

- vi. Payroll Benefit Checks 74889 through 74911 in the amount of \$88,201.94
  - vii. Direct Deposits 59511 through 59792 in the amount of \$514,681.14
  - viii. Direct Deposits Voided 59345 through 59345 in the amount of (\$541.74)
  - ix. Payroll Wire Transfer Checks 954 through 954 in the amount of \$64,550.12
  - x. Payroll Wire Transfer Checks 956 through 960 in the amount of \$427,348.93
- b) Minutes: City Council Regular Meeting, September 3, 2013; **Approved.**
  - c) AB 6663 - Petty Cash Ordinance Amending IMC 3.24; **Adopted Ordinance No. 2689, relating to Revenue and Finance; amending Chapter 3.24 of the Issaquah Municipal Code to establish a Petty Cash Account and repealing Issaquah Municipal Code Chapters 3.25, 3.26, 3.27, 3.28 and 3.29.**
  - d) AB 6686 - Amendments to IMC Chapter 16.06: International Fire Code Adoption; **Adopted Ordinance No. 2690, amending Chapter 16.06 entitled "Fire Code"; adopting by reference the 2012 edition of the State Building Code.**
  - e) AB 6700 - Petty Cash - Increasing Account Amount; **Approved Resolution No. 2013-09, increasing the Petty Cash Account amount from \$1,700 to \$2,500.**
  - f) AB 6708 - Major Amendment to Issaquah Highlands 2-Party Development Agreement and New Development Agreement for Highlands Blocks 29-42; **1) Directed Administration to schedule a Public Hearing for the October 21, 2013 Regular Council Meeting to receive public comment on the proposed Development Agreement; and 2) Referred AB 6708 to the October 8, 2013 Council Land & Shore Committee for continued review and recommendation, returning to the full Council on October 21, 2013 for anticipated action following the public hearing.**
  - g) AB 6711 - Lodging Tax Advisory Committee Members; **Confirmed Jim Davis/ Holiday Inn and re-confirmed the following members: Will Parkinson/ Hilton Garden Inn, Erica Maniez/ Issaquah Historical Society, and Skip Rowley/ Greater Issaquah Chamber of Commerce.**
  - h) AB 6719 - 2014 Non Profit Funding; **Referred AB ~~6797~~ 6719 to the October 3, 2013 Council Services & Safety Committee for review and recommendation, returning to the full Council on October 21, 2013.**

## REGULAR BUSINESS

- a) AB 6696 - Domestic Violence Ordinance

The agenda item was introduced by Mayor Frisinger and presented by Councilmember Schaar. Police Commander Scott Behrbaum was on hand to answer questions.

Following Council discussion,

**IT WAS MOVED BY SCHAER; SECONDED BY BARBER, TO:**

**Adopt Ordinance No. 2691, adding a new Section 9.06.060 to the Issaquah Municipal Code prohibiting exposing minor children to domestic violence, and establishing an effective date.**

**MOTION CARRIED, 7-0.**

b) AB 6698 - Establish Contingency Fund

The agenda item was introduced by Mayor Frisinger and presented by Deputy Finance Director Beth Anne Wroe.

Following Council discussion,

**IT WAS MOVED BY BARBER; SECONDED BY WINTERSTEIN, TO:**

**Adopt Ordinance No. 2692, establishing a Contingency Fund.**

**MOTION CARRIED, 6-1.** *(Councilmember Schaer dissenting.)*

c) AB 6717 - Resolution Declaring City's Intent to Proceed with the Annexation of the Issaquah Middle School Property and Setting the Annexation Boundaries

The agenda item was introduced by Mayor Frisinger. Planning Manager Trish Heinonen was on hand to answer questions.

Following Council discussion,

**IT WAS MOVED BY BUTLER; SECONDED BY WINTERSTEIN, TO:**

**Approve Resolution No. 2013-10, accepting the Issaquah School District's notice of intent to petition for annexation for the area known as the Issaquah Middle School Property, providing for the assumption of indebtedness and payment of taxes, establishing zoning for the property to be annexed, and authorizing the mayor to submit a notice of intention to annex to the King County Boundary Review Board.**

**MOTION CARRIED, 7-0.**

**GOOD OF THE ORDER**

None.

**EXECUTIVE SESSION**

None.

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 8:13 PM.

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Christine Eggers, City Clerk

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Ava Frisinger, Mayor



**CITY COUNCIL  
AGENDA BILL**  
City Council Regular Meeting - 07 Oct 2013

NEW  
AB 6689 -  
Consent  
Calendar

<b>Appointment of Municipal Judge</b>	<b>Proposed Council Action:</b> Confirm
---------------------------------------	--

<b>DEPARTMENT OF</b>	Executive Department, Charlie Bush
<b>COUNCIL COMMITTEE LIAISON</b>	n/a
<b>OTHER COUNCIL MEETINGS</b>	n/a
<b>EXHIBITS</b>	A. Scott Stewart Resume B. Oath of Office

<b>POLICY &amp; BUDGET INFO</b>		Expenditure Required
Comp Plan Policy Nos.	n/a	\$ 93,250
Consistent:	n/a	Amount Budgeted
Other Policies	n/a	\$ 635,000

**SUMMARY STATEMENT**

Judge N. Scott Stewart is currently the Judge of the Issaquah Municipal Court and his term expires on December 31, 2013.

Former Judge, Peter Jarvis, initially appointed N. Scott Stewart as the Court Commissioner in November of 2005; and, in July 2007 the City Council confirmed the Mayor's appointment of Stewart to serve as an Issaquah Municipal Court Judge. In 2009, the City Council reappointed Judge Stewart to a 4-year term. Both as Commissioner and Judge, Stewart has been a tremendous value to the court. He has handled numerous proceedings, including complex motions and jury trials. Since the Municipal Court opened in 2005, the criminal filings have increased by 96%. The traffic infraction filings, including the photo enforcement citations, have increased by 186%. The overall increase caseload of the court is 173%.

N. Scott Stewart has been a member of the Washington State Bar Association since 1988. He served as the Court Commissioner for the City of Tukwila from 1995 to 1998. Commissioner Stewart also served as a pro tem judge in the Cities of Des Moines, Renton, Kirkland, and Mercer Island, as well as the King County District Court. Since 1999 he has been an Adjunct Professor in the Law and Justice Program at Central Washington University, Westside Campus. N. Scott Stewart also teaches a law and justice class at Issaquah High School.

RCW 3.50.055 allows for this appointment as long as the position continues as a less than full-time equivalent. In that case, an election is not be required. The Judge must satisfy state law qualifications, be a citizen of the United States and be admitted to practice law in the State of Washington. The judge is not required to be a resident of Issaquah, but must reside in King County.

The expenditure for this appointment including salary and benefits is approx. \$93,250. This amount is covered in the amount budgeted for 2014 for municipal court salaries and benefits, \$635,000. This would be considered a half time regular employee position with prorated benefits. No additional appropriation is

required.

**Consistency With Comprehensive Plan:**

n/a

**Administration's Recommendation:**

Confirm Mayor's Appointment of Judge Stewart to serve as an Issaquah Municipal Court Judge for a four year term; expiring on December 31, 2017.

**Update:**

n/a

**Alternative(s):**

- 1) Choose not to reappoint Judge Stewart
- 2) Refer reappointment of Judge Stewart to the Services and Safety Committee.

**RECOMMENDATION**

*Administration/Executive Department:*

MOVE TO: Confirm Mayor's appointment of N. Scott Stewart to serve as an Issaquah Municipal Court Judge; appointment expiring December 31, 2017.

## N. SCOTT STEWART

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### WORK EXPERIENCE (Judicial):

#### ISSAQUAH MUNICIPAL COURT

MUNICIPAL COURT JUDGE, 2007 through Present, COURT COMMISSIONER, 2005-2007  
Manage the judicial functions of the Municipal Court. Preside over jury and bench trials, arraignments, pre-trials, motion calendars, sentencing and reviews, mitigation and contested hearings on traffic infractions.

STREET LAW, Issaquah High School, 2011 through Present: Co-teach class on legal issues, emphasizing trials, constitutional law, criminal law and tort law.

DISTRICT AND MUNICIPAL COURT JUDGE'S ASSOCIATION: Public Trust and Confidence Committee, 2010 through 2012, Legislative Committee, 2011 through 2012, Education Committee, 2012 through Present.

#### KING COUNTY MUNICIPAL AND DISTRICT COURTS

JUDGE PRO TEM/COURT COMMISSIONER: Preside over criminal and civil trials, including both jury and bench trials, arraignments, pre-trials, motion calendars, sentencing and reviews, mitigation and contested hearings on traffic infractions. Handle small claims cases, tow hearings, petitions for protection and anti-harassment orders, and name changes. Contracted as a pro tem in the following courts: King County District Courts, Tukwila, Renton, Issaquah, Kirkland, Maple Valley, Des Moines, Enumclaw and Pacific Municipal Courts

JUDGE PRO TEM, January 1995 through 2006

COURT COMMISSIONER, Tukwila, 1995 through 1998

### WORK EXPERIENCE (Other Legal):

#### STEWART MacNICHOLS HARMELL, INC., P.S., Kent, WA

PARTNER: Co-manage law firm emphasizing criminal and tort law, including work on indigent defense contracts, conduct and supervise pre-trials; research, draft and argue motions; coordinate jury trial calendars; perform bench trials and over 300 jury trials.  
1995 through Present

#### CENTRAL WASHINGTON UNIVERSITY, Des Moines, WA

ADJUNCT PROFESSOR: Teach students in their third and fourth year of college. Classes include: Evidence and Arrest, Legal Writing, Legal Research, Introduction to Paralegal Studies, Family Law and Great American Trials.  
January 2000 through Present

#### LORING AND STEWART, (Prev. Law Office of N. S. Stewart), Renton, WA

PARTNER: Conducted client interviews and evaluated claims, managed medical and other injury data, prepared demands, negotiated settlements, drafted pleadings, and performed arbitrations and trials in personal injury cases. Retained clients, reviewed police reports and investigated defenses, negotiated dispositions and conducted trials in an extensive criminal misdemeanor practice, including conflict public defender cases for the cities of Renton and Tukwila.  
1992 through 1994

**RESUME AND STATEMENT OF  
QUALIFICATIONS OF N. SCOTT STEWART  
PAGE 2**

**WAITT, JOHNSON & MARTENS, Seattle, WA**

ASSOCIATE: Conducted extensive civil litigation discovery, including preparing interrogatories and deposing claimants and witnesses. Researched and wrote arguments, drafted motions and pleadings, and presented argument in Federal and Superior Courts. Learned superior legal skills in this AV rated Seattle law firm.  
1988 through 1992

**MILLER & VALENTINI, P.A., Attorneys at Law, Bloomington, MN**

LEGAL INTERN: Interviewed clients and investigated defenses, negotiated plea bargains and conducted trials in criminal misdemeanor cases. Evaluated cases, drafted pleadings, researched memoranda, and wrote motions and supporting briefs in plaintiff's personal injury practice.  
1987 through 1988

**HENNEPIN COUNTY PROSECUTOR'S OFFICE, Minneapolis, MN**

LIMITED PRACTICE INTERN: Represented the State in all stages of misdemeanor criminal proceedings. Prepared legal documents within Complex Crimes Section of Felony Division.  
1987 through 1987

**UNIVERSITY OF MINNESOTA LAW SCHOOL, Minneapolis, MN**

RESEARCH ASSISTANT: Assisted Professor Bryden in the Constitutional Law Department with legal research in preparation for a journal article concentrating on issues of Equal Protection under the United States Constitution.  
1987

**JUDICIAL EDUCATION**

**JUDICIAL COLLEGE**

Certificate of Completion, 1998 and 2006  
Intensive program focusing on issues of concern to district and municipal court judges and court commissioners. The program provided an opportunity for judges and commissioners to acquire knowledge and skills essential to the performance of their judicial responsibilities; to familiarize themselves with resources of particular interest to the bench; and to interact, discuss and problem solve. Admission was limited to sitting judges and court commissioners.

**LAW SCHOOL AND COLLEGE**

**UNIVERSITY OF MINNESOTA LAW SCHOOL, Minneapolis, MN**

Juris Doctor, *Cum Laude*, May 1988  
Dean's Honor List 1986, 1987, 1988  
Moot Court Teaching Director, 1987-1988  
Finalist, Oral Advocacy Competition, 1987

**UNIVERSITY OF WASHINGTON, Seattle, WA**

Bachelor of Arts, Political Science, 1985

# CERTIFICATE



CITY OF  
**ISSAQUAH**  
WASHINGTON

*On the 7th day of October 2013, the Issaquah City Council unanimously confirmed  
the Mayor's appointment*

*of*

*Judge N. Scott Stewart*

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*to*

*serve as Issaquah's Municipal Court Judge;  
appointment expiring the 31st day of December 2017.*

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*IN WITNESS THEREFORE, I have hereunto set my hand and affixed the official  
seal, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.*

**ATTEST: CITY CLERK**