



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
July 01, 2008

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

a. Kirkland Green - Environmental Stewardship and Sustainability

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Green Team members: Director of Parks and Community Services Jennifer Schroder, Planning and Community Development Deputy Director Paul Stewart, Intergovernmental Relations Manager Erin Leonhart, Public Works Senior Storm Water Utility Engineer Jenny Gaus, Planning and Community Development Planner David Barnes, and Communication Program Manager Marie Stake.

4. EXECUTIVE SESSION

a. To Discuss Labor Negotiations

b. To Discuss Property Acquisition

5. SPECIAL PRESENTATIONS

First Congressional District Representative Jay Inslee addressed the Council.

a. Assistant City Manager Marilynne Beard - Twenty Year Recognition

b. Park and Recreation Month Proclamation

Director of Parks and Community Services Jennifer Schroder accepted the proclamation.

6. REPORTS

a. City Council

(1) Regional Issues

b. City Manager

(1) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Lisa McConnell, 5905 106th Avenue NE, Kirkland, WA  
Debra Sinick, 9415 110th Place NE, Kirkland, WA

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes: June 17, 2008

b. Audit of Accounts:

Payroll \$ 1,968,372.02

Bills \$ 2,406,795.12

run # 755 check #'s 499672 -499904

run # 756 check # 499905

run # 757 check #'s 499907 - 500049

run # 758 check #'s 500050 - 500103

c. General Correspondence

(1) Jill Keeney, Regarding Tree Removal Associated with Camwest  
Development Project at the Former Green's Funeral Home Site.

(2) Jill DeRoche, Regarding Pedestrian Safety and Facilities In and  
Around Downtown

d. Claims

e. Award of Bids

(1) Carter House Hazard Mitigation and Deconstruction with City

Hall Annex Hazard Mitigation contract was awarded to Performance Abatement Services, Inc., Seattle, WA in the amount of \$75,864.00. Council authorized the use of funds in the amount of \$47,960. from the the Rental Property Reserve.

(2) NE 124th Street/124th Avenue NE Intersection and Water Quality Improvements Project contract was awarded to Johansen Excavating, Inc. of Buckley, WA in the amount of \$1,297,747.70.

(3) 2008 Pavement Marking Project contract was awarded to Apply-A-Line Inc., Pacific, WA in the amount of \$179,638.00. Council authorized the use of funds in the amount of \$84,295.00 from the street improvement reserve.

- f. Acceptance of Public Improvements and Establishing Lien Period
- g. Approval of Agreements
- h. Other Items of Business

(1) Correspondence to King County Councilmember Jane Hague and King County Executive Ron Sims Regarding Annexation

(2) Report on Procurement Activities

Motion to Approve the Consent Calendar with the exception of item 8.h.(1). which was pulled and moved to item 12.a. and with edits to the response for item 8.c.(2). Moved by Councilmember Mary-Alyce Burleigh, 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.

## 9. UNFINISHED BUSINESS

- a. Roadway Pricing Policy Statement

Motion to adopt the proposed statement.

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.

- b. Correspondence to King County Council Chair Regarding Jail Contract

This item was pulled for consideration at a future meeting.

- c. Voted Utility Tax Increase

Finance and Administration Director Tracey Dunlap summarized information for Council and shared the pros and cons of election timing.

- d. Regarding Sound Transit 2 Joint Correspondence from the Cities of Kirkland, Redmond, Issaquah and Bellevue

Public Works Transportation Manager Dave Godfrey reviewed the issues for consideration and received direction regarding the content of a letter to be sent from the City regarding Sound Transit 2.

#### 10. NEW BUSINESS

- a. Ordinance No. 4137, Relating to Amending Ordinance No. 3848 to Redirect Remaining Bond Proceeds to Other Park Improvements

Motion to Approve Ordinance No. 4137, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO AMENDING ORDINANCE NO. 3848 TO REDIRECT REMAINING BOND PROCEEDS TO OTHER PARK IMPROVEMENTS."

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Tom Hodgson

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 9:30 p.m.

#### 11. PUBLIC HEARINGS

- a. Appealing Design Review Board Decision of the McLeod Mixed Use Project

Mayor Lauinger opened the public hearing. City Attorney Robin Jenkinson

reviewed the hearing parameters and status to date. Mayor Lauinger provided an opportunity for Councilmembers to disclose communications outside the hearing process. Councilmember Asher made note of correspondence on the dais addressed to Council. Mayor Lauinger then opened Council discussion whether to continue consideration of appeal issues numbered 3.3 through 3.5 continued from the hearing on June 17, 2008, and the alternative design offered by the applicant. Following Council deliberations, the Council directed that Staff return with a resolution at the next regular Council meeting adopting findings and conclusions consistent with their deliberations supporting the modification presented by the applicant at the June 17, 2008 meeting. Mayor Lauinger then continued the hearing to their July 15, 2008 meeting.

- b. Resolution R-4707, Adopting Findings and Conclusions and Reversing the Decision of the Design Review Board Granting Design Review Approval to the Bank of America/Merrill Gardens Mixed Use Project at 101 Kirkland Avenue (File No. DRC 07-0006; Appeal Case No. APL08-0001)

Mayor Lauinger reopened the continued hearing. City Attorney Robin Jenkinson reviewed the hearing parameters and status to date. Mayor Lauinger then provided an opportunity for Councilmembers to disclose communications outside the hearing process. Mayor Lauinger disclosed an email received from Donna Ray, which he stated would not affect his opinion relative to the deliberations. Councilmember Asher again noted the correspondence received by Council and placed on the dais. Following Council's discussion of the direction of the hearing, Mayor Lauinger then reopened testimony to consider the applicant's submission of proposed modifications to the project design.

Testimony was provided by:

Molly Lawrence, Attorney for the applicant

Chad Lorentz, Project Architect, Runberg Architecture Group

Richard Aramburu, Attorney for the appellant

The Mayor closed that portion of the hearing and Council began deliberations. Following a failed motion to remand the proposed modifications back to the Design Review Board, Mayor Lauinger continued the hearing to Council's next regular meeting on August 5, 2008.

Motion to remand the proposed modified design back to the Design Review Board.

Moved by Councilmember Tom Hodgson, seconded by Councilmember Jessica Greenway

Vote: Motion failed 3 - 4

Yes: Deputy Mayor Joan McBride, Councilmember Jessica Greenway, and Councilmember Tom Hodgson.

No: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember

Mary-Alyce Burleigh, and Councilmember Bob Sternoff.

12. ANNOUNCEMENTS

(1) Correspondence to King County Councilmember Jane Hague and King County Executive Ron Sims Regarding Annexation

Motion to table this item for consideration at a future 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.

13. ADJOURNMENT

The Kirkland City Council regular meeting of July 1, 2008 was adjourned at 11:48 p.m.

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City Clerk

Mayor