



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
July 21, 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. Preliminary 2015-2020 Capital Improvement Program

Deputy City Manager Tracey Dunlap, Finance and Administration Director Michael Olson, and Financial Planning Manager Tom Mikesell reviewed the Preliminary 2015-2020 Capital Improvement Program for the Council and responded to questions.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

None.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Sally Otten  
Rich Bergdahl  
Jeanne Large  
Jamie Rector  
Rick Colella

c. Petitions

7. SPECIAL PRESENTATIONS

- a. Property Site Evaluation as Potential Location for Aquatics, Recreation and Community Center

Parks and Community Services Director Jennifer Schroder provided an overview of the Christ Church property site evaluation for use as a proposed Aquatics and Recreation Center.

8. CONSENT CALENDAR

- a. Approval of Minutes: July 7, 2015

- b. Audit of Accounts:

Payroll \$3,022,642.90

Bills \$2,852,768.84

run #1436 checks #563386 - 563502

run #1437 checks #563503 - 563682

- c. General Correspondence

- d. Claims

- e. Award of Bids

- (1) 4th Street Watermain Replacement Project, Kar-Vel Construction, Renton, Washington

The construction contract for the 4th Street Watermain Replacement Project was awarded to Kar-Vel Construction of Renton, WA, in the amount of \$338,327.63, and the use of \$27,000 of Water/Sewer Construction Reserve was authorized in order to maintain a 10% construction contingency, via approval of the Consent Calendar.

- f. Acceptance of Public Improvements and Establishing Lien Period

- g. Approval of Agreements

- (1) Resolution R-5136, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE CITY OF MARYSVILLE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND."

- h. Other Items of Business

- (1) 2014 Annual Transportation and Park Impact Fees Report

The report was accepted via approval of the Consent Calendar.

(2) Resolution R-5137, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS ALVIN CHANG, ANDY MAN-WAH CHANG, AND SIKI KALING LEUNG CHANG."

(3) Resolution R-5138, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER K & D HOMES ENTERPRISES LLC."

(4) Report on Procurement Activities

Motion to Approve the Consent Calendar.

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. 2015 State Legislative Update #12

Intergovernmental Relations Manager Lorrie McKay reviewed the final summary status of the City's 2015 legislative priorities and provided a final special session overview in addition to preparations for the 2016 legislation session. The City's contract lobbyists, with Waypoint Consulting, also addressed the Council. Mayor Walen and Councilmember Asher (Chair of the Council's Legislative Committee) presented lobbyists Majken Ryherd and Teresita Torres with flowers and Council's thanks.

### b. November 3, 2015 Proposed Ballot Measure - Kirkland Aquatics and Recreation District:

Parks and Community Services Director Jennifer Schroder provided background and an overview of the draft proposed ordinances for Council consideration.

(1) Ordinance O-4484, Relating to Creation of a Metropolitan Park District with Boundaries Coextensive with the City to be Known as the Kirkland Aquatics and Recreation District; Requesting that a Proposition to Form the Kirkland Aquatics and Recreation District be Submitted to the Voters Within the Proposed

Boundaries of the District, at the November 3, 2015, General Election; and Providing for Properly Related Matters.

Motion to Approve Ordinance O-4484, entitled "AN ORDINANCE RELATING TO CREATION OF A METROPOLITAN PARK DISTRICT WITH BOUNDARIES COEXTENSIVE WITH THE CITY TO BE KNOWN AS THE KIRKLAND AQUATICS AND RECREATION DISTRICT; REQUESTING THAT A PROPOSITION TO FORM THE KIRKLAND AQUATICS AND RECREATION DISTRICT BE SUBMITTED TO THE VOTERS WITHIN THE PROPOSED BOUNDARIES OF THE DISTRICT, AT THE NOVEMBER 3, 2015, GENERAL ELECTION; AND PROVIDING FOR PROPERLY RELATED MATTERS."

Moved by Councilmember Shelley Kloba, 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.

(2) Ordinance O-4485 and its Summary, Approving the Form of an Interlocal Agreement with the Kirkland Aquatics and Recreation District, if the Formation of the District is Approved by the Voters; and Authorizing the City Manager to Execute Such Agreement on Behalf of the City; and Providing for Properly Related Matters.

Motion to Approve Ordinance O-4485 and its Summary, entitled "AN ORDINANCE APPROVING THE FORM OF AN INTERLOCAL AGREEMENT WITH THE KIRKLAND AQUATICS AND RECREATION DISTRICT, IF THE FORMATION OF THE DISTRICT IS APPROVED BY THE VOTERS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING FOR PROPERLY RELATED MATTERS." as amended.

Moved by Councilmember Toby Nixon, 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-4485 and its Summary, to add language to Attachment 1, Section 5.1.4 Adoption of Budget and Levy by Park District so that it reads, "The Board of Park District commissioners shall review the budget proposal and approve a final Park District budget in accordance with state law. The Park District agrees to levy property taxes annually under RCW 35.61.210, within applicable statutory and constitutional rate and amount limitations, in amounts sufficient to fund its adopted budget. The Board shall set the initial property tax rate to generate sufficient revenue to cover the annual costs described in the Six-Year Budget Plan. Based on the Parties' current expectations regarding ARC capital costs (including financing costs and acknowledging interest rate risk), the District's 2017 tax levy (using reasonable projections of assessed

value) is estimated to be approximately \$0.25 per \$1,000 of assessed value. Park District revenues will not be used to supplant funds or service levels previously funded by the City's general fund or special levy funds. After the initial levy by the District, the Board agrees not to increase the levy rate in any one year for purposes, other than financing the ARC (including but not limited to operations and maintenance, repair and replacement, capital facility and improvements), by more than X cents per \$1,000 of assessed value without first placing before the voters an advisory ballot measure regarding such increase."

Moved by Councilmember Toby Nixon, 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 the amendment to remove the X and insert 5 cents.

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.

Motion to Amend Ordinance O-4485 and its Summary, to add a new section 4.1 City Clerk to Serve as Public Records Officer that reads, "The Park District agrees to take such action necessary under RCW 42.5.58 to appoint the City Clerk to serve as Public Records Officer for the Park District. The City Clerk agrees to accept appointment as Public Records Officer for the Park District in accordance with RCW 42.56.580. In such capacity, the City Clerk shall serve as a point of contact for members of the public requesting disclosure of public records and oversee Park District compliance with the public records requirements of chapter 42.56 RCW."

Moved by Councilmember Toby Nixon, 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-4485 and its Summary, to add a new section 4.2 City to Maintain Webpage that reads, "The City will prepare and maintain a Park District webpage, on behalf of the Park District, to facilitate public access to records, information about Park District activities and contact information for the Park District."

Moved by Councilmember Toby Nixon, 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.

c. Proposed Metropolitan Park District Pro/Con Ballot Statements Committees Appointments

Motion to Appoint Rick Colella, Bill Finkbeiner, and Joan McBride to the Metropolitan Park District Ballot Statements Pro Committee, and to appoint Ken MacKenzie, Mike Nykreim, and Rick Whitney to the Metropolitan Park District Ballot Statements Con Committee.

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.

Council recessed for a short break.

d. Ordinance O-4487 and its Summary, Relating to Zoning, Planning, and Land Use and Amending the Following Chapters of the Kirkland Zoning Code Relating to Multi-Family Parking Requirements: 20, 25, 30, 35, 50, 51, 52, 53, 54, 55, 56, 105 and Approving a Summary Ordinance for Publication, File No. CAM13-02032.

Planning Supervisor Jon Regala reviewed the background of the process to date and the proposed amendments for Council consideration.

Motion to Approve Ordinance O-4487, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE AND AMENDING THE FOLLOWING CHAPTERS OF THE KIRKLAND ZONING CODE RELATING TO MULTI-FAMILY PARKING REQUIREMENTS: 20, 25, 30, 35, 50, 51, 52, 53, 54, 55, 56, 105 AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. CAM13-02032," as amended.

Moved by Councilmember Jay Arnold, seconded by Councilmember Doreen Marchione

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.

Motion to Amend Ordinance O-4487 and its Summary, so that Section 105.20 Number of Parking Spaces, Item 3.A reads, "However, no guest parking stall shall be required if the result of the calculation is a fraction less than one and on-street parking is available within a block of the subject property."

Moved by Councilmember Shelley Kloba, 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.

Motion to Amend the amendment to Ordinance O-4487 and its Summary, striking "within a block" and inserting "within 600 feet."

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Penny Sweet

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-4487 and its Summary, to strike the language regarding Totem Lake and North Rose Hill Business Districts where parking is determined case-by-case.

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

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.

Motion to Amend Ordinance O-4487 and its Summary, to add the citywide standards to the zoning charts for Totem Lake and North Rose Hill Business Districts.

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-4487 and its Summary, to include the following language regarding parking modification: "For multi-family parking modifications, the parking demand rate result shall be increased by 15% and the resultant total shall then be subject to the visitor parking requirements in KZC Section 105.20.3.

The Planning Official shall not approve or deny a modification to decrease the number of parking spaces without first providing notice of the modification request to the owners and residents of property within 300 feet of the subject property and providing opportunity for comment. The Planning Official shall use mailing labels provided by the applicant, or, at the discretion of the Planning Official, by the City. Said comment period shall not be less than seven (7) calendar days."

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.

Motion to Amend Ordinance O-4487 and its Summary, to strike the current language regarding the parking modification review process and replace it so that it reads, "The City will use Process IIA, described in Chapter 150 KZC, to review and decide upon an application for a parking modification request pursuant to this section."

Moved by Councilmember Dave Asher, seconded by Councilmember Toby Nixon

Vote: Motion failed 3 - 4

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

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

Motion to Amend Ordinance O-4487 and its Summary, to change section 105.45 to replace "King County Bureau of Elections and Records" with "King County Recorder's Office."

Moved by Councilmember Toby Nixon, 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-4487 and its Summary, to add the following code language to the end of KZC 105.103.3.c so that it reads, "Properties located in the CBD 1A/1B, 2, and 8 zones that receive parking modification approval under this section are not eligible to utilize the special parking provisions in KZC 50.60.3.a - Certain Floor Area Exempt from Parking Requirements."

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.

e. Public Disclosure Semi-Annual Performance Report

Public Disclosure Analyst Amy Robles provided Council with an update on the status of the Public Records program and responded to Council questions.

11. NEW BUSINESS

None.

12. REPORTS

a. City Council Reports

(1) Finance and Administration Committee

Chair Marchione reported on a review of the latest draft of Council policies and procedures; an overview of the Preliminary 2015-2020 Capital Improvement Program; and the May/June Financial Dashboard report.

(2) Legislative Committee

None.

(3) Planning, and Economic Development Committee

Chair Arnold reported on the committee's review of the spillover parking residential permit policy; a review of the marijuana regulations; a review of the opportunity to join with the City of Redmond in an Innovation Partnership Zone as well as other options such as joining the Washington Interactive Network; and a briefing on the Lake Washington School District's Capital Improvement Program.

(4) Public Safety Committee

Chair Sweet reported on active shooter training; a debriefing on the 4th of July events and enforcement of the firework's ban; and the development of the Public Safety Dashboard report.

(5) Public Works, Parks and Human Services Committee

None.

(6) Tourism Development Committee

Chair Nixon reported on a joint meeting between the Kirkland Business Roundtable and the Kirkland Tourism Network.

(7) Regional Issues

Councilmembers shared information regarding the Sound Cities Association Public Issues Committee meeting; a joint meeting between the Kirkland Business Roundtable and the Kirkland Tourism Network; a Solarize brown bag roundtable sponsored by the King County GreenTools program; the North Rose Hill Neighborhood Picnic; Councilmember Kloba's participation in the Evergreen Speedway Mayors' Cup race sponsored by Foster Press; the Greater Kirkland Chamber of Commerce luncheon; the reorganization of the King County Committee to End Homelessness into a Coordinating Committee; an upcoming Solarize Kirkland meeting at Kirkland City Hall in August; a King County Eastside Transportation Partnership meeting; Governor Inslee's bill signing event for the State's transportation package; the completion of drafting the Washington Resource Inventory Area (WRIA) 8 Salmon Recovery Council interlocal agreement; a King County Metropolitan Solid Waste Advisory Committee; a King County Emergency Management Advisory Committee; the Kirkland Uncorked festival; an Association of Washington Cities Legislative Priorities Committee meeting; the Sound Cities Association Board Meeting; a meeting with the Sound Transit Board; and a meeting with Director Gary Wasdin of the King County Library System.

(8) Disability Board

Councilmember Kloba reported on long-term care expenses for the retired LEOFF I members.

b. City Manager Reports

City Manager Kurt Triplett reported on a meeting with Jane Hague regarding the King County Best Starts for Kids Initiative and received direction from the Council to add discussion of potential support for the Best Starts for Kids Initiative levy on an upcoming Council meeting; and upcoming discussions between the City staff, the International Association of Firefighters and other stakeholder groups to discuss staffing and siting for a North End Fire Station.

(1) Calendar Update

City Manager Kurt Triplett reminded the Council that the next meeting would be on Monday, August 3rd to allow councilmembers to attend National Night Out events on Tuesday, August 4th. City Manager Kurt Triplett also proposed rescheduling the first Council meeting in December to December 8th and cancelling the second Council meeting on December 15th.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of July 21, 2015 was adjourned at 10:40 p.m.

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City Clerk

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Mayor