



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
October 20, 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. STUDY SESSION

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Senior Council members Doris Ford, Kathy Iverson, Caolyn Kelso, Stuart Ostfeld, Barbee Pigott, Chair Don Bartleson and Peter Kirk Community Center Supervisor Dana LaRue. Senior Council members also present were Sheryl Henry, Joan Lester and Bob MCCrory.

4. EXECUTIVE SESSION

a. To Discuss Potential Litigation

5. SPECIAL PRESENTATIONS

a. Planning and Community Development Department Service Awards:

25 Years of Service:

Development Review Manager Nancy Cox
Senior Planner Joan Lieberman Brill

20 Years of Service:

Planning Supervisor Dawn Nelson
Senior Planner Dorian Collins
Senior Planner Angela Ruggeri
Senior Planner Janice Soloff
Code Enforcement Officer Judd Tuberg

b. Community Planning Month Proclamation

c. Community Wildlife Habitat Certification

Co Chairs Beth and John McCaslin introduced their team members, explained the process for becoming a certified Community Wildlife Habitat and introduced Courtney Sullivan, National Wildlife Federation representative, who presented a certificate to the Mayor.

d. King County Veterans and Human Services Levy Update

King County Veterans and Human Services Levy Manager Sadikifu Akina-James provided updates on the efforts and activities related to the levy. Also presenting information were Co-Chair of Regional Human Services Levy Citizens Oversight Board Joe Ingraham, Chair of the Veterans Citizen Levy Oversight Board Doug Hoople, and Regional Veterans Services Liaison Joel Estey.

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding the Hopelink Benefit luncheon; Hopelink build an emergency kit event; Kirkland Transit Center groundbreaking; Cultural Council meeting; UW School of Public Affairs Panel on Sustainable Urbanization; Public Works pilot project of solar powered compactors for downtown garbage; Kirkland Economic Roundtable; Suburban Cities Association Board and Public Issues Committee meetings; Redmond Family Resource Center grand opening; and the King Conservation District.

b. City Manager

(1) 2010 King County Budget

Intergovernmental Relations Manager Erin Leonhart and Deputy Director of Parks and Community Services Carries Hite reviewed impacts of the King County Budget on Kirkland services.

(2) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Armene Wegener
Mehrddad Karimi

Michael Heslop

b. Petitions

None

8. CONSENT CALENDAR

a. Approval of Minutes: October 6, 2009

b. Audit of Accounts:

Payroll \$2,087,260.53

Bills \$1,868,534.41

run # 861 check #'s 512171 - 512305

run # 862 check #'s 512306 - 512450

run # 863 check #'s 512451 - 512460

c. General Correspondence

(1) Glenda Schmidt, Regarding Parking in Downtown Kirkland

d. Claims

(1) Mark K. Blakeley

(2) Janice Cowen

(3) Joene LaBou

(4) Nationwide Insurance for Ryan and Aimee Meats

(5) Puget Sound Energy

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Water Supply Station No. 2 Improvements Project

g. Approval of Agreements

(1) Resolution R-4780, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN THE INTERLOCAL BRIDLE VIEW ANNEXATION AGREEMENT REGARDING WATER FACILITIES BETWEEN THE CITIES OF KIRKLAND AND

REDMOND"

h. Other Items of Business

(1) Ordinance No. 4209, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING CHAPTER 11.16A OF THE KIRKLAND MUNICIPAL CODE, "DEFENSES," AND AMENDING KIRKLAND MUNICIPAL CODE 11.36A.080 DEFINING ASSAULT"

(2) Ordinance No. 4210 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO POLICE FALSE ALARMS; AND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 21.35A"

(3) Ordinance No. 4211, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PENALTIES ON DELINQUENT ACCOUNTS FOR WATER AND SEWER UTILITIES AND AMENDING SECTION 15.20.020 OF THE KIRKLAND MUNICIPAL CODE"

(4) Surplus Equipment Rental Vehicles/Equipment for Sale

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License #</u>
BG-5	2004	Turf Gator Utility Vehicle (4x2)	W00TURF019555	N/A
M-8	2004	John Deere 1445 Mower	TC1445D040434	N/A
PU-03	2001	Chevrolet Silverado 1500	1GCEC14V41E269373	31820D
PU-44X	1998	Ford Winstar Van	2ETZA5445WBD99462	24000D
TL-07	1993	Garland Trailer	2183	N/A

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.

9. PUBLIC HEARINGS

None

10. UNFINISHED BUSINESS

- a. Ordinance No. 4212 and its Summary, Relating to Comprehensive Planning and Land Use and Amending the Comprehensive Plan Ordinance 3481 as Amended and Amending Ordinance 3710 as Amended, the Kirkland Zoning Map, as Required by RCW 36.70A.130 to Ensure Continued Compliance with the Growth Management Act, and Approving a Summary for Publication, File No ZON09-00001

Motion to Approve Ordinance No. 4212 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481 AS AMENDED AND AMENDING ORDINANCE 3710 AS AMENDED, THE KIRKLAND ZONING MAP, AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO. ZON09-00001" including the amendment on Policy LU 5.4.

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 Sterhoff.

- b. Revised Surface Water Development Regulations

After an overview by Public Works Director Daryl Grigsby, Public Works Storm Water Utility Engineer Stacey Rush and Environmental Services Supervisor Jenny Gaus reviewed the regulation changes and received Council feedback for return at Council's November 17th meeting with an Ordinance to adopt the manual and addendum through changes to the stormwater code.

- c. Sherman Report

Mayor Lauinger noted that a temporary restraining order had been received.

- d. Bank of America Project Review

Motion to waive the attorney client privilege with respect to a portion of the contents of a memorandum by Bob Sterbank but to maintain the privilege with respect to the attorney-client privileged documents attached to the Sterbank memorandum and the memos of discussion contents of those

attorney-client privileged documents and further move that the Council direct Mr. Sterbank to provide a revised memorandum redacting the discussion of the content of the attorney-client privileged document and make a presentation of the revised memorandum at a future Council meeting.

Moved by Councilmember Dave Asher, seconded by Councilmember Mary-Alyce Burleigh

Vote: Motion carried 6-1

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

No: Mayor Jim Lauinger.

11. NEW BUSINESS

- a. Plaza at Yarrow Bay Office Building Zoning and Planned Unit Development Permits: Ordinance No. 4213, Relating to Land Use, Approval of Zoning Permits, Preliminary PUD, and Final PUD as Applied for by Keith Maehlum of HAL Real Estate Investments Incorporated in Department of Planning and Community Development File No. ZON08-00017 and Setting Forth Conditions of Said Approval

Motion to suspend the rule to vote on the matter at the next meeting and vote on the application at this meeting.

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

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.

Motion to Approve Ordinance No. 4213, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE, APPROVAL OF ZONING PERMITS, PRELIMINARY PUD, AND FINAL PUD AS APPLIED FOR BY KEITH MAEHLUM OF HAL REAL ESTATE INVESTMENTS INCORPORATED, IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON08-00017 AND SETTING FORTH CONDITIONS OF SAID APPROVAL"

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. Armene Wegener Comments

12. ANNOUNCEMENTS

None

13. ADJOURNMENT

The Kirkland City Council regular meeting of October 20, 2009 was adjourned at 11:45 p.m.

City Clerk

Mayor