

**CITY OF ISSAQUAH
City Council Regular Meeting**

7:00 PM
March 7, 2023

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
Lindsey Walsh

Administration/Staff:

Mary Lou Pauly, Mayor
Autumn Monahan, Administrative Services
Director and Acting 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.

AUDIENCE COMMENTS - None.

COMMITTEE / REGIONAL REPORTS

Councilmember Joe:

Cascade Water Alliance Finance Committee - Announced upcoming meeting.
Cascade Water Alliance Board - Announced upcoming meeting.

Councilmember Hunt:

Planning, Development & Environment Committee - Made report.

Councilmember Reh:

Cascade Water Alliance Board - Made report. Announced upcoming meeting.
Mobility & Infrastructure Committee - Made report. Announced upcoming meeting.

Councilmember Marts:

Services, Safety & Parks Committee - Made report.
Sound Cities Association Public Issues Committee - Announced upcoming meeting.

Deputy Council President Hall:

Eastside Fire & Rescue Board - Announced upcoming meeting.

Council President Walsh:

Affordable Housing Committee & Growth Management Planning Committee - Made report.
Announced upcoming meeting.
Growth Management Policy Board - Made report. 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 pending/potential litigation per RCW 42.30.110(1)(i) and property acquisition per RCW 42.30.110(1)(b). These items are expected to take 1 hour and 15 minutes. Action is anticipated to follow in open session.
- One Year Anniversary War in Ukraine
- Young Artists and Authors National Competition
- Upcoming Community Events

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 (7-0), TO APPROVE THE CONSENT AGENDA AS PRESENTED.

- a) **ID 1332 - Accounts: Payables and Payroll of March 7, 2023, \$5,359,193.13;** Approved.
- b) **Minutes: City Council Regular Meeting, Dec. 5, 2022;** Approved.
- c) **AB 8517 - City Hall and Issaquah Police Department Access Control Project;** Authorized the Mayor to execute the proposed contract with Johnson Controls, Inc. for the City Hall and Issaquah Police Department Access Control Project in the amount of \$336,449.82 (including sales tax); and direct the Chief Financial Officer to include total project costs of \$434,450 in a subsequent 2023 budget amendment.
- d) **AB 8536 - ARCH 2022 Trust Fund Recommendations;** Approved Resolution No. 2023-05, authorizing the duly-appointed administering agency for ARCH to execute all documents necessary to enter into agreements for the funding of affordable housing projects, as recommended by the ARCH Executive Board, utilizing funds from the City's Housing Trust Fund.
- e) **AB 8537 - Contractor Code of Conduct for Private Development Projects;** Adopted Ordinance No. 3007, adopting a new Chapter 16.01 of the Issaquah Municipal Code establishing a contractor code of conduct for private construction in the City of Issaquah.
- f) **AB 8543 - Independent Salary Commission Appointments;** Confirmed the appointments to the 2023 Independent Salary Commission as follows:
 - Diogo Denczuk
 - Henry Farber
 - John Traeger
 - Linda Baily
 - Victor Bello
- g) **AB 8566 - East Lake Sammamish Parkway West Ditch Conveyance Project (ST 002);** Awarded the construction contract for the East Lake Sammamish Parkway West Ditch Conveyance Project (ST002) in the amount of \$1,804,706 (including sales tax) to Northwest Cascade, Inc.; and authorize the Mayor to enter into and execute the related agreement.

- h) **AB 8568 - Surplus City Equipment;** Approved Resolution No.2023-06, declaring certain City vehicles and equipment as surplus.
- i) **AB 8572 - 2023 Water Main Replacement Project (WT 015);** Awarded the construction contract for the 2023 Annual Water Main Replacement Project (WT 015) in the amount of \$1,274,091.11 to Fury Site Works; and authorized the Mayor to enter into and execute the related agreement.
- j) **AB 8579 - Hearing Examiner Contract (Sound Law Center);** Amended the motion adopted at the Jan. 3, 2023 meeting to, "Confirm the reappointment of Sound Law Center as Hearing Examiner for the City of Issaquah, with a term commencing on Jan. 1, 2023, and expiring on December 31, 2027, subject to the terms of a Professional Services contract" by striking "December 31, 2027" and inserting "March 31, 2023."
- k) **AB 8580 - Designating The Seattle Times as the City's Newspaper of Record;** Approved Resolution No. 2023-07, designating the Seattle Times as the City's official newspaper of record; and adopted Ordinance No. 3008, repealing Chapter 1.16, Publication of Ordinances, of the Issaquah Municipal Code.

REGULAR BUSINESS – None.

GOOD OF THE ORDER

Council President Walsh:

Upcoming Meetings - Reminded the City Councilmembers to attend the March 30 Council Community Listening Session and State of the City Address.

Councilmember de Michele:

Public Health Update - Summarized a presentation received by Seattle King County Public Health.

Deputy Council President Hall:

Touring City Facilities – Asked Councilmembers to notify the City Administrator if interested in touring any City facilities. Suggested conducting a Capital Improvement Plan tour at the May 6 City Council retreat.

Councilmember Joe:

Sound Cities Association Networking Event - Announced that he will be attending.

Mayor Pauly:

Upcoming Council Meetings - Announced anticipated agenda items and explained that a Buddhist holiday was recognized on Monday, which is why tonight's City Council meeting is on a Tuesday night.

EXECUTIVE SESSION

At 7:25 PM, Council recessed into Executive Session for the purpose of discussing pending/potential litigation per RCW 42.30.110(1)(i) and property acquisition per RCW 42.30.110(1)(b). The items were expected to take approximately 60 minutes. Action was anticipated to follow in open session.

OPEN SESSION

The regular meeting reconvened at 8:27 PM.

Executive Session Item

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

Authorize the City Attorney to execute all documents necessary for acquisition of portions of King County Parcel No. 202406-9074 and other property rights necessary for construction of the 12th Avenue NW and SR 900 / 17th Ave NW Improvement Project and authorize payment of just compensation to the owner of such property, Tovah Corporation, to be established based on the fair market value as determined through the appraisal process and other potential acquisition costs.

MOTION CARRIED, 7-0.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:28 PM.

Mary Lou Pauly, Mayor

Tisha Gieser, City Clerk



Salmon Run Nature Park Bank Stabilization Project Proposed Council Action: Award Bid

Table with 2 columns: Department/Meeting/Policy/Exhibits and Details. Includes entries for DEPARTMENT OF, OTHER COUNCIL MEETINGS, COMP PLAN POLICY NOS., OTHER POLICIES, and EXHIBITS.

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council authorization to award the construction contract for the Salmon Run Nature Park Bank Stabilization Project (ST047) to Iron Creek Construction LLC in the amount of \$169,944.85 (including sales tax).

Background

The Salmon Run Nature Park Bank Stabilization Project will repair damage to the side channel, left bank of Issaquah Creek located within the Salmon Run Nature Park. The bank suffered severe erosion as a result of high flows during the February 5, 2020 storm event.

Bid Award

On May 18, 2023, the City opened bids for the Salmon Run Nature Park Bank Stabilization Project (ST047). Two bids were received as shown in Exhibit A. The low bidder was Iron Creek Construction LLC in the amount of \$169,944.85.

The scope of the project includes the following major items:

- 1. Installing and pinning 40 large woody debris pieces
2. Planting 772 plants and live stakes
3. Installing 160 feet of a gravel trail
4. Installing 440 square yards of hydroseed

Public Engagement

It is anticipated that project construction will have minimum disruption to the community and businesses. With the exception of a 10-foot access road that will be blocked off for construction, the majority of Salmon Run Nature Park will be available for public use.

Next Steps

The project is scheduled to begin in September 2023 with completion in October 2023.

Financial Information

This project was included in the 2022-2027 Capital Improvement Plan with a budget of \$150,000. Based on the post-bid project estimate, an expenditure deficit of \$40,000 exists, resulting from the following:

- 1. The low bid (\$169,945) is \$26,371 above the engineer's estimate (\$143,574).
2. The 2022 - 2027 CIP project was based on an estimated construction cost developed in 2021; however, during the environmental permitting phase of the project in 2022, the US Army Corps of Engineers (Corps) required that the project

provide an increase in the amount of large woody debris to be placed in the side channel as mitigation. The initial design, which the budget was based upon, assumed 32 wood pieces. During the permitting consultation process, the Corps and Muckleshoot Indian Tribe required an additional 8 wood pieces for a total of 40.

It is recommended that the revenue shortfall be addressed by an increase to the FEMA Grant award. FEMA revised their construction cost estimate and increased the grant amount from \$150,000 to \$160,864, resulting in an additional \$10,864 of revenue for the project. The additional funding of \$29,136 can be absorbed by Stormwater Fund balance.

As part of this agenda bill, the Chief Financial Officer is directed to include an additional \$40,000 of expenditures from the Stormwater Fund and reflect additional revenue of \$10,864 from the FEMA grant, increasing the total cost of the project to \$190,000.

The budget is summarized as follows:

Expenditures			
	2023 Budget	Updated Estimate	Budget Amendment Needed
Construction	\$150,000	\$169,945	\$19,945
Contingency	\$0	\$20,055	\$20,055
	\$150,000	\$190,000	\$40,000

Revenue			
	2023 Budget	Updated Estimate	Budget Amendment Needed
FEMA Grant	\$150,000	\$160,865	\$10,865
Stormwater Fund Balance	\$0	\$29,135	\$0*
	\$150,000	\$190,000	\$10,865

*Budget amendment not needed for Stormwater Fund balance funding (revenue) as these funds have already been collected and are available in Stormwater Fund Balance.

Administration's Recommendation

The Administration recommends awarding the construction contract for Salmon Run Nature Park Bank Stabilization Project (ST 047) to Iron Creek Construction LLC in the amount of \$169,944.85 (including sales tax); authorizing the Mayor to enter into and execute the related agreement; and directing the Chief Financial Officer to include \$40,000 of increased expenditures and \$10,865 of increased revenue in the Stormwater Fund in a future budget amendment.

Update

n/a

Alternative(s)

Do not award the contract. (Impact: The park may incur damage from future high flow events in Issaquah Creek. In addition, the portion of the gravel trail along the channel bank that was damaged will continue to be unavailable for use by the public.)

RECOMMENDATION

Administration / Public Works Department:

MOVE TO:

Award the construction contract for Salmon Run Nature Park Bank Stabilization Project (ST 047) to Iron Creek Construction LLC in the amount of \$169,944.85 (including sales tax); authorize the Mayor to enter into and execute the related agreement; and direct the Chief Financial Officer to include \$40,000 of increased expenditures and \$10,865 of increased revenue in the Stormwater Fund in a future budget amendment.

Exhibit A



CITY OF
ISSAQUAH
WASHINGTON

Public Works

P.O. Box 1307
Issaquah, WA 98027
425-837-3400
issaquahwa.gov

BID OPENING DATE/TIME: Wednesday, May 18th at 1:00 PM
PROJECT: Salmon Run Nature Park Bank Stabilization
ESTIMATED BID RANGE: \$130,000 - \$160,000

NAME/ADDRESS OF BIDDER	BID BOND	WAGE LAW FORM	TOTAL BID AMOUNT
Rodarte Construction 17 East Valley Hwy E Auburn, WA 98092	X	X	\$178,301.44
Iron Creek Construction 1420 NW Gilman Blvd, Suite 2-2298 Issaquah, WA 98027	X	X	\$169,944.85

APPARENT LOW BIDDER: Iron Creek Construction

BID AMOUNT: \$169,944.85

City Staff Present:
Jessica Miller
Ruzielle Ganuelas

Others Present:

Stormwater Utility

Exhibit B

Salmon Run Nature Park Bank Stabilization

Project Number: ST 047
Strategic Plan Goal: Infrastructure
 Growth and Development
Project Manager: Allen Quynn
Starting Year: 2020
Completion Year: 2022



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

Project Summary

This project will address a failing bank protecting Salmon Run Nature Park.

Project Justification

This project will repair damage to the Salmon Run Nature Park side channel left bank as a result of high flows during the February 5, 2020 storm event. An approximately 120' x 5' area of the left bank eroded away resulting in the loss of a 10' section of the park trail, as well as native plantings. The park and side channel were constructed in 2015 as part of the Salmon Run Nature Park Restoration Project. If left unrepaired, future high flow events may cause further erosion and subsequent damage to the Salmon Run Nature Park.

Post construction restoration will consist of re-establishing native plantings and portions of the existing trail damaged by construction equipment accessing the side channel bank from 5th Avenue NW.

ST 047 - Salmon Run Nature Park Bank Stabilization							
	2022	2023	2024	2025	2026	2027	Future Years
Grant - County	150,000	-	-	-	-	-	-
Total Revenue	150,000	-	-	-	-	-	-
Construction & Permitting	136,364	-	-	-	-	-	-
Contingency	13,636	-	-	-	-	-	-
Total Expenses	150,000	-	-	-	-	-	-
Net Revenue and Expenses	-	-	-	-	-	-	-



CITY COUNCIL
AGENDA BILL

City Council Regular Meeting - Jun 05 2023

NEW
AB 8621 -
Consent Calendar

Additional Appointments to Environmental Board and Transportation Advisory Board, and Amendments to IMC 2.36.020 Environmental Board Membership Proposed Council Action: Confirm; Adopt Ordinance

Table with 2 columns: Department/Meeting info and Executive Department details. Includes rows for DEPARTMENT OF OTHER COUNCIL MEETINGS, COMP PLAN POLICY NOS., OTHER POLICIES, and EXHIBITS.

SUMMARY STATEMENT

Introduction

This agenda bill seeks City Council confirmation of Mayor's appointments to Environmental Board and Transportation Advisory Board; and adoption of an ordinance that modifies membership requirements of the Environmental Board to support the appointments presented.

Background

The City conducted the annual board and commission recruitment process earlier this year, and determined additional recruitment was needed to fill remaining open seats on the Environmental Board. The recruitment process discovered individuals who would be a great addition to the board, however, the existing residential threshold requirement of the board has been met. Therefore, the applicants do not qualify for appointment unless the municipal code is modified.

Additionally, the City recently received a resignation from a newly appointed member of the Transportation Advisory Board. It is proposed that Alternate member Hany Maklad be promoted to a Regular position to fill the seat vacated by Tim Flood.

Mayor's Proposal & Appointments

Environmental Board

Mayor Pauly supports staff's recommendation to modify the membership of the Environmental Board.

2.36.020 Membership

A. Qualifications: The selection of Environmental Board members shall consist of individuals with expertise in environmental sciences, climate, sustainability, engineering, landscape architecture, education, ecology, environmental stewardship, natural resource management, environmental policy, program management, or other related fields and community members who have an interest in the environment and sustainability as evidenced by training, experience or actions. Efforts shall be made to include members who represent a balance of environment related interests. City residency is preferred, but not required; provided, however, a majority of the members shall consist of residents of the City of Issaquah, students within Issaquah School District, owners of businesses located within the city limits or employees of non-profits with offices located within the city limits.

B. Number of Members – Terms: The Environmental Board shall consist of nine (9) regular members, each of whom shall be appointed for a term of four years. At least five of the nine regular members shall be City residents of Issaquah. Two members of the Environmental Board shall be youths. At the time of appointment, one youth shall be at least fifteen years old but not yet eighteen years of age and one shall be at least fifteen years old but not yet twenty-five years of age. Terms shall expire the first day of May of each appropriate year. Initial terms shall be staggered as follows..."

The chairs of the Environment Board also support the proposed amendments. If Council concurs, Mayor Pauly appoints Alix Lee-Tigner to a Regular position, term expiring April 30, 2024, and Dixie Bair, to a position that expires in April 30, 2025.

Aliz Lee-Tigner, a non-resident, is employed by Trout Unlimited, serving as Lake Sammamish Urban Wildlife Refuge Partnership Coordinator. Aliz says, "my work extensively focuses on the Lake Sammamish area and my

office is based out of Lake Sammamish State Park. I have a hybrid schedule in which I am regularly providing programming and attending meetings with partners in person in the Issaquah area."

Dixie Bair, a non-resident, is an Issaquah business owner. Small Threads For Kids is located in the Meadows Shopping Center on Gilman Blvd. Dixie's business focuses on sustainable practices has served the Issaquah community for over 14 years. Dixie says, "I feel it is important to be involved as much as you can at a local level to help be a part of making a change. I would love to bring my experience to the board as another perspective and also to learn more about the issues facing Issaquah."

Transportation Advisory Board

With regard to the Transportation Advisory Board, Mayor Pauly concurs with staff's recommendation and appoints Hany Maklad to fill the vacant Regular position; term expiring April 30, 2027.

Next Steps

The City Council's confirmation of the Mayor's appointments formally concludes the appointment process. Following confirmation, the applicants will be notified, and the City staff liaison will make contact with the appointees to welcome them and begin onboarding efforts.

Financial Information

n/a

Administration's Recommendation

The Administration recommends confirmation of the Mayor's appointments as presented and adoption of the ordinance as presented.

Update

n/a

Alternative(s)

In lieu of modifying the membership requirements of the Environmental Board, direct Administration to prepare an ordinance that reduces the number of numbers and restructures the expiration dates of the terms. (Impact: New appointments would not qualify for membership on the board.)

RECOMMENDATION

Administration / Executive Department:

MOVE TO:

Confirm the Mayor's appointments to the Environmental Board and Transportation Advisory Board as presented; and Adopt Ordinance No. ____, amending Section 2.36.020 of the Issaquah Municipal Code regarding residency requirements of Environmental Board members.