



## CITY OF KIRKLAND

City Manager's Office

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### MEMORANDUM

**To:** Dave Ramsay, City Manager

**From:** Marilynne Beard, Assistant City Manager

**Date:** March 30, 2009

**Subject:** RESPONSE TO LETTER FROM JIM MCELWEE

#### RECOMMENDATION:

City Council approve the attached draft letter in response the Mr. Jim McElwee's email regarding the Kirkland First partners committee leadership.

#### BACKGROUND:

The City Council received an email from Jim McElwee concerning his comments about the Kirkland First program that were presented under "Items from the Audience" at the March 17 Council meeting. Staff worked with Mayor Lauinger to develop a response from the Council.

Date: March 23, 2009  
To: Kirkland City Council  
From: Jim McElwee  
12907 NE 78<sup>th</sup> Place, Kirkland 98033  
Subject: McElwee comments at City Council Meeting Tuesday, March 17, 2009

I addressed the City Council at your regular meeting of Tuesday March 17, 2009 under Item 7.a Items from the Audience. Following my comments Councilmember Burleigh asked some rather pointed questions of me, and an item 11.d “Kirkland Buy Local Steering Committee” was added to the agenda to discuss my commentary. I am addressing here some of the salient points raised by Councilmember Burleigh and some other Council members.

#### No attack on Mallory

Contrary to implications by some of the Council Members in your subsequent discussion of my comments during Item 11.d, I did not attack Mr. Larry Mallory. I stated that choosing him to lead the program showed poor judgement on the part of the City Administration. The City Manager’s prior experience in the Honda of Kirkland rezone and his numerous discussions with neighborhood leaders regarding the conduct and consequences of that matter, including recent facilitated meetings with South Rose Hill/Bridle Trails neighborhood leaders, three Council members and several Staff members, should have provided him with more than adequate knowledge of the consequences of making the current choice.

#### Mea culpa for protecting the innocent

I may have stepped beyond the normal bounds of decorum in publicly calling out the City Manager’s failure to counsel or mentor his direct report, the Economic Development Manager, regarding the Kirkland First leadership selection. If so, mea culpa, but I have found in my not-insignificant years of living that using euphemisms and providing only indirect references to points of conflict permit responsible parties to deflect blame onto others of lesser position such as a direct report. I am very conscious of the fact that the Economic Development Manager was not part of the City Administration during the Honda of Kirkland rezone and that she probably did not have the knowledge base to appreciate the consequences of choosing this particular leader of the Kirkland First program. I fully accept the responsibility for my actions in protecting an innocent party. I will not apologize for that.

#### The big tent

The City Manager and some Council Members referred to a “big tent” concept that would allow all parties to participate. I heartily endorse this concept, and I have no problem whatsoever with the Honda of Kirkland leadership being included in that big tent. Some of the Council comments imply that I did not want Mr. Mallory included. I find that disingenuous. I did not say that, and I did not imply that in my comments. In fact, nothing could be farther from the truth. In my discussion of this matter with Mr. Mallory and the Economic Development Manager on February 25, I made it clear that I want Mr. Mallory or anyone of his choosing from Honda of Kirkland on the Kirkland First team. As valuable members of the Kirkland business community they deserve a place if they so desire. My concern goes to the City’s choice of leadership which will divide the community rather than unite it.

#### Get over it!

Some Council members lamented that I and other neighborhood residents still had the Honda of Kirkland rezone event in our memories. I suspect that those who would make such statements have no concept of the depth of disrespect felt by the residents who worked so long and hard to

achieve the very workable Comprehensive Plan amendments which became our NE 85<sup>th</sup> Street Corridor Plan and the North Rose Hill Neighborhood Plan. Our memories make us human. Deal with them, process them? Yes. Forget them? No. Once burned, we become wary. Those of us who are active in our neighborhoods have learned through experiences such as the Honda of Kirkland rezone that vigilance is absolutely necessary to protect the particular character of our neighborhoods. To forget that lesson would be a disservice to ourselves and our communities.

Unseemly and inappropriate comments

At the conclusion of my remarks before the Council, Councilmember Burleigh questioned the basis for my comments regarding acceptance and support of the program by the neighborhoods, asking if I had taken a vote of the neighborhoods. She concluded her comments with the statement, “I live in one of those neighborhoods, and no one asked me.” If Councilmember Burleigh had been in attendance at her Neighborhood Association meeting (North Rose Hill) the prior evening, she could have participated in the discussion as numerous others did. I attended that meeting, just as I attend numerous Neighborhood Association meetings in Kirkland to understand the issues of importance at the resident level within Kirkland.

Additionally, Councilmember Burleigh stated that I had made “serious comments and criticisms of our staff” and she deemed my comments “unseemly” and “inappropriate”. If you listen to my comments, you will find that I make a single criticism of Staff—that Staff’s choice of leadership for the Kirkland First program was ill advised. I’m very glad to understand that Councilmember Burleigh recognizes that the action (inaction?) by the City Manager was serious. Kirkland First is an important (and not inexpensive) initiative, and to risk destroying its effectiveness with a cavalier attitude toward its customers, the residents of Kirkland, is serious indeed. Regarding the question of whether my comments were unseemly or inappropriate, I ask of you, and I would appreciate very much having your prompt written response, is it inappropriate and unseemly to bring damaging or destructive actions and policies to your attention? It has been my understanding that “Items from the Audience” was intended for citizens to bring troubling items to the Council’s attention, to explain why those issues are troubling and why they are important to us. Has my understanding been wrong? Doesn’t the fact that City Staff are participants in those actions and policies make the issue of paramount importance to the City Council? Am I, as an involved citizen of Kirkland, supposed to couch my remarks in in such a sense that only those intimately familiar with the situation would understand my meaning—and leave my meaning open to misinterpretation? Or, would you prefer plain talk which ordinary citizens, City Council and City Staff can all understand?

*I await the written response of Council and Staff at the earliest practical time.*

Thank you.

Attachment: Speaker notes for my comments on March 17

March 17, 2009 Comments before City Council during Items from the Audience

Jim McElwee

12907 NE 78<sup>th</sup> Place in the South Rose Hill neighborhood

Mr. Mayor, Deputy Mayor, Council Members,

I'm going to comment tonight on Kirkland history and how those who ignore our history create consequences in the present—a look back, a look at the present, the consequences for Kirkland's future.

The historical event I refer to is the Honda of Kirkland incursion into our neighborhood residential zoning. The Council Members and the City Manager are very familiar with the event, but for our extended audience, in this room and watching at home on TV, let me provide some background.

This rezone, initiated by the City Administration, occurred almost immediately following an extensive process of public involvement in drafting and approving the latest Comprehensive Plans for the Northeast 85<sup>th</sup> Street Corridor and the North Rose Hill neighborhood. Those plans were immediately ripped asunder by a City Administration initiated rezone of residential land to commercial land for the benefit of Honda of Kirkland...and to the detriment of the North Rose Hill neighborhood and any neighborhood who relied on the Comprehensive Plan to insure the orderly character of the neighborhood.

Why is that history relevant to today?

Currently the City Administration has started another initiative, Kirkland First, a "buy local" program. At first glance, every neighborhood in town would eagerly support such an initiative, and, in fact the success of the program depends on the buy-in by our residents.

HOWEVER.....the leader selected for the program is the leader of Honda of Kirkland.....The very poster child for how NOT to treat Kirkland neighborhoods has been chosen to lead the program. .... Not acceptable to neighborhoods.

Our Economic Development Manager was not part of the Honda of Kirkland rezone experience, but our City Manager was, and he has been reminded often of the raw wounds which exist among neighborhood residents to this very day. So I understand how someone without history could have proposed Honda to lead, but I cannot understand how her leader would choose not to intervene. This is what a City Manager's role is—to lead and to mentor his employees. The responsibility for this miscalculation must be laid directly at the feet of the City Manager.

If you want this initiative to succeed, and I hope you do, be aware that it cannot be successful without the support of the neighborhoods—that is, the residents of Kirkland and the customers who would buy from Kirkland businesses.

And it will not have that required support so long as it is led by Honda of Kirkland and so long as the City Administration disrespects those very neighbors necessary for its success.

Thank you.

**DRAFT**

April 8, 2009

Jim McElwee  
12907 NE 78<sup>th</sup> Place  
Kirkland, Washington 98033

Dear Mr. McElwee;

On behalf of the City Council, I would like to respond to your most recent email regarding the Kirkland First program and the discussion that was held at the March 17 Council meeting. At that meeting, you expressed your concerns about the City asking Larry Mallory, owner of Honda of Kirkland, to serve as chair of the Kirkland First partners committee. The Kirkland First committee represents a group of business and neighborhood representatives that will assist in developing a website encouraging people to “buy local” by patronizing Kirkland businesses. The buy local program is one way to support the community’s economic health. Your concerns centered on a previous zoning issue involving Honda of Kirkland that was very contentious and divisive, especially for the Rose Hill neighborhoods and the local businesses. While the zoning issue was decided by the City Council some years ago, we understand that there continues to be sentiment of disappointment in both the process and outcome.

The purpose of our public hearings and “Items from the Audience” is to allow the public to comment on any action, concern or interest they have about the community or their city government. We appreciate and take seriously everyone’s comments regardless of whether they are positive or negative or whether or not individual Council members agree with those comments. Kirkland has a long history of civil discourse and we will continue to support constructive praise and criticism as we believe it improves our ability to serve our citizens.

As we mentioned at the meeting, Kirkland First is a new program that needs everyone’s support – businesses and neighborhoods alike. We can assure you that we have heard and understand your concerns. We encourage you and other neighborhood leaders to help us focus on Kirkland’s future and stay involved as partners in the development of the Kirkland First program. We need and appreciate everyone’s participation in making Kirkland a vibrant community.

Sincerely,  
KIRKLAND CITY COUNCIL

James I. Lauinger, Mayor