



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
September 05, 2006

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:

Members Present: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Members Absent: None.

3. STUDY SESSION

None.

4. EXECUTIVE SESSION

- a. To Discuss Potential Litigation

5. SPECIAL PRESENTATIONS

- a. Recognition of Citizen for Life Saving Rescue

Timothy Heaton was recognized for his efforts in saving the life of a vulnerable neighbor.

6. REPORTS

- a. City Council

(1) Regional Issues

Councilmembers shared information regarding the Kirkland Interfaith Network's back to school supplies drive; a reminder to watch out for children's safety walking to and from school; the Suburban Cities Association Public Issues Committee meeting; Eastside Transportation Partnership meeting; National Incident Management System training; Cascade Water Alliance Board meeting; Regional Transportation Commission Hearing; Suburban Cities Position Statement; Kirkland Classics Softball Team 55 and over Division Tournament Champions;

Lodging Tax Advisory Committee meeting; Police promotion ceremony; "Green Drinks" event; NorKirk Neighborhood Picnic; Kirkland Downtown Association Flowerpot fundraising event; Heritage Park Grand Opening; the Heritage Society's Blackberry Sundae Social; Enterprise Seattle Economic Update on Alternative Energy; and the Kirkland Concours d'Elegance.

b. City Manager

(1) Neighborhood Council Meeting Dates

(2) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Tod Johnson, 20513 113th Drive SE, Snohomish, WA

b. Petitions

(1) Kirkland Residents for Improvement of Traffic and Pedestrian Safety on Slater Avenue NE between NE 97th Street and NE 112th Place

Council acknowledged receipt of the petition.

8. CONSENT CALENDAR

a. Approval of Minutes: August 1, 2006

b. Audit of Accounts:

Payroll \$ 3,770,486.70

Bills \$ 2,514,445.37

run #617 check # 480675

run #618 check # 480701 - 480883

run #619 check # 480884 - 481118

run #620 check # 481119 - 481314

run #621 check # 481339 - 481489

run #622 check # 481490 - 481627

c. General Correspondence

(1) Margaret Carnegie, Regarding Sidewalk Installation with New Development

d. Claims

(1) Steve Ensminger

(2) Susan M. Hayes

(3) Ron Olson

(4) Geraldine Shippee

(5) Ardis Todd Tyson

e. Authorization to Call for Bids

f. Award of Bids

g. Acceptance of Public Improvements and Establishing Lien Period

h. Approval of Agreements

i. Other Items of Business

(1) Resolution R-4591, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING INTERNATIONAL COUNCIL FOR LOCAL ENVIRONMENTAL INITIATIVES (ICLEI) MEMBERSHIP & CITIES FOR CLIMATE PROTECTION CAMPAIGN PARTICIPATION."

(2) Authorizing Correspondence to King County Executive and Council Regarding Regional Veterans and Human Services Levy

(3) Resolution R-4592, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A SOLE SOURCE PURCHASE OF FIRE DEPARTMENT AID UNITS MANUFACTURED BY ROAD RESCUE, INC. AND SOLD BY H & W EMERGENCY VEHICLES, INC. AUTHORIZING THE PURCHASING AGENT TO MAKE SAID PURCHASE AS REPLACEMENT VEHICLES ARE REQUIRED FOR 2007, 2008, 2009 AND 2010."

(4) Ordinance No. 4055, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY LMJ ENTERPRISES LIMITED PARTNERSHIP, FILE NO. VAC05-00003

(5) Ordinance No. 4056, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING THE SALARY FOR THE MUNICIPAL COURT JUDGE AND REPEALING ORDINANCE NO. 4019."

(6) Resolution R-4595, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING A POLICY FOR INVESTMENT OF CITY FUNDS."

Motion to Approve the Consent Calendar.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

## 9. PUBLIC HEARINGS

- a Resolution R-4593, Expressing Intent to Vacate Portions of 1st Street South and an East/West Oriented Alley Located Between Kirkland Avenue and 1st Avenue South Filed by Merrill Gardens at Kirkland, LLC

The Mayor declared the public hearing open. Senior Planner Janice Soloff presented an overview of the project. Further testimony was provided by: Andy Loos, SRM Development, LLC, 808 5th Avenue North, Seattle, WA, Michelle Goerdel, 12511 NE 95th Street, Kirkland, WA, Glenn Peterson, Kirkland Parking Advisory Board, 319 Lake Street South, Kirkland, WA, Bea Nahon, 129 Third Avenue, Kirkland, WA. Following Council comment, no other testimony was offered and the Mayor closed the hearing.

Motion to Approve Resolution R-4593, entitled "A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING INTENT TO VACATE PORTIONS OF 1ST STREET SO. AND AN EAST/WEST ORIENTED ALLEY LOCATED BETWEEN KIRKLAND AVENUE AND 1ST AVENUE SO. FILED BY MERRILL GARDENS AT KIRKLAND, LLC, FILE NUMBER VAC06-00001."

Moved by Councilmember Dave Asher, seconded by Councilmember Bob Sternoff

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

- b. King County Proposition No. 1: Regular Property Tax Levy Automated Fingerprint Identification System Services. The King County Council passed Ordinance No. 15537 concerning this proposition for the Automated Fingerprint Identification System (AFIS) levy. This proposition would fund the continued operation and enhancement of the AFIS program, which assists law enforcement agencies in identifying and convicting criminals. It would authorize King County to levy an additional regular property tax of not more than \$0.0568 (5.68 cents) per \$1,000 of assessed valuation for collection in 2007 and levy the tax each year thereafter as allowed by chapter 84.55 RCW for each of the five succeeding years. Should this proposition be:           APPROVED           REJECTED

The Mayor opened the public hearing. Police Chief Stan Aston shared information regarding the AFIS program, followed by Council comment. No further testimony was offered and the Mayor closed the hearing.

(1) Resolution R-4590, Stating the City Council's Support for King County Proposition No. 1, the Automated Fingerprint Identification System (AFIS) Levy

Motion to Approve Resolution R-4590, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND STATING THE CITY COUNCIL'S SUPPORT FOR KING COUNTY PROPOSITION NO. 1, THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS) LEVY."

Moved by Councilmember Dave Asher, seconded by Councilmember Mary-Alyce Burleigh

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Council recessed for a short break at 9:09 p.m.

## 10. UNFINISHED BUSINESS

- a. Discussing Potential Annexation

City Consultants Penny Mabie and Sarah Brandt of EnviroIssues reviewed the proposed annexation communications strategy, which was approved by the City Council.

- b. Authorizing Support of proposed Recommendations for the Regional Solid

## Waste Transfer and Waste Export System Plan

Solid Waste Coordinator Elaine Borjeson described the proposed recommendations in the plan and responded to Council questions.

Motion to authorize Kirkland's MSWMAC representative to support the proposed recommendations contained in the draft of the Regional Solid Waste Transfer and Waste Export System Plan.

Moved by Councilmember Jessica Greenway, seconded by Deputy Mayor Joan McBride

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

## 11. NEW BUSINESS

- a. Northeast King County Regional Public Safety Communications Center (NORCOM) Status Briefing

Senior Management Analyst Tracy Burrows provided an update on the NORCOM project and received Council comments and questions. Other NORCOM team members responding were Mark Nelson, ADCOMM Engineering, CIO Brenda Cooper, Police Lt. Gene Markle and Fire Chief Jeff Blake.

- b. Resolution R-4594, Approving the Issuance of a Process II B Reasonable Use Permit as Applied for by Heather Skinner and Shawn Schneider Being Within a RSX 7.2 Zone, and Setting Forth Conditions to Which Such Process IIB Permit Shall be Subject

Councilmember Tom Hodgson recused himself from the deliberations for the appearance of fairness. Councilmember Greenway and Deputy Mayor McBride disclosed email and personal communications directed to them on the subject which they felt would in no way influence their consideration and deliberation of the issues before them. Following these actions, Planner Tony Leavitt reviewed the issues for consideration.

Motion to to suspend the Council rule of procedure which provides that the Council consider a Process IIB application at one meeting and vote on the matter at the next.

Moved by Councilmember Bob Sternoff, seconded by Deputy Mayor Joan McBride

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Motion to Approve Resolution R-4594, entitled "A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB REASONABLE USE PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON05-00003 BY HEATHER SKINNER AND SHAWN SCHNEIDER BEING WITHIN A RSX 7.2 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PROCESS IIB PERMIT SHALL BE SUBJECT."

Moved by Councilmember Bob Sternoff, seconded by Councilmember Mary-Alyce Burleigh

Vote: Motion carried 5-1

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, and Councilmember Bob Sternoff.

No: Councilmember Dave Asher.

- c. Award Bid for City Hall Direct Digital Control Replacement Project to ESC Automation and Authorize Budget Increase

Motion to Approve the award of bid for City Hall Direct Digital Control Replacement Project to ESC Automation in the amount of \$186,279 and to increase the project budget by approving the transfer of \$47,500. from the Facilities Sinking Fund Reserve to the this project to cover the cost overages in engineering and system replacement.

Moved by Deputy Mayor Joan McBride, seconded by Councilmember Mary-Alyce Burleigh

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

- d. Designating Delegates to the National League of Cities Annual Business Meeting

Motion to designate Councilmember Mary Alyce Burleigh as the City's delegate to the National League of Cities Annual Business Meeting.

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Joan McBride

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Motion to Approve designate Councilmember Bob Sternoff as the City's alternate delegate to the National League of Cities Annual Business Meeting.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

- e. Appointment to the Jail Advisory Group  
Motion to appoint Councilmember Bob Sternoff as Kirkland's representative to the Jail Advisory Group.  
Moved by Councilmember Dave Asher, seconded by Deputy Mayor Joan McBride  
Vote: Motion carried 7-0  
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

12. ANNOUNCEMENTS

None

13. ADJOURNMENT

The Kirkland City Council regular meeting of September 5, 2006 adjourned at 10:53 p.m.

---

City Clerk

Mayor