



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES  
April 21, 2009

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, and Councilmember Tom Hodgson.

Members Absent: Councilmember Bob Sternoff.

Councilmember Sternoff's absence was excused as he was out of town.

3. STUDY SESSION

- a. Joint Meeting with Park Board

Joining councilmembers for this discussion in addition to City Manager Dave Ramsay were Director of Parks and Community Services Jennifer Schroder and Park Board members Jennifer Davies, Robert Kamuda, John Smiley, Adam White and Chair Colleen Cullen.

4. EXECUTIVE SESSION

- a. To Review the Performance of a Public Employee

5. SPECIAL PRESENTATIONS

- a. Michael Cogle, Park Planning and Development Manager - Twenty-Five Year Recognition

- b. Child Abuse Prevention Month Proclamation

Accepting the proclamation were Children's Response Center Board Members Rebecca Reed and Deborah Feldman.

- c. Juanita Neighborhoods Banner Project

Past Juanita Neighborhood Association Chair Norm Storme reviewed the project process and plan.

- d. Opening Day of the Kirkland Wednesday Market - Jodi Bardinelli, Director

6. REPORTS

- a. City Council

- (1) Regional Issues

Councilmembers shared information regarding Fire Chief Jeff Blake's retirement; Annual NorKirk Garage Sale; Sound Transit Board meeting and eastside route options; Eastside Transportation Partnership meeting presentation by Puget Sound Regional Council member Michael Cummings on Transportation 2040; and Deputy Mayor McBride's recent appointment as the new Vice Chair of King County Flood Control District.

- b. City Manager

- (1) City Council 2009 Retreat Follow-up

- (2) 2009 Legislative Update 7

- (3) Calendar Update

7. COMMUNICATIONS

- a. Items from the Audience

Blair Jordan, 11410 NE106th Lane, Kirkland, WA  
Jodi Bardinelli, 11134 NE 97th Street, Kirkland, WA  
Les Utley, 211 Kirkland Avenue, Kirkland, WA  
Ryan Noel, 11215 NE 124th Street, Kirkland, WA  
Colleen Cullen, 12217 NE 82nd Lane, Kirkland, WA  
Brad Malloy, 10020 131st Place NE, Kirkland, WA  
Sheri Sanders, 17739 NE 101st Court, Redmond, WA  
Adel Benslimare, 9935 NE 144th Lane, #1006, Bothell, WA

- b. Petitions

None.

8. CONSENT CALENDAR

- a. Approval of Minutes:

- (1) April 6, 2009

(2) April 7, 2009

b. Audit of Accounts:

Payroll \$ 2,150,570.96

Bills \$ 700,073.69

run # 819 check #'s 507728 - 507918

run # 820 check #'s 507920 - 508050

c. General Correspondence

(1) Proposed Citizen Response Letter Regarding Annexation

d. Claims

None.

e. Award of Bids

None.

f. Acceptance of Public Improvements and Establishing Lien Period

None.

g. Approval of Agreements

None.

h. Other Items of Business

(1) Ordinance No. 4192, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO RESTRICTING ACCESS BY BOATS AND SWIMMERS TO THE JUANITA BAY WILDLIFE HABITAT AREA."

(2) Resolution R-4757, entitled "A RESOLUTION OF THE CITY COUNCIL NOTICING THE HEARING TO CONSIDER A REQUEST FOR THE EXTENSION OF THE LEASE AGREEMENT BETWEEN THE CITY OF KIRKLAND AND HOPELINK FOR THE SOUTH ROSE HILL WATER DISTRICT BUILDING."

(3) Correspondence to Washington Congressional Delegation Supporting the Federal Alpine Lakes Wilderness Bill

(4) Report on Procurement Activities

Motion to Approve the Consent Calendar with edits to the draft response letter for item 8.c.(1). as directed.

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

Vote: Motion carried 6-0

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

Council recessed for a short break.

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. Lodging Tax Advisory Committee Recommendation on Kirkland Uncorked

Special Project Coordinator Sheila Cloney and Economic Development Manager Ellen Miller-Wolfe responded to Council questions and comment and received Council general support for the 2009 festival as planned.

b. Climate Protection Action Plan Draft

Intergovernmental Relations Manager Erin Leonhart, Management Analyst Vandana Ingram-Lock and Internal Services Manager Donna Burris presented the draft plan and received Council feedback and direction for next steps.

c. Ordinance No. 4193, Fast Track Zoning Code and Kirkland Municipal Code Amendments

Development Review Manager Nancy Cox reviewed the proposed amendments and responded to Council questions and comment.

Motion to Approve Ordinance No. 4193 and it's Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ZONING, PLANNING, AND LAND USE; ADOPTING MINOR AMENDMENTS PURSUANT TO CHAPTER 161 KZC; AMENDING PORTIONS OF THE FOLLOWING CHAPTERS OF ORDINANCE 3719 AS AMENDED, THE KIRKLAND ZONING ORDINANCE: CHAPTER 1 - USER GUIDE; CHAPTER 5 - DEFINITIONS; CHAPTER 17 - RSX ZONES; CHAPTER 20 - RM ZONES; CHAPTER 45 - BC ZONES; CHAPTER 47 - BCX ZONES; CHAPTER 48 - LIT ZONES; CHAPTER 49 - PARK ZONE; CHAPTER 95 -

TREE MANAGEMENT AND REQUIRED LANDSCAPING; CHAPTER 100 - SIGNS; CHAPTER 115 - MISCELLANEOUS STANDARDS; CHAPTER 117 - PERSONAL WIRELESS FACILITIES; CHAPTER 142 - DESIGN REVIEW; CHAPTER 127 - TEMPORARY USE; CHAPTER 145 - PROCESS I; CHAPTER 150 - PROCESS IIA; CHAPTER 152 - PROCESS IIB; CHAPTER 155 - PROCESS III; CHAPTER 160 - PROCESS IV; CHAPTER 161 - PROCESS IVA; CHAPTER 162 - NONCONFORMANCE; CHAPTER 175 - BONDS; AMENDING PORTIONS OF THE FOLLOWING TITLE OF THE MUNICIPAL CODE: TITLE 24.02 SEPA PROCEDURES AND POLICIES; AND APPROVING A SUMMARY ORDINANCE FOR PUBLICATION, FILE NO. ZON09-00002."

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

Vote: Motion carried 6-0

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

- d. Resolution R-4758, Adopting the Board and Commission Appointment and Reappointment Policy

Motion to Approve Resolution R-4758, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE BOARD AND COMMISSION APPOINTMENT AND REAPPOINTMENT POLICY" as amended.

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

Vote: Motion carried 4-2

Yes: Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, and Councilmember Tom Hodgson.

No: Mayor Jim Lauinger, and Councilmember Jessica Greenway.

Motion to Amend Resolution R-4758 by replacing the proposed term "household members" with the term "domestic partners" in the Board and Commission Appointment Policy under the heading "Eligibility."

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

Vote: Motion carried 5-1

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

No: Councilmember Jessica Greenway.

- e. Downtown Zoning Remaining Issues

this item was postponed to a future meeting.

f. Reconsideration of Ordinance No. 4190

This item was added to the agenda.

Motion to reconsider Ordinance No. 4190.

Moved by Councilmember Jessica Greenway, seconded by Councilmember Dave Asher

Vote: Motion carried 6-0

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

Motion to Approve Ordinance 4190 as amended.

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

Vote: Motion failed 1 - 5

Yes: Councilmember Mary-Alyce Burleigh.

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

Motion to Approve Ordinance No. 4190, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LIMITATIONS ON CONTRIBUTIONS FOR CITY COUNCIL CAMPAIGNS AND CREATING A NEW CHAPTER OF 3.12 OF THE KIRKLAND MUNICIPAL CODE" as originally presented.

Moved by Councilmember Jessica Greenway, seconded by Councilmember Dave Asher

Vote: Motion carried 4-2

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

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

11. NEW BUSINESS

a. Authorizing Call for Bids for Everest Park Grandstands

Motion to authorize the Call for Bids for Everest Park Grandstands as recommended by Park Board and staff.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica

Greenway, and Councilmember Tom Hodgson.

- b. 2009 Private Amendment Requests - Plaza at Yarrow Bay ZON07-00018, and Bridle Trails Shopping Center/Tech City Bowl ZON09-00004

Motion to Support the Planning Commission recommendation for two 2009 Private Amendment Requests - Plaza at Yarrow Bay ZON07-00018, and Bridle Trails Shopping Center/Tech City Bowl ZON09-00004.

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

Vote: Motion carried 6-0

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

- c. Aubry Short Plat

This item was added to the agenda. Following a short discussion Council requested a briefing on this issue at their May 5, 2009 regular meeting.

- d. Contract for Legal Services

Motion to authorize a \$10,105. expenditure limit from Council contingency funds in payment of legal expenses to the Kenyon Disend law firm for the services of attorney Bob Sterbank in reviewing the Bank of America appeal process.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 6-0

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

## 12. ANNOUNCEMENTS

None.

## 13. ADJOURNMENT

The Kirkland City Council regular meeting of April 21, 2009 was adjourned at 11:05 p.m.

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City Clerk

Mayor