

**CITY OF ISSAQUAH
City Council Regular Meeting**

7:00 PM
September 21, 2020

Virtual Meeting

MINUTES

COUNCIL AND ADMINISTRATIVE PERSONNEL PRESENT

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
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 individuals provided public comment in support of the Downtown Streatery:

- Sharon Freas, owner of Art by Fire and Vice President of the Downtown Issaquah Association (DIA) Board of Directors, also spoke in support of AB 8032 - Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Funding Allocation.
- Art Freas, owner of Art by Fire, also spoke in support of business assistance
- Rick Ragan, owner of Montelcino Italian Restaurant, also urged continued business support
- Shana London, DIA Volunteer
- Bob Hanna, DIA Volunteer
- Kim Christianson, DIA Volunteer
- Ken Hughes, Jak's Grill/EI 42 Cantina/Sunset Alehouse
- Christina Bruning, President of DIA Board of Directors, also urged support of AB 8032 - Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Funding Allocation.

COMMITTEE / REGIONAL REPORTS

Councilmember Hall:

King County Affordable Housing Committee - Announced upcoming meeting.
King County Cities Climate Collaboration - Announced upcoming meeting.
Cascade Water Alliance Board of Directors - Announced upcoming meeting.

Councilmember de Michele:

Eastside Transportation Partnership - Made report.

Eastside Human Services Forum Board of Directors - Made report. Announced upcoming meeting.

Councilmember Walsh:

Economic Development District Board - Announced upcoming meeting.

Greater Issaquah Chamber of Commerce Board of Directors - Made report.

Title 18 Land Use Ad Hoc Committee - Reported that the Committee has met three times. The Committee is focusing on reviewing and providing feedback on outcomes and goals and considering options for 2021 budget.

Councilmember Goodman:

Eastside Fire & Rescue Finance & Administrative Committee - Announced upcoming meeting.

Councilmember Marts:

Sound Cities Association Public Issues Committee - Made report.

Puget Sound Regional Council Growth Management Policy Board - Made report.

Deputy Council President Reh:

King County Growth Management Planning Council - Announced upcoming meeting.

Council President Hunt:

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

Announced upcoming meeting.

MAYOR'S REPORT

The Mayor reported on the following items:

- Executive Session: There will be an executive session this evening to discuss pending and potential litigation per RCW 42.30.110(1)(i). The item is expected to last 30 minutes. No action is anticipated in Open Session.
- Mallard Bay Trail Agreement
- Passing of Supreme Court Justice Ruth Bader Ginsberg

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 0675 - Accounts: Payables and Payroll of Sept. 21, 2020, \$ 5,075,608.54;** Approved.
- b) **Minutes: City Council Special Meeting, Aug. 10, 2020;** Approved.
- c) **Minutes: City Council Regular Meeting, Sept. 8, 2020;** Approved.

- d) **AB 8022 - Amending Council Rules of Procedure Regarding Virtual Meetings & Study Sessions;** Approved Resolution No. 2020-13, amending the City Council Rules of Procedure by adding a new Section 3.10 to allow for remote attendance by Councilmembers in emergencies, amending Section 5.01, Study Sessions, to add Good of the Order as a standing Order of Business at regular Council Study Sessions and clarify the Study Session schedule.

PUBLIC HEARING

- a) **AB 8031 - 2021-2026 Six-Year Transportation Improvement Program**

Introduced by Mayor Pauly and presented by Transportation Engineering Manager John Mortenson.

Mayor Pauly opened the public hearing at 8:09 PM. There were no public comments. The public hearing was closed at 8:11 PM.

This item is planned to return to the City Council at the Oct. 5 City Council meeting under the Consent Calendar.

REGULAR BUSINESS

- a) **AB 8032 - Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Funding Allocation**

Introduced by Mayor Pauly and presented by City Administrator Wally Bobkiewicz, Economic Development Manager Jen Davis Hayes and Human Services & Social Sustainability Coordinator Monica Negrila.

Following Council discussion,

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

Authorize the allocation of \$563,850 designated to the City by the State of Washington from the Coronavirus Aid, Relief, and Economic Security (CARES) Act as follows:

- \$250,000 for economic development assistance, including business grants and restaurant weatherization assistance; and
- \$250,000 for assistance to human services agencies serving Issaquah residents; and
- \$63,850 to be used for reimbursement of expenses incurred by the City related to the pandemic.

And, direct the Finance Director to include the revenue and related expenditures in a subsequent 2020 budget amendment.

MOTION CARRIED, 7-0.

GOOD OF THE ORDER

Councilmember Hall:

Cascade Water Alliance – Asked for Council input on the following proposals.

1) Rate increases being considered by CWA:

- 2.2% annual increase for 5 years
- 0% increase in 2021, followed by a 4% increase in 2022 and 3% increases in 2023 and 2024.

- Councilmembers provided input but did not express strong support for either option.
- 2) Committing the use of RCFCs for construction projects only. City representatives are supportive.
- No specific input was provided.
- 3) Adopting a two-year cycle of rates and RCFCs instead of one-year cycles. City representatives are supportive.
- No specific input was provided.
- 4) Funding a Lake Tapps equity fund to "safeguard funds, monitor progress, and provide transparency and accountability" for our long-term interests in Lake Tapps. City representatives are supportive.
- No specific input was provided.

Mayor Pauly:

Upcoming Council Meetings - Announced anticipated agenda items.

EXECUTIVE SESSION

At 9:08 PM, Council recessed into Executive Session for the purpose of discussing pending/potential litigation per RCW 42.30.110(1)(i). The item was expected to take approximately 30 minutes. The session was extended by 5 minutes.

ADJOURNMENT

The regular meeting reconvened at 9:43 PM. There being no further business to come before the Council, the meeting was adjourned at 9:43 PM.

Tisha Gieser, Deputy City Clerk

Mary Lou Pauly, Mayor



**CITY COUNCIL
AGENDA BILL**

City Council Regular Meeting - 05 Oct 2020

UPDATED
AB 8031 -
Consent Calendar

2021-2026 Six-Year Transportation Improvement Program

**Proposed Council Action:
Approve Resolution**

**DEPARTMENT OF
COUNCIL LIAISON
OTHER COUNCIL MEETINGS
COMP PLAN POLICY NOS.
OTHER POLICIES
EXHIBITS**

PWE - Public Works Engineering John Mortenson
n/a
July 15, 2019 (AB 7759); Sept. 21, 2020
T-A3; T-A4; T-C3; T-C4; T-C5; T-E1; T-G1; T-G6
n/a
A. Proposed Resolution
B. Summary of Changes from 2020-2025 TIP
C. Transportation Advisory Board Comments
D. Presentation, Sept. 21, 2020

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council authorization to ~~conduct a public hearing and~~ approve a resolution adopting the proposed 2021-2026 Transportation Improvement Program (TIP) (Exhibit A). See the Update section for the latest information.

Background

[RCW 35.77.010](#) requires all cities to develop and adopt a six-year TIP consistent with the comprehensive plan. State law requires the City review and update its TIP every year, following one or more public hearings. The deadline for adoption is July 1. Within 30 days of adoption, the TIP is required to be filed with the Washington State Secretary of Transportation.

On June 30, Governor Inslee signed Proclamation 20-61 extending the deadline for cities and towns to adopt their TIPs from July 1 to July 31 this year. The proclamation was not renewed and has now expired; however, there is no penalty for adopting the TIP after the deadline. The 2021-2026 TIP was not brought before the City Council sooner due to staff turnover and the pandemic's impacts to City work plans.

The TIP is a planning document that allows the state to identify the financial needs to support transportation within the state. Any road construction projects must be included in the TIP in order to be eligible for federal funding, Transportation Improvement Board (TIB) funding, or allocation of the 1/2 cent gas tax monies.

The TIP is a component of the City's 6-year Capital Improvement Plan (CIP); however, the CIP is adopted on a biennial cycle and the TIP must be adopted annually. Council adopted the 2020-2025 CIP and TIP on July 15, 2019 (Resolution No. 2019-07). The 2021-2026 TIP is based on the 2020-2025 CIP/TIP with minor modifications due to mostly to staff capacity and funding constraints. A summary of the modifications is shown in Exhibit B.

The transportation policies within the City's recently completed Master Mobility Plan (MMP) will inform the transportation element of the comprehensive plan. The proposed 2021-2026 TIP does not incorporate the draft transportation policies found in the MMP because they have not been adopted into the Comprehensive Plan. Following the updates to the Comprehensive Plan, the TIP next year will incorporate the new transportation policies.

Public Engagement

The 2021-2026 TIP was presented to the Transportation Advisory Board (TAB). A summary of the TAB's comments are included in Exhibit C. The Sept. 21 public hearing will provide another opportunity for public involvement.

Next Steps

At Monday's Council meeting, staff will provide a presentation (Exhibit D) and the public hearing will be conducted. It is proposed that the agenda bill return to Council for adoption on the Consent Calendar at the Oct. 5 Council meeting.

Following Council adoption, the Administration will file the 2021-2026 TIP with the Washington State Secretary of Transportation. Next year during a more significant update to the CIP, and following adoption of the transportation policy update to the Comprehensive Plan, the Administration will work with the Transportation Advisory Board to incorporate the new policies. This will include the use of the project prioritization criteria suggested in the MMP to prioritize projects.

Financial Information

The City's 6-year Capital Improvement Plan (CIP) is updated on a biennial cycle. The required annual TIP update reflects current project budgets with potential project cost updates. Therefore, the TIP includes updated information from the 2020-2025 CIP. The updates and revisions that affect the 2021 budget will be proposed in the 2021 operating budget adoption process.

Administration's Recommendation

The Administration recommends approval of the proposed resolution adopting the 2021-2026 Transportation Improvement Program as presented.

Update

At the Sept. 21 City Council meeting, staff provided a presentation and the public hearing was conducted. No one from the public made comments. The City Council asked questions regarding specific projects and the reason for the differences between the Future Years Projects section from the previous TIP. The following is additional information to address Council questions from the Sept. 21 City Council meeting:

Question: Council asked what happened to the future year projects.

Response: In past TIP's future year projects had their own sheet just like the projects that are within the next six years. The future year projects is still in the Transportation Improvement Program. Beginning with the 2020-2025 Transportation Improvement Program, future year projects were given a table near the end of the TIP instead of separate sheets.

Question: Council noticed the Olde Town Parking Structure Project was no longer in the TIP.

Response: The Olde Town Parking Structure Project was removed from the TIP last year because the 2019 Issaquah Olde Town and Transit Parking Study concluded that there is capacity in the existing parking supply within Olde Town on the whole.

Question: Council asked why the difference in cost from the 2018-2022 TIP for the Black Nugget Rd Retaining Wall Repair (TR 033) and what makes the City think the wall can last that much longer.

Response: The City inspected the wall in 2010 and again in 2015. Based on the most recent study in 2015, repairs have been made to the wall, most recently in summer 2020. As for the costs, a detailed cost estimate was prepared in 2019. The cost that is shown in the 2021-2026 Transportation Improvement Program was based on the 2019 cost estimate plus inflation based on WSDOT's construction cost forecast. The cost increase from the 2018 TIP to the 2021 TIP is due to a more refined scope of the project and an increase in construction costs.

During the presentation on Sept. 21, 2020, staff stated that for Project TR 28 NW Sammamish Road Non-Motorized Improvement, there aren't enough funds in the School Zone Safety Fund to support the revenue shown in the TIP for 2022 and 2023. Instead of revising the 2021-2026 TIP, this change will be made with the 2022-2027 TIP. The reason for waiting until the 2022-2027 TIP is that the Capital Improvement Plan will also be updated at this time and identifying a new revenue for this project can be done in consideration of other City projects.

At the Oct. 5, 2020 Council meeting, the City Council is requested to approve the proposed resolution approving the 2021-2026 Six-Year Transportation Improvement Program.

Alternative(s)

- 1) Modify the proposed Transportation Improvement Plan. (Impact: This will likely require conducting another Public Hearing.)
- ~~2) Continue the public hearing to a date and time certain.~~
- ~~3) Approve the proposed resolution at the Sept. 21, 2020 Council meeting rather than the Oct. 5, 2020.~~

RECOMMENDATION

Administration / Public Works Engineering Department:

MOVE TO:

~~n/a [Conduct Public Hearing]~~

MOVE TO: Approve Resolution No. ____, adopting the 2021-2026 Transportation Improvement and directing the same to be filed with the State Secretary of Transportation.

RESOLUTION NO. 2020-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, ADOPTING A SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM AND DIRECTING THE SAME TO BE FILED WITH THE STATE SECRETARY OF TRANSPORTATION AND THE TRANSPORTATION IMPROVEMENT BOARD.

WHEREAS, pursuant to the requirements of Chapters 35.77 and 47.26 RCW, the City Council of the City of Issaquah has previously adopted a Comprehensive Transportation Program, and thereafter periodically modified said Comprehensive Transportation Program by resolution; and

WHEREAS, the City Council has reviewed the work accomplished under the Program, determined current and future City transportation needs to include non-motorized transportation, and based upon these findings has prepared a Six-Year Transportation Improvement Program for the ensuing six (6) calendar years; and

WHEREAS, a public hearing has been held on the Six-Year Transportation Improvement Program as required by RCW 35.77.010; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1. Program Adopted. The Six-Year Transportation Improvement Program for the City of Issaquah, as revised and extended for the ensuing six (6) calendar years (2021–2026, inclusive) and the 2021-2026 TIP Map, a copy of which is attached hereto as Exhibit A and B, respectively; and incorporated herein by this reference, as if fully set forth, which Program sets forth the project location, type of improvement and estimated cost thereof, is hereby adopted and approved.

Section 2. Filing of Program. Pursuant to Chapter 35.77 RCW, within 30 days of the adoption of this resolution the City Clerk is hereby authorized and directed to file a copy of this resolution, together with the Exhibits hereto attached, with the Secretary of Transportation and a copy with the Transportation Improvement Board for the State of Washington.

Passed by the City Council of the City of Issaquah, the _____ day of _____, 2020.

Approved by the Mayor of the City of Issaquah, the _____ day of _____, 2020.

MARY LOU PAULY, MAYOR

ATTEST/AUTHENTICATED:

CHRISTINE L. EGGERS, CITY CLERK

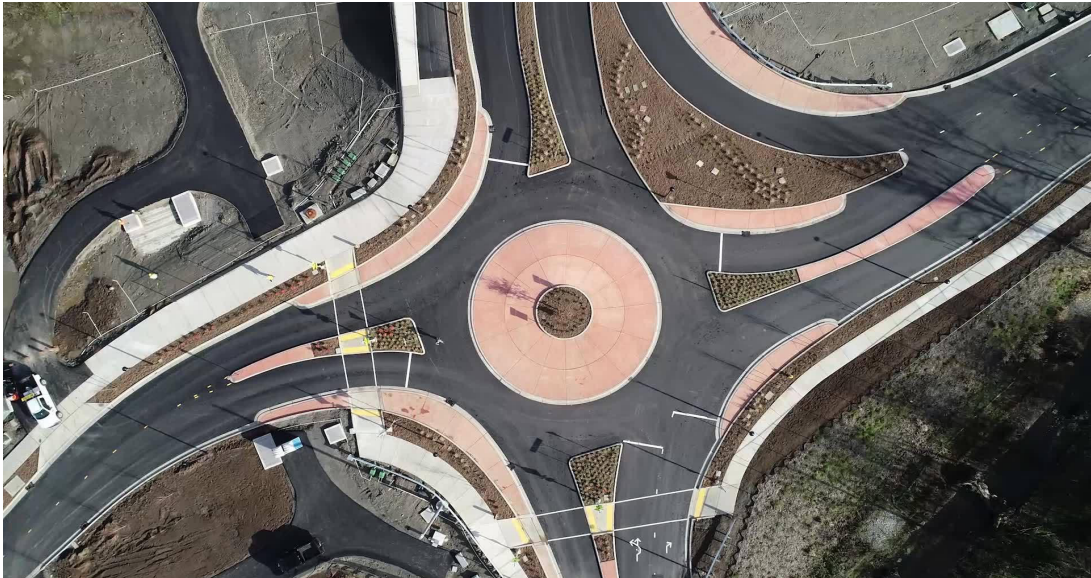
APPROVED AS TO FORM:

JAMES E. HANEY, CITY ATTORNEY

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: / AB

Exhibits:

Exhibit A, TIP
Exhibit B, TIP Map



TRANSPORTATION IMPROVEMENT PLAN

Updated 09/12/2020

Transportation Improvement Plan

Description	2021	2022	2023	2024	2025	2026	6-Year TIP Total	Future Years	Overall Project Cost
TR 003 I-90 Crossing - Between 10th and 12th Ave NW	\$ -	\$ -	\$ 50,000	\$ 25,000	\$ 500,000	\$ 1,000,000	\$ 1,575,000	\$ 79,392,500	\$ 80,967,500
TR 004 12th Ave/SR 900/17th Ave	\$ 3,075,000	\$ 2,525,000	\$ -	\$ -	\$ -	\$ -	\$ 5,600,000	\$ -	\$ 5,600,000
TR 010 Central Park Ln Traffic Signals and Mini-Roundabout	\$ -	\$ 224,000	\$ 671,973	\$ 3,375,000	\$ -	\$ -	\$ 4,270,973	\$ -	\$ 4,270,973
TR 011 ADA Improvements	\$ -	\$ 551,000	\$ 579,000	\$ 608,000	\$ -	\$ -	\$ 1,738,000	\$ -	\$ 1,738,000
TR 016 NW Gilman Blvd Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 500,000
TR 022 NW Newport Way - SR-900 to SE 54th St	\$ -	\$ -	\$ 170,000	\$ 3,291,600	\$ 320,000	\$ 5,000,000	\$ 8,781,600	\$ 26,000,000	\$ 29,779,600
TR 023 Newport Way - Maple to Sunset	\$ -	\$ 2,139,930	\$ 2,185,928	\$ -	\$ -	\$ -	\$ 4,325,858	\$ 31,400,000	\$ 35,725,858
TR 028 NW Sammamish Rd (Pinch Point)	\$ 300,000	\$ 8,300,000	\$ 3,400,000	\$ -	\$ -	\$ -	\$ 12,000,001	\$ -	\$ 12,000,001
TR 030 Pavement Management Program	\$ 1,423,512	\$ 2,270,000	\$ 2,245,250	\$ 2,501,012	\$ 2,491,291	\$ 2,630,291	\$ 13,561,356	\$ -	\$ 13,561,356
TR 031 SE 43rd Way and Providence Point Dr SE Intersection	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300,000	\$ -	\$ 300,000
TR 033 SE Black Nugget Rd - Retaining Wall Repair	\$ -	\$ 300,000	\$ 100,000	\$ -	\$ -	\$ 5,296,818	\$ 5,696,818	\$ -	\$ 5,696,818
TR 038 Three Trails Crossing Improvements	\$ -	\$ -	\$ 672,000	\$ 2,258,800	\$ -	\$ -	\$ 2,930,800	\$ -	\$ 2,930,800
TR 041 Front St Streetscape	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ 1,269,250	\$ 1,569,250		\$ 1,569,250
TR 043 Tibbetts Valley Park Frontage	\$ -	\$ 672,000	\$ 2,258,800	\$ -	\$ -	\$ -	\$ 2,930,800	\$ -	\$ 2,930,800
TR 046 SE 43rd Way and ELSP Roundabout Modifications	\$ 344,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 344,500	\$ -	\$ 344,500
TR 054 Annual Concrete Maintenance Program	\$ -	\$ 340,000	\$ 350,000	\$ 360,500	\$ 371,000	\$ 381,000	\$ 1,802,500	\$ -	\$ 1,802,500
TR 056 Highlands Signal Pole Painting		\$ 204,600	\$ 104,600	\$ 106,900	\$ 109,100	\$ -	\$ 525,200	\$ -	\$ 525,200
TR 058 Strategic Small Capital Projects	\$ 112,300	\$ 104,600	\$ 106,900	\$ 109,100	\$ 111,300	\$ 114,000	\$ 658,200	\$ -	\$ 658,200
Total Transportation Capital Requests	\$ 5,555,312	\$ 18,231,130	\$ 12,894,452	\$ 12,785,912	\$ 4,052,691	\$ 15,841,359	\$ 68,610,855	\$ 137,292,500	\$ 205,903,355

Transportation

Strategic Small Capital Projects

Strategic Plan Project

Project Number: TR 058
Project Manager: John Mortenson
Starting Year: 2021
Completion Year: 2026



Estimated Annual Ongoing Costs*: \$4,000
**Subject to change and does not represent a budget commitment*

Project Summary

On-going capital project to strategically design and construct early implementation, small scale capital improvements to complete "near-term connections and efficiencies in the mobility system," as outlined in objective MO2 of the Strategic Plan.

Project Justification

This project identifies, designs, and constructs small capital projects consistent with the Strategic Plan's Mobility goals and objectives.

Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
School Zone Safety Fund	\$ 102,300	\$ 104,600	\$ 106,900	\$ 109,100	\$ 111,300	\$ 114,000	\$ -
Developer Contribution	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Sources	\$ 102,300	\$ 104,600	\$ 106,900	\$ 109,100	\$ 111,300	\$ 114,000	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Planning-Design-Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction or Contractor	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ -
Art Fund Contribution	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Inflation	\$ 2,300	\$ 4,600	\$ 6,900	\$ 9,100	\$ 11,300	\$ 14,000	\$ -
Total Uses	\$ 112,300	\$ 104,600	\$ 106,900	\$ 109,100	\$ 111,300	\$ 114,000	\$ -

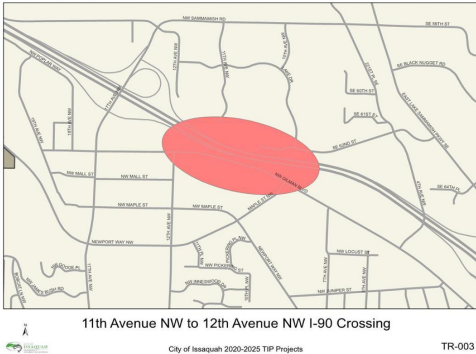
Transportation

I-90 Crossing - Between 10th and 12th Ave NW

Traffic Concurrency Project

Project Number: TR 003
Project Manager: Stephen Padua
Starting Year: 2021
Completion Year: Future Years

Estimated Annual Ongoing Costs*: N/A
 *Subject to change and does not represent a budget commitment



Project Summary

Install a new three-lane I-90 crossing between SR 900 and Front Street, adding back-to-back north and southbound left turn lanes, a five-foot bike lane, and a sidewalk on both sides of the street. This project will be closely coordinated with the Washington State Department of Transportation and King County Metro, Sound Transit, and other stakeholders. Work in 2023 will be the beginning of the planning phase.

Project Justification

This project substantially increases connectivity within the regional growth center between the urban core located north and south of I-90, thus helping relieve congestion near the SR 900 and Front Street interchanges by diverting local trips away from I-90 ramps.

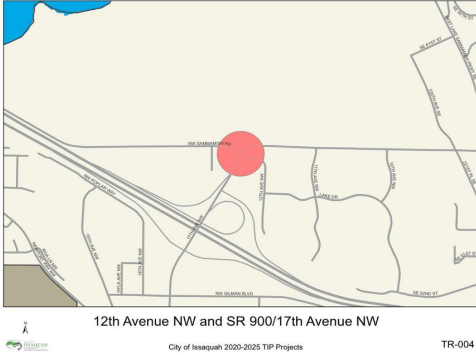
Capital Budget	6-Year CIP Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
REET-2	\$ -	\$ -	\$ 50,000	\$ 25,000	\$ 135,000	\$ 135,000	\$10,717,988
Grant-Federal	\$ -	\$ -	\$ -	\$ -	\$ 865,000	\$ 865,000	\$68,674,513
Total Sources	\$ -	\$ -	\$ 50,000	\$ 500,000	\$1,000,000	\$ 1,000,000	\$79,392,500
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Acquisition/ROW	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000,000
Planning-Design-Engineering	\$ -	\$ -	\$ 44,524	\$ 21,815	\$ 427,716	\$ 824,402	
Construction or Contractor	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$70,000,000
Art Fund Contribution	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 192,500
Inflation	\$ -	\$ -	\$ 1,024	\$ 1,003	\$ 29,512	\$ 93,158	
Contingency	\$ -	\$ -	\$ 4,452	\$ 2,182	\$ 42,772	\$ 82,440	\$ 7,200,000
Total Uses	\$ -	\$ -	\$ 50,000	\$ 25,000	\$ 500,000	\$ 1,000,000	\$79,392,500

Transportation

12th Avenue NW and SR 900/17th Ave NW

Traffic Concurrency Project

Project Number: TR 004
Project Manager: John Mortensen
Starting Year: 2020
Completion Year: 2022



Estimated Annual Ongoing Costs*: \$17,000
 *Subject to change and does not represent a budget commitment

Project Summary

This project widens the northbound SR 900/17 Avenue NW approach to 12th Avenue NW for an exclusive right-turn lane from northbound SR 900/17 Avenue NW to eastbound/southbound 12th Avenue NW and widens 12th Avenue NW at SR 900/NW Sammamish Road to provide additional westbound left-turn approach lane capacity.

Project Justification

This project is required as part of the Costco Development Agreement, and is included in the Central Issaquah Area Plan and the City's Concurrency Capacity Projects list. Roadway network improvements are necessary to support the non-residential property and improve overall traffic circulation north of I-90. These improvements should also help reduce the number of intersection accidents. The improvements help reduce the length of stored vehicles waiting to turn left from 12th Avenue. The project provides improved fuel efficiencies and reduction of fuel emissions. Where possible, the project includes low impact development/natural drainage practices, pervious pavements, any other low impact development design elements appropriate for the project.

	6-Year Capital Improvement Plan						Future Years
Capital Budget	2021	2022	2023	2024	2025	2026	Total
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Grant-State	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grant-State	\$ 1,525,000	\$ 1,475,000	\$ -	\$ -	\$ -	\$ -	\$ -
Developer Contribution	\$ 1,050,000	\$ 1,050,000	\$ -	\$ -	\$ -	\$ -	\$ -
Total Sources	\$ 3,075,000	\$ 2,525,000	\$ -	\$ -	\$ -	\$ -	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Acquisition/ROW	\$ 550,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction or Contractor	\$ 2,238,249	\$ 2,193,308	\$ -	\$ -	\$ -	\$ -	\$ -
Art Fund Contribution	\$ 11,191	\$ 10,967	\$ -	\$ -	\$ -	\$ -	\$ -
Inflation	\$ 51,737	\$ 101,397	\$ -	\$ -	\$ -	\$ -	\$ -
Contingency	\$ 223,823	\$ 219,328	\$ -	\$ -	\$ -	\$ -	\$ -
Total Uses	\$ 3,075,000	\$ 2,525,000	\$ -	\$ -	\$ -	\$ -	\$ -

Transportation

Central Park Traffic Signal and Mini-Roundabout

Project Number: TR 010
Project Manager: John Mortenson
Starting Year: 2021
Completion Year: 2024
Estimated Annual Ongoing Costs*: \$14,000
**Subject to change and does not represent a budget commitment*



Project Summary

Install new traffic signal at the intersection of Central Park Lane NE and NE Park Drive. Construct a mini-roundabout at the intersection of Central Park Lane NE and College Drive. Complete a design study to address additional pedestrian crossing issues along NE Park Drive between 17th ave NE and the trail crossing east of Central park Lane NE, including a potential second traffic signal at the school driveway.

Project Justification

The 2015 Pedestrian Crossing Study evaluated the four existing crosswalks on NE Park Dr in relation to pedestrian traffic generated by Grand Ridge Elementary School, the trail, and Central Park, and recommended analyzing additional corridor improvements. Conditions of approval (SEPA) for the Central Park Improvements requires a traffic signal to be installed at the intersection of Central Park Ln NE and NE Park Drive for the new fields to be scheduled at full capacity, and a mini-roundabout needs to be installed at the Central Park Lane NE and College Drive.

Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Debt-Bond Issue		\$ 224,000	\$ 672,000	\$ 3,375,000	\$ -	\$ -	
Total Sources	\$ -	\$ 224,000	\$ 672,000	\$ 3,375,000	\$ -	\$ -	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Planning-Design-Engineering	\$ -	\$ 199,466	\$ 586,387	\$ -	\$ -	\$ -	\$ -
Construction or Contractor		\$ -	\$ -	\$ 2,873,942	\$ -	\$ -	\$ -
Art Fund Contribution	\$ -	\$ -	\$ -	\$ 14,370	\$ -	\$ -	\$ -
Inflation	\$ -	\$ 4,588	\$ 26,947	\$ 199,294	\$ -	\$ -	\$ -
Contingency	\$ -	\$ 19,946	\$ 58,639	\$ 287,394	\$ -	\$ -	\$ -
Total Uses	\$ -	\$ 224,000	\$ 671,973	\$ 3,375,000	\$ -	\$ -	\$ -

Transportation

ADA Improvements

Project Number: TR 011

Project Manager: Matt Ellis

Starting Year: 2020

Completion Year: Ongoing

Estimated Annual Ongoing Costs*: \$5,500

**Subject to change and does not represent a budget commitment*



Project Summary

Primary work includes the design and construction of ADA ramp and improvements in support of the pavement management program. In addition, pedestrian crossing and other non-motorized mobility improvements will be designed and built.

Project Justification

These investments are part of the City’s ongoing program works to complete ADA improvements that enhance overall accessibility, safety, and mobility for pedestrians, bicyclists, and disabled members of the community.

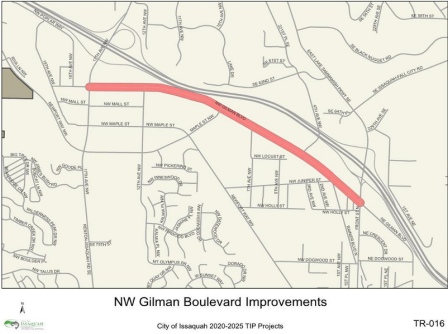
Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
REET-2	\$ -	\$ 551,000	\$ 579,000	\$ 608,000	\$ -	\$ -	\$ -
Total Sources	\$ -	\$ 551,000	\$ 579,000	\$ 608,000	\$ -	\$ -	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Construction or Contractor	\$ -	\$ 500,000	\$ 520,000	\$ 540,000	\$ -	\$ -	\$ -
Art Fund Contribution	\$ -	\$ 2,500	\$ 2,600	\$ 2,700	\$ -	\$ -	\$ -
Inflation	\$ -	\$ 10,000	\$ 10,400	\$ 10,800	\$ -	\$ -	\$ -
Contingency	\$ -	\$ 38,500	\$ 46,000	\$ 54,500	\$ -	\$ -	\$ -
Total Uses	\$ -	\$ 551,000	\$ 579,000	\$ 608,000	\$ -	\$ -	\$ -

Transportation

Gilman Boulevard Improvements

Project Number: TR 016
Project Manager: John Mortenson
Starting Year: 2017
Completion Year: Future Years

Estimated Annual Ongoing Costs*: N/A
**Subject to change and does not represent a budget commitment*



Project Summary

Complete a design vision for the Gilman corridor with a focus on safety improvements and development standards. The project would inform potential developers of the future Gilman Boulevard layout and serve as the basis for future capital projects.

Project Justification

Previous proposals for Gilman Boulevard improvements have included the Gilman Bike & Pedestrian Project (2014 Nexus Study for Bicycle/Ped Facilities) to construct bike lanes and the Gilman Safety Improvement Project (2016-2021 Capital Facilities Plan) to increase left-turn storage capacity; restrict left turns out of various driveways; and incorporate U-turn/left-turn lanes at signalized intersections. This project consolidates previous proposals into a comprehensive plan to address the Gilman Boulevard corridor from SR-900 to Front Street.

The project improve bicycle and pedestrian mobility and safety per the Bike/Pedestrian Plan. Improvements in capacity provide improved fuel efficiencies and reduce fuel emissions and improves access to retail centers along Gilman Boulevard. The project is consistent with strategies and goals of the Central Issaquah Plan.

Phase 2 design cost estimated at \$500,000. Project currently unfunded.

Transportation

Newport SR 900 & SE 54th Street Improvements

Project Number: TR 022
Project Manager: John Mortenson
Starting Year: 2017
Completion Year: Future Years

Estimated Annual Ongoing Costs*: N/A
**Subject to change and does not represent a budget commitment*



Project Summary

Install intersection controls and access management along the Newport Way corridor from SR 900 to SE 54th Street to include one ten-foot travel lane, a bi-directional five-foot bike lane, an eight-foot landscaped central median, a twelve-foot left turn pocket (where required), a six-foot landscaped buffers on both sides of the roadway, a six-foot sidewalk on the south side of Newport Way NW, and a twelve-foot mixed use facility for the Mountains to Sound Greenway that meets sidewalk requirements for a Parkway on the north side of Newport Way NW.

Project Justification

The Newport Way corridor from SR 900 to SE 54th St was examined in the 2015 Pedestrian Crossing Study and discussed in the Central Issaquah Plan. It reduces conflicts between modes, vehicle speeds, and hazards. Non-motorized mobility will be improved for both pedestrians and bicyclists while supporting ADA accessibility. The project capitalizes on developer streetscape enhancements to complete improvements along a corridor.

Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
REET-2		\$ -	\$ 170,000	\$ 1,091,600	\$ 320,000	\$ 675,000	\$ -
Grant-Federal	\$ -	\$ -	\$ -	\$ 2,200,000	\$ -	\$ 4,325,000	
Total Sources	\$ -	\$ -	\$ 170,000	\$ 3,291,600	\$ 320,000	\$ 5,000,000	\$ 26,000,000
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Acquisition/ROW	\$ -	\$ -	\$ -	\$ 2,938,929	\$ 285,714		
Planning-Design-Engineering	\$ -	\$ -	\$ 151,786	\$ -	\$ -	\$ -	
Construction or Contractor			\$ -	\$ -	\$ -	\$ 4,444,444	\$ 20,000,000
Art Fund Contribution			\$ -	\$ -	\$ -	\$ 22,222	\$ 62,500
Inflation			\$ 3,036	\$ 58,779	\$ 5,714	\$ 88,889	\$ 3,937,500
Contingency			\$ 15,179	\$ 293,893	\$ 28,571	\$ 444,444	\$ 2,000,000
Total Uses	\$ -	\$ -	\$ 170,000	\$ 3,291,600	\$ 320,000	\$ 5,000,000	\$ 26,000,000

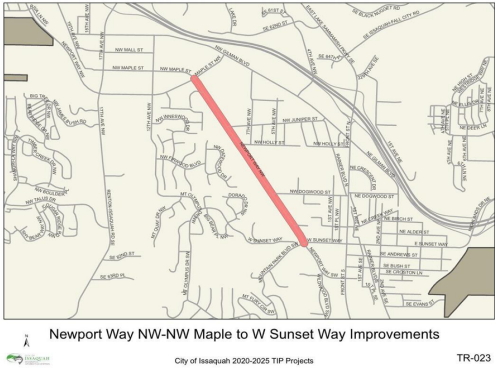
Transportation

Newport Way Maple to Sunset Improvements

Traffic Concurrency Project

Project Number: TR 023
Project Manager: John Mortensen
Starting Year: 2018
Completion Year: Future Years

Estimated Annual Ongoing Costs*: N/A
**Subject to change and does not represent a budget commitment*



Project Summary

Utilize grant funds to design a three-lane roadway with roundabout intersections, bike lanes, sidewalks, and a multi-use path.

Project Justification

The project improves pedestrian and bicycle safety, which is of special importance due to the adjacent elementary school. Traffic safety and flow will be with left-hand turns. Capacity enhancement and safety provides for improved fuel efficiencies, reduction of fuel emissions, and fewer traffic accidents. Where possible the project will include low impact development/natural drainage practices, pervious pavements, any other low impact development design appropriate for the project. The project is consistent with Council's goals of focusing on transportation. Project is consistent with policies in the City's Central Issaquah Plan.

		6-Year Capital Improvement Plan						Future Years Total
Capital Budget	Previous Years	2021	2022	2023	2024	2025	2026	
Sources/Funding	Appropriated to Date	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Debt-Bond Issue	\$ -		\$ 1,307,473	\$ 1,307,473	\$ -	\$ -	\$ -	\$ -
Mitigation-Street	\$ -		\$ 832,457	\$ 878,455	\$ -	\$ -	\$ -	\$ -
Total Sources	\$ -	\$ -	\$ 2,139,930	\$ 2,185,928	\$ -	\$ -	\$ -	\$ -
Uses/Costs	Appropriated to Date	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Acquisition/ROW	\$ -	\$ -	\$ 1,867,304	\$ 1,869,913	\$ -	\$ -	\$ -	
Construction or Contractor	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$28,416,290
Art Fund Contribution	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 142,081
Inflation	\$ -		\$ 85,896	\$ 129,024	\$ -	\$ -	\$ -	
Contingency	\$ -		\$ 186,730	\$ 186,991	\$ -	\$ -	\$ -	\$ 2,841,629
Total Uses	\$ -	\$ -	\$ 2,139,930	\$ 2,185,928	\$ -	\$ -	\$ -	\$31,400,000

Transportation

NW Sammamish Road Non-Motorized Improvement Project

Project Number: TR 028

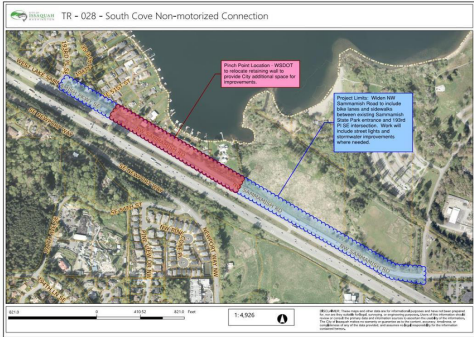
Project Manager: Matt Ellis

Starting Year: 2018

Completion Year: 2023

Estimated Annual Ongoing Costs*: \$37,600

**Subject to change and does not represent a budget commitment*



Project Summary

Widen the NW Sammamish roadway between 193rd PI SE and the State Park Entrance as well as install curb, gutter, sidewalks, bike lanes, and storm drainage.

Project Justification

With an increase in traffic volumes on NW Sammamish Road, these improvements will enhance pedestrian and bicycle safety. Where possible, the project scope will include low impact development/natural drainage practices, pervious pavements, and other low impact development design.

Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Debt-Bond Issue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
School Zone Safety Fund	\$ 300,000	\$ 8,300,000	\$ 3,400,000	\$ -	\$ -	\$ -	\$ -
Total Sources	\$ 300,000	\$ 8,300,000	\$ 3,400,000	\$ -	\$ -	\$ -	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Planning-Design-Engineering	\$ 267,142	\$ 267,142	\$ -	\$ -	\$ -	\$ -	\$ -
Construction or Contractor	\$ -	\$ 6,943,752	\$ 2,895,231	\$ -	\$ -	\$ -	\$ -
Art Fund Contribution	\$ -	\$ 34,719	\$ 14,476	\$ -	\$ -	\$ -	\$ -
Inflation	\$ 6,144	\$ 333,298	\$ 200,770	\$ -	\$ -	\$ -	\$ -
Contingency	\$ 26,714	\$ 721,089	\$ 289,523	\$ -	\$ -	\$ -	\$ -
Total Uses	\$ 300,000	\$ 8,300,000	\$ 3,400,000	\$ -	\$ -	\$ -	\$ -

Transportation

Pavement Management Program

Project Number: TR 030
Project Manager: Bennett Ashbaugh
Starting Year: 2020
Completion Year: Ongoing



Estimated Annual Ongoing Costs*: N/A
**Subject to change and does not represent a budget commitment*

Project Summary

Perform annual street maintenance projects to preserve the life of existing pavement and reduce degradation of the roadway. This program is vital to protect City infrastructure and improve safety within the roadway network.

Project Justification

The Pavement Management Program (PMP) coordinates interdepartmental efforts to provide cost effective maintenance efforts that extend the life of roadways and sustain a safe, reliable, low maintenance surface for all modes of transportation. Overlaying streets prior to deterioration of structural integrity is much more cost effective than rebuilding entire street structures. Proper maintenance of an existing roadway leads to less acute failures, safer travel, and better utilization of the tax payer's dollar.

Existing funding levels have the PMP on a 65-year maintenance cycle, meaning once a roadway receives a maintenance treatment, such as an overlay or reconstruction, it will not receive another treatment for 65 or more years. Without regular and timely maintenance, flexible pavements (asphalt) have a typical life cycle of 20-25 years. Proper maintenance in an adequately funded program can extend the life-cycle of a roadway to 40-50 years. The City's current level of service goals will not be met at current funding levels, and annual maintenance such as potholes, crack seal, and patching continue to increase. A properly managed and funded PMP protects the City's transportation network investments, and provides cost-effective methods to extend the life of pavement facilities.

Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
REET 2 (formerly TBD sales tax)	\$ 265,353	\$ 1,950,000	\$ 895,000	\$ 895,000	\$ 895,000	\$ 895,000	
REET 2	\$ 734,647	\$ 320,000	\$ 1,350,250	\$ 1,606,012	\$ 1,596,291	\$ 1,735,291	
REET 2 (formerly TR11 ADA Improvements)	\$ 250,000						
REET 2 (From delayed Street Capital Projects)	\$ 173,512	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Sources	\$ 1,423,512	\$ 2,270,000	\$ 2,245,250	\$ 2,501,012	\$ 2,491,291	\$ 2,630,291	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Planning-Design-Engineering	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	
Material Testing (Consultant)	\$ 42,000	\$ 44,000	\$ 46,000	\$ 48,500	\$ 51,000	\$ 55,000	
Construction or Contractor	\$ 1,329,029	\$ 2,034,031	\$ 2,019,809	\$ 2,149,742	\$ 2,149,742	\$ 2,149,742	
Inflation	\$ 22,483	\$ 96,969	\$ 149,441	\$ 202,770	\$ 260,549	\$ 320,549	
Pavement Condition Index (Contractor)	\$ -	\$ 65,000	\$ -	\$ 70,000	\$ -	\$ 75,000	
Total Uses	\$ 1,423,512	\$ 2,270,000	\$ 2,245,250	\$ 2,501,012	\$ 2,491,291	\$ 2,630,291	\$ -
Capital Sources Over (Under) Uses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

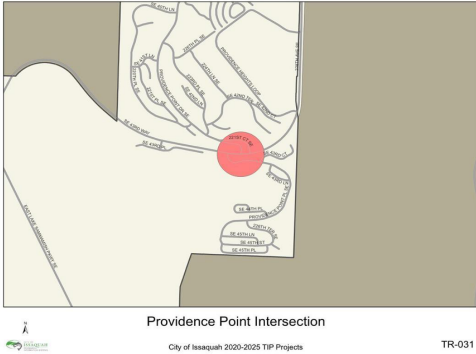
Transportation

Southeast 43rd Way Signal Improvements

Traffic Concurrency Project

Project Number: TR 031
Project Manager: John Mortensen
Starting Year: 2018
Completion Year: 2021

Estimated Annual Ongoing Costs*: \$14,000
**Subject to change and does not represent a budget commitment*



Project Summary

Realign the entrances to Providence Point and Forest Village and install a new traffic signal at SE 43rd Way.

Project Justification

In 2004 the City of Issaquah completed the Providence Point Transportation Needs Assessment Study. The study was developed in response to the annexation of the Providence Point area to the City of Issaquah in 2003. The study identified realigning Providence Point and installing a traffic signal along SE 43rd Way as a project to be completed.

	6-Year Capital Improvement Plan						Future Projections	
Capital Budget	2021	2022	2023	2024	2025	2026	Future 2027	Future Years Total
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Debt-Bond Issue	\$ 300,000	\$ -						\$ -
Total Sources	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Construction or Contractor	\$ 265,930	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Art Fund Contribution	\$ 1,330	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Inflation	\$ 6,147	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Contingency	\$ 26,593	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Uses	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Transportation

SE Black Nugget Road Retaining Wall Repair

Project Number: TR 033
Project Manager: Robert York
Starting Year: 2022
Completion Year: 2026



Estimated Annual Ongoing Costs*: N/A
**Subject to change and does not represent a budget commitment*

Project Summary

Repair retaining wall as needed with a substantial upgrade anticipated in later years. This King County permitted and inspected project entailed construction of the 1,200 linear foot retaining wall along SE Black Nugget Road.

Project Justification

In 2010 the City retained consultants to evaluate the structural integrity of the existing retaining wall. The study recommended a regimen of on-going inspection and repairs as necessary and eventually a major wall upgrade. To ensure the wall's integrity, this project provides the necessary inspection and repairs as recommended with a major upgrade in later years. In making these investments, the City ensures the wall's integrity thereby protecting its infrastructure and the public.

Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
REET-1	\$ -	\$ 300,000	\$ 100,000	\$ -	\$ -		
Debt-Bond Issue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,296,818	\$ -
Total Sources	\$ -	\$ 300,000	\$ 100,000	\$ -	\$ -	\$ 5,296,818	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Planning-Design-Engineering	\$ -	\$ 261,780	\$ 85,543	\$ -	\$ -	\$ -	\$ -
Construction or Contractor	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,793,500	\$ -
Art Fund Contribution	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,968	\$ -
Inflation	\$ -	\$ 12,042	\$ 5,903	\$ -	\$ -		\$ -
Contingency	\$ -	\$ 26,178	\$ 8,554	\$ -	\$ -	\$ 479,350	\$ -
Total Uses	\$ -	\$ 300,000	\$ 100,000	\$ -	\$ -	\$ 5,296,818	\$ -

Transportation

Three Trails Crossing

Pedestrian and Bicycle Mitigation Project

Project Number: TR 038
Project Manager: John Mortenson
Starting Year: 2017
Completion Year: 2024



Estimated Annual Ongoing Costs*: N/A
**Subject to change and does not represent a budget commitment*

Project Summary

Improve roadway crossing for the Sammamish Trail, Rainier Boulevard Trail, and the Juniper Street Trail by signaling the intersection at Gilman Boulevard and Juniper Street. The developer, Seacon, is funding and managing intersection improvements on the northern side of the project area as part of the development agreement. Once completed in 2019, City staff will propose a separate capital project to reconfigure and rebuild the street geometry on the southern half of Gilman boulevard.

Project Justification

King County Parks Lake Sammamish Trail was paved in 2001 and bicycle and pedestrian use has increased with more non-motorized users choosing to cross where the trail connects to Gilman rather than going to a protected crossing approximately 300 feet to the west. The project improves pedestrian and bicycle safety by bringing the Sammamish Shared Use Path crossing to intersect with the Rainier Blvd Trail and the Juniper Street walking trail. By realigning the driveway access to avoid swerving vehicle motion, both intersection safety and level of service will significantly improve.

Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Mitigation-Ped/Bike	\$ -	\$ -	\$ 644,020	\$ -	\$ -	\$ -	\$ -
Debt-Bond Issue	\$ -	\$ -	\$ 27,980	\$ 2,258,800	\$ -	\$ -	\$ -
Total Sources	\$ -	\$ -	\$ 672,000	\$ 2,258,800	\$ -	\$ -	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Planning-Design-Engineering	\$ -	\$ -	\$ 574,850	\$ -	\$ -	\$ -	\$ -
Construction or Contractor	\$ -	\$ -	\$ -	\$ 1,887,911	\$ -	\$ -	\$ -
Art Fund Contribution	\$ -	\$ -	\$ -	\$ 9,440	\$ -	\$ -	\$ -
Inflation	\$ -	\$ -	\$ 39,665	\$ 172,658	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ 57,485	\$ 188,791	\$ -	\$ -	\$ -
Total Uses	\$ -	\$ -	\$ 672,000	\$ 2,258,800	\$ -	\$ -	\$ -

Transportation

Front Street Streetscape

Project Number: TR 041
Project Manager: Robert York
Starting Year: 2018
Completion Year: Future Years
Estimated Annual Ongoing Costs*: \$3,000
**Subject to change and does not represent a budget commitment*



Project Summary

Create an inviting and safer pedestrian space and pedestrian-oriented gathering spaces on Front Street. The three-phase project stems from the Olde Town Plan, the 2016 Olde Town Task Force recommendations, and the Front Street Streetscape Plan.

Project Justification

The Front Street Streetscape Plan improves pedestrian visibility and safety at mid-block crossings and intersections. The project includes opportunities to include low impact development/natural drainage practices, pervious pavements, and any other low impact development design appropriate for the project.

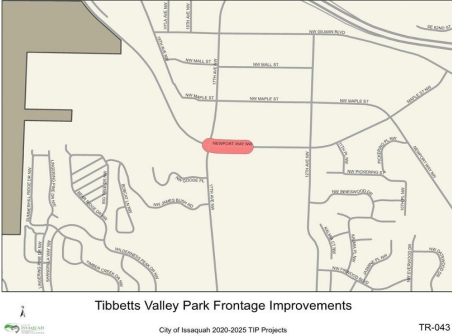
The streetscape improvements will enhance the streetscape by inviting more pedestrian activity and, as a result, increase the economic vitality of Front Street businesses.

		6-Year Capital Improvement Plan						Future Years
Capital Budget	Previous Years	2021	2022	2023	2024	2025	2026	Total
Sources/Funding	Appropriated to Date	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Debt-Bond Issue	\$ -	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ 1,269,250	\$ -
Total Sources	\$ -	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ 1,269,250	\$ -
Uses/Costs	Appropriated to Date	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Planning-Design-Engineering	\$ -	\$ -	\$ 66,231	\$ -	\$ -	\$ -	\$ 300,000	\$ 300,000
Construction or Contractor	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ 850,000	\$ 850,000
Art Fund Contribution	\$ -	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ 4,250	\$ 4,250
Inflation	\$ -	\$ -	\$ 6,146	\$ -	\$ -	\$ -	\$ 23,000	\$ 23,000
Contingency	\$ -	\$ -	\$ 26,623	\$ -	\$ -	\$ -	\$ 115,000	\$ 115,000
Total Uses	\$ -	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ 1,292,250	\$ 1,292,250

Transportation

Tibbets Valley Park Frontage Improvements

Project Number: TR 043
Project Manager: John Mortenson
Starting Year: 2021
Completion Year: 2023
Estimated Annual Ongoing Costs*: \$7,000
**Subject to change and does not represent a budget commitment*



Project Summary

Installs a bike lane, curb, gutter, and sidewalk on the frontage of Tibbets Valley Park on Newport Way between SR 900 and the entrance to the Issaquah Transit Center and Tibbets Valley Park.

Project Justification

A condition of the skate park’s permitting required street front improvements on Newport Way. The Tibbets Valley Park Master Planning process is underway and will further refine the project scope.

Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
REET 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Mitigation - Ped/Bike	\$ -	\$ 147,667	\$ 496,353	\$ -	\$ -	\$ -	\$ -
Grant-State	\$ -	\$ 524,333	\$ 1,762,447	\$ -	\$ -	\$ -	\$ -
Total Sources	\$ -	\$ 672,000	\$ 2,258,800	\$ -	\$ -	\$ -	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Planning-Design-Engineering	\$ -	\$ 574,850	\$ -	\$ -	\$ -	\$ -	\$ -
Construction or Contractor	\$ -	\$ -	\$ 1,887,911	\$ -	\$ -	\$ -	\$ -
Art Fund Contribution	\$ -	\$ -	\$ 9,440	\$ -	\$ -	\$ -	\$ -
Inflation	\$ -	\$ 39,665	\$ 172,658	\$ -	\$ -	\$ -	\$ -
Contingency	\$ -	\$ 57,485	\$ 188,791	\$ -	\$ -	\$ -	\$ -
Total Uses	\$ -	\$ 672,000	\$ 2,258,800	\$ -	\$ -	\$ -	\$ -

Transportation

SE 43rd Way and East Lake Sammamish Parkway Roundabout Modifications

Project Number: TR 046

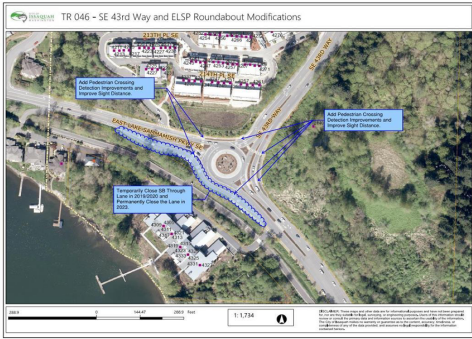
Project Manager: Matt Ellis

Starting Year: 2020

Completion Year: 2021

Estimated Annual Ongoing Costs*: N/A

**Subject to change and does not represent a budget commitment*



Project Summary

Remove the southbound through lane along East Lake Sammamish Parkway, and convert it to a space with planters that serves as refuge for bicyclists and pedestrians.

Project Justification

The City has received requests to analyze the southbound through lane at the intersection of East Lake Sammamish Parkway and SE 43rd Way. The City has received complaints that it is difficult to merge with vehicles going through the main part of the roundabout. Additional complaints center on pedestrian crosswalk safety, and not being visible to vehicles accelerating out of the intersection. The primary concern for pedestrians in the north crossing, and not being visible to cars exiting the roundabout from 43rd Way.

Capital Budget	6-Year Capital Improvement Plan						Future Years Total
	2021	2022	2023	2024	2025	2026	
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
School Safety Zone Fund	\$ 344,500.00		\$ -	\$ -	\$ -	\$ -	\$ -
Total Sources	\$ 344,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Construction or Contractor	\$ 193,500		\$ -	\$ -	\$ -	\$ -	\$ -
Contingency	\$ 151,000		\$ -	\$ -	\$ -	\$ -	\$ -
Total Uses	\$ 344,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Transportation

Annual Concrete Maintenance Program

Project Number: TR 054
Project Manager: Bennett Ashbaugh
Starting Year: 2022
Completion Year: Ongoing



Estimated Annual Ongoing Costs*: N/A
**Subject to change and does not represent a budget commitment*

Project Summary

Preserve, maintain, and replace the City's concrete sidewalk, curb, and gutter assets.

Project Justification

Concrete facilities within the right-of-way serve multiple purposes: they are the backbone of the City's pedestrian networks, the primary source of stormwater conveyance, and are increasingly used as a physical barrier to improve safe multi-modal travel within the transportation system.

Though concrete structures have a long-life expectancy, damage regularly results from tree roots, settling, traffic accidents, and overweight loads. As trees mature, their roots lift the adjacent sidewalk panels putting the sidewalk out of compliance with the ADA and increasing the City's risk for trip and fall claims. Concrete curbs and gutters serve as the primary stormwater conveyance system. When concrete fails it allows water to enter the roadway base contributing to "bottom-up" failures such as rutting, settling, and fatigue cracking. With flexible pavements (asphalt), the integrity of the base plays a very important role in roadway life expectancy.

The current level of funding does not address the number of concrete issues throughout the City and in many areas leaves the City out of compliance. This proposed would increase the City's investment in the Concrete Maintenance Program.

Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
REET-2	\$ -	\$ 340,000	\$ 350,000	\$ 360,500	\$ 371,000	\$ 381,000	\$ -
Total Sources	\$ -	\$ 340,000	\$ 350,000	\$ 360,500	\$ 371,000	\$ 381,000	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Acquisition/ROW	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Overtime - Inspection	\$ -	\$ 28,665	\$ 30,100	\$ 31,600	\$ 33,180	\$ 35,000	\$ -
Planning-Design-Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction or Contractor	\$ -	\$ 271,383	\$ 267,309	\$ 263,831	\$ 260,153	\$ 260,000	\$ -
Professional Services - Material Testing	\$ -	\$ 25,000	\$ 30,000	\$ 35,000	\$ 40,000	\$ 44,000	\$ -
Inflation	\$ -	\$ 14,952	\$ 22,591	\$ 30,069	\$ 37,667	\$ 42,000	\$ -
Contingency	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Uses	\$ -	\$ 340,000	\$ 350,000	\$ 360,500	\$ 371,000	\$ 381,000	\$ -

Transportation

Highlands Signal Pole Painting

Project Number: TR 056
Project Manager: Bennett Ashbaugh
Starting Year: 2020
Completion Year: 2024

Estimated Annual Ongoing Costs*: N/A
**Subject to change and does not represent a budget commitment*



Project Summary

Clean, prep, prime, and paint 25 signal poles, 34 mast arms, and 22 ped poles. The green paint on these poles is shedding due to poor initial workmanship.

Project Justification

Specified poles are shedding the original paint applied to these poles. If not addressed, the paint degradation could lead to rust and shorten the life of the equipment. It is also an aesthetic eyesore in the Highlands urban village. Public Works Operations has received 3 estimates for this work, resulting in an average total cost of \$650,000. More than 50% of this cost is due to traffic control, overtime for night work, and police presence, when required, in intersections.

	6-Year Capital Improvement Plan						
Capital Budget	2021	2022	2023	2024	2025	2026	Future Years Total
Sources/Funding	Budget	Budget	Budget	Budget	Budget	Budget	Budget
REET-1	\$ -	\$ 204,600	\$ 104,600	\$ 106,900	\$ 109,100	\$ -	\$ -
Total Sources	\$ -	\$ 204,600	\$ 104,600	\$ 106,900	\$ 109,100	\$ -	\$ -
Uses/Costs	Budget	Budget	Budget	Budget	Budget	Budget	Budget
Construction or Contractor	\$ -	\$ 200,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	\$ -
Inflation	\$ -	\$ 4,600	\$ 4,600	\$ 6,900	\$ 9,100	\$ -	\$ -
Total Uses	\$ -	\$ 204,600	\$ 104,600	\$ 106,900	\$ 109,100	\$ -	\$ -

Future Year Projects

Project Number	Project Name	Asset Category	Project Summary	Future Years
TR 002	10th Avenue Non-motorized I-90 Crossing	Transportation	Provide a 14-foot wide non-motorized crossing of I-90 at 10 Avenue NW between Tibbett's District and Pickering Place. This will connect the Issaquah Transit Center to the Costco campus.	\$8,460,500
TR 005	13 Avenue NW Streetscape Improvements	Transportation	Install a new two-lane roadway with turn lanes at intersections including sidewalks, curb and gutter, landscaping, streetlights, on-street parking, and a traffic signal at NW Maple Street.	\$5,040,625
TR 006	15 Avenue NW Streetscape Improvements	Transportation	Install a new two-lane roadway with turn lanes at intersections including sidewalks, curb and gutter, landscaping, streetlights, on-street parking, and traffic signals at NW Maple Street and at NW Newport Way.	\$5,171,550
TR 008	221st Place SE from SE 62nd Street to SE 56th Street	Transportation	Rebuild 221 Place SE with two 11-foot travel lanes, 8-foot parking, as well as landscaping, curb, gutter, and sidewalk additions from the new SE 62 Street improvements to match the existing sidewalk.	\$3,768,871
TR 012	Front & Sunset Intersection Left-turn Improvements	Transportation	Design and construct left-turn lanes on Sunset Way.	\$1,011,960

Future Year Projects

Project Number	Project Name	Asset Category	Project Summary	Future Years
TR 013	Front Street & Gilman Boulevard Intersection Enhancement	Transportation	Complete a pre-design study based on the Central Issaquah Plan to determine feasibility and appropriate capacity improvements to relieve traffic congestion and improve traffic safety within the Front Street corridor and Gilman Boulevard.	\$3,652,299
TR 014	Front Street & I-90 Interchange	Transportation	Reconfigure Front Street N and the I-90 Interchange to provide additional capacity at the Front Street Interchange in coordination with WSDOT.	\$52,054,000
TR 015	Front Street & NW Dogwood Intersection Improvements	Transportation	Design and construct intersection improvements, realign the intersection, re-surface the street, and construct curb, gutter, sidewalk, storm drainage, adjust utilities, install streetlights, and install a new traffic signal.	\$2,821,625
TR 017	Issaquah Pine Lake Road Improvements	Transportation	Widen the roadway to include curb, gutter, sidewalks, bike lanes, and other multi-modal elements as well as storm drainage, irrigation, trees, and crosswalks.	\$12,798,864
TR 019	Maple Street Commons Improvements	Transportation	Replace the interim "mini roundabout" constructed in 2017 with a "standard" full-sized roundabout that revises shopping center driveway entrances in addition to improving Maple Street.	\$5,382,238
TR 021	NE Dogwood Street Road Widening	Transportation	Widen the roadway to 28-feet to provide two travel lanes, on-street parking, and a continuous six-foot wide sidewalk between the East Fork Issaquah Creek bridge and Front Street North.	\$1,771,222
TR 024	NW Holly Street	Transportation	Construct a multipurpose trail and parking on the south side of Holly Street with a pedestrian/bike bridge across Issaquah Creek. The project includes landscaping and streetlight improvements.	\$7,790,051

Future Year Projects

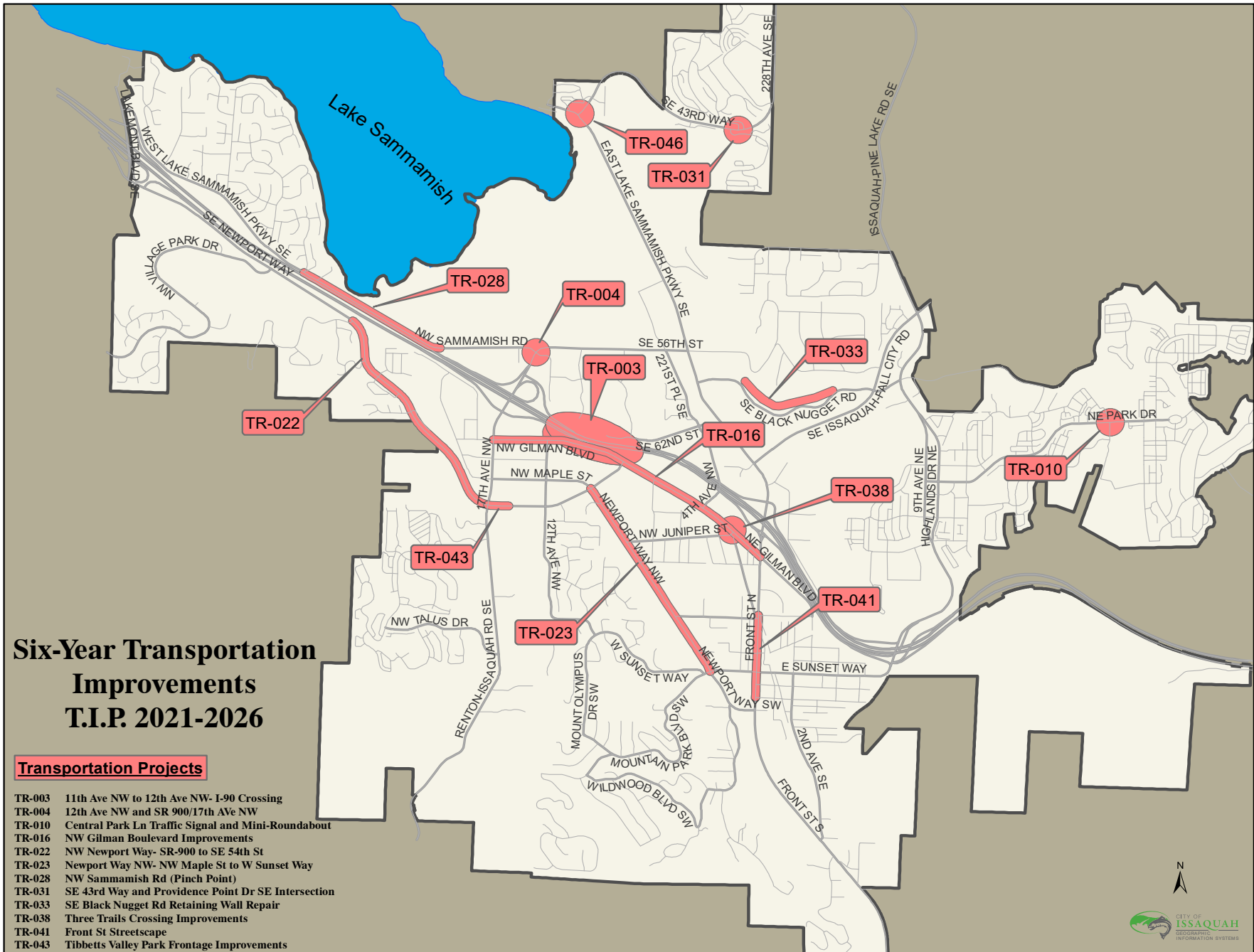
Project Number	Project Name	Asset Category	Project Summary	Future Years
TR 025	NW Juniper Street Improvements	Transportation	Design and reconstruct two travel lanes, curbs, gutter, drainage and water quality treatment improvements with a ten-foot wide multi-purpose trail on one side, a sidewalk on the other, and landscaping and lighting enhancements.	\$2,405,819
TR 026	NW Mall Street Improvements	Transportation	This is a new two-lane roadway with turn lanes at intersections that function as a pedestrian corridor based on the Central Issaquah Area Plan. The project includes sidewalks, curb and gutter, tree wells, streetlights, and on-street parking.	\$17,192,031
TR 027	NW Sammamish Road Non-motorized Crossing	Transportation	Provide a 14-foot wide non-motorized crossing of I-90 west to improve pedestrian and bike access to the State Park.	\$11,296,320
TR 032	SE 51 Street Widening	Transportation	Widen the eastbound approach of Southeast 51 Street to include a second left turn pocket at the intersection with East Lake Sammamish Parkway.	\$ 430,476
TR 034	SE Black Nugget Road Widening	Transportation	Widen SE Black Nugget Road to provide two westbound left-turn lanes approaching Issaquah Fall City Road.	\$1,344,892
TR 035	SR 900 & NW Sammamish Road Widening	Transportation	Widen NW Sammamish Road at SE 56 Street for general purpose lanes in both directions between East Lake Sammamish Road and the SR 900 west bound on-ramp. Construct an additional general purpose lane in the westbound direction approaching the I-90 ramps from 11 Avenue NW to the metered location on the westbound I-90 on-ramp.	\$65,203,735

Future Year Projects

Project Number	Project Name	Asset Category	Project Summary	Future Years
TR 036	SR 900 I-90 East Bound Ramps	Transportation	As described in the Simplified Concurrency Program, provide additional right turn pocket at the SR 900/I-90 eastbound ramps and modify SR 900 between off-ramp and Gilman Boulevard intersection to accommodate the additional turning capacity. This improvement provides for a third eastbound right turn lane.	\$1,205,805
TR 037	SR 900 Widening	Transportation	Widen SR 900 to three lanes in each direction between Maple Street and Newport Way. Provide additional turn lane capacity at the Newport Way intersection.	\$8,021,311
TR 040	East Sunset Way Streetscape Improvements	Transportation	Widen the roadway and install parking lanes, curb, gutter, sidewalks, storm drainage, irrigation, trees, crosswalks, and traffic calming devices for approximately 2,200 linear feet. Improvements also include modifying existing traffic signal and lane geometry at Front Street, adding a cycle track for bicycle mobility.	\$11,913,343
TR 042	Alder Festival Street	Transportation	This project stems from the 2016 Olde Town Task Force Recommendations and the Front Street Streetscape Plan. This project serves as an extension to the Front Street Streetscape improvements and provides a gathering space for pedestrians and social event space on NW Alder with new trees, street furniture, and lighting.	\$1,500,000

Future Year Projects

Project Number	Project Name	Asset Category	Project Summary	Future Years
TR 044	Adaptive Signal Control System	Transportation	Implement citywide adaptive signal control system (ASC) to improve traffic flow with the installation of signal controller hardware and software, vehicle detection systems, communication systems, central system hardware and software.	\$4,256,000
TR 045	Pedestrian Enhancements - NW Newport Way and SE 54th Street to City Limits	Transportation	This project will examine access management and various intersection controls to provide safe pedestrian crossings, adequate vehicle level-of-service, and safety for all transportation modes.	\$46,070,000
TR 047	W Lake Sammamish Parkway SE Corridor Improvements	Transportation	This project provides a corridor concept and design with focus on safety improvements and improved mobility.	\$80,950,000
TR 048	SE Black Nugget Road Intersection Improvements	Transportation	This intersection was identified in the 2017 SE Black Nugget Road Pedestrian Crossing Report as a high vehicle accident intersection. A interim solution of a mini-roundabout is recommended to address traffic safety based on the traffic analysis of the existing land use in the area.	\$ 618,000
TR 049	220th Avenue SE Bike Lanes	Transportation	Add bicycle lanes on 220th Ave SE between SE 51st Street and SE 56th Street.	\$786,500
TR 050	11th Avenue NW Improvements	Transportation	Construct a new two-lane roadway with turn lanes at intersections and wide sidewalks, curb and gutter, landscaping, streetlights, and on-street parking.	\$6,182,500
TR 052	NW Maple and 12th Avenue Intersection	Transportation	Intersection widening to provide an exclusive eastbound right-turn lane and northbound right-turn lane.	\$1,350,000
TR 053	10th Avenue NE and NE Park Drive	Transportation	Install signal phasing improvements.	\$1,499,999
TR 057	Sammamish Trail Grade Separation at SE 56th Street	Transportation	Construct a pedestrian and bicycle crossing at SE 56th Street for the Sammamish Trail that intersects SE 56th Street.	\$14,000,000
TR 001	2nd Avenue SE	Transportation	Installs new curb, gutter, and sidewalk, along the east side of the street creating a continuous sidewalk along 2nd Avenue SE.	\$278,441





Public Works Engineering
 1775 – 12th Ave NW | P.O. Box 1307
 Issaquah, WA 98027
 425-837-3400
 issaquahwa.gov

MEMORANDUM

TO: City Council
 FROM: John Mortenson, Senior Engineer
 RE: 2021-2026 TIP Change Summary
 DATE: 09/11/2020

Below is a summary of significant changes from the 2020-2025 Transportation Improvement Program to the 2021-2026 Transportation Improvement Program.

TR 001 2nd Avenue SE

Project moved to future years. 2020-2025 TIP assumed City would apply a Safe Routes to School grant in 2020 that would provide revenue for construction in 2021. Due to staffing vacancies, Administration did not have staff capacity to apply for grant.

TR 003 I-90 Crossing – Between 10th and 12th Ave NW

The 2020-2025 TIP included \$50,000 in 2021 for planning and \$25,000 for a grant application in 2022. The costs were moved to 2023 for planning and 2024 for a grant application. Design costs were also moved to future years and revenues were adjusted to include the anticipated 13.5% required match for federal transportation funds.

TR 004 12th Avenue NW and SR 900/17th Ave NW

Project revenue and expenses updated to reflect most current cost estimate and assumes City will receive the TIB grant that it applied for in August 2020 (AB 7989)

TR 010 Central Park Traffic Signal and Mini-Roundabout

The 2020-2025 TIP assumed Transportation Benefit District (TBD) Package Sales Tax Supported Debt as revenue to support the project's expenses with design beginning in 2021. The City is not proposing a TBD package in 2020. Project expenses were moved one year to the future and shown as debt-bond issue. When the City decides to proceed with this project, a revenue source will need to be identified.

TR 011 ADA Improvements

2021 revenue and expenses were moved from TR 11 ADA Improvements to TR 30 Pavement Management Program (PMP). When the City overlays a street, it is required to update the curb ramps to meet current ADA standards. Project TR 11 ADA Improvements is the project the City uses to upgrade curb ramps for TR 030 Pavement Management Program. In 2021 no curb ramps needed to be upgraded for the PMP program and because

the two projects are closely tied together revenue and expenses were moved from TR 11 ADA Improvements to TR 30 PMP.

TR 016 NW Gilman Blvd Improvements

This project was delayed due to the COVID-19 underspend plan. Project will need new revenue source to proceed.

TR 022 NW Newport Way – SR-900 to SE 54th St

Project revenue and expenses were updated to reflect successful grant application (AB 7928) for right of way acquisition.

TR 030 Pavement Management Program

2021 revenue and expenses were moved from TR 11 ADA Improvements to TR 30 Pavement Management Program (PMP). When the City overlays a street, it is required to update the curb ramps to meet current ADA standards. Project TR 11 ADA Improvements is the project the City uses to upgrade curb ramps for TR 030 Pavement Management Program. In 2021 no curb ramps needed to be upgraded for the PMP program and because the two projects are closely tied together revenue and expenses were moved from TR 11 ADA Improvements to TR 30 PMP.

TR 033 SE Black Nugget Rd – Retaining Wall Repair

Construction was moved from future years to 2026.

TR 041 Front Street Streetscape

Revenue and expenses originally identified for 2021 were moved to 2022 because the City does not have the staff resources to complete this project in 2021.

TR 043 Tibbetts Valley Park Frontage Improvements

Project revenues and expenses were moved one year in the future. The Parks and Community Services Department is completing the Tibbetts Valley Park Master Plan and the master plan needs to be completed to help guide the frontage improvements.

TR 046 SE 43rd Way and East Lake Sammamish Parkway Roundabout Modifications

Project revenues and costs updated to reflect proposed 2021 operating budget.

TR 051 SE 66th Bridge Improvements

Project TR 51 was included in the 2020-2025 TIP because the City needed to perform a bridge scour analysis to determine if countermeasures needed to be installed to protect the bridge from scour. An analysis was performed, and it determined the SE 66th Bridge does not have bridge scour and the risk to the creek channel is negligible. Based on the results of the scour analysis this project was determined not be needed and has been removed from the 2021-2026 TIP.

TR 056 Highlands Signal Pole Painting

Project TR 56 is not included in the proposed 2021 operating budget. The 2021-2026 TIP was updated to reflect the proposed 2021 operating budget. The paint failure is aesthetic and does not pose a structural issue or shorten the expected life of the poles.



Public Works Engineering
1775 – 12th Ave NW | P.O. Box 1307
Issaquah, WA 98027
425-837-3400
issaquahwa.gov

MEMORANDUM

TO: City Council
FROM: John Mortenson, Senior Engineer
RE: 2021-2026 TIP Change Summary
DATE: 09/11/2020

The 2021-2026 Transportation Improvement Program was presented to the Transportation Advisory Board at their meeting on September 1, 2020. Below are the comments that were received along with staff responses.

TAB Comment: Which ones are concurrency projects?

Staff Response: Concurrency projects have been labeled.

TAB Comment: Newport Maple to Sunset does not show construction.

Staff Response: Construction is in future years.

TAB Comment: The one-page project sheets are very helpful. Projects seem very consistent with the vision we had established for transportation future, focusing on core, non-motorized, and safety. Happy to see resources for major maintenance such as light pole painting, pavement repair, and ADA improvements. Some exciting projects that will increase the connectivity of existing infrastructure.

TAB Comment: Map scale on project pages is zoomed in too much and it is difficult to orient where projects are at?

Staff Response: The project sheets used the 2020-2025 CIP template. Staff capacity is not currently available to make change to 2021-2026 TIP. Comment will be considered for the 2022-2027 TIP.

TAB Comment: Add map provided showing all the projects.

Staff Response: Map has been added.

TAB Comment: Visuals would be helpful. Consider adding before and after side by side visuals.

Staff Comment: Comment will be considered for 2022-2027 TIP. Staff capacity is not currently available to make change to 2021-2026 TIP.

TAB Comment: Like bike connectivity's on Gilman and Newport, glad to see this prioritized.

TAB Comment: For TR 38, Three Trails Crossing Project, what will the development agreement construct and what will the future CIP project construct?

Staff Response: The Development Agreement Project is constructing a new traffic signal with scramble crosswalk and ADA compliant curb ramps. The future TR 38 Three Trails Crossing project will reconfigure and rebuild the street geometry on the southern half of Gilman Boulevard.

TAB Comment: The City bonded to increase the use and capacity of Central Park and now needs another bond to pay for the road improvements, created debt by increasing debt. This project is absolutely necessary and glad to have it on the list.

TAB Comment: How much planning can we do for TR 003 I-90 Crossing – Between 10th and 12th Ave NW when we don't know where Sound Transit Station is going. Need more time to evaluate and collaborate with Sound Transit.

Staff Response: Planning work scheduled for 2022 moved to 2023 to allow for more planning and coordination with Sound Transit. Design phase moved to begin in 2025. The timing for this project will be reevaluated during the 2022-2027 TIP update. Project might need to be moved further out to allow for more planning and coordination with Sound Transit. Future planning for this project will need to be consider grant applications for federal transportation funds are in even years.



Transportation Improvement Program (TIP) 2021-2026

SEPTEMBER 21, 2020

ISSAQUAH CITY COUNCIL

JOHN MORTENSON, TRANSPORTATION ENGINEERING MANAGER

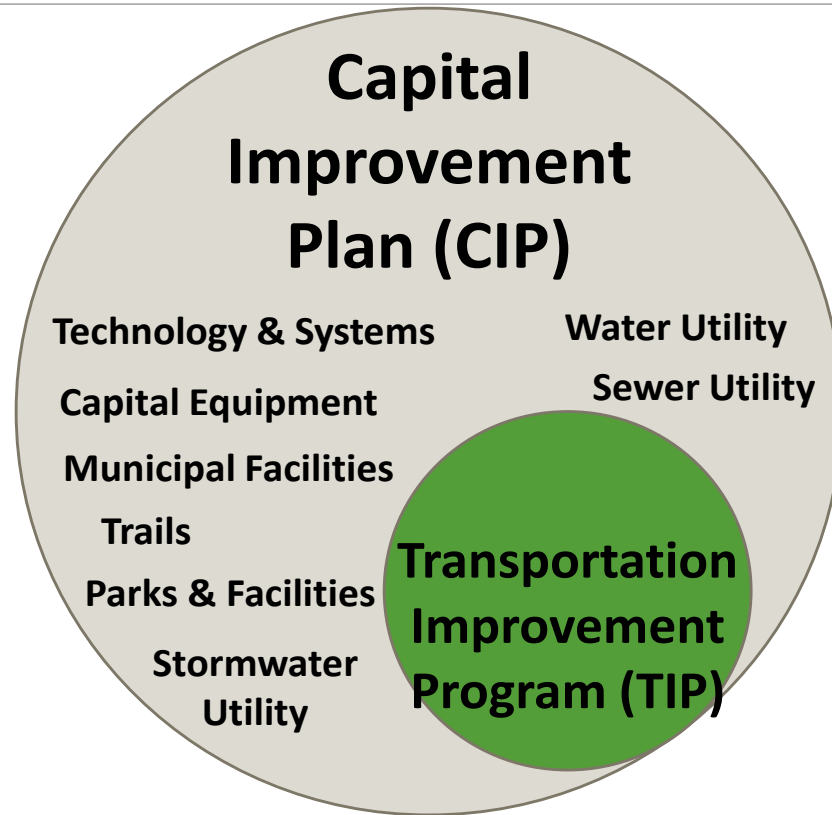
Purpose

Revised Code of Washington (RCW) 35.77.010

Funding Eligibility



Related to CIP?



TIP and Mobility Master Plan

2021-2026 TIP: Minor update to 2020 to 2025 TIP

Comprehensive Plan: MMP policies are being considered as an update

Next Year: Major update to incorporate the MMP into the TIP/CIP

TIP and Mobility Master Plan

2020



2021



Transportation Improvement Program (TIP)

Description	2021	2022	2023	2024	2025	2026	6-Year TIP Total	Future Years	Overall Project Cost
TR 003 I-90 Crossing - Between 10th and 12th Ave NW	\$ -	\$ -	\$ 50,000	\$ 25,000	\$ 500,000	\$ 1,000,000	\$ 1,575,000	\$ 79,392,500	\$ 80,967,500
TR 004 12th Ave/SR 900/17th Ave	\$ 3,075,000	\$ 2,525,000	\$ -	\$ -	\$ -	\$ -	\$ 5,600,000	\$ -	\$ 5,600,000
TR 010 Central Park Ln Traffic Signals and Mini-Roundabout	\$ -	\$ 224,000	\$ 671,973	\$ 3,375,000	\$ -	\$ -	\$ 4,270,973	\$ -	\$ 4,270,973
TR 011 ADA Improvements	\$ -	\$ 551,000	\$ 579,000	\$ 608,000	\$ -	\$ -	\$ 1,738,000	\$ -	\$ 1,738,000
TR 016 NW Gilman Blvd Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 500,000
TR 022 NW Newport Way - SR-900 to SE 54th St	\$ -	\$ -	\$ 170,000	\$ 3,291,600	\$ 320,000	\$ 5,000,000	\$ 8,781,600	\$ 26,000,000	\$ 29,779,600
TR 023 Newport Way - Maple to Sunset	\$ -	\$ 2,139,930	\$ 2,185,928	\$ -	\$ -	\$ -	\$ 4,325,858	\$ 31,400,000	\$ 35,725,858
TR 028 NW Sammamish Rd (Pinch Point)	\$ 300,000	\$ 8,300,000	\$ 3,400,000	\$ -	\$ -	\$ -	\$ 12,000,001	\$ -	\$ 12,000,001
TR 030 Pavement Management Program	\$ 1,423,512	\$ 2,270,000	\$ 2,245,250	\$ 2,501,012	\$ 2,491,291	\$ 2,630,291	\$ 13,561,356	\$ -	\$ 13,561,356
TR 031 SE 43rd Way and Providence Point Dr SE Intersection	\$ 300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 300,000	\$ -	\$ 300,000
TR 033 SE Black Nugget Rd - Retaining Wall Repair	\$ -	\$ 300,000	\$ 100,000	\$ -	\$ -	\$ 5,296,818	\$ 5,696,818	\$ -	\$ 5,696,818
TR 038 Three Trails Crossing Improvements	\$ -	\$ -	\$ 672,000	\$ 2,258,800	\$ -	\$ -	\$ 2,930,800	\$ -	\$ 2,930,800
TR 041 Front St Streetscape	\$ -	\$ 300,000	\$ -	\$ -	\$ -	\$ 1,269,250	\$ 1,569,250	\$ -	\$ 1,569,250
TR 043 Tibbetts Valley Park Frontage	\$ -	\$ 672,000	\$ 2,258,800	\$ -	\$ -	\$ -	\$ 2,930,800	\$ -	\$ 2,930,800
TR 046 SE 43rd Way and ELSP Roundabout Modifications	\$ 344,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 344,500	\$ -	\$ 344,500
TR 054 Annual Concrete Maintenance Program	\$ -	\$ 340,000	\$ 350,000	\$ 360,500	\$ 371,000	\$ 381,000	\$ 1,802,500	\$ -	\$ 1,802,500
TR 056 Highlands Signal Pole Painting	\$ -	\$ 204,600	\$ 104,600	\$ 106,900	\$ 109,100	\$ -	\$ 525,200	\$ -	\$ 525,200
TR 058 Strategic Small Capital Projects	\$ 112,300	\$ 104,600	\$ 106,900	\$ 109,100	\$ 111,300	\$ 114,000	\$ 658,200	\$ -	\$ 658,200
Total Transportation Capital Requests	\$ 5,555,312	\$ 18,231,130	\$ 12,894,452	\$ 12,785,912	\$ 4,052,691	\$ 15,841,359	\$ 68,610,855	\$ 137,292,500	\$ 205,903,355

Changes from 2020-2025 TIP

TR 001 2nd Avenue SE

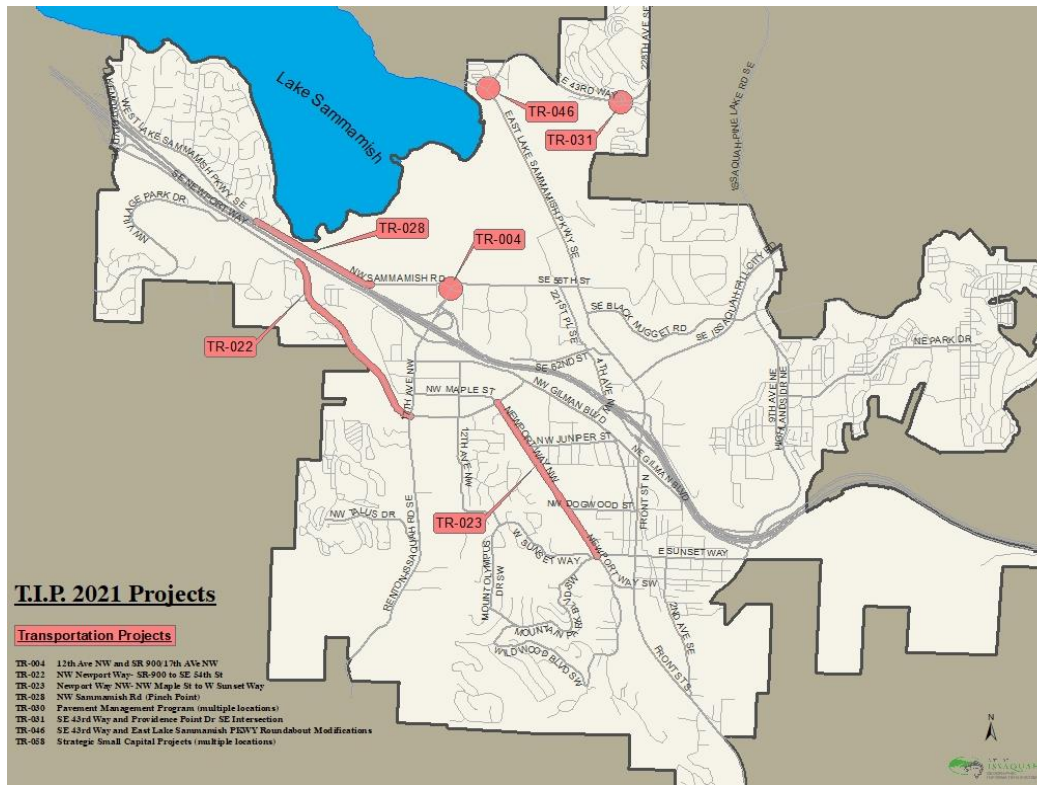
TR 003 I-90 Crossing – Between 10th and 12th Ave NW

TR 010 Central Park Traffic Signal and Mini-Roundabout

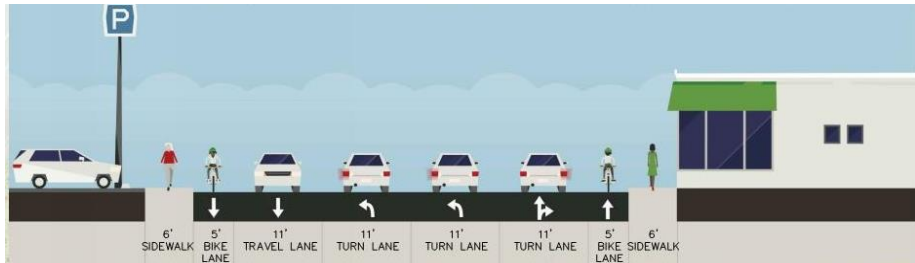
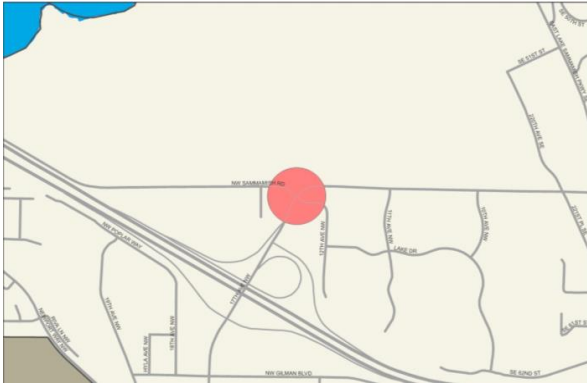
TR 016 NW Gilman Blvd Improvements

TR 043 Tibbetts Valley Frontage Improvements

2021 Projects



TR 004 12th Avenue NW and SR 900/17th NW



- New turn capacity
- Costco Development Agreement
- Possible TIB Grant
- Design and wetland study underway
- Right of Way acquisition 2021
- Construction spring 2022

TR 022 NW Newport Way – SR-900 to SE 54th St



Intersection improvements, bike lanes, landscaping, sidewalk, and multi-purpose path

Right of Way Grant

Speed Table and Pedestrian Bridge

Landslide Repair

Environmental

Construction will likely need to be phased



TR 023 Newport Way – Maple to Sunset

Roundabouts, bike lanes,
illumination, landscaping,
sidewalk, and multi-purpose path

30% Designed

Design fully funded

Right of Way partly funded

Construction will likely need to be
phased

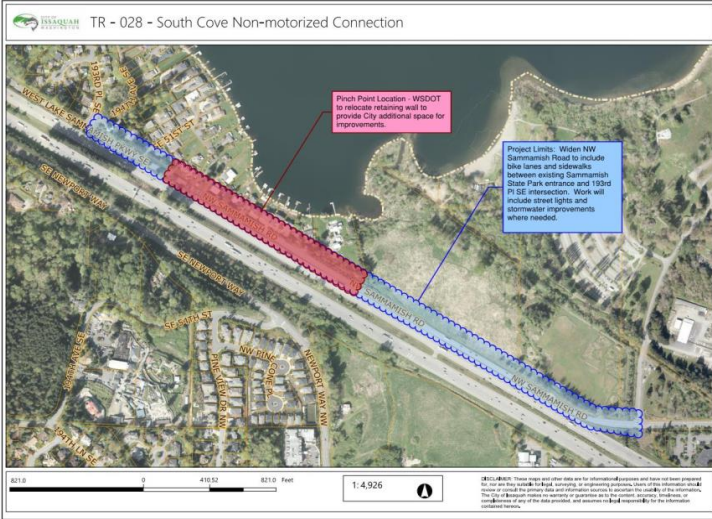
TR 028 NW Sammamish Road Non-Motorized Improvement Project

Bike lanes, shared use path, illumination

WSDOT moving retaining wall to make room

Begin design 2021

Project will need more funding



TR 030 Pavement Management Program

Maintains existing pavement

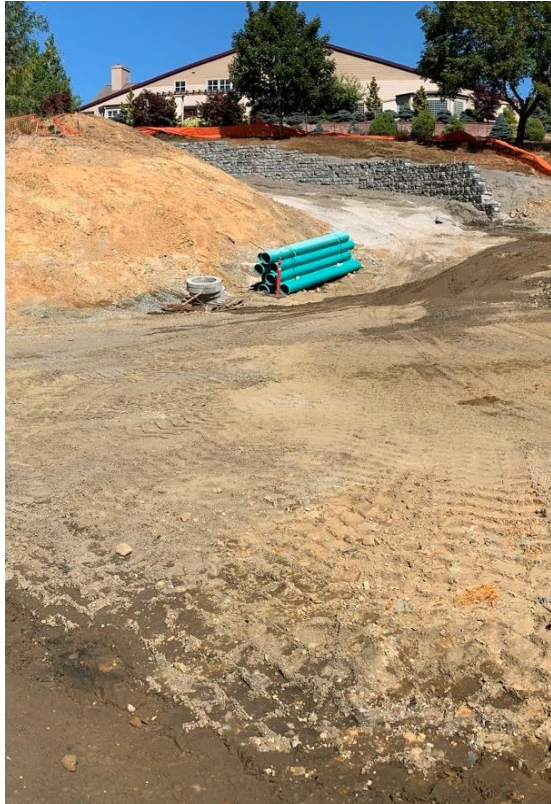
Arterial crack seal

Residential cape seal

Arterial overlay



TR 031 SE 43rd Way and Providence Point Dr. SE Intersection



Realigns driveways and installs
new traffic signal

Design completed 2019

Construction began 2020

Construction to be completed
early 2021

TR 046 SE 43rd Way and East Lake Sammamish Parkway Roundabout Modifications



- Improve pedestrian visibility
- Reduce speeds
- Reduce maintenance
- Remove southbound through lane
- Interim improvements completed
- Design underway
- Construction 2021



TR 058 Strategic Small Capital Projects

Strategic Plan Mobility Objective 2

Near-term connections and efficiencies

Identify, design, and construct small scale projects in 2021

Next Steps

Sept. 21, 2020 – Public Hearing

Oct. 5, 2020 – Council adoption

Jan. 2021 – Initiate process to incorporate the adopted transportation policies of the comprehensive plan into the 2022-2027 CIP/TIP.

Comments and Questions

JOHN MORTENSON, PE

TRANSPORTATION ENGINEERING MANAGER

Transportation Improvement Program



**CITY COUNCIL
AGENDA BILL**

City Council Regular Meeting - 05 Oct 2020

NEW
AB 8035 -

Consent Calendar

King County Cooperative Watershed Management Grant (Lower Issaquah Creek Stream and Riparian Habitat Enhancement Project)

**Proposed Council Action:
Accept Grant; Authorize Agreement**

**DEPARTMENT OF
COUNCIL LIAISON
OTHER COUNCIL MEETINGS
COMP PLAN POLICY NOS.
OTHER POLICIES
EXHIBITS**

PWE - Public Works Engineering Allen Quynn
n/a
Oct. 1, 2018 (AB 7573)
U-E1, U-E2, LU-E4, P-A2.1, P-A2.3, P-C2.1, P-C2.4
n/a
A. Grant Agreement
B. CIP Project Summary

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council action to authorize acceptance of the King County Cooperative Watershed Management (CWM) grant funds in the amount of \$150,000 for the Lower Issaquah Creek Stream and Riparian Habitat Enhancement (Lower Issaquah Creek Restoration) Project.

Background

In 2018, the City received a \$120,000 CWM grant for design and permitting for the Lower Issaquah Creek Restoration Project. The project, which has now reached the 60% design stage, would restore approximately 1,200 feet of Issaquah Creek located north of the 62nd Street bridge and adjacent to the Costco parking garage. In this area, Issaquah Creek has degraded habitat, including lack of both in-stream and off channel habitat. The goal of the project is to add approximately 60,000 square feet of floodplain area, restore 6 -7.5 acres of riparian and floodplain habitat, increase channel complexity by strategic placement of large woody debris in the main channel/backwater and/or side channels, removal of invasive vegetation, planting native trees and shrubs and select bank armor removal. Additionally, the project is anticipated to incorporate trails, stream access points, viewing areas, interpretive signage and other recreational amenities that will benefit those who live, work and play in Issaquah.

Proposal

The City has just been awarded an additional CWM Grant in the amount of \$150,000 for additional design work for the Lower Issaquah Creek Restoration Project. No match of City funds is required for this grant.

These additional grant funds would be used to compliment the \$120,000 previously awarded by funding additional hydraulic modeling and other related services. A more robust hydraulic model is important to help fine tune the design of the side and back water channels as well as determine the appropriate placement of large woody debris within the main channel and backwater and side channels. The additional modeling will also improve the graphical descriptions of the potential benefits of the restoration under various streamflow conditions, enhancing our chances of receiving additional grants for construction.

Next Steps

If authorized by Council, the grant agreement (Exhibit A) would be signed by both parties. City staff would then retain outside consulting services to perform the enhanced modeling work. Design work would continue with expected construction completion in 2022.

Financial Information

This project was included in the 2020-2025 Capital Improvement Program (CIP) as project ST 006 (Exhibit B). The 2020 CIP budget is \$119,747, with includes a reauthorization of unspent from 2019. Historically, the City typically applies for and receives grant funds through external funding sources to partially fund stream restoration projects. This CWM grant is one of several possible revenue sources for this project. Staff will continue to evaluate external funding sources and will request Council approval to submit grant applications when appropriate opportunities are identified.

The project has been delayed by one year compared to what is shown in the original CIP. Design and permitting work will continue into 2021, with construction planned to occur in 2022.

There is a match shown in the grant agreement even though no match is required. For informational purposes, in the grant application, it was indicated that the City could leverage funds from other sources to provide as a match.

Administration's Recommendation

The Administration recommends acceptance of the King County Cooperative Watershed Management (CWM) grant funds in the amount of \$150,000 for the Lower Issaquah Creek Restoration Project; and authorization to the Mayor to enter into and execute the grant agreement with King County.

Update

n/a

Alternative(s)

Do not accept the CWM grant agreement. (Impact: Other funding sources will need to be identified to do the work, or the scope of the additional work would be reduced or eliminated.)

RECOMMENDATION

Administration / Public Works Engineering Department:

MOVE TO: Authorize acceptance of the King County Cooperative Watershed Management (CWM) grant funds in the amount of \$150,000 for the Lower Issaquah Creek Restoration Project; and authorize the Mayor to enter into and execute the grant agreement with King County.

Project Name: Lower Issaquah Creek Stream and Riparian Restoration

Award Number: 4.8.20.009

**AGREEMENT FOR AWARD OF
COOPERATIVE WATERSHED MANAGEMENT GRANT FUNDS
BETWEEN THE CITY OF ISSAQUAH AND KING COUNTY**

This Agreement is made between King County, a municipal corporation, and the City of Issaquah (“Recipient”), for the purposes set forth herein. This Agreement shall be in effect from the date of execution to **March 31, 2022**.

Primary Contact for King County: Kim Harper, Grant Administrator, 206-477-6079,
Kim.harper@kingcounty.gov.

Primary Contact for Recipient: Allen Quynn, Senior Stormwater Engineer, 425-837-3439,
Allenq@issaquahwa.gov.

SECTION 1. RECITALS

- 1.1 Whereas, the King County Flood Control District (“District”) is a quasi-municipal corporation of the State of Washington, authorized to provide funding for cooperative watershed management arrangements and actions for purposes of water quality, water resource, and habitat protection and management;
- 1.2 Whereas King County is the service provider to the District under the terms of an interlocal agreement ("ILA") by and between King County and the District, dated February 17, 2009, as amended, and as service provider implements the District's annual work program and budget;
- 1.3 Whereas, the Board of Supervisors of the District (the “Board”), the District’s governing body, passed Resolution FCD 2019-13 on November 6, 2019, authorizing the King County executive or his designee to develop and administer a grant award program of up to \$4,810,172 in 2020 for water quality, water resources and habitat restoration and management projects and activities in King County, provided that the project list is approved by the Board;
- 1.4 Whereas, the Board passed Resolution FCD 2020-05 on March 10, 2020, authorizing up to an additional \$4,810,172 for the grant award program in 2020, for a total of up to \$9,620,344 to be used for water quality, water resources and habitat restoration and management projects and activities in King County, provided that the project list is approved by the Board;
- 1.5 Whereas, in accordance with Resolution FCD2012-07.2 and in its capacity as service provider to the District, King County has established a grant award program, called the Cooperative Watershed Management Award Program, to fund water quality, water resources and habitat restoration and management projects and activities;
- 1.6 Whereas, the Recipient submitted an application to its respective WRIA forum or committee for the Project, as described in Exhibit A attached hereto and incorporated

Project Name: Lower Issaquah Creek Stream and Riparian Restoration

Award Number: 4.8.20.009

herein by this reference, and that body has recommended the Project for funding under the Cooperative Watershed Management Grant Program in accordance with King County’s Cooperative Watershed Management Grant Program Policies and Procedures, a copy of which has been furnished by King County to the Recipient and which are incorporated herein by this reference (“Grant Policies and Procedures”);

- 1.7 Whereas the District’s Board of Supervisors has received a list of proposed projects that includes the Project, and the Board of Supervisors, in Resolution FCD2020-15, has approved the Project for funding up to the amount of **\$150,000**;
- 1.8 Whereas King County has received a Scope of Work and a Budget for the Project from the Recipient and has determined that the Scope of Work, attached hereto and incorporated herein as Exhibit B (“Scope of Work”), and the Budget, attached hereto and incorporated herein as Exhibit C (“Budget Summary”), are consistent with the Grant Policies and Procedures;
- 1.9 Whereas, King County and the Recipient desire to enter into this Agreement for the purpose of establishing the terms and conditions under which King County will provide funding from the District in accordance with the Policies and Procedures, and the Recipient will implement the Project.

SECTION 2. AGREEMENT

- 2.1. The Recitals are an integral part of this Agreement and are incorporated herein by this reference.
- 2.2. King County agrees to award the Recipient an award in the total amount of **\$150,000** from District funds (the Award). The Award shall be used by the Recipient solely for the performance of the Project. King County shall pay the Recipient in accordance with the Grant Policies and Procedures.
- 2.3. The Recipient represents and warrants that it will only use the Award for the Scope of Work of this Agreement and in accordance with the Project Budget. The Recipient shall be required to refund to King County that portion of the Award which is used for work or tasks not included in the Scope of Work. Further, the Recipient agrees that King County may retain any portion of the Award that is not expended or remains after completion of the Scope of Work and issuance of the Final Report, as further described below.
- 2.4. Activities carried out for this Project and expenses incurred by the Recipient may predate the execution date of this Agreement provided that 1) they have been identified by Recipient as being within the scopes of numbers 2) and 3) below, and have been approved by King County as being within such scopes; 2) The activities are specified in the Scope of Work of this Agreement; 3) the expenses are incurred in carrying out the Scope of Work and are authorized by the Award as identified in the Budget of this Agreement; 4) such activities and expenses otherwise comply with all other terms of this Agreement; and 5) such activities and expenses do not occur prior to the date the grants

Project Name: Lower Issaquah Creek Stream and Riparian Restoration

Award Number: 4.8.20.009

were approved by the District and reimbursements shall be paid to the Recipient only after this Agreement has been fully executed.

- 2.5. The Recipient shall invoice King County for incurred expenses using the Request for Payment form and Progress Report form for those documented and allowable expenses identified in the Budgets and according to the rules set forth in the Grant Policies and Procedures. Blank forms shall be provided to the Recipient by King County upon execution of this Agreement. Progress reports for each project (with or without requests for payment) shall be made no less frequently than every six months after the effective date of this Agreement nor more frequently than every three months after the aforementioned date. A Progress Report form shall be submitted with all payment requests. A one-time advance may be allowed, in the discretion of King County, for expenses anticipated to be incurred in the three months following the date of submission of the advance Request for Payment only for work that is included in the Scope of Work of this Agreement, and identified as such in the Request for Payment. The amount of the advance may not exceed 20% of the total award amount. Documentation of payments made from advances shall be submitted to King County prior to any further requests for payment.
- 2.6. The Recipient shall be required to submit to King County a final report which documents the Recipient's completion of the work in conformance with the terms of this Agreement within thirty (30) days after the completion of the work. The final report may be submitted on the Close-out Report form unless a more detailed final report is specified in the scope of work. A blank Close-out Report form shall be provided to the Recipient by King County upon execution of this Agreement. The final report shall include a summary of the Project's successes and shall address the watershed benefits accomplished by the work.
- 2.7. The Recipient's expenditures of Award funds shall be separately identified in the Recipient's accounting records. If requested, the Recipient shall comply with other reasonable requests made by King County with respect to the manner in which Project expenditures are tracked and accounted for in the Recipient's accounting books and records. The Recipient shall maintain such records of expenditures as may be necessary to conform to generally accepted accounting principles as further described in Section 2.8 below, and to meet the requirements of all applicable state and federal laws.
- 2.8. The Recipient shall be required to track project expenses using the Budget Accounting and Reporting System for the State of Washington ("BARS") or Generally Accepted Accounting Principles set forth by the Financial Accounting Standards Board or by the Governmental Accounting Standards Board.
- 2.9. King County or its representative, and the District or its representative shall have the right from time to time, at reasonable intervals, to audit the Recipient's books and records in order to verify compliance with the terms of this Agreement. The Recipient shall cooperate with King County and the District in any such audit.

Project Name: Lower Issaquah Creek Stream and Riparian Restoration

Award Number: 4.8.20.009

- 2.10. The Recipient shall retain all accounting records and project files relating to this Agreement in accordance with criteria established by the Washington State Archivist Local Government Common Records Retention Schedule (CORE) as revised.
- 2.11. The Recipient shall ensure that all work performed by its employees, agents, contractors or subcontractors is performed in a manner which protects and safeguards the environment and natural resources and which is in compliance with local, state and federal laws and regulations. The Recipient shall implement an appropriate monitoring system or program to ensure compliance with this provision.
- 2.12. The Recipient agrees to indemnify, defend and hold harmless King County, and the District, their elected or appointed officials, employees and agents, from all claims, alleged liability, damages, losses to or death of person or damage to property arising out of any acts or omissions of the Recipient, its employees, agents, contractors or subcontractors in performing its obligations under the terms of this Agreement.
- 2.13. The Recipient agrees to acknowledge the District as a source of funding, and the WRIA as a funding partner, for the Project on all printed, online, and electronic documents; signage or press releases; audio-visual materials; or any other materials produced in association with the Project. Grant recipients shall submit documentation of acknowledgement activities with their final reporting documents.

SECTION 3. GENERAL PROVISIONS

- 3.1. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.
- 3.2. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof. No prior or contemporaneous representation, inducement, promise or agreement between or among the parties which relate to the subject matter hereof which are not embodied in this Agreement shall be of any force or effect.
- 3.3. No amendment to this Agreement shall be binding on any of the parties unless such amendment is in writing and is executed by the parties. The parties contemplate that this Agreement may from time to time be modified by written amendment which shall be executed by duly authorized representatives of the parties and attached to this Agreement.
- 3.4. Each party warrants and represents that such party has full and complete authority to enter into this Agreement and each person executing this Agreement on behalf of a party warrants and represents that he/she has been fully authorized to execute this Agreement on behalf of such party and that such party is bound by the signature of such representative.
- 3.5. The Project shall be completed by no later than **March 31, 2022**. In the event that the Project is not completed by this date, King County has the discretion, but not the obligation to terminate this Agreement and retain any unexpended Award funds.

Project Name: Lower Issaquah Creek Stream and Riparian Restoration Award Number: 4.8.20.009

- 3.6. This Agreement may be signed in multiple counterparts.
- 3.7. If any provision of this Agreement shall be wholly or partially invalid or unenforceable under applicable law, such provision will be ineffective to that extent only, without in any way affecting the remaining parts or provision of this Agreement, and the remaining provisions of this Agreement shall continue to be in effect.
- 3.8. The amount of the Award has been fully funded by the District. To the extent that funding of the Award requires future appropriations by the King County Council, King County's obligations are contingent upon the appropriation of sufficient funds by the King County Council to complete the Scope of Work. If no such appropriation is made, this Agreement will terminate at the close of the appropriation year for which the last appropriation that provides funds under this Agreement was made.

KING COUNTY:

RECIPIENT:

By _____
Name _____
Title _____
Date _____

By _____
Name _____
Title _____
Date _____

Project Name: Lower Issaquah Creek Stream and Riparian Restoration

Award Number: 4.8.20.009

EXHIBIT A: PROJECT DESCRIPTION

PROJECT	RECIPIENT	DESCRIPTION	MATCH	AWARD
Lower Issaquah Creek Stream and Riparian Restoration	City of Issaquah	Complete additional modeling and design tasks to support a restoration project along approximately 1,200 feet of Issaquah Creek that will increase floodplain habitat by incorporating side and backwater channels, removing existing bank armoring to increase channel habitat, placing large woody debris in the main channel and backwater/side channels, removing invasive plant species and planting native trees and shrubs. Instream and riparian habitat enhancements will benefit threatened Chinook salmon and other fish species and wildlife. Restoring habitat in this reach of Issaquah Creek is critical to the survival of Chinook salmon which use this reach of the creek for most of their life stages including, rearing, foraging and spawning.	\$250,880	\$150,000

Project Location: Along the main stem of Issaquah Creek, just north (downstream) of Interstate 90. The project will occur on City and PPOA-owned properties located between approximately River Mile 1.6 and 1.9. See Attachment 1, Location Map and Attachment 2, Project Vicinity Map.

EXHIBIT B: SCOPE OF WORK

Task Title	Task Description (Include Activities and Deliverables)	Estimated Percent of Total Budget	Month/Year Task will be Completed
Task 1: Project Administration (Required)	Submit reimbursement request forms, backup documentation for billing, and progress reports at least every 6 months. Submit a Fiscal Closeout form and a Closeout Report form with the final reimbursement request.	1%	March 2022
Task 2: 60% Design Update	Update (60 percent) design drawings and hydraulics report. Based on review comments from grant funding agencies, provide updated design drawings and hydraulics report to support the desired goals for Chinook recovery. Deliverables: Revised 60% Design Drawings, Hydraulics Report and Preliminary Engineer’s Estimate of Construction Cost. (Responsibility: Design and Permitting Consultant)	34%	December 2020
Task 3: 90% Design	Prepare (90%) design plans and hydraulics report. Design drawings will include erosion control plans, bank and floodplain grading and soil stabilization plans and profiles, flow diversion/fish capture and relocation plans, log structure and substrate placement and anchoring plans, and invasive removal and revegetation plan. Hydraulics Report includes hydraulic model output and narrative explaining how the proposed design will achieve the desired goals for Chinook recovery. Deliverables: 90% Design Drawings, Preliminary Engineer’s Estimate of Construction Cost. (Responsibility: Design and Permitting Consultant)	35%	May 2021

Project Name: Lower Issaquah Creek Stream and Riparian Restoration

Award Number: 4.8.20.009

Task Title	Task Description (Include Activities and Deliverables)	Estimated Percent of Total Budget	Month/Year Task will be Completed
Task 4: Final Design	Final design and construction drawings will include the bid-ready drawing set (modified as necessary to address permit requirements) and specifications. A final Engineer’s Estimate of Construction Cost will also be prepared. Deliverables: Final Hydraulics Design Report, Design Drawings, Specifications, Engineer’s Estimate of Construction Cost. (Responsibility: Design and Permitting Consultant)	30%	December 2021

EXHIBIT C: BUDGET SUMMARY

Budget Item	Grant Amount
Commercial Services & Crew Time	\$150,000
TOTAL	\$150,000

Stormwater Utility

Lower Issaquah Creek Stream & Riparian Enhancement

Project Number: ST 006

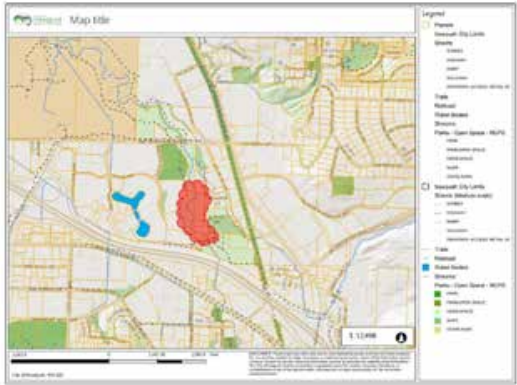
Project Manager: Allen Quyen

Starting Year: 2011

Completion Year: 2021

Estimated Annual Ongoing Costs*: N/A

**Subject to change and does not represent a budget commitment*



Project Summary

Extend and integrate existing habitat restoration and improvement areas along Issaquah Creek between I-90 and NW Sammamish Road.

Project Justification

This restoration project is identified in the City's Acquisition and Restoration Plan for Open Space and Wildlife Habitat, the Water Resource Inventory Area (WRIA) 8 Chinook Salmon Conservation Plan, and the Kokanee Restoration Blueprint. Improving habitat conditions along Issaquah Creek will mitigate past and current human activity that has degraded creek-side habitat. Habitat restoration, including connecting discontinuous smaller former restoration areas, will benefit salmon and riparian-environment wildlife and further objectives to improve habitat in the City's open space.

ST 006 - Lower Issaquah Creek Stream & Riparian Enhancement							
	2020	2021	2022	2023	2024	2025	Future Years
Stormwater Fund	6,000	367,830	-	-	-	-	-
Grant - State	-	590,000	-	-	-	-	-
Grant - County	40,000	400,000	-	-	-	-	-
Total Revenue	46,000	1,357,830	-	-	-	-	-
Design & Engineering	35,000	10,000	-	-	-	-	-
Construction & Permitting	10,000	1,200,000	-	-	-	-	-
Inflation	-	27,830	-	-	-	-	-
Contingency	1,000	120,000	-	-	-	-	-
Total Expenses	46,000	1,357,830	-	-	-	-	-
Net Revenue and Expenses	-	-	-	-	-	-	-



**CITY COUNCIL
AGENDA BILL**

City Council Regular Meeting - 05 Oct 2020

NEW
AB 8037 -

Consent Calendar

**State Dept. of Ecology FY 2022 Water Quality
Combined Funding Program Grant(s) (Stormwater
Projects)**

**Proposed Council Action:
Authorize Submittal**

DEPARTMENT OF	PWE - Public Works Engineering Allen Quynn
COUNCIL LIAISON	n/a
OTHER COUNCIL MEETINGS	n/a
COMP PLAN POLICY NOS.	U-E2
OTHER POLICIES	n/a
EXHIBITS	A. CIP Project Summary

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council authorization to allow the Administration to apply for two Washington State Department of Ecology (DOE) FY 2022 Water Quality Combined Funding Program Grant(s) for the design and construction of two capital projects that will treat stormwater runoff from our roadways.

Background

The Washington State Department of Ecology has recently announced the open period for accepting grant applications under the State Fiscal Year (FY) 2022 Water Quality Combined Funding Program (WQC). The grant program provides funds for various stormwater activities including planning, design, permitting and construction of stormwater facilities that treat runoff from existing impervious surfaces such as roadways. The state has made available a total of \$30 million dollars for stormwater projects for FY 2022. If awarded the grant, applicants are required to provide a 25% match.

Grant applications are due Oct. 13, 2020 and DOE will make formal offers to awardees on July 1, 2021. Projects must be completed by June 30, 2026.

Proposal

City staff have identified two stormwater projects that would be good candidates for a WQC grant application:

1. the NW Dogwood Street Bridge Stormwater Treatment Retrofit Project (Dogwood Street Retrofit) and
2. the Front Street S. Stormwater Treatment Retrofit Project (Front Street S. Retrofit).

These projects were chosen as grant application candidates because they will be designed to treat significant areas of stormwater runoff from roadways where there is currently no water quality treatment. The WQC grant is specifically designed for these kinds of projects.

Dogwood Street Retrofit

In 2015, the City constructed the NW Dogwood Street Bridge Replacement Project (Bridge Replacement Project) which included a modular wetland vault to treat NW Dogwood Street east of the Issaquah Creek bridge crossing. The project incorporated improvements to accommodate another stormwater treatment system on the southwest corner of the bridge crossing to treat runoff for approximately 1,000 linear feet of NW Dogwood Street as well as 3rd Pl. NW and NW Cherry Place. Treatment for this area was not included in the scope of the Bridge Replacement Project. However, because of the provision for future treatment built into the Bridge Replacement Project, the design and construction of the proposed Dogwood Street Retrofit project is simple. The relative low cost to construct the Dogwood Street Retrofit project combined with the water quality treatment benefits gives this project a good chance of being awarded a grant. The estimated design and construction cost is \$120,000.

Front Street S. Retrofit

This project would treat stormwater coming from high-use impervious surfaces, including roadways and parking lots where there is currently no stormwater treatment. The proposed project would construct a stormwater quality treatment facility at the outfall to Issaquah Creek, just east of the intersection of Front Street and SE Bush Street. The significant water quality benefits this project provides enhances its chances of being awarded a grant. The estimated design, permitting and construction cost is \$160,000.

Next Steps

If the Council approves submittal of a WQC grant(s), staff would immediately prepare and submit the application(s). If the City is selected to receive a grant for one or both projects, this agenda bill will be updated, and the Administration would return to Council for authorization of grant acceptance.

Financial Information

If the City were to be awarded Ecology 2022 WQC grant(s), the external grant revenue (up to \$210,000) would be added to the Storm Drainage Rehabilitation and Improvement program (ST 008) (Exhibit A). The current drainage systems in Front Street S. and NW Dogwood Street have deficiencies in that they lack stormwater treatment, allowing pollution from roadways to enter Issaquah Creek without treatment, which can lead to an exceedance of state water quality criteria. These projects have been planned for and would be implemented as part of ST 008 in 2021, 2022, and/or 2023. The City match of up to \$70,000 would come from the Stormwater funds. The estimated total project cost for both projects and required City match are summarized below:

Project	Estimated Cost	City Match
Dogwood Street Retrofit	\$120,000	\$30,000
Front Street S. Retrofit	\$160,000	\$40,000
Totals	\$280,000	\$70,000

Administration's Recommendation

The Administration recommends authorizing submittal of the Department of Ecology FY 2022 Water Quality Combined Funding Program Grant(s) for the Dogwood Street Retrofit and Front Street S. Retrofit Projects.

Update

n/a

Alternative(s)

- 1) Do not authorize staff to apply for Ecology FY 2022 WQC Grant(s). (Impact: Stormwater funds would be required to complete the projects, or the projects would be delayed to a future funding round, or the projects would not be completed.)
- 2) Authorize the grant application for one of the projects, not both. (Impact: There would be a delay in completing the projects and the City may be less competitive for funds in the future, if such funds are available. The Stormwater utility funds would only be required to pay the City match for one of the projects.)

RECOMMENDATION

Administration / Public Works Engineering Department:

MOVE TO: Authorize submittal of the Department of Ecology FY 2022 Water Quality Combined Funding Program Grant(s) for the Dogwood Street Retrofit and Front Street S. Retrofit Projects.

Stormwater Utility

Storm Drainage Rehabilitation & Improvement Program

Project Number: ST 008

Project Manager: Matt Ellis

Starting Year: 2018

Completion Year: 2025



Estimated Annual Ongoing Costs*: -\$2,000

**Subject to change and does not represent a budget commitment*

Project Summary

Ongoing capital infrastructure maintenance project to complete annual improvements to deteriorated components of the City's stormwater system.

Project Justification

Even with regular maintenance activities, existing surface water and stormwater conveyance systems deteriorate over time. As deterioration occurs, maintenance costs and risks to the City and the public increase. If a system partially or completely fails, replacement costs and risks substantially increase, particularly when additional work is necessary to address damage to public and private property, clean water, and fish and wildlife resources. Failed surface and stormwater systems frequently generate conditions that do not comply with federal and state laws, which may necessitate immediate and costly action by the City if these failures are not anticipated and addressed in advance.

ST 008 - Storm Drainage Rehab & Improvement Program (STRM15008)							
	2020	2021	2022	2023	2024	2025	Future Years
Stormwater Fund	104,400	708,388	126,488	847,624	144,249	969,679	-
Total Revenue	104,400	708,388	126,488	847,624	144,249	969,679	-
Design & Engineering	104,400	-	120,925	-	132,217	-	-
Construction & Permitting	-	630,800	-	725,085	-	799,406	-
Inflation	-	14,508	5,563	50,031	12,032	90,333	-
Contingency	-	63,080	-	72,509	-	79,941	-
Total Expenses	104,400	708,388	126,488	847,624	144,249	969,679	-
Net Revenue and Expenses	-	-	-	-	-	-	-



Water System Projects to Enable Use of Additional Regional Water

**Proposed Council Action:
Authorize Additional Funding**

DEPARTMENT OF COUNCIL LIAISON	PWE - Public Works Engineering Bob York
OTHER COUNCIL MEETINGS	n/a
COMP PLAN POLICY NOS.	June 23, 2020; Aug. 3, 2020
OTHER POLICIES	n/a
EXHIBITS	Water System Plan None.

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council authorization for funding for the design of projects that will allow use of additional water purchased from Cascade Water Alliance (regional water) to be used within the groundwater zone of the City's water distribution system.

Background

At the June 23, 2020 Study Session, staff presented different water supply and water rate strategies (ID 0479). At the meeting, the City Council directed the Administration to proceed with the option titled "Discounted Cascade Water Alliance (CWA) Water." This option allows blending of discounted CWA water into well zones by 2021, thus allowing a temporary discontinuation of Gilman Well 5 pumping. These actions in turn allow for a delay in implementing a centralized water treatment facility to the early to mid-2030's. This preferred option offered short and long-term savings similar to or better than other available options.

At the Aug. 3, 2020 Council meeting, the City Council adopted ordinances that adopted 2021-2025 utility rates (Ordinance Nos. 2916, 2917 & 2918). The supporting documentation, the Utility Rate Study, assumed that the recommended "Discounted CWA Water" option would be implemented. CWA and the City are now working together on an agreement to allow the City to receive discounted water.

Project Description

As indicated in ID #0479 and as presented at the June 23, 2020 Study Session, there are projects necessary to allow the use of CWA water in the areas currently served by groundwater. These include:

1. **Improvements to the water treatment process at the Risdon Wellhouse.** Processes include fluoridation and alkalinity addition. Fluoride would be added to maintain consistent fluoride concentrations throughout the City after blending the regional and well water. Alkalinity would be added to slightly raise the pH, which would also allow the well water and regional water compositions to be compatible after blending. There is not enough room in the Risdon Wellhouse to add these processes currently, so a small new building would be constructed on City property adjacent to the existing wellhouse. A new sewer connection would be installed per the current code, as the existing building is not currently connected to the sewer.
2. **Addition of fluoride to the water treatment process at the Gilman Wellhouse.** Fluoride would be added to maintain consistent fluoride concentrations throughout the City after blending the regional and well water. The existing building has adequate room to house this improvement.
3. **Improvements to the CWA Intertie to the City located at SE Newport and SR 900.** The existing intertie, which is used only for emergencies, is nearly 20 years old and is located underground in a vault which is often submerged with groundwater. The new intertie would be routinely used, so new operational and maintenance-oriented components would be installed.

All these projects would include full instrumentation and controls, including the provision to monitor and operate the new systems remotely by connecting to our supervisory control and data acquisition (SCADA) system. Alarms will notify operators of any abnormal operation.

Estimated Costs

The estimated cost for these improvements (including design consultant assistance and a 30 percent contingency) is shown in the table below.

Project	Estimated Cost
Risdon Wellhouse Improvements	\$823,000
Gilman Wellhouse Improvements	\$69,000
Newport Intertie Improvements	\$424,000
Total	\$1,316,000

The Administration requests that \$260,000 for the design engineering portion of the above projects be authorized in 2020. This would allow design work to proceed immediately, bidding the projects in early 2021. Project completion would be expected in late summer 2021. Remaining project funds, approximately \$1,056,000, will be included in the proposed 2021 budget.

There are four considerations when reviewing these costs:

1. These improvements defer the cost of building and operating the Centralized Water Treatment Plant to the 2030s.
2. It is estimated that over \$520,000 of the requested budget for these proposed projects was within the scope of future projects in the approved CIP. Because of the revised water supply strategy, this scope is being performed earlier than planned.
3. The Arcora Foundation is reviewing the City’s request for \$136,000 of funding assistance related to installing fluoride feed systems to serve City residents in areas that are not currently received optimally fluoridated drinking water. Initial feedback from the Foundation’s Executive Committee is very promising; the final decision by the Arcora Foundation is scheduled for their November 2020 Board meeting..
4. As previously stated, these costs were included in the approved rate structure.

Schedule and Next Steps

Pending Council approval, the design of these improvements will begin shortly, with a target date to bid the projects in early 2021 when the bid environment is typically most favorable. The goal is to complete the construction of the improvements and implementation by late summer 2021.

Financial Information

The Water Fund balance is healthy and can accommodate the \$260,000 request in 2020. The remaining project funds, approximately \$1,056,000, will be included in the proposed 2021 budget.

Administration’s Recommendation

The Administration recommends authorizing \$260,000 for the design of the Water System Projects to enable use of additional regional water utilizing the Water Fund.

Update

n/a

Alternative(s)

Do not approve the 2020 funding. (Impact: The City’s plan to begin design in 2020, bid during a favorable time of the year, and complete construction by late summer of 2021 would be compromised. A delay could also potentially increase project costs.)

RECOMMENDATION

Administration / Public Works Engineering Department:

MOVE TO:

Direct the Finance Director to include \$260,000 in a subsequent 2020 budget amendment for the design of the Water System Projects to enable use of additional regional water utilizing the Water Fund.



**CITY COUNCIL
AGENDA BILL**

City Council Regular Meeting - 05 Oct 2020

REGULAR BUSINESS a)

NEW
AB 8047 -
Regular Business

Affordable Housing Sales & Use Tax

**Proposed Council Action:
Adopt Ordinance**

DEPARTMENT OF	Executive Department Wally Bobkiewicz
COUNCIL LIAISON	n/a
OTHER COUNCIL MEETINGS	n/a
COMP PLAN POLICY NOS.	Housing Element, Goals B, C, D; Human Services Element
OTHER POLICIES	Housing Strategy Work Plan; Citywide Strategic Plan
EXHIBITS	A. Proposed Ordinance B. House Bill 1590 C. Draft King County Proposal

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council consideration of a proposed ordinance (Exhibit A) implementing an 0.1% sales tax to fund affordable housing, mental health services, and related services.

Background

In 2015, the Washington state legislature enacted legislation allowing any county to levy a sales tax up to 0.1% for affordable housing and related services. Initially, the tax increase required voter approval. In 2020, the legislature passed HB 1590 (Exhibit B), which allowed this tax to be passed using Councilmanic authority. The bill was codified in [RCW 82.14.530](#).

In 2015, when the tax was first authorized, counties had a first right of refusal in imposing the tax. If a county chose not to impose the tax by an imposed deadline, a city could chose to impose it. With the legislation in 2020 to allow for Councilmanic implementation of the tax, the deadline for counties to impose the tax was extended until Sept. 30, 2020. After this date, any city may impose the tax through a vote of the City Council or by ballot measure.

Proposal

The Administration is bringing forward consideration of an ordinance implementing the sales and use tax on Oct. 5, 2020 in anticipation of the King County Council imposing the tax on October 13, 2020.

Counties, including King County, had until Sept. 30, 2020 to impose the tax. After that time, a city may impose the tax, or, if the County only imposed a portion of the tax, a city may impose the remainder. As of Oct. 1, King County had not imposed the tax. However, it is anticipated that the King County Council will consider imposition of the tax at their Oct. 13 Council meeting. If King County subsequently adopts the tax, any city who had the tax in place prior to the County's adoption of the tax will receive a credit for their share of the tax by the County. Any city that does not have a tax in place at the time of County adoption loses the opportunity to directly receive the revenue generated within its boundaries from the 0.1% tax. While provisions are in place to ensure reinvestment and coordination between the County and cities whose population is over 60,000 on use of the sales tax proceeds, no such provision exists for cities less than 60,000, such as Issaquah.

The current sales tax rate in the City is 10%. Of this, 0.85% goes to the City. The City is currently collecting the maximum unrestricted sales tax allowed, but is not yet taking any additional restricted sales taxes. A breakdown of the sales tax is shown below:

Taxing Authority	Rate
State	6.5%
Sound Transit	1.4%
King County	
Metro Transit	0.9%
Criminal Justice	0.1%

Taxing Authority	Rate
King County - Cont.	
Mental Health	0.1%
Revenue share from City	0.15%
Issaquah	0.85%
Total Sales Tax	10%

The proposed ordinance would increase Issaquah's sales tax rate by 0.1%, for a total rate of 10.1%. Based on actual sales tax collection between 2017-2019 it is anticipated that the additional 0.1% tax would generate approximately \$1.7 million in additional sales tax revenue annually. Depending on the impact of COVID-19 on sales tax revenues in 2021, the amount collected in 2021 could be less. The Dept. of Revenue charges an administrative fee of 1% of the revenue generated.

Based on information provided by the Municipal Research & Services Center (MRSC) as of July 1, 2020, the following cities had imposed the 0.1% tax for affordable housing: Anacortes, Ellensburg, Olympia and Port Angeles.

It is important to clarify that this tax is distinct from the City Council's action earlier this year to obtain a credit of the existing State sales tax revenue for investment in affordable housing ([Ord. 2903](#)). That action provided the City with a credit for a portion, 0.0073%, of the amount of taxable retail sales within the City and did not impose any new tax on City residents. The cap on the annual credit is \$122,820.

Use of Revenue

Per RCW 82.14.530, the revenue generated from the 0.1% sales tax for affordable housing is restricted to the following:

- Minimum of 60% to be used for:
 - Constructing affordable housing, which may include new units of affordable housing within an existing structure, and facilities providing housing-related services; or
 - Constructing mental and behavioral health-related facilities; or
 - Funding the operations and maintenance costs of new units of affordable housing and facilities where housing-related programs are provided, or newly constructed evaluation and treatment centers.
- Remaining (<40%) to be used for, "the operation, delivery, or evaluation of mental and behavioral health treatment programs and services or housing-related services."

RCW 82.14.530 also specifies that these funds must only be used for persons within any of the following population groups whose income is at or below 60% AMI:

- Persons with behavioral health disabilities;
- Veterans;
- Senior citizens;
- Homeless, or at-risk of being homeless, families with children;
- Unaccompanied homeless youth or young adults;
- Persons with disabilities; or
- Domestic violence survivors.

These revenues could be used towards affordable housing, mental health and related services. Given the COVID-19 pandemic, the City is in particular need of these services. These additional funds would move the City towards goals of increasing affordable housing identified in the Housing Strategy Work Plan and the Citywide Strategic Plan objectives of increasing affordable housing and reducing inequities in health and wellbeing the community.

The City of Issaquah City Council could determine how funds raised here could be spent on projects within Issaquah or regional projects working with other partners.

Scenarios

1. City Does Not Impose Tax; King County Does Impose

If the City does not impose the 0.1% tax and King County does, the County will determine the use of the revenue, within the statutory requirements. In addition, King County is required to invest at least 30% of what is collected in cities over 60,000 in those cities in projects coordinated with the County. King County's current proposal for use of the sales tax revenue, referred to as "Health through Housing," has a goal of housing 2,000 King County residents who are experiencing homelessness or are at risk of chronic homelessness—while reducing racial-ethnic disproportionality—by October 2022, by:

1. acquiring single-room settings like hotels while economic conditions are favorable,
2. putting them into immediate service as emergency and affordable housing,
3. funding operating and supportive services within housing, including behavioral health services, to keep people healthy and housed; and
4. converting acquired single-room settings into permanent supportive housing over time while continuing to develop additional affordable housing.

The draft proposal is attached as Exhibit B. The County is committing to prioritize proceeds for sites/services within cities that provide a written statement of support and to coordinating with cities in which capital projects will be located. The City of Issaquah otherwise has no assurance or statutory guarantee for a say in how these funds are spent in Issaquah or elsewhere in the County.

2. City Imposes Tax; King County Does Not Impose

The City would use the funds generated by the 0.1% tax towards affordable housing, mental health and related services. This would move the City towards goals of increasing affordable housing identified in the Housing Strategy Work Plan and Citywide Strategic Plan.

If the County does not impose the tax as anticipated, the City could also choose to rescind adoption of this ordinance so that no additional tax would be imposed prior to January 1, 2020.

3. Both City and County Impose Tax

If the City imposes the tax prior to the County imposing it, then the County would be required to provide the portion of the tax generated in Issaquah to the City. The City would then have the ability to spend the funds as allowed under RCW 82.14.530.

Next Steps

The proposed tax increase would go into effect for sales after Jan. 1, 2021. The City Council could determine in the future how funds would be specifically spent pursuant to state statute.

Financial Information

As explained in the summary statement, using actual tax collections between 2017-2019, the City could anticipate generating roughly \$1.7 million per year from the 0.1% tax. However, actual collections in 2021 may be lower depending on the impact of the current economic downturn on sales tax.

Revenues from this tax were not included in the proposed 2021 budget. If the ordinance is adopted, the Administration will incorporate the anticipated revenues in the budget when it prepares a revised revenue forecast for the Nov. 5 budget deliberation session.

Administration's Recommendation

The Administration recommends consideration of the proposed ordinance imposing an additional sales and use tax of one-tenth of one percent for housing and related services as authorized by RCW 82.14.530; adding a new Section 3.04.026 to the Issaquah Municipal Code; providing for severability and establishing an effective date.

Update

n/a

Alternative(s)

- 1) Do not adopt the ordinance. (Impact: King County may choose to collect sales taxes generated in Issaquah and spend it in the region, with at least 30% of what is collected in cities over 60,000 population being re-invested in those cities in projects coordinated with the county. Issaquah would have no control over how these funds would be spent.)
- 2) Adopt the ordinance with direction to the Administration to bring forward a motion to rescind the ordinance if King County does not proceed to impose the tax.
- 3) Continue the agenda bill to a subsequent Council meeting. (Impact: King County is anticipated to take action on the tax on Oct. 13. If the County imposes the tax before the City, the City will lose the option to directly receive revenue from the tax increase.)

RECOMMENDATION

Administration / Executive Department:

MOVE TO:

[Note: Below is one option for Council action. Additional Alternatives are provided in the Alternatives section.]

Adopt Ordinance No. ____, imposing an additional sales and use tax of one-tenth of one percent for housing and related services as authorized by RCW 82.14.530; adding a new Section 3.04.026 to the Issaquah Municipal Code; providing for severability and establishing an effective date.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ISSAQUAH, WASHINGTON, IMPOSING AN ADDITIONAL SALES AND USE TAX OF ONE-TENTH OF ONE PERCENT FOR HOUSING AND RELATED SERVICES AS AUTHORIZED BY RCW 82.14.530; ADDING A NEW SECTION 3.04.026 TO THE ISSAQUAH MUNICIPAL CODE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Issaquah has a critical need for additional funding to provide affordable housing and housing-related services for the homeless or people in danger of becoming homeless; and

WHEREAS, housing affordability and homelessness are growing problems in the City of Issaquah which require prompt attention to reduce human suffering for the City's residents; and

WHEREAS, RCW 82.14.530 authorizes the imposition of an additional sales and use tax of one-tenth of one percent to be used for funding affordable housing; and

WHEREAS, under HB 1590, passed by the state legislature as Chapter 222, Laws of 2020, counties were given the exclusive right to impose the tax until September 30, 2020 and cities were given the right to impose the tax thereafter as long as the county had not already done so; and

WHEREAS, King County did not impose the additional sales and use tax by September 30, 2020; and

WHEREAS, the Issaquah City Council has determined that the tax should be imposed and that the proceeds will be used for those purposes authorized by RCW 82.14.530, including constructing affordable housing, constructing mental and behavioral health-related

facilities, and funding the operations and maintenance costs of new units of affordable housing and facilities where housing-related programs are provided, or newly constructed evaluation and treatment centers; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Additional Sales and Use Tax Imposed. A new Section 3.04.026 is hereby added to the Issaquah Municipal Code imposing the one-tenth of one percent sales and use tax authorized by RCW 82.14.530 and to read as follows:

3.04.026 Additional Sales and Use Tax for Housing and Related Services.

A. There is hereby imposed an additional sales and use tax, separate and apart from any other sales and use tax imposed by this chapter, upon every taxable event occurring in the City, for housing and related services as authorized by RCW 82.14.530.

B. As used in this section, the term “taxable event” has the meaning set forth in RCW 82.14.020.

C. The rate of the sales and use tax imposed by this section shall be one-tenth of one percent of the selling price, in the case of a sales tax, or the value of the article used, in the case of a use tax.

D. The tax shall be imposed upon and collected from those persons from whom the state sales tax or use tax is collected pursuant to RCW 82.08 and 82.12.

E. Moneys collected from the tax shall be used solely for those housing and related services authorized by RCW 82.14.530, as the same now exists or as hereafter amended.

F. As provided in RCW 82.14.530, if King County subsequently imposes a sales and use tax for housing and related services as authorized by such statute, the County shall provide a credit against its tax for the full amount of the tax imposed by the City.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court, board or tribunal of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after publication, provided, that the additional sales and use tax imposed by Section 1 shall apply only to taxable events occurring on and after January 1, 2021.

Passed by the City Council of the City of Issaquah this ___ day of _____, 2020.

Approved by the Mayor of the City of Issaquah this ___ day of _____, 2020.

MARY LOU PAULY, MAYOR

ATTEST/AUTHENTICATED

CHRISTINE L. EGGERS, CITY CLERK

APPROVED AS TO FORM:

JAMES E. HANEY, CITY ATTORNEY

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: _____

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1590

Chapter 222, Laws of 2020

66th Legislature
2020 Regular Session

AFFORDABLE HOUSING SALES AND USE TAX--COUNCILMANIC AUTHORITY

EFFECTIVE DATE: June 11, 2020

Passed by the House March 9, 2020
Yeas 52 Nays 44

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 6, 2020
Yeas 27 Nays 21

CYRUS HABIB

President of the Senate

Approved March 31, 2020 10:44 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1590** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 31, 2020

**Secretary of State
State of Washington**

HOUSE BILL 1590

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By Representatives Doglio, Dolan, Macri, Cody, Gregerson, Wylie, Appleton, Robinson, Ormsby, Frame, and Davis

Read first time 01/24/19. Referred to Committee on Housing, Community Development & Veterans.

1 AN ACT Relating to allowing the local sales and use tax for
2 affordable housing to be imposed by a councilmanic authority; and
3 amending RCW 82.14.530.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 82.14.530 and 2015 3rd sp.s. c 24 s 701 are each
6 amended to read as follows:

7 (1)(a)(i) A county legislative authority may submit an
8 authorizing proposition to the county voters at a special or general
9 election and, if the proposition is approved by a majority of persons
10 voting, impose a sales and use tax in accordance with the terms of
11 this chapter. The title of each ballot measure must clearly state the
12 purposes for which the proposed sales and use tax will be used. The
13 rate of tax under this section may not exceed one-tenth of one
14 percent of the selling price in the case of a sales tax, or value of
15 the article used, in the case of a use tax.

16 (ii) As an alternative to the authority provided in (a)(i) of
17 this subsection, a county legislative authority may impose, without a
18 proposition approved by a majority of persons voting, a sales and use
19 tax in accordance with the terms of this chapter. The rate of tax
20 under this section may not exceed one-tenth of one percent of the

1 selling price in the case of a sales tax, or value of the article
 2 used, in the case of a use tax.

3 (b) (i) ~~If a county ((with a population of one million five~~
 4 ~~hundred thousand or less has not imposed))~~ does not impose the full
 5 tax rate authorized under (a) of this subsection ~~((within two years~~
 6 ~~of October 9, 2015))~~ by September 30, 2020, any city legislative
 7 authority located in that county may ~~((submit))~~ :

8 (A) Submit an authorizing proposition to the city voters at a
 9 special or general election and, if the proposition is approved by a
 10 majority of persons voting, impose the whole or remainder of the
 11 sales and use tax rate in accordance with the terms of this chapter.
 12 The title of each ballot measure must clearly state the purposes for
 13 which the proposed sales and use tax will be used;

14 (B) Impose, without a proposition approved by a majority of
 15 persons voting, the whole or remainder of the sales and use tax rate
 16 in accordance with the terms of this chapter.

17 (ii) The rate of tax under this section may not exceed one-tenth
 18 of one percent of the selling price in the case of a sales tax, or
 19 value of the article used, in the case of a use tax.

20 ~~((ii) If a))~~ (iii) A county with a population of greater than
 21 one million five hundred thousand ~~((has not imposed the full))~~ may
 22 impose the tax authorized under (a) (ii) of this subsection ~~((within~~
 23 ~~three years of October 9, 2015, any city legislative authority))~~ only
 24 if the county plans to spend at least thirty percent of the moneys
 25 collected under this section that are attributable to taxable
 26 activities or events within any city with a population greater than
 27 sixty thousand located in that county ~~((may submit an authorizing~~
 28 ~~proposition to the city voters at a special or general election and,~~
 29 ~~if the proposition is approved by a majority of persons voting,~~
 30 ~~impose the whole or remainder of the sales and use tax rate in~~
 31 ~~accordance with the terms of this chapter. The title of each ballot~~
 32 ~~measure must clearly state the purposes for which the proposed sales~~
 33 ~~and use tax will be used. The rate of tax under this section may not~~
 34 ~~exceed one-tenth of one percent of the selling price in the case of a~~
 35 ~~sales tax, or value of the article used, in the case of a use tax))~~
 36 within that city's boundaries.

37 (c) If a county imposes a tax authorized under (a) of this
 38 subsection after a city located in that county has imposed the tax
 39 authorized under (b) of this subsection, the county must provide a
 40 credit against its tax for the full amount of tax imposed by a city.

1 (d) The taxes authorized in this subsection are in addition to
 2 any other taxes authorized by law and must be collected from persons
 3 who are taxable by the state under chapters 82.08 and 82.12 RCW upon
 4 the occurrence of any taxable event within the county for a county's
 5 tax and within a city for a city's tax.

6 (2)(a) Notwithstanding subsection (4) of this section, a minimum
 7 of sixty percent of the moneys collected under this section must be
 8 used for the following purposes:

9 (i) Constructing affordable housing, which may include new units
 10 of affordable housing within an existing structure, and facilities
 11 providing housing-related services; or

12 (ii) Constructing mental and behavioral health-related
 13 facilities; or

14 (iii) Funding the operations and maintenance costs of new units
 15 of affordable housing and facilities where housing-related programs
 16 are provided, or newly constructed evaluation and treatment centers.

17 (b) The affordable housing and facilities providing housing-
 18 related programs in (a)(i) of this subsection may only be provided to
 19 persons within any of the following population groups whose income is
 20 at or below sixty percent of the median income of the county imposing
 21 the tax:

22 (i) Persons with ~~((mental—illness))~~ behavioral health
 23 disabilities;

24 (ii) Veterans;

25 (iii) Senior citizens;

26 (iv) Homeless, or at-risk of being homeless, families with
 27 children;

28 (v) Unaccompanied homeless youth or young adults;

29 (vi) Persons with disabilities; or

30 (vii) Domestic violence survivors.

31 (c) The remainder of the moneys collected under this section must
 32 be used for the operation, delivery, or evaluation of mental and
 33 behavioral health treatment programs and services or housing-related
 34 services.

35 (3) A county that imposes the tax under this section must consult
 36 with a city before the county may construct any of the facilities
 37 authorized under subsection (2)(a) of this section within the city
 38 limits.

39 (4) A county that has not imposed the tax authorized under RCW
 40 82.14.460 prior to October 9, 2015, but imposes the tax authorized

1 under this section after a city in that county has imposed the tax
2 authorized under RCW 82.14.460 prior to October 9, 2015, must enter
3 into an interlocal agreement with that city to determine how the
4 services and provisions described in subsection (2) of this section
5 will be allocated and funded in the city.

6 (5) To carry out the purposes of subsection (2)(a) and (b) of
7 this section, the legislative authority of the county or city
8 imposing the tax has the authority to issue general obligation or
9 revenue bonds within the limitations now or hereafter prescribed by
10 the laws of this state, and may use, and is authorized to pledge, up
11 to fifty percent of the moneys collected under this section for
12 repayment of such bonds, in order to finance the provision or
13 construction of affordable housing, facilities where housing-related
14 programs are provided, or evaluation and treatment centers described
15 in subsection (2)(a)(iii) of this section.

16 (6)(a) Moneys collected under this section may be used to offset
17 reductions in state or federal funds for the purposes described in
18 subsection (2) of this section.

19 (b) No more than ten percent of the moneys collected under this
20 section may be used to supplant existing local funds.

Passed by the House March 9, 2020.

Passed by the Senate March 6, 2020.

Approved by the Governor March 31, 2020.

Filed in Office of Secretary of State March 31, 2020.

--- END ---

Health through Housing Proposal Summary

The King County Executive is proposing Councilmanic enactment of a *Health through Housing 0.1% Countywide Sales Tax* authorized under [RCW 82.14.530](#) (aka the Legislature's 2020 [HB 1590](#)).

GOAL: HOUSE 45% OF CHRONIC HOMELESS POPULATION (based on HMIS)

By October 2022, house 2,000 King County residents who are experiencing or at risk of chronic homelessness—while reducing racial-ethnic disproportionality—by:

1. acquiring single-room settings like hotels while economic conditions are favorable,
2. putting them into immediate service as emergency and affordable housing,
3. funding operating and supportive services within housing, including behavioral health services, to keep people healthy and housed; and
4. converting acquired single-room settings into permanent supportive housing over time while continuing to develop additional affordable housing.

Why this concept, why this instrument, why now?

- **Housing is a Foundation for Health: Single Room Housing is Healthier; Congregate Shelters are Not a Long-Term Solution**
Our COVID-19 deintensification actions show that the basics that underpin health for most of us would do the same for people without a home: the ability to sleep in a bed, to use a bathroom, to feel safe, and to have the dignity of a place to be are foundations of health, preventing problems that we must otherwise treat at even greater personal and financial cost.
- **A Temporary Opportunity to Make an Immediate & Lasting Difference**
COVID-19 provides TEMPORARY economic conditions to purchase single-room properties like hotels that we can immediately convert to emergency housing—we must be nimble enough to leverage this window for change. We have a chance to immediately increase housing stock for less money than is normally possible. This window will close.
- **Reframing the Housing vs. Shelter False Policy/Funding Choice**
We can invest in immediate emergency housing for King County residents—people and resources that would otherwise go to congregate shelters or unsheltered homelessness—and then re-develop the purchased properties to build permanent supportive housing for even more people over time. The same resources can provide emergency housing now and support long-term affordable housing goals.
- **We Center the Most Affected. Nothing is More Regressive for a Person Than Experiencing Homelessness.**
Attempts at more progressive revenue sources have failed, leaving the sales tax as the only available tool. Meanwhile, the status quo is costing our society, community, and budgets.

What is proposed?

Upon a majority vote of the King County Council, proposed ordinance [2020-0311](#) (sponsored by Councilmember Joe McDermott) will implement a 0.1% sales tax across King County for affordable housing, housing-related services and behavioral health treatment. Current forecasts estimate the tax will generate \$65-70 million/year.

The ordinance authorizes funding for the following:

- Affordable housing;
- Behavioral health-related facilities;
- Operations and maintenance costs of affordable housing, facilities for housing-related services, or newly constructed evaluation and treatment centers;
- Operation, deliver, or evaluation of behavioral health treatment programs and services or housing-related services;

The Executive's proposed 2021-22 budget appropriates ***\$96 million*** from revenue generated in the first two years of the tax. These funds are appropriated for debt service payments for up to ***\$400 million in bonds to finance affordable housing***, operating and service expenses for those affordable housing units, and behavioral health treatment.

Health through Housing Proposal Summary

How will funds be spent?

Proceeds collected in 2021 are directed by the County's 2021-2022 biennial budget. Proceeds collected in 2022-2028 will be governed by the ***Initial Health through Housing Implementation Plan*** (Initial Plan), upon adoption by ordinance. In 2028 and every eight years after that, the executive will propose an update to the Health through Housing Implementation Plan.

Ongoing Implementation Plan

The Implementation Plan will:

- Describe goals, strategies, performance measures, reporting requirements and annual expenditures
- Include goals and performance measures for the annual reduction of racial and ethnic demographic disproportionality among persons experiencing chronic homelessness
- Establish composition and responsibilities of a ***Health through Housing Advisory Committee*** to provide advice to the executive and council and report annually on the accomplishments and effectiveness of programs funded with the revenues. The committee will include:
 - Persons who have experienced homelessness;
 - Persons representative of racial and ethnic communities demographically disproportionately represented among persons experiencing chronic homelessness;
 - Residents of unincorporated areas and of cities with populations greater than 60,000 persons; and
 - Representatives from other county, city, and sub-regional boards, commissions or committees.

INITIAL Implementation Plan (by 6/30/2021)

The Executive will consult with the Affordable Housing Committee and the CEO of the King County Regional Homelessness Authority to develop the Initial Plan.

1. **The paramount goal of the Initial Plan is creation and ongoing operation of 2,000 permanently affordable homes** with housing-related services for eligible households that are experiencing chronic homelessness or that are at risk of experiencing chronic homelessness.
2. The Initial Plan will also support the creation and operation of a mobile behavioral health intervention program as an alternative to the use of law enforcement. This program will connect clients to housing created or operated with Health through Housing revenues. A portion of expenditures for 2022-2028 will also support and build the capacity of community-based organizations serving communities that are disproportionately demographically represented among persons experiencing chronic homelessness.
3. Specify the process to site affordable housing and behavioral health facilities funded from 2022-2028.

Who will be served?

All households served with affordable housing, or facilities providing housing-related services, with these funds must earn ***at or below 30% of Area Median Income*** and meet the following qualifications (required by RCW 82.14.530):

- Persons with behavioral health disabilities;
- Senior citizens;
- Persons with disabilities;
- Domestic violence survivors;
- Homeless, or at-risk of being homeless, families with children; or
- Unaccompanied homeless youth or young adults.

Households must also meet one of the following definitions:

- A household experiencing ***chronic homelessness*** must include an adult with a disability and either be currently experiencing homelessness for at least 12 consecutive months or have experienced homelessness for a cumulative 12 months within the prior 3 years.
- A household ***at-risk of chronic homelessness*** describes a household that includes an adult with a disability and meets two additional criteria:
 1. currently experiencing homelessness for 10-12 months in the previous 3 years or previously experienced homelessness for 12+ months within the last 5 years; and
 2. include one adult that has been incarcerated within the previous 5 years, or been detained or involuntarily committed, or identifies as a member of a population that is demographically overrepresented among persons experiencing homelessness.

How will you make decisions about siting housing and facilities?

- Use an ***equity and social justice impact review process*** and ***consult with cities*** in which capital projects will be located.
- Prioritize 2021 proceeds for sites/services within a city that submits a written statement of support.
- Plan to spend at least 30% of funds collected in cities with over 60,000 residents in the community that generated those funds (consistent with RCW 82.14.530).

Updated: September 24, 2020



CITY COUNCIL
AGENDA BILL

City Council Regular Meeting - 05 Oct 2020

REGULAR BUSINESS b)

UPDATED
AB 8013 -

Regular Business

Housing Stability: Local Defense Against Evictions

**Proposed Council Action:
Adopt Ordinance**

**DEPARTMENT OF
COUNCIL LIAISON
OTHER COUNCIL MEETINGS
COMP PLAN POLICY NOS.
OTHER POLICIES
EXHIBITS**

Executive Department Wally Bobkiewicz
n/a
July 20, 2020 (ID 0730); July 27, 2020; Aug. 25, 2020; Sept. 15, 2020
n/a
n/a
A. Proposed Ordinance, Local Defense Against Evictions (updated)
B. Proposed Ordinance, Mediation as Only Defense, Version 1 (new)
C. Memo from City Attorney (new)
D. Proposed Ordinance, Mediation as Only Defense, Version 2(new;
posted 10/5/2020)

SUMMARY STATEMENT

Introduction

~~This agenda bill seeks City Council authorization to adopt an ordinance relating to the termination of residential rental tenancies due to the impact of COVID-19 on the ability of tenants to pay rent.~~

This agenda bill provides two model ordinances for City Council's consideration relating to the termination of residential rental tenancies due to the impact of COVID-19 on the ability of tenants to pay rent. See Update section for additional information.

Background

On July 20, 2020, the Administration provided an Informational Update, [ID 0730](#), regarding Housing Stability during the COVID-19 Emergency. During this presentation, the Administration provided an overview of housing stability within the national and local context of the COVID-19 emergency, followed by Housing Stability Options available to residents in our community and possible actions the City may consider to support these efforts.

The City Council directed the Administration to continue this topic at a special [virtual] meeting on July 27, to further consider actions to support housing stability. Specifically, the City Council requested consideration of a regulatory approach that would provide renters further defense against evictions, particularly in light of the potential expiration of the state's moratorium on evictions on Aug. 1.

Proposal

The proposed ordinance supports housing stability by addressing termination of residential rental tenancies in the City of Issaquah as follows:

- Establishes defenses to eviction for tenants who are unable to pay rent because of a substantial reduction in household income or a substantial increase in expenses resulting from the coronavirus pandemic
- Prohibits late charges and penalties.
- Requires landlords to offer payment plans and prohibits retaliation.
- Authorizes early termination of rental agreements.
- Reaffirms the declaration of emergency.
- Establishes an immediate effective date of the ordinance

The ordinance would provide renters an additional defense against eviction proceedings when the statewide eviction moratoriums is eventually terminated.

The proposed ordinance was modeled after existing ordinances in the City of Seattle and the sample ordinance proposed by the King County Bar Association.

Next Steps

The Administration will return to Council at the August 3 City Council meeting with additional Housing Stability measures for consideration, specifically Rental Assistance.

Financial Information

n/a

Administration's Recommendation

The Administration recommends adoption of the proposed ordinance providing eviction protections to households that have faced loss of income due to COVID-19.

Update

On July 24 the Governor extended the moratorium on evictions through Oct. 15, 2020 ([Proclamation 20-19.3](#)).

At the July 27, 2020 Special City Council meeting, staff presented AB 8013. Following discussion, the City Council referred the agenda bill to the Aug. 25, 2020 Council study session, and appointed an ad hoc committee to review the AB and propose housing stability strategies.

At the Aug. 25, 2020 Council Study Session, the Ad Hoc Committee on Housing Stability presented its findings and recommendations. The Council discussed the recommendations proposed by the Committee and provided direction on a series of questions to assist in the preparation of an amended ordinance. A memo encouraging exploration of mediation options was also presented and discussed. Following discussion, Council provided direction to:

- Return this item to the Sept. 15 Council Study Session with an interim report of the Ad Hoc Committee at the Sept. 8 Council meeting.
- Direct Administration to provide research on mediation cost and availability to report out at Sept. 15 Study Session.

At the Sept. 8, 2020 Regular City Council meeting, the Ad Hoc Committee provided a final report on work conducted since the report-out at the Aug. 25 Council Study Session. The Committee shared the outcome of their additional outreach on mediation and recommended that the local defense against eviction ordinance comply with the meet and confer process but include mediation.

At the Sept. 15, 2020 Council Study Session, an updated ordinance including the recommendations from the Ad Hoc Committee and the input from the Aug. 25 Study Session was provided. Information on options for mediation services was also presented. Following discussion, it was recommended that the agenda bill be brought forward for consideration at the Oct. 5, 2020 Council meeting and the following be included for Council deliberation:

- The ordinance discussed for defense against eviction
- An alternate ordinance to include mediation services only, as a defense against evictions
- Updated Information regarding mediation services and potential agreements

Councilmembers also relayed some guidance for potential mediation funding options, including using CARES Act funds if possible and considering 2021 funding in the context of 2021 budget deliberations.

At the Sept. 21 Regular Council Meeting, City Council authorized designation of Coronavirus Aid, Relief, and Economic Security (CARES) Act Funds for mediation services, should Council action be taken to move forward with such services at the next Regular Council Meeting.

Oct. 5, 2020 Regular Council Meeting

Following direction received at the Sept. 15 Council Study Session, the current agenda bill provides for City Council consideration of the following:

1. An Ordinance providing defense against evictions (Exhibit A)
2. An Ordinance that mandates mediation services as a defense against evictions (Exhibit B)

In addition, a Memo (Exhibit C) from the City Attorney, James Haney, to the Mayor and City Council answering the questions noted at the Sept. 15 Council Study Session is included, along with a brief update on contract options for mediation services.

Below is an overview of the ordinances. Additional alternatives are listed in the Alternatives section.

Option 1. Ordinance providing defense against evictions (Exhibit A)

The proposed ordinance supports housing stability by addressing termination of residential rental tenancies in the City of Issaquah as follows:

- Establishes defenses to eviction for tenants who are unable to pay rent because COVID-19 pandemic.
- Prohibits late charges and penalties.
- Requires participation in an Eviction Resolution Program (ERP) if one is established by the Courts*.
- Requires payment plans.
- Requires mediation under certain circumstances and prohibits retaliation.
- Establishes an effective date.
- Provides a sunset date.

*The ordinance was drafted on Sept. 30. As of this date, the Eviction Resolution Program (ERP) was not implemented in King County, however additional information is expected to be made public between Oct. 1-5, 2020. Any updates will be provided at the Council meeting on Oct. 5 and the language of the Ordinance will be updated to reflect applicable changes.

Since the Sept. 15 Council Study Session, this ordinance was updated to include additional recitals citing the Governor's proclamations extending the moratorium on evictions and the Centers for Disease Control order prohibiting certain residential evictions.

Option 2. Ordinance mandating mediation services as a defense against evictions (Exhibit B)

The proposed ordinance supports housing stability by addressing termination of residential rental tenancies in the City of Issaquah as follows:

- Requires mediation prior to unlawful detainer action.
- Establishes a defense to eviction for tenants who are unable to pay rent because COVID-19 pandemic and whose landlords refuse to engage in mediation.
- Establishes an effective date.
- Provides a sunset date.

Update Oct. 5, 2020: A second, revised version of the proposed ordinance addressing mediation as a defense against evictions is attached as Exhibit D. This is referenced as Version 2.

Contract Options for Mediation Services

Since the last City Council update on options for mediation services, the Dispute Resolution Center of King County (DRC of KC) expressed interest in further exploring a contractual relationship with the City of Issaquah for mediation services. A possible contract would supplement existing services that Issaquah residents can already access for free or on a sliding fee scale through the DRC of King County. The City of Bellevue Dispute Resolution Center is no longer available to explore a contractual partnership due to recent increase in service need and decreased capacity.

Next Steps

A contract for mediation services will be pursued if either one of the Ordinances proposed is adopted by Council. Funds to cover mediation services in 2020 have been set aside from the Coronavirus Aid, Relief, and Economic Security (CARES) Act Funds authorized by City Council on Sept. 21, 2020. No funds have been identified yet for 2021. The Administration proposes to bring forward potential contract and funding options at the Oct. 19, 2020 Council meeting.

Alternative(s)

1) Do not adopt either ordinance and continue monitoring events and regional and federal rulings related to housing stability options. Provide direction to City Staff regarding next steps. (Impact: Issaquah residents experiencing economic insecurity and unable to pay rent may be at a higher risk for eviction when the current statewide moratorium on evictions ends.)

2) Do not adopt either ordinance, but provide mediation services as a resource for residents. This option would be a resource for tenants and landlords who wish to avoid eviction proceedings and who would like to use conflict resolution expertise to come to a mutually agreed payment plan option but have limited financial resources.

RECOMMENDATION

Administration / Executive Department:

MOVE TO:

~~Adopt Ordinance No. _____, relating to the termination of residential rental tenancies; establishing defenses to eviction for tenants who are unable to pay rent because of a substantial reduction in household income or a substantial increase in expenses resulting from the Coronavirus pandemic; prohibiting late charges and penalties; requiring payment plans, prohibiting retaliation; authorizing early termination of rental agreements; declaring an emergency and establishing an effective date.~~

n/a [Direct Administration]

Option 1: Adopt Ordinance No. ____, relating to the termination of residential rental tenancies; establishing defenses to eviction for tenants who are unable to pay rent because of the COVID-19 pandemic; prohibiting late charges and penalties; requiring participation in an eviction resolution program if one is established by the courts; requiring payment plans; requiring mediation under certain circumstances; prohibiting retaliation; providing for the ordinance to sunset upon King County's entry into Phase 4 of the Governor's Safe Start – Stay Healthy phased reopening, and establishing an effective date upon expiration or termination of Governor Inslee's proclamation on evictions and related housing practices.

OR

Option 2: Adopt Ordinance No. _____, establishing a defense to eviction for residential tenants who are unable to pay rent because of COVID-19 and whose landlords refuse to engage in mediation; providing for the ordinance to sunset upon King County's entry into Phase 4 of the Governor's Safe Start – Stay Healthy Phased reopening; and establishing an effective date upon expiration or termination of Governor Inslee's proclamation on evictions and related housing practices.

**OPTION 1: PREVIOUS LOCAL DEFENSE AGAINST EVICTION ORDINANCE WITH
ADDITIONAL RECITALS CITING ORDERS OF GOVERNOR AND CDC**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ISSAQUAH, WASHINGTON, RELATING TO THE TERMINATION OF RESIDENTIAL RENTAL TENANCIES; ESTABLISHING DEFENSES TO EVICTION FOR TENANTS WHO ARE UNABLE TO PAY RENT BECAUSE OF THE COVID-19 PANDEMIC; PROHIBITING LATE CHARGES AND PENALTIES; REQUIRING PARTICIPATION IN AN EVICTION RESOLUTION PROGRAM IF ONE IS ESTABLISHED BY THE COURTS; REQUIRING PAYMENT PLANS; REQUIRING MEDIATION UNDER CERTAIN CIRCUMSTANCES; PROHIBITING RETALIATION; PROVIDING FOR THE ORDINANCE TO SUNSET UPON KING COUNTY'S ENTRY INTO PHASE 4 OF THE GOVERNOR'S SAFE START – STAY HEALTHY PHASED REOPENING, AND ESTABLISHING AN EFFECTIVE DATE UPON EXPIRATION OR TERMINATION OF GOVERNOR INSLEE'S PROCLAMATION ON EVICTIONS AND RELATED HOUSING PRACTICES.

WHEREAS, on February 29, 2020, Governor Inslee issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the novel coronavirus (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, on March 6, 2020, Mayor Pauly issued a Proclamation of Emergency for the City of Issaquah, declaring a state of civil emergency in the City due to the COVID-19 outbreak; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, Governor Inslee has subsequently issued amendatory Proclamations 20-06 through

20-50 exercising his emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 pandemic is causing a sustained global economic slowdown, and an economic downturn throughout Washington State with unprecedented numbers of layoffs and reduced work hours for a significant percentage of our workforce due to substantial reductions in business activity impacting our commercial sectors that support our state's economic vitality, including severe impacts to the large number of small businesses that make Washington State's economy thrive; and

WHEREAS, many in Issaquah's workforce are expected to be impacted by these layoffs and substantially reduced work hours and are anticipated to suffer economic hardship that will disproportionately affect low and moderate income workers resulting in lost wages and potentially the inability to pay for basic household expenses, including rent; and

WHEREAS, the inability to pay rent by these members of Issaquah's workforce increases the likelihood of eviction from their homes, increasing the life, health and safety risks to a significant percentage of our people from the COVID-19 pandemic; and

WHEREAS, in King County, people of color have been disproportionately impacted by the economic shutdown, with some groups experiencing unemployment rates at 39% in King County; and

WHEREAS, only 57% of renters can afford a \$400 unexpected expense based on the Board of Governors of the Federal Reserve System's "Report on the Economic Well-Being of U.S. Households in 2019, Featuring Supplemental Data from April 2020;" and

WHEREAS, on March 18, 2020, Governor Inslee issued Proclamation 20-19, which imposed a moratorium on certain residential rental evictions. The Proclamation has been extended three times and currently expires October 15, 2020; and

WHEREAS, on September 1, 2020, the Centers for Disease Control issued an order entitled, “Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19,” which prohibits certain residential evictions through December 31, 2020; and

WHEREAS, in order to avoid a large increase in evictions and homelessness due to the impacts of the Civil Emergency, it is necessary to provide eviction protections to households that have faced loss of income due to COVID-19 if Governor Inslee’s Proclamation imposing a moratorium on evictions expires or is terminated and the CDC order does not apply; and

WHEREAS, eviction protections should be fair to both landlords and tenants as tenants are dependent on housing and are struggling to pay rent, while landlords are dependent upon rental payments and are struggling to make mortgage payments and fulfill their property maintenance obligations; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Defense to Unlawful Detainer Action for Nonpayment of Rent that Became Due During the Local Emergency.

A. In any action for unlawful detainer due to nonpayment of rent, it shall be a defense that the unpaid rent became due between March 1, 2020 and the Sunset Date of this ordinance and the tenant asserts that the failure to pay rent is due to the COVID-19 pandemic. To assert this defense, the residential tenant must prove that the failure to pay rent was due to one of the following circumstances occurring as a result of the COVID-19 pandemic.

1. The tenant's illness;
2. A substantial reduction in household income;
3. A loss of employment or a reduction in hours;
4. Business or office closure;
5. A need to miss work because the tenant's children were out of school, or because the tenant was caring for a family member who was sick with COVID-19;
6. Compliance with a recommendation from a government agency to self-quarantine, including to avoid risk of medical complications to themselves or others, or incurred substantial out-of-pocket medical expenses due to COVID-19; or
7. Other similar loss of income due to the COVID-19 pandemic.

B. The tenant may invoke the defense provided in subsection A only if the tenant has submitted a declaration or certification to the superior court in any unlawful detainer action that tenant has suffered a financial hardship due to COVID-19 as provided in this Section.

C. When considering a defense to eviction afforded by subsection A and fashioning any remedy, the court should balance the equities of the parties and consider material impacts to the owner as well as to the tenant.

D. Any notice served on a residential tenant demanding rent that became due between March 1, 2020 and the Sunset Date of this ordinance shall include the following statement in bold underlined 12-point type: **“You may not be evicted for rent that became due on or after March 1, 2020 if the rent was unpaid because of circumstances related to the COVID-19 pandemic. This does not relieve you of the obligation to pay back rent in the future.”**

E. Nothing in this Section 1 shall relieve the tenant of liability for the unpaid rent.

Section 2. Late Fees and Other Charges Prohibited. Notwithstanding any lease provision to the contrary, for residential tenancies, no late fees or other charges arising out of nonpayment of rent, including those incurred for the collection of such rent, may be imposed against any tenant for rent that became due between March 1, 2020 and the Sunset Date of this ordinance. The prohibition set forth in this Section 2 shall be a defense in any unlawful detainer action or collection activity undertaken by landlord based on nonpayment of late fees.

Section 3. Eviction Resolution Program. If an Eviction Resolution Program (ERP) is established by orders of the Washington Supreme Court and the King County Superior Court, landlords and tenants who are eligible to participate in the ERP shall be required to do so prior to the commencement of any action for unlawful detainer due to nonpayment of rent that became due between March 1, 2020 and the Sunset Date of this ordinance, where the tenant asserts that the failure to pay rent is due to the COVID-19 pandemic. It shall be a defense to eviction that a landlord refused to participate in the ERP when the tenant was willing to participate and the parties were eligible to do so. A tenant who refuses to participate when the landlord is willing to do so and the parties are eligible may not assert this defense.

Section 4. Payment Plans Required. If an Eviction Resolution Program is not established as provided in Section 3 or if the landlord and tenant are not eligible to participate in such program, the landlord may not undertake any unlawful detainer action or collection activity against a tenant for any unpaid rent that became due between March 1, 2020 and the Sunset Date of this ordinance where the tenant asserts that the failure to pay rent was due to the COVID-19 pandemic under one or more of the circumstances set forth in Section 1(A), unless the landlord

has offered and the tenant has refused or failed to comply with a reasonable payment plan pursuant to this Section 4. The payment plan shall be reasonable based upon the tenant's ability to pay. The following payment plan is presumed to be reasonable, but other plans may be reasonable based on individual circumstances: a) if the tenant owes one month of rent or less, the amount owed shall be payable in at least three equal monthly installments; b) if the tenant owes more than one month of rent but no more than 2 months of rent, the amount owed shall be payable in at least six equal monthly installments; c) if the tenant owes more than 2 months of rent, , the amount owed shall be payable in at least 12 equal monthly installments. Any such payment plan shall not require payments to begin until sixty days after the Sunset Date of this ordinance. All payment plans shall be in writing and signed by both the landlord and tenant. Nothing in this Section 4 shall prohibit the landlord from providing payment plan agreements with terms more favorable to the tenant. For purposes of this Section 4, "collection activity" includes attempts to collect, or threats to collect, through a collection agency, by filing a judicial action for a monetary judgment, withholding any portion of a security deposit, billing or invoicing, reporting to credit bureaus, or by any other means. The landlord's failure to offer a payment plan as provided in this Section 4 shall be a defense to any action for unlawful detainer due to nonpayment of rent and to any collection activity.

Section 5. Mediation. If the landlord and tenant are unable to agree on a reasonable payment plan and participation in an ERP is not available, the landlord and tenant shall engage in mediation of their dispute prior to the commencement of any unlawful detainer action, provided that mediation services are available and affordable to both parties. The City intends to provide funding for mediation services for those Issaquah residents that cannot afford such services and if the City does so, landlords and tenants shall be required to engage in mediation. It shall be a

defense for the tenant in any unlawful detainer action that the landlord refused to engage in mediation if the tenant is willing to do so and if the City has funded mediation services. A tenant who refuses to mediate when the landlord is willing to do so and when the parties are eligible to participate in a City-funded mediation program shall not be entitled to the defense provided in this Section.

Section 6. Termination and Retaliation Prohibited.

A. No rental agreement may be terminated by the landlord pursuant to RCW 59.12.030(1), RCW 59.12.030(2), RCW 59.18.200 or RCW 59.18.220 where the tenant has entered into a payment plan pursuant to Sections 3, 4 or 5 of this Ordinance until after the tenant has completed the payment plan. Notwithstanding this Section 6, the landlord may terminate a periodic tenancy or refuse to renew a rental agreement if the tenant has defaulted on the payment plan or the tenant has refused to enter into a payment plan within 60 days of the Sunset Date of this Ordinance. This Section 6 shall not prohibit a landlord from otherwise terminating a tenancy subject to this Ordinance due to behavior resulting in an imminent threat to health and safety of other persons on the premises.

B. No landlord may take any reprisal or retaliatory action against a tenant who exercises rights under this Ordinance. There is a presumption that the action of the landlord violates this subsection B of Section 6 if such action occurs during a payment plan period or 60 days after completing the payment plan.

C. Violation on this section by a landlord shall be a defense to any unlawful detainer action or collection activity brought by the landlord against the tenant.

Section 7. Sunset Date. This ordinance shall automatically sunset and expire on that date on which King County enters Phase 4 of Governor Inslee's Safe Start – Stay Healthy

Phased Reopening Plan, provided, that the sunseting and expiration of this ordinance shall not relieve any landlord or tenant from complying with any payment plan entered into under the provisions of this ordinance.

Section 8. Definitions. For purposes of this Ordinance, the following definitions apply:

A. “Civil emergency” shall refer to the Governor of the State of Washington’s Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State on February 29, 2020 and any subsequent orders extending or amending such Civil Emergency due to COVID-19 until such Civil Emergency is ended by the Governor of the State of Washington.

B. “Landlord” shall have the same definition as that found in RCW 59.18.030(15) and RCW 59.20.030(6).

C. “Rent” shall have the same definition as RCW 59.18.030(28).

D. “Reprisal or retaliatory action” shall have the same definition as that set forth in RCW 59.18.240(2).

E. “Sunset Date” means the date on which King County enters Phase 4 of Governor Inslee’s Safe Start – Stay Healthy Phased Reopening Plan, as provided in Section 7.

F. “Tenant” shall refer to any individual renting a dwelling unit or lot primarily for living purposes, including anyone’s with a tenancy subject to RCW 59.18 and RCW 59.20.

Section 9. Effective Date. This ordinance shall take effect and be in full force upon the expiration or termination of Governor Inslee’s Proclamations 20-19 through 20-19.3, and any extensions thereof, related to Evictions and Related Housing Practices. The City Clerk is hereby directed to publish this ordinance or a summary thereof at the earliest opportunity.

Passed by the City Council of the City of Issaquah, the ____ day of ____, 2020.

Approved by the Mayor of the City of Issaquah, the ____ day of ____, 2020.

MARY LOU PAULY, MAYOR

ATTEST/AUTHENTICATED:

CHRISTINE L, EGGERS, CITY CLERK

APPROVED AS TO FORM:

JAMES E. HANEY, CITY ATTORNEY

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

OPTION 2, VERSION 1: MEDIATION AS A DEFENSE ONLY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ISSAQUAH, WASHINGTON, ESTABLISHING A DEFENSE TO EVICTION FOR RESIDENTIAL TENANTS WHO ARE UNABLE TO PAY RENT BECAUSE OF COVID-19 AND WHOSE LANDLORDS REFUSE TO ENGAGE IN MEDIATION; PROVIDING FOR THE ORDINANCE TO SUNSET UPON KING COUNTY'S ENTRY INTO PHASE 4 OF THE GOVERNOR'S SAFE START – STAY HEALTHY PHASED REOPENING; AND ESTABLISHING AN EFFECTIVE DATE UPON EXPIRATION OR TERMINATION OF GOVERNOR INSLEE'S PROCLAMATION ON EVICTIONS AND RELATED HOUSING PRACTICES.

WHEREAS, on February 29, 2020, Governor Inslee issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the novel coronavirus (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, on March 6, 2020, Mayor Pauly issued a Proclamation of Emergency for the City of Issaquah, declaring a state of civil emergency in the City due to the COVID-19 outbreak; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, Governor Inslee has subsequently issued amendatory Proclamations 20-06 through 20-50 exercising his emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 pandemic is causing a sustained global economic slowdown, and an economic downturn throughout Washington State with unprecedented numbers of layoffs and reduced work hours for a significant percentage of our workforce due to substantial

reductions in business activity impacting our commercial sectors that support our state's economic vitality, including severe impacts to the large number of small businesses that make Washington State's economy thrive; and

WHEREAS, many in Issaquah's workforce are expected to be impacted by these layoffs and substantially reduced work hours and are anticipated to suffer economic hardship that will disproportionately affect low and moderate income workers resulting in lost wages and potentially the inability to pay for basic household expenses, including rent; and

WHEREAS, the inability to pay rent by these members of Issaquah's workforce increases the likelihood of eviction from their homes, increasing the life, health and safety risks to a significant percentage of our people from the COVID-19 pandemic; and

WHEREAS, in King County, people of color have been disproportionately impacted by the economic shutdown, with some groups experiencing unemployment rates at 39% in King County; and

WHEREAS, only 57% of renters can afford a \$400 unexpected expense based on the Board of Governors of the Federal Reserve System's "Report on the Economic Well-Being of U.S. Households in 2019, Featuring Supplemental Data from April 2020;" and

WHEREAS, on March 18, 2020, Governor Inslee issued Proclamation 20-19, which imposed a moratorium on certain residential rental evictions. The Proclamation has been extended three times and currently expires October 15, 2020; and

WHEREAS, on September 1, 2020, the Centers for Disease Control issued an order entitled, "Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19," which prohibits certain residential evictions through December 31, 2020; and

WHEREAS, in order to avoid a large increase in evictions and homelessness due to the impacts of the Civil Emergency, it is necessary to provide eviction protections to households that have faced loss of income due to COVID-19 if Governor Inslee's Proclamation imposing a moratorium on evictions expires or is terminated and the CDC order does not apply; and

WHEREAS, mediation can be an effective means of resolving disputes between landlords and tenants over nonpayment of rent due to COVID-19; and

WHEREAS, landlords and tenants should be required to mediate their disputes over nonpayment of rent due to COVID-19 and the Issaquah City Council has determined that the refusal of a landlord to mediate should be a defense for residential tenants who are unable to pay rent due to COVID-19; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Mediation as a Defense to Eviction. If a residential landlord and residential tenant are unable to agree on a reasonable payment plan to correct a nonpayment of rent where (a) the rent was due and payable between March 1, 2020 and the sunset date of this ordinance, and (b) the tenant asserts that the tenant was unable to pay because of the tenant's loss of income due to the COVID-19 pandemic, the landlord and tenant shall engage in mediation of their dispute prior to the commencement of any unlawful detainer action, provided that mediation services are available and affordable to both parties. The City intends to provide funding for mediation services for those Issaquah residents that cannot afford such services and if the City does so, landlords and tenants shall be required to engage in mediation. It shall be a defense for the tenant in any unlawful detainer action that the landlord refused to engage in mediation if the tenant is willing to do so and if the City has funded mediation services. A tenant who refuses to

mediate when the landlord is willing to do so and when the parties are eligible to participate in a City-funded mediation program shall not be entitled to the defense provided in this Section.

Section 2. Effective Date and Sunset. This ordinance shall take effect and be in full force only upon the expiration or termination of Governor Inslee’s Proclamations 20-19 through 20-19.3, and any extensions thereof, related to Evictions and Related Housing Practices. The City Clerk is hereby directed to publish this ordinance or a summary thereof at the earliest opportunity. This ordinance shall automatically sunset and be of no further effect on that date on which King County enters Phase 4 of Governor Inslee’s Safe Start – Stay Healthy Phased Reopening Plan.

Passed by the City Council of the City of Issaquah, the ____ day of ____, 2020.

Approved by the Mayor of the City of Issaquah, the ____ day of ____, 2020.

MARY LOU PAULY, MAYOR

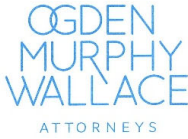
ATTEST/AUTHENTICATED:

CHRISTINE L, EGGERS, CITY CLERK

APPROVED AS TO FORM:

JAMES E. HANEY, CITY ATTORNEY

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: / AB 8013



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JAMES E. HANEY
jhaney@omwlaw.com

MEMORANDUM

DATE: October 1, 2020

TO: Mayor Mary Lou Pauly and Issaquah City Council

FROM: James E. Haney, City Attorney

RE: Council Questions on Local Defense Against Evictions

At the September 15, 2020 Study Session, the City Council requested answers to several questions regarding protections against eviction. The following are my brief responses.

1. Does the City have the legal authority to prohibit late charges?

In order to preserve the attorney-client privilege in case the provisions in the ordinance are challenged, I will provide my analysis to the Council in executive session.

2. What is the process by which an individual provides a declaration to support the defenses set forth in the proposed ordinance?

When a tenant defaults under a lease, the landlord can begin what is called an unlawful detainer action to evict the tenant. Like any lawsuit, the unlawful detainer action is commenced by filing a complaint in the superior court. The tenant is served with the complaint and must file an answer or at least a written notice of appearance in the superior court within twenty days after service of the summons and complaint on the tenant. If the tenant does not file a written notice of appearance or an answer within the time period provided, the landlord can request that the court enter an order of default and issue what is called a writ of restitution requiring that the tenant vacate the premises and that possession of the premises be returned to the landlord. The landlord may also obtain a default judgment for back rent owed.

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Mayor and Council
 October 1, 2020
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If the tenant does file an answer to the complaint, the tenant would need to assert the defense against eviction at that point. They would likely file a written answer and the signed declaration referred to in the ordinance if they are filing a written answer.

Once the answer is filed, or if the tenant does not file an answer but simply files a notice of appearance, then the next step in the process is for the landlord to apply to the court for an order requiring the tenant to appear in court and show cause why the landlord should not be granted a writ of restitution requiring the tenant to vacate the premises and restoring possession of the premises to the landlord. The tenant can appear at this hearing and present any defense it may have to the writ of restitution. At this point, the tenant would provide the declaration or give sworn testimony at that point and assert the defense provided by the ordinance. The court reviews the evidence presented by both sides at the show cause hearing and ultimately determines whether the writ of restitution will be issued.

If the writ of restitution is issued, the writ is provided to the sheriff's office and the sheriff serves a copy of the writ on the tenant. If the tenant fails to vacate the premises within ten days, the sheriff can physically evict the tenant. Currently, the King County Sheriff is not executing writs of restitution due to the COVID pandemic.

Whether or not the writ of restitution is issued after the show cause hearing, the matter may still proceed to trial on any other relief requested by the landlord, e.g., claims for back rent, damage to the premises, etc.

3. What if only one party is able to participate in the eviction proceedings?

The unlawful detainer action requires participation by both parties. The landlord is required to participate by filing the action, by requesting the order to show cause, and by presenting evidence in support of eviction. The tenant is required to participate by responding to the summons, appearing in court at the show cause hearing, and defending at trial if the matter gets that far.

4. Can you provide a brief overview of the CDC moratorium on evictions?

On September 4, 2020, the Centers for Disease Control issued an order entitled, "Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19." The order applies to both eviction of tenants for failure to pay rent and eviction of homeowners for failing to make house payments. The order is effective through December 31, 2020, unless sooner terminated or extended. The order does not apply in any state, local, territorial, or tribal jurisdiction with a moratorium on evictions that provides the same or a greater level of protection as CDC's order. Thus, it is likely that the CDC order will not apply to residential tenant evictions in Washington as long as Governor Inslee's proclamation prohibiting evictions is in effect, and if Issaquah enacts the Alternative 1 ordinance that is before the Council, the CDC order would not apply to residential rental evictions in Issaquah once the ordinance goes into effect.

Mayor and Council
 October 1, 2020
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Under the CDC order, landlords and property owners are prohibited from evicting residential tenants and purchasers in jurisdictions in which the order applies. To take advantage of this prohibition, the tenant is required to provide a written declaration to the landlord or property owner stating that

- (a) the tenant or purchaser has used best efforts to obtain all available government assistance for rent or housing;
- (b) the tenant or purchaser either (i) expects to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return), (ii) was not required to report any income in 2019 to the U.S. Internal Revenue Service, or (iii) received an Economic Impact Payment (stimulus check) pursuant to Section 2201 of the CARES Act;
- (c) the tenant or purchaser is unable to pay the full rent or make a full housing payment due to substantial loss of household income, loss of compensable hours of work or wages, a lay-off, or extraordinary out-of-pocket medical expenses;
- (d) the tenant or purchaser is using best efforts to make timely partial payments that are as close to the full payment as the individual's circumstances may permit, taking into account other nondiscretionary expenses; and
- (e) eviction would likely render the individual homeless—or force the individual to move into and live in close quarters in a new congregate or shared living setting—because the individual has no other available housing options.

The CDC has developed a form that is attached to the order for tenants and purchasers to use. Each adult living on the premises is required to fill out the form or its equivalent. Once the form or its equivalent is served upon the landlord or property owner, eviction is prohibited as long as the CDC order remains in effect.

More information on the CDC order can be found at:

<https://www.federalregister.gov/documents/2020/09/04/2020-19654/temporary-halt-in-residential-evictions-to-prevent-the-further-spread-of-covid-19>

5. What is the cost for residents to go to court to use the defense against evictions versus entering into mediation?

This is difficult for me to answer because I do not practice in this area of the law. However, the answer depends upon whether the resident employs an attorney and whether the resident qualifies for pro bono legal services. Attorneys in the Seattle area generally charge fees of \$250 per hour or more (\$350 to \$450 is common) and handling an eviction case could take several hours of preparation, negotiation, and court time. The good news for tenants, at least, is that if a tenant

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cannot afford a lawyer in an unlawful detainer action, there are pro bono or low-cost legal services available that a tenant can access by dialing 2-1-1 in King County or by contacting the Northwest Justice Project CLEAR Hotline outside King County (888) 201-1014 weekdays between 9:15 a.m. – 12:15 p.m., or (888) 387-7111 for seniors (age 60 and over).

Mediation can be almost as expensive. In addition to the cost of attorneys, mediators charge for their services. The private mediation firms like Judicial Arbitration and Mediation Services (JAMS) and Judicial Dispute Resolution (JDR) charge fees that can be from \$800 to \$1000 per hour for the mediator's time. There are other public options that cost way less or that can be free, like the Bellevue Conflict Resolution Center. Ms. Negrila has provided you more information on those costs.

Those are all of the questions I am aware of from the September 15 Study Session. I am happy to answer any additional questions.

:JEH

OPTION 2, VERSION 2: MEDIATION AS A DEFENSE ONLY (Dated 10/5/2020)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ISSAQUAH, WASHINGTON, ESTABLISHING A DEFENSE TO EVICTION FOR RESIDENTIAL TENANTS WHO ARE UNABLE TO PAY RENT BECAUSE OF COVID-19 AND WHOSE LANDLORDS REFUSE TO ENGAGE IN MEDIATION; PROVIDING FOR THE ORDINANCE TO SUNSET UPON KING COUNTY'S ENTRY INTO PHASE 4 OF THE GOVERNOR'S SAFE START – STAY HEALTHY PHASED REOPENING; AND ESTABLISHING AN EFFECTIVE DATE UPON EXPIRATION OR TERMINATION OF GOVERNOR INSLEE'S PROCLAMATION ON EVICTIONS AND RELATED HOUSING PRACTICES.

WHEREAS, on February 29, 2020, Governor Inslee issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the novel coronavirus (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, on March 6, 2020, Mayor Pauly issued a Proclamation of Emergency for the City of Issaquah, declaring a state of civil emergency in the City due to the COVID-19 outbreak; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, Governor Inslee has subsequently issued amendatory Proclamations 20-06 through 20-50 exercising his emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 pandemic is causing a sustained global economic slowdown, and an economic downturn throughout Washington State with unprecedented numbers of layoffs and reduced work hours for a significant percentage of our workforce due to substantial

reductions in business activity impacting our commercial sectors that support our state's economic vitality, including severe impacts to the large number of small businesses that make Washington State's economy thrive; and

WHEREAS, many in Issaquah's workforce are expected to be impacted by these layoffs and substantially reduced work hours and are anticipated to suffer economic hardship that will disproportionately affect low and moderate income workers resulting in lost wages and potentially the inability to pay for basic household expenses, including rent; and

WHEREAS, the inability to pay rent by these members of Issaquah's workforce increases the likelihood of eviction from their homes, increasing the life, health and safety risks to a significant percentage of our people from the COVID-19 pandemic; and

WHEREAS, in King County, people of color have been disproportionately impacted by the economic shutdown, with some groups experiencing unemployment rates at 39% in King County; and

WHEREAS, only 57% of renters can afford a \$400 unexpected expense based on the Board of Governors of the Federal Reserve System's "Report on the Economic Well-Being of U.S. Households in 2019, Featuring Supplemental Data from April 2020;" and

WHEREAS, on March 18, 2020, Governor Inslee issued Proclamation 20-19, which imposed a moratorium on certain residential rental evictions. The Proclamation has been extended three times and currently expires October 15, 2020; and

WHEREAS, on September 1, 2020, the Centers for Disease Control issued an order entitled, "Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19," which prohibits certain residential evictions through December 31, 2020; and

WHEREAS, in order to avoid a large increase in evictions and homelessness due to the impacts of the Civil Emergency, it is necessary to provide eviction protections to households that have faced loss of income due to COVID-19 if Governor Inslee's Proclamation imposing a moratorium on evictions expires or is terminated and the CDC order does not apply; and

WHEREAS, mediation can be an effective means of resolving disputes between landlords and tenants over nonpayment of rent due to COVID-19; and

WHEREAS, landlords and tenants should be required to mediate their disputes over nonpayment of rent due to COVID-19 and the Issaquah City Council has determined that the refusal of a landlord to mediate should be a defense for residential tenants who are unable to pay rent due to COVID-19; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Mediation as a Defense to Eviction.

A. If a residential landlord and residential tenant are unable to agree on a reasonable payment plan to correct a nonpayment of rent where (a) the rent was due and payable between March 1, 2020 and the sunset date of this ordinance, and (b) the tenant asserts that the tenant was unable to pay because of the tenant's loss of income due to the COVID-19 pandemic, the landlord and tenant shall engage in mediation of their dispute prior to the commencement of any unlawful detainer action, provided that mediation services are available and affordable to both parties. The City intends to provide funding for mediation services for those Issaquah residents that cannot afford such services and if the City does so, landlords and tenants shall be required to engage in mediation.

B. It shall be a defense for the tenant in any unlawful detainer action that the landlord refused to engage in mediation if the tenant is willing to do so and if the City has funded mediation services. To assert this defense, the residential tenant must assert that the failure to pay rent was due to one of the following circumstances occurring as a result of the COVID-19 pandemic and that the landlord refused to mediate the nonpayment of rent with tenant:

1. The tenant's illness;
2. A substantial reduction in household income;
3. A loss of employment or a reduction in hours;
4. Business or office closure;
5. A need to miss work because the tenant's children were out of school, or because the tenant was caring for a family member who was sick with COVID-19;
6. Compliance with a recommendation from a government agency to self-quarantine, including to avoid risk of medical complications to themselves or others, or incurred substantial out-of-pocket medical expenses due to COVID-19; or
7. Other similar loss of income due to the COVID-19 pandemic

C. The tenant may invoke the defense provided in subsection A only if the tenant has submitted a declaration or certification to the superior court in any unlawful detainer action that tenant has suffered a financial hardship due to COVID-19 as provided in this Section and that the landlord refused to mediate with the tenant.

D. When considering a defense to eviction afforded by this Section and fashioning any remedy, the court should balance the equities of the parties and consider material impacts to the owner as well as to the tenant.

E. Any notice served on a residential tenant demanding rent that became due between March 1, 2020 and the Sunset Date of this ordinance shall include the following statement in bold underlined 12-point type: **“You have a right to request mediation with the landlord concerning your ability to pay rent if the rent was unpaid because of circumstances due to COVID-19. If the landlord refuses to mediate with you, you may not be evicted. Free or low-cost mediation services are available through the City of Issaquah and you may find out more by contacting the City’s Human Services Coordinator at (425) 837-3416. This does not relieve you of the obligation to pay back rent in the future.”**

F. Nothing in this Section 1 shall relieve the tenant of liability for the unpaid rent.

G. A tenant who refuses to mediate when the landlord is willing to do so and when the parties are eligible to participate in a City-funded mediation program shall not be entitled to the defense provided in this Section.

Section 2. Effective Date and Sunset. This ordinance shall take effect and be in full force only upon the expiration or termination of Governor Inslee’s Proclamations 20-19 through 20-19.3, and any extensions thereof, related to Evictions and Related Housing Practices. The City Clerk is hereby directed to publish this ordinance or a summary thereof at the earliest opportunity. This ordinance shall automatically sunset and be of no further effect on that date on which King County enters Phase 4 of Governor Inslee’s Safe Start – Stay Healthy Phased Reopening Plan.

Passed by the City Council of the City of Issaquah, the ____ day of ____, 2020.

Approved by the Mayor of the City of Issaquah, the ____ day of ____, 2020.

MARY LOU PAULY, MAYOR

ATTEST/AUTHENTICATED:

CHRISTINE L, EGGERS, CITY CLERK

APPROVED AS TO FORM:

JAMES E. HANEY, CITY ATTORNEY

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.



CITY COUNCIL
AGENDA BILL

City Council Regular Meeting - 05 Oct 2020

REGULAR BUSINESS c)

NEW
AB 8044 -
Regular Business

**Outreach & Case Management Services for
Individuals Experiencing Homelessness Pilot Program**

**Proposed Council Action:
Authorize**

**DEPARTMENT OF
COUNCIL LIAISON
OTHER COUNCIL MEETINGS
COMP PLAN POLICY NOS.
OTHER POLICIES
EXHIBITS**

Parks & Community Services Monica Negrila
n/a
Feb. 18, 2020 (AB 7924), Sept. 21, 2020 (AB 8032)
Human Services Goals A, B, C, D, H, L
n/a
None.

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council to:

1. Authorize an Outreach and Case Management Services pilot program to provide services to individuals experiencing homelessness in Issaquah beginning Nov. 1, 2020; and
2. Allocate \$25,000 for early initiation of the 2021 planned program using \$25,000 of the \$63,850 in CARES Act Funds previously allocated to be used for reimbursement of expenses incurred by the City during the COVID-19 pandemic (Sept. 21; AB 8032).

In addition, this agenda bill provides a brief overview of processes in place for addressing homeless encampments and panhandling in Issaquah.

Background

At the [February 18, 2020 Council Meeting](#), the Administration sought Council approval to set aside 10-12% of the \$500,000 designated for 2021-2022 Human Services grant allocations to fund an Outreach and Case Management pilot program for individuals who are homeless.

Historically, the City's Human Services grants have partially funded staff from three regional organizations providing outreach services in East King County. This has proven to not provide consistent coverage and support needed to effectively collaborate locally due to the large geographical area needed to be covered and the lack of capacity to frequently engage with Issaquah residents without a shelter.

The Human Services Commission proposed a new approach of designating resources to fully fund one service provider that would be exclusively serving Issaquah, actively collaborating with the local law enforcement, first responders, the School District, as well as the other community providers such as the Library, Municipal Court, Senior Center, Community Center, the meals program, organizations providing emergency financial assistance, the Food Bank, and other local businesses and service providers to connect those experiencing homelessness with resources.

A Request for Proposals (RFP) was issued in March 2020. The Human Services Commission participated in the review of the RFP and recommended funding the position in 2021 using allocated Human Services grant funds.

The recommendations proposed by the Human Services Commission are included in the 2021 Budget proposal to City Council. In previous years, the Human Services grant recommendations were approved separately by City Council, outside of the budget process; however this year, they were included in the 2021 proposed budget, in order to better align the granting process with the budget timeline and provide City Council the opportunity to consider the allocations in the context of the entire City budget. If approved, this program is set to begin January 1, 2021.

At the [September 21, 2020 Council meeting](#), the City Council authorized the expenditure of \$563,850 that has been designated to the City of Issaquah by the State of Washington from the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

Proposal: Outreach and Case Management Services for Individuals who are Homeless

Homelessness impacts our community regionally and locally, and a comprehensive plan to address homelessness in the region requires joint efforts both at macro and micro levels. The intent of this program is not to provide for a widespread plan to address homelessness, but rather to provide a new approach to an existing select service.

Although reliable information regarding the number of individuals experiencing homelessness in Issaquah is not readily available because data is provided by regions (East King County) rather than by individual cities, we know that there are community members in Issaquah experiencing homelessness who need help. According to data obtained from Catholic Community Services, the Issaquah Meals Program, 38 homeless individuals were served in 2019. The Issaquah School District McKinney-Vento data noted 172 homeless students in 2018 in the district. More recently, the effects of the COVID-19 pandemic have increased the prevalence of homelessness in our community, limiting resources available due to facility closures and shelter limitations imposed by physical distancing requirements.

In an effort to begin providing timely and effective services to our community members, the Administration would like to request approval from City Council to utilize a portion of the CARES Act funds to begin offering Homeless Outreach and Case Management Services as of Nov. 1, 2020.

The following objectives and outcomes have been identified for the Outreach and Case Management Services program:

Objectives:

- Provide Pro-active Outreach & Case Management services in the Issaquah community.
- Create meaningful contacts and connections with individuals experiencing homelessness.
- Engage people in services and maintain active contact with participants throughout the community reintegration process.
- Develop relationships with local service providers and community organizations and function as an integral part of the local community, acting as a subject matter expert and resource for community providers.
- Track data and outcome measures.
- Actively participate in ongoing evaluation and collaboration with city staff and community partners.

Outcomes:

The following quantitative and qualitative measures will be tracked during this program:

	Quantity	Quality
Effort	<p>How much did we do? <i>How much "outreach service" did we deliver?</i></p> <p>25-40 hours/week in Issaquah</p>	<p>How well did we do it? <i>How well did we deliver the outreach service?</i></p> <p>Embedded in the local community-direct support for PD, EFR, Library, Community Center, Senior Center, Meals Program, Court, etc.</p>
Effect	<p>Is it making a difference (#)? <i>How much change for the better did we produce?</i></p> <p># of people reached # of people engaged # of people in services # of people sheltered/housed # of people that maintained stability</p>	<p>Is it making a difference (%)? <i>What quality of change for the better did we produce?</i></p> <p>Ratio % of people reached/people engaged Ratio % of people engaged/people successfully completing a target goal (job, treatment, legal, etc.) Ratio % of people engaged/ people sheltered/housed Ratio %of people that maintained stability</p>

Program Evaluation

The program includes a multi-step evaluation process:

- Ongoing evaluation through frequent meetings (at least monthly) to track strengths and weaknesses, unforeseen challenges, opportunities and threats.

- Quarterly data reporting that includes outputs and outcome measures noted above. Base line data is currently incomplete and is limited to output data, however plans are made to establish a baseline for outcome measures in the first three months and continue data tracking at three months intervals.
- Six-month and one-year program review, with metrics shared with the City Council.

Recommendations to continue the program beyond the first year will be contingent upon the progress made in the first year.

Provider of Services

Through a focused and extensive RFP process, the Issaquah Food & Clothing Bank (IFCB) has been identified as the organization of choice to provide Outreach and Case Management Services to community members experiencing homelessness. In addition to providing basic food and clothing needs, the Issaquah Food and Clothing Bank has been providing case management services to residents utilizing the Food Bank for the last 8 years, connecting them with various resources, including social services, housing, and employment. More recently, the IFCB has partnered with Eastside Fire Rescue (EFR) to help implement the Mobile Integrated Health (MIH) Program, having the goal to reduce low-acuity repeat 911 callers with social service needs, improve access to emergency services and connect people to the resources they need. Collaborative efforts between City staff, the IFCB, and EFR are currently underway to ensure a streamlined approach and effectiveness of the two services.

The Outreach and Case Management program will expand the services already provided by the Food Bank to include those community members who currently live in homeless encampments, in vehicles, or are simply not connected with resources and services. Rather than providing an office-based service to those who access the Food Bank, the Outreach and Case Management pilot program will ensure that services are offered in the community where residents seek shelter.

Location of Services

The service area for this program includes the Issaquah city limits. Services will be provided in the community, where people seek shelter and receive services. The Outreach and Case Management provider will be immersed in the local community, proactively visiting locations where homeless encampments are, or locations of businesses and areas frequented by panhandlers. The Outreach and Case Management provider will directly collaborate with, and act as a direct resource for local law enforcement, first responders, the School District, as well as the other community providers such as the Library, Municipal Court, Senior Center, Community Center, the meals program, organizations providing emergency financial assistance, and the local businesses in Issaquah.

Services Connections

The Outreach and Case Management provider will work directly with individuals who are homeless to offer a wide array of service connections, including but not limited to the following:

- Housing: Shelters and Day Centers, Transitional Housing, Supportive Housing Services, Independent Housing
- Basic Needs and Financial Assistance: For food, health insurance, debt relief, etc.
- Health Services: Primary Care, Behavioral Health (Mental Health & Substance Use)
- Employment & Educational Services
- Legal Assistance Services
- Social Supports

Encampments and Panhandling

The Outreach and Case Management provider will work directly with the City's Police Department, as well as the Parks and Community Services Department, and act as a resource to the current approach to encampments and panhandling.

It is the policy of the Issaquah Police Department to provide law enforcement services to all members of the community while protecting the rights, dignity, and private property of the community members who are homeless. Homelessness is not a crime and members of the police department will not use homelessness solely as a basis for detention or law enforcement action. Officers are encouraged to contact community members who are homeless for purposes of rendering aid, support and for community-oriented policing purposes, however, officers may take reasonable enforcement action when facts support a reasonable suspicion of criminal activity.

When homeless encampments are located on private property, police officers are working with property owners to verify if permission has been granted to be on the property or if a trespassing situation occurred. If trespassing has been observed, notice to move is provided, length of notice being dependent on the property owner's discretion (typically 24-72 hours). Police officers offer service resources to individuals asked to move.

When homeless encampments are located on public property, police officers engage with the individuals camping on public property, provide resources to services available, and ask them to move with a 72-hour notice if no crime is being observed or the person does not block the right of way. Should a crime be observed, police actions may involve a citation, arrest, or involvement in crisis services.

The Issaquah Police Department collaborates with the Parks and Community Services Department, and third-party contractors when applicable, for camp clearing. After cleanup, any personal items not picked up or removed by the owner, are stored for 60 days at City facilities.

A similar process is used for responding to cases involving panhandling on private or public properties. Resources for services are offered should a crime not be observed, or, if a person engages in a crime, enforcement of the law protocols are followed.

The proposed Outreach and Case Management service will complement the response provided by Police Officers, and will help provide for an individualized approach to engaging with individuals who are homeless and who will now have long-term access to a person who can help them navigate the complex nature of the housing, community, and health related systems in place.

Next Steps

If approved, the Administration will proceed with amending the agreement with the Issaquah Food and Clothing Bank for the CARES Act funds. Since this is a new program, initial set-up costs will be absorbed by utilizing CARES Act funds. Funds will be expended by the Nov. 30 deadline imposed by the State and federal government.

Financial Information

2020 Funding

As an opportunity to initiate this needed program sooner, the Administration proposes to use \$25,000 of the \$63,850 CARES Act Funds originally allocated to be used for reimbursement of expenses incurred by the City towards funding Outreach and Case Management Services for individuals who are homeless. This \$25,000 allocation would provide the opportunity for the City to make such services available starting November 1, 2020, rather than waiting until 2021. Redistributing \$25,000 of the \$63,850 in CARES Act Funds limits the resources available for the City; however, it provides in return a much-needed resource in the community. The COVID-19 related City expenses and CARES Act funding were not budgeted. The agenda bill includes direction to the Finance Director to include the revenue and related expenditures in a subsequent 2020 budget amendment.

2021 Funding

The funding for the 2021 cost of this program is proposed to come from the Human Services Grant funds as recommended by the Human Services Commission. There is \$73,155 currently allocated in the 2021 budget for this program.

This agenda bill specifically requests authorization for the 2020 funding, as the 2021 funding will be addressed through 2021 budget deliberations.

Administration's Recommendation

The Administration recommends allocating \$25,000 of the \$63,850 Coronavirus Aid, Relief, and Economic Security (CARES) Act funds designated to the City by the State of Washington that were previously allocated for reimbursement of expenses incurred by the City related to the pandemic at the Sept. 21, 2020 Council meeting to fund an Outreach and Case Management Services for Individuals Experiencing Homelessness pilot program.

Update

n/a

Alternative(s)

Do not fund the program in 2020 and maintain the previously allocated funds (\$63,850) for reimbursement of expenses incurred by the City during the COVID-19 pandemic.

RECOMMENDATION

Administration / Parks & Community Services:

MOVE TO:

- 1) Authorize an Outreach and Case Management Services for Individuals Experiencing Homelessness pilot program as presented in AB 8044 beginning Nov. 1, 2020; and
- 2) Allocate \$25,000 of the \$63,850 Coronavirus Aid, Relief, and Economic Security (CARES) Act funds designated to the City by the State of Washington that were previously allocated for reimbursement of expenses incurred by the City related to the pandemic at the Sept. 21, 2020 Council meeting to fund the pilot program for the remainder of 2020; and
- 3) Direct the Finance Director to include the revenue and related expenditures in a subsequent 2020 budget amendment.

