



KIRKLAND CITY COUNCIL SPECIAL MEETING MINUTES
November 07, 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. 2013-2014 Budget

Joining Councilmembers for this discussion were City Manager Kurt Triplett, Assistant City Manager Marilynne Beard, Director of Finance and Administration Tracey Dunlap, and Financial Planning Manager Sri Krishnan. Director of Planning and Community Development Eric Shields, Fire Chief Kevin Nalder and Deputy Fire Chief Helen Ahrens-Byington contributed to the discussion.

4. EXECUTIVE SESSION

- a. To Discuss Pending Litigation

Mayor McBride announced at 6:49 p.m. that Council would enter executive session to discuss pending litigation and review the performance of a public employee and would return to regular meeting in the Council Chamber at 7:30 p.m. City Attorney Robin Jenkinson was also in attendance.

At 7:30 p.m. City Clerk Kathi Anderson announced that the City Council would require an additional ten minutes in executive session and that they would reconvene at 7:40 p.m., which they did.

5. HONORS AND PROCLAMATIONS

- a. American Diabetes Month Proclamation

Paige Rinnert, American Diabetes Association Teen Leadership Council Vice President, accepted the proclamation from Mayor McBride and Councilmember Nixon.

b. Arbor Day Proclamation

Urban Forester Deb Powers shared information about the Tree City USA program and introduced Richard Emery, representing the Washington Community Forestry Council, who presented the City with the Arbor Day Foundation Tree City Award and then accepted the Arbor Day proclamation from Mayor McBride and Councilmember Sternoff.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

Michael Phillips
Stan Handaly
Atis Freimanis
Paula Matthyse
Linda Hall
Kelly Rider
Meghan Altimore
Sants Contreras

c. Petitions

7. SPECIAL PRESENTATIONS

a. Kirkland Performance Center

Executive Director Dan Mayer and Managing Director Scott Coil shared information on the Center's past and planned activities and funding.

8. CONSENT CALENDAR

a. Approval of Minutes:

(1) October 9, 2012

(2) October 16, 2012

(3) October 25, 2012

b. Audit of Accounts:

Payroll \$2,410,244.10

Bills \$7,053,582.80

run #1138 checks #538208 - 538323

run #1139 checks #538324 - 538329

run #1140 checks #538330 - 538341

run #1141 checks #538342 - 538387

run #1142 checks #538388 - 538551
run #1143 checks #538582 - 538712
run #1144 checks #538715 - 538768
run #1145 checks #538769 - 538925

c. General Correspondence

(1) Letter of Support of the Eastside Transportation Partnership's 2013 Legislative Agenda

(2) Letter of Support of King County Drug Take-Back Program

d. Claims

Claims received from The Crest Homeowners Association, Timothy A. Davis and Perline L. Dottin were acknowledged.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Annual Street Preservation Program Phase I Slurry Seal Project, Blackline, Inc., Spokane, Washington

g. Approval of Agreements

(1) Ratification of Public Safety Employees Union #519 (PSEU) Collective Bargaining Agreement 2012-2013

h. Other Items of Business

(1) Procurement Activities Report

Motion to Approve the Consent Calendar.

Moved by Councilmember Amy Walen, 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.

9. PUBLIC HEARINGS

a. Preliminary 2013-2014 Budget

Mayor McBride explained the parameters of the public hearing and declared it open. Finance and Administration Director Tracey Dunlap reviewed the discussion to date. Testimony was provided by Joan Eads, Stan Kehl, Tom McDade, Kim Olmstead, Gayle Zawaideh, Greg Miller, Kelly Rider, Brock Gilman, Charmaine Dancy, Jennifer Mahan, Christina Brugman, Greg Roeben, Nanci Wehr and Jeff Underwood. No

further testimony was offered and the Mayor closed the public hearing. An additional public hearing will be held on November 20 prior to the presentation of the final budget for Council consideration and adoption at Council's special meeting on December 11, 2012.

- b. Ordinance O-4382 and its Summary, Relating to Amendment of the Ordinance O-4299 of the City of Kirkland Relating to Granting Woodinville Water District, a Washington Municipal Corporation, the Right, Privilege, Authority and Franchise to Construct and Maintain, Repair, Replace, Operate Upon, Over, Under, Along and Across the Franchise Area Water and Sewer Facilities for Purposes of Its Water and Sewer Utility Business.

Mayor McBride explained the parameters of the public hearing and declared it open. No testimony was offered and the Mayor closed the hearing. Ordinance 4382 will return for a second reading and action at Council's regular meeting on November 20, 2012.

Council recessed for a short break.

10. UNFINISHED BUSINESS

- a. Nonconforming Density Code Amendments

Planning and Community Development Director Eric Shields reviewed the amendments for Council consideration, responded to Council questions and comment and received direction to prepare an ordinance incorporating Alternative 3 for a public hearing and Council consideration at a future meeting.

- b. Marine Watercraft Noise Update

City Manager Triplett briefly reviewed the implementation and results to date and planned future steps.

- c. Medical Marijuana Collective Gardens

Planning and Community Development Director Eric Shields reviewed the moratorium on medical marijuana collective gardens and requested Council direction. The Council agreed to allow the moratorium to expire.

11. NEW BUSINESS

- a. North Rose Hill Neighborhood Meeting with the City Council

Council provided feedback on the neighborhood meeting format and schedule.

- b. Resolution R-4940, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN A SETTLEMENT AGREEMENT BETWEEN LOBSANG DARGEY AND TAMARA AGASSI DARGEY, POTOLA VILLAGE KIRKLAND, LLC, AND THE CITY OF KIRKLAND TO SETTLE

LITIGATION OVER PLAINTIFFS' CHALLENGE OF THE CITY'S MORATORIUM AS IT RELATES TO PLAINTIFFS' DEVELOPMENT OF THE POTALA VILLAGE PROJECT."

Planning and Community Development Director Eric Shields presented background information on the settlement agreement. City Attorney Robin Jenkinson also responded to Council questions. Action on this item has been deferred to Council's regular meeting of November 20, 2012.

- c. Ordinance O-4383 and its Summary, Relating to Transportation and Park Impact Fee Exemptions for Creation or Construction of Low-Income Housing and Amending Kirkland Municipal Code Chapters 27.04 and 27.06.

On recommendation of the Housing Committee, this item was deferred for consideration at a future Council meeting.

- d. Ordinance O-4384, Relating to Amending the Kirkland Municipal Code to Enact a New Chapter 7.74 Fair Housing Regulations; Prohibiting the Refusal to Rent a Dwelling Unit Solely on the Basis of a Section 8 Voucher or Certificate Rental Request; and Providing for the Enforcement Thereof by Amending Kirkland Municipal Code Section 1.12.020.

Planning Supervisor Dawn Nelson provided background and responded to Council questions and comment. Council asked staff to conduct further outreach and deferred action on this item to a future meeting.

12. REPORTS

- a. City Council

- (1) Regional Issues

- City Councilmembers shared information regarding a proposed name change for the Suburban Cities Association to Sound Cities Association, membership survey and membership rate adjustments; Totem Lake Symposium and compliments to Economic Development Manager Ellen Miller-Wolfe and City Manager Triplett; Kirkland Arts Center Gala Fete; proposal for supplemental ordinance relating to downtown residential suites development; Tech Cities coalition meeting; Gates Foundation housing conference; Sophia's Way housing opening; South Kirkland Park and Ride Transit Oriented Development groundbreaking; King County resolution authorizing expenditure of King County Flood Control District funds for projects and activities in the Water Resource Inventory Areas (WRIAs) including salmon recovery and Council agreed to follow up on other WRIA related issues.

- b. City Manager

- (1) Calendar Update

(2) Update on EMS Levy

City Manager Kurt Triplett remarked on the success of the ballot propositions.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council special meeting of November 7, 2012 was adjourned at 11:06 p.m.

City Clerk

Mayor