



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
October 16, 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. Draft Urban Forest Strategic Management Plan

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Planning and Community Development Deputy Director Paul Stewart, Urban Forester Deb Powers, and Forterra Program Manager Jeff Aken. Urban Forest Strategic Management Plan interdepartmental team members from the Parks and Community Services Department (Jason Filan and Sharon Rodman) and Public Works Department (Jenny Gaus and Mark Padgett) were acknowledged for their contributions to the Plan.

4. EXECUTIVE SESSION
  - a. To Discuss Potential Litigation

Mayor McBride announced at 6:46 p.m. that Council was entering into executive session to discuss potential litigation and that Council would return to its regular meeting at 7:30 p.m. City Attorney Robin Jenkinson was also in attendance.

5. HONORS AND PROCLAMATIONS

The latest KirklandWorks video production on Kirkland Parks was screened for the Council.

- a. 2012 Washington District 9 Junior Softball World Series Host Team Proclamation

Coaches and players accepted the proclamation from Mayor McBride and Councilmember Sweet. The 2012 Washington District 9 Junior Software World Series Host Team is made up of the following players: Alex Hanger, Brynn Radke, Gianna Paribello, Hannah Walker, Juliana Lynch, Kara Phillips, Katie Adams, Katie Erickson, Kristina Warford, Lisa Nelson, Natalie Vetto, Tatum Kawabata, and Tori

Bivens as well as General Manager Nolan Radke and Coaches Phil Phillips and Tim Nelson.

6. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience

Brenda Kern  
Jill Keeney  
Anna Rising  
Karen Levenson  
Atis Freimanis  
Laura Loomis  
John Chadwick  
Karina O'Malley  
Steve Roberts  
James Tolbert

- c. Petitions

7. SPECIAL PRESENTATIONS

- a. Audit Debrief and Government Finance Officers Association (GFOA) Certificate of Achievement for Financial Reporting

Finance Committee Chair Councilmember Walen provided a recap of the audit exit conference held on September 25, 2012 with the State Auditor's Office. Councilmember Walen then presented the Government Finance Officers Association (GFOA) Certificate of Achievement for Financial Reporting for the City's 2010 Comprehensive Annual Financial Report to the Director of Finance and Administration, Tracey Dunlap, Accounting Manager Teresa Levine, Accountant Nancy Otterholt and Accounting Support Associate IV Lori Bennett and Senior Accounting Associate Cheryl Patterson. Deputy Director Michael Olson and Accountant Carol Wade were also recognized.

- b. Neighborhood Food Drive Results

Kirkland Alliance of Neighborhoods Coordinator Norm Storme and Hopelink Kirkland Center Manager Teresa Andrade reported on the results of the fifth annual community food drive. Between September 15 and 29, \$1,995 and 14,050 pounds of food were collected.

8. CONSENT CALENDAR

- a. Approval of Minutes: October 2, 2012

- b. Audit of Accounts:  
Payroll \$2,525,350.25  
Bills \$1,106,200.18  
run #1135 checks #538016 - 538040  
run #1136 checks #538043 - 538181  
run #1137 check #538207
- c. General Correspondence
- d. Claims  
  
A claim submitted by Josiah Prater was acknowledged.
- e. Award of Bids
- f. Acceptance of Public Improvements and Establishing Lien Period
- g. Approval of Agreements
- h. Other Items of Business

(1) Report on Procurement Activities

Motion to Approve the Consent Calendar.

Moved by Councilmember Penny Sweet, 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.

9. PUBLIC HEARINGS

- a. Ordinance O-4379 and its Summary, Imposing and Extending a Moratorium Within Neighborhood Business (BN) Zones on the Acceptance of Applications for the Review and/or Issuance of Development Permits for Any New Development, Addition or Alteration as Such Terms are Defined in this Ordinance.

Mayor McBride explained the parameters and opened the public hearing. Director of Planning and Community Development Eric Shields reviewed the issues pertaining to the proposed ordinance. Testimony was provided by Dion Godfrey. No further testimony was offered and the Mayor closed the hearing.

Motion to approve Ordinance O-4379 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND IMPOSING AND EXTENDING A MORATORIUM WITHIN NEIGHBORHOOD BUSINESS (BN) ZONES ON THE ACCEPTANCE OF APPLICATIONS FOR THE REVIEW AND/OR ISSUANCE OF DEVELOPMENT PERMITS FOR ANY NEW

DEVELOPMENT, ADDITION OR ALTERATION AS SUCH TERMS ARE DEFINED IN THIS ORDINANCE."

Moved by Councilmember Toby Nixon, 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.

10. UNFINISHED BUSINESS

a. Commercial Codes and Plans - City Council Direction

Planning Supervisor Jeremy McMahan received Council direction on the Planning Commission recommendations to amendments to the Kirkland Comprehensive Code, Kirkland Zoning Code and the Kirkland Municipal Code. The Council indicated a majority support for the following major issues: support of neighborhood business density limited to 36 units per acre; reduced front yard setbacks in the BN and MSC 2 zones; restrictions for upper story office use in the Moss Bay BN zone. Council also indicated its preference for the alternative Residential Market definition proposed by staff instead of that proposed by the Planning Commission.

Council adjourned for a short break.

b. Amended 2012-2014 Planning Work Program

Motion to Approve the amended 2012-2014 Planning Work Program.

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.

c. Ordinance O-4380 and its Summary, Relating to Solid Waste Collection Rates and Amending Section 16.12.030 of the Kirkland Municipal Code.

Motion to Approve Ordinance O-4380 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION RATES AND AMENDING SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE."

Moved by Councilmember Amy Walen, seconded by Councilmember Penny Sweet  
Vote: Motion carried 6-1

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

No: Councilmember Dave Asher.

Council requested a staff report related to the issuance of a credit to Waste Management customers for one week of garbage service to offset the loss of service during the driver's strike.

## 11. NEW BUSINESS

- a. Ordinance O-4381 and its Summary, Relating to Zoning, Planning and Land Use, Adopting a New "Residential Suites" Use Category, and Adopting Regulations Governing Residential Suites Uses.

Planning Commission Chair Mike Miller presented the Planning Commission recommendation to adopt the amendments to the Kirkland Zoning Code.

Motion to Approve Ordinance O-4381 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE, ADOPTING A NEW "RESIDENTIAL SUITES" USE CATEGORY, AND ADOPTING REGULATIONS GOVERNING RESIDENTIAL SUITES USES" as amended.

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

Vote: Motion carried 6-1

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

No: Councilmember Amy Walen.

Motion to Amend Ordinance O-4381 and its Summary, Relating to Zoning, Planning and Land Use, Adopting a New "Residential Suites" Use Category, and Adopting Regulations Governing Residential Suites Uses to add the green building mandate.

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

Vote: Motion carried 5-2

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

No: Councilmember Toby Nixon, and Councilmember Bob Sternoff.

- b. Human Services Funding Recommendations for 2013-2014

Human Services Advisory Committee Chair Santiago Ramos and Co-Chair Karen Turner presented the committee's recommendations for grant funding for the 2013-2014 biennium and responded to council questions. The Council directed the City Manager to return with options during the budget process.

## 12. REPORTS

- a. City Council

(1) Regional Issues

Councilmembers shared information regarding a recent Puget Sound Regional Council Growth Management Policy Board meeting; Kirkland Interfaith Transitions in Housing Dinner; Suburban Cities Association Public Issues Committee; Cascade Water Alliance Public Affairs Committee meeting; Emergency Management Advisory Committee meeting; Tourism Development Committee meeting; Public Safety Committee meeting; Eastside Transportation Partnership meeting; Councilmember Asher requested and received support to send a letter to Representative Clibborn, who sits on the House Transportation Committee, regarding financial assistance for the Northup Way Corridor Improvements; Councilmember Marchione requested and received support for the proposed Council committee structure changes; requested staff to prepare discussion points regarding campaign finance for the Council to review.

b. City Manager

(1) Calendar Update

13. ITEMS FROM THE AUDIENCE

14. ADJOURNMENT

The Kirkland City Council meeting of October 16, 2012 was adjourned at 10:47 p.m.

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City Clerk

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Mayor