



KIRKLAND CITY COUNCIL MEETING MINUTES
March 19, 2019

1. CALL TO ORDER

Mayor Sweet called the study session to order at 6 p.m. and the regular meeting to order at 7:30 p.m.

2. ROLL CALL

ROLL CALL:

Members Present: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Members Absent: None.

3. STUDY SESSION

a. Washington Cities Insurance Authority - City Council Training

Joining Councilmembers for this training were City Manager Kurt Triplett, City Attorney Kevin Raymond and Washington Cities Insurance Authority Director Ann Bennett.

4. EXECUTIVE SESSION

None.

5. HONORS AND PROCLAMATIONS

a. Greater Kirkland Chamber of Commerce Centennial Proclamation

Greater Kirkland Chamber of Commerce Executive Director Samantha St. John and Chamber Board Members received the proclamation from Mayor Sweet and Councilmember Pascal.

6. COMMUNICATIONS

a. Announcements

b. Items from the Audience

John Sambrook
Karen Story
Lisa McConnell
Larey McDaniel

Loita Hawkinson
Marguerite Richard
Michael Fuller

c. Petitions

7. PUBLIC HEARINGS

None.

8. SPECIAL PRESENTATIONS

a. Cascadia College State of the College Update

Cascadia College President Dr. Eric Murray presented a State of the College update.

b. Complete Count for the 2020 Census

Neighborhood Services Outreach Coordinator David Wolbrecht provided a report on opportunities for the City to support a "complete count" of the 2020 Census and received direction from the Council regarding preferred next steps.

9. CONSENT CALENDAR

a. Approval of Minutes

(1) March 1, 2019

(2) March 5, 2019

The minutes of the City Council's March 1, 2019 special meeting and March 5, 2019 regular meeting were approved via approval of the consent calendar.

b. Audit of Accounts and Payment of Bills and Payroll

Bills: \$1,902,042.50

Payroll: \$3,005,949.16

run #190306 checks #704175 - 704265 wires #56/57

run #190313 checks #704266 - 704404 wire #59

run #190314 check #704405 LB314B wires #54/58

c. General Correspondence

d. Claims

(1) Claims for Damages

Claims received from GEICO on behalf of Mazin Al-Rawe, Jack and Dorothy Burns, and Leslie Nelson for "The Women of the Eastside" were acknowledged via approval of the consent calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Kirkland 'ITS' Implementation Phase II Project

Work on the construction contract for Intelligent Transportation Systems Phase 2, completed by Totem Electric of Tacoma, Inc., of Tacoma, Washington, was accepted, the statutory lien period was established, and a project budget increase of \$5,155.40 was approved using a portion of the remaining balance from completed CIP project NMC0240400 via approval of the consent calendar.

g. Approval of Agreements

h. Other Items of Business

(1) Resolution R-5362, 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 UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS LESLIE K. PNG AND JANET SUE TING."

The resolution was approved via approval of the consent calendar.

(2) Procurement Report

The report was acknowledged via approval of the consent calendar.

Motion to Approve the Consent Calendar.

Moved by Councilmember Jon Pascal, seconded by Councilmember Tom Neir

Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

10. BUSINESS

a. State Legislative Update #5

Intergovernmental Relations and Economic Development Manager Lorrie McKay provided an update on the Council's legislative agenda.

Motion to Change the City's position from Oppose to Monitor on E2SHB 1923, Increasing Urban Residential Building Capacity.

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Kelli Curtis
Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

- b. Resolution R-5361, Approving the 2019 A Regional Coalition for Housing (ARCH) Work Program and Administrative Budget

City Manager Kurt Triplett introduced new ARCH (A Regional Coalition for Housing) Executive Director Lindsay Chou Masters who provided an overview of ARCH's proposed work program, administrative budget, and recent compliance actions.

Motion to Approve Resolution R-5361, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE 2019 A REGIONAL COALITION FOR HOUSING (ARCH) WORK PROGRAM AND ADMINISTRATIVE BUDGET."

Moved by Councilmember Tom Neir, seconded by Councilmember Jon Pascal
Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

- c. 100th Avenue N.E. Improvements Funding Strategy

Capital Projects Engineer Laura Drake and Senior Operations and Finance Analyst Kyle Butler reviewed the project background and proposed funding request.

Motion to Approve the fiscal note authorizing the use of \$4,889,600 in reprogrammed transportation impact fee funds and \$465,300 in REET reserve funds to fully fund the four identified CIP Projects collectively known as the 100th Avenue NE Improvements, Phase I.

Moved by Councilmember Jon Pascal, seconded by Councilmember Toby Nixon
Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Council recessed for a short break.

- d. Resolution R-5363, Relating to the Adoption of the Kirkland Transit Implementation Plan to Guide Implementation of Projects and Programs Related to Transit Speed and Reliability, Non-Motorized Access to Transit, and Flexible Transit Service

Transportation Manager Joel Pfundt presented an overview of the Kirkland Transit Implementation Plan.

Motion to Approve Resolution R-5363, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO THE ADOPTION OF THE KIRKLAND TRANSIT IMPLEMENTATION PLAN TO GUIDE IMPLEMENTATION OF PROJECTS AND PROGRAMS RELATED TO TRANSIT SPEED AND RELIABILITY, NON-MOTORIZED ACCESS TO TRANSIT, AND FLEXIBLE TRANSIT SERVICE" as amended.

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Tom Neir
Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Motion to Amend Resolution R-5363, adding a new Section 2 after line 39 to read as follows: "Section 2. The Kirkland Transit Implementation Plan shall be updated in 2025 to adjust for service changes implemented by King County Metro Transit as part of the North East Mobility Project and Metro Connects Plan, and to account for the impacts of the 2024 implementation of Sound Transit's I-405 Bus Rapid Transit and Eastlink Light Rail service in Bellevue and Redmond."

Moved by Deputy Mayor Jay Arnold, seconded by Councilmember Tom Neir
Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Motion to Amend Resolution R-5363, adding a new Section 3 to read as follows after line 39: "Section 3. The City Manager shall develop a scope, schedule and budget for a supplemental report identifying transit levels of service needed in Kirkland to meet current and future transit needs. The report shall include metrics that identify how much transit service is needed, where transit service is needed, and how service levels will be measured to monitor progress towards the identified transit service goals. The City Manager shall present the scope, schedule and budget to the Council as part of the 2021-2022 Biennial Budget process for Council consideration."

Moved by Councilmember Dave Asher, seconded by Councilmember Toby Nixon
Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

- e. Ordinance O-4682 and its Summary, Relating to the Use of Electric-Assist Bicycles on the Cross Kirkland Corridor and Amending Sections 19.40.010 and 19.40.020 of the Kirkland Municipal Code

Transportation Planner Kimberly Scrivner presented an overview of the proposed ordinance.

Motion to Approve Ordinance O-4682 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE USE OF ELECTRIC-ASSIST BICYCLES ON THE CROSS KIRKLAND CORRIDOR AND AMENDING SECTIONS 19.40.010 AND 19.40.020 OF THE KIRKLAND MUNICIPAL CODE" as amended. Moved by Councilmember Jon Pascal, seconded by Deputy Mayor Jay Arnold
Vote: Motion carried 5-2

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

No: Councilmember Kelli Curtis, and Councilmember Jon Pascal.

Motion to Amend Ordinance O-4682 by removing the sentence "Class 3 electric-assisted bicycles are prohibited." in section 3(f), lines 100-101.

Moved by Councilmember Dave Asher, seconded by Councilmember Tom Neir
Vote: Motion carried 4-3

Yes: Councilmember Dave Asher, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

No: Deputy Mayor Jay Arnold, Councilmember Kelli Curtis, and Councilmember Jon Pascal.

Motion to Amend Ordinance 4682 by removing the words "Class 1 or 2" in section 3 (e) line 93.

Moved by Councilmember Dave Asher, seconded by Councilmember Tom Neir
Vote: Motion carried 5-2

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Tom Neir, Councilmember Toby Nixon, and Mayor Penny Sweet.

No: Councilmember Kelli Curtis, and Councilmember Jon Pascal.

Motion to Amend Ordinance O-4682 by replacing the word motor with "motor-driven cycles, motorized foot" in section 3 (e) line 91.

Moved by Councilmember Toby Nixon, seconded by Councilmember Jon Pascal
Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

f. Proposed Bike Share Pilot Program

Transportation Planner Kimberly Scrivner presented an overview of proposed bike share pilot program and received Council feedback on the draft Terminable Right-Of-Way User Permit.

- (1) Resolution R-5328, Revising Policy G-10 of the Public Works Department's Pre-Approved Plans to Allow Permitting for Bike Share Operation Use of Right-of-Way

Motion to Approve Resolution R-5328, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND REVISING POLICY G-10 OF THE PUBLIC WORKS DEPARTMENT'S PRE-APPROVED PLANS TO ALLOW PERMITTING FOR BIKE SHARE OPERATION USE OF RIGHT-OF-WAY."

Moved by Councilmember Jon Pascal, seconded by Councilmember Tom Neir

Vote: Motion carried 6-1

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Jon Pascal, and Mayor Penny Sweet.

No: Councilmember Toby Nixon.

- (2) Resolution R-5329, Providing the Public Works Director the Ability to Set Rules and Limitations for the Pilot Bikeshare Program

Motion to Approve Resolution R-5329, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND PROVIDING THE PUBLIC WORKS DIRECTOR THE ABILITY TO SET RULES AND LIMITATIONS FOR THE PILOT BIKESHARE PROGRAM."

Moved by Councilmember Jon Pascal, seconded by Councilmember Tom Neir

Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

- (3) Ordinance O-4655 and its Summary, Relating to Adding a Bike Share Administrative Fee Charged by the Public Works Department and Amending Section 5.74.040 of the Kirkland Municipal Code

Motion to Approve Ordinance O-4655 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO ADDING A BIKE SHARE ADMINISTRATIVE FEE CHARGED BY THE PUBLIC WORKS DEPARTMENT AND AMENDING SECTION 5.74.040 OF THE KIRKLAND MUNICIPAL CODE" as amended.

Moved by Councilmember Tom Neir, seconded by Councilmember Kelli Curtis

Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Motion to Amend Ordinance O-4655 by adding the phrase "for a 12-month pilot period" after "the City's rights-of-way" and before "; and" at line 10.

Moved by Councilmember Toby Nixon, seconded by Councilmember Jon Pascal

Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Motion to Amend Ordinance O-4655, Section 1, in the "Fee Type" Table by adding "and abatement costs" after "administrative fee" in the "Fee Type" column and by adding the phrase "+ reimbursement for any documented costs incurred by the city in connection with failure to meet permit requirements (e.g. repair or maintain public property or remove bikes from public rights-of-way)." after the phrase "\$2032 annual permit review fee + \$35 annually per each permitted bike share bicycle." in the "Fee Amount" column.

Moved by Councilmember Jon Pascal, seconded by Councilmember Toby Nixon

Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

Motion to Instruct staff to report to City Council with usage and performance data at four months after initiation of the bike share pilot program, again at eight months, and again at the scheduled expiration of the one-year pilot program.

Moved by Councilmember Jon Pascal, seconded by Councilmember Dave Asher

Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

g. Referral of Council Committee Agenda Items

This item was postponed for discussion at the City Council's April 2, 2019 regular meeting.

11. REPORTS

a. City Council Regional and Committee Reports

Councilmembers shared information regarding the Sound Cities Association Public Issues Committee meeting; a King County Emergency Management Advisory Committee meeting; the Annual Firefighters Awards ceremony; the Kirkland Community Musical's performance of The Music Man; directed staff to bring back some options for limited seasonal closure of Park Lane to vehicle traffic; recent testimony in Olympia about HB 2132; meeting with County

Councilmember Dembowski and the upcoming King County Parks Levy; the Juanita Neighborhood Association meeting; referred the issue of email usage in connection with the new Our Kirkland program to the Finance and Administration Committee; the upcoming King County Conservation District election; an upcoming King County Regional Transit Committee meeting; a Sound Transit Kingsgate Park and Ride Expansion Committee meeting; a meeting of the Eastside cities at Microsoft about their middle-income housing initiative; and the upcoming Invest in Youth Breakfast.

Motion to Direct staff to bring a fiscal note to the April 2nd council meeting for the expenditure of \$6,500 from the Council Special Projects Reserve for maintenance of the ballfields at Finn Hill Middle School through 2019.

Moved by Councilmember Jon Pascal, seconded by Deputy Mayor Jay Arnold
Vote: Motion carried 7-0

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Kelli Curtis, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Mayor Penny Sweet.

b. City Manager Reports

(1) Calendar Update

12. ITEMS FROM THE AUDIENCE

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of March 19, 2019 was adjourned at 11:08 p.m.

Kathi Anderson, City Clerk

Penny Sweet, Mayor