



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
February 17, 2015

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

Members Present: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

Members Absent: None.

3. STUDY SESSION

- a. Transportation Master Plan Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Transportation Engineering Manager David Godfrey and Kendra Breiland, Transportation Consultant with Fehr & Peers.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

None.

6. COMMUNICATIONS

- a. Announcements

Councilmember Nixon addressed the audience regarding the new tenant for the former Albertsons store property.

Kian Samsavar from Boy Scout Troop 570 and members of Boy Scout Troop 607 attending the meeting were recognized by Mayor Walen.

- b. Items from the Audience

Ken Albinger
Julia Kadro
Betsy McFeely

c. Petitions

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

a. Approval of Minutes: February 3, 2015

b. Audit of Accounts:

Payroll \$ 2,915,390.58

Bills \$ 3,336,288.76

run #1390 checks #559536 - 559605

run #1391 checks #559606 - 559607

run #1392 checks #559608 - 559717

run #1393 checks #559718 - 559902

c. General Correspondence

d. Claims

A claim from Robert M. Foley was acknowledged via approval of the consent calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) 2014 Striping Project, Specialized Pavement Marking, Inc., Sumner, Washington

The project work was accepted via approval of the Consent Calendar.

g. Approval of Agreements

(1) Resolution R-5108, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN A COOPERATIVE PURCHASING AGREEMENT WITH THE STATE OF MINNESOTA MATERIALS MANAGEMENT DIVISION AND AUTHORIZING THE CITY MANAGER TO SIGN."

h. Other Items of Business

(1) Park Board Resignation

The resignation of Ted Marx was accepted via approval of the consent calendar.

(2) Ordinance O-4476 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE; ADOPTING MINOR AMENDMENTS PURSUANT TO CHAPTER 161 OF THE KIRKLAND ZONING CODE (KZC); REPEALING THE FOLLOWING CHAPTERS OF THE KZC: 1, 15, 17, 18, 20, 25, 27, 30, 40, 45, 47, 48, 49, and 60; ADDING NEW CHAPTERS 1, 15, 20, 25, 30, 35, 40 AND 45 OF THE KZC; AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF THE KZC: 5, 72, 83, 90, 95, 100, 105, 110, 112, 114, 115, AND 117; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION; FILE NO. CAM14-02011."

(3) Ordinance O-4471 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING LEVEL 3 COMMUNICATIONS, LLC A NON-EXCLUSIVE FRANCHISE FOR THE TRANSMISSION OF TELECOMMUNICATIONS IN, THROUGH, OVER AND UNDER THE STREET RIGHTS OF WAY OF THE CITY OF KIRKLAND."

(4) Report on Procurement Activities

Motion to Approve the Consent Calendar with substitute Ordinance 4476.

Moved by Councilmember Dave Asher, seconded by Councilmember Jay Arnold

Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

9. PUBLIC HEARINGS

a. Parkplace Amendments

Senior Planner Angela Ruggeri provided an overview of the proposed amendments to the zoning text for CBD-5A, and to the Master Plan and Design Guidelines, the EIS addendum, and the Planned Action Ordinance for Parkplace. Mayor Walen explained the parameters and opened the public hearing. Testimony was provided by Scott Becker; Carl Bryant; Jeff Jeremiah; Santos Contreras; Mary Weiss; Jim Neil; Mark Nelson and Brent Carson. No further testimony was offered and the Mayor closed the hearing.

(1) Ordinance O-4473 and its Summary, Amending Ordinance O-4175 and Relating to Land Use and Planning; Establishing a Planned Action for the Parkplace Site in the Moss Bay Neighborhood Generally Located East of Peter Kirk Park, South of Central Way/NE 85th Street, West of 6th Street, and North of Kirkland Way Pursuant to the State Environmental Policy Act, RCW 43.21C.031.

Motion to Approve Ordinance O-4473 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING ORDINANCE NO. 4175 AND RELATING TO LAND USE AND PLANNING; ESTABLISHING A PLANNED

ACTION FOR THE PARKPLACE SITE IN THE MOSS BAY NEIGHBORHOOD GENERALLY LOCATED EAST OF PETER KIRK PARK, SOUTH OF CENTRAL WAY/NE 85TH STREET, WEST OF 6TH STREET, AND NORTH OF KIRKLAND WAY PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT, RCW 43.21C.031, as amended."

Moved by Deputy Mayor Penny Sweet, seconded by Councilmember Jay Arnold

Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

Motion to Amend Ordinance O-4473 and its Summary, by modifying the Planned Action Ordinance Mitigation Measures Transportation and Parking Management Plan so that suggestion 1.I., "Share office parking on weeknights and weekends," is removed from suggestions and is instead made item 8 and treated as a requirement by changing the word "should" to "shall."

Moved by Councilmember Jay Arnold, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

Motion to Amend Ordinance O-4473 and its Summary, by modifying the Planned Action Ordinance Mitigation Measures Transportation and Parking Management Plan so that "The Transportation and Parking Plan shall be approved by the Public Works Director." is added to the introductory paragraph.

Moved by Councilmember Jay Arnold, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

(2) Ordinance O-4474 and its Summary, Relating to Comprehensive Planning and Land Use and Amending the Kirkland Zoning Code (Title 23 of the Kirkland Municipal Code), to Edit the CBD5A Zoning Text (File No. CAM14-02188).

Motion to Approve Ordinance O-4474 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE KIRKLAND ZONING CODE

(TITLE 23 OF THE KIRKLAND MUNICIPAL CODE), TO EDIT THE CBD5A ZONING TEXT (FILE NO. CAM14-02188)."

Moved by Councilmember Jay Arnold, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

(3) Ordinance O-4475 and its Summary, Relating to Planning and Land Use and Amending Title 3 of the Kirkland Municipal Code, Chapter 3.30 Design Review Board, to Amend "Kirkland Parkplace Mixed Use Development Master Plan Design Guidelines."

Motion to Approve Ordinance O-4475 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PLANNING AND LAND USE AND AMENDING TITLE 3 OF THE KIRKLAND MUNICIPAL CODE, CHAPTER 3.30 DESIGN REVIEW BOARD, TO AMEND "KIRKLAND PARKPLACE MIXED USE DEVELOPMENT MASTER PLAN DESIGN GUIDELINES.""

Moved by Deputy Mayor Penny Sweet, seconded by Councilmember Toby Nixon

Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

Motion to Request the Design Review Board consider the festival street design when reviewing the Parkplace development project.

Moved by Councilmember Shelley Kloba, seconded by Councilmember Dave Asher

Vote: Motion failed 3 - 4

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, and Councilmember Shelley Kloba.

No: Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

- b. Resolution R-5109, Approving an Agreement to Extend and Amend the Redevelopment Agreement for Totem Lake Mall and Authorizing the City Manager to Sign.

This item was continued to Council's regular meeting on March 3, 2015.

- c. Resolution R-5110, Adopting the City of Kirkland 2015-2020 Transportation Improvement Program.

Mayor Walen opened the public hearing. No testimony was provided and the Mayor closed the hearing.

Motion to Approve Resolution R-5110, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE CITY OF KIRKLAND 2015-2020 TRANSPORTATION IMPROVEMENT PROGRAM."

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Penny Sweet
Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

10. UNFINISHED BUSINESS

- a. 2015 State Legislative Update #3

Intergovernmental Relations Manager Lorrie McKay provided an update on the status of the Council's current legislative priorities.

Motion to Adopt the proposed City legislative support agenda.

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione

Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

- b. Ordinance O-4477 and its Summary, Relating to Regulating the Provision of Single-Use Carryout Bags by Retail Establishments.

Solid Waste Program Lead John MacGillivray presented a brief summary of the Plastic Bag Reduction Policy Ordinance.

Motion to Approve Ordinance O-4477 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO REGULATING THE PROVISION OF SINGLE-USE CARRYOUT BAGS BY RETAIL ESTABLISHMENTS, as amended."

Moved by Councilmember Dave Asher, seconded by Councilmember Jay Arnold
Vote: Motion carried 6-1

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

No: Councilmember Toby Nixon.

Motion to Amend Ordinance O-4477 and its Summary, line 265 on page 6 of the Ordinance, change word "shall" to "may" to make charges for paper bags optional.
Moved by Councilmember Toby Nixon, seconded by Mayor Amy Walen

Vote: Motion failed 3 - 4

Yes: Councilmember Dave Asher, Councilmember Toby Nixon, and Mayor Amy Walen.

No: Councilmember Jay Arnold, Councilmember Shelley Kloba, Councilmember Doreen Marchione, and Deputy Mayor Penny Sweet.

Motion to Amend Ordinance O-4477 and its Summary, to delete subsection b, lines 278 through 281 on page 7 of the Ordinance, requiring that retail establishments count the number of recyclable paper carry out bags provided and the total amount of the pass-through charge.

Moved by Councilmember Toby Nixon, seconded by Deputy Mayor Penny Sweet

Vote: Motion failed 3 - 4

Yes: Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

No: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, and Councilmember Doreen Marchione.

Motion to Amend Ordinance O-4477 and its Summary, line 280 on page 7 of the Ordinance, to delete the word "total."

Moved by Councilmember Dave Asher, seconded by Councilmember Shelley Kloba

Vote: Motion carried 7-0

Yes: Councilmember Jay Arnold, Councilmember Dave Asher, Councilmember Shelley Kloba, Councilmember Doreen Marchione, Councilmember Toby Nixon, Deputy Mayor Penny Sweet, and Mayor Amy Walen.

11. NEW BUSINESS

None.

12. REPORTS

a. City Council Reports

(1) Finance and Administration Committee

None.

(2) Legislative Committee

None.

(3) Planning, and Economic Development Committee

None.

(4) Public Safety Committee

None.

(5) Public Works, Parks and Human Services Committee

None.

(6) Tourism Development Committee

None.

(7) Regional Issues

Councilmembers shared information regarding a Sound Cities Association Public Issues Committee meeting; the Alliance of Eastside Agencies Annual Assembly; a King County Domestic Violence Initiative Regional Task Force meeting; meetings with City of Kirkland staff and residents regarding "Solarize Kirkland" a community purchasing program for solar energy systems; the Nourishing Networks food boxes distributed for mid-winter break; a reminder to give Intergovernmental Relations Manager Lorrie McKay prior knowledge if a councilmember intends to give individual testimony before the legislature; Leadership Eastside's State of the Eastside luncheon; Councilmember Sweet hosted a Sound Cities Association social evening for women elected officials; the Puget Sound Regional Council Growth Management Policy Board meeting; a Metropolitan Solid Waste Management Advisory Committee meeting; an Emergency Management Advisory Committee meeting; Mayor Walen expressed gratitude to fellow Councilmembers and City staff in recognition of recent policy work.

b. City Manager Reports

(1) Calendar Update

City Manager Kurt Triplett had a reminder about the Council Retreat on February 20.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of February 17, 2015 was adjourned at 9:38 p.m.

City Clerk

Mayor