



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES

July 07, 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, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Members Absent: None.

3. SPECIAL STUDY SESSION

a. 2009-2010 Mid-Year Budget Review

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Assistant City Manager Marilynne Beard, Director of Finance and Administration Tracey Dunlap, and Financial Planning Manager Sandi Hines.

Also contributing to the discussion were Chief Information Officer Brenda Cooper, Director of Public Works Daryl Grigsby, City Attorney Robin Jenkinson, Director of Fire and Building Fire Chief Kevin Nalder, Chief of Police Eric Olsen, Director of Parks and Community Services Jennifer Schroder, Director of Human Resources Bill Kenny, and Director of Planning and Community Development Eric Shields.

4. EXECUTIVE SESSION

None.

5. SPECIAL PRESENTATIONS

a. Kathleen (Kathy) Joyner, Twenty Year Service Award

b. National Park and Recreation Month Proclamation

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding an upcoming Suburban Cities Association Public Issues Committee meeting; Association of Washington Cities conference; Bridle Trails Party in the Park; Jail Operating Group meeting; 4th of July festivities; and the City Manager recruitment process.

b. City Manager

(1) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Ben Lindekugel
Dawn Mangano
Cindy Zech
Sants Contreras
Martin Morgan
Ann Levine
Gary Greenberg
Scott Brady
Barbara Ramey
Lauret Ballsun
Sharon Riddle

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes:

(1) June 16, 2009 Special Meeting

(2) June 16, 2009

b. Audit of Accounts:

Payroll \$ 2,117,216.26
Bills \$ 3,760,826.24
run #833 check #'s 509409 - 509417
run #834 check #'s 509419 - 509592
run #835 check #'s 509593 - 509636
run #836 check #'s 509663 - 509753
run #837 check #'s 509756 - 509890

run #838 check #'s 509891 - 509954

c. General Correspondence

- (1) Sally Mackle, Regarding Special Event Permits

d. Claims

- (1) Eric M. Eliason
- (2) Christi Nussmeier
- (3) Sivaruban Sivanesan
- (4) Daniel Thonn

e. Award of Bids

- (1) North Reservoir Rehabilitation/Repainting Project, Ebenal General Inc., Bellingham, WA,

The contract for schedules A, B (option 2) and C, was awarded in the amount of \$2,465,666.25.

f. Acceptance of Public Improvements and Establishing Lien Period

- (1) Market Street Sanitary Sewer Main and Storm Sewer Replacement Project

g. Approval of Agreements

h. Other Items of Business

- (1) Approving Correspondence to Washington State Transportation Commission Regarding Kollin Nielson Memorial Naming of the I-405 Bridge Over NE 116th Street

(2) Ordinance No. 4197, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BUSINESS ACTIVITY IN CITY PARKS AND AMENDING KIRKLAND MUNICIPAL CODE SECTION 11.80.100."

(3) Ordinance No.4198, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BUSINESS LICENSE EXEMPTIONS FOR PARK EVENTS AND AMENDING KIRKLAND MUNICIPAL CODE SECTION 7.02.060."

(4) Ordinance No. 4199, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ADVANCEMENT OF TRAVEL EXPENSES FOR CITY OFFICIALS AND EMPLOYEES AND REPEALING CHAPTER 3.76 OF THE KIRKLAND MUNICIPAL CODE."

(5) Ordinance No. 4200 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO STORM AND SURFACE WATER MANAGEMENT AND WATER QUALITY."

This item was pulled for consideration under New Business as item 11.d.

(6) Ordinance No. 4201, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2009-2010."

(7) Ordinance No. 4202 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION RATES, AMENDING ORDINANCE 4144 AND AMENDING SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE FOR MISCELLANEOUS SERVICE FEES."

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

(9) Resolution R-4765, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER MICHAEL H. BERG."

(10) Reporting on Procurement Activities

Motion to Approve the Consent Calendar with the exception of item 8.h.(5)., which was moved to New Business, item 11.d. and a small edit to the response letter for item 8.c.(1).

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. PUBLIC HEARINGS

- a. Ordinance No. 4196 and its Summary, Relating to Zoning and Land Use and Preparing Zoning Regulations for the Finn Hill, Kingsgate and North Juanita Annexation Area; Adopting Zoning Code Amendments; Adopting Kirkland Municipal Code, Title 22, Amendments; Adopting an Annexation Zoning Map; Adopting an Annexation Comprehensive Plan Land Use Map; Adopting a Streams and Wetlands Map; Adopting a Landslide and Seismic Hazard Map; and Approving a Summary Ordinance for Publication, File No. ANN09-00001

Mayor Lauinger opened the public hearing. Planning Supervisor Jeremy McMahan provided an overview of key issues. Testimony was provided by:
Mike Perry
Katherine Winder
Scott Brady
Robert Villareale
Susan Harmon
Martin Morgan

No further testimony was offered and the Mayor closed that portion of the hearing and Council began deliberations. Mr. McMahan responded to Council questions and comment. Following deliberations, Mayor Lauinger reopened and continued the hearing to Council's meeting on July 21, 2009.

- b. Voted Private Utility Tax Increase

Mayor Lauinger opened the public hearing. Finance and Administration Director Tracey Dunlap provided an overview of the issues.

Testimony was provided by:

Katherine Winder

Bill Dunlap

Scott Brady

No further testimony was offered and the Mayor closed the hearing.

10. UNFINISHED BUSINESS

- a. Potential Annexation Update and Discussion of Appointments to Committee to Write Pro and Con Statements for the Ballot Measure and a Resolution Regarding Continued Operation of Card Room:

Motion to Appoint Ken Davidson, Toby Nixon and Jackie Pendergrass to the Annexation Ballot Statement "PRO" committee.

Moved by Councilmember Mary-Alyce Burleigh, seconded by

Councilmember Bob Sternoff

Vote: Motion carried 7-0

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

Motion to Appoint Scott Brady, Robert Style and Katherine Winder to the Annexation Ballot Statement "CON" committee.

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

Vote: Motion carried 7-0

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

- 1) Resolution R-4766, Expressing Intent to Allow Continued Operation of Existing Cardhouses or Casinos in the Potential Annexation Area

Motion to Approve Resolution R-4766, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND EXPRESSING ITS INTENT TO ALLOW CONTINUED OPERATION OF EXISTING CARDHOUSES OR CASINOS IN THE POTENTIAL ANNEXATION AREA."

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

Vote: Motion carried 5-2

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

No: Councilmember Dave Asher, and Councilmember Tom Hodgson.

- b. Authorizing Interagency Agreement and Local Funding for Downtown Transit Center

Motion to Authorize the City Manager to sign an Interagency Agreement with Sound Transit that identifies roles, responsibilities and objectives.

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

Vote: Motion carried 7-0

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

Hodgson.

- c. Authorizing Letter of Comment to Puget Sound Regional Council Regarding Transportation 2040 Draft Environmental Impact Statement

Motion to Authorize the Mayor to sign a letter of comment to Puget Sound Regional Council regarding Transportation 2040 Draft Environmental Impact Statement incorporating amendments as directed.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

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. Considering Applications for Voted Private Utility Tax Increase Ballot Issue Pro/Con Committee Appointments

Motion to Appoint Sharon and Tom Sherrard to the Voted Private Utility Ballot Statement "PRO" committee, and Mike Nykreim and Robert Style to the "CON" committee.

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. Resolution R-4767, Authorizing the City Manager to Sign the Interlocal Agreement for Use of Facilities Between the Lake Washington School District and the City of Kirkland

Motion to Approve Resolution R-4767, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN THE INTERLOCAL AGREEMENT FOR USE OF FACILITIES BETWEEN THE LAKE WASHINGTON SCHOOL DISTRICT AND THE CITY OF KIRKLAND."

Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Jessica Greenway

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.

- c. Design Review Board Draft Resolution in Regard to Touchstone Development of Park Place

Council provided comment and feedback for the Design Review Board and staff on the draft resolution.

- d. Ordinance No. 4200 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO STORM AND SURFACE WATER MANAGEMENT AND WATER QUALITY."

This item was pulled from the consent calendar for consideration. Council requested additional information and deferred action on the ordinance to a future meeting.

12. ANNOUNCEMENTS

None.

13. ADJOURNMENT

The Kirkland City Council special study session and regular meeting of July 7, 2009 was adjourned at 11:28 p.m.

City Clerk

Mayor