



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
February 16, 2010

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

Members Present: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

Members Absent: None.

3. STUDY SESSION

a. Joint Meeting with Houghton Community Council

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Community Development Review Manager Nancy Cox, Senior Planner Jon Regala, and Houghton Community Councilmembers John Kappler, Kathleen McMonigal, Betsy Pringle, Elsie Weber and Chair Rick Whitney.

4. EXECUTIVE SESSION

a. To Discuss Labor Negotiations

5. HONORS AND PROCLAMATIONS

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Bob Style
Michael Heslop
Lisa McConnell
Alan Skow
Steve Ryan
Jean Guth
Terri Fletcher
Georgine Foster
Doug Engle
Tom Jones

c. Petitions

7. SPECIAL PRESENTATIONS

a. Committee to End Homelessness, 10 Year Plan Update, Bill Block, Project Director

b. Green Tips

Urban Forester Deb Powers conducted Plant Amnesty's pop quiz on Tree Biology.

8. CONSENT CALENDAR

a. Approval of Minutes:

(1) January 27, 2010

(2) February 2, 2010

b. Audit of Accounts:

Payroll \$ 2,135,075.79

Bills \$ 1,838,875.26

run # 889 check # 514826

run # 890 check #'s 514848 - 514999

run # 891 check #'s 515000 - 515053

run # 892 check #'s 515054 - 515210

run # 893 check # 515211

c. General Correspondence

(1) Bill Dunlap, Regarding Signs in Parks About Budget Reductions

This item was pulled for consideration under New Business, item 11.g.

(2) Gary Greenberg, Regarding the Former Burlington Northern Santa Fe Eastside Rail Corridor

(3) Liv Grohn, Regarding Continuing the Neighborhood Connection Program for 2010

This item was pulled for consideration under New Business, item 11.e.

(4) JonErik Johnson, Regarding Parking and Construction Impacts to Downtown Business

(5) Gary Rubens, Regarding the City of Kirkland's Business Tax

This item was pulled for consideration under New Business, item 11.f.

d. Claims

(1) Heath and Krista Albers

(2) Dennis A. Conrad

(3) Lavelle R. Johnson

(4) King County Risk Management Program

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) NE 124th Street and 124th Avenue NE Intersection (Phase 1) and Water Quality Improvements Project, Johansen Excavating, Inc.

g. Approval of Agreements

h. Other Items of Business

(1) Fire Paging and Alerting

(2) Ordinance No. 4233, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO A SALARY REDUCTION FOR CITY MANAGER."

(3) Ordinance No. 4234, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING REGULATIONS AND AMENDING CHAPTER 12.45 OF THE KIRKLAND MUNICIPAL CODE TO ADD A NEW SECTION 12.45.320."

This item was pulled for consideration under New Business, item 11.h.

(4) Ordinance No. 4235, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND VACATING THE JUANITA BAY PARK TOWNHOMES PLAT BASED ON AN APPLICATION FILED BY JOHN PARSAEI OF MORGAN DESIGN GROUP, FILE NO. PSB09-00001."

This item was pulled for consideration under New Business, item 11.d.

(5) Resolution R-4801, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER LESTER E. HILL."

(6) Resolution R-4802, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER SUSAN R. LIBAK."

(7) Surplus Vehicles/Equipment for Sale

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License #</u>	<u>Mileage</u>
PU-31	2002	Chevrolet Silverado 1500	1GCEC14V92Z256015	34405D	59,806
PU-33	2002	Chevrolet Silverado 1500	1GCEC14VX2Z255147	34406D	83,245
PXX-59	1999	Saab Sedan	YS3EF48E2X3023230	49182D	116,830

Motion to Approve the Consent Calendar with the exception of items 8.c.(1)., 8.c.(3)., 8.c.(5)., 8.h.(3)., 8.h.(4), which were pulled for consideration under New Business, and edits to the response letter for 8.c.(4). as discussed.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

a. Parking Advisory Board Update

Chair Jack Wherry reviewed the recently completed stakeholder process and requested Council direction on proposed work plan items.

Council recessed for a short break.

b. Lodging Tax Advisory Committee Structure and Recruitment

Economic Development Manager Ellen Miller-Wolfe received Council input and will bring back the item at a future meeting following further discussion with the Committee.

c. N.E. 85th Street Corridor Improvements Projects Update

Public Works Interim Director Ray Steiger provided a review of the status and current issues on the project.

d. Street Maintenance Strategy

Public Works Project Engineer Andrea Dasovich and Public Works Interim Director Ray Steiger presented the proposed strategies and received Council comment and direction.

e. Burlington Northern Santa Fe Railroad/Eastside Corridor Update

Transportation Engineering Manager David Godfrey reviewed the current status of the issues being considered and received Council feedback.

11. NEW BUSINESS

a. Ordinance No. 4236 and its Summary, Authorizing and Providing for the Acquisition of Interests in Land for the Purpose of Construction of the NE 68th Street/108th Avenue NE Intersection Improvements Project Within the City of Kirkland; Providing for Condemnation and Taking of Land and Property Rights Necessary Therefor, Providing for the Cost of Property Acquisition and Authorizing the Initiation of Appropriate Proceedings in the Manner Provided by Law for Said Condemnation

This item was pulled from consideration and will be brought back at a future meeting.

b. Annexation Area Appointments to Boards and Commissions

Assistant City Manager Marilynne Beard responded to Council questions and received direction to bring back legislative action to temporarily increase the size of four boards and to expand eligibility on those to include annexation area residents.

c. Annexation State Sales Tax Credit:

(1) Ordinance No. 4237, Relating to Adopting a New Chapter 5.07 of the Kirkland Municipal Code Imposing a Sales and Use Tax as Authorized by RCW 82.14.415 as a

Credit Against the State Tax Relating to Annexations

Interim Financial Planning Manager Sri Krishnan responded to Council questions and comment.

Motion to Approve Ordinance No. 4237, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ADOPTING A NEW CHAPTER 5.07 OF THE KIRKLAND MUNICIPAL CODE IMPOSING A SALES AND USE TAX AS AUTHORIZED BY RCW 82.14.415 AS A CREDIT AGAINST THE STATE TAX RELATING TO ANNEXATIONS."

Moved by Councilmember Jessica Greenway, seconded by Councilmember Bob Sternoff

Vote: Motion carried 6-1

Yes: Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

No: Councilmember Dave Asher.

(2) Resolution R-4803, Authorizing the City of Kirkland to Impose a Sales and Use Tax as Authorized by RCW 82.14.415 as a Credit Against State Tax, Relating to Annexations

Motion to Approve Resolution R-4803, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY OF KIRKLAND TO IMPOSE A SALES AND USE TAX AS AUTHORIZED BY RCW 82.14.415 AS A CREDIT AGAINST STATE TAX, RELATING TO ANNEXATIONS."

Moved by Councilmember Jessica Greenway, seconded by Deputy Mayor Penny Sweet

Vote: Motion carried 6-1

Yes: Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

No: Councilmember Dave Asher.

- d. Ordinance No. 4235, Vacating the Juanita Bay Park Townhomes Plat Based on an Application Filed by John Parsaei of Morgan Design Group, File No. PSB09-00001

This item (8.h.(4).) was pulled from the Consent Calendar for discussion and consideration.

Motion to suspend Council rule, section 26, and vote on the plat vacation this evening.

Moved by Councilmember Doreen Marchione, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

Motion to Approve Ordinance No. 4235, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND VACATING THE JUANITA BAY PARK TOWNHOMES PLAT BASED ON AN APPLICATION FILED BY JOHN PARSAEI OF MORGAN DESIGN GROUP, FILE NO. PSB09-00001."

Moved by Councilmember Bob Sternoff, seconded by Councilmember Jessica Greenway

Vote: Motion carried 6-1

Yes: Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

No: Councilmember Dave Asher.

e. Liv Grohn Correspondence

This item (8.c.(3).) was pulled from the Consent Calendar for discussion and consideration.

Motion to Approve sending the draft response to Liv Grohn with revisions as discussed.
Moved by Councilmember Jessica Greenway, seconded by Councilmember Dave Asher
Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

f. Gary Rubens Correspondence

This item (8.c.(5).) was pulled from the Consent Calendar for discussion. Council asked for revisions to the draft response to come back for consideration at a future meeting.

g. Bill Dunlap Correspondence

This item (8.c.(1).) was pulled from the Consent Calendar for discussion and consideration.

Motion to Approve sending the draft response to Bill Dunlap with revisions as discussed.
Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway
Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

h. Ordinance No. 4234, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING REGULATIONS AND AMENDING CHAPTER 12.45 OF THE KIRKLAND MUNICIPAL CODE TO ADD A NEW SECTION 12.45.320."

This item (8.h.(3).) was pulled from the Consent Calendar for discussion and consideration.

Motion to Approve Ordinance No. 4234, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING REGULATIONS AND AMENDING CHAPTER 12.45 OF THE KIRKLAND MUNICIPAL CODE TO ADD A NEW SECTION 12.45.320."

Moved by Councilmember Jessica Greenway, seconded by Councilmember Bob Sternoff
Vote: Motion carried 7-0

Yes: Councilmember Dave Asher, Councilmember Jessica Greenway, Councilmember Doreen Marchione, Mayor Joan McBride, Councilmember Bob Sternoff, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

12. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding a recent Puget Sound Regional Council Joint meeting between its Transportation Board and Growth Management Planning Board; Suburban Cities Association Public Issues Committee meeting; New Partners for Smart Growth Conference; and Lodging Tax Advisory Committee meeting.

b. City Manager

(1) 2010 Legislative Update 4

Intergovernmental Relations Manager Erin Leonhart requested Council direction on several items of legislative business.

Motion to send a letter of support for Engrossed Substitute Senate Bill 6130.
Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 5-2

Yes: Councilmember Dave Asher, Councilmember Doreen Marchione, Mayor Joan McBride, Deputy Mayor Penny Sweet, and Councilmember Amy Walen.

No: Councilmember Jessica Greenway, and Councilmember Bob Sternoff.

(2) Calendar Update

13. ADJOURNMENT

The Kirkland City Council regular meeting of February 16, 2010 was adjourned at 11:55 p.m.

City Clerk

Mayor