

**CITY OF ISSAQUAH
City Council Regular Meeting**

7:00 PM
September 6, 2022

MINUTES

Council Chambers
135 E. Sunset Way

COUNCIL AND ADMINISTRATIVE PERSONNEL PRESENT

Councilmembers:

Barbara de Michele
Zach Hall
Victoria Hunt
Russell Joe
Tola Marts
Chris Reh (*Excused Absence*)
Lindsey Walsh

Administration/Staff:

Mary Lou Pauly, Mayor
Wally Bobkiewicz, City Administrator
Andrea Snyder, Deputy City Administrator
Rachel Bender Turpin, City Attorney
Tisha Gieser, City Clerk

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Pauly led the Pledge of Allegiance.

SPECIAL BUSINESS

a) ID 1153 - Constitution Day Proclamation

Mayor Pauly presented the proclamation to Judge Stewart, Court Administrator Kristi Schorn and Issaquah Municipal Court staff Nikki Meister, Cathy Koski, Georgia Dapping, Julia Pilon, Marisol Visser, Dominique Dethman and Melanie Vanek.

b) ID 1256 - Hispanic Heritage Month Proclamation

Mayor Pauly presented the proclamation to Mariana Garza, Sandra Buzani, Daniela Reveles, Ivette Gomez and Marisol Visser.

c) ID 1266 - Eastside Welcoming Week Proclamation

Mayor Pauly presented the proclamation to Sophia Hashmey.

d) ID 1243 - Issaquah Police Dept. Promotions & New Hires

Police Chief Paula Schwan introduced and Mayor Pauly swore in the following police staff:

Maggie Scroggins, Police Communications Specialist
Kristi Castillo, Police Communications Specialist
Shafeq Zarif, Police Communications Specialist
Nicole Summers, Police Records Supervisor

Ryan Smith, Crime Prevention Analyst
Michael Watson, Corrections Officer

Mayor Pauly swore in Lucas Doyle, Police Officer.

AUDIENCE COMMENTS

The following public comments were provided:

- Mike Paolm, resident, spoke regarding crime in Issaquah and urged the City to join the letter signed by the South King County Mayors regarding frustration with the rise in crime and violence (handout provided).
- Tonya Ulicny, property manager of Wildwood Apartments, spoke in opposition to AB 8451, Tenant & Landlord Protections Ordinance.
- Kari Magill, Chief Executive Officer of Rowley Properties, spoke in opposition to AB 8451, Tenant & Landlord Protections Ordinance.
- Kate [No last name provided], resident, spoke regarding crime in Issaquah and urged the City to join the letter signed by the South King County Mayors regarding frustration with the rise in crime and violence.
- Sarah White, resident, spoke in support of tenant protections AB 8451, Tenant & Landlord Protections Ordinance.
- Christopher White, resident, spoke in support of tenant protections and AB 8451, Tenant & Landlord Protections Ordinance.
- Elizabeth Maupin, resident, spoke regarding concerns with housing affordability and in support of tenant protections.
- Daniel Bannon, Rental Housing Association of Washington, spoke in opposition to AB 8451, Tenant & Landlord Protections Ordinance.
- Guillermo Rivera, representing Eastside for All, spoke in support of tenant protections recommended by A Regional Coalition for Housing (ARCH) and AB 8451, Tenant & Landlord Protections Ordinance.
- Jim Berry, resident, spoke in support of The Food Project (handout provided).
- Devin Glaser, Seattle resident, spoke in support of tenant protections recommended by ARCH and AB 8451, Tenant & Landlord Protections Ordinance.

Council President Walsh summarized email comments received on tonight's agenda topics.

COMMITTEE / REGIONAL REPORTS

Councilmember Joe:

Cascade Water Alliance Board - Announced upcoming meetings.
Sound Cities Association - Announced upcoming dinner meeting.

Councilmember de Michele:

Connect2 Community Advisory Group - Made report.
Joint King County Regional Transportation Boards - Made report.
HealthierHere Governing Board - Made report.

Councilmember Hunt:

Planning, Development & Environment Committee - Made report. Announced upcoming meeting.
Regional Water Quality Committee - Announced upcoming meeting.
WRIA8 Salmon Recovery Council - Announced upcoming meeting.

Councilmember Marts:

Services, Safety & Parks Committee - Announced upcoming meeting.
 Puget Sound Regional Council Growth Management Policy Board - Made report.
 Sound Cities Association Public Issues Committee - Announced upcoming meeting.

Deputy Councilmember Hall:

Eastside Fire & Rescue Board - Announced upcoming meeting.

Council President Walsh:

Affordable Housing Committee - Announced upcoming meeting.

MAYOR'S REPORT

The Mayor reported on the following topics:

- Executive Session: There is an Executive Session scheduled for this evening to discuss sale or lease of property per RCW 42.30.110(1)(c) and pending/potential litigation per RCW 42.30.110(1)(i). These items are expected to take a total of 1 hour and 15 minutes. No action is anticipated to follow in open session.
- Opioid Settlement
- Salt Storage Cover Cost Overage
- Welcoming Week
- Upcoming Community Events

INFORMATIONAL UPDATES

- a) **ID 1265 - Informational Update: Parks & Community Services Dept. Summer Highlights**
 Parks & Community Services Director Jeff Watling provided an overview of summer activities.

CONSENT CALENDAR

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

IT WAS MOVED BY WALSH, SECONDED BY HALL; MOTION CARRIED (6-0), TO APPROVE THE CONSENT AGENDA AS PRESENTED.

- a) **ID 1201 - Accounts: Payables and Payroll of Sept. 6, 2022, \$11,504,763.08;** Approved.
- b) **Minutes: City Council Regular Meeting, July 5, 2022;** Approved.
- c) **Minutes: City Council Committee of the Whole, July 16, 2022;** Approved.
- d) **ID 1079 - Informational Update: Customer Service Standards (SeeClickFix);** Received Report.
- e) **ID 1250 - Informational Update: Human Services Quarterly Report (Q2);** Received Report.
- f) **ID 1251 - Informational Update: Equity Board Quarterly Report (Q2);** Received Report.

- g) **AB 8336 - Religious & Cultural Holiday Calendar;** Approved Resolution No. 2022-11, adopting a cultural & religious holiday calendar for the remainder of 2022 and 2023 and establishing a policy of avoiding scheduling city meetings on religious & cultural holidays with significant work restrictions.
- h) **AB 8392 - 4Culture Sustained Support Grant;** Authorized acceptance of grant funds in the amount of \$15,725 and execution of the grant agreement with 4Culture to support art and culture programs in and for the Issaquah community.
- i) **AB 8433 - Front Street Streetscape Change Order;** Authorized Change Order No. 1 in the amount of \$59,050 to Westerlund Excavation LLC. for the Front Streetscape (TR 041) and TR 042 Alder Festival Street (TR 042) Projects; and directed the Chief Financial Officer to allocate an additional \$70,000 for this project from the General Fund in a subsequent 2022 budget amendment.
- j) **AB 8438 - Surplus Real Property Policy;** Adopted Ordinance No. 2985, establishing procedures for the surplus and disposition of real property owned by the City of Issaquah; establishing Chapter 3.50 of the Issaquah Municipal Code to set the requirements for public hearings on surplus real property; providing for severability; and establishing an effective date.
- k) **AB 8445 - Salt Storage Cover Projects;** Awarded the construction contract for the Salt Storage Cover Projects in the amount of \$361,612.44 (including sales tax) to ClearSpan Fabric Buildings; and authorize the Mayor to enter into and execute the related agreement.
- l) **AB 8448 - Declaration of Restrictive Covenants for Squak Mountain Estates (Weymouth) Property Acquisition;** Authorized the Mayor to execute the Declaration of Restrictive Covenants for the Squak Mountain Estates (Weymouth) acquisition located at 10XX Sunrise Place SW (King County Tax Parcel 3324069058).
- m) **AB 8449 - Opioid Settlement: Participation Form & Allocation Agreement;** Approved; authorizing the Mayor to enter into and execute 1) Subdivision Settlement Participation Form; and 2) Allocation Agreement governing the allocation of funds paid by the settling opioid distributors in Washington State.
- n) **AB 8450 - 2022 Amendment to South Correctional Entity (SCORE) Interlocal Agreement re: Inmate Housing;** Authorized the Mayor to enter into and execute the Amendment to the South Correctional Entity Interlocal Agreement for Jail Inmate Housing.

REGULAR BUSINESS

- a) **AB 8451 - Tenant & Landlord Protections Ordinance**

Introduced by Mayor Pauly and presented by Human Services Manager Monica Negrila and City Attorney Rachel Bender Turpin. Following Council discussion,

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

Adopt Ordinance No. 2986, tenant protections increasing notice for residential rent increases greater than three percent, providing for severability, and establishing an effective date.

IT WAS MOVED BY JOE, SECONDED BY HALL, TO:

Postpone voting on the ordinance until Nov. 7.

MOTION TO POSTPONE FAILED, 2-4 (*In support: Joe, Hall*).

MAIN MOTION CARRIED, 4-2 (*Opposed: Joe, Hall*).

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

Direct the Services Safety and Parks Committee to make recommendations to the full council regarding the ARCH recommendations regarding late fees and move-in fees, on or before November 15, 2022.

MOTION CARRIED, 6-0.

GOOD OF THE ORDER

Mayor Pauly:

Upcoming Council Meetings - Announced anticipated agenda items.

Council President Walsh:

American Planning Assoc. Conference - Stated her intention to attend the conference and asked if there was any objection There was no objection to covering the approximately \$1200 travel costs to attend.

EXECUTIVE SESSION

At 10:10 PM, Council recessed into Executive Session for the purpose of discussing sale or lease of property per RCW 42.30.110(1)(c) and pending/potential litigation per RCW 42.30.110(1)(i). The items were expected to take approximately 45 minutes.

Councilmember Joe left the Chamber for a portion of the Executive Session due to a conflict of interest on one of the Executive Session items.

The session was extended by 10 minutes.

ADJOURNMENT

The regular meeting reconvened at 10:58 PM. There being no further business to come before the Council, the meeting was adjourned at 10:58 PM.

Mary Lou Pauly, Mayor

Tisha Gieser, City Clerk



Affidavit Agent Authority for American Tower Corporation	Proposed Council Action: Authorize
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DEPARTMENT OF	PW - Public Works Gary Schimek
OTHER COUNCIL MEETINGS	n/a
COMP PLAN POLICY NOS.	n/a
OTHER POLICIES	n/a
EXHIBITS	A. Affidavit

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council authorization for the Mayor to sign an affidavit of agent authority to allow American Tower Corporation/T-Mobile to file land use permit applications to upgrade equipment at the existing cell tower site at 2285 Squak Mountain Loop. The affidavit is attached as Exhibit A.

Background

The City entered a lease agreement with Nextel West Corporation on November 3, 1997 for constructing, operating, repairing, replacing and maintaining telecommunications facilities at 2285 Squak Mountain Loop. That lease was extended multiple times and will terminate on October 31, 2022 when American Tower Corporation becomes the successor lessee under a new lease agreement with the City.

American Tower Corporation's subtenant, T Mobile, wants to upgrade equipment at the existing site. This upgrade will not result in any significant visual impacts compared to current conditions. American Tower needs the City's consent as landlord to apply for necessary land use permits with the City. Per RCW 35A.11.020, this is a real property issue and therefore, needs to go through Council to authorize the Mayor to sign the affidavit on the City's behalf.

Proposal

In order to file the appropriate land use permits with the City, it is necessary for American Tower Corporation to obtain the Affidavit of Agent Authority that the City requires for all land use permit applications where the applicant is not the property owner. The Administration recommends the City Council authorize the Mayor to sign the Affidavit of Agent Authority.

Financial Information

n/a

Administration's Recommendation

The Administration recommends the City Council authorize the Mayor to sign an affidavit of agent authority to allow American Tower/T-Mobile to apply for land use permits for the upgrade of equipment by T-Mobile at the existing cell tower site at 2285 Squak Mountain Loop.

Update

n/a

Alternative(s)

Do not authorize the Affidavit of Agent Authority. (Impact: T Mobile will be unable to proceed with planned equipment upgrades.)

RECOMMENDATION

Administration / Public Works Department:

MOVE TO: Authorize the Mayor to sign an affidavit of agent authority to allow American Tower/T-Mobile to apply for land use permits for the upgrade of equipment by T-Mobile at the existing cell tower site at 2285 Squak Mountain Loop.

SO ATC 310577
14135341

**AFFIDAVIT
AGENT AUTHORITY**

STATE OF WASHINGTON)
COUNTY OF KING)
CITY OF ISSAQUAH)

I/we, Ciry of Issaquah, being duly sworn depose and say, that I am (we are) the owner(s) of the property legally described below, and that Vinh Dinh/ ATC/ T-Mobile has my/our permission to act as my/our agent in my/our behalf for this application for a _____ for the subject property with the City of Issaquah. The permit number is: _____
The address is: 2285 Squak Mtn Loop, - ISSAQUAH, WA 98027 APN: 259765-1010

Legal Description: FOREST RIM AS AMENDED BY PLAT ALTERATION NO 1
VOL 206 PAGES 18-19 PLAT BLOCK: PLAT LOT: TRACT A
Parcel ID:2597651010

Owner's Signature _____ Date _____ Owner's Signature _____ Date _____

Mailing Address: PO BOX 1307 ISSAQUAH WA 98027
Street City State Zip

Phone: _____
Home Business

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public in and for the
STATE OF WASHINGTON, residing at

5-07dl

s:\planning\documents\forms\affidavit agent authority.doc



Memorandum of Understanding with King County for Use of City Facilities for COVID-19 Immunization Clinic **Proposed Council Action: Authorize**

DEPARTMENT OF	Parks & Community Services Brian Berntsen
OTHER COUNCIL MEETINGS	n/a
COMP PLAN POLICY NOS.	n/a
OTHER POLICIES	n/a
EXHIBITS	A. Memorandum of Understanding

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council authorization to enter into a Memorandum of Understanding (MOU) with the King County Department of Public Health to use the Issaquah Senior Center for a COVID-19 booster clinic on Oct 20, 2022.

Background

King County Public Health has partnered with Discover Health to host a community immunization clinic to provide bivalent COVID-19 boosters in an effort to curb the transmission of COVID-19 within the community and minimize the risks of the virus to those who are infected.

As a conveniently located space that can be used for large numbers of people, the County has approached the City regarding use of the Issaquah Senior Center as the preferred location for the vaccine booster clinic. If approved, the booster clinic will be held on Thursday, October 20, 2022.

Proposal

The Administration proposes entering into an MOU with the County to use the Issaquah Senior Center as the location for a vaccine booster clinic on Thursday, Oct. 20, 2022. The County is ready, willing and able to provide vaccinations to persons in the community and can make available all necessary and qualified personnel, equipment, and expertise to implement a bivalent COVID-19 booster clinic pursuant to the terms of the Memorandum of Understanding (MOU).

The booster clinic is open to the public and will be promoted through the Issaquah Senior Center’s newsletter, the City’s social media and through the Department of Health’s communication channels.

Next Steps

Following Council approval, staff will seek the Mayor’s signature on the MOU.

Financial Information

There is no cost to the City for this agreement.

Administration's Recommendation

The Administration recommends authorizing the Mayor to enter into and execute a Memorandum of Understanding (MOU) with the King County Department of Public Health to use the Issaquah Senior Center for a COVID-19 booster clinic on Oct 20, 2022.

Update

n/a

Alternative(s)

Do not enter into agreement to provide a booster clinic at the Issaquah Senior Center.

RECOMMENDATION

Administration / Parks & Community Services:

MOVE TO:

Authorize the Mayor to enter into and execute a Memorandum of Understanding (MOU) with the King County Department of Public Health to use the Issaquah Senior Center for a COVID-19 booster clinic on Oct 20, 2022.

Memorandum of Understanding (MOU) Between King County and City of Issaquah for Use of City Facilities for COVID-19 Immunization Clinic

WHEREAS, protecting and promoting public health is a fundamental purpose of government; and

WHEREAS, the City of Issaquah (the “City”) possesses adequate, conveniently located space that may be used for the purpose of vaccinating a large number of persons in a short period of time;

WHEREAS, Public Health – Seattle & King County, a department of King County, (the “County”) is ready, willing and able to provide vaccinations to persons in the community and can make available all necessary and qualified personnel, equipment, and expertise to implement a bivalent COVID-19 booster clinic pursuant to the terms of this MOU;

WHEREAS, the City agrees to allow the County to hold a bivalent COVID-19 booster clinic (“Booster Clinic”) at City facilities, as described in more detail below.

NOW, THEREFORE, in consideration of the premises and the mutual covenants set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto covenant and agree as follows:

I. Purpose

The County has partnered with Discover Health (Service Provider) to host a community immunization clinic at which health care providers employed by the Service Provider will provide bivalent COVID-19 boosters in an effort to curb the transmission of COVID-19 within the community and minimize the risks of the virus to those who are infected. The County has concluded that the City possesses facilities of an appropriate size and location to make a positive impact on disease mitigation efforts in the County. The City agrees to make its facilities available for purposes of holding an immunization clinic under the terms set out below.

II. Obligations of the County

- a. The County will supply or arrange for all equipment, vaccine and personnel necessary to administer the vaccine and will provide any necessary blank consent forms to the City for implementation of the Booster Clinic.
- b. The County will ensure that its service provider, Discover Health, complies with all applicable laws and regulations for inventorying, storing, securing, organizing, packaging, distributing, removing, dispensing and handling the medical material.
- c. The County will supply or arrange for all equipment and personnel necessary for staffing, security, crowd control and other tasks, except for those obligations of the City described in Section III below.
- d. The County will be responsible for ensuring proper and lawful disposal of medical waste and disinfection at the facility following the Booster Clinic.