



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
September 06, 2011

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION
 - a. 2011-2016 Capital Improvement Program Update

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Director of Finance and Administration Tracey Dunlap, Financial Planning Manager Sri Krishnan, Public Works Director Ray Steiger, Interim Capital Projects Manager Dave Snider and Parks and Community Services Interim Deputy Director Michael Cogle.

4. EXECUTIVE SESSION
 - a. To Discuss Potential Litigation
 - b. To Discuss Labor Negotiations

Councilmembers entered into executive session at 6:45 p.m. to discuss potential litigation and labor negotiations. The Mayor announced that the Council would return to reconvene their regular meeting at 7:30 p.m. City Attorney Robin Jenkinson was also in attendance.

5. HONORS AND PROCLAMATIONS

- a. Citizen Hero Awards

Mayor McBride and Deputy Mayor Sweet presented awards to Kirkland residents Kristen Cordell, Cassandra Joyner, Uryah Messmer, and Pete Robertson, who were first responders in a water rescue on Lake Washington.

- b. Constitution Week Proclamation

Alice Stenstrom, Regent with the David Douglas Chapter of the Daughters of the American Revolution, accepted the proclamation from Mayor McBride and Councilmember Asher.

- c. Local Community Day Proclamation

Neighborhood representatives Lynda Haneman and Toby Nixon accepted the proclamation from Mayor McBride and Councilmember Greenway.

- d. Recovery Month Proclamation

Fairfax Hospital Chief Operating Officer Michael Uradnik and Community Resource Liaison

Suzanne Wietting, and Residence XII Executive Director Sharon Chambers accepted proclamations from Mayor McBride and Councilmember Sternoff.

6. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience

Toby Nixon
Christina Brugman
Dave Russell
Chip Kimball
Denise Stiffarm
Sung Yang
Tara Wilkins

- c. Petitions

7. SPECIAL PRESENTATIONS

None.

8. CONSENT CALENDAR

- a. Approval of Minutes: August 2, 2011
- b. Audit of Accounts:
Payroll \$ 1,965,000.00
Bills \$ 7,950,934.06
run #1027 checks # 527709 - 527883
run #1028 checks # 527913 - 527923
run #1029 checks # 527924 - 528082
run #1030 checks # 528114 - 528296
run #1031 checks # 528297 - 528346
run #1032 checks # 528347 - 528473
run #1033 checks # 528477 - 528588
- c. General Correspondence
- d. Claims
- e. Award of Bids
- f. Acceptance of Public Improvements and Establishing Lien Period
- g. Approval of Agreements

(1) Resolution R-4888, entitled " A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE FORMATION OF THE COMMUNITY CONNECTIVITY CONSORTIUM, A PUBLIC CORPORATION, AUTHORIZING THE CITY OF KIRKLAND TO ENTER INTO AN INTERLOCAL AGREEMENT ESTABLISHING THE COMMUNITY CONNECTIVITY CONSORTIUM BETWEEN THE CITY OF KIRKLAND AND OTHER GOVERNMENT AGENCIES FOR THE CONSTRUCTION AND MANAGEMENT OF FIBER OPTIC PROJECTS, AND APPROVING THE

CHARTER OF THE COMMUNITY CONNECTIVITY CONSORTIUM."

h. Other Items of Business

(1) King County Landmarks and Heritage Commission Reappointment

Barbara Loomis was reappointed as Kirkland's special voting member to the King County Landmarks and Heritage Commission.

(2) Litigation Reserve

The Council received a report that the City Attorney's Office has expended funds from the Litigation Reserve Fund for the payment of professional legal services in the amount of \$6,417.60 associated with matter of Davidson Serles v. City of Kirkland, et al., King County Superior Court No. 10-2-35867-SEA.

(3) Central Way Pedestrian Enhancements (Phase II-Southside) - Reject Bids and Authorization to Rebid

The City Council agreed to reject all bids received on the Central Way Pedestrian Enhancements (Phase II) Project, and to authorize staff to rebid the project in the fall.

(4) Six Year Transportation Improvement Plan (TIP) Set Hearing Date

The City Council established September 20, 2011 as the date to hold a public hearing on the proposed 2012-2017 TIP.

(5) Ordinance O-4319, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO EMERGENCY SEWER MAIN EXTENSIONS."

(6) Surplus Vehicles/Equipment for Sale

Fleet #	Year	Make	VIN/Serial Number	License #	Mileage
C01-03X	2001	Ford Crown Victoria	2FAFP71WX1X181358	34103D	40,253
R-03	2000	Caterpillar Roller CB224D	8RZ00199	31766D	2,131 Hrs
P08-04	2008	Ford Crown Victoria	2FAHP71V28X148395	46266D	97,112

Motion to approve the Consent Calendar.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

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

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. Countywide Planning Policies

Director of Planning and Community Development Eric Shields provided an update on proposed amendments to the King County Countywide Planning Policies and received Council feedback on the submission of comments to the Growth Management Planning Council and/or the Suburban Cities Association Public Issues Committee meeting. Lake Washington School District Superintendent Chip Kimball and Sung Yang of the King County Executive's office also responded to Council questions and comment.

b. Resolution R-4889, Adopting a Code of Conduct

Assistant City Manager Marilynne Beard provided an overview of the work to date and an update on the selection of a contractor to serve as the City's Ethics Board.

Motion to Approve Resolution R-4889, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING A CODE OF CONDUCT" as amended to reflect that the vote was unanimous.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 7-0

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

c. Juanita Beach Park Supplemental Funding Request

Motion to approve supplemental funding from the General Capital Contingency Fund in the amount of \$750,000 to complete environmental and park improvements to Juanita Beach Park.

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

Vote: Motion carried 7-0

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

d. Emergency Medical Service (EMS) Transport Fee Update

Emergency Medical Services Officer Captain Mark Jung provided an update on the EMS Transport Fee Program implementation.

11. NEW BUSINESS

a. 2011 Fast Track Zoning and Kirkland Municipal Code Amendments:

Senior Planner Joan Lieberman-Brill responded to questions and comments on the proposed zoning code and municipal code revisions.

(1) Ordinance No. 4320 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE; ADOPTING MINOR AMENDMENTS PURSUANT TO CHAPTER 161 OF THE KIRKLAND ZONING CODE (KZC); AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF THE KZC, ORDINANCE 3719 AS AMENDED: CHAPTER 5 – DEFINITIONS; CHAPTER 20 – RM AND RMA ZONES; CHAPTER 48 – LIT ZONES; CHAPTER 49 – P ZONES; CHAPTER 50 – CBD 5 ZONE; CHAPTER 52 – JBD ZONES; CHAPTER 53 – RHBD 7 ZONE; CHAPTER 55 - TL ZONES; CHAPTER 90 – DRAINAGE BASINS; CHAPTER 100 – SIGNS; CHAPTER 105 – PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS; CHAPTER 115 –

MISCELLANEOUS STANDARDS; CHAPTER 117 – PERSONAL WIRELESS SERVICE FACILITIES; CHAPTER 142 – DESIGN REVIEW; CHAPTER 150 – PROCESS IIA; CHAPTER 152 – PROCESS IIB; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION , FILE NO. ZON11-00020."

Motion to approve Ordinance No. 4320 and its Summary, entitled" AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE; ADOPTING MINOR AMENDMENTS PURSUANT TO CHAPTER 161 OF THE KIRKLAND ZONING CODE (KZC); AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF THE KZC, ORDINANCE 3719 AS AMENDED: CHAPTER 5 – DEFINITIONS; CHAPTER 20 – RM AND RMA ZONES; CHAPTER 48 – LIT ZONES; CHAPTER 49 – P ZONES; CHAPTER 50 – CBD 5 ZONE; CHAPTER 52 – JBD ZONES; CHAPTER 53 – RHBD 7 ZONE; CHAPTER 55 - TL ZONES; CHAPTER 90 – DRAINAGE BASINS; CHAPTER 100 – SIGNS; CHAPTER 105 – PARKING AREAS, VEHICLE AND PEDESTRIAN ACCESS, AND RELATED IMPROVEMENTS; CHAPTER 115 – MISCELLANEOUS STANDARDS; CHAPTER 117 – PERSONAL WIRELESS SERVICE FACILITIES; CHAPTER 142 – DESIGN REVIEW; CHAPTER 150 – PROCESS IIA; CHAPTER 152 – PROCESS IIB; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION , FILE NO. ZON11-00020."

Moved by Councilmember Dave Asher, seconded by Councilmember Doreen Marchione
Vote: Motion carried 7-0

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

(2) Ordinance O-4321 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING TITLE 19.16 OF THE KIRKLAND MUNICIPAL CODE RELATING TO VACATIONS OF STREETS AND ACCESS EASEMENTS, FILE NO. ZON11-00020."

Motion to approve Ordinance O-4321 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING TITLE 19.16 OF THE KIRKLAND MUNICIPAL CODE RELATING TO VACATIONS OF STREETS AND ACCESS EASEMENTS, FILE NO. ZON11-00020."

Moved by Councilmember Doreen Marchione, seconded by Councilmember Amy Walen
Vote: Motion carried 7-0

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

12. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding a recent tour of the South County Regional jail; Kudos Kirkland events; Back to School supplies drive; Norkirk/Highlands, Everest, Houghton and Market neighborhood picnics; Juanita Beach Park re-opening; Parks Exploratory Funding Committee meeting; Association of Washington Cities Legislative Committee meeting via webinar; Housing Committee meeting; Kirkland Concours d'Elegance; kudos to City staff for new neighborhood association assistance; Girls Softball World Series; Concert in the Park series; upcoming September 11 memorial and Patriot

Day events; Feet First Houghton walk; and Mayor McBride shared observations from her recent vacation. Councilmember Asher requested Council consider taking a position on Initiative 1125. Councilmember Sternoff noted the recent passings of Kirkland residents David Tucker and Dale Hawkinson.

b. City Manager

(1) Calendar Update

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of September 6, 2011 was adjourned at 9:55 p.m.

City Clerk

Mayor