



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
May 20, 2014

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. Cross Kirkland Corridor Master Plan

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Public Works Transportation Engineering Manager Dave Godfrey, and Guy Michaelson from the Berger Partnership.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

- a. National Public Works Week Proclamation

Public Works Managers Erin DeVoto, David Godfrey, David Snider and Bobbi Wallace accepted the proclamation from Mayor Walen and Councilmember Kloba.

6. COMMUNICATIONS

- a. Announcements

Deputy Mayor Sweet announced the grand opening of the Kirkland Justice Center on May 31, 2014.

- b. Items from the Audience

Glenn Buhlmann  
Brent Carson  
Mark Nelson  
Joe Razore

Rich Hill  
Rob Brown  
Maureen Baskin

c. Petitions

7. SPECIAL PRESENTATIONS

a. Kirkland Youth Programs and Recognition:

Youth Services Coordinator Regi Schubiger provided introductions to each of the programs and speakers.

(1) Kirkland Teen Union Building (KTUB) Report

KTUB Director Emily Smith shared information on the Teen Center's programs.

(2) Kirkland Youth Council Reports

The Kirkland Youth Council (KYC) Leadership team of Camellia Clark, Timmy Drabble, Hayden Stockwell, Paige Adler and Anthony Krichevskiy reported on some key programs and events undertaken by the KYC.

(3) Honoring the Kirkland Youth Council Graduating Class of 2014

Morgan Figueroa and Hayden Stockwell were recognized.

(4) Eileen Trentman Memorial Scholarship Recipients

Firefighter Megan Keys shared information about the Kirkland Firefighter Benevolent Association (KFFBA) and with Ms. Schubiger introduced scholarship recipients Malika Elkayssi and Evelyn Guerra.

b. Kirkland 2035 Update #13

Deputy City Manager Marilynne Beard shared information on public involvement activities and progress on plan updates related to the K2035 initiative.

8. CONSENT CALENDAR

a. Approval of Minutes: May 6, 2014

b. Audit of Accounts:

Payroll \$2,832,592.23

Bills \$2,205,353.70

run #1317 checks #552613 - 552817

run #1318 checks #552818 - 553002

c. General Correspondence

d. Claims

Claims received from Qiongwen (Joan) Chen and Cheryl Nelson were acknowledged via approval of the Consent Calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Totem Lake Culvert Replacement Project, Scarsella Brothers, Inc., Seattle, WA

(2) 2013 Crosswalk Initiative Project, Forma Construction, Seattle, WA

(3) Lee Johnson Field Lighting Project, Musco Lighting Systems, Muscatine, IA

g. Approval of Agreements

(1) Resolution R-5051, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND INTENDING TO PARTICIPATE AS A JOINT AGREEMENT CITY UNDER THE KING COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) CONSORTIUM AND AUTHORIZING THE CITY MANAGER TO SIGN THE APPROPRIATE AGREEMENTS."

h. Other Items of Business

(1) Ordinance O-4443 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING ASTOUND BROADBAND, LLC A NON-EXCLUSIVE FRANCHISE FOR THE TRANSMISSION OF TELECOMMUNICATIONS IN, THROUGH, OVER AND UNDER THE RIGHTS-OF-WAY OF THE CITY OF KIRKLAND."

(2) Resolution R-5052, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING INVESTMENT OF CITY OF KIRKLAND MONIES IN THE LOCAL GOVERNMENT INVESTMENT POOL (LGIP) AND AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATION TO CONTRIBUTE AND WITHDRAW MONIES TO AND FROM THE LGIP."

(3) Resolution R-5053, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING APPLICATION FOR FUNDING ASSISTANCE FOR BOATING FACILITIES PROGRAM PROJECT TO THE WASHINGTON STATE RECREATION AND CONSERVATION OFFICE AS PROVIDED IN CHAPTER 79A.25 REVISED CODE OF WASHINGTON AND

WASHINGTON ADMINISTRATIVE CODE TITLE 286, AND SUBSEQUENT LEGISLATIVE ACTION."

(4) Resolution R-5054, 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 OWNERS LANE AND JILL SAVITCH."

(5) Resolution R-5055, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RATIFYING AMENDMENTS TO THE KING COUNTY COUNTYWIDE PLANNING POLICIES."

(6) Resolution R-5056, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO ALLOCATE \$25,000 FROM THE CITY COUNCIL SPECIAL PROJECTS RESERVE FUND TO PROVIDE OPERATIONAL SUPPORT OF NOURISHING NETWORKS CENTRAL."

Motion to Approve the Consent Calendar, with the exception of item 8.h.(1)., which was pulled for consideration under New Business, item 11.c.

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.

## 9. PUBLIC HEARINGS

None.

## 10. UNFINISHED BUSINESS

### a. MRM Private Amendment Request, File No. ZON11-00006

Senior Planner Angela Ruggeri and Planning Commission Chair Glenn Peterson reviewed the background of the request and the Planning Commission's recommendation and responded to Council questions and comment.

Motion to Direct the Planning Commission to consider the MRM proposal as part of the ongoing comprehensive plan update and report back to the Council on its findings when the update is complete.

Moved by Councilmember Doreen Marchione, seconded by Councilmember Jay Arnold

Vote: Motion carried 6-1

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

No: Councilmember Dave Asher.

11. NEW BUSINESS

a. Approving Potential Acquisition of the Spirit of America 9/11 Memorial Statue

Economic Development Manager Ellen Miller-Wolfe provided an overview of the background and proposal.

Motion to Approve the recommendation of the Cultural Arts Commission to acquire the Spirit of America 9/11 Memorial Statue, the recommendation of the Park Board to site the sculpture on the West side of Juanita Beach Park, and the expenditure of up to \$13,500 in funding from the Council special projects reserve fund, as amended.

Moved by Deputy Mayor Penny Sweet, 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.

Motion to Amend the motion by striking and replacing the text of the motion with the following: that the City Council approve funding not to exceed \$13,500, from the Council Special Projects Reserve, to acquire and site the Spirit of America 9/11 Memorial Statue and authorize staff to work with the proponent to submit an application to the competitive process for acquisition of the statue, and also direct the City Manager to conduct a public input process to determine broad community interest in a 9/11 memorial and the design and siting of such a memorial, with the final decision on creation and siting of such a memorial, based on that process, coming back to the council for further approval.

Moved by Councilmember Toby Nixon, seconded by Councilmember Dave Asher

Vote: Motion carried 4-3

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

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

Council recessed for a short break

b. Ordinance O-4444 and its Summary, Authorizing and Providing for the Acquisition of Interests in Land for the Purpose of the Billy Creek Ravine Stabilization Phase 2 Project Within the City of Kirkland, Providing for the Cost of Property Acquisition and Authorizing the Initiation of Appropriate Eminent Domain Proceeding in the Manner Provided for by Law.

Capital Projects Manager Dave Snider reviewed the process to date, current project status and next steps dependent on Council action.

Motion to Approve Ordinance O-4444 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND PROVIDING FOR THE

ACQUISITION OF INTERESTS IN LAND FOR THE PURPOSE OF THE BILLY CREEK RAVINE STABILIZATION PHASE 2 PROJECT WITHIN THE CITY OF KIRKLAND, PROVIDING FOR THE COST OF PROPERTY ACQUISITION AND AUTHORIZING THE INITIATION OF APPROPRIATE EMINENT DOMAIN PROCEEDINGS IN THE MANNER PROVIDED FOR BY LAW."

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.

- c. Ordinance O-4443 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING ASTOUND BROADBAND, LLC A NON-EXCLUSIVE FRANCHISE FOR THE TRANSMISSION OF TELECOMMUNICATIONS IN, THROUGH, OVER AND UNDER THE RIGHTS-OF-WAY OF THE CITY OF KIRKLAND."

This item was pulled from the Consent Calendar (8.h.(1).) for consideration under New Business. Chief Information Officer Brenda Cooper addressed comments made under Items from the Audience 6.b.(3). A revised ordinance will be brought back to the June 3, 2014 meeting for Council consideration.

Motion to Approve first reading of Ordinance O-4443 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND GRANTING ASTOUND BROADBAND, LLC A NON-EXCLUSIVE FRANCHISE FOR THE TRANSMISSION OF TELECOMMUNICATIONS IN, THROUGH, OVER AND UNDER THE RIGHTS-OF-WAY OF THE CITY OF KIRKLAND" with amendments as discussed.

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.

## 12. REPORTS

- a. City Council Reports

- (1) Finance and Administration Committee

- (2) Planning, and Economic Development Committee

Chair Arnold reported on a presentation by A Regional Coalition for Housing (ARCH) on winter shelters; the update to the Comprehensive Plan; a State Environmental Policy Act (SEPA) procedure update as a result of a State Supreme Court ruling; and a potential update to code enforcement fines.

(3) Public Safety Committee

Chair Sweet reported on the progress for procurement of a new contract for prosecution services; King County use of the firing range at the Kirkland Justice Center; and the Fire Standards of Coverage study.

(4) Public Works, Parks and Human Services Committee

Chair Kloba reported on the Emergency Sewer Program; flashing yellow turn signals at intersections; parking for the 132nd Square Park; the Park, and the Recreation and Open Space (PROS) plan.

(5) Tourism Development Committee

(6) Regional Issues

Councilmembers shared information regarding a recent Sound Cities Association Public Issues Committee meeting; an upcoming Sound Cities Association Networking Dinner; King County Kirkland Pump Station ribbon cutting event; Eastside Human Services Forum; Cascade Water Alliance meeting; Chaplain Larry Tate's retirement event; Kirkland National Little League FanFest event at Big Finn Hill park; Juanita Neighborhood Association meeting; Kirkland 2035 neighborhood plan meeting at City Hall; Kirkland Alliance of Neighborhoods scoring panel for proposed safety projects; Moss Bay Neighborhood Association meeting; Eastside Transportation Partnership meeting; Eastside Rail Corridor Advisory Council meeting; Water Resource Inventory Area (WRIA) 8 meeting; Flycaster Brewing ribbon cutting event; Climate Solutions 6th Annual Breakfast event; Kirkland Artist Studio Tour; Kirkland Art Walk; Forterra's 25th Anniversary Breakfast event; and the Cascade Water Alliance 15th Anniversary event.

b. City Manager Reports

(1) Calendar Update

City Manager Kurt Triplett reported on a meeting with King County Executive Dow Constantine about a Community Mobility Contract allowing cities to purchase Metro service back that was cut. Mr. Triplett also informed Council that the City of Kirkland won an Associated Washington Cities Excellence Award for its work on the recent Public Disclosure ordinance. Council inquired about the plan for future legislation concerning marijuana in Kirkland and discussed the issue. Mr. Triplett then had a final question for the Council on using Real Estate Excise Tax (REET) to fund a small amount of median maintenance for weed control which the Council supported.

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

The Kirkland City Council regular meeting of May 20, 2014 was adjourned at 10:33 p.m.

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City Clerk

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Mayor