



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
August 05, 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. 2009 to 2014 Capital Improvement Program

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Finance and Administration Director Tracey Dunlap, Public Works Director Daryl Grigsby, Financial Planning Manager Sandi Hines, Capital Projects Manager Ray Steiger, and Senior Financial Analyst Sri Krishnan.

4. EXECUTIVE SESSION

a. To Discuss Labor Negotiations

5. SPECIAL PRESENTATIONS

a. 520 Tolling Implementation: Puget Sound Regional Council Executive Director Bob Drewel and Director of Government Relations and Communications Rick Olson

b. Sustainability Study: Kathleen O'Brien, O'Brien & Company

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding a recent meeting with

concerned citizens about the BNSF trail; Cascade Water Alliance; 520 Tolling meetings; Criterium bike race; Neighborhood Association picnics; Jail siting meeting with King County; and a tour of Park and Ride/Transit oriented development facilities.

b. City Manager

(1) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Todd Boyle, 9745 128th Avenue NE, Kirkland, WA
Odd Hauge, 11844 NE 90th Street, Kirkland, WA
Kim Sanford, 999 Lake Drive, Issaquah, WA
Chris Ferko, 18215 72nd Avenue South, Kent, WA
Patrick Mullaney, 1111 3rd Avenue, Seattle, WA
Kevin Murphy, 21214 NE 151st Street, Woodinville, WA
Paul Nienaber, 12609 NE 5th, Bellevue, WA
Mike Nienaber, 7829 NE 14th Street, Medina, WA
Ben Lindekugel, 1000 North Northlake, Seattle, WA
Bill Vadino, 401 Parkplace, Ste. 102, Kirkland, WA
Ogan Subaykan, 11802 NE 69th Place, Kirkland, WA

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes: July 15, 2008

b. Audit of Accounts:

Payroll \$ 2,114,547.95
Bills \$ 3,023,988.46
run # 761 check #'s 500419 - 500692
run # 762 check # 500720
run # 763 check #'s 500721 - 500829
run # 764 check #'s 500831 - 500993

c. General Correspondence

d. Claims

(1) Angela Warmuth

e. Award of Bids

- f. Acceptance of Public Improvements and Establishing Lien Period
 - (1) Police Department Jail Kitchen Tenant Improvement Project
 - (2) 2007 Emergency Sewer Construction Program

- g. Approval of Agreements
 - (1) Cascade Water Alliance Membership Audit Acceptance Agreement

 - (2) Resolution R-4716, entitled "A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON07-00039 BY KING COUNTY DEPARTMENT OF NATURAL RESOURCES AND PARKS, SOLID WASTE DIVISION BEING WITHIN A PARK ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PROCESS IIB PERMIT SHALL BE SUBJECT."

 - (3) Resolution R-4717, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING PARTICIPATION BY THE CITY IN A COOPERATIVE PURCHASING AGREEMENT WITH THE WASHINGTON STATE DEPARTMENT OF GENERAL ADMINISTRATION'S OFFICE OF STATE PROCUREMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND."

- h. Other Items of Business
 - (1) Resolution R-4718, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SUBDIVISION AND FINAL PLAT OF JUANITA BAY TOWNHOMES BEING DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. FSB08-00001 AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBDIVISION AND FINAL PLAT SHALL BE SUBJECT."

 - (2) Resolution R-4719, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RATIFYING AMENDMENTS TO THE KING COUNTY COUNTYWIDE PLANNING POLICIES."

 - (3) Resolution R-4720, entitled "A RESOLUTION OF THE CITY

COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS CEDOMIR AND LUCIA IOVANOVICI."

(4) Resolution R-4721, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS DOUGLAS J. AND LINDA M. JAMIESON."

(5) Resolution R-4722, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER THOMAS WOLTER."

(6) Remittance of Concours d'Elegance Admissions Tax Receipts to Evergreen Hospital

(7) Report on Procurement Activities

Motion to Approve the Consent Calendar.

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.

Council recessed for a short break at 9:04 p.m.

9. UNFINISHED BUSINESS

None.

10. NEW BUSINESS

a. Tax Burden Study

Finance Director Tracey Dunlap introduced Brett Sheckler and Michael Hodgins of Berk and Associates, who provided background and reviewed the results of the update.

- b. Status Report on Touchstone (Parkplace), Orni and Alton Private Amendment Requests

Senior Planner Angela Ruggeri and Planning Commission Chair Byron Katsuyama reviewed the actions to date and provided a current status report on the process.

- c. Costco Wholesale Private Amendment Request

Motion to direct the Planning Commission to study the Costco Wholesale Private Amendment Request to amend the Comprehensive Plan and Zoning Code for the RH 1B zone as part of the 2008 work program.

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

Vote: Motion carried 6-1

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

No: Councilmember Dave Asher.

11. PUBLIC HEARINGS

- a. 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. Councilmember Greenway disclosed a recent conversation with a citizen which she stated would not affect her ability to make a fair and impartial decision. Councilmember Asher made note of communications from the parties which had been forwarded by staff.

Testimony was provided by:

Molly Lawrence, Attorney for the applicant

Chad Lorenz, Project Architect, Runberg Architecture Group

Jim McElwee, CiViK representative

Bea Nahon, CiViK representative

The Mayor then closed that portion of the hearing and Council began deliberations. Following the motions and votes, the Mayor closed the public hearing.

Motion to modify the decision of the Design Review Board by accepting the applicant's modified proposal as shown in attachment 6, exhibits 1, 2 and 3

of the SRM response to CiViK questions dated July 18, 2008. and to accept the modified design.

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

Vote: Motion failed 3 - 4

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

No: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Jessica Greenway, and Councilmember Tom Hodgson.

Motion to Approve Resolution R-4707, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND 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)."

Moved by Councilmember Jessica Greenway, seconded by Councilmember Dave Asher

Vote: Motion carried 4-3

Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Jessica Greenway, and Councilmember Tom Hodgson.

No: Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, and Councilmember Bob Sternoff.

12. ANNOUNCEMENTS

None.

13. ADJOURNMENT

The Kirkland City Council Special Meeting of August 5, 2008 was adjourned at 11:26 p.m.

City Clerk

Mayor