-5340, the City has taken many budgetary and policy actions to make progress towards this goal but recognizes there is still much more to be done to achieve equity, justice and inclusion for everyone; and

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

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

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

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

WHEREAS, several notable Black leaders from the Eastside Race and Leadership Coalition formed a group called the Right to Breathe Committee, and since June 12th 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, for all the reasons stated above;

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. Developing a Human Resources public dashboard;
- c. Developing a Human Services public dashboard; and
- d. 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. Developing a police body camera pilot program;
- e. Review of national best practices for alternatives to police for serving those experiencing homelessness, behavioral health issues, drug addiction and other community challenges;
- f. Contracting for a City organizational "equity assessment" to identify gaps in diversity, inclusion and proposed action steps to address the gaps; and
- g. Other strategies identified by the community and the Council.

Section 3. The City Manager is further directed to develop Community Engagement strategies to facilitate citywide conversations about structural racism and policy and program solutions. These strategies shall include but are not limited to:

- a. Community engagement process centered around Black people;
- b. Targeted additional stakeholder engagement;
- c. Town Halls, virtual meetings and small group discussion;
- d. Surveys, mailers and social media campaigns;

- e. Council retreat and public hearings; and
- f. Other strategies identified by the community and the Council.

Section 4. The City Manager is further directed to develop Funding strategies to implement the entire framework set forth in this resolution. These strategies shall include but are not limited to:

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

Section 5. 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 ____ day of _____, 2020.

Signed in authentication thereof this ____ day of _____, 2020.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk