

**CITY OF ISSAQUAH
City Council Regular Meeting**

7:00 PM
February 5, 2018

Council Chambers
135 E. Sunset Way

MINUTES

COUNCIL AND ADMINISTRATIVE PERSONNEL PRESENT

Councilmembers:

Mariah Bettise
Stacy Goodman
Victoria Hunt (newly appointed)
Tola Marts
Bill Ramos
Chris Reh
Paul Winterstein

Administration/Staff:

Mary Lou Pauly, Mayor
Emily Moon, Interim City Administrator
Jim Haney, City Attorney
Tisha Gieser, Deputy City Clerk

CALL TO ORDER

Mayor Pauly called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Mayor Pauly led the Pledge of Allegiance.

AUDIENCE COMMENTS

The following public comments were provided:

- David Waggoner, 360 NW Dogwood St., spoke regarding Linda Hjelm, historian and former member of the Cemetery Board, who passed away this November.
- Tia Heim, representing Shelter Holdings, spoke against proposed changes to vesting requirements in the Issaquah Highlands (AB 7523).
- Robert Swanson, 826 4th Ave. NE, spoke regarding concerns over a potential school site in the Issaquah Highlands.
- John Hoss, 4825 240th Ave. SE, spoke against proposed changes to vesting requirements in the Issaquah Highlands (AB 7523).
- Joe Verner, 1230 Oakwood Dr., expressed concerns over development in the City (handout provided).
- Steve Pereira, 170 NE Dogwood St., requested that the Council vacancy be filled by someone with experience in public service, and made comments regarding affordable housing and the moratorium on certain types of development.
- Michael Boyle, 323 NW Dogwood St., urged traffic calming devices be installed along Dogwood St. to reduce the speed of traffic and requested an additional speed camera be installed.

The following individuals urged preservation of the Bergsma/Windward property on Cougar Mountain:

- Elizabeth Taylor, 3425 NE Monterey Lane
- Geraldine Carey, 955 17th Ave. NW, also requested that truck routes be blocked if development occurs
- Rigel Rierison, 955 17th Ave. NW
- Julie Clark, 915 Bear Ridge Ct. NW

- Connie Marsh, Squak Mountain
- Mary Lynch, 2690 NW Oakcrest Dr.

SPECIAL BUSINESS

a) AB 7537 - Council Vacancy, Council Position No. 3

Mayor Pauly introduced the item and outlined the process of nominations and appointment.

Mayor Pauly opened the nominations.

Councilmember Goodman nominated Jamie Rosen.

Councilmember Bettise nominated Victoria Hunt.

Councilmember Winterstein nominated by Bryan Weinstein.

IT WAS MOVED BY MARTS, SECONDED BY WINTERSTEIN, TO:

Close nominations.

MOTION CARRIED, 6-0.

Following Council discussion, Mayor Pauly called for the vote, by a show of hands.

Ballot A	<i>Marts</i>	<i>Bettise</i>	<i>Goodman</i>	<i>Winterstein</i>	<i>Reh</i>	<i>Ramos</i>
<i>Jamie Rosen</i>			x		x	
<i>Victoria Hunt</i>	x	x				x
<i>Bryan Weinstein</i>				x		

IT WAS MOVED BY MARTS, SECONDED BY WINTERSTEIN, TO:

Reconsider the vote on the nominees.

MOTION CARRIED BY UNANIMOUS CONSENT.

Mayor Pauly called for the vote, by a show of hands.

Ballot B	<i>Marts</i>	<i>Bettise</i>	<i>Goodman</i>	<i>Winterstein</i>	<i>Reh</i>	<i>Ramos</i>
<i>Jamie Rosen</i>			x		x	
<i>Victoria Hunt</i>	x	x		x		x
<i>Voting stopped as majority vote for a nominee was achieved.</i>						
<i>Bryan Weinstein</i>						

BY SHOW OF HANDS, VICTORIA HUNT WAS APPOINTED TO COUNCIL POSITION NO. 3, 4-2.

Mayor Pauly performed the Oath of Office to Councilmember Hunt who then joined the Council at the dais.

COMMITTEE / REGIONAL REPORTS

Councilmember Reh:

Services & Safety Committee - The next meeting will be held Feb. 8, 2018.

Eastside Fire & Rescue Board - The next meeting will be held Feb. 8, 2018.

Councilmember Ramos:

Infrastructure Committee - The next meeting will be held Feb. 15, 2018.

Emergency Management Advisory Committee - A retreat will be held Feb. 14, 2018.

Councilmember Winterstein:

Growth Management Policy Board - Summarized the previous meeting.

Councilmember Goodman:

Council Land & Shore Committee - The next meeting will be held Feb. 8, 2018.

Deputy Council President Bettise:

PSRC Econ. Development Board - The next meeting will be held Feb. 7, 2018.

Econ. Dev. Council of Seattle and King County - A meeting will be held in Feb.

Council President Marts:

Sound Cities Association - An orientation will be held Feb. 7, 2018.

SCA Public Issues Committee (PIC) - An introductory class will be held Feb. 14, 2018, followed by a PIC meeting.

MAYOR'S REPORT

- a) Welcome newly seated Council member Victoria Hunt.
- b) There will be an Executive Session held this evening to discuss collective bargaining sessions per RCW 42.30.140(4) and items related to property acquisition and pending/potential litigation per RCW 42.30.110(1)(b) and 42.30.110(1)(i). These items are expected to take approximately 1 hour and 20 minutes. Action is anticipated to follow in open session.
- c) Jan. 17 - Attended the East Lake Sammamish Trail Grand Opening and a Highlands community meeting at Blakely Hall listening to concerns on traffic and pedestrian safety.
- d) Jan. 19 - Met with Josh Brown, PSRC's Executive Director, to discuss the Growth Management Act and concerns of SE King County.
- e) Jan. 24 - Attended the Eastside Fire & Rescue Board Meeting.
- f) Jan. 25 - Joined Parks & Recreation Director Jeff Watling at the Issaquah Alps Trail Club Annual meeting at the Train Depot.
- g) Jan. 26 - Participated in the "Count Us In" one night count of those without shelter during the early morning hours, and participated in a question and answer session with the Senior Center later in the day.

- i) Feb. 2 - Attended the Regional Transportation System Initiative (RTSI) Elected Officials Committee meeting with the mayors of King County cities and King County Executive Dow Constantine. In the afternoon, hosted Governor Jay Inslee for a tour of ZHome, and a roundtable on the governor's carbon tax bill within the context of outdoor recreation.
- h) Jan. 30 - Met with the Mountains to Sound Greenway Trust team to discuss common areas of interest in the I-90 corridor and upcoming projects. Mayor Pauly will be joining the Trust's Advisory Board.
- j) Feb. 5 -
 - SE 62nd Tour: Toured the construction site with Councilmember Winterstein, staff, and the consultant construction manager, Kevin Simmons. Observed activity related to setting bridge girders. The project is more than half way complete and is currently on schedule and within budget.
 - Attended the Eastside Mayor's Luncheon in Bellevue.
 - Visited and talked to one hundred 4th grade students at Clark Elementary about local government, the role of the Mayor, and City concerns.

Key Project Updates

- k) The American Council of Engineering Companies (ACEC) of Washington held their 2018 Engineering Excellence Award ceremony. The ACEC recognizes design professionals and their clients for their accomplishments and contributions to engineering. David Evans and Associates, Inc. and the City's Parks & Recreation Department won the 2018 Silver Award for Social, Economic and Sustainable Design Consideration for the Confluence Park Pedestrian Bridge.
- l) Moratorium Update - two items remaining:
 - Inclusionary Zoning Requirements - Next meeting will be the Council Land & Shore Council Committee on Feb. 8, 2018. Remaining work items include reviewing a case study and a check in with the building community on feasibility.
 - District Visions - Next touch will be at the Park Board on Feb. 8 followed by the Planning Policy Committee Feb. 15, 2018.
- m) Olde Town Traffic Calming Project Update - The installation of all the devices is expected to be completed this Friday, Feb. 9 and the survey will open at that time. Residents can visit www.issaquahwa.gov/oldetown to leave feedback and access up-to-date traffic count data at any time during the duration of the pilot program.
- n) Highlands Traffic Calming - The City has heard Highlands residents' concerns about traffic and pedestrian safety and based on input, the City has created a work list that outlines both what we have heard and what actions will be taken to address those particular concerns. Highlights include enhancements to pedestrian crosswalk visibility, roadway channelization, speed and traffic calming, and parking. Highlands residents can look forward to staying informed of progress in a variety of ways including online, through Highlands Connections, PSA's, and Nextdoor.
- o) Cougar Mountain/Bergsma Update - This 45-acre property is privately owned by two local families; and, is currently under contract for residential development. In some ways this project represents many of the reasons citizens and residents are pushing back against current growth. The property is currently valued at over \$10M. In the past, the City has been able to

work with various funding partners to look for creative solutions to preserve privately-owned open space. The City is exploring different alternatives with the developer hoping to find a win-win outcome for the community.

CONSENT CALENDAR

Items listed were distributed to Councilmembers in advance for study and were enacted with one motion.

IT WAS MOVED BY MARTS, SECONDED BY BETTISE; MOTION CARRIED (7-0), TO APPROVE THE CONSENT AGENDA AS PRESENTED.

- a) ID 0181 - Accounts: Payables and Payroll of Feb. 5, 2018, \$5,910,526.37; **Approved.**
- b) Minutes: City Council Special Meeting, Jan. 16, 2018; **Approved.**
- c) Minutes: City Council Regular Meeting, Jan. 16, 2018; **Approved.**
- d) Minutes: City Council Special Meeting, Jan. 23, 2018; **Approved.**
- e) Minutes: Council Committee-of-the-Whole, Jan. 23, 2018; **Approved.**
- f) AB 7479 - 2019-2020 Human Services Grant Funding Target; **Referred AB 7479 to the Feb. 13, 2018 Council Services & Safety Committee for review and recommendation, returning to the full Council Feb. 20, 2018.**
- g) AB 7502 - Lodging Tax Advisory Committee (LTAC) Annual Appointments; **Confirmed the following appointments for the 2018 Lodging Tax Advisory Committee: Erica Maniez, Hamilton McCulloh, Will Parkinson, Quyhn Pham, and Paul Winterstein.**
- h) AB 7511 - Amending IMC and Central Standards, Prohibiting Community Health Engagement Locations, Safe Injection Sites; **Referred AB 7511 to the Feb. 8, 2018 Council Land & Shore Committee for review and recommendation, returning to the full Council on Feb. 20, 2018.**
- i) AB 7522 - Creating the Visit Issaquah Organization; **Referred AB 7522 to the Feb. 13, 2018 Council Services & Safety Committee for additional review and recommendation, returning to the full Council on Feb. 20, 2018.**
- j) AB 7528 - Solid Waste Contract Update; **Referred AB 7528 to the Feb. 15, 2018 Council Infrastructure Committee for review and recommendation, returning to the full Council on Mar. 5, 2018.**
- k) AB 7540 - Amendments to IMC Chapter 3.32, Collection of Delinquent LID Assessments; **Referred to the Feb. 13, 2018 Council Services & Safety Committee for review and recommendation, returning to the full Council on Feb. 20, 2018.**

- l) AB 7543 - 2018 Docket of Comprehensive Plan Amendments; **Referred AB 7543 to the Feb 8, 2018 Council Land & Shore Committee for review and recommendation, returning to the full Council on Feb. 20, 2018.**
- m) AB 7544 - ARCH 2018 Work Program and Administrative Budget; **Referred AB 7544 to the Feb. 13, 2018 Council Services & Safety Committee for review and recommendation, returning to the full Council on Mar. 5, 2018.**
- n) AB 7545 - ARCH 2017 Fall Trust Fund; **Referred AB 7545 to the Feb. 13, 2018 Council Services & Safety Committee for review and recommendation, returning to the full Council on Mar. 5, 2018.**
- o) AB 7547 - Cascade Water Alliance Board Representation; **Approved Resolution No. 2018-01, designating Mayor Pauly as primary representative and Councilmember Marts as alternate representative to the Cascade Water Alliance Board.**
- p) AB 7548 - Olde Town Traffic Calming Project, Change Order 1; **Authorized Change Order #1 in the amount of \$5,568.63 to the Road Construction Northwest construction contract for the Olde Town Traffic Calming Project.**
- q) AB 7552 - Police Staffing Resources; **Referred AB 7552 to the Feb. 13, 2018 Council Services & Safety Committee for review and recommendation, returning to the full Council on Feb. 20, 2018.**

REGULAR BUSINESS

- a) AB 7542 - Influence the Choice (ITC) - Drug Free Communities Grant

Introduced by Mayor Pauly, and presented by Jennifer Olson, Finance Director, and Barb de Michele, representing Influence the Choice (ITC) - Drug Prevention Alliance for Youth.

IT WAS MOVED BY WINTERSTEIN, SECONDED BY BETTISE, TO:

Authorize submittal of the Drug Free Communities (DFC) Support Program Grant application; and authorize the Mayor to enter into and execute the Memorandum of Understanding with Influence the Choice - Drug Prevention Alliance for Youth (ITC).

MOTION CARRIED, 7-0.

GOOD OF THE ORDER

Council President Marts:

Council Appointments - Announced the appointments included in the agenda packet.

Deputy Council President Bettise:

Regional Trade and Economic Development Alliance - The Economic Dev. Commission of Seattle and King County is considering joining the alliance. Funding is being requested. An email will be sent with additional details.

Council President Marts:

2018 Council Retreat - Please provide a response to the following questions to help inform the

2018 retreat: What worked well in 2017? What didn't work well in 2017? What would you like to see in 2018?

Mayor Pauly:

Feb. Council Work Session - This meeting has been cancelled.

Feb. 20 Council meeting - Announced anticipated agenda items.

EXECUTIVE SESSION

- a) Brief Overview of State Law regarding Executive Session

City Attorney Jim Haney provided a brief presentation on the purpose and parameters of Executive Session.

At 9:08 PM, Council recessed into Executive Session for the purpose of discussing collective bargaining sessions per RCW 42.30.140(4), property acquisition per RCW 42.30.110(1)(b) and pending/potential litigation per and RCW 42.30.110(1)(i). These items were expected to take approximately 1 hour and 20 minutes. The session was extended by 42 minutes.

REGULAR BUSINESS - Cont.

Mayor Pauly reconvened the open session at 11:12 PM.

IT WAS MOVED BY MARTS, SECONDED BY BETTISE, TO:

Authorize the Mayor to enter into a tolling agreement with American Tower relating to potential litigation over sub lessee payments substantially in the form presented to council in Executive Session.

MOTION CARRIED, 7-0.

IT WAS MOVED BY BETTISE, SECONDED BY WINTERSTEIN, TO:

Approve the First Amendment to Settlement Agreement with Churchome related to the City Church litigation in the form discussed in Executive Session.

MOTION CARRIED, 7-0.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 11:13 PM.

Tisha Gieser, Deputy City Clerk

Mary Lou Pauly, Mayor



**CITY COUNCIL
AGENDA BILL**
City Council Regular Meeting - 20 Feb 2018

NEW
AB 7485 -
Consent
Calendar

Vacation of a Portion of NE Gilman Blvd. | **Proposed Council Action:**
Approve Resolution Setting Public Hearing

DEPARTMENT OF	PWE - Public Works Engineering, Sheldon Lynne
COUNCIL COMMITTEE LIAISON	n/a
OTHER COUNCIL MEETINGS	Oct. 2, 2017 (AB 7463)
EXHIBITS	A. Petition B. Vicinity Map C. Sufficiency of Petition D. Proposed Resolution E. Draft Ordinance

POLICY & BUDGET INFO		Expenditure Required
Comp Plan Policy Nos.	n/a	\$ 0
Consistent:	n/a	Amount Budgeted
Other Policies	n/a	\$ 0

SUMMARY STATEMENT

Kyle Development Company Inc. has submitted a petition for vacation of street right-of-way (Exhibit A) adjacent to its property located at 300 and 371 NE Gilman Blvd. as shown in Exhibit B. On Oct. 2, 2017 City Council granted an easement on this property to WSDOT to ensure continued access to I-90 for maintenance purposes. The City does not foresee any additional impacts due to the vacation of this property.

The Administration has reviewed the petition and finds it is complete per the requirements of Chapter 12.20 of the Issaquah Municipal Code and has signed the Certification of Sufficiency of Petition (Exhibit C). State law (RCW 35.79.010) requires a public hearing established by resolution be held before the City Council as they consider the petition. The proposed resolution (Exhibit D) sets the hearing date for the Council's regularly scheduled meeting of April 2, 2018 that begins at 7:00 p.m. The Administration recommends approval of the resolution setting the public hearing.

If Council chooses to grant the petition, the vacation and any conditions will be authorized by an ordinance, which is attached as Exhibit E.

Valbridge Property Advisors completed an appraisal of the area proposed to be vacated. They determined the value to be \$140,000 and the petitioner agrees with that valuation. Issaquah Municipal Code 12.20.040 provides for the City to receive compensation up to the full appraised value when the street or alley has been part of a dedicated public right-of-way for 25 years or more which is valid in this case. City Code also requires that "one-half of the revenue received as compensation for the area vacated must be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects." It is the recommendation that the funds received for this street vacation be placed in the Street Fund for use on Capital Improvement Projects.

Consistency With Comprehensive Plan:

n/a

Administration's Recommendation:

Administration recommends adopting the ordinance granting the street vacation as presented following the required public hearing, and directing the Finance Director to deposit the funds received into the Street Fund for use on Street Capital Improvement projects.

Update:

n/a

Alternative(s):

- 1) Deny the petition.
- 2) Continue public hearing to a date/time certain.

RECOMMENDATION

Administration / Public Works Engineering Department:

MOVE TO: Approve Resolution No. 2018- ____, setting the public hearing on the petition to vacate a portion of NW Gilman Blvd. for the Council meeting of March 19, 2018.

KYLE
DEVELOPMENT COMPANY
INC.

RECEIVED

JAN 20 2016
City of Issaquah

Kerry Ritland, PE
Engineering Manager
City of Issaquah Public Works Engineering
1775 12th Avenue NW
Issaquah, WA 98027

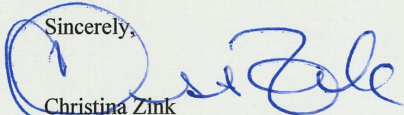
Re: Vacation of Property known as FR-4 Line adjacent to Parcel 272406-9036 (300 & 371 NE Gilman Blvd.)

Dear Kerry,

Please find attached a Petition for Vacation of Street Right-Of-Way, an Alta/ACSM Land Title Survey map and a copy of an Exhibit A Right Of Way Description No. 2 (To 1999- I-90 Right of Way) for your review.

Please do not hesitate to give us a call with any further questions or concerns that you might have.

Sincerely,



Christina Zink
Property Manager
Kyle Development Company
425-391-1170

371 NE Gilman Blvd., Suite 360
Issaquah, Washington 98027
(425) 391-1170
(425) 391-3369 (Fax)
www.kyledevelopment.com

PETITION FOR VACATION OF STREET RIGHT-OF-WAY

To the City Council of the City of Issaquah, Washington:
Comes now the undersigned Petitioner and, pursuant to RCW Chapter 35.79 respectfully show:

The undersigned petitioners request that the following described excess

FR-4 Line "NE Gilman Blvd extended"

(street to be vacated)

right-of-way in the City of Issaquah be vacated pursuant to RCW Chapter 35.79:

"Exhibit A" as depicted on the attached Map, which is adjacent to the
300 NE Gilman Blvd, Issaquah, WA

(property)

Petitioners own the property abutting the above-described areas. Petitioner's names and addresses are:

- | | |
|---------------------------------------|----------|
| 1. <u>Samuel R. Kyle</u> | 3. _____ |
| <u>371 NE Gilman Blvd, Suite #360</u> | _____ |
| <u>Issaquah, WA 98027</u> | _____ |
| 2. _____ | 4. _____ |
| _____ | _____ |
| _____ | _____ |

(Use additional sheet if necessary.)

Whereas Petitioner prays that proceedings be had hereon for the vacation of said area of

FR-4 Line "NE Gilman Blvd extended"

(Street to be vacated)

right-of-way in the manner prescribed by RCW Chapter 35.79, and the agreement between the City of Issaquah and Petitioner attached hereto as "Exhibit B," the terms and conditions of which pertain to right-of-way vacation by the City and acquisition by Petitioner are included herein by this reference.

Respectfully submitted on this 20 day of Jan, 2004.


By: 

EXHIBIT A
 RIGHT OF WAY DESCRIPTION NO. 2
 (TO 1999 1-90 RIGHT OF WAY)

FOR KYLE DEVELOPMENT COMPANY

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M. IN KING COUNTY WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SUBDIVISION, 15.00 FEET EAST OF THE SOUTHWEST CORNER THEREOF;
 THENCE SOUTH 88°09'36" EAST A DISTANCE OF 15.00 FEET TO THE EAST MARGIN OF THIRD AVENUE NE;
 THENCE ALONG SAID EAST MARGIN, NORTH 1°46'39" EAST A DISTANCE OF 160.67 FEET TO THE POINT OF BEGINNING;
 THENCE CONTINUING NORTH 1°46'39" EAST A DISTANCE OF 106.97 FEET TO THE NORTH LINE OF A PARCEL OF LAND DESCRIBED IN WARRANTY DEED DATED SEPTEMBER 16, 1963 IN VOLUME 4455, PAGES 10 AND 11;
 THENCE ALONG SAID NORTH LINE, SOUTH 88°06'36" EAST A DISTANCE OF 4.12 FEET TO THE EAST MARGIN OF FR-4 LINE, AS DEPICTED ON WASHINGTON DEPARTMENT OF TRANSPORTATION PLANS FOR SR-90, M.P. 17.40 TO M.P. 18.44, EAST ISSAQUAH INTERCHANGE, DATED OCTOBER 8, 1999;
 THENCE ALONG SAID WEST MARGIN, SOUTH 31°29'43" EAST A DISTANCE OF 46.24 FEET;
 THENCE CONTINUING ALONG SAID WEST MARGIN, SOUTH 33°42'45" EAST A DISTANCE OF 201.44 FEET;
 THENCE CONTINUING ALONG SAID WEST MARGIN, SOUTH 25°34'02" EAST A DISTANCE OF 73.53 FEET TO THE SOUTH LINE OF SAID SUBDIVISION;
 THENCE ALONG SAID SOUTH LINE, NORTH 88°06'36" WEST A DISTANCE OF 35.71 FEET TO THE WEST MARGIN OF SAID FR-4 LINE;
 THENCE ALONG SAID WEST MARGIN, NORTH 31°40'19" WEST A DISTANCE OF 133.67 FEET;
 THENCE CONTINUING ALONG SAID WEST MARGIN, NORTH 29°45'35" WEST A DISTANCE OF 58.00 FEET
 THENCE NORTH 88°14'01" WEST A DISTANCE OF 40.49 FEET TO THE POINT OF BEGINNING.

PARCEL AREA IS 10,974 SQUARE FEET, MORE OR LESS.

