



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
September 03, 2013

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

a. 2013-2018 Capital Improvement Program Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Director of Finance and Administration Tracey Dunlap, Senior Financial Analyst Neil Kruse and Public Works Capital Projects Manager Dave Snider.

4. EXECUTIVE SESSION

Council concluded their study session and Mayor McBride announced that, following a short break, they would enter into an executive session to discuss potential litigation at 7 p.m., returning to regular meeting at 7:30 p.m.

a. To Discuss Potential Litigation

At 7:30 p.m., City Clerk Kathi Anderson announced that the City Council would require additional time for their executive session and that they would return to regular meeting at 7:40 p.m., which they did. City Attorney Robin Jenkinson was also in attendance at the executive session.

5. HONORS AND PROCLAMATIONS

a. 2013 Eastside Month of Concern for the Hungry Proclamation

Youth Services Coordinator Regi Schubiger shared information about the upcoming Month of Concern for the Hungry food drive. Emergency Feeding Program Operations Manager Brian Anderson and Kirkland Hopelink Center Manager Teresa Andrade accepted the proclamation from Mayor McBride and Councilmember Asher.

6. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience

Brian Gaines
Lisa McConnell
Steve Brillling
Jim McElwee

- c. Petitions

(1) Against Slurry Seal in Brookhaven Neighborhood

The petition was acknowledged.

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

- a. Approval of Minutes:

(1) August 6, 2013 Special Meeting

(2) August 6, 2013

- b. Audit of Accounts:

Payroll \$5,541,331.42

Bills \$7,013,569.08

run #1236 check #545732

run #1237 checks #545733 – 545876

run #1238 checks #545902 – 545923

run #1239 checks #545924 – 546090

run #1240 check #546091

run #1241 checks #546118 – 546120

run #1242 checks #546121 – 546266

run #1243 checks #546267 – 546278

- c. General Correspondence

- d. Claims

Claims received from Martin Chin and Diane Wambheim were acknowledged via approval of the Consent Calendar.

e. Award of Bids

(1) Maintenance Center Fuel Station, Saybr Contractors, Inc., Tacoma, WA

The contract to repair damage at the Maintenance Center's fueling station was awarded to Saybr Contractors, Inc. of Tacoma, WA, in the amount of \$74,720.61. All but \$5,000 of the \$74,720.61 is expected to be reimbursed by insurance. The \$5,000 deductible will be paid from the Facilities Building Contingency Fund.

(2) Peter Kirk Elementary School Walk Route Sidewalk Project, Road Construction Northwest, Renton, WA

The contract for the construction of the Peter Kirk Elementary School Walk Route Sidewalk Project was awarded to Road Construction Northwest of Renton, WA, in the amount of \$183,217.50. A budget modification was approved returning \$49,000 excess Surface Water Funding and increasing the general government funding participation with \$19,000 of REET 2 Reserves.

(3) Kirkland Intelligent Transportation Systems (ITS) Implementation Phase IA - Traffic Management Center, Bayley Construction, Mercer Island, WA

The construction contract for the Kirkland Intelligent Transportation System Implementation Phase IA - Traffic Management Center was awarded to Bayley Construction of Mercer Island, WA, in the amount of \$104,025.

(4) 100th Avenue NE Bicycle Lanes Project, Road Construction Northwest, Inc., Renton, WA

The construction contract for the 100th Avenue NE Bicycle Lanes Project was awarded to Road Construction Northwest, Inc. of Renton, WA, in the amount of \$190,470. A budget increase of \$27,000 using REET 2 Reserves was also approved.

(5) Generator Transfer Switches Installation-Emergency Power Generators, Pointer Electric, Inc., Bow, WA

The contract to install two separate Generator Transfer Switches for emergency generators at Northwest University and Saint John Vianney Church was awarded to Pointer Electric, Inc. of Bow, WA, in the amount of \$53,696.61.

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Lakeview Elementary Pedestrian Improvement Project, Road Construction Northwest, Inc., Renton, WA

g. Approval of Agreements

(1) Resolution R-4993, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SUPPORTING THE CONTINUATION OF THE EASTSIDE TRANSPORTATION PARTNERSHIP AS THE EAST KING COUNTY FORUM FOR INFORMATION SHARING, CONSENSUS BUILDING AND COORDINATION TO PROVIDE ADVICE ON REGIONAL TRANSPORTATION ISSUES AND APPROVING CONTINUED PARTICIPATION IN THE EASTSIDE TRANSPORTATION PARTNERSHIP BY THE CITY OF KIRKLAND."

h. Other Items of Business

(1) Resolution R-4994, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SUBDIVISION AND FINAL PLAT OF JUANITA TOWNHOMES BEING DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SUB13-00739 AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBDIVISION AND FINAL PLAT SHALL BE SUBJECT."

(2) Reject Bids for 2013 Cross Kirkland Corridor (CKC) Ditch Sediment Removal and Restoration

(3) Resolution R-4995, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADDING TO THE MEMBERSHIP OF THE KIRKLAND CULTURAL ARTS COMMISSION."

(4) Report on Procurement Activities

(5) Surplus and Disposal of Equipment Rental Vehicles

Vehicle	Year	Make	VIN/Serial Number	License #	Mileage
U-07	2003	Ford F450 Utility	1FDXF46P33ED60388	36372D	48,874

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

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

a. Investment Policy External Review

Deputy Director of Finance and Administration Michael Olson presented an overview of the proposed revised investment policy and responded to Council questions.

(1) Resolution R-4996, Adopting a Revised Policy for Investment of City Funds.

Motion to Approve Resolution R-4996, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING A REVISED POLICY FOR INVESTMENT OF CITY FUNDS."

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

Vote: Motion carried 7-0

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

(2) Ordinance O-4416 and its Summary, Updating References to the Department of Finance and Administration in the Kirkland Municipal Code and Making Certain Housekeeping Corrections.

Motion to Approve Ordinance O-4416 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND UPDATING REFERENCES TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN THE KIRKLAND MUNICIPAL CODE AND MAKING CERTAIN HOUSEKEEPING CORRECTIONS."

Moved by Councilmember Shelley Kloba, seconded by Deputy Mayor Doreen Marchione

Vote: Motion carried 7-0

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

b. Ordinance O-4417, Relating to Zoning and Land Use and Amending the Kirkland Zoning Ordinance 3719, as Amended, to Establish Limits on the Number of Residential Suites Units Allowed in the Central Business District and Establishing Minimum Required Common Living Area, File No. CAM13-00178.

Planning Commission Chair Jon Pascal provided an overview of the Planning Commission's process and recommendation; Planning Supervisor Jeremy McMahan also responded to Council questions and comment.

Motion to Approve Ordinance O-4417, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING AND LAND USE AND AMENDING THE KIRKLAND ZONING ORDINANCE 3719, AS AMENDED, TO ESTABLISH LIMITS ON THE NUMBER OF RESIDENTIAL SUITES UNITS ALLOWED IN THE CENTRAL BUSINESS DISTRICT

AND ESTABLISHING MINIMUM REQUIRED COMMON LIVING AREA, FILE NO. CAM13-00178," as amended.

Moved by Councilmember Dave Asher, seconded by Councilmember Amy Walen

Vote: Motion carried 4-3

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Mayor Joan McBride, and Councilmember Amy Walen.

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

Motion to Amend Ordinance O-4417 to change the cap on the number of living units for the entire CBD from 720 living units to 500 living units and to change the sunset clause on restriction for the CBD from five years (September 2018) to three years (September 2016).

Moved by Councilmember Dave Asher, seconded by Councilmember Amy Walen

Motion to divide the question

Moved by Councilmember Toby Nixon, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

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

Motion to Amend Ordinance O-4417 to change the cap on the number of living units for the entire CBD from 720 living units to 500 living units.

Moved by Councilmember Toby Nixon, seconded by Councilmember Dave Asher

Vote: Motion carried 4-3

Yes: Councilmember Dave Asher, Councilmember Shelley Kloba, Mayor Joan McBride, and Councilmember Amy Walen.

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

Motion to Amend Ordinance O-4417 to change the sunset clause on Residential Suites Adjacency Restrictions within the CBD Zones from five years to three years, as amended.

Moved by Councilmember Toby Nixon, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

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

Motion to Amend the amendment to Ordinance O-4417 to change the sunset clause on Residential Suites Adjacency Restrictions within the CBD Zones from five years (September 1, 2018) to three years (September 1, 2016).

Moved by Councilmember Dave Asher, seconded by Councilmember Amy Walen

Vote: Motion carried 7-0

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

Motion to Amend Ordinance O-4417, to change the requirement for a minimum amount of common living areas for each project to pertain only to the CBD Zones. Moved by Councilmember Penny Sweet, failed due to lack of second.

c. King County Transfer Station Plan Review

Solid Waste Programs Lead John McGillivray provided a briefing on the status of the King County Solid Waste Division's review of the Transfer Plan and received Council feedback on a proposed draft resolution and responded to Council questions.

Council recessed for a short break.

d. Cultural Arts Commission Appointment

Motion to appoint Dawn Laurant to a four-year term on the Cultural Arts Commission ending March 31, 2017.

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

Vote: Motion carried 7-0

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

12. REPORTS

a. City Council

(1) Finance and Administration Committee

Have not met.

(2) Public Safety Committee

Have not met.

(3) Community Planning, Housing and Economic Development Committee

Have not met.

(4) Public Works, Parks and Human Services Committee

Have not met.

(5) Regional Issues

Councilmembers shared information regarding the upcoming Senate Transportation Committee meetings; Cascade Water Alliance; Councilmember Asher requested a substitute at the next Regional Law, Safety and Justice Committee meeting, Councilmember Sweet agreed to do so; Councilmember

Nixon requested a Sound Cities Association Public Issues Committee meeting substitute, Councilmember Walen agreed to do so; Councilmember Nixon's recent visit to Kirkland's sister city, Emmerich, Germany; Deputy Mayor Marchione's visit with Camp Unity Director; Association of Washington Cities Legislative Committee kick-off; invitations from Lake Washington Institute of Technology for meet-and-greet and breakfast events; Deputy Mayor meeting with Salma Jiwani regarding volunteer opportunities; Kirkland Alliance of Neighborhoods meeting schedule for Councilmember attendance; East King County Shelter and Housing Summit; Memorial service for former Councilmember Joe Martineau; US Submarine Veterans Tolling the Boats ceremony; recent passing of former Houghton Community Councilmember Hugh Givens; Girls Softball Tournament and Kirkland team standing; Council agreed to send a congratulatory letter to City of Sammamish re little league success; recent passing of Former State Representative and Senator Alan Bluechel.

b. City Manager

(1) Calendar Update

Councilmembers Kloba, Nixon and Sweet will serve on a subcommittee to reduce interviewees for the upcoming Library Board appointment.

Councilmember Walen requested food policies and programs to be considered by a Council committee.

Inquiry from Kirkland's legislative lobbyists to determine if there was Council interest in joining a new statewide transportation advocacy group, Keep Washington Rolling, and in having staff prepare a resolution stating the Council's support of this group; Regional Animal Services of King County is considering amending Title 11 of their code to require veterinarians who are providing rabies vaccinations to notify King County if a pet is unlicensed.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of September 3, 2013 was adjourned at 9:50 p.m.

City Clerk

Mayor