

**CITY OF ISSAQUAH
City Council Regular Meeting**

7:00 PM
June 1, 2020

Virtual Meeting

MINUTES

COUNCIL AND ADMINISTRATIVE PERSONNEL PRESENT

Alternate Meeting Format: On March 6, 2020 the Mayor declared a civil emergency due to the outbreak of novel coronavirus (COVID-19). On March 24, 2020 the Governor issued Proclamation 20-28 prohibiting open public meetings from occurring in person. The proclamation has been extended to June 17, 2020. Due to these factors, the meeting was held using a remote meeting platform.

Councilmembers:

Barbara de Michele
Stacy Goodman
Zach Hall
Victoria Hunt
Tola Marts
Chris Reh
Lindsey Walsh

Administration/Staff:

Mary Lou Pauly, Mayor
Wally Bobkiewicz, City Administrator
Andrea Snyder, Deputy City Administrator
Jim Haney, City Attorney
Tina Eggers, City Clerk
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.

SPECIAL BUSINESS

The Mayor stated that a new agenda item, "Mayor's Proclamation Declaring an Emergency and Imposing a Curfew; Proposed Ordinance Establishing Penalty for Curfew Violation" would be added to the agenda as the first item under Special Business.

The Mayor further stated that Regular Business item "b", AB 7980 - COVID-19 Anti-Bias Resolution, would be moved up the agenda as the second item under Special Business.

a) **Mayor's Proclamation Declaring an Emergency and Imposing a Curfew
Proposed Ordinance Establishing Penalty for Curfew Violation**

The City Attorney requested additional time to finalize materials for this item. The Mayor stated that, without objection, the Council would move to the next item on the agenda.

b) **AB 7980 - COVID-19 Anti-Bias Resolution**

Introduced by Mayor Pauly and presented by Scott Behrbaum, Police Chief.

Council President Hunt summarized email comments received on this agenda item.

Following Council discussion,

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

Approve Resolution No. 2020-08, rejecting racially based bias, harassment and hate crimes due to COVID-19.

Councilmember Marts read the proposed resolution into the record.

MOTION CARRIED, 7-0.

The City Council moved back up the agenda to:

a) **Mayor's Proclamation Declaring an Emergency and Imposing a Curfew Proposed Ordinance Establishing Penalty for Curfew Violation**

Introduced by Mayor Pauly and presented by Police Chief Scott Behrbaum and City Attorney Jim Haney.

The City Clerk read the proposed ordinance into the record.

Following Council discussion,

IT WAS MOVED BY GOODMAN, SECONDED BY DE MICHELE, TO:

Adopt Ordinance No. 2907, making violation of the curfew imposed by Mayor Pauly's June 1, 2020 declaration of civil emergency to be a criminal misdemeanor; declaring an emergency and establishing an immediate effective date.

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

Amend Section 1 of the Ordinance to:

Delete: "shall be punished by a fine not to exceed \$5,000 or by imprisonment for a period not to exceed one year"

Add: "shall be punished by a fine not to exceed \$250 or by imprisonment for a period not to exceed 90 days"

The City Attorney stated that the following references should be removed from the Ordinance along with the above proposed amended language:

In the last Whereas recital, delete: "punishable as provided in IMC 1.06.010(A)"

In Section 1, delete: "Pursuant to Issaquah Municipal Code § 1.06.010(A)"

The Mayor asked if there was any objection to amending the amendment to strike the language referenced by the City Attorney. There being no objection, the amendment to the amendment was adopted.

AMENDMENT AS AMENDED CARRIED, 6-1 (Opponent: Goodman).

IT WAS MOVED BY HUNT, SECONDED BY DE MICHELE, TO:

Amend the Ordinance to:

Revise any dates in the ordinance to include the specific curfew times as similarly stated in the Mayor's proclamation.

AMENDMENT CARRIED, 7-0.

Council President Hunt stated a desire to amend the Ordinance to distinguish violent demonstrations from peaceful and lawful protests in the Whereas clauses.

The Mayor stated that, without objection, the City Council would move to the next item on the agenda to allow time for the City Attorney to prepare draft language for a potential amendment.

AUDIENCE COMMENTS

No public comment was provided.

COMMITTEE / REGIONAL REPORTS

Councilmember de Michele:

Eastside Transportation Partnership – Made report.

Eastside Human Services Forum – Made report.

Healthier Here Governing Board– Announced upcoming meeting.

Councilmember Goodman:

Eastside Fire & Rescue Board Finance & Administration Committee – Made report.

Councilmember Marts:

PSRC Growth Management Policy Board – June meeting is canceled.

SCA Public Issues Committee – Announced upcoming meeting.

Council President Hunt:

Water Resource Inventory Area 8 (WRIA8) Salmon Recovery Council – Made report.

Announced upcoming meeting.

MAYOR'S REPORT

- a) The Mayor reported on the following topics:
- Executive Session - There will be an Executive Session to discuss pending/potential litigation per RCW 42.30.110(i). The item is expected to take approximately 30 minutes.
 - National Day of Prayer and Remembrance
 - LGBTQ Pride Month Proclamation
 - Gun Violence Awareness Day Proclamation
 - COVID-19 Response Update

CONSENT CALENDAR

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

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

- a) **ID 0544 - Accounts: Payables and Payroll of Jun. 1, 2020, \$ 2,189,347.74; Approved.**

- b) **Minutes: City Council Regular Meeting, May 18, 2020;** Approved.
- c) **Minutes: City Council Special Meeting, May 18, 2020;** Approved.
- d) **AB 7979 - CenturyLink Utility Relocation Agreement for SE 43rd Way Intersection Project;** Authorized the Mayor to enter into and execute the utility relocation agreement with CenturyLink, Exhibit A to AB 7979, for the SE 43rd Way Signal Improvements Project.
- e) **AB 7982 - Designating the Seattle Times as the City's Temporary Official Newspaper;** Approved Resolution No. 2020-09, designating the Seattle Times as the City's temporary official newspaper effective until the Issaquah Reporter resumes a printed publication on a weekly basis.

The City Council moved back up the agenda to:

SPECIAL BUSINESS - CONT.

- a) **Mayor's Proclamation Declaring an Emergency and Imposing a Curfew Proposed Ordinance Establishing Penalty for Curfew Violation**

This item was again before the Council with the following motion moved and pending:

Adopt Ordinance No. 2907, making violation of the curfew imposed by Mayor Pauly's June 1, 2020 declaration of civil emergency to be a criminal misdemeanor; declaring an emergency and establishing an immediate effective date.

IT WAS MOVED BY HUNT, SECONDED BY REH, TO:

Amend the Ordinance to:

Adopt the revised ordinance presented by the City Attorney as a substitute ordinance.

AMENDMENT CARRIED, 7-0.

MAIN MOTION AS AMENDED CARRIED, 6-1. (Opponent: Hall)

REGULAR BUSINESS

- a) **AB 7926 - First 2020 Budget Amendment**

Introduced by Mayor Pauly, noting AB 7926 and AB 7930 will be presented jointly. Action is anticipated to occur under AB 7930. These items were carried over from the Council Meeting of May 18, 2020.

Council President Hunt summarized email comments received on this agenda item.

- b) **AB 7930 - 2020 Budget Reauthorizations**

Following Council discussion,

IT WAS MOVED BY HUNT, SECONDED BY REH, TO:

Adopt Ordinance No. 2908, reauthorizing remaining 2019 funds for certain projects; and amending the 2020 budget as set forth in Ordinance No. 2888 concerning revenues, expenditures, and fund balance for various funds.

MOTION CARRIED, 7-0.

GOOD OF THE ORDER

Mayor Pauly:

Upcoming Council Meetings - Announced anticipated agenda items.

Councilmember Marts:

Proposed King County Rates & Fees – The Sound Cities Association (SCA) Public Issues Committee (PIC) is considering recommending that King County forego increases to utility rates and fees. Requested Councilmember feedback.

Various Councilmembers provided feedback. Some Councilmembers expressed support for the proposed position. Other perspectives included allowing needed rate increases and providing programs for relief or finding a way to reduce proposed increases.

COVID-19 Legislative Priorities – The SCA PIC is considering making a recommendation on adoption of Association of Washington Cities Legislative Priorities Related to COVID-19 Response and Relief. Requested Councilmember feedback.

There was no objection expressed.

Councilmember de Michele:

Human Services Budget Decisions Letter – Other area human services agencies are circulating a letter to the Governor and Legislature regarding human services funding during a special legislative session. Requested Councilmember feedback on having the City Council send a similar letter and placing this item on a future City Council agenda.

Various Councilmembers provided feedback. The Mayor summarized that, as a next step, the City Administration would seek additional information on drafting a letter from the City's lobbyist.

EXECUTIVE SESSION

At 10:55 PM, Council recessed into Executive Session for the purpose of discussing pending/potential litigation per RCW 42.30.110(i). The item was expected to take approximately 30 minutes. Action anticipated to follow in open session.

OPEN SESSION

The regular meeting was reconvened at 11:24 PM.

IT WAS MOVED BY HUNT, SECONDED BY REH, TO:

Authorize City Administrator Bobkiewicz and the City's legal team to proceed in the IHIF-C litigation as discussed in executive session.

MOTION CARRIED, 7-0.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 11:25 PM.

Christine Eggers, City Clerk

Mary Lou Pauly, Mayor



**CITY COUNCIL
AGENDA BILL**

City Council Regular Meeting - 15 Jun 2020

NEW
AB 7868 -
Consent Calendar

Confluence Park Turf & Irrigation Project **Proposed Council Action:
Accept Project**

DEPARTMENT OF COUNCIL LIAISON	Parks & Community Services Jennifer Fink
OTHER COUNCIL MEETINGS	n/a
COMP PLAN POLICY NOS.	Aug. 5, 2019 (AB 7804)
OTHER POLICIES	P-A.2, P-B.5, P-D.9
EXHIBITS	None.

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council authorization to accept the completed construction contract for Green Slate Landscaping, Inc. for the Confluence Park Turf & Irrigation project.

Background

On Aug. 5, 2019 via AB 7804, City Council awarded the construction contract for the Confluence Park Turf and Irrigation Project to Green Slate Landscaping, Inc. for \$451,562.01 (including sales tax).

Completed Contract

The actual completed contract cost for this work, including changes orders, is \$488,222.68. The actual total project cost remained within the overall project budget as shown in the Financial Section.

The work performed under the construction contract included work from the base bid and Schedule D:

- turf improvements and irrigation system installation in the Tolle Anderson and Cybil Madeline Green (base bid)
- extension of plumbing for installation of a new drinking fountain (base bid)
- bark around trees and hydroseed (base bid)
- installation of sod (in lieu of hydroseed) in the highly utilized lawn area adjacent to the picnic shelter (Schedule D)

The project began Aug. 22, 2019 and continued into the spring of 2020 to ensure lawn establishment per contractual requirements. The project was completed June 1, 2020.

This project has made the lawn areas within Confluence Park more usable by the community and will support gatherings, passive recreation and impromptu active pursuits.

Financial Information

The overall project budget as allocated by City Council for this project was \$570,000. The total amount paid to Green Slate Landscaping for construction, including change orders and sales tax is \$488,222.68. The overall actual project costs came in \$11,900.78 under budget as shown in the table below.

	Construction Budget	Actual	Difference
Design / Construction Support	\$72,835.10	\$69,532.79	\$3,302.31
Construction	\$451,562.01	\$488,222.68	\$(36,660.67)
Contingency	\$40,400.00	\$343.75	\$40,056.25
Total	\$564,797.11	\$558,099.22	\$6,697.89
Available Funds	\$570,000.00	\$570,000.00	
Remaining Funds	\$5,202.89	\$11,900.78	

Administration's Recommendation

The Administration recommends acceptance of the Confluence Park Turf and Irrigation Project and authorization to release the contractor's bond.

Update

n/a

Alternative(s)

n/a

RECOMMENDATION

Administration / Parks & Community Services:

MOVE TO: Accept the completion of the Confluence Park Turf & Irrigation Project and authorize the release of the contractor's bond.



CITY COUNCIL
AGENDA BILL

City Council Regular Meeting - 15 Jun 2020

NEW
AB 7983 -
Consent Calendar

King County COVID-19 Funding for Housing Stability Proposed Council Action: Authorize

Table with 2 columns: Department/Council Liaison/Other Council Meetings/Comp Plan Policy Nos./Other Policies/Exhibits and Parks & Community Services Monica Negrila/n/a/n/a/n/a/A. Proposed Agreement

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council authorization to enter into an agreement with King County to receive one-time funding totaling \$2,000 to help provide housing stability during COVID-19 response and recovery.

Background

Metropolitan King County Councilmember Lambert, District 3 awarded the City one-time County funding totaling \$2,000 to support City programs that provide food assistance, rent assistance, utility assistance, mortgage assistance or other programs to help provide housing stability during COVID response and recovery.

The funds are part of the Veterans, Seniors, and Human Services Levy (VSHSL), Housing Stability Strategy 8 (HS-8) that supports local solutions and allocates funds that the County may use to support local housing stability solutions to vulnerable populations.

In order to access the funds, the City must enter into an agreement with King County, effective Jan. 1, 2020 through Dec. 31, 2020.

Proposal

The Administration proposes that the City Council authorize the Mayor to enter into an agreement with King County to receive one-time funding totaling \$2,000 to help provide housing stability during COVID-19 response and recovery. The funds may be utilized to support City programs that provide food assistance, rent assistance, utility assistance, mortgage assistance or other programs to help provide housing stability during COVID response and recovery. The funds may be used both for offsetting expenses accrued so far during the crisis response, and for new program allocations.

Rental assistance and food security are part of the City's priorities during the COVID-19 Crisis response. The City may consider utilizing the money towards the City's Rental Assistance Program or towards food security through partnership with local non-profit agencies. Both of these uses are aligned with the VSHSL Implementation Plan strategy and with the County's stated intent for these funds.

Next Steps

Following Council approval, the Administration will proceed with finalizing the contract to accept the funding.

A narrative report will be due no later than ten working days after Dec. 31, 2020, in which the City will provide a description of how these funds were used to benefit the citizens of King County.

Financial Information

This funding was not budgeted. If the grant is accepted, the Finance Director may be directed to include both the grant revenue and related expenses in a subsequent budget adjustment.

Administration's Recommendation

The Administration recommends authorizing the Mayor to enter and execute the agreement with King County to receive one-time funding totaling \$2,000 to help provide housing stability during COVID response and recovery.

Update

n/a

Alternative(s)

Do not enter into the agreement. (Impact: Lose the opportunity to secure \$2,000 in funding for housing stability during COVID response and recovery.)

RECOMMENDATION

Administration / Parks & Community Services:

MOVE TO: Authorize the Mayor to enter into and execute the agreement with King County to receive one-time funding totaling \$2,000 to help provide housing stability during COVID-19 response and recovery; and, if needed, direct the Finance Director to include the grant revenue and the associated expenditure of \$2,000 in a subsequent 2020 budget amendment.



King County

**Department of
Community and Human Services**

Leo Flor, Director
401 Fifth Avenue, Suite 400
Seattle, WA 98104

(206) 263-9100
Fax (206) 296-5260
TTY Relay 711

May 28, 2020

Mayor Mary Lou Pauly
City of Issaquah
130 E. Sunset Way
Issaquah, WA 98027

RE: 2020 One-Time Funding (Reference Code 2020 – COVID HS8 3.4)

Dear Mayor Pauly:

On behalf of the City of Issaquah, you have agreed to accept one-time County funding totaling \$2,000 *to support City programs that provide food assistance, rent assistance, utility assistance, mortgage assistance or other programs to help provide housing stability during COVID response and recovery.* This one-time funding was awarded by Metropolitan King County Councilmember Lambert, District 3.

This letter serves as the agreement between the City of Issaquah and King County, effective Jan 1, 2020 through December 31, 2020. This agreement may be terminated by King County without cause, in whole or in part, at any time by providing 30 days advance written notice of the termination.

To receive the award, please submit the following information:

1. A completed King County Substitute W-9 form (attached).
2. A complete Automated Clearing House Agreement (attached) or provide the name of the person authorized to endorse and deposit checks for your organization and the mailing address to which the check should be sent.

A narrative report will be due no later than ten working days after December 31, 2020, in which the City of Issaquah provides a description of how these funds were used to benefit the citizens of King County. You may submit the narrative report to Homeless.Housing@kingcounty.gov

Mayor Mary Lou Pauly, City of Issaquah
 May 28, 2020
 Page 2 of 4

Please note that future considerations of additional funding in years to come will be based in part on the receipt of the narrative report within the time frame specified above.

In addition, the City of Issaquah agrees to the following:

- It is not presently debarred, suspended, or proposed for debarment by any Federal department or agency.
- It will not enter into a subcontract with any person or entity that is debarred, suspended, or proposed for debarment.
- It shall protect, defend, indemnify, and save harmless King County, its officers, employees, and agents from any and all costs, claims, judgments, and/or awards of damages, arising out of, or in any way resulting from, the negligent acts or omissions of the itself, its officers, employees, subcontractors and/or agents, in its performance and/or non-performance of its obligations under this agreement.
- Its obligations under the prior paragraph extend to any claim, demand, and/or cause of action brought by, or on behalf of, any of its employees or agents. For this purpose, it, by mutual negotiation, hereby waives, as respects King County only, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW.
- It will comply with applicable provisions of K.C.C. 3.04.
- It will not discriminate in the provision of employee benefits as provided in King County Ordinance 14823. Failure to abide by this requirement may result in disqualification from bidding on King County contracts, remedies allowed by this agreement, other remedies allowable or provided for by law or rule.
- None of the funds provided under this agreement shall be used for any partisan political activity or to further the election or defeat of any candidate for public office.
- This letter agreement is the complete expression of the terms and any oral or written representations or understandings not incorporated herein are excluded.

If you have any questions please contact Hedda McLendon, Housing Services and Stability Manager, at hedda.mclendon@kingcounty.gov. Please feel free to contact Hedda by email or phone at 206.263.8965.

Sincerely,

Mark Ellerbrook
 Division Director

cc: The Honorable Councilmember Lambert, Metropolitan King County Council, District 3.

ATTN: Cylan Brown, Chief of Staff
 Leo Flor, Director, Department of Community and Human Services (DCHS)
 Steve Andryszewski, Chief Financial Officer, DCHS