



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
March 19, 2013

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

a. Development Services Study

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Deputy City Manager Marilynne Beard, and Director of Planning and Community Development Eric Shields. Contributing to the conversation was Building Services Manager Tom Phillips.

4. EXECUTIVE SESSION

a. Potential Litigation

Mayor McBride announced at 6:45 p.m. that Council was entering into an executive session to discuss potential litigation and would return at 7:30 p.m., which they did. City Attorney Robin Jenkinson was also in attendance.

5. HONORS AND PROCLAMATIONS

a. Sustainable Kirkland Earth Hour Proclamation and Presentation

Vivian Weber and Tania Scutt of Sustainable Kirkland shared information about Earth Hour and accepted the proclamation from Mayor McBride and Councilmember Asher.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Brent Carson  
Dave Wagar  
Alex Zimmerman  
Dwight Baker  
Kathy Schuler  
Joe Razore  
Brian Gaines  
Will Knedlik  
Ken Davidson  
Rich Hill

c. Petitions

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

a. Approval of Minutes: March 5, 2013

b. Audit of Accounts:

Payroll \$2,570,194.62

Bills \$2,325,564.99

run #1183 check #541601

run #1184 checks #541602 - 541623

run #1185 checks #541647 - 541779

run #1186 checks #541780 - 541817

run #1187 checks #541818 - 541831

run #1188 check #541832

run #1189 checks #541833 - 54198

c. General Correspondence

d. Claims

Claims received from Todd Lum and Mark Rice were acknowledged.

e. Award of Bids

(1) The contract for the 2013 Street Preservation Program, Phase I Curb Ramp and Concrete Repairs Project, was awarded to West Coast Construction Co., Inc., of Woodinville, WA in the amount of \$475,943.00.

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

(1) Acquisition of Property to Expand Juanita Heights Park

Council ratified the purchase and sale agreement entered into on February 28, 2013 between Thomas and Joanne Warsinske and the City of Kirkland in the amount of \$660,000.00 plus closing costs of up to \$6,625.00 for the purchase of 2.31 acres of land contiguous to Juanita Heights Park.

(2) Resolution R-4970, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN INTERLOCAL AGREEMENT TO PROVIDE LAW ENFORCMENT MUTUAL AID AND MOBILIZATION BETWEEN THE WASHINGTON STATE PATROL, THE KING COUNTY SHERIFF AND THE CITIES OF BELLEVUE, BLACK DIAMOND, BOTHELL, ISSAQUAH, KIRKLAND, MERCER ISLAND, REDMOND AND SNOQUALMIE."

(3) Resolution R-4971, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN INTERLOCAL AGREEMENT CONCERNING O. O. DENNY PARK AND A TRANSFER AMENDMENT TO THE O. O. DENNY PARK MANAGEMENT AND MAINTENANCE AGREEMENT."

h. Other Items of Business

(1) Totem Lake Park Master Plan Funding

Council approved funding in the amount of \$120,000.00, \$82,000 of which is to be repurposed from the remaining available balance from a prior project, Shoreline Restoration PK000600 and \$38,000 from REET 1 reserves.

(2) Ordinance O-4402 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO KIRKLAND MUNICIPAL CODE CHAPTER 3.85 ENTITLED PURCHASING."

(3) Report on Procurement Activities

(4) Tourism Development Committee Annual Review

Committee members Jac Cooper, Belinda Jensen, Maxim Khokhlov, Daniel Mayer and Kathryn McNeill were reappointed to one-year terms ending March 31, 2014.

Motion to approve the Consent Calendar.

Moved by Councilmember Bob Sternoff, seconded by Councilmember Penny Sweet

Vote: Motion carried 7-0

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

## 9. PUBLIC HEARINGS

- a. Ordinance O-4384, Relating to Amending the Kirkland Municipal Code to Enact a New Chapter 7.74 Fair Housing Regulations; Prohibiting the Refusal to Rent a Dwelling Unit Solely on the Basis of a Section 8 Voucher or Certificate Rental Request; and Providing for the Enforcement Thereof by Amending Kirkland Municipal Code Section 1.12.020.

Mayor McBride described the parameters of, and opened, the public hearing. Planning Supervisor Dawn Nelson provided an overview of the proposed ordinance and process/background information to date.

Council recessed for a short break prior to the public testimony during the hearing.

Testimony was provided by the following: Joe Ingram, Marilyn Mason-Plunkett, Paula Matthyse, Rev. Bill Kirlin-Hackett, Marty Kooistra, Stephen Norman, Carol Schroeder, Greg Cerbank, Karina O'Malley, Sean Martin, Omar Barraza, Karen Tennyson, Heather Bunn, June Banahan, Jonathan Grant, Ron Olsen, Suzanne Grogan, Michael Ramos, Paul Morris, Alex Zimmerman, Elizabeth Hendren, Tim Seth, Meghan Altimore, Katherine Porter, Sue Sherbrooke, Kelly Rider, Kathy Chaussee, Brian Tucker, Ken Davidson, Kelly West, Darrel Harrison, Quiana Ross, Ed Doyne, Susan Musi, and Rick Whitney. No further testimony was offered and the Mayor closed the hearing.

Following the public testimony, staff responded to Council questions, as did Jeb West of the King County Housing Authority and Attorney Elizabeth Hendren, representing the Northwest Justice Project.

Motion to approve Ordinance O-4384, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO AMENDING THE KIRKLAND MUNICIPAL CODE TO ENACT A NEW CHAPTER 7.74 FAIR HOUSING REGULATIONS; PROHIBITING THE REFUSAL TO RENT A DWELLING UNIT SOLELY ON THE BASIS OF A SECTION 8 VOUCHER OR CERTIFICATE RENTAL REQUEST; AND PROVIDING FOR THE ENFORCEMENT THEREOF BY AMENDING KIRKLAND MUNICIPAL CODE SECTION 1.12.020."

Moved by Councilmember Amy Walen, seconded by Deputy Mayor Doreen Marchione

Vote: Motion carried 4-3

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

No: Councilmember Toby Nixon, Councilmember Bob Sternoff, and Councilmember Penny Sweet.

Council recessed for a short break following the public hearing.

10. UNFINISHED BUSINESS

a. 2013 Legislative Update #4

Intergovernmental Relations Manager Lorrie McKay reviewed highlights of current legislative activities.

b. Resolution R-4969, Pertaining to the Adoption of the 2013-2015 Planning Work Program

Planning and Community Development Deputy Director Paul Stewart and Planning Commission Chair Mike Miller presented information on potential changes for Council consideration and responded to Council questions.

Motion to approve Resolution R-4969, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND PERTAINING TO THE ADOPTION OF THE 2013 - 2015 PLANNING WORK PROGRAM."

Moved by Deputy Mayor Doreen Marchione, seconded by Councilmember Penny Sweet

Vote: Motion carried 6-1

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

No: Councilmember Dave Asher.

Motion to include all of the CBD5 in the MRM PAR discussion.

Moved by Councilmember Bob Sternoff, seconded by Councilmember Amy Walen

Vote: Motion carried 4-3

Yes: Mayor Joan McBride, Councilmember Bob Sternoff, Councilmember Penny Sweet, and Councilmember Amy Walen.

No: Councilmember Dave Asher, Deputy Mayor Doreen Marchione, and Councilmember Toby Nixon.

11. NEW BUSINESS

None.

12. REPORTS

a. City Council

(1) Finance and Administration Committee

(2) Public Safety Committee

(3) Community Planning, Housing and Economic Development Committee

Chair Sternoff shared information regarding the attendance of representatives from the Kirkland Downtown Association at their meeting and

contributions to the KDA's activities including flower pots and the Clean Sweep event.

(4) Public Works, Parks and Human Services Committee

Chair Marchione shared information on a request to the Committee to discuss a possible ban on single use plastic bags, which the Council agreed to have the Committee consider.

(5) Regional Issues

Councilmembers shared information regarding the recent 1st Legislative District town hall meeting; and a request for an alternate to attend the April 10 Sound Cities Association Public Issues Committee meeting, Councilmember Sternoff agreed to do so.

b. City Manager

City Manager Triplett updated the Council on talks with King County Councilmembers regarding the EMS levy.

(1) Calendar Update

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of March 19, 2013 was adjourned at 11:19 p.m.

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City Clerk

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Mayor