



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
April 17, 2012

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. Planning Work Program

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Director of Planning and Community Development Eric Shields, Deputy Director Paul Stewart, and Planning Commission Vice Chair Mike Miller.

4. EXECUTIVE SESSION

a. To Discuss Potential Litigation

Mayor McBride announced at 6:31 p.m. that Council would be entering executive session to discuss potential litigation and would return to the regular meeting at 7:30 p.m. City Attorney Robin Jenkinson was also in attendance.

The Council agreed to remove agenda item 10.a, Planning Commission Briefing on Commercial Codes and BN (Neighborhood Business) Zones, from the agenda. Council also agreed to consider agenda item 11.a, Resolution R-4916, Renaming Houghton Beach Park, earlier on the agenda, prior to agenda item 10.a.

5. HONORS AND PROCLAMATIONS

a. International Institute of Municipal Clerks Week Proclamation

City of Kirkland City Clerk Kathi Anderson accepted the proclamation from Mayor McBride and Councilmember Nixon.

b. Records and Information Management Month Proclamation

City of Kirkland City Clerk Kathi Anderson accepted the proclamation from Mayor McBride and Councilmember Nixon.

6. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience

Michelle Sailor
Scott Becker
Kathy Feek
Debra Grant
Cynthia Glaser
Charles Loomis
Allison Law
Bonnie McLeod
Brian Staples
John Murphy
Duana Kolouskova
Justin Stewart
John Staples
Jeff Marshall
Jessica Greenway
John Gilday

- c. Petitions

7. SPECIAL PRESENTATIONS

8. CONSENT CALENDAR

- a. Approval of Minutes:
 - (1) March 29, 2012 Special Meeting
 - (2) April 3, 2012
- b. Audit of Accounts:
 - Payroll \$2,133,457.03
 - Bills \$7,174,068.12
 - run #1086 checks #533729 - 533905
 - run #1087 checks #533907
 - run #1088 checks #533908 - 534046
 - run #1089 checks #534047 - 534060
- c. General Correspondence
- d. Claims
- e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) 6th Street South and Central Way Intersection Improvements, Sanders General Construction, Issaquah, Washington

g. Approval of Agreements

h. Other Items of Business

(1) Ordinance O-4352 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING ELECTRIC LIGHTWAVE LLC, A DELAWARE LIMITED LIABILITY COMPANY, THE RIGHT, PRIVILEGE, AUTHORITY AND FRANCHISE TO CONSTRUCT, AND MAINTAIN, REPAIR, REPLACE, OPERATE UPON, OVER, UNDER, ALONG AND ACROSS THE FRANCHISE AREA FOR PURPOSES OF ITS TELECOMMUNICATIONS BUSINESS."

(2) Ordinance O-4353, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO TRANSPORTATION, PARK, AND SCHOOL IMPACT FEES AND EXTENDING THE AVAILABILITY OF CERTAIN IMPACT FEE DEFERRALS IN KIRKLAND MUNICIPAL CODE SECTIONS 27.04.030(G), 27.06.030(G), AND 27.08.030(E)."

(3) Resolution R-4915, 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 SHELLEY R. BECKER."

(4) Cultural Council Resignation

Council acknowledges the resignation of Cultural Council member Leah Klinger.

(5) Library Board Resignation

Council acknowledges the resignation of Library Board youth member Camille Worsech.

(6) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Penny Sweet, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

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

9. PUBLIC HEARINGS

a. Ordinance O-4354, Relating to Land Use and Zoning, Providing Interim Official

Controls Regarding Land Use Permit Extensions, File No. MIS09-00022 (type permits), as Adopted by Ordinance 4300, and Extending Ordinance 4300 through November 1, 2012.

Mayor McBride described the parameters of the hearing and declared it open. Planning and Community Development Director Eric Shields provided a brief presentation. No testimony was offered and the Mayor closed the hearing.

Motion to Approve Ordinance O-4354, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE AND ZONING, PROVIDING INTERIM OFFICIAL CONTROLS REGARDING LAND USE PERMIT EXTENSIONS, FILE NO. MIS09-00022 (type permits), AS ADOPTED BY ORDINANCE 4300, AND EXTENDING ORDINANCE 4300 THROUGH NOVEMBER 1, 2012."

Moved by Councilmember Amy Walen, seconded by Councilmember Dave Asher
Vote: Motion carried 7-0

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

10. UNFINISHED BUSINESS

- a. Planning Commission Briefing on Commercial Codes and BN (Neighborhood Business) Zones (continued from 4/3/12)

This item was pulled from the evening's agenda.

Council recessed for a short break.

- b. Totem Lake Flood Control Measures Project Update and Funding Approval

Public Works Capital Projects Manager Dave Snider reviewed the measures taken to alleviate flooding in the vicinity of Totem Lake and requested funding approval as well as responded to council questions. Director of Finance and Administration Tracey Dunlap contributed to the discussion.

Motion to Approve fund CSD 0075 in the amount of \$922,600 from the CSD 9999 2012 Annual Storm Drain Replacement Program for replacement of a series of twin 42-inch culverts that serve as outlets to Totem Lake as part of Phase II flooding projects in the Work Program.

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

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

- c. Special Events Funding

Councilmember Sternoff recused himself for the appearance of fairness and left the chamber, returning following the discussion and vote.

Motion to direct staff to identify specific services and public benefits that the city needs to have performed on our behalf in relation to Summerfest, and to negotiate a contract with the Summerfest organization, through the Kirkland Downtown Association as fiscal agent, to perform those services for an amount not to exceed \$7,000 from the Council Special Projects Reserve, and to include specific and measurable performance objectives and accountability measures, and to bring that contract to the council for consideration and approval at a future meeting.

Moved by Councilmember Toby Nixon, seconded by Councilmember Penny Sweet
Vote: Motion carried 5-1

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

No: Councilmember Dave Asher.

d. Downtown Pay Parking Update

Public Works Director Ray Steiger reviewed pay parking and enforcement options for Council consideration and answered council questions.

Motion to Approve Mayor's proposal of options E (Enhanced Enforcement) and F (No Changes) and a call for a proposal from staff for option D (Move to Evade Ordinance).

Moved by Councilmember Bob Sternoff, seconded by Councilmember Dave Asher
Vote: Motion carried 7-0

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

11. NEW BUSINESS

a. Resolution R-4916, Renaming Houghton Beach Park, Located at 5811 Lake Washington Boulevard, to Doris Cooper - Houghton Beach Park

Motion to Approve Resolution R-4916, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RENAMING HOUGHTON BEACH PARK, LOCATED AT 5811 LAKE WASHINGTON BOULEVARD, TO DORIS COOPER - HOUGHTON BEACH PARK."

Moved by Deputy Mayor Doreen Marchione, seconded by Councilmember Bob Sternoff

Vote: Motion carried 7-0

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

b. Resolution R-4917, Authorizing the Submittal of an Application for Grant Funding Assistance for the Cross Kirkland Corridor as a Washington Wildlife and Recreation Program Project to the Recreation and Conservation Office as Provided in Chapter 79A.15 RCW, Acquisition of Habitat Conservation and Outdoor Recreation Lands, WAC 286 and Subsequent Legislative Action.

Motion to Approve Resolution R-4917, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDING ASSISTANCE FOR THE CROSS KIRKLAND CORRIDOR AS A WASHINGTON WILDLIFE AND RECREATION PROGRAM PROJECT TO THE RECREATION AND CONSERVATION OFFICE AS PROVIDED IN CHAPTER 79A.15 RCW, ACQUISITION OF HABITAT CONSERVATION AND OUTDOOR RECREATION LANDS, WAC 286 AND SUBSEQUENT LEGISLATIVE ACTION."
Moved by Councilmember Amy Walen, seconded by Deputy Mayor Doreen Marchione

Vote: Motion carried 7-0

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

c. Tourism Development Committee Recommendations

Motion to Approve the Tourism Development Committee recommendation to award grants of \$3,000 to Summerfest, \$3,000 to the Seattle International Film Festival, and \$4,000 from reserves for the Tall Ships event.

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Doreen Marchione

Vote: Motion carried 7-0

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

d. 2012 Legislative Update #6

Intergovernmental Relations Manager Lorrie McKay provided the final update for the 2012 Washington State legislative session.

12. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding a recent Suburban Cities Public Issues Committee meeting; King County Judge presentation on the proposed levy for the King County Juvenile Justice Center; Regional Transit Committee meeting on the METRO alternative services five-year implementation plan; Puget Sound Regional Council Transportation Policy Board meeting; Emergency Management Advisory Committee; Cascade Water Alliance Public Affairs Committee retreat; Greater Kirkland Chamber of Commerce Public Policy Committee meeting and Planning and Community Services Department Director Shields' presentation on Totem Lake Code Amendments; Eastside Time Bank Brown Bag event on April 27; Day of Peace event on September 21 & 22 to be sponsored by Fostering Interfaith Relationships on the Eastside (FIRE); Councilmember Nixon's selection for induction into the "Heroes of the Fifty States: The State Open Government Hall of Fame" for

2012 by the National Freedom of Information Coalition and the Society for Professional Journalists; The Sophia Way homeless women's agency and shelter; Metropolitan Solid Waste Management Advisory Committee meeting; Cross Kirkland Corridor dedication.

b. City Manager

(1) Calendar Update

City Manager Kurt Triplett shared feedback from Board and Commission members regarding the financial disclosure form in connection with the ethics ordinance. Council agreed that the Council ethics committee should meet to review possible revisions needed to the form.

The Council was also informed that Director of Finance and Administration Tracey Dunlap will be serving as the interim director of NORCOM for the month of May.

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

The Kirkland City Council regular meeting of April 17, 2012 was adjourned at 10:37 p.m.

City Clerk

Mayor