



MEDINA CITY COUNCIL

Monday, December 13, 2021

4:00 PM – REGULAR MEETING

AGENDA

VISION STATEMENT

Medina is a family-friendly, diverse and inclusive community on the shores of Lake Washington. With parks and open spaces, Medina is a quiet and safe small city, with active and highly-engaged residents. Medina honors its heritage while preserving its natural environment and resources for current and future generations.

MISSION STATEMENT

Ensure efficient delivery of quality public services, act as responsible stewards of Medina's financial and natural resources, celebrate diversity, leverage local talent, and promote the safety, health, and quality of life of those who live, work, and play in Medina.



MEDINA, WASHINGTON

MEDINA CITY COUNCIL CITY COUNCIL MEETING

Virtual/Online

Monday, December 13, 2021 – 4:00 PM

AGENDA

MAYOR | Jessica Rossman

DEPUTY MAYOR | Cynthia F. Adkins

COUNCIL MEMBERS | Roger Frey, Jennifer Garone, Harini Gokul, Alex Morcos, Bob Zook

CITY MANAGER | Michael Sauerwein

CITY ATTORNEY | Scott Missall

CITY CLERK | Aimee Kellerman

Virtual Meeting Participation

With the passage of the City's Proclamation of Local Emergency, City Hall is closed to the public. Council participation in this meeting will be by teleconference/online only. Members of the public may also participate by phone/online. Individuals wishing to speak live during the Virtual City Council meeting will need to register their request with the City Clerk at 425.233.6411 or email akellerman@medina-wa.gov and leave a message before 2PM on the day of the December 13 Council meeting. Please reference Public Comments for December 13 Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit.

[Join Microsoft Teams Meeting](#)

+1 360-302-2562 United States, Seattle (Toll)

Conference ID: 647 612 757#

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Council Members Adkins, Frey, Garone, Gokul, Morcos, Rossman and Zook

2. APPROVAL OF MEETING AGENDA

3. PUBLIC COMMENT PERIOD

Individuals wishing to speak live during the Virtual City Council meeting will need to register their request with the City Clerk at 425.233.6411 or email akellerman@medina-wa.gov and leave a message **before 2PM** on the day of the December 13 Council meeting. Please reference Public Comments for December 13 Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak. You will be allotted 3 minutes for your comment and will be asked to stop when you reach the 3 minute limit.

4. PRESENTATIONS

4.1 Swearing In of New Council Members.

Time Estimate: 10 minutes

4.2 Reports and announcements from Park Board, Planning Commission, Emergency Preparedness, and City Council.

Time Estimate: 10 minutes

5. **CONSENT AGENDA**

Time Estimate: 5 minutes

Consent agenda items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a Councilmember or City staff requests the Council to remove an item from the consent agenda.

5.1 Check Register, November 2021

Recommendation: Approve.

Staff Contact: Julie Ketter, Finance Director

5.2 Approved October 18, 2021 Park Board Meeting Minutes

Recommendation: Receive and file.

Staff Contact: Dawn Nations, Deputy City Clerk

5.3 Approved October 19, 2021 Planning Commission Meeting Minutes

Recommendation: Receive and file.

Staff Contact: Stephanie Keyser, AICP, Planning Manager

5.4 DRAFT Meeting Minutes of October 11, 2021

Recommendation: Adopt Minutes.

Staff Contact: Aimee Kellerman, CMC, City Clerk

5.5 Resolution Authorizing the City Manager to Enter into a Contract Second Amendment with PC Specialist, Inc. dba Technology Integration Group

Recommendation: Adopt Resolution No. 422.

Staff Contacts: Emily Miner, Assistant City Attorney and Aimee Kellerman, CMC, City Clerk

5.6 Ordinance Amending 2021 Budget

Recommendation: Adopt Ordinance No. 1004.

Staff Contacts: Julie Ketter, Finance & HR Director; Michael Sauerwein, City Manager

5.7 Ordinance Approving New MMC Chapter 12.26 Addressing Exclusion and Trespass on City Property

Recommendation: Adopt Ordinance No. 1006.

Staff Contact: Steve Burns, Police Chief

[5.8](#) Ordinance Approving Upland Road Street Vacation Adjacent to Liang property
Recommendation: Adopt Ordinance No. 1007.
Staff Contact: Scott Missall, City Attorney and Stephanie Keysers, Planning Manager

[5.9](#) City of Medina Personnel Guidelines Amendment
Recommendation: Approve.
Staff Contact: Julie Ketter, Finance/HR Director, Michael Sauerwein, City Manager

[5.10](#) Sound Cities Association (SCA) Board Elections - North Caucus
Recommendation: Approve.
Staff Contacts: Michael Sauerwein, City Manager and Jessica Rossman, Mayor

6. **LEGISLATIVE HEARING**

None.

7. **PUBLIC HEARING**

[7.1](#) Tree Code Update
Recommendation: Cancel public hearing and re-notice it for a future date.
Staff Contact: Stephanie Keyser, Planning Manager

Time Estimate: 5 minutes

8. **CITY BUSINESS**

[8.1](#) Approve 2021 City Manager Review
Recommendation: Approve.
Staff Contact: Julie Ketter, Finance and HR Director

Time Estimate: 5 minutes

[8.2](#) Management Transition Plan (MTP)
Recommendation: Discussion, direction and Executive Session.
Staff Contact: Scott Missall, City Attorney

Time Estimate: 1 hour

9. **EXECUTIVE SESSION**

City Council may take action.

RCW 42.30.110(1) (g)

To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW **42.30.140(4)**, discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public.

10. CITY MANAGER'S REPORT

Time Estimate: 5 minutes

No presentations will be given on written reports from departments; time for questions will be allotted.

Police, Development Services, Finance, Central Services, Public Works, City Attorney

[10.1a](#) CM Monthly Report

[10.1b](#) Police Monthly Report

[10.1c](#) DS Monthly Report

[10.1d](#) Finance Monthly Report

[10.1e](#) CS Monthly Report

[10.1f](#) PW Monthly Report

11. REQUESTS FOR FUTURE AGENDA ITEMS AND COUNCIL ROUND TABLE

12. PUBLIC COMMENT

Comment period is limited to 10 minutes. Speaker comments limited to one minute per person.

13. ADJOURNMENT

Next regular City Council Meeting: January 10, 2022 at 4 PM.

ADDITIONAL INFORMATION

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Medina City Hall.

The agenda items are accessible on the City's website at www.medina-wa.gov on Thursdays or Fridays prior to the Regular City Council Meeting.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (425) 233-6410 at least 48 hours prior to the meeting.

UPCOMING MEETINGS

Monday, December 27, 2021 - City Council Meeting (Canceled)

Monday, January 10, 2022 - City Council Meeting (4:00 PM)

CERTIFICATION OF POSTING AGENDA

The agenda for Monday, December 13, 2021 Regular Meeting of the Medina City Council was posted and available for review on Friday, December 10, 2021 at City Hall of the City of Medina, 501 Evergreen Point Road, Medina, WA 98039. The agenda is also available on the city website at www.medina-wa.gov.

Check Register
November 2021

Vendor	Invoice Number	Expense Notes	Invoice Amount	Check Number	Check Date	Account Number	Account Description
8X8, Inc.	3206933	CH phones	\$913.23	63199	11/16/2021	001-000-000-594-14-64-00	City Hall IT HW/SW >\$5K Capital Outlay
			\$913.23	63199 Total			
911 Supply Inc	INV-2-9933	PD uniforms, Cap. Sass	\$557.05	63200	11/16/2021	001-000-000-521-20-22-00	Uniforms
911 Supply Inc	INV-2-9934	PD earphones	\$54.99	63200	11/16/2021	001-000-000-521-20-31-40	Police Operating Supplies
911 Supply Inc	INV-2-12921	PD supplies	\$125.36	63200	11/16/2021	001-000-000-521-20-31-40	Police Operating Supplies
			\$737.40	63200 Total			
ADT Commercial LLC	136437187	PW fire mntring, 10/20-09/21	\$519.68	63201	11/16/2021	001-000-000-576-80-41-00	Professional Services
ADT Commercial LLC	141762361	PW fire mntring, 10/21-09/22	\$520.16	63201	11/16/2021	001-000-000-576-80-41-00	Professional Services
			\$1,039.84	63201 Total			
Anglin, Albert	REIMB. 11/3/2021	LEOFF1 retiree reimb.	\$3,781.33	63202	11/16/2021	001-000-000-521-20-21-00	Personnel Benefits
			\$3,781.33	63202 Total			
AT&T Mobility	287287975246X10272021	Patrol car connection	\$806.63	63203	11/16/2021	001-000-000-521-20-42-00	Communications (phone,Pager)
			\$806.63	63203 Total			
Avidex	076263	A/V upgrade hybrid meetg	\$153.02	63204	11/16/2021	001-000-000-594-14-64-00	City Hall IT HW/SW >\$5K Capital Outlay
			\$153.02	63204 Total			
Bellevue City Treasurer - Water	05065006 7/30-10/13/21	CH water sewer	\$1,454.31	63205	11/16/2021	001-000-000-518-10-47-00	Utility Serv-Elec,Water,Waste
Bellevue City Treasurer - Water	07522006 8/3-10/7/21	Fairweather pk irrig.	\$130.05	63205	11/16/2021	001-000-000-576-80-47-00	Utilities
Bellevue City Treasurer - Water	05066001 7/30-10/13/21	Beach pk irrig.	\$859.55	63205	11/16/2021	001-000-000-576-80-47-00	Utilities
Bellevue City Treasurer - Water	05172008 8/4-10/13/21	Medina pk irrig.	\$6,765.25	63205	11/16/2021	001-000-000-576-80-47-00	Utilities
Bellevue City Treasurer - Water	14971001 7/28-9/27/21	84th/24th irrig.	\$117.83	63205	11/16/2021	101-000-000-542-70-40-00	Street Irrigation Utilities
			\$9,326.99	63205 Total			
Blueline Group LLC, The	22314	Land use plan review	\$888.00	63206	11/16/2021	001-000-000-558-60-41-01	Planning Consultant
			\$888.00	63206 Total			
Carquest Auto Parts Stores	2417-499728	Windshield wiper, Ford F-250	\$44.87	63207	11/16/2021	101-000-000-542-30-31-00	Operating & Maintenance Supplies
Carquest Auto Parts Stores	2417-499069	Battery repair, Ford F-250	\$55.90	63207	11/16/2021	101-000-000-542-30-48-00	Equipment Maintenance
Carquest Auto Parts Stores	2417-499540	Miirror adhesive, Ford	\$9.11	63207	11/16/2021	101-000-000-542-30-48-00	Equipment Maintenance
			\$109.88	63207 Total			
Centurylink	425-637-3989 759B 10/17-11/17/21	PD phone/fax	\$241.25	63208	11/16/2021	001-000-000-521-20-42-00	Communications (phone,Pager)
			\$241.25	63208 Total			
Comcast	8498330130193587 10/25-11/24/21	PW internet svc	\$146.36	63209	11/16/2021	001-000-000-576-80-42-00	Telephone/postage
			\$146.36	63209 Total			
Crystal And Sierra Springs-Admin	11037150 110621	CH drinking water	\$102.80	63210	11/16/2021	001-000-000-518-10-31-00	Office And Operating Supplies
			\$102.80	63210 Total			
Crystal And Sierra Springs-Police	5296969 110621	PD drinking water	\$171.45	63211	11/16/2021	001-000-000-521-20-31-00	Office Supplies
			\$171.45	63211 Total			
Crystal And Sierra Springs-PW	5291929 110621	PW drinking water	\$21.00	63212	11/16/2021	001-000-000-576-80-31-00	Operating Supplies
			\$21.00	63212 Total			
CWA Consultants	21-355	Bldg plan review svcs	\$330.00	63213	11/16/2021	001-000-000-558-60-41-00	Prof Services
CWA Consultants	21-354	Bldg plan review svcs	\$220.00	63213	11/16/2021	001-000-000-558-60-41-00	Prof Services
			\$550.00	63213 Total			
Eastside Public Safety Communicat'n	10597	Radio fees, Nov'21	\$495.39	63214	11/16/2021	001-000-000-521-20-41-20	Dispatch-EPSCA
			\$495.39	63214 Total			

Check Register
November 2021

Vendor	Invoice Number	Expense Notes	Invoice Amount	Check Number	Check Date	Account Number	Account Description
FCI - Custom Police Vehicles	14083	Chief veh. lease, Nov'21	\$760.22	63215	11/16/2021	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	14080	3 PD veh. lease, Nov'21	\$2,750.75	63215	11/16/2021	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	14082	Srgt veh. lease, Nov'21	\$797.84	63215	11/16/2021	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	14081	Cap veh. lease, Nov'21	\$681.00	63215	11/16/2021	001-000-000-594-21-70-00	Police Vehicle Lease, Principal Cost
FCI - Custom Police Vehicles	14081	Cap veh. lease, Nov'21	\$258.12	63215	11/16/2021	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	14082	Srgt veh. lease, Nov'21	\$283.24	63215	11/16/2021	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	14083	Chief veh. lease, Nov'21	\$233.50	63215	11/16/2021	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
FCI - Custom Police Vehicles	14080	3 PD veh. lease, Nov'21	\$361.45	63215	11/16/2021	001-000-000-594-21-80-00	Police Vehicle Lease, Interest Cost
			\$6,126.12	63215 Total			
Herc Equipment Rental Corporation	32468407-001	Rent brush mower	\$229.01	63216	11/16/2021	101-000-000-542-30-45-00	Machine/Facility Rental
			\$229.01	63216 Total			
Home Depot Credit Services	8620699	Fuel tank parts	\$25.66	63217	11/16/2021	001-000-000-576-80-31-00	Operating Supplies
Home Depot Credit Services	9020728	Fuel tank parts	\$254.24	63217	11/16/2021	001-000-000-576-80-31-00	Operating Supplies
Home Depot Credit Services	8191836	Fuel tank part returned	(\$39.69)	63217	11/16/2021	001-000-000-576-80-31-00	Operating Supplies
Home Depot Credit Services	H4711-312550	Sign post concrete	\$76.10	63217	11/16/2021	101-000-000-542-30-31-00	Operating & Maintenance Supplies
			\$316.31	63217 Total			
KC Dept of Water & Land Resources	112258 2nd 2021	WRIA cost share, 2nd 2021	\$1,030.67	63218	11/16/2021	101-000-000-542-30-41-00	Professional Services
			\$1,030.67	63218 Total			
KC Office of Finance	2134007	2020 vote reg.	\$9,855.13	63219	11/16/2021	001-000-000-514-40-40-00	Election Services-Voter Regist
			\$9,855.13	63219 Total			
Kirkland Municipal Court	OCT21MED	Filing fees, Sept'21	\$850.20	63220	11/16/2021	001-000-000-512-50-40-10	Municipal Court-Traffic/NonTrf
			\$850.20	63220 Total			
Message Watcher, LLC	46153	Email/media archiving, Oct'21	\$231.80	63221	11/16/2021	001-000-000-518-80-41-50	Technical Services, Software Services
			\$231.80	63221 Total			
Moberly & Roberts, PLLC	997	Prosecution svc, Oct'21	\$4,000.00	63222	11/16/2021	001-000-000-512-50-41-10	Prosecuting Attorney
			\$4,000.00	63222 Total			
Navia Benefit Solutions	10384629	Flex fees, Oct'21	\$50.00	63223	11/16/2021	001-000-000-514-20-49-10	Miscellaneous
			\$50.00	63223 Total			
On-Target Solutions Group, Inc.	2832	Evidence storage training, Hall	\$275.00	63224	11/16/2021	001-000-000-525-60-43-00	Travel & Training
			\$275.00	63224 Total			
Otak, Inc.	000102100105	Tree code admin.	\$5,535.00	63225	11/16/2021	001-000-000-558-60-41-50	Landscape Consultant
			\$5,535.00	63225 Total			
Pacific Power Group, LLC	908631-00	CH generator repair	\$361.90	63226	11/16/2021	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
			\$361.90	63226 Total			
Pacific Topsoils, Inc.	22-T1224467	Dump clean green	\$173.60	63227	11/16/2021	001-000-000-576-80-41-00	Professional Services
Pacific Topsoils, Inc.	22-T1225820	Dump clean green	\$175.60	63227	11/16/2021	001-000-000-576-80-41-00	Professional Services
			\$349.20	63227 Total			
Peters, Michael	ENG-GO-19-017 Refund	Performance Bond refund	\$7,199.81	63228	11/16/2021	001-000-000-582-10-00-01	Refund of Deposits - Dev. Svcs.
			\$7,199.81	63228 Total			
Prothman Company	2021-7595	Finance Director search	\$5,500.00	63229	11/16/2021	001-000-000-513-10-41-00	Professional Services
			\$5,500.00	63229 Total			
Public Safety Testing, Inc.	2021-650	Q3'21 background checks	\$143.00	63230	11/16/2021	001-000-000-521-20-41-50	Recruitment-Background
			\$143.00	63230 Total			

Check Register
November 2021

Vendor	Invoice Number	Expense Notes	Invoice Amount	Check Number	Check Date	Account Number	Account Description
Puget Sound Energy	200018418620 9/21-10/20/21	CH power	\$1,395.51	63231	11/16/2021	001-000-000-518-10-47-00	Utility Serv-Elec,Water,Waste
Puget Sound Energy	200004844904 9/22-10/21/21	ODE camera	\$36.19	63231	11/16/2021	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Puget Sound Energy	200004850133 9/16-10/15/21	NE 24th camera	\$25.91	63231	11/16/2021	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Puget Sound Energy	200024956076 9/21-10/20/21	82nd Ave NE camera	\$32.06	63231	11/16/2021	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Puget Sound Energy	200004844698 9/22-10/21/21	NE 10th camera	\$34.21	63231	11/16/2021	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Puget Sound Energy	300000000087 10/1-11/1/21	Street light pwr	\$23.61	63231	11/16/2021	101-000-000-542-63-41-00	Street Light Utilities
Puget Sound Energy	220013665165 10/1-11/1/21	Street light pwr	\$12.42	63231	11/16/2021	101-000-000-542-63-41-00	Street Light Utilities
Puget Sound Energy	220013672732 10/1-11/1/21	Street light pwr	\$29.19	63231	11/16/2021	101-000-000-542-63-41-00	Street Light Utilities
Puget Sound Energy	220014371946 10/1-11/1/21	Street light pwr	\$105.46	63231	11/16/2021	101-000-000-542-63-41-00	Street Light Utilities
Puget Sound Energy	220014371912 10/1-11/1/21	Street light pwr	\$1,745.52	63231	11/16/2021	101-000-000-542-63-41-00	Street Light Utilities
			\$3,440.08	63231 Total			
SafeBuilt	0081352-IN	Bldg inspection svc	\$250.00	63232	11/16/2021	001-000-000-558-60-41-06	Building Inspector Contract
			\$250.00	63232 Total			
Sound Law Center	2627	Hearing examiner, July'21	\$2,037.50	63233	11/16/2021	001-000-000-558-60-41-02	Hearing Examiner
Sound Law Center	2664	Hearing examiner, Oct'21	\$4,002.50	63233	11/16/2021	001-000-000-558-60-41-02	Hearing Examiner
			\$6,040.00	63233 Total			
Sound View Strategies, LLC	2537	SR520 consulting, Oct'21	\$3,000.00	63234	11/16/2021	001-000-000-513-10-41-00	Professional Services
Sound View Strategies, LLC	2497	SR520 consulting, Aug'21	\$3,000.00	63234	11/16/2021	001-000-000-513-10-41-00	Professional Services
			\$6,000.00	63234 Total			
Staples Business Advantage	3491813706	Office supplies	\$66.95	63235	11/16/2021	001-000-000-518-10-31-00	Office And Operating Supplies
Staples Business Advantage	3491813707	Office supplies	\$95.78	63235	11/16/2021	001-000-000-518-10-31-00	Office And Operating Supplies
Staples Business Advantage	3491813708	Office supplies	\$121.74	63235	11/16/2021	001-000-000-518-10-31-00	Office And Operating Supplies
			\$284.47	63235 Total			
TIG Technology Integration Group	19650.	IT managed svcs, Nov'21	\$10,255.82	63236	11/16/2021	001-000-000-518-80-41-50	Technical Services, Software Services
			\$10,255.82	63236 Total			
Tiki Car Wash	2021-0931	PD car washes	\$83.54	63237	11/16/2021	001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash
			\$83.54	63237 Total			
Utilities Underground Location Ctr	1100180	Utility locate svcs	\$74.82	63238	11/16/2021	101-000-000-542-30-47-00	Utility Services
			\$74.82	63238 Total			
WA ST Dept of Ecology	22-WAR045527-1	Stormwater permit FY2022	\$2,856.00	63239	11/16/2021	101-000-000-542-30-41-03	NPDES Grant
			\$2,856.00	63239 Total			
WA ST Dept of Transportation	*FB91017004221	PW & DS veh. fuel	\$38.22	63240	11/16/2021	001-000-000-558-60-32-00	Vehicle Expenses-Gas, Oil, Maint
WA ST Dept of Transportation	*FB91017004221	PW & DS veh. fuel	\$651.72	63240	11/16/2021	001-000-000-576-80-32-00	Vehicle Fuel & Lube
			\$689.94	63240 Total			
WA ST Patrol	I22002202	CPL background	\$13.25	63241	11/16/2021	631-000-000-589-30-02-00	WA ST Patrol-Gun-Fbi
			\$13.25	63241 Total			
Willard's Pest Control	371549	PD rodent svcs	\$187.61	63242	11/16/2021	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
			\$187.61	63242 Total			
911 Supply Inc	INV-2-14400	PD uniforms, Gidlof	\$61.65	63243	11/30/2021	001-000-000-521-20-31-40	Police Operating Supplies
911 Supply Inc	INV-2-14402	PD uniforms, Sass	\$313.75	63243	11/30/2021	001-000-000-521-20-31-40	Police Operating Supplies
			\$375.40	63243 Total			
Autonation Shared Service Center	527372	Veh. maint. Car#23	\$118.65	63244	11/30/2021	001-000-000-521-20-48-10	Repairs & Maint-Automobiles
Autonation Shared Service Center	527333	Veh. maint. Car#24	\$993.01	63244	11/30/2021	001-000-000-521-20-48-10	Repairs & Maint-Automobiles
			\$1,111.66	63244 Total			
Bellevue City Treasurer - Water	90107027 9/1-10/27/21	View pt pk irrig.	\$66.60	63245	11/30/2021	001-000-000-576-80-47-00	Utilities
Bellevue City Treasurer - Water	02623004 8/25-10/20/21	LWB irrig.	\$103.28	63245	11/30/2021	101-000-000-542-70-40-00	Street Irrigation Utilities
			\$169.88	63245 Total			
BRC Acoustics & Audiovisual Design	26565	Sound test svc	\$1,592.03	63246	11/30/2021	001-000-000-558-60-41-08	Sound Testing Consultant
			\$1,592.03	63246 Total			
Buenavista Services, Inc	9122	Janitorial supplies	\$3,504.60	63247	11/30/2021	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg

Check Register
November 2021

Vendor	Invoice Number	Expense Notes	Invoice Amount	Check Number	Check Date	Account Number	Account Description
			\$3,504.60	63247 Total			
Car Wash Enterprises	Acct#59, October 2021	PD car washes	\$12.00	63248	11/30/2021	001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash
			\$12.00	63248 Total			
Centurylink	425-451-7838 049B 11/7-12/7/21	CH CC terminal	\$165.41	63249	11/30/2021	001-000-000-518-10-42-00	Postage/Telephone
Centurylink	425-454-2095 384B 11/8-12/8/21	PD emergency line	\$128.24	63249	11/30/2021	001-000-000-521-20-42-00	Communications (phone,Pager)
Centurylink	425-454-8183 070B 11/8-12/8/21	PW alarm/fire line	\$128.26	63249	11/30/2021	001-000-000-576-80-42-00	Telephone/postage
			\$421.91	63249 Total			
Comcast	8498330081741723 11/7-12/6/21	700 LWB camera	\$245.22	63250	11/30/2021	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Comcast	8498330130193223 11/16-12/15/21	NE 24th camera	\$241.36	63250	11/30/2021	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Comcast	8498330130197935 11/7-12/6/21	1000 LWB camera	\$241.36	63250	11/30/2021	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
Comcast	8498330130193264 11/16-12/15/21	NE 12th camera	\$241.36	63250	11/30/2021	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
			\$969.30	63250 Total			
CWA Consultants	21-357	Bldg plan review	\$220.00	63251	11/30/2021	001-000-000-558-60-41-00	Prof Services
			\$220.00	63251 Total			
Gray & Osborne, Inc.	19412.01-21427.24 11/15/2021	Grading & drainage svcs	\$5,793.97	63252	11/30/2021	001-000-000-558-60-41-07	Engineering Consultant
Gray & Osborne, Inc.	20597.00-3	NPDES comp assist.	\$4,329.12	63252	11/30/2021	101-000-000-542-30-41-03	NPDES Grant
Gray & Osborne, Inc.	21575.00-3	Engineering svcs	\$9,200.09	63252	11/30/2021	307-000-000-595-30-63-02	Storm Sewer Improvements
Gray & Osborne, Inc.	21428.00-4	Engineering svcs	\$669.28	63252	11/30/2021	307-000-000-595-30-63-02	Storm Sewer Improvements
Gray & Osborne, Inc.	21441.00-10	Engineering svcs	\$3,033.96	63252	11/30/2021	307-000-000-595-30-63-10	Sidewalk Improvements
			\$23,026.42	63252 Total			
Issaquah Sportsmen Club	07-2021	Firearm range dues	\$1,080.00	63253	11/30/2021	001-000-000-521-20-49-40	Dues,Subscriptions,Memberships
			\$1,080.00	63253 Total			
JR Mailing Services, Inc.	23570	Tree code postcard mailing	\$702.83	63254	11/30/2021	001-000-000-518-10-49-30	Postcard, Public information
			\$702.83	63254 Total			
KC Finance-Roads	115410-115410	TIB-84th Ave overlay	\$13,271.60	63255	11/30/2021	307-000-000-595-30-63-01	Street Improvements, Overlays
			\$13,271.60	63255 Total			
KC Office of Finance	11010607	KC I-Net, Oct'21	\$375.00	63256	11/30/2021	001-000-000-518-80-41-50	Technical Services, Software Services
			\$375.00	63256 Total			
KC Office of Finance	2137649	Subs abuse fee Q3'21	\$239.82	63257	11/30/2021	001-000-000-564-60-40-00	Mental Health Services-KC Substance Abuse
			\$239.82	63257 Total			
Konica Minolta Premier Finance	38851439	CH copier	\$582.08	63258	11/30/2021	001-000-000-518-10-31-00	Office And Operating Supplies
			\$582.08	63258 Total			
LexisNexis Risk Management	1011660-20211031	Investigative tool	\$116.81	63259	11/30/2021	001-000-000-521-20-41-00	Professional Services
			\$116.81	63259 Total			
Michael & JJ , LLC	1080	PD dry cleaning	\$148.39	63260	11/30/2021	001-000-000-521-20-22-00	Uniforms
			\$148.39	63260 Total			
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, CC	\$5,416.00	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, CC	\$32.50	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, DS	\$3,301.00	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, Exec.	\$600.50	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, Fairweather/PCHB	\$9,036.50	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, Finance	\$1,231.00	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, PD	\$3,804.00	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, PRA	\$45.00	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, PW	\$112.50	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
Ogden Murphy Wallace	856984-856993 October 2021	Legal svcs, st. vaca.	\$1,272.50	63261	11/30/2021	001-000-000-515-41-40-00	City Attorney
			\$24,851.50	63261 Total			

Check Register
November 2021

Vendor	Invoice Number	Expense Notes	Invoice Amount	Check Number	Check Date	Account Number	Account Description
Pro-shred	48800	CH shredding svc	\$53.00	63262	11/30/2021	001-000-000-518-10-41-00	Professional Services
			\$53.00	63262 Total			
Puget Sound Energy	200004850133 10/16-11/15/21	NE 24th camera	\$26.89	63263	11/30/2021	001-000-000-521-20-48-20	Repairs & Maint- HW/SW Maint Cameras
			\$26.89	63263 Total			
Seattle Times, The	11399	Legal notices	\$584.17	63264	11/30/2021	001-000-000-518-10-44-00	Advertising
			\$584.17	63264 Total			
Spot-On Print & Design	55856	Logo redesign	\$110.00	63265	11/30/2021	001-000-000-518-10-41-00	Professional Services
Spot-On Print & Design	55873	Tree code postcard	\$430.10	63265	11/30/2021	001-000-000-518-10-49-30	Postcard, Public information
			\$540.10	63265 Total			
Staples Business Advantage	3492803166	PD office supplies	\$174.19	63266	11/30/2021	001-000-000-521-20-31-00	Office Supplies
			\$174.19	63266 Total			
Surbeck, Katie	REIMB 10/14/2021	Annual planting bulds, plants	\$250.51	63267	11/30/2021	001-000-000-576-80-31-00	Operating Supplies
			\$250.51	63267 Total			
Tiki Car Wash	2021-1032	PD car washes	\$47.74	63268	11/30/2021	001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash
			\$47.74	63268 Total			
US Bank Voyager Fleet Sys.	8693624262146	PD fuel	\$2,160.41	63269	11/30/2021	001-000-000-521-20-32-00	Vehicle Expenses-Gas, Car Wash
			\$2,160.41	63269 Total			
WA ST Auditor's Office	L144876	FY2020 audit fees	\$508.95	63270	11/30/2021	001-000-000-514-20-42-00	Intergvtml Prof Serv-Auditors
			\$508.95	63270 Total			
WebQA, Inc. dba GovQA	INV1066	PRR portal/invoicing	\$9,460.34	63271	11/30/2021	001-000-000-594-14-64-00	City Hall IT HW/SW >\$5K Capital Outlay
			\$9,460.34	63271 Total			
Willard's Pest Control	372304	PD rodent svcs	\$83.68	63272	11/30/2021	001-000-000-518-30-48-00	Repairs/maint-City Hall Bldg
			\$83.68	63272 Total			
Wood Environ & Infrastr Sltns, Inc.	S51703210	Geotech review svc	\$648.50	63273	11/30/2021	001-000-000-558-60-41-07	Engineering Consultant
			\$648.50	63273 Total			
Kilmer, Rob	REIMB. 10/28-29/2021	WABO Fall meeting	\$223.27	ACH Pymt	11/16/2021	001-000-000-558-60-43-00	Travel & Training
WA ST Dept of Rev-Unclaimed Prprty	2021 Unclaimed Prop Filing	2021 Unclaimed Prop Filing	\$6.35	ACH Pymt	11/16/2021	001-000-000-382-10-00-02	Refundable DS Adv Deposit
WA ST Dept of Rev-Unclaimed Prprty	2021 Unclaimed Prop Filing	2021 Unclaimed Prop Filing	\$50.00	ACH Pymt	11/16/2021	001-000-000-511-60-43-00	Travel & Training
US Bank	BURNS 12/2-11/1/21	Adobe accropro	\$198.05	ACH Pymt	11/30/2021	001-000-000-521-20-41-00	Professional Services
US Bank	BURNS 12/2-11/1/21	Ammo range supplies	\$153.82	ACH Pymt	11/30/2021	001-000-000-521-20-31-60	Ammo/Range (Targets, etc)
US Bank	NATIONS 10/2-11/1/21	Annual dues, Fischer & Nations	\$145.00	ACH Pymt	11/30/2021	001-000-000-518-10-49-20	Dues, Subscriptions
US Bank	NATIONS 10/2-11/1/21	DS misc supplies	\$49.66	ACH Pymt	11/30/2021	001-000-000-518-10-49-10	Miscellaneous
US Bank	WILCOX 10/2-11/1/21	ISA transplanting guideline	\$32.06	ACH Pymt	11/30/2021	001-000-000-558-60-49-00	Dues,Subscriptions,Memberships
US Bank	NATIONS 10/2-11/1/21	IT hardware & supplies	\$432.67	ACH Pymt	11/30/2021	001-000-000-518-80-31-00	IT HW, SW, Operating Supplies
US Bank	BURNS 12/2-11/1/21	LEIRA membership, Marxer	\$50.00	ACH Pymt	11/30/2021	001-000-000-521-20-49-40	Dues,Subscriptions,Memberships
US Bank	CRICKMORE 10/2-11/1/21	Mower oil	\$327.23	ACH Pymt	11/30/2021	001-000-000-576-80-32-00	Vehicle Fuel & Lube
US Bank	KELLERMAN 10/2-11/1/21	Municode web training, CC	\$53.32	ACH Pymt	11/30/2021	001-000-000-518-10-43-00	Travel & Training
US Bank	NATIONS 10/2-11/1/21	Office supplies	\$195.60	ACH Pymt	11/30/2021	001-000-000-518-10-31-00	Office And Operating Supplies
US Bank	KELLERMAN 10/2-11/1/21	Offsite storage rental, Ig	\$839.00	ACH Pymt	11/30/2021	001-000-000-518-30-45-00	Facility Rental
US Bank	BURNS 12/2-11/1/21	PD office supplies	\$109.27	ACH Pymt	11/30/2021	001-000-000-521-20-31-00	Office Supplies
US Bank	BURNS 12/2-11/1/21	PD uniforms, Chief	\$544.76	ACH Pymt	11/30/2021	001-000-000-521-20-22-00	Uniforms
US Bank	CRICKMORE 10/2-11/1/21	PW uniforms	\$508.53	ACH Pymt	11/30/2021	101-000-000-542-30-22-00	Uniforms
US Bank	CRICKMORE 10/2-11/1/21	Razor blade-Returned	(\$9.92)	ACH Pymt	11/30/2021	001-000-000-576-80-31-00	Operating Supplies
US Bank	CRICKMORE 10/2-11/1/21	Sign machine	\$1,456.03	ACH Pymt	11/30/2021	101-000-000-542-64-41-00	Traffic Control Devices
US Bank	CRICKMORE 10/2-11/1/21	Tank hose & heat tubing	\$120.51	ACH Pymt	11/30/2021	101-000-000-542-30-31-00	Operating & Maintenance Supplies
US Bank	MARXER 10/2-11/1/21	Training accommodation, Marxer	\$141.24	ACH Pymt	11/30/2021	001-000-000-521-20-43-00	Travel & Training
US Bank	SASS 10/2-11/1/21	Training accommodation, Sass	\$151.99	ACH Pymt	11/30/2021	001-000-000-521-20-43-00	Travel & Training
US Bank	BURNS 12/2-11/1/21	Training, Marxer & Chief	\$712.39	ACH Pymt	11/30/2021	001-000-000-521-20-43-00	Travel & Training
US Bank	SAUERWEIN 10/2-11/1/21	Wall calendar	\$33.02	ACH Pymt	11/30/2021	001-000-000-518-10-31-00	Office And Operating Supplies

Check Register
November 2021

Vendor	Invoice Number	Expense Notes	Invoice Amount	Check Number	Check Date	Account Number	Account Description
US Bank	KELLERMAN 10/2-11/1/21	Web internet logs	\$0.26	ACH Pymt	11/30/2021	001-000-000-518-80-41-50	Technical Services, Software Services
			\$6,524.11	ACH Pymt Total			
Wen, Sheree	VOIDED CHECK#59983	2021 Unclaimed check filing	(\$50.00)	VOIDED CHECK#59983	11/4/2021	001-000-000-511-60-43-00	Travel & Training
			(\$50.00)	VOIDED CHK#59983 Total			
Delsing, Christopher	VOIDED CHECK#60506	2021 unclaimed check filing	(\$6.35)	VOIDED CHECK#60506	11/4/2021	001-000-000-382-10-00-02	Refundable DS Adv Deposit
			(\$6.35)	VOIDED CHK#60506 Total			
US Bank	ACH, Bank Fees		\$3,869.80	ACH, Bank Fees	11/30/2021	001-000-000-514-20-49-10	Miscellaneous
			\$3,869.80	ACH, Bank Fees Total			
WA ST Dept of Licensing	ACH, CPL Fees		\$111.00	ACH, CPL Fees	11/30/2021	631-000-000-589-30-01-00	Dept Of Lic-Gun Permit
			\$111.00	ACH, CPL Fees Total			
			\$189,471.52	AP Total			
Payroll	November 2021 Payroll	Payroll	\$ 18,933.36	Total	11/30/2021	001-000-000-513-10-11-00	Salaries, Wages & Benefits
Payroll	November 2021 Payroll	Payroll	21,809.00	Total	11/30/2021	001-000-000-514-20-11-00	Salaries, Wages & Benefits
Payroll	November 2021 Payroll	Payroll	33,246.84	Total	11/30/2021	001-000-000-518-10-11-00	Salaries, Wages & Benefits
Payroll	November 2021 Payroll	Payroll	155,372.26	Total	11/30/2021	001-000-000-521-20-11-00	Salaries, Wages & Benefits
Payroll	November 2021 Payroll	Payroll	20,934.42	Total	11/30/2021	101-000-000-542-30-11-00	Salaries, Wages & Benefits
Payroll	November 2021 Payroll	Payroll	45,958.31	Total	11/30/2021	001-000-000-558-60-11-00	Salaries, Wages & Benefits
Payroll	November 2021 Payroll	Payroll	31,401.35	Total	11/30/2021	001-000-000-576-80-11-00	Salaries, Wages & Benefits
		Total	\$ 327,655.54	Payroll Total			
			\$517,127.06	Period Grand Total			



MEDINA, WASHINGTON

PARK BOARD MEETING MINUTES

Virtual/Online

Monday, October 18, 2021 – 5:00 PM

MINUTES

1. CALL TO ORDER / ROLL CALL

Chair Sarah Gray called the meeting to order at 5:00 PM.

PRESENT

Sarah Gray
 Collette McMullen
 Barbara Moe
 Huan Bui
 Rebecca Johnston
 Katie Surbeck
 Emeritus Member, Penny Martin
 Youth Advisor, Ben Johnston

ABSENT

Gretchen Stengel

STAFF PRESENT

Michael Sauerwein, Ryan Osada, Pat Crickmore, Jeff Sass, Dawn Nations

2. ANNOUNCEMENTS

Collette McMullen announced Northpoint residents organized a park cleanup day at Fairweather Park.

3. APPROVAL OF PARK BOARD MINUTES

3.1 Park Board Meeting Minutes of September 20, 2021

Recommendation: Adopt minutes.

Staff Contact: Dawn Nations, Deputy City Clerk

ACTION: Motion made by McMullen, Seconded by Stengel carried 6-0

4. PUBLIC COMMENT

None.

5. PARK BOARD BUSINESS

5.1 Fairweather Park Fall Cleanup and Planting

Board member McMullen gave update on the October 4th cleanup day. Board member Surbeck gave update that she purchased plants to replace the plants that died. The board discussed the fall planting event and changed the date to November 2 at 10 AM. Meeting at Medina Park.

5.2 Argosy Christmas Ship Event Planning - December 22, 2021 at 5:35 PM

The board discussed the details of the event; due to COVID restrictions and social distancing guidelines they will not serve hot chocolate and cookies. Wrapped candy canes will be handed out. Board Member Johnston will be the lead for this event. The board is working on getting a fire pit. The public works department will be putting up signage to promote the event. Board member Moe will assist with signage.

5.3 Youth Advisor Position Outreach

The board discussed better promoting the youth advisor position to local youth residents. Youth advisor Ben Johnston will report to the board in January 2022 with his suggestions.

6. OTHER BUSINESS

Ryan Osada gave brief update on the shipping status of the Medina Park playground equipment. Install date is schedule for Spring 2022.

Board member Johnston asked Captain Sass about homelessness status in the community. Captain Sass gave a brief update.

7. PARK REPORTS

Fairweather & Lid - Gray reported looks great.

Indian Trail - Bui reported looks great.

Lake Lane - Martin reported looks great. Public works department reported they are starting the fall cleanup.

Medina Beach Park - Moe reported looks great.

Medina Park - Gray reported looks lovely and grass looks great. Moe reported a cracked post and asked to have puddles filled in. Public works will take care of these issues and reported the swings have been ordered.

Viewpoint Park - Gray and Moe reported looks good.

8. ADJOURNMENT

Meeting adjourned at 5:33 PM.



MEDINA, WASHINGTON

PLANNING COMMISSION MEETING

Virtual/Online

Tuesday, October 19, 2021 – 4:00 PM

MINUTES

COMMISSION CHAIR | Laurel Preston

COMMISSION VICE-CHAIR | Shawn Schubring

COMMISSIONERS | Laura Bustamante, David Langworthy, Mark Nelson, Mike Raskin, Randy Reeves

PLANNING MANAGER | Stephanie Keyser

1. CALL TO ORDER / ROLL CALL

Chair Laurel Preston called the meeting to order at 4:05pm

PRESENT

Chair Laurel Preston

Vice Chair Shawn Schubring

Commissioner Laura Bustamante

Commissioner David Langworthy (Arrived at 4:10pm)

Commissioner Mark Nelson

Commissioner Randy Reeves

ABSENT

Commissioner Mike Raskin

STAFF

Bennett, Kellerman, Keyser, Minor, Sauerwein, Wilcox

2. APPROVAL OF MEETING AGENDA

ACTION: By consensus, Planning Commission approved the meeting agenda as presented.

3. APPROVAL OF MINUTES

3.1 Planning Commission Minutes of September 28, 2021

Recommendation: Adopt Minutes

Staff Contact: Stephanie Keyser, AICP, Planning Manager

Keyser stated the second motion on page 5 of the packet minutes needs to be amended to 5-0, not 6-0.

ACTION: Motion to approve amended minutes. (Approved 6-0)

Motion made by Vice Chair Schubring, Seconded by Commissioner Nelson.
 Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,
 Commissioner Langworthy, Commissioner Nelson, Commissioner Reeves

4. ANNOUNCEMENTS

4.1 Staff/Commissioners

Chair Preston thanked those who attended the open house for the tree code.

Keyser confirmed the dates for the November and December meetings as being
 November 16th and December 14th.

5. AUDIENCE PARTICIPATION

No public was in attendance to speak during the audience participation.

6. PUBLIC HEARING

6.1 Tree Code Amendments 2021

Recommendation: Approval

Staff Contact(s): Stephanie Keyser, AICP, Planning Manager

Time Estimate: 80 minutes

Keyser said that the city received one written public comment from David Yee (3215
 Evergreen Point Road) via email on October 17, 2021, that was forwarded to Planning
 Commission on October 18, 2021.

Keyser gave a presentation on the tree code update proposal.

Commissioners discussed and asked questions.

Staff responded.

Chair Preston opened the public hearing.

David Yee, 3215 Evergreen Point Road, provided public testimony.

Sheree Wen, 3245 Evergreen Point Road, provided public testimony.

Chair Preston closed the public hearing.

ACTION: Motion to approve the additions to the purpose of intent on pages 8-9 of the
 staff packet. (Approved 6-0)

Motion made by Commissioner Nelson, Seconded by Vice Chair Schubring.
 Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,
 Commissioner Langworthy, Commissioner Nelson, Commissioner Reeves

ACTION: Motion to strike 20.52.320(C) per the tree arborist's recommendation. (Failed
 1-5)

Motion made by Commissioner Nelson, Seconded by Commissioner Reeves.
 Voting Yea: Commissioner Nelson
 Voting Nay: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,
 Commissioner Langworthy, Commissioner Reeves

ACTION: Motion to amend the dimensions on the definition of legacy tree to 36 inches to less than 50 inches and landmark trees to 50 inches and above in 20.52.120.
 (Approved 6-0)

Motion made by Commissioner Nelson, Seconded by Commissioner Bustamante.
 Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,
 Commissioner Langworthy, Commissioner Nelson, Commissioner Reeves

ACTION: Motion to amend 20.52.150(E) Minimum Restoration Standards for Land not under development to add the additional language from the city arborist. (Approved 6-0)

Motion made by Vice Chair Schubring, Seconded by Commissioner Nelson.
 Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,
 Commissioner Langworthy, Commissioner Nelson, Commissioner Reeves

ACTION: Motion to add the language in 20.52.150(G) as proposed by the city arborist.
 (Approved 6-0)

Motion made by Commissioner Nelson, Seconded by Commissioner Bustamante.
 Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,
 Commissioner Langworthy, Commissioner Nelson, Commissioner Reeves

ACTION: Motion to direct staff to add the language from 20.52.150(G) to the appropriate corresponding supplemental tree section. (Approved 6-0)

Motion made by Commissioner Nelson, Seconded by Vice Chair Schubring.
 Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,
 Commissioner Langworthy, Commissioner Nelson, Commissioner Reeves

7. DISCUSSION

7.1 2021-2023 Planning Commission Work Plan

Recommendation: N/A

Staff Contact(s): Stephanie Keyser, AICP, Planning Manager

Time Estimate: 10 minutes

ACTION: Keyser discussed the 2021-2023 work plan that Council approved on October 11th; no action taken.

7.2 Tree Code Enforcement – Supplemental Trees

Recommendation: N/A

Staff Contact(s): Stephanie Keyser, AICP, Planning Manager

Time Estimate: 30 minutes

ACTION: The discussion for the tree enforcement was moved to November's meeting.

8. ADJOURNMENT

Meeting adjourned at 6:00 PM

ACTION: Motion to adjourn.

Motion made by Vice Chair Schubring, Seconded by Commissioner Reeves.
Voting Yea: Chair Preston, Vice Chair Schubring, Commissioner Bustamante,
Commissioner Langworthy, Commissioner Nelson, Commissioner Reeves

Meeting Minutes taken by:



Stephanie Keyser



MEDINA, WASHINGTON

MEDINA CITY COUNCIL CITY COUNCIL MEETING

Virtual/Online

Monday, October 11, 2021 – 4:00 PM

MINUTES

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Mayor Rossman called the regular meeting to order via MS Teams at 4:00 p.m.

PRESENT

Mayor Jessica Rossman
Deputy Mayor Cynthia Adkins
Councilmember Harini Gokul
Councilmember Alex Morcos
Councilmember Bob Zook

ABSENT

Councilmember Roger Frey
Councilmember Jennifer Garone

STAFF PRESENT

Michael Sauerwein, Scott Missall, Steve Burns, Ryan Osada, Steve Wilcox, Stephanie Keyser, Julie Ketter, Dawn Nations, Aimee Kellerman

2. APPROVAL OF MEETING AGENDA

ACTION: By consensus, Council approved the meeting agenda as presented.

3. PUBLIC COMMENT PERIOD

Mayor Rossman opened the public comment period. There were no speakers. Subsequently, public comment was closed.

4. PRESENTATIONS

4.1 Recognition of Police Office Manager, Barbara Marxer for 2021 Lifeguard Program by Steve Burns, Chief of Police

Police Chief Burns recognized Police Office Manager Barbara Marxer for her excellent work in running a success 2021 Lifeguard Program at Medina Beach Park.

- 4.2 Reports and announcements from Park Board, Planning Commission, Emergency Preparedness, and City Council.

Director of Public Works Ryan Osada gave a brief update on activities from the last Parks and Recreation Board meeting.

Planning Manager Stephanie Keyser gave an update on activities from the last Planning Commission meeting.

Police Chief Burns gave a brief update on Emergency Preparedness.

5. CONSENT AGENDA

ACTION: Motion Morcos second Zook and carried by a 5:0 (Frey and Garone absent) vote; Council approved the Consent Agenda.

- 5.1 Check Register, September 2021

Recommendation: Approve.

Staff Contact: Julie Ketter, Director of HR and Finance

- 5.2 Approved August 16, 2021 Park Board Meeting Minutes

Recommendation: Receive and file.

Staff Contact: Dawn Nations, Deputy City Clerk

- 5.3 Approved July 27, 2021 Planning Commission Meeting Minutes

Recommendation: Receive and file.

Staff Contact: Stephanie Keyser, Planning Manager

- 5.4 DRAFT Meeting Minutes of September 13, 2021 Regular Meeting

Recommendation: Adopt Minutes

Staff Contact: Aimee Kellerman, CMC, City Clerk

6. LEGISLATIVE HEARING

None.

7. PUBLIC HEARING

- 7.1 2022 Preliminary Budget

Recommendation: NA

Staff Contacts: Julie Ketter, Finance & HR Director; Michael Sauerwein, City Manager

City Manager Michael Sauerwein gave a presentation on the proposed 2022 budget. There were no changes since the last discussion in September. Council asked questions and staff responded.

Mayor Rossman opened the public hearing. There were no speakers. Subsequently, the public hearing was closed.

ACTION: Motion Adkins second Gokul and carried by a 5:0 vote (Frey and Garone absent); Council continue suspension of passport services until such time that the City Manager and Council agree that passport services should be reinstated.

8. CITY BUSINESS

8.1 2021-2023 Proposed Planning Commission Work Plan

Recommendation: Adopt.

Staff Contact: Stephanie Keyser, AICP, Planning Manager

Planning Manager Stephanie Keyser gave an update on the proposed 2022 Planning Commission Work Plan. Council asked questions and staff responded.

ACTION: Motion Adkins second Zook and carried by a 5:0 (Frey and Garone absent) vote; Council adopted the 2022 Planning Commission Work Plan as presented.

8.2 Gas-Powered Lawn Equipment

Recommendation: Discussion.

Staff Contact: City Manager, Michael Sauerwein

City Manager Michael Sauerwein gave a presentation on Gas Powered Lawn Equipment.

Mayor Rossman reopened the public comment period. The following individual addressed the Council:

Catherine Allan commented in support of staff and Council looking at alternatives for gas powered lawn equipment.

Mayor Rossman closed the public comment period.

ACTION: No action taken; discussion item only.

9. REQUESTS FOR FUTURE AGENDA ITEMS AND COUNCIL ROUND TABLE

Council and staff discussed the SCA's Regional Water Quality Board regarding water quality issues related to Lake Washington. There is one upcoming vacancy and staff will look into how to make a nomination for Council to appoint someone.

Council also asked for an update regarding the 520 Joints Noise Mitigation Project Phase 2 at the next City Council meeting.

10. CITY MANAGER'S REPORT

Police, Development Services, Finance, Central Services, Public Works, City Attorney

Police Chief Burns reported on activities in the police department.

Director of Development Services Steve Wilcox gave an update on activities in Development Services department and code enforcement actions.

Director Public Works Ryan Osada gave an update on activities in the Public Works department.

City Manager Michael Sauerwein gave a brief summary of the City Manager's report.

11. PUBLIC COMMENT

Mayor Rossman opened the public comment period. There were no speakers. Subsequently, public comment was closed.

12. EXECUTIVE SESSION

Council moved into Executive Session at 6:17 p.m. for an estimated time of 30 minutes. Council reconvened to the regular meeting at 6:35 p.m.

RCW 42.30.110(1)(g)

To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW **42.30.140(4)**, discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public.

ACTION: No action was taken following the Executive Session.

13. ADJOURNMENT

By consensus, Council adjourned the regular meeting at 6:35 p.m.



MEDINA, WASHINGTON

AGENDA BILL

Monday, December 13, 2021

Subject: Resolution Authorizing the City Manager to Enter into a Contract Amendment with PC Specialists, Inc. dba Technology

Category: Consent/Resolution

Staff Contacts: Emily Miner, Assistant City Attorney and Aimee Kellerman, City Clerk

Summary

The City entered into a contract with Technology Integration Group (“TIG”) in September of 2020 for IT services after the City of Kirkland gave notice that they were terminating their IT services contract with the Medina.

The initial contract period with TIG was a trial period of four months, which was subsequently extended for another 12 months and is slated to expire December 31, 2021. City staff continues to be satisfied with TIG’s performance and recommend extend the contract for another three years under the same terms and conditions as the initial contract, except with increased rates to reflect cost of living increases and minor revisions to reflect industry standards.

Attachments

1. Resolution No. 423 Authorizing the City Manager to execute the TIG Contract Amendment extending the contract period for one year, to December 31, 2024.
2. Second Amendment to the Professional Services Contract No. 13 between the City of Medina and PC Specialists, Inc.

Budget/Fiscal Impact: See Contract Terms

Recommendation: Approve.

City Manager Approval:

Proposed Council Motion: “I move to approve Resolution No. 422 authorizing the City Manager to execute the Second Amendment to Professional Services Contract No. CO 13-2 between the City of Medina and PC Specialists, Inc. dba Technology Integration Group.”

ATTACHMENT 1

CITY OF MEDINA, WASHINGTON

RESOLUTION NO. 422

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, AUTHORIZING THE CITY MANAGER TO ENTER INTO A SECOND CONTRACT AMENDMENT WITH PC SPECIALISTS, INC.

WHEREAS, the city entered into an initial contract with PC Specialists on September 1, 2020 for information and technology consulting services (“Agreement”); and

WHEREAS, the city entered into a contract amendment on January 1, 2021 to extend the contract for a one-year term; and

WHEREAS, the Agreement is set to expire on December 31, 2021; and

WHEREAS, the city staff continues to be satisfied with TIG’s performance and recommends extending the contract for another three-year term under the same terms and conditions as the initial contract, except with increased rates to reflect cost of living increases and minor revisions to reflect industry standards.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, RESOLVES AS FOLLOWS:

Section 1. Contract Authorized. The City Council authorizes the City Manager to execute the second amendment to the Professional Services Contract No. 13 between the City and PC Specialists, Inc. dba Technology Integration Group, as attached and incorporated herein.

Section 2. Effective Date. This Resolution shall be effective upon its adoption by the City Council.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON DECEMBER 13, 2021 AND SIGNED IN AUTHENTICATION OF ITS PASSAGE ON DECEMBER 13, 2021.

Jessica Rossman, Mayor

Approved as to form:
Ogden Murphy Wallace, PLLC

Attest:

Scott M. Missall, City Attorney

Aimee Kellerman, City Clerk

ATTACHMENT 1

FILED WITH THE CITY CLERK: XX
PASSED BY THE CITY COUNCIL: XX
RESOLUTION NO. XXX

Second Amendment to Professional Services Contract No. 13 between
The City of Medina and PC Specialists, Inc.

This Second Amendment (“Amendment”) to Professional Services Contract No. 13 between the City of Medina and PC Specialists, Inc. (“Agreement”) is entered into between the City of Medina, a municipal corporation of the State of Washington (“City”) and PC Specialists, Inc., dba Technology Integration Group (“Consultant”), individually a “party” and collectively “the parties”.

WHEREAS, the Agreement between the parties was executed on September 1, 2020 and expired on December 31, 2020; and

WHEREAS, the parties executed a First Amendment (“First Amendment”) on December 21, 2020 to amend Section 4 of the Agreement to extend the term of the Agreement for another year, to December 31, 2021; and

WHEREAS, the parties now desire to amend the term of the Agreement for an additional three (3) year period; and

NOWHEREFORE, in consideration of the mutual benefits set forth below, the sufficiency of which the parties both acknowledge, the parties agree as follows:

1. Section 4 of the Agreement is hereby amended to read as follows:

The term of the Consultant’s performance shall end on or before ~~December 31, 2021~~ December 31, 2024, unless the Parties agree in writing to extend the term or as otherwise provided herein.

2. Section 6 of the Agreement is hereby amended to read as follows:

The Consultant shall be paid on the basis of time actually expended and out-of-pocket expenses in accordance with the fee schedule attached and incorporated as **Exhibit B**. Expenses not identified in **Exhibit B** will not be reimbursed by the City. ~~In no event shall the total compensation and expenses paid to the Consultant under this Agreement exceed fifty thousand dollars (\$50,000).~~

3. Section 10 of the Agreement is hereby amended to read as follows:

10.1 ~~The Consultant~~ Each Party (each an “Indemnifying Party”) shall fully indemnify, defend and hold harmless the ~~City~~ other Party, its officers, officials, employees, and volunteers (collectively Indemnified Parties) from and against all allegations, claims, damages, losses, injuries, costs and expenses, including attorneys or other professional fees (collectively Claims) asserted against any Indemnified Parties arising out of or resulting from the ~~Consultant’s~~ Indemnifying Party’s performance of the Services or any obligation under this Agreement, except for and to the extent of injuries and damages caused by the sole negligence of the Indemnified Parties. Such obligation shall not be construed to

negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this Section. Where an Indemnified Claim is caused by or results from the concurrent negligence of the Indemnified Parties and the ~~Consultant~~ Indemnifying Party, the ~~Consultant~~ Indemnifying Party's duty to indemnify and defend the Indemnified Parties shall apply only to the extent of the negligence of the ~~Consultant~~ Indemnifying Party or its employees, subcontractor's agents or other parties for whom the ~~Consultant~~ Indemnifying Party is responsible.

10.2 Title 51 Status. Each Party's obligations under this Section 10 include, but are not limited to, all claims against any Indemnified Parties by an employee or former employee of the ~~Consultant~~ Indemnifying Party or any of its subcontractors or agents. For this purpose, each party expressly waives, as respects the City and Indemnified Parties only all immunity and limitation on liability under any Industrial Insurance Act, including Title 51 RCW, or other worker's compensation act, disability act, or other employee benefit act of any jurisdiction which would otherwise be applicable.

BY SIGNING THIS AGREEMENT, THE CITY AND CONSULTANT CERTIFY THE WAIVER OF IMMUNITY SPECIFIED BY THIS PROVISION WAS MUTUALLY NEGOTIATED.

10.3 ~~The Consultant's~~ Each Party's obligations under this Section ~~9~~ 10 shall survive expiration or termination of the Agreement. In the event of litigation between the Parties to enforce the rights under this Section 10, reasonable attorney fees and costs shall be awarded to the prevailing party.

4. Exhibit A of the Agreement is repealed and replaced with a new Exhibit A, attached and incorporated herein.

5. Exhibit B of the Agreement is repealed and replaced with a new Exhibit B, attached and incorporated herein.

6. In the event of any conflict between this amendment, the First Amendment, and the Agreement, the language of this Second Amendment shall prevail. In all other respects the Agreement shall remain the same and in full force and effect

CITY OF MEDINA

PC SPECIALISTS, INC
dba Technology Integration Group

By: _____
Michael Sauerwein

By: _____
Tom Janecek

Date: _____

Date: _____

Approved as to Form:

By: _____
City Attorney

Date: _____

EXHIBIT A

SCOPE OF SERVICES

OVERVIEW

This document addresses a support agreement between City of Medina (“Customer”) and Technology Integration Group (“TIG”) to cover technical support and maintenance for the technology listed in the Scope of Services section below.

Length of Agreement: This agreement is valid for three (3) years from the Effective Date.

SCOPE OF SERVICES

Coverage

Services Supported

- Two (2) scheduled ½ day on-site visits per week
- Networking Infrastructure
- Servers
 - Fourteen (14) Virtual Machines
 - Four (4) vCenter Management Servers
 - One (1) FMC Physical Server
 - One (1) Backup Storage Target for SRV-MEDBACKUP Server – NetApp
- Cisco ASA Firewalls
 - One (1) at HQ
- Cisco and Dell Switches
- Cisco Routers
- Cisco Firepower, Umbrella, and AMP
- UPS's
- Veeam Backups
- Dedicated Project Management
- Dedicated primary and secondary engineering support (both remote and on-site)
- Executive Technology Reviews

Optional Support Services

Although routine maintenance will address most problems, there are issues that occur – whether hardware or software – which will require rapid response on-site. TIG recommends block of dollars to provide for this level of support. Once this block of dollars is depleted, more hours can be acquired at a discounted rate due to being a member of TIG MANAGE. An open PO can also be placed with TIG for additional support Services and additional support Services will be billed as they occur.

COVERAGE AND PROCEDURES

Agreement Coverage

The coverage period for this agreement is for standard work week, Monday – Friday, 8am – 5pm, local time of the Customer site, excluding designated TIG holidays. This is a three (3) year agreement and covers remote and onsite support work for existing Customer equipment. This contract does not cover new projects which are defined as any functional change outside of the current specification or operation of the existing deployment and/or changes to components, circuits, or other third-party provided circuits or network connectivity, etc.

Service	Hours of Coverage	Surcharges *
Support Center (Service desk Support)	Monday through Friday, 8:00 AM to 5:00 PM (PST)	Included
Normal On Site Service	Monday through Friday, 8:00 AM to 5:00 PM	Contract Rate x 1
On-Call Service	As defined or N/A	Contract Rate x 1.5 (1 hr. minimum)
Extended On Site Service	Monday through Friday, 5:01 PM to 7:59 AM Saturday, 8:00 AM to 5:00pm	Contract Rate x 1.5 (1 hr. minimum)
Weekend On Site Service	Sundays and National Holidays	Contract Rate x 2 (2 hr. minimum)

TIG Holiday Schedule

Designated Holiday	Date Observed
New Year's Day	January 1
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	4th Friday in November
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

Trouble Reporting Procedure and Response Time: All support requests must route through TIG's Support Desk. TIG will work with Customer representatives to verify the problem and determine the appropriate Priority Level (see below for definition of priority levels) of the request. TIG will work with Customer representatives to identify and resolve the problem.

Customer will acknowledge successful resolution of the problem by providing acceptance.

Priority Levels and Response Times

The Priority levels are defined as follows:

Priority Level 3 (P3)

Customer requires information or assistance concerning system component capabilities, configuration or use. There is little or no impact to your business operations.

Examples: User Profile/Account Changes; System Features.

Response Time: Four (4) Hours

Priority Level 2 (P2)

Operational performance of the system and/or network is impaired, but most/critical business operations remain functional. That is, a single user or group of users is/are experiencing problems; or a non-critical system feature is experiencing difficulties or is inoperable. Customer and TIG will commit resources during normal business hours to restore service to satisfactory levels.

Examples: Single or multiple feature(s) and/or devices not functioning, including user(s) unable to login, problem with email account(s), or a feature such as a Power Outage causing system-wide loss of internet access.

Response Time: Two (2) Hours

Priority Level 1 (P1)

Operation of an existing system and/or network is severely degraded, or significant aspects of Customer business operations are negatively impacted, or a "site" or "critical component" is completely non-functional. Customer and TIG will commit all necessary resources to resolve the situation.

Examples: Internet access is down; Server(s) are down or are not accessible.

Response Time: One (1) Hour

SERVICE EXCLUSIONS AND ASSUMPTIONS

Service Exclusions

The following items are excluded from support under this agreement:

- Applications (functionality/performance) unless specifically included.
- Network attached devices must be configured within the supported parameters of the network/Cisco Unified Communications system:
 - TIG will support on-net and off-net faxing for fax machine Analog Telephony Devices (not including FAX machines) configured within the supported parameters of the Cisco/Meraki network/Cisco Unified Communications system.
- Layer 1 Structured Network Cabling:
 - TIG will assist remotely in fault isolation to the cabling as configured within the IP-based voice components and/or devices (i.e. phones).
- Service Provider Demarcation Points.
- Service Provider Circuits:
 - TIG is not contracted to provide voice or data circuits, only to assist in fault isolation as it relates to the Cisco Unified Communications system (i.e., whether there is a problem with a covered component or whether the problem resides with the circuit).
- Upon request by Customer, TIG will assist in resolving circuit issues with carrier(s) in

conjunction with Customer personnel.

Assumptions

- Customer IT Team to initially address service requests.
- Customer personnel will be available to work with TIG staff, as appropriate, on a service request.
- Customer to provide TIG with all pertinent network documentation to facilitate effective support.
- Customer (directly or through and/or third party) to provide and maintain VPN access for TIG.
- Customer will provide physical access to all sites as required, per established Customer policy.
- Customer will provide TIG employees access to relevant systems and facilities as necessary to perform the Services, subject to Customer's operational, legal, and security restrictions.
- TIG conducts periodic business reviews from which important observations are discussed and recommendations are made to Customer. If Customer elects not to attend a business review for any reason, TIG will provide Customer a written summary of the observations and associated recommendations, and Customer will acknowledge receipt thereof in writing.
- TIG standard support excludes "destroyed" equipment due to, among other things, natural accident or causes (such as earthquake, hurricane, fire, flood, or other exposure to adverse environmental conditions) or due to any negligent or willful or unlawful act or omission to act (including acts of terrorism and/or or exposure to harmful substances, conditions or materials).
- Customer will allow TIG to install remote control software on to end user systems in order to provide support.
- Customer will provide administrator or super-user logons to host systems, or (alternatively) assign system administrator(s) to perform those logon activities on behalf of TIG technical personnel.
- TIG will assign a Project Manager for this Agreement and the TIG Project Manager will be responsible for managing all TIG service activities and will serve as the central point of contact for Customer including:
 - a) Serve as the central point of contact for Customer;
 - b) Use both Customer and TIG resources, where applicable, to accomplish all tasks.
- If Customer requires additional skills outside of the skill set employed by the current TIG resource, TIG will apply a reasonable best effort to providing additional skill sets.
- If TIG is requested to take on additional responsibilities resulting in management ownership, or deliverables, TIG requires an addendum to this Agreement in the form of a change order.
- If level of effort is consistently different from anticipated levels, a change order will be mutually defined that appropriately matches Customer requirements.
- Outdated systems or systems that are no longer supported by OEM are "best effort" only.

**ATTACHMENT 2
TO
EXHIBIT A - SCOPE OF SERVICES
ENGAGEMENT – SPECIFIC
TERMS AND CONDITIONS**

1. APPLICABILITY

The terms and conditions set forth in this Attachment 1 shall apply to the products and/or services set forth in the Statement of Work/Scope of Services to which it is attached, including any amendments or addenda thereto.

2. COMMERCIAL INSURANCE

The City shall maintain at its sole expense similar commercial insurance for personal injury and property damage for a general aggregate of \$1,000,000; worker's compensation insurance as required by law; and hired and non-owned automobile liability insurance for the combined single limit of \$1,000,000. At the Consultant's request, the City further agrees to furnish the Consultant with certificates, including renewal certificates, evidencing such coverage within thirty (30) days of commencing performance under this Agreement, at every renewal and at other times as may be reasonably requested by the consultant.

3. CYBER INSURANCE

a. The City shall purchase and maintain throughout the term of this Agreement a policy of first-party cyber liability insurance with coverage that is sufficient to protect the City and the Consultant from and against any claims, demands, causes of action or financial loss arising out of acts, errors, or omissions, in rendering technology/professional services or in connection with the specific services described in this Agreement including, without limitation: violation or infringement of any right of privacy, including breach of security and breach of security/privacy laws, rules or regulations, data theft, damage, unauthorized disclosure, destruction, or corruption, including without limitation, unauthorized access, unauthorized use, identity theft, theft of personally identifiable information or confidential corporate information in whatever form, transmission of a computer virus or other type of malicious code, and participation in a denial of service attack on third party computer systems and loss or denial of service.

b. Such coverage must include technology/professional liability including breach of contract, privacy and security liability, privacy regulatory defense and payment of civil fines, payment of credit card provider penalties, and breach response costs (including without limitation, notification costs, forensics, credit protection services, call center services, identity theft protection services, and crisis management/public relations services).

c. The City shall name the Consultant as an additional insured and shall contain no specific limitations on the coverage afforded additional insureds.

d. In the event of an attack, the City agrees that, to the extent the attack is the City's fault, any work done by the Consultant to remediate the results of such attack are outside the scope of this Agreement and shall be subject to a separate written agreement or

addendum signed by both parties. However, to the extent the attack is the Consultant's fault, all work done by the Consultant to remediate the results of such attack are within the scope of this Agreement.

4. SOLICITATION OF THE CONSULTANT'S EMPLOYEES.

The City may work closely with employees of the Consultant performing services under this Agreement. All information about such employees which becomes known to the City during the course of this Agreement, and which is not otherwise known to the public, including compensation and commission structure, is a Trade Secret of the Consultant and shall not be used by the City in soliciting employees of the Consultant at any time. The City will endeavor to protect the confidentiality of all such information to the extent permitted by law. The Consultant acknowledges and agrees that the City is subject to the Public Records Act, Chapter 42.56 RCW, and nothing in this Agreement prohibits the City's compliance with the Act.

During the term of this Agreement and for one year thereafter, the City shall not, directly or indirectly, ask or encourage any employee of the Consultant to leave their employment with the Consultant, solicit any employee of the Consultant for employment, make any offer of employment to any employee of the Consultant or employ any employee of the Consultant. This provision also shall apply to former employee of the Consultant for a period of one year following the employee separation.

The City agrees and acknowledges that the violation of any of the provisions contained herein would cause irreparable injury to the Consultant, that the remedy at law for any violation or threatened violation thereof would be inadequate, and that the Consultant shall be entitled to temporary and permanent injunctive or other equitable relief without the necessity of proving actual damages.

5. DATA BACKUP

THE CONSULTANT DISCLAIMS ALL RESPONSIBILITY AND LIABILITY FOR ANY HARDWARE AND/OR SOFTWARE FAILURES RELATED TO OR IN CONNECTION WITH DATA BACKUPS, INCLUDING WITHOUT LIMITATION ANY LOSS OR CORRUPTION OF DATA, AND REQUIRES THAT THE CITY RETAIN LOCAL BACKUPS OF ALL CRITICAL DATA IN ADDITION TO ANY BACKUP SERVICES THAT THE CONSULTANT IS PROVIDING. IT IS THE SOLE RESPONSIBILITY OF THE CITY TO ENSURE THAT THE PRESCRIBED DATA BACKUP OPERATIONS PERFORMED BY THE CITY ARE ADEQUATE. THE CONSULTANT WILL NOT BE RESPONSIBLE FOR CITY'S FAILURE TO DO SO, NOR FOR THE COST OF RECONSTRUCTING DATA STORED ON DISK FILES, TAPES, MEMORIES, ETC., LOST DURING THE PERFORMANCE OF SERVICE PERFORMED HEREUNDER. IN SUCH CASES, THE CONSULTANT (AND ANY OFFICERS, DIRECTORS, EMPLOYEES, AND AGENTS OF THE CONSULTANT, AND THEIR VENDORS, DISTRIBUTORS, AND OTHER SUPPLIERS OR CONTRACTORS) SHALL NOT BE LIABLE FOR ANY CONSEQUENTIAL, PUNITIVE, SPECIAL, EXEMPLARY, INCIDENTAL, OR INDIRECT DAMAGES, INCLUDING ANY LOST PROFITS, UNDER ANY THEORY OR CAUSE OF ACTION WHETHER IN TORT, CONTRACT OR OTHERWISE, REGARDLESS OF WHETHER THE PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

6. DISCLAIMER OF WARRANTY

a. EXCEPT AS EXPRESSLY SET FORTH IN THIS AGREEMENT AND TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, THE CONSULTANT EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES, GUARANTEES, CONDITIONS OR REPRESENTATIONS, EXPRESS OR IMPLIED, STATUTORY OR OTHERWISE, REGARDING THE PRODUCTS OR SERVICES PROVIDED HEREUNDER OR THE INTEGRATION OF THOSE PRODUCTS INTO A COMPUTER SYSTEM, INCLUDING ANY IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY, SATISFACTORY OR MERCHANTABILITY QUALITY AND FITNESS FOR A PARTICULAR PURPOSE, OR THOSE ARISING FROM A COURSE OF DEALING, COURSE OF PERFORMANCE OR USAGE OF TRADE. THE CONSULTANT SHALL NOT BE LIABLE FOR ANY PROBLEMS ATTRIBUTABLE TO ALTERATIONS OR ATTACHMENTS, NEGLIGENCE, ABUSE OR MISUSE, INCLUDING FAILURE TO OPERATE THE PRODUCTS IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS, IMPROPER HANDLING BY THE CITY, FAILURE OF EQUIPMENT NOT MAINTAINED BY THE CONSULTANT, IMPROPER USE OF SUPPLIES, FIRE, WATER, ACTS OF GOD OR OTHER CATASTROPHIC EVENTS.

b. THE CONSULTANT DISCLAIMS RESPONSIBILITY FOR HARDWARE AND SOFTWARE FAILURES CAUSED BY THIRD-PARTY MANUFACTURERS AND PUBLISHERS.

c. THE CITY SHALL NOT PROVIDE ANY WARRANTIES TO ANY THIRD PARTIES WITH RESPECT TO THE PRODUCTS OR SERVICES PROVIDED BY THE CONSULTANT TO THE CITY. THE CITY SHALL BE SOLELY AND EXCLUSIVELY LIABLE TO ANY THIRD PARTY FOR ANY WARRANTY GRANTED OR SUPPLIED BY THE CITY TO ANY SUCH THIRD PARTY.

7. NO CONSEQUENTIAL DAMAGES; LIMITATION OF LIABILITY

a. TO THE MAXIMUM EXTENT PERMITTED UNDER APPLICABLE LAW, UNDER NO CIRCUMSTANCES SHALL EITHER PARTY OR THEIR RELATED PARTIES, BE LIABLE FOR ANY CONSEQUENTIAL, INDIRECT, SPECIAL, PUNITIVE OR INCIDENTAL DAMAGES (INCLUDING DAMAGES FOR LOST DATA), WHETHER FORESEEABLE OR UNFORESEEABLE, BASED ON CLAIMS ARISING OUT OF BREACH OR FAILURE OF EXPRESS OR IMPLIED WARRANTY, BREACH OF CONTRACT, MISREPRESENTATION, NEGLIGENCE, STRICT LIABILITY IN TORT, INFRINGEMENT OF INTELLECTUAL PROPERTY RIGHTS OR OTHERWISE. EXCEPT AS OTHERWISE EXPRESSLY PROVIDED FOR HEREIN, EITHER PARTY'S TOTAL LIABILITY TO THE OTHER PARTY OR ANY THIRD PARTY(IES) FOR A CLAIM OF ANY KIND ARISING AS A RESULT OF, OR RELATED TO THIS AGREEMENT AND THE SERVICES PROVIDED HEREUNDER, WHETHER IN CONTRACT, IN TORT (INCLUDING NEGLIGENCE OR STRICT LIABILITY), UNDER ANY WARRANTY, OR OTHERWISE, SHALL BE LIMITED TO MONETARY DAMAGES AND THE AGGREGATE

AMOUNT THEREOF FOR ALL CLAIMS SHALL IN NO EVENT EXCEED THE AMOUNT OF MONEY PAID BY THE CITY TO THE CONSULTANT DURING THE PREVIOUS TWELVE (12) MONTHS. EACH PARTY ACKNOWLEDGES THAT THE DISCLAIMERS OF WARRANTIES AND LIMITATIONS OF LIABILITY IN THIS AGREEMENT FAIRLY ALLOCATE RISKS BETWEEN THEM.

8. LICENSES

- a. The City agrees that through its use of any software, hardware or services included with or otherwise in-use in furtherance of this Agreement, the City indicates its acceptance of and agreement to comply with any terms and conditions of the applicable software or hardware manufacturer licensing agreements throughout the Term or any extensions or renewal terms of this Agreement, as such licensing agreements may be updated by the manufacturer from time to time.
- b. The City further agrees that any such licenses described above shall be provided to the City and exclusively govern the terms and conditions of the licensed products or software as provided therein. The City is responsible for obtaining any updates to the applicable license to the extent that it has the ability to access such updates directly from the manufacturer.

9. FORCE MAJEURE

The term “force majeure” shall include, without limitation, acts of nature, acts of civil or military authorities, communicable disease outbreaks, epidemics, pandemics, quarantine restrictions, terrorism, fire, accidents, shutdowns for purpose of emergency repairs, industrial, civil or public disturbances, or other conditions beyond the control of the parties causing the inability to perform the requirements of this Contract. If any party is rendered unable, wholly or in part, by a force majeure event to perform or comply with any obligation or condition of this Contract, upon giving notice and reasonably full particulars to the other party, such obligation or condition shall be suspended only for the time and to the extent commercially reasonable to restore normal operations. In the event TIG ceases to be excused pursuant to this provision, then the Customer shall be entitled to exercise any remedies otherwise provided for in this Contract, including termination for default.

EXHIBIT B

FEE SCHEDULE

- Three (3) Year Contract at the following rates:

Description	Amount Per Month	Total Annual
TIG MANAGE Agreement –Year One	\$11,423.00	\$137,076.00
TIG MANAGE Agreement –Year Two (5% increase)	\$11,994.15	\$143,929.80
TIG MANAGE Agreement –Year Three (5% increase)	\$12,593.86	\$151,126.29
Total Contract Amount Due		\$432,132.09

- Any additional (pre-approved) service required outside of the regularly scheduled visits or scope of agreement will be billable at the Time and Materials rates plus travel as indicated in the tables below.

Description	MSRP Per Hour	Contract Rates per Hour
Solutions Architect	333.00	273.00
Senior Systems Engineer	\$278.00	\$227.00
Systems Engineer	\$167.00	\$136.00
Network Technician	\$133.00	\$109.00

Travel Charges:

Description	MSRP Per Hour	Contract Rates per Hour
Trip Charge – Zone 1 (0-10 miles)	No charge	No charge
Trip Charge – Zone 2 (11-50 miles)	\$75 per visit	\$50 per visit
Trip Charge – Zone 3 (51-100 miles)	\$125 per visit	\$100 per visit



MEDINA, WASHINGTON

AGENDA BILL

Monday, December 13, 2021

Subject: 2021 Budget Amendment

Category: Ordinance/Consent

Staff Contact: Julie Ketter, Finance & HR Director

Summary

The purpose for recommending a 2021 Budget Amendment is to document budget changes that occurred after the 2021 Budget was adopted on November 9, 2020. Except items of an accounting “housekeeping” nature, all of these have been noted in Council’s monthly financial reports throughout the year as they occurred. As per our practice, these changes are gathered under one ordinance for passage towards the end of the budget year. These changes are as follows:

- December 14, 2020, Council approved additional increase to City Manager salary above the budgeted COLA. June 14, 2021, Council approved an update to the Personnel Policy which allowed for a one-time excess leave cash out for unrepresented employees at 12/31/21 to align balances to new policy. Total impact to General Fund expenses = \$65K, to be offset by sales tax receipts in excess of original budget expectations.
- February 24, 2021, Finance Committee approved a recommendation to Council to transfer amounts from 2020’s ending fund carryover balance, in excess of the City’s 25% policy requirement, to the Contingency Fund. Total transfer = \$250K.
- Move KC’s multi-modal transportation revenue share budget from General Fund to Street Fund due to revenue restrictions which limits its usage to street activity only. \$4422
- July 12, 2021, Council approved \$102K of Capital REET funds to be spent towards a new Street Improvement Traffic Safety Project. REET receipts have been substantially in excess of original budgeted expectations.
- 2021 Salary Schedule (attachment A) requires amending to reflect Council’s direction, as mentioned in point one above, to increase the City Manager’s maximum salary amount beyond the originally budgeted COLA. The minimum & midpoint numbers remain unchanged. Two other numbers on the chart are changing to correct transcription errors only, no financial impact. For ease of review, the changes to the schedule are in red.
- Update 2021 Beginning Fund balances to reflect 2020’s actual Ending Fund balances that rolled over, rather than the estimate used when passing Ord. 991. No fiscal impact.

Attachments

1. 2021 Budget Ordinance No. 1004 - amending Ordinance No. 991
2. 2021 Amended Salary Schedule **Attachment A**

Budget/Fiscal Impact:

\$ 60,578	General Fund Revenue net increase
\$ (65,000)	General Fund Expense increase
\$ (250,000)	General Fund Transfer Out increase
\$ 4,422	Street Fund Revenue increase
\$ 250,000	Contingency Fund Transfer In increase
\$ 102,000	Capital Projects Fund Revenue increase
<u>\$ (102,000)</u>	<u>Capital Project Fund Expense increase</u>
\$ -0-	

Recommendation: Approve

City Manager Approval: 

Proposed Council Motion: "I move to approve Ordinance No. 1004 amending the 2021 Budget, including the 2021 Amended Salary Schedule."

ATTACHMENT 1

Ordinance No. 1004

MEDINA CITY COUNCIL

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON,
AMENDING ORDINANCE NO. 991 TO ADOPT AND IMPLEMENT THE
2021 BUDGET; AND TO ESTABLISH AN EFFECTIVE DATE.**

WHEREAS, the Medina City Council enacted Ordinance 991 on November 9, 2020 approving the budget for 2021; and

WHEREAS, it is necessary to increase General Fund Expenditures and Resources; and

WHEREAS, it is necessary to increase Street Fund Resources; and

WHEREAS, it is necessary to increase Contingency Resources; and

WHEREAS, it is necessary to increase Capital Projects Expenditures and Resources; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 991 is hereby amended as summarized below:

	General	Street	Tree	Contingency	Capital	Levy	Total
	Fund	Fund	Fund	Fund	Projects	Stabilization	All Funds
						Fund	
Beginning Fund Balance	\$2,194,185	\$13,778	\$110,072	\$ -0-	\$3,281,736	\$ -0-	\$5,599,771
Revenues	\$7,970,342	\$143,514	\$3,075	\$ -0-	\$1,215,016	\$ -0-	\$9,331,947
Transfers In	\$ -0-	\$377,132	\$ -0-	\$ 250,000	\$ -0-	\$500,000	\$1,127,132
Total Resources	\$7,970,342	\$520,646	\$3,075	\$ 250,000	\$1,215,016	\$500,000	\$10,459,079
Expenditures	\$6,957,234	\$515,112	\$38,000	\$ -0-	\$942,000	\$ -0-	\$8,452,346
Transfers Out	\$1,127,132	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$1,127,132
Total Uses	\$8,084,366	\$515,112	\$38,000	\$ -0-	\$942,000	\$ -0-	\$9,579,478
Ending Fund Balance	\$2,080,161	\$19,312	\$75,147	\$ 250,000	\$3,554,752	\$500,000	\$6,479,372

Section 2. 2021 Salary Schedule for authorized position, originally adopted with Ordinance 991, is also amended as reflected in **Attachment A**, 2021 Amended Salary Schedule.

ATTACHMENT 1

Section 3. The City Manager is authorized to make any changes necessary to carry out the terms of this ordinance.

Section 4. The effective date of this ordinance shall be (5) days after its publication of a summary of its intent and contents.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 13TH DAY OF DECEMBER 2021 BY A VOTE OF FOR, AGAINST, AND ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 13TH DAY OF DECEMBER 2021.

Jessica Rossman, Mayor

Approved as to form:
Ogden Murphy Wallace, PLLC

Attest:

Scott M. Missall, City Attorney

Aimee Kellerman, City Clerk

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: / AB

**City of Medina
Ordinance Number 1004
Attachment A**

ATTACHMENT A

2021 Amended Salary Schedule

The 2021 salary ranges for full time city employees shall be as follows:

Exempt Unrepresented Employees:

COLA increase = CPI-W, 1%	FTE	Minimum	Midpoint	Maximum
Building Official	0	\$7,604	\$8,557	\$9,507
Planning Manager	1	\$7,604	\$8,557	\$9,507
Department Directors	4	\$8,763	\$9,857	\$10,953
Police Chief (+market adjustment of 10%)	1	\$10,795	\$12,144	\$13,491
City Manager	1	\$11,060	\$12,442	\$14,816

Non Exempt Unrepresented Employees:

COLA increase = DOF 1% / Captain 3%	FTE	Minimum	Midpoint	Maximum
Assistant Finance Director *	1	\$5,816	\$6,979	\$8,141
Police Captain	1	\$9,134	\$10,275	\$11,416

Collective Bargaining Agreement between City of Medina and City of Medina Patrol Officers:

COLA per CBA = 3%	FTE	Step A	Step B	Step C	Step D
Patrol Officer A		\$6,677	\$7,070	\$7,462	\$7,857
Patrol Officer B		\$6,758	\$7,151	\$7,541	\$7,937
Patrol Officer C	2	\$6,914	\$7,307	\$7,700	\$8,092
Patrol Officer D	4	\$7,070	\$7,462	\$7,858	\$8,250
Police Sergeant A	1	\$7,868	\$8,296	\$8,735	\$9,182
Police Sergeant B		\$8,024	\$8,452	\$8,891	\$9,340

Public, Professional and Office-Clerical Employees Union, Local 763

(Representing Public Works Employees):

CBA exp 12/31/20, 2% as placeholder until negotiated	FTE	Step A	Step B	Step C	Step D
Maintenance Worker	3	\$5,431	\$5,661	\$5,982	\$6,311
Maintenance Supervisor	1	\$6,609	\$6,975	\$7,349	\$7,742

Public, Professional and Office-Clerical Employees Union, Local 763

(Representing Office-Clerical Employees):

CBA exp 12/31/20, 2% as placeholder until negotiated	FTE	Step A	Step B	Step C	Step D
Admin. Assistant-Deputy Clerk	1	\$5,431	\$5,661	\$5,982	\$6,311
Information Systems Coordinator	1	\$5,431	\$5,661	\$5,982	\$6,311
Police Administrative Specialist	1	\$5,431	\$5,661	\$5,982	\$6,311
Development Svcs Coordinator	1	\$5,542	\$5,709	\$6,011	\$6,328
Dpty Blding Official (rep pending negotiation)	1	\$5,891	\$6,676	\$7,462	\$8,246
Police Office Manager	1	\$6,609	\$6,975	\$7,349	\$7,742

* = position currently filled with part-time employee with salary pro-rated at 0.7 FTE



MEDINA, WASHINGTON

AGENDA BILL

Monday, December 13, 2021

Subject: Ordinance Approving New MMC Chapter 12.26 Addressing Exclusion and Trespass on City Property

Category: Consent

Staff Contact: Stephen R. Burns, Chief of Police

Summary

A recent review of the Medina Municipal Code regarding trespass on City of Medina property identified several issues that need to be updated to meet legal requirements for enforcement. The updated ordinance fulfills the necessary requirements for the City of Medina and the Medina Police Department to legally remove subjects that's behavior is disruptive in nature.

Other municipalities and cities encounter the same or similar conditions, problems and issues within their public parks and properties, and have found that an "exclusion and trespass" program creates a low-key mechanism to immediately address and stop unpermitted or disruptive behavior by requiring offenders to immediately leave the specific park or public property, and to stay away from and refrain from reentering such place for a short period of time.

The ordinance allows for police officers to trespass and remove a subject whose behavior is disruptive and an appeal process to contest the action. The proposed changes are consistent with other jurisdictions.

Attachments

1. Summary Brief Medina Municipal Code Chapter 12.26 – Exclusion and Trespass on City Property; and
2. Ordinance No. 1006 Adding Chapter 12.26 in the Medina Municipal Code – Exclusion and Trespass on City Property

Budget/Fiscal Impact: None

Recommendation: Adopt ordinance.

City Manager Approval:

Proposed Council Motion: I move adopt Ordinance No. 1006 adding new Medina Municipal Code Chapter 12.26 – Exclusion and Trespass on City Property.

ATTACHMENT 2**New Chapter MMC 12.26****Exclusion from City Property; Trespass on City Property****12.26.010 – Purpose and Scope**

The purpose of this chapter is to enable the city's police personnel to take immediate action when they observe unpermitted or other improper conduct occurring in or on city parks and other city properties, to talk with the individual(s) acting in such manner and, when appropriate, to issue an exclusion notice requiring the individual(s) to promptly exit the park or other property and remain outside the boundaries of such location for a defined period of time.

12.26.020 – Definitions

In construing the provisions of this chapter, the following definitions shall be applied. Words in the singular number shall include the plural, and the plural shall include the singular.

“Chief of Police” means the chief executive officer of the City of Medina Police Department, established by MMC 2.08.030 and his/her designees, which includes officers of the Medina Police Department.

“City Parks” means all or any of the following City properties and includes their appurtenant structures, facilities, docks, playgrounds, recreation equipment, dog facilities, open spaces, tennis courts and fixtures: Fairweather Park and Nature Preserve, Lake Lane Public Dock, Medina Beach Park, and Medina Park. City Parks are a subset of City Property.

“City Property” means all real property and appurtenant structures and fixtures, in whole or in part, owned or leased by the City of Medina, now or in the future. City Property shall include but is not limited to Medina City Hall, the Medina Post Office property, and City Parks. City Property does not include publicly accessible City streets, sidewalks, and rights of way.

“Exclusion Notice” means a written notice issued by an officer pursuant to this chapter advising the recipient thereof that he/she has committed a violation and is prohibited by the Exclusion Notice from entering or remaining in or upon certain City Property, the reasons therefore, and the time period of such exclusion. The Exclusion Notice shall be on the form approved by the Chief of Police and shall be delivered to the recipient as set forth in this chapter.

“Hearing Examiner” means the City of Medina Hearing Examiner, established by MMC Chapter 2.72.

“Officer” means a commissioned member of the Medina Police Department or other duly authorized law enforcement personnel covered under the Police Officers Powers Act.

“Violation” means acts or conduct that violate any park rule set forth in MMC Chapter 12.20 while in a City Park, any provision of the Medina Municipal Code while on City Property, or any provision of the Revised Code of Washington while on City Property.

“Weapon violation” means the possession or use of a weapon in violation of RCW Chapter 9.41 (Firearms and Dangerous Weapons).

12.26.030 – Exclusion from City Property

A. An officer may, by delivering an Exclusion Notice in person to the recipient, exclude from City Property anyone who:

1. Violates any park rule as set forth in MMC Chapter 12.20 while in a City Park; or

ATTACHMENT 2

2. Violates any provision of the Medina Municipal Code or Revised Code of Washington while in or on City Property.

B. An Exclusion Notice is effective immediately upon receipt by the recipient. The recipient need not be cited for, nor be charged, tried, or convicted of any crime or infraction, as a precondition to issuance of an Exclusion Notice. The exclusion may be based upon observation by the officer or upon the sort of reports that would ordinarily be relied upon by officers in the determination of probable cause.

C. The Exclusion Notice shall be issued using the approved form and shall contain the information designated thereon, specifically including its duration, place(s) of exclusion, and a warning of the consequences for failure to comply. Every Exclusion Notice shall be signed by the issuing officer.

D. The duration of an Exclusion Notice shall be determined as follows:

1. If the recipient has not been excluded from any City Property by an Exclusion Notice issued within one (1) year prior to the current violation and the current violation is not a felony violation or weapon violation, then the recipient may be excluded from the City Property in which the current violation occurred for a period not exceeding seven (7) days from the date of the Exclusion Notice.

2. If the recipient has been the subject of only one (1) prior Exclusion Notice issued within one (1) year prior to the current violation and neither the current nor the past violation was a felony violation or weapon violation, then the recipient may be excluded from the City Property in which the current violation occurred for a period of ninety (90) days from the date of the Exclusion Notice.

3. If the recipient has been the subject of two (2) or more prior Exclusion Notices issued within one (1) year prior to the current violation, all from the same City Property in which the current violation occurred, or if the current violation is a felony violation or weapon violation, then the recipient may be excluded from the City Property in which the current violation occurred for a period of one (1) year from the date of the Exclusion Notice.

4. If the recipient has been the subject of two (2) prior Exclusion Notices within one (1) year prior to the current violation and, in combination, the current violation and those prior violations took place in two (2) or more City Properties, then the recipient may be excluded from all City Property for a period of one (1) year from the date of the Exclusion Notice.

12.26.040 – Administrative Appeal

A. General. Only the recipient of an Exclusion Notice may appeal such notice. Every appeal shall be made in accordance with the requirements of this section. No appeal is provided for an Exclusion Notice of seven (7) days duration or less. The recipient of an Exclusion Notice with a duration exceeding seven (7) days may seek a hearing before the Medina Hearing Examiner to have the Exclusion Notice rescinded or the period of exclusion shortened. No other relief is available. Only the Hearing Examiner after a hearing may rescind or shorten an Exclusion Notice.

B. Request for Hearing. The request for hearing shall be in writing, shall contain a concise statement explaining the basis for the appeal and the relief sought, shall include a copy of the Exclusion Notice which is the subject of the hearing, and shall include payment of the current appeal fee. The request for a hearing shall be postmarked and delivered to the City Clerk with a copy to the Chief of Police and Hearing Examiner not later than seven (7) days after the

ATTACHMENT 2

issuance date of the Exclusion Notice. The hearing should be scheduled and occur within seven (7) days after the Hearing Examiner receives the request for hearing if possible. The Hearing Examiner shall take reasonable steps to notify the appellant and the Chief of Police of the date, time, and place of the hearing.

C. Witnesses. At the request of the appellant or the Chief of Police, the Hearing Examiner may issue subpoenas for the attendance of witnesses and the production of documents, and shall administer oaths to witnesses at the hearing. The Hearing Examiner shall not issue a subpoena for the attendance of a witness at the request of the appellant unless the request is accompanied by the fee required by RCW 5.56.010 for a witness in district court. The appellant shall be responsible for serving any subpoena issued at the appellant's request.

D. Proof Standards and Procedure. At the hearing, the violation must be proved by a preponderance of the evidence in order to uphold the Exclusion Notice. If the Exclusion Notice was issued because of the alleged violation of any criminal law, the appellant need not be charged, tried, or convicted on such violation for the Exclusion Notice to be upheld. The Exclusion Notice establishes a prima facie case that the appellant committed the violation as described. The Hearing Examiner shall consider a sworn report or a declaration under penalty of perjury as authorized by RCW Chapter 5.50 (Uniform Unsworn Declarations Act) written by the officer who issued the Exclusion Notice, without further evidentiary foundation. The certifications authorized in Rule 6.13 of the Criminal Rules for Courts of Limited Jurisdiction shall be considered without further evidentiary foundation. The Hearing Examiner may consider information that would not be admissible under the evidence rules in a court of law but which the Hearing Examiner considers relevant and trustworthy.

E. Decision. If the violation is proved, the Exclusion Notice shall be upheld; but upon good cause shown the Hearing Examiner may shorten the duration of the exclusion. If the violation is not proven by a preponderance of the evidence, the Hearing Examiner shall rescind the Exclusion Notice. If the Hearing Examiner rescinds an Exclusion Notice, the exclusion shall not be considered a prior exclusion for purposes of MMC Section 12.26.030(D).

F. Judicial Review. The decision of the Hearing Examiner is final. A recipient seeking judicial review of the Hearing Examiner's decision must file an application for a writ of review in the King County Superior Court within fourteen (14) days of the date of the Hearing Examiner's decision.

G. Pendency of Exclusion During Proceedings. The exclusion shall remain in effect during the pendency of the administrative appeal, and if the Exclusion Notice is upheld in whole or in part shall remain in effect during the pendency of any judicial proceeding.

H. Subsequent Civil or Criminal Proceedings. No determination of facts made by the Hearing Examiner in conducting a hearing under this section shall have collateral estoppel effect on a subsequent criminal prosecution or civil proceeding and shall not preclude litigation of those same facts in a subsequent criminal prosecution or civil proceeding.

I. Enforcement Goal. This section shall be enforced to emphasize voluntary compliance with laws and park rules, and so that inadvertent minor violations that would fall under subsection D1 of MMC section 12.26.030 can be corrected without resort to an Exclusion Notice.

12.26.050 – Trespass on City Property—Definition—Punishment.

A. A person commits the crime of trespass on City property when he/she knowingly:

ATTACHMENT 2

1. Enters, remains in, or is otherwise present within the premises of a City Property from which he or she has been excluded during the period covered by an Exclusion Notice pursuant to MMC 12.26.030; or

2. Enters, remains in, or is otherwise present within the premises of a City Property during hours which the property is not open to the public, unless the person is present on or within the property to participate in an activity either conducted by the City or conducted pursuant to the terms of a permit issued by the City.

B. Trespass on City Property is a gross misdemeanor subject to the provisions of MMC Chapter 9.04 (Public Peace, Morals and Welfare; General Provisions).

C. It is not a defense to the crime of trespass on City Property:

1. That the underlying exclusion issued pursuant to this chapter is on appeal when the excluded person is apprehended, charged, or tried under this section; nor

2. That the excluded person entered or remained in the City Property pursuant to a permit that was issued in the name of another person either before or after the date of the Exclusion Notice.

12.26.060 – Discrimination Prohibited.

A. It is the policy of the City, in the exercise of its police powers for the protection of the public health, safety and general welfare, and for the maintenance of peace and good government, to assure equal opportunity for full enjoyment and use of City Park facilities to all persons, free from restrictions because of race, color, sex, marital status, sexual orientation, gender identity, political ideology, age, creed, religion, ancestry, national origin or the presence of any sensory, mental or physical handicap.

B. It is unlawful for any person occupying or using any City Park for any event, activity or exhibition open to the public, whether or not under a permit and whether or not an admission or entrance fee is charged, to deny to any other person the full use and enjoyment of such City Park because of race, creed, color, sex, marital status, sexual orientation, gender identity, political ideology, age, religion, ancestry, national origin or the presence of any sensory, mental or physical handicap. In addition to other sanctions, the permit allowing access to or use of such City Park held by any person who is convicted of a violation of this section may be canceled by the City, which administrative action shall be appealable by said person only in accordance with the requirements of MMC 12.26.040. After hearing of any such appeal, the Hearing Examiner may at the City's request order that such person shall not be eligible for any similar permit for access to, or use of, a City Park for a period up to three (3) years.

C. Where applicable, the term "deny" shall have the meaning in RCW 9.91.010, as now or hereafter amended; the terms "full enjoyment of" and "person" shall have the meaning in RCW 49.60.040, as now or amended.

D. Nothing in this section shall prohibit the exercise of constitutional liberties or the use of a bona fide qualification or restriction that does not infringe upon civil rights or civil liberties recognized by state law or City ordinance.

ATTACHMENT 1

Ordinance No. 1006

MEDINA CITY COUNCIL

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, ADOPTING MEDINA MUNICIPAL CODE CHAPTER 12.26 CONCERNING TRESPASS ON AND TEMPORARY EXCLUSION FROM CITY PROPERTIES; SETTING STANDARDS AND CRITERIA APPLICABLE TO SUCH ACTIONS; AUTHORIZING ADMINISTRATIVE AND OTHER PROCEDURES TO ENSURE DUE PROCESS IN THE APPLICATION OF THESE REGULATIONS AND PROTECTION OF THE PUBLIC HEALTH, SAFETY AND WELFARE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Medina owns, manages, and maintains a number of City parks and properties that include appurtenant structures, facilities, docks, playgrounds, recreation equipment, dog facilities, open spaces, tennis courts and fixtures, identified as follows: Fairweather Park and Nature Preserve, Lake Lane Public Dock, Medina Beach Park, Medina Park (the foregoing with their pertinent facilities collectively referenced as City Parks), Medina City Hall and Medina Post Office. The City Parks together with Medina City Hall and Medina Post Office are collectively referenced as City Property and as City Parks and Property; and

WHEREAS, the City Council previously adopted and updated rules and regulations for City Parks in MMC Chapter 12.24 (Public Parks) to foster appropriate use of City Parks in a manner that allows all Medina residents and visitors to enjoy the City Parks; and

WHEREAS, Medina Police officers have received reports and complaints of, and have encountered situations and events when, inappropriate or unpermitted activity is occurring in or on City Properties and the individual(s) involved are unwilling to stop their inappropriate, unpermitted and/or disruptive conduct and conform with City Park rules and requirements, including instances when other persons in or on City Property are or feel threatened by such conduct, and when the issuance of an infraction or other citation by the officer has only limited or no effect on ending or correcting the disruptive conduct; and

WHEREAS, many municipalities have encountered the same or similar conditions, problems and issues within their public parks and properties, and have found that implementation of exclusion and trespass regulations provides a low-key mechanism to immediately address and stop unpermitted and disruptive behavior in City Parks and Property by requiring offenders to immediately leave the specific park or public property affected, and to stay away from and refrain from reentering such place(s) for short periods of time; and

WHEREAS the Medina Police Department (Department) believes that adopting exclusion and trespass regulations in Medina would enable the Department to take immediate action to address and resolve situations like those described above, with the positive benefit enabling more and better public use and enjoyment of City Parks and Property, and encouraging those receiving exclusion notices to alter their conduct to conform with Medina's park rules; the Department therefore recommends adoption of exclusion and trespass regulations for the City of Medina; and

ATTACHMENT 1

WHEREAS, the Department and the City Attorney's Office have reviewed exclusion and trespass regulations from various jurisdictions and have prepared new MMC Chapter 12.26, entitled "Exclusion From City Property; Trespass on City Property", attached hereto as **Exhibit A**, for inclusion in the Medina Municipal Code; and

WHEREAS, the City Council has considered and evaluated the foregoing information, the Department's recommendation, and the proposed exclusion and trespass regulations attached as **Exhibit A**, and finds that the proposed chapter would enhance the Department's code enforcement capabilities, provide alternative and more efficient mechanisms that will better address disruptive conduct in City Parks and Property, and provide faster and less expensive administrative review of City actions, all having immediate and positive benefits for Medina's residents, visitors, park users and City Properties and enhancing the public health, safety and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Findings Adopted. The foregoing recitals are adopted as findings of the City Council in its consideration and adoption of new Medina Municipal Code Chapter 12.26 (Exclusion From City Property; Trespass on City Property).

Section 2. MMC Chapter 12.26 Adopted. For the reasons hereinbefore stated, MMC Chapter 12.26, entitled Exclusion From City Property; Trespass on City Property, attached as **Exhibit A** and incorporated in full by this reference, is hereby adopted into the Medina Municipal Code.

Section 3. Departmental Reports. The Department shall periodically provide reports to the City Council on the implementation and results of new Chapter 12.26, which reports may be consolidated with the Department's other reports and updates to Council.

Section 4. Corrections. The City Clerk and codifiers of City ordinances are authorized to make necessary corrections to this Ordinance including but not limited to the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 6. 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 such publication.

ATTACHMENT 1

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 13TH DAY OF DECEMBER, 2021, BY A VOTE OF ___ FOR, ___ AGAINST, AND ___ ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 13TH DAY OF DECEMBER, 2021.

Jessica Rossman, Mayor

Approved as to form:
Ogden Murphy Wallace, PLLC

Attest:

Scott M. Missall, City Attorney

Aimee Kellerman, City Clerk

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: / AB

ATTACHMENT 1

Exhibit A

To City of Medina Ordinance No. 1006

**MMC Chapter 12.26
Exclusion From City Property; Trespass on City Property**

[See attached]



MEDINA, WASHINGTON

AGENDA BILL

Monday, December 13, 2021

Subject: Ordinance Approving Upland Road Street Vacation Adjacent to Liang Property

Category: Consent/Ordinance

Staff Contacts: Stephanie Keyser, Planning Manager; Scott Missall, City Attorney

Summary

On August 23, 2021, the City received a petition to vacate 510 square feet of right-of-way in front of 442 Upland Road. In accordance with MMC 12.44 and RCW Chapter 35.79, the City Council initiated vacation procedures and held a public hearing on November 8, 2021. After hearing and considering the Staff Analysis and City Presentation, and the Liang Objection and Petitioners Presentation, the Council deliberated on the facts and merits of the Liang Petition. A majority of the Council then approved a motion to grant the requested vacation subject to payment by the Petitioners of \$63,750 and directed the City Attorney to prepare an ordinance to that effect with such terms and other papers as needed to specify and carry out the Council's intent and the requirements of MMC Chapter 12.44.

The City Attorney prepared the attached Ordinance carrying out the Council's direction. Staff recommends adoption of the Ordinance.

Attachment

Ordinance granting the Liang Street Vacation Petition and establishing conditions thereon.

Budget/Fiscal Impact: Payment to the City of \$63,750.

Recommendation: Adopt Ordinance No. 1007

City Manager Approval: 

Proposed Council Motion: "I move to adopt Ordinance No. 1007 as presented."

Ordinance No. 1007

MEDINA CITY COUNCIL

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, VACATING AN UNOPENED 510 SQ. FOOT PORTION OF UPLAND ROAD PUBLIC RIGHT-OF-WAY ADJACENT TO PROPERTY ADDRESSED AS 442-438 UPLAND ROAD AND REQUIRING COMPENSATION TO BE PAID TO THE CITY OF MEDINA IN THE AMOUNT OF \$63,750, ALL IN ACCORDANCE WITH MMC CHAPTER 12.44 (STREET VACATIONS); AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, a Street Vacation Petition containing the petitioner's street vacation materials and those required by Medina City Code (collectively **Liang Petition**) was filed with the City of Medina (**City**) on August 23, 2021, by and on behalf of Kenneth and Laura Liang (**Petitioners**), seeking to vacate a portion unopened public right-of-way in Upland Road belonging to the City and abutting property addressed as 442-438 Upland Road, Medina (also known as 442 87th Ave. NE; Tax Parcel 383550-2385; and as Parcel M of Medina Lot Line Adjustment 20-003 filed under Recording No. 20210610900049; all collectively comprising the **Liang Property**) for the purpose of converting said public right-of-way to private fee ownership and incorporating it into the Liang Property; and

WHEREAS, the specific area of the requested public right-of-way vacation totals 510 sq. ft. in the shape of a 10 ft. x 51 ft. rectangle, as legally described in attached **Exhibit A** and depicted in attached **Exhibit B** to this Ordinance (**Vacation ROW**), which exhibits are incorporated herein by this reference; and

WHEREAS, the vacation of public right-of-way in the City is subject to the requirements and conditions of Medina Municipal Code (MMC) Chapter 12.44 (Street Vacations) which implements RCW Chapter 35.79 (Streets—Vacation), and is exempt from the requirements of RCW Chapter 43.21C (State Environmental Policy Act); and

WHEREAS, on September 13, 2021 the City Council adopted Resolution No. 419 setting a legislative hearing on the Liang Petition at the Council's November 8, 2021 regular meeting. Notice of said hearing was timely published in The Seattle Times on September 16, 2021; posted to the City website on September 16, 2021; sent to the public via GovDelivery on September 16, 2021; and posted at City Hall, the Medina Post Office, and Medina Park on September 16, 2021; all in accordance with MMC Chapter 12.44; and

WHEREAS, the Council duly held a legislative hearing on November 8, 2021, wherein the Council reviewed, heard from, questioned, considered and evaluated the following: (i) the City Staff Analysis and Recommendation on the Liang Street Vacation with all its attachments including the City's Market Value Appraisal, the City's power point presentation, maps and diagrams and other materials (collectively **Staff Analysis**), and Staff comments, testimony and responses to questions and comments, all as prepared and presented at the hearing by the City Staff (collectively **City Presentation**); (ii) the Liang Petition, the Petitioners October 25, 2021 Formal Objection to City of Medina Appraisal and its attachments (**Liang Objection**), and comments, testimony and responses to questions and comments, all as presented at the hearing by the Petitioners and their representatives (collectively **Petitioners Presentation**); and (iii) comments and testimony from the public; and

WHEREAS, the Staff Analysis and City Presentation, and the Liang Objection and Petitioners Presentation, as described and referenced in the preceding paragraph are incorporated in full by this reference; and

WHEREAS, the Staff Analysis and City Presentation contained a thorough analysis and review of the Liang Petition, its vacation request, applicable zoning and land use information, market valuation of Petitioners' desired fee simple vacation of public right-of-way, assessment of information pertinent to Council's legislative determination to grant or deny the vacation, and related issues, all as required by MMC Chapter 12.44; and

WHEREAS, the Liang Objection and Petitioners Presentation addressed issues and arguments of concern to the Petitioners, primarily the valuation of the Vacation ROW and its intended use and function if vacated; and

WHEREAS, MMC 12.44.070 requires that fair market value of the Vacation ROW be determined by appraisal at the direction of the City Manager, and such an appraisal was obtained; and

WHEREAS, Upland Road has been in existence far longer than 25 years, thus enabling the Council to require payment of compensation up to the full fair market appraised value of the Vacation ROW in accordance with MMC 12.44.180; and

WHEREAS, the City Council duly deliberated on the facts and merits of the Liang Petition in light of the information presented at the hearing, and determined that approval of the Liang Petition and requested vacation would not harm the public's travel interests in Upland Road; that access to and the utility of the Liang Property would be improved as a result of the vacation; that the addition of taxable real property to the City's tax rolls would perpetually benefit the public interest; that the fee simple fair market value appraisal of the Vacation ROW accounts for the full value of the rights to be released by the public upon granting the requested vacation; that the payment of compensation from the Petitioners to the City in the amount of \$63,750, being one-half of the fee simple fair market value appraisal of the requested vacation, would be in the public interest and address the Petitioners valuation concerns; that the public interest would be further served because not less than one-half of the \$63,750 compensation amount would be used for the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within the City; that no objections to the vacation were raised by neighboring land owners; and that the Liang Petition was properly handled, evaluated, considered, and a final decision rendered in accordance with MMC Chapter 12.44; and

WHEREAS, a majority of the Council approved a motion to grant the requested vacation subject to payment by the Petitioners of \$63,750 and directed the City Attorney to prepare an ordinance to that effect with such terms and other papers as needed to specify and carry out the Council's intent and the requirements of MMC Chapter 12.44, all for Council's review, consideration and action; and

WHEREAS, the Council finds that this Ordinance and its terms and conditions carry out the legislative intent of the Council concerning the vacation of the unopened public right-of-way which is the subject of the Liang Petition and the requirements of MMC Chapter 12.44;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Findings Adopted. The foregoing recitals are adopted as findings and legislative determinations of the City Council in support of its decision concerning the subject matter of this Ordinance.

Section 2. Vacation Granted; Description; Conditions. The City Council hereby vacates 510 sq. ft. of unopened Upland Road right-of-way abutting property addressed as 442-438 Upland Road (referenced herein as the Liang Property) located within the City of Medina, Washington, as such area is legally described and depicted in **Exhibit A** and **Exhibit B** of this Ordinance, each attached and incorporated herein by this reference (hereinafter **Vacated Area**), subject to Petitioner's timely compliance with the terms, conditions and requirements set forth in Section 3 through Section 11 of this Ordinance. In the event that such conditions are not timely performed, the City Clerk shall notify the Council, and the Council may take action to vacate, rescind or modify this Ordinance as it deems appropriate.

Section 3. Title to Vacated Area. Fee simple title to the Vacated Area shall be consolidated with title of the adjacent private property addressed as 442-438 Upland Road, Medina, Washington, and shall vest in the current owner thereof, being Petitioners Kenneth Liang and Laura Liang, and their successors and assigns. The word "Owner" hereafter used in this Ordinance shall mean Kenneth Liang and Laura Liang and their successors and assigns.

Section 4. Right-of-Way Compensation to City. Owner shall pay to City, and City shall accept, the sum of Sixty-Three Thousand, Seven Hundred Fifty Dollars (US \$63,750.00) as full and fair compensation for the rights in the Vacation Area granted and transferred to Petitioners and described in this Ordinance, which sum comprises one-half of the fee simple fair market value of the Vacated Area. Said payment shall be made to the City Clerk by cashier's check or wire transfer not later than 4:00 p.m. three business days following the passage of this Ordinance by the City Council. Contemporaneous therewith, Owner shall pay or shall have paid to the City Clerk all other sums due under MMC Chapter 12.44.

Section 5. Confirmation of Payment. The City Clerk shall promptly confirm in writing to the Mayor, Deputy Mayor, City Manager and City Attorney the Clerk's receipt of all sums due and payable by Owner in connection with the vacation approved by this Ordinance.

Section 6. Authentication and Publication of Ordinance. Upon receiving the notice of payment in Section 5 above, the Mayor, City Clerk and City Attorney are authorized to authenticate this Ordinance by signing their names in the places set forth below. The Clerk may then proceed with publication of this Ordinance.

Section 7. Recording of Ordinance. Following the completion of the steps in Section 6 above and the payment described below, the City Clerk and City Attorney are directed to record a certified copy this Ordinance in the land title records of King County, Washington and provide a conformed copy thereof to the Owner. Owner shall promptly reimburse City's costs and expenses thereof (e.g., final document preparation and cover sheet, processing, recording fees, attorney's costs, etc.) upon presentation of a City invoice.

Section 8. Effective Date of Vacation and Title Transfer. The vacation of public right-of-way and transfer of title granted and described in this Ordinance shall be effective as of the date of recording the Ordinance pursuant to Section 7 above.

Section 9. Corrections. The City Clerk and codifiers of City ordinances are authorized to make necessary corrections to this Ordinance including but not limited to the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 10. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 11. 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 such publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE 13TH DAY OF DECEMBER 2021 BY A VOTE OF FOR, AGAINST, AND ABSTAINING, AND IS SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 13TH DAY OF DECEMBER 2021.

Jessica Rossman, Mayor

Approved as to form:
Ogden Murphy Wallace, PLLC

Attest:

Scott M. Missall, City Attorney

Aimee Kellerman, City Clerk

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: / AB

Exhibit A

To City of Medina Ordinance No. 1007

**Legal Description of Vacated Right-of-Way at 442-438 Upland Road
(Liang Property)**

A PORTION OF HARMON AVE PER PLAT OF KENWOOD PARK AS RECORDED IN BOOK 8 OF PLATS ON PAGE 26, IN KING COUNTY WASHINGTON, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID HARMON AVE LYING IN FRONT OF LOTS 4 AND 5, BLOCK 15 OF SAID KENWOOD PARK; EXCEPT THE SOUTHWESTERLY 15 FEET ADJOINING LOT 5; AND EXCEPT THAT PORTION OF HARMON AVE VACATED UNDER THE CITY OF MEDINA ORDINANCE NO. 804, RECORDED NOVEMBER 2, 2007, UNDER RECORDING NO. 20071102000049.

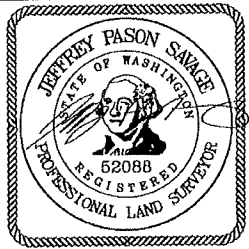
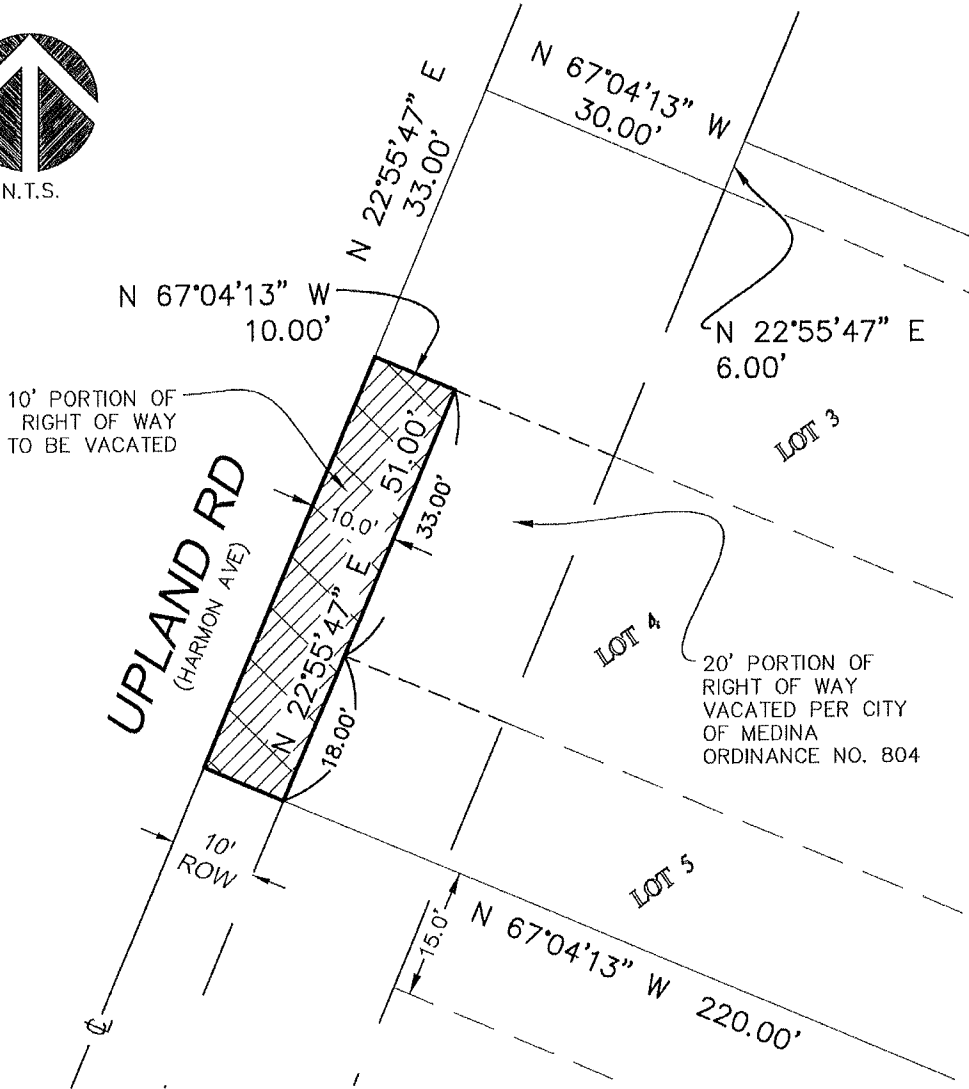
Exhibit B

To City of Medina Ordinance No. 1007

**Depiction of Vacated Right-of-Way at 442-438 Upland Road
(Liang Property)**

[see attached]

EXHIBIT B



VACATION EXHIBIT

438 UPLAND RD
 MEDINA, WA 98039
 JOB NO. 191875
 DATE: 08/20/2021



10801 Main Street, Suite 102, Bellevue, WA 98004
 phone 425.458.4488 support@terrane.net
 www.terrane.net



MEDINA, WASHINGTON

AGENDA BILL

Monday, December 13, 2021

Subject: Approval of Medina Personnel Policies updates: Appendix C (Employee Insurance & Benefits) and Section 5.01 (Salary Plan)

Category: Consent

Staff Contacts: Julie Ketter, Finance & HR Director & Michael Sauerwein, City Manager

Summary

In 2015, Staff and the Personnel Committee drafted a Personnel Policy Manual, which was adopted by Council on 8/10/2015. Previously, there had been no consolidated policy that covered the unrepresented employees. The City Manager was granted the authority to authorize future updates as needed by law or clarity; Council retained the authority to approve all changes that would impact employee compensation or benefits.

The City has 26 total employees, of which nine are not represented by a collective bargaining agreement but instead are managed by the City Council adopted Personnel Policy Manual. A couple of recent events have occurred that relate to non-represented employees' compensation and benefit package but no clear guidance is given in the manual:

1. Standard Life Insurance, offered through AWC increased their maximum amount of Group Basic Life Insurance coverage from \$300K to \$500K. When the Personnel Guidelines were originally adopted, the intention was to offer the non-represented employees the maximum amount available. Non-represented staff had requested this instead of other offerings. The Personnel Guidelines tried to reflect the intention by specifying the 2015 maximum, not considering the possibility of an increase.
2. In order to stay competitive in the region's labor market, and as common practice in the public sector, the City adjusts its salary ranges annually. For non-represented employees this has been to match inflation, as measured by the Seattle, Tacoma, Bellevue CPI-W. Additionally, a single position's range may be adjusted if a market comparable analysis determines a City position's range is no longer being met with just inflationary adjustments. However, June's CPI-W was 6.3%, an amount not seen in decades and certainly not anticipated during the original Policy Manual's 2015 drafting.

Staff would like to make the following recommendations, as previously discussed with the Finance Committee during their October 25th meeting:

1. Amend Personnel Guidelines, Appendix C as reflected in attached proposed redline sections to allow for continuation of providing non-represent employees our provider's full offering amount of Basic Group Life Insurance, as originally intended. This benefit is one of the City's least expensive employee benefits and the cost increase is small since the change only applies to a small number of employees.

2. Amend Personnel Guidelines, section 5.01 as reflected in attached proposed redline section. This will serve as a reminder to future staff and Council to, as we did this year, have a conversation before automatically applying an “extreme” CPI-W to non-represented staff’s annual salary range adjustments during the budgeting season. Since CPI-W is just a snapshot measure at a point in time, sudden swings such as we saw June (1% to 6.3% in 1 year) need to be discussed in context of trend, future forecasts, represented employee increases and City resources.

Attachment

Proposed Amendments Redline Version

Budget/Fiscal Impact: \$3K

Recommendation: Approve

City Manager Approval: 

Proposed Council Motion: “I move to Approve the attached proposed Medina Personnel Guidelines Amendments as previously discussed with Finance Committee and recommended by staff.”

ATTACHMENT

Proposed Personnel Guidelines Amendments

Current Personnel Guidelines section

APPENDIX C

EMPLOYEE INSURANCE AND BENEFITS

Basic Life Insurance with AD & D (Accidental Death & Dismemberment)

Eligible Unrepresented Employees receive life insurance coverage through Standard Life Insurance in the amount of \$300,000 at no cost to them. Employees have the option to purchase additional group life insurance for themselves or their spouse through payroll deduction.

Proposed revision

APPENDIX C

EMPLOYEE INSURANCE AND BENEFITS

Basic Life Insurance with AD & D (Accidental Death & Dismemberment)

Eligible Unrepresented Employees receive life insurance coverage through Standard Life Insurance ~~in the amount of \$300,000 equal to the maximum amount offered~~ at no cost to them ~~employee~~. Employees have the option to purchase additional ~~group~~ life insurance for themselves or their spouse through payroll deduction.

Current Personnel Guidelines section

CHAPTER 5

COMPENSATION

5.01 Salary Plan

The City Manager or his/her designee is responsible for preparing a salary schedule that establishes pay ranges for each job classification. This salary schedule is in effect only with City Council approval and any subsequent changes in the salary schedule must be approved by the City Council.

It is the intent of the City to attract and to retain quality employees. Within budget limitations, the City endeavors to pay salaries competitive with those of other employees in the applicable

ATTACHMENT

labor market. Salaries are reviewed on an annual basis and, resources permitting, an annual adjustment may be applied to salary ranges by the City Council.

Proposed revision**CHAPTER 5
COMPENSATION****5.01 Salary Plan**

The City Manager or his/her designee is responsible for preparing a salary schedule that establishes pay ranges for each job classification. This salary schedule is in effect only with City Council approval and any subsequent changes in the salary schedule must be approved by the City Council.

It is the intent of the City to attract and to retain quality employees. Within budget limitations, the City endeavors to pay salaries competitive with those of other employees in the applicable labor market. Salaries are reviewed on an annual basis and, resources permitting, an annual adjustment may be applied to salary ranges by the City Council. Typically, non-represented employees' annual salary range adjustments reflect June to June's prior year change to the Seattle, Tacoma, Bellevue CPI-W. If this figure is less than 0% or greater than 4%, the City Council (or its subcommittee), City Manager & Finance/HR Director will meet to determine the range adjustment. Refer to Collective Bargaining Agreements for negotiated, required increases for represented employees.



MEDINA, WASHINGTON

AGENDA BILL

Monday, December 13, 2021

Subject: Sound Cities Association Board Elections – North Caucus

Category: Consent

Staff Contacts: Michael Sauerwein, City Manager and Jessica Rossman, Mayor

Summary

On December 15, 2021, from 6:30 p.m. to 8:00 p.m., the North Caucus will meet to discuss requested issues that SCA will tackle in 2022, and to elect board members for 2022.

There are two North seats up for election at the caucus meeting on December 15. Both seats are currently held by incumbents (Mayor Mary Lou Pauly of Issaquah and Councilmember James McNeal of Bothell), both of whom have expressed their intent to run for re-election and so far appear to be running unopposed.

Attachments

1. Email from SCA Executive Director, Deanna Dawson; and
2. Bylaws of Sound Cities Association Packet

Budget/Fiscal Impact: None

Recommendation: Confirm the vote of incumbents Mayor Mary Lou Pauly of Issaquah and Councilmember James McNeal of Bothell.

City Manager Approval: 

Proposed Council Motion: “I move that the City of Medina’s voting delegate confirm the reappointment of the two North Caucus seats to Mayor Mary Lou Pauly of Issaquah and Councilmember James McNeal of Bothell at SCA’s December 15, 2021, meeting.”

From: [Jessica Rossman](#)
To: [Aimee Kellerman](#)
Subject: FW: SCA Board Elections - North Caucus - December 15, 2021
Date: Friday, December 10, 2021 5:39:08 AM
Attachments: [Adopted SCA Bylaws 2020.pdf](#)

Aimee – here's the SCA N Caucus election mail for the packet. Thank you!

From: Deanna Dawson <Deanna@SoundCities.org>
Sent: Thursday, December 2, 2021 1:17 PM
To: Leah Willoughby <Leah@SoundCities.org>
Subject: SCA Board Elections - North Caucus - December 15, 2021

Dear North Caucus Members-

On December 15, 2021 from 6:30-8:00 PM, the North Caucus will meet to discuss issues you would like to see SCA tackle in the coming year, and to elect board members for 2022.

Please respond to this email to let us know who your city's voting representative will be for the board elections. Per the SCA Bylaws, each city must designate one (and only one) voting delegate in writing no less than 48 hours prior to this caucus meeting.

There will be two North seats up for election at the caucus meeting on December 15. Both seats are currently held by incumbents (Mayor Mary Lou Pauly of Issaquah and Councilmember James McNeal of Bothell), both of whom have expressed their intent to run for reelection.

Candidates will run at large for the two seats. More details on how the election will be held can be found in Appendix II to the attached SCA Bylaws. Please let me know if you have any questions on the procedures.

If you are interested in running for the SCA Board, please provide us with written notice by Monday, December 13, 2021 at 6:30 PM. Per the SCA Bylaws, all candidates providing written notice of their candidacy to the SCA Executive Director no less than 48 hours prior to the caucus meeting shall have their names placed on the ballot prepared by SCA staff. Candidates shall be listed on the ballot alphabetically by last name. Other nominations may be made from the floor and may appear as write-in candidates. Prior to voting each candidate shall have the privilege of addressing the voting delegates for up to three minutes to present their qualifications for office.

The caucus meeting this year will take place via Zoom due to the Covid pandemic. Voting will be held via email during the caucus meeting. An email ballot will be sent to voting delegates who have been designated in writing no less than 48 hours prior to this caucus meeting.

While only one delegate per city may vote, all North caucus members are welcome and encouraged to attend the meeting. Please RSVP to leah@soundcities.org to obtain a zoom link to the meeting.

The cities that are members of the North Caucus are:

1. Village of Beaux Arts
2. City of Bellevue
3. City of Bothell
4. City of Clyde Hill
5. Town of Hunts Point
6. City of Issaquah
7. City of Kenmore
8. City of Kirkland
9. City of Lake Forest Park
10. City of Medina
11. City of Mercer Island
12. City of Newcastle
13. City of Redmond
14. City of Sammamish
15. City of Shoreline
16. City of Woodinville
17. City of Yarrow Point

Please let me know if you have any questions.

Best,
Deanna

Deanna Dawson

Executive Director, Sound Cities Association

38 Cities. A Million People. One Voice.

(206) 495-3265

www.soundcities.org



BYLAWS

OF

SOUND CITIES ASSOCIATION

Sound Cities Association
6300 Southcenter Blvd Suite 206
Tukwila Washington 98188
Phone 206 433 7168
Email sca@soundcities.org
www.soundcities.org

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APPENDIX II Election of Board of Directors

ARTICLE 1. NAME, OFFICES AND REGISTERED AGENT

1.1 The name of the corporation shall be Sound Cities Association (herein referred to as "SCA") with its principal office for the transaction of business in the County of King, State of Washington, and/or in such other places as the Board of Directors may determine.

1.2 The Executive Director of SCA shall be the Registered Agent of record.

ARTICLE 2. PURPOSE

2.1 To lead King County cities with a population less than 250,000 to act locally and partner regionally to create livable vital communities through advocacy, education, leadership, mutual support and networking.

ARTICLE 3. MEMBERSHIP

3.1 CLASSES OF MEMBERS. The corporation shall initially have one class of voting members. Additional classes of members, the manner of election or appointment of each class of members, and the qualifications and rights of each class of members may be established by amendment to these Bylaws.

3.1.1 Voting Members Voting membership in the Association shall be open to all cities and towns in King County having a population of less than 250,000. Association members shall be those qualified cities and towns that have paid annual dues and assessments. Membership shall be in the name of the city or town

3.1.2 Regional Associate Membership SCA provides an opportunity for entities other than cities in King County with a public service interest to become members through a special "associate" membership category. Associate members are non-voting members and are not eligible to participate in SCA's legislative policy development or to serve on the Board of Directors or policy committees including but not limited to the Public Issues Committee (PIC).

3.2 QUALIFICATIONS FOR MEMBERSHIP. Voting membership in the Association shall be open to all cities and towns in King County having a population of less than 250,000. Association members shall be those qualified cities and towns that have paid annual dues and assessments. Membership shall be in the name of the city or town.

3.3 MEMBERSHIP ANNUAL DUES AND ASSESSMENTS. The dues of the Association shall be assessed annually as determined by the voting membership's adoption of the Association's budget. Assessments for special activities or expenses may be determined by action of the Board of Directors with approval of a majority of the membership. All dues and assessments will be based on the most recent official population figure for each city and town as provided by the State Office of Financial Management (OFM).

3.4 MEETINGS OF THE MEMBERSHIP

3.4.1. Designation of Delegates Each member city, prior to the annual membership meeting, shall designate one delegate who shall be a duly elected official of such member city to represent the member city in the affairs of the corporation, and shall file with SCA's Executive Director written notification of such designation prior to the annual

membership meeting. Members' delegates may be changed at any time, provided the Executive Director receives written notice of such change prior to the annual meeting.

3.4.2. Voting Each member city shall be entitled to one vote upon each issue submitted to membership vote at the annual membership meeting. Each vote shall be cast in person by the delegate in attendance at the annual membership meeting. Voting by the general membership shall be via voice of the delegates. When the results of a voice vote cannot clearly be determined, any member may call for a roll call vote.

3.5 ANNUAL MEETING. The annual meeting of the members shall be held at such date as the Board may determine, for the purpose of adopting an annual budget and dues, and transacting such other business as may properly come before the meeting. The Board shall arrange for the program of all annual meetings and all other meetings as it determines.

3.6 SPECIAL MEETINGS. Special meetings of the membership may be called for any purpose by (1) the Board or (2) majority vote at the annual membership meeting.

3.7 PLACE OF MEETINGS. Except as provided in Section 3.11, all meetings of members shall be held at a location in King County, Washington selected by the Board. Special meetings shall be held at places as may be determined by (1) the Board or (2) majority vote.

3.8 NOTICE OF MEETINGS. The President or the Board shall cause to be delivered to each member entitled to notice of or to vote at the meeting, either personally, by email, or by mail, not less than ten (10) nor more than fifty (50) days before the meeting, written notice stating the place, date and time of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called.

3.9 QUORUM. Fifty-one percent of the members of the corporation, represented in person shall, constitute a quorum at a meeting of the members. If less than a quorum of the members is represented at a meeting, a majority of the members so represented may adjourn the meeting.

3.10 MANNER OF ACTING. The vote of a majority represented in person at a meeting at which a quorum is present shall be necessary for the adoption of any matter voted upon by the members, unless a greater proportion is required by applicable Washington law, the Articles of Incorporation or these Bylaws.

3.11 VIRTUAL MEETINGS. Any meeting of the membership may be conducted by video conference or similar communications platform when the President or the Board has determined that conducting the meeting in person is not in the interest of the health and safety of the membership, or is not convenient to the membership; provided, all persons participating in the meeting can hear each other at the same time. Participation by members through such means shall constitute presence in person at the meeting.

ARTICLE 4. BOARD OF DIRECTORS

4.1. GENERAL POWERS. The Board of Directors shall have general control and supervision over the corporation and shall be empowered to determine all questions of policy that may arise in all intervals between annual membership meetings.

4.2. NUMBER. The Board shall be composed of thirteen (13) directors, consisting of ten (10) caucus representative directors, one (1) chair of the Public Issues Committee, the

Immediate Past President, and one (1) member representative from a member city in good standing to the King County City Managers and Administrators Group. No member city may have more than one representative on the Board of Directors. The number of directors may be changed from time to time by an amendment to these Bylaws, but no decrease in the number of directors shall have the effect of shortening the term of any incumbent director. The Board shall review the size, make-up and structure of the Board at least once every five (5) years.

4.3. QUALIFICATIONS. In addition to the specific qualifications set forth below, each director must hold an elective office of some city or town within association membership or be a member representative from a member city in good standing to the King County City Managers and Administrators Group. In the event a director ceases to be an elected official or ceases to be employed as the City Manager/Administrator of a member city, his or her position on the Board shall become immediately vacant. Directors may have such other qualifications as the Board may prescribe by amendment to these Bylaws.

4.3.1. Caucus Representative Directors The ten (10) caucus representative directors shall be four (4) chosen from North Caucus, four (4) chosen from South Caucus, one (1) chosen from the South Valley Caucus, and one (1) chosen from the Snoqualmie Valley Caucus as identified in Appendix I.

4.3.2. Chair, Public Issues Committee The chair of the Public Issues Committee shall serve as a director.

4.3.3. City Manager/Administrator Director One director of the Board shall be a member representative of and appointed by the King County City Managers and Administrators Group.

4.4. ELECTION OF DIRECTORS. See Appendix II.

4.5. TERM OF OFFICE. The term of each caucus Director shall be two (2) years. The caucus representatives from each of the North and South caucuses shall serve staggered terms (two elected each year to serve a two (2) term). A caucus representative director may serve three (3) consecutive terms. If a director is chosen to fill less than one-half of an unexpired term, the director is eligible to serve three (3) full terms in addition to the unexpired term. After serving three consecutive terms, a director is ineligible to serve on the Board for a minimum of one (1) year. The time spent in the Immediate Past President role shall not count toward the three-term limit, and also shall not be considered as a one-year break from serving on the Board.

The term of Directors serving as Chair of Public Issues Committee (PIC) or City Manager/Administrator Member shall be one (1) year, and may serve two (2) consecutive terms. If the Chair of Public Issues Committee (PIC) or City Manager/Administrator Member is chosen to fill less than fifty percent of an unexpired term, the director is eligible to serve two (2) full terms in addition to the unexpired term.

Unless a director dies, resigns, is removed, or is no longer qualified to serve as a director, the director shall hold office until the expiration of the term.

4.6. REGULAR MEETINGS OF THE BOARD. By resolution, the Board may specify the date, time and place for the holding of regular Board meetings without other notice than such resolution. Regular meetings must be held at least quarterly.

4.7. SPECIAL MEETINGS OF THE BOARD. Special meetings of the Board or any committee designated and appointed by the Board may be called by or at the written request of the President or any two directors, or, in the case of a committee meeting, by the chairperson of the committee.

4.8. VIRTUAL MEETINGS. Any meeting of the Board or any committee designated by the Board may be conducted by video conference or similar communications platform when the President or committee chair has determined that conducting the meeting in person is not in the interests of health and safety of the Board or committee, or is not convenient to the Board or committee; provided that all persons participating in the meeting can hear each other at the same time. Participation in such a meeting shall constitute presence in person at the meeting, except where a person participates in the meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened.

4.9. PLACE OF MEETINGS. Except as provided in Section 4.8, all meetings of the Board or any committee designated by the Board shall be held at a location within King County, Washington designated by the Board or committee, by any person entitled to call a meeting.

4.10. NOTICE OF SPECIAL MEETINGS. Notice of Board meetings shall be given to a director in writing, by email, or by personal communication with the director not less than five (5) days before the meeting. Notices in writing may be delivered or mailed to the director at their address shown on the records of the corporation. Neither the business to be transacted at, nor the purpose of, any special meeting need be specified in the notice of such meeting. If notice is delivered by mail, the notice should be deemed effective when deposited in the official government mail properly addressed with postage thereon prepaid.

4.11. QUORUM. A simple majority of the directors then in office shall constitute a quorum for the transaction of business at any Board meeting. If a quorum is not present at a meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

4.12. MANNER OF ACTING. The act of the majority of the directors present at a meeting at which there is a quorum shall be the act of the Board, unless the vote of a greater number is required by these Bylaws, the Articles of Incorporation or applicable Washington law. Each director, including the President, Immediate Past President, Vice President, and City Manager/Administrator director shall be entitled to debate and vote upon all issues properly before the Board. Votes of the Board shall be recorded in the Board minutes.

4.13. RESIGNATION. Any director may resign at any time with written notice to the President at the registered office of the corporation, or by giving oral or written notice at any meeting of the directors. Any such resignation shall take effect at the time specified therein, or if a time it is not specified, upon delivery thereof and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

4.14. REMOVAL. Any member of the Board of Directors absent for three consecutive meetings, or for any other reason deemed detrimental to the association, may be removed from office by a two-thirds (2/3) vote of the Board of Directors at any time during their term at any meeting of the Board. This section shall apply to all directors and is not limited to caucus representatives.

4.15. VACANCIES. Any vacancy occurring in the membership of the Board shall be filled as described above. If the vacancy is of a caucus representative director, a meeting of the caucus shall be called to hold an election pursuant to 4.4.1(a). The election of either a caucus member or PIC Chair representative to the Board may be held at the next scheduled meeting of the Public Issues Committee (PIC). The election to fill a vacant City Manager/City Administrator representative may be held at the next regularly scheduled meeting of the City Mangers/Administrators.

4.16. BOARD COMMITTEES.

4.16.1. Standing or Temporary Committees, General The Board, by resolution duly adopted by a majority of the directors present at a meeting at which a quorum is present, may designate and appoint one or more standing or temporary committees. Such committees shall have and exercise the authority of the directors in the management of the corporation, subject to such limitations as may be prescribed by the Board; except, that no committee shall have the authority to: (a) amend, alter or repeal these Bylaws; (b) elect, appoint or remove any member of any other committee or any director or officer of the corporation; (c) amend the Articles of Incorporation; (d) adopt a plan of merger or consolidation with another corporation; (e) authorize a sale, lease or exchange of all or substantially all of the property and assets of the corporation not within the ordinary course of business; (f) authorize the voluntary dissolution of the corporation or revoke proceedings therefore; (g) adopt a plan for the distribution of the assets of the corporation; and (h) amend, alter or repeal any resolution of the Board or membership that by its terms provides that it shall not be amended, altered or repealed by a committee. The designation or appointment of any such committee and delegation thereto of authorities shall not operate to relieve the Board or any individual director of any responsibility imposed upon it, him or her by law. Only members in good standing may be represented on any committee of the Board.

4.16.2. Quorum; Manner of Acting A simple majority of the number of members composing any committee shall constitute a quorum, and the act of a simple majority of the members of a committee present at a meeting at which a quorum is present shall be the act of the committee unless a greater proportion is required by applicable Washington law, the Articles of Incorporation or these Bylaws.

4.16.3. Resignation Any member of any committee may resign at any time by delivering written notice to the President or the chairperson of such committee, or by giving oral or written notice at any meeting of such committee. Any such resignation will take effect at the time specified therein, or if a time is not specified, upon delivery thereof and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

4.16.4. Removal of Committee Member The Board, by resolution adopted by a majority of the directors in office, may remove from office any member of any committee elected or appointed by it.

4.16.5. Executive Committee There shall be an Executive Committee of the Board, composed of the President, Vice President, Immediate Past President, Treasurer, and Secretary. The Executive Committee shall be authorized to exercise such powers as may be delegated to it by the Board.

4.16.6. Finance Committee There shall be a Finance Committee of the Board which shall be chaired by the Treasurer of the Board, and shall consist of at least two additional board members. In addition, at the discretion of the Board, the Finance Committee may include an additional member who is a City Manager/Administrator or Finance Director of a member city in order to provide technical assistance and financial expertise to the Committee. The Finance Committee shall provide financial oversight of the corporation, and shall recommend an annual budget to the Board.

4.16.7. Public Issues Committee There shall be a Public Issues Committee which shall review and evaluate policy positions and recommend to the Board what, if any, action should be taken on such policy positions.

a. Membership shall consist of one representative and one alternate from each member city. Each representative or alternate must hold an elective office in the city or town they represent.

b. Committee Leadership shall be a Chair and Vice-chair elected by the committee and may serve up to two consecutive one-year terms. The Chair shall establish the agenda in advance of each meeting in conjunction with the Executive Director. The Chair shall appoint subcommittees as needed.

c. Regular Meetings shall be held monthly or as deemed necessary.

d. Special Meetings may be called by the Chair of the committee or at the request of the Board in an emergency situation. Single issue emergency meetings may be held virtually.

e. Quorum; Manner of Acting. Fifty-one percent of the members of the committee, represented in person, shall constitute a quorum at a meeting of the committee. If less than a quorum of the members is represented at a meeting, a majority of the members so represented may adjourn the meeting. The vote of two thirds (2/3) represented in person at a meeting at which a quorum is present shall be necessary for the advancement of a public policy position to the Board. Votes shall be recorded in the minutes of the PIC meeting. Votes shall be in the name of the member city, rather than the individual representing the city.

Issues will be heard at one regularly scheduled meeting for discussion and may return no sooner than the next regularly scheduled meeting for action. If not immediately addressing a policy issue renders SCA unable

to take a position on a timely basis, 85% of those present at a regularly scheduled meeting may declare an issue an emergency and the issue may be discussed and voted upon at the same meeting.

f. Vacancies on the committee are to be filled immediately by the member city responsible for the vacancy.

g. Regional Committee Appointments shall be recommended to the Board by the PIC, and the Board shall act upon the recommendation of the PIC no later than December 31st each year. Additional recommendations may be made as vacancies occur throughout the year. A nominating committee of the Public Issues Committee consisting of one representative of each SCA Regional Caucus shall be appointed annually by the Chair of the Public Issues Committee in October to recommend appointments to the committee.

Appointees to major regional committees shall be selected from among elected officials otherwise qualified to serve in such positions, in accordance with the terms of the enabling documents creating such boards and committees. Appointees shall represent the positions of all the member cities. Equitable geographic distribution shall be considered in recommending appointments to the Board of Directors.

Any Appointee absent for three consecutive meetings, or for any other reason deemed detrimental to the association, may be removed from office by a two-thirds (2/3) vote of the Board of Directors at any time during their term at any meeting of the Board.

Cities within King County who are not members of the Association may make recommendations to the nominating committee and be appointed to regional committees.

No member shall serve more than six (6) consecutive years on a regional board or committee appointed by SCA. This limitation shall not apply to alternates to regional boards and committees. Once a member has served six (6) consecutive years on a regional board or committee, that member shall be ineligible to serve on said committee for a minimum of one (1) year. This limitation shall be effective beginning with appointments to 2014 regional boards and committees.

In extraordinary circumstances, the Board may make exceptions to the six-year term limit upon the recommendation of the PIC nominating committee and the PIC when a supermajority (2/3) of Board members present and voting at a meeting finds that doing so would be in the best interests of SCA and its member cities.

4.16.8. Board Nominating Committee There shall be a Nominating Committee of the Board appointed by the President no later than November 15th of each year. The President shall appoint a committee of four members including the Immediate Past-President and regionally balanced representation. Notice of such appointments and the date of the place

of the first meeting of the Nominating Committee shall be given to each member immediately following said appointments. Members of the Nominating Committee shall not be eligible to run for an officer position during the year in which they serve on the Nominating Committee.

The Nominating Committee shall meet in advance of the January meeting of the Board of Directors and shall select a chairperson from its own membership and compile a list of potential candidates for the following positions: President, Vice President, Secretary, and Treasurer of the corporation..

Following the first meeting of the Nominating Committee and prior to the January meeting of the Board of Directors, the Nominating Committee shall report its initial list of candidates to the Board. The President shall invite additional nominations for positions to be made from the floor by any director after reading an acceptance of the Nominating Committee's final report; provided, however, that nominations from the floor, which must be seconded, shall designate the office or represented position to be filled and the nominee has agreed to comply with the responsibilities of the position for which they are being nominated.

4.17. COMPENSATION. The directors shall receive no compensation for their service as directors but may receive reimbursement for expenditures incurred on behalf of the corporation.

ARTICLE 5. OFFICERS

5.1. NUMBER AND QUALIFICATIONS. The officers of the corporation shall be a President, Vice President, Secretary, Treasurer, and an Immediate Past President. Other officers and assistant officers may be elected or appointed by the Board, such officers and assistant officers to hold office for such period, have such authority and perform such duties as provided in these Bylaws or as may be provided by resolution of the Board. Any officer may be assigned by the Board and any additional title that the Board deems appropriate. The President, Vice President, and Immediate Past President must hold an elected office of a member city or town. In the event an officer ceases to be an elected official, their position shall immediately become vacant.

5.2. ELECTION AND TERM OF OFFICE. The President, Vice President, Secretary, and Treasurer of the corporation shall be elected each January by the Board of Directors. At the end of their term as President, the President shall serve as Immediate Past President. Unless an officer dies, resigns, is removed from office, or is no longer qualified to serve as an officer, they shall hold office for one year.

5.3. RESIGNATION. Any officer may resign at any time by delivering written notice to the President, Vice President, or the Board, or by giving oral or written notice at any meeting of the Board. Any such resignation shall take effect at the time specified therein, or if a time is not specified, upon delivery thereof, and unless otherwise specified therein, acceptance of such resignation shall not be necessary to make it effective.

5.4. REMOVAL. Any officer elected or appointed by the Board may be removed from office by the Board whenever in its judgment the best interests of the corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

5.5. VACANCIES. A vacancy in any office created by the resignation, removal, disqualification, creation of a new office or any other cause may be filled by the Board for the unexpired term.

5.6. PRESIDENT. The President, subject to the Board's control, shall supervise and control all of the assets, business and affairs of the corporation. The President shall preside at all meetings of the members and the Board and at all meetings of the Executive Committee. The President may sign contracts or other instruments, except when the signing and execution thereof have been expressly delegated by the Board or by these Bylaws to some other officer or agent of the corporation, or are required by law to be otherwise signed or executed by some other officer or in some other manner. In general, the President shall perform all duties incident to the office of President and such other duties assigned by the Board from time to time.

5.7. VICE PRESIDENT. In the event the President vacates their office prior to the end of the term, the Vice President shall perform the duties of the President, except as may be limited by the resolution of the Board, with all the powers of and subject to all restrictions upon the President. The Vice President shall have, to the extent authorized by the President or the Board, the same powers as the President to sign contracts or other instruments. The Vice President shall perform such other duties as from time to time may be assigned by the President or the Board.

5.8. TREASURER. The Treasurer, subject to the Board's control, shall provide a leadership position within the Board in the area of fiscal review.

5.9. SECRETARY. The Secretary shall, In addition to their duties as a director and a member of the Executive Committee, perform all duties incident to the Secretary and such other duties as may from time to time be assigned to him or her by the President or the Board.

5.10. IMMEDIATE PAST PRESIDENT. Upon expiration of their term as President, the President shall serve as Immediate Past President. In addition to his or her duties as a director and a member of the Executive Committee, the Immediate Past President shall perform such duties assigned to him or her by the Board from time to time.

5.11. COMPENSATION. The President, Vice President, Treasurer, Secretary, and Immediate Past President shall receive no compensation for their services as officers but may receive reimbursement for expenditures incurred on behalf of the corporation.

ARTICLE 6. ADMINISTRATIVE PROVISIONS

6.1. FINANCES. The finances of the corporation shall comprise of membership fees of the members and other moneys as may be received from other sources. All membership fees and other moneys shall be paid to the corporation, which shall deposit all such moneys in an approved financial institution. All expenditures of the corporation shall be made in accordance with the annual budget adopted by or as amended by the Board.

6.2. BOOKS AND RECORDS. The corporation shall keep at its principal or registered office copies of its current Articles of Incorporation and Bylaws; correct and adequate records of accounts and finances; minutes of the proceedings of its members and Board, and any minutes that may be maintained by committees of the Board; records of the name and address and

class, if applicable, of each member and director, and of the name and post office address of each officer; and such other records as may be necessary or advisable. All books and records of the corporation shall be opened by request at any reasonable time for inspection by any member of three months standing or to a representative of more than 5% of the membership.

6.3. ACCOUNTING YEAR. The accounting year of the corporation shall be twelve (12) months ending December 31 of each year.

6.4. RULES OF PROCEDURE. The rules of procedure at meetings of the members, Board and committees of the Board shall be governed by rules contained in Robert's Rules of Order Newly Revised, Eleventh Edition, so far as applicable when not inconsistent with these Bylaws, the Articles of Incorporation or any resolution of the Board.

6.5 STAFF. The administration of Association routine operations shall be the responsibility of salaried staff, under the leadership of an Executive Director appointed by the Board.

ARTICLE 7. SPOKESPERSONS AND REPRESENTATIVES OF THE ASSOCIATION

Any elected official or other person who represents the member cities of this Association shall undertake to represent the interests of the group of cities as a whole or of the Association, and not the interests of their individual city. Representatives named by any Regional Caucus for appointment to regional forums and spokespersons identified by the Board or any committees shall represent the interests of the entire class of cities which they are charged with representing.

ARTICLE 8. AMENDMENTS

These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted at the annual meeting of the membership by the affirmative vote of two-thirds of the voting members present.

ARTICLE 9. DISSOLUTION

The Association may dissolve and conclude its affairs by the Board of Directors adopting a resolution in accordance with Chapter 24.03 RCW (Washington Non-profit Corporation Act) recommending that the Association be dissolved and directing that the question of dissolution be put to a vote of the entire voting membership. A resolution recommending dissolution shall be mailed to the member cities and towns at least twenty (20) days prior to the meeting at which the vote on dissolution is to be taken. A resolution recommending dissolution must be approved by a vote of at least sixty (60%) per cent of the member cities and towns qualified to vote. If dissolution occurs, the assets of the Association shall be disposed of and the proceeds distributed to member cities and towns in a formula identical to that in which Association dues and assessments are assessed.

* * * * *

CERTIFICATE OF ADOPTION

The undersigned, being the President of SCA, hereby certifies that the foregoing is a true and correct copy of the Amended Bylaws adopted by vote of the Membership of the corporation on December 2, 2020.



Dana Ralph, President

Appendix I.

The caucuses shall be comprised as follows:

NORTH CAUCUS	SOUTH CAUCUS	SNOQUALMIE VALLEY CAUCUS
Village of Beaux Arts	City of Auburn	City of Carnation
City of Bellevue	City of Burien	City of Duvall
City of Bothell	City of Covington	City of North Bend
City of Clyde Hill	City of Des Moines	City of Skykomish
Town of Hunts Point	City of Federal Way	City of Snoqualmie
City of Issaquah	City of Kent	Total 2019 Population 30,900
City of Kenmore	City of Maple Valley	SOUTH VALLEY CAUCUS
City of Kirkland	City of Normandy Park	City of Algona
City of Lake Forest Park	City of Renton	City of Black Diamond
City of Medina	City of SeaTac	City of Enumclaw
City of Mercer Island	City of Tukwila	City of Milton
City of Newcastle	Total 2019 Population 590,840	City of Pacific
City of Redmond		Total 2019 Population 27,985
City of Sammamish		Population per OFM.
City of Shoreline		All caucuses subject to payment of 2021 dues as approved.
City of Woodinville		
City of Yarrow Point		
Total 2019 Population 581,000		

Appendix II

ELECTION OF BOARD OF DIRECTORS

1. INTRODUCTION. Delegates selected by each member do not constitute a governing body but only the voting representatives to provide for the election of designated director positions on the Board.

2. ELECTION OF DIRECTORS; TIMING. The Caucuses shall elect directors at a caucus meeting, held no later than December 31st of each year. The chair of the Public Issues Committee shall be elected by the committee no later than December 31st of each year. The City Manager/Administrator director shall be appointed by the group at the first King County City Managers and Administrators Group meeting of the year.

3. ELECTIONS OF CAUCUS REPRESENTATIVE DIRECTORS.

3.1 Candidates. All candidates providing written notice of their candidacy to the SCA Executive Director no less than 48 hours prior to the caucus meeting shall have their names placed on the ballot prepared by SCA staff. Candidates shall be listed on the ballot alphabetically by last name. Other nominations may be made from the floor and may appear as write-in candidates. Prior to voting each candidate shall have the privilege of addressing the voting delegates for up to three minutes to present their qualifications for office.

3.2 Voting Delegates. Each member city, prior to the caucus meeting when election of caucus representative director(s) occur, shall designate one delegate. Each delegate shall be a duly elected official of such member city. The delegate represents the member city as a voting representative at the caucus meeting, and shall file with SCA's Executive Director written notification of such designation no less than forty-eight (48) hours prior to the caucus meeting. Member cities' delegates may be changed at any time provided the Executive Director receives written notice of such change prior to the caucus meeting.

3.3 Voting. The election shall be conducted by ballot by those delegates present and qualified to vote. No proxy votes shall be allowed. Ballots shall be returned to SCA staff, who shall tally the results.

If the number of candidates is equal to the number of seats to be filled, the Chair of the caucus meeting may dispense with the requirement for ballots and allow for election by acclamation if there is no objection.

3.4 Single seat election. Each voting delegate shall be entitled to one vote. The candidate receiving the majority of votes cast shall be elected. In the event that no candidate receives a majority of votes in the first ballot or a subsequent ballot, the candidate (or tied candidates) receiving the lowest number of votes shall be eliminated and balloting shall continue until one candidate receives a majority of votes.

3.5 Multiple seat election. If multiple seats in a caucus are up for election, all candidates for the multiple seats shall be voted on simultaneously. Each voting delegate shall be entitled to cast a number of votes equal to the number of seats in the caucus up for election. A voting delegate may cast no more than one vote per candidate.

3.6 Election for a partial term. In the event that one or more of the seats to be filled is a partial term caused by a midterm resignation of a caucus representative director, the candidate(s) receiving the higher vote total shall be elected to fill the full term vacancy or vacancies. The candidate(s) elected with the next highest number of votes shall be elected to the partial term; provided, in the case of a tie, or when voting is held by acclamation rather than written ballot, a candidate may volunteer to serve the partial term.

3.7 Caucus Quorum Required. In the event that there is no quorum at a caucus meeting at which caucus representative director(s) are to be elected, SCA staff shall attempt to reschedule a caucus meeting. Should attempts to schedule a caucus meeting with a quorum be unsuccessful, the caucus election shall take place at the next regularly scheduled Public Issues Committee (PIC) meeting. Should the caucus not have quorum present at the PIC meeting, the caucus seat shall remain vacant until attempts to schedule a caucus meeting with a quorum are successful.

3.8 Majority Required. A candidate is required to secure votes from a majority of delegates present and voting in order to be elected.

3.8.1 In the event that the number of candidates receiving votes from a majority of delegates present and voting is equal to the number of seats to be filled, those candidates shall be declared elected.

3.8.2 In the event that the number of candidates receiving votes from a majority of delegates present and voting exceeds the number of seats to be filled, the candidate(s) receiving the highest number of votes shall be declared elected.

3.8.3 In the event the number of candidates tied for the highest number of votes exceeds the number of seats to be filled, a runoff election shall be held between those top candidates. See Section 3.9, below.

3.8.4 In the event there is a tie for second or third place, a runoff election shall be held between those candidates. Section 3.9, below.

3.8.5 In the event that one or more candidates, but less than the total number of seats to be filled, receive a majority of votes on the first or subsequent ballots, the candidate(s) receiving votes from a majority of voting delegates shall be declared elected. Voting for the remaining director seat(s) shall continue with the remaining candidate(s).

3.8.6 In the event that no candidate receives a majority of votes in the first ballot or a subsequent ballot, the candidate receiving the lowest number of votes shall be eliminated and balloting shall continue.

3.9 Tie Votes. In the event that there is any tie vote under above Section 3.8, another vote shall be held. In the event that voting remains tied after three rounds of voting, a deadlock shall be declared, and the meeting shall be adjourned. SCA staff shall reschedule an additional caucus meeting for the purpose of holding an election to break the tie. Should attempts to schedule a caucus meeting with a quorum be unsuccessful, the caucus election shall take place at the next regularly scheduled Public Issues Committee (PIC) meeting. Should the caucus be unable to break the tie at the next caucus meeting/election, the caucus seat shall remain vacant until a successful vote to break the tie.

3.10 Candidates from Same City. As noted in section 4.2 of these SCA Bylaws, no member city may have more than one representative on the Board of Directors. A candidate shall be ineligible to run for election to the SCA Board when an individual from the member city is already serving an unexpired term on the Board. Further, cities are encouraged to have no more than one candidate simultaneously seek an SCA Board position, and to work within the city to determine which candidate should seek election to the SCA Board. In the event that two or more candidates from the same city simultaneously seek election to the SCA Board, only the candidate receiving the highest vote total shall be elected.

3.11 Virtual Elections. The election of board members may be conducted by video conference or similar communications platform when the President or the Board has determined that conducting the meeting in person is not in the interest of the health and safety of the membership, or is not convenient to the membership; provided, all persons participating in the meeting can hear each other at the same time. Participation by members through such means shall constitute presence in person at the meeting. Voting may be conducted by such process as determined by the Executive Director in consultation with the Board.



MEDINA, WASHINGTON

AGENDA BILL

Monday, December 13, 2021

Subject: Tree Code Update

Category: Public Hearing

Staff Contact: Stephanie Keyser, Planning Manager

Summary

Due to the extenuating circumstances regarding the City Manager's resignation and need to discuss the transition plan, City staff recommends cancelling the public hearing on the tree code and re-noticing it for a future date.

Attachment

None

Budget/Fiscal Impact: N/A

Recommendation: Cancel public hearing and re-notice it for a future date.

City Manager Approval:

Proposed Council Motion: I move to cancel tonight's public hearing on the tree code, and re-notice it for a future date, in order to provide additional time during tonight's Council meeting to discuss the City Manager's transition

Time Estimate: 5 minutes

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No Attachment

City of Medina
Management Transition Plan

December 9, 2021

Introduction

On December 3, 2021, City Manager Michael Sauerwein delivered his notice of resignation to the Medina City Council. His last day as Medina City Manager will be January 3, 2022. In order to prepare for that event and ensure continuity of City government, the Medina City Council's Personnel Committee, comprised of Mayor Jessica Rossman and Deputy Mayor Cynthia Adkins, have been working with Medina City Attorney Scott Missall to establish a short term plan facilitating the immediate need for the City Council to identify and appoint an Interim City Manager (ICM) who can work with outgoing City Manager Sauerwein in December and assume the ICM role on January 4, 2022, and a longer term plan for the Council to identify, select and engage a new full-time City Manager for Medina.

Purpose and Goal

The purpose and goal of this Management Transition Plan (MTP) is to establish a two-fold process that will: (1) ensure the short term continuity of City management and governmental functions, and the delivery of necessary and appropriate services to Medina residents; and (2) establish a reasonable timeframe for Medina's newly-elected City Council to identify, select and retain a regular full-time City Manager for Medina.

Personnel Committee Interviews with Directors and City Manager

Following receipt of the resignation, the Personnel Committee began conferring with Michael and the City's Directors about the transition. The Committee interviewed each Director individually, focusing on the status and maintenance of City services, and what gaps (if any) would be created by Michael's departure. Each Director advised that their operations and delivery of public services would continue as normal, even with Michael's departure, because the Directors are subject-matter experts for their Department and they are each managing their substantive operations independently of Michael's direct participation.

In its discussions with Michael, the Committee found him personally and organizationally committed to a smooth transition. He is participating in all of the activities needed to ensure a smooth transition process.

Short Term Transition Schedule

Based on the foregoing work, and in recognition of (i) the need to timely appoint an Interim City Manager to overlap with Michael's final 21 days of service and help ensure a smooth transition, (ii) the benefit to be gained by thus allaying some of the concerns identified by the Directors, (iii) the practical fact that the December 13th Council meeting is the last meeting of the year, and (iv) that a new Council will be seated in January after Michael's departure, the Committee proposes that the Council continue and formally implement the following transition schedule to address the City's needs arising from Michael's departure:

12.6--12.9: Committee interviews; work and drafting of MTP and its component parts.

12.8 @ 11:30: Agenda preparation meeting held for the 12.13 Council meeting. Council agenda was streamlined by moving various items to consent or future dates, enabling Council to have adequate time to review, discuss and address the pending management transition.

12.9: Michael and City Clerk Aimee Kellerman to issue a City statement (prepared in concert with the Personnel Committee) regarding Michael's departure and the next steps in the City's management transition.

12.10: Send final MTP to Council with additional comments regarding procedures and options for review prior to Council's 12.13 meeting. Issue and publish regular public Council packet for meeting.

12.13 @ 4:00: Final Council meeting of 2021. Principal actions will include the following, with public discussion (and possible executive session discussion) of the management transition and MTP consuming the majority of the Council's meeting time:

- * Attend to non-transition Agenda action items with due deliberation
- * Public session Council discussion of Michael's departure and transition issues
- * Possible executive session for Council evaluation of MTP with City Attorney
- * Public session MTP action items for Council decision:
 - * Appoint Interim City Manager to serve commencing 1.4.2022
 - * Direct coordination of transition by Michael and ICM for benefit of City
 - * Adopt MTP (as presented or as may be modified) for continuing implementation

12.14.2021 -- 1.3.2022: ICM and Michael work together to facilitate coordinated transition

1.3.2022: Michael's last day as Medina City Manager

1.4.2022: Interim City Manager formal start date

1.2022 ~ 6.2022: Development and implementation of long term MTP as Council determines necessary for appointment of regular City Manager for Medina

Personnel Committee Recommendation for ICM Selection

Based on its work and evaluation of transition issues, the Personnel Committee recommends that Council appoint Police Chief Steve Burns to serve as Medina's Interim City Manager for a duration of six months. The Committee's reasons for its recommendation are these:

The City will be best-served by an ICM who can immediately step in and learn from Michael during his last few weeks in Medina. As a practical matter, especially given the time of year, there is not sufficient time for an outside search to bring in a new person before Michael's departure.

Medina has an excellent team of Directors in place, and retention of that team should be Council's immediate priority. Even apart from the key importance of treating City employees thoughtfully, the bare facts are that the loss of Director-level employees in a small staff impacts the City's ability to function, and that finding replacements is both labor-intensive and expensive. The Committee believes that the goal of retention is best served by respecting the Directors' desire for stability and continuity in the team, and that appointing Chief Burns would best accomplish that under the circumstances. Most Directors told the Committee that they support the appointment of Chief Burns as the ICM.

Chief Burns is actively seeking a different career opportunity with new challenges and has enthusiastically stepped forward and asked to be appointed to the ICM position. Prior to Michael's departure, his plan had been to retire from Medina after 2022 and find a new path outside law enforcement. Now that Michael is leaving, he sees the opportunity to leverage his knowledge of Medina built as Chief and serve in a new position for the benefit of the City and himself. He has told the Committee that he is fully committed to the City Manager role, loves the City staff, and believes he can make a difference here. He also has a realistic understanding of what he doesn't know. He described how he would meet with each staff member to empower and support each one and understand what they do; he is also willing to take classes to increase his knowledge in

new areas. He is aware of ongoing morale issues within City staff and committed to working on improvement. He explained that his past professional experience and his personality will enable him to quickly take on this new role, and that he is really excited to have this opportunity if selected.

Chief Burns has extensive management experience, and has had success joining organizations outside his specific expertise and learning as he leads them. He did this while at the Washington State Patrol with both the Fusion Center and the bomb squad. Obviously his City experience is limited to his role as Medina's Chief for the past 7 years, so Council would need to rely on his expertise as a leader rather than his expertise in City management; Chief Burns readily admits that he is unfamiliar with Development Services and Public Works, in particular, but eager to learn. Given that this is an interim appointment, Council will be able to assess this potential issue in more detail in the new year. The Committee does not believe the learning curve is unreasonable nor that it outweighs the other reasons to appoint Chief Burns as interim city manager immediately.

Although the Committee has obviously not had time to fully vet Chief Burns during the few days since Michael's resignation, Chief Burns has a strong and positive reputation in our community. He also has a calm demeanor, which is something Council and residents have valued in our current City Manager.

The Police Department has an automatic order of succession, so the continuity of police services would not be compromised by re-assigning Chief Burns to act as full time ICM. Jeff Sass would become Acting Chief, and Austin Gidlof would take on Captain Sass's current responsibilities during Chief Burns' reassignment.

Selection of Regular City Manager

Per the framework above, the Personnel Committee recommends that the ICM appointment be for a stated duration of six months unless a regular City Manager is selected and appointed by City Council at any time during that period. During the six-month time period, Council should evaluate the performance of the ICM and contemporaneously determine what process, if any, it chooses to use for identification and selection of a regular City Manager.



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

Date: December 13, 2021
To: Honorable Mayor and City Council
From: Michael Sauerwein, City Manager
Subject: City Manager Report

2021 City Manager Goals, Projects, and Objectives

The adopted 2021 City Manager Goals, Projects, and Objectives are attached.

Updated 12-13-2021

2021 City Manager Goals, Projects, and Objectives

City Manager

- **SR 520 Expansion-Joint** (on-going) – Continue to aggressively manage SR 520 expansion-joint noise issue to achieve an agreeable resolution.
 - Maintain regular and consistent communication with Washington State Legislators, WSDOT, and consultants.
 - Continue to work with Legislators, WSDOT, and consultants to include Phase 2 of the University of Washington Engineering Department’s Sound Mitigation Study in the State’s Supplemental Budget.
 - Funding for Phase 2 is included in the State’s 2021-2022 Budget.
 - Presentation by University of Washington Engineering Department at the November 8, 2021, City Council Meeting.
 - Have the University of Washington Engineering Department to present the results of Phase 2 of their Sound Mitigation Study to the City Council. (2022).
- **Community Survey** (first half) – In 2019 and 2020 the Development Services Department conducted three surveys to ascertain citizen’s attitudes regarding construction and development in their neighborhoods. Results of the surveys were discussed at the September 22, 2020 Joint City Council Planning Commission Meeting.

In 2021 we will conduct a Community Survey including city services, community priorities, and quality of life in Medina.

This project has been rescheduled for 2022.

- **Bi-Monthly Online Open House with the City Manager and Police Chief** (first half) – This is a temporary COVID replacement for “Coffee with the City Manager and Mayor” and “Coffee with a Cop”.
 - City Staff has/will hold the following on-line Community Forums:
 - Emergency Preparedness and other Community Public Safety Concerns **(1-14-2021)**.
 - Virtual Tour of 2021 Public Works Projects **(3-22-2021)**.
 - Juvenile Safety Forum **(3-31-2021)**.
 - Open House – Medina Park Playground **(5-13-2021)**.
 - Community Forum – Gas Powered Lawn Equipment **(6-24-2021)**.

- Community Forum – Mental Health with Susie Kroll (7-20-2021).

We had hoped to re-start Coffee with City Manager and Coffee with a Cop in September 2021. Unfortunately, COVID has prevented us from doing so.

- **Park Use Permit** (second half) – Update the City’s Park Use Permit Process. This project has been moved to 2022.
- **Labor Contract Negotiation** (on-going) – Initiate negotiations of the City’s three expiring labor contracts.
 - Public Works (Teamsters).
 - Clerical Employees (Teamsters).
 - Police Officers (Police Guild).
- **Speeding and Traffic Calming** – See Police Department
- **Leaf Blowers and Gas-Powered Lawn Equipment** (first half) – Work with neighboring cities, to regulate use of this equipment. (2020 Performance Review)
 - Discussed at City Council Meeting (4-12-2021)
 - Community Forum – Gas Powered Lawn Equipment (6-24-2021)
 - Discussed at the City Council Meeting (7-12-2021)
 - Further discussion is planned in 2022.
- **Employee Training Programs** (second half) – The following programs are offered at no-cost through our insurance carrier; Washington Cities Insurance Authority (WCIA).
 - **Implicit Bias and Unlearning Racism** – I recently attended this excellent two-day program. While our Police Officers receive similar training on a regular basis as part of the Department’s accreditation process ...I would like to provide it to all City employees this year.
 - The City’s Management Team has signed up for this training program.
 - **Preventing Harassment and Discrimination in the Workplace** – This ½ day program is regularly provided to all employees. One session for employees. One for supervisors. We will also include lifeguards and seasonal employees if scheduling allows.
 - All regular employees have completed this training program.
- **Undergrounding of Utilities** (second half) – Direct City Engineer to prepare engineer’s estimate of project design costs within the right of way, (100% City responsibility). Obtain detailed and reliable pricing information from Puget Sound Energy of property

owner costs. Prepare a plan that can help inform future City Councils in moving forward with pilot project or city-wide project.

- Selected the **NE 12th Street Sidewalk Improvements** as our undergrounding utilities demonstration project. Construction is scheduled for Summer 2022.
- **Annual Review Process** (first half) – Work with the Personnel Committee to develop an annual review process for all City Staff. (*2020 Performance Review*)
 - City Staff will follow the performance review process outlined in Chapter 8 of the City’s Personnel Guidelines
- **All Staff Meeting** (on-going) – Schedule regular All Staff Meetings. (*2020 Performance Review*)
 - Regular All Staff Meetings have been scheduled.
- **Continue working toward earning my PhD in Political Science** (on-going).
- **Working with the City Council** (first and second half).
 - Organize ½-day virtual City Council Retreat this Spring. And, hopefully, 1-day Retreat this Fall (**2-22-2021**).
 - Review the City’s Vision and Mission Statements (**2-22-2012**).
 - Discuss City Council Rules and Guidelines (**2-22-2012**).
- **Brief Monthly Update/Expanded Quarterly Update** (on-going) – Provide the City Council with status reports on progress in meeting 2021 Objectives.
- **Maintain and Expand Visibility in the Community** (on-going).
 - Proactively drive around the community, noting any problem issues or areas, and report to Council.
 - As in past years, I will attempt to attend all City Events and Activities.
 - In addition to the monthly City Council Meetings and the Study Sessions, I also regularly attend Park Board, and Emergency Preparedness Committee Meetings.

Public Works

- **Streets and Sidewalks 2021** (first and second half).
 - 86th Ave NE Overlay.
 - Due to conflicts with other planned projects, delayed until 2022.
 - 77 Ave NE Storm Improvements Phase 1

- Construction Fall 2021
 - Include minor stormwater repairs at 1040 Evergreen Point Road & 400 Block of Overlake Drive East.
 - Citywide Stormwater Mapping
 - 90% Complete (reviewing 22 outfalls located on private property)
 - 84th Ave NE Overlay – NE 12th to Overlake Drive.
 - Scheduled for August 2021.
 - Completed.
 - NE 12th St Sidewalk Improvements – West Segment.
 - Selected as our undergrounding utilities demonstration project. Construction is scheduled for Summer 2022.
- **Streets and Sidewalks Ongoing** (on-going).
 - Trimming hedges and trees impacting sidewalk rights-of-way.
 - Street sweeping and vactoring catch basins per NPDES requirements
 - Stormwater Public Outreach & Education Program
 - Private Stormwater Inspection Program
 - Timely responses to any community complaints.
- **Parks** (first and second half).
 - Medina Park – Playground Addition.
 - Construction Spring 2022 due to supply chain issues
 - Medina Beach Park – Tree Re-Planting.
 - On-going
 - Fairweather Park – Tennis Court Resurfacing.
 - Completed Spring 2021
- **Other Projects** (first and second half).
 - Stormwater System Mapping and Evaluation Phase 2.
 - City Council presentation Fall 2021
 - Striping City Parking Lots and NE 8th Load/Unload Zone
 - Construction Fall 2021
 - Completed.
 - Post Office Floors.
 - Construction Fall 2021
 - Police Department Floors.
 - Construction Fall 2021
 - Completed.

Police

- **Washington Association of Sheriffs and Police Chiefs (WASPC) Accreditation** (second half) – Medina Police Department is up for WASPC re-accreditation in 2021.

Department successfully passed re-accreditation in May 2017. The purpose of law enforcement agency accreditation is to professionalize the law enforcement industry by providing a review process for agencies to be certified as operating under industry best practices and standards.

- WASPC has assigned a “mentor” who will be providing guidance while evaluating the Medina Police Department progress.
 - Mentor reviewing proofs as they are entered into the system.
 - Accreditation completed November 2021.
- **Training** (on-going) – Fulfilling the expanded training requirement for the Law Enforcement Training and Community Safety Act (LETCSA), passed in 2018. This will be the first year we will be required to fulfill higher training hours and requirements. In November 2018, voters passed Initiative 940 (I-940) in an effort to establish higher training requirements and police accountability standards so we will need to work to complete the new level of training.
- Acknowledged by the Washington State Criminal Justice Training Commission that we successfully met standard in 2020.
 - On track to ensure training requirements are either met or exceeded in 2021.
 - Completed Fall 2021
- **Emphasis on Traffic Safety** (on-going) – Continue to focus on all traffic safety – vehicular, bicycle, and pedestrian – throughout the community through education, engineering (where possible and cost effective), social media, and enforcement to reduce collisions, improve awareness, and improve safety.
- Increased “Direct Patrols” targeting high complaint areas:
 - Between the 800 block and 3200 block of Evergreen Point Road
 - Between the 7600 block and 8700 block of NE 12th Street
 - All areas of Overlake Drive East and Overlake Drive West
 - Between the 7600 block and 8200 block of NE 8th Street
 - Starting in 2nd quarter, increased traffic stops and infractions over 2020.
 - Education using E-Lert, Facebook, and Twitter. Three E-lerts reminding residents about obey traffic laws – school zone, construction zones, and texting.
 - Juvenile Safety Forum – part of the presentation covered young and inexperienced drivers.
 - Year to date
 - Increased activity in direct and targeted patrols
 - Increased traffic stops
 - Increased traffic infractions
- **Speeding and Traffic Calming** (second half) – the City will conduct a speed study of traffic on Evergreen Point Road, 84th Avenue NE, and the East/West Streets connecting these two main arterials. We will also study Overlake Drive West/East.

- In May, research was done on several less intrusive and costly traffic engineering options to calm traffic.
- Pavement marking, new speed signs, and digital speed signs will be installed summer 2021.
 - Speed pavement markings installed at 11 locations in city.
 - Purchase of mobile speed survey device – collecting speed data in several locations throughout the city.
 - In process of purchasing digital speed signs – vendor selected and equipment purchased. Waiting for delivery and installation.
 - Citywide speed survey initiated in October 2021.
- **Support and promote Medina Emergency Preparedness Committee including Schools Sub-Committee (on-going).**
 - Two Emergency Preparedness Meeting held and attended by Police Department.
 - Police Officers routinely participate in Emergency Preparedness Radio Group exercise on Sunday evenings.
 - Medina Police participated in the Emergency Preparedness Committee Schools Sub-Committee meetings.

Development Services

- **Public Portal** – Continue development of our new Public Portal with the goal of fully independent use by outside users.

Mid 2021 Update: Development Services Staff must assist all permit applicants through the public portal. DS reached the point early in 2021 where we realized that our public portal vendor, Dude Solutions, will not be able to solve the technical problems we continue to have. We are exploring other vendors and will make a decision by late August as to whether we will continue with Dude Solutions (SmartGov) or move on to a new vendor.

October 2021 Update: Due to key staffing changes during 2021 this project has been delayed. Our Development Services Coordinator must be involved with the public portal and potential replacement of our current Dude Solutions/SmartGov systems. Our Development Services Coordinator position has changed two times since April 2021 with a new FTE beginning work with us in early September.

The decision to publish an RFP to explore new permitting software vendors has been made, but any decisions will not be possible until our new staff are ready to participate fully which may not be until early 2022.

- **Staff Cross-Training** – This regular and primarily internal training program will assure continuity of services, service maintenance, and workload balancing.

Mid-2021 Update: Due to our Development Services Coordinator going onto maternity leave in April most of the cross-training has been for the director to learn those duties. Our Deputy Building Official does continue to cross-train with our Planning Manager and has taken most of the minor day to day zoning review work.

October 2021 Update: We continue cross-training. Our Deputy Building Official continues to cross-train with our Planning Manager. Small zoning reviews are now given to the DBO so that the Planning Manager, or the zoning consultant will not have to perform these. This expedites small permit reviews, reduces the amount of tedious work for the Planning Manager, and saves costs by not using the zoning consultant. Our new Development Services Coordinator is learning other DS staff members' job functions as cross-training for the purpose of helping her understand all of our operations.

- **State Building Codes** – Adopt the 2018 Washington State Building Code.

Mid-2021 Update: The 2018 Washington State Energy Code was a monumental change for everyone. We are continuing to develop new and more efficient ways to implement this new code.

October 2021 Update: The adoption of the 2018 WSBC is complete. We are working to reduce the complexity of the Energy Code process for permit applicants and for staff. Staff continue to work on plan review and inspections checklists regarding the building code.

- **Right of Way Permit** – Create a new Development Services Right of Way Use permit. This will consolidate all work associated with development projects into Development Services and reduce the Public Works Directors involvement in volumes of small projects.

Mid-2021 Update: We hope to be able to implement this or something similar later this year.

October 2021 Update: Staff now agree that this is needed. A new program will be formed in 2021, but finalization and implementation will not happen until sometime in 2022. With the new DS Enterprise Fund will come an evaluation of services and costs. A ROW permit through Development Services is best analyzed with a fee study in 2022 prior to fully implementing. Our Deputy Building Official is however currently working with the Public Works Director and is reviewing ROW permit applications in addition to performing ROW inspections which is a prime part of what the ROW/Development Services permit would do.

- **Development Code and Process Complexity Reduction** – Establish goals and propose reductions in the complexity of our codes and process.

Mid-2021 Update: Minor Code Amendments were passed by Council. Additional Building Code changes for simplicity are planned for this year.

October 2021 Update: The Code Enforcement Ch. 1.15 is now under review for amendments which will bring clarity and simplifications.

- **Cost vs. Service Analysis** – This is a full analysis of the costs of service vs. the fees charged.

Mid-2021 Update: This is part of a discussion about Development Services having its own fund. Fall 2021

October 2021 Update: Due to the DS Enterprise Fund this will become the primary 2022 department goal. There was work towards this goal in 2021 through the first DS Enterprise Fund budget draft and through planning for 2022.

- **Professional Services Contracts** – Modify existing consultant professional services contracts in combination with the cost vs. service analysis.

Mid-2021 Update: Updated draft of a new Acoustic Engineer contract. Continue work on this in Fall 2021.

October 2021 Update: Contracts have been updated as possible in 2021. Additional contract updates will occur as they need to be re-negotiated. The goal in updating the contracts is better cost control through more detailed definitions of services and associated costs.

- **Advance Deposit** – Change our existing Advance Deposit System to create better accounting and ease of use.

Mid-2021 Update: This will be updated, but the concept needs to continue.

October 2021 Update: This was delayed when the discussion about a DS Enterprise Fund became more realistic. Data is being created during 2021 that will be needed to revise the Advance Deposit process, but this work is more appropriate to occur in 2022 along with a comprehensive DS fee study.

- **Code Enforcement** – Update Medina Municipal Code Ch. 1.15: Code Enforcement.

Mid—2021 Update: Scheduled for late this year but may need to move into 2022.

October 2021 Update: This was intended to start in the 4th quarter of 2021 and has now begun. This will involve a proposal for specific amendments to MMC as needed to clarify and streamline enforcement process. Work on the code amendments will occur during 2021, but likely not finalized until early 2022.

Finance and Human Resources

- **Contingency Fund** (on-going) – Work with Finance Committee and City Council on a plan to replenish Contingency Fund (2-24-2021).
- **2022 Budget** (second half) – Prepare a 2022 balanced budget with levy stabilization funding that is required to hit the 10-year mark of 2029.
- **Labor Contract Negotiation** (on-going) – Initiate negotiations of the City’s three expiring labor contracts.
 - Public Works (Teamsters)
 - Clerical Employees (Teamsters)
 - Police Officers (Police Guild)
- **Enterprise Fund for Development Services** (second half) – Work with Development Services to create their own “Enterprise Fund”, separate from the General Fund.
 - 2022 Budget process.
- **Stormwater Utility** (second half) – Work toward the development of a stormwater utility including a sustainable funding source.
- **State Audit** (second half) – Continue to follow the Washington State Auditor’s Office updates & policy recommendations to achieve another year of a clean audit.
- **Community Forum on the City Budget Process** (second half) – Fall 2021 (2020 Performance Review)

Central Services and City Clerk Office

- **Service Level Agreement** (first half) – Develop a Service Level Agreement specifying how City Staff responds to questions and complaints. Promote and encourage the use of our on-line Citizen Helpdesk. (2020 Performance Review)

As part of the 2021 City Manager’s Goals and Objectives, the City Clerk’s Office was assigned to develop a service level agreement on how staff responds to questions and complaints. Central Services receives questions and complaints through a variety of mediums, whether it is through email, phone calls, walk in (when city hall is open) or through the online citizen helpdesk portal on the homepage of the city’s website.

Central Services staff has a standard practice of responding to and redirecting to other departments as appropriate all inquiries or complaints within 24 hours during the work week or the next business day if an inquiry or complaint comes after hours or on the weekend.

At Central Services suggestion, the City Manager implemented the following practices to all departments:

- Acknowledge question or complaint within 24 hours or the next business day.
 - Investigate and respond either in person, by phone or in writing within 3 business days.
 - Follow-up if needed.
- **IT (on-going).**
- Improve Network Security – Replace necessary hardware.
 - Upgrade City Hall Telecommunications – Replace 1980s Telephone System **(Completed 2-2021)**.
 - City Website – Update website pages to be more user-friendly **(see below)**.

In line with having standards in service levels to questions and complaints, Central Services has been busy at work on upgrading and redesigning the city’s website, cleanup of the online code that includes renumbering sections, chapters, and titles. Lastly, we are upgrading the agenda management system.

Central Services, after much research for software platforms that would help provide better service and ease of use for both patrons of our website and city staff engaged with Municode for all three services, known as Municode’s circle of governance. The circle of governance is a simple, integrated solution that will provide better transparency for residents, efficiencies for staff and cost savings for the city.

- **Records Management (on-going).**
- File System – Develop new file system following WA State Records Retention Regulations.
 - Development Services – Clear out old files from storage.
 - E-Records – Clean up e-records off servers.
 - Cloud-Based System – Implement cloud-based records management system (Moved to 2022).
 - Public Access to City Records - Improve public ability to search for records online.
- **Payment Portal (first half).**
- Research an Online Payment Portal (in conjunction with Development Services new on-line permitting portal).



MEDINA POLICE DEPARTMENT

DATE: December 13, 2021
TO: City Manager Michael Sauerwein
FROM: Chief Stephen R. Burns
RE: Police Department Update – November 2021

The following is a summary highlighting some of the Medina Police Department activity in November 2021.

WASPC Accreditation: The Medina Police Department has successfully completed an accreditation program that certifies it is operating under best practices and standards for law enforcement. The program is administered by the Washington Association of Sheriffs and Police Chiefs (WASPC) and involves a multi-phase process over several months. The benefits of accreditation include administrative and operational effectiveness, fair recruitment and employment practices, better records management, improved use of technology, health and safety, training, codes of conduct and prisoner security, among other important law enforcement tasks. The certification is awarded for a four-year period after initial accreditation has been achieved. Medina’s 2021 accreditation follows its previous accreditation in 2017 and 2013.

The Washington Legislature originally called for the development of standards and goals for law enforcement in 1976. The current WASPC program is continually updated and strives to guide law enforcement with best practices, accountability measures and heightens organizational discipline. Medina is one of 63 law enforcement organizations, which make up approximately 25% of all Washington law enforcement, that is currently WASPC accredited.

WASPC was founded in 1963 and represents executive and top management personnel from law enforcement agencies statewide. With more than 900 members it includes the 39 elected county sheriffs, and 240 police chiefs, as well as the Washington State Patrol, the Washington Department of Corrections, and representatives of several federal agencies.



Awards 2021



Medina Police Department
November 2021

IFIT-KC Exercise Coordination: On Tuesday, November 9th, IFIT-KC (Independent Force Investigation Team – King County) participated in a full-scale exercise. Sergeant Austin Gidlof planned, coordinated, and monitored the exercise. Gidlof did an outstanding job at planning a realistic officer involved shooting scenario and worked closely with Bellevue Square Facilities and Kemper Freeman Security to hold the incident.

Thanksgiving: No issues were reported over the Thanksgiving holiday weekend.



MEDINA POLICE DEPARTMENT
Steve Burns, Chief of Police
MONTHLY SUMMARY
NOVEMBER 2021

FELONY CRIMES

Burglary 2021-00005216 11/14/2021
A resident in the 800 Blk of 84th Ave NE contacted the Police Department to report a burglary. Entry was made through an unlocked slider window. Approximately \$7500 worth of items were stolen. No suspects at this time.

Mail Theft 2021-00005228 11/15/2021
A resident in the 7600 Blk of NE 10th St contacted the Police Department to report mail theft from a locking mailbox. The mailbox had been pried open and mail was stolen. The approximate value of mailbox is \$300. No suspects at this time.

Motor Vehicle Theft 2021-00005227 11/15/2021
A Police Officer was dispatched to the 500 Blk of 86th Ave NE for a report of a theft of an enclosed 14-foot construction trailer that had occurred within past seven days. The trailer was locked and contained the homeowner's belongings. The trailer was located and recovered later in the day. No suspects at this time.

Burglary 2021-00005337 11/28/2021
A resident in the 900 Blk of 87th Ave NE contacted the Police Department to report a burglary. There was no forced entry and entry was made through a slider at rear of the home. Unknown approximate value of items stolen. Under investigation.

MISDEMEANOR CRIMES

Nothing to report.

OTHER

Mental/Emotional 2021-00005294 11/24/2021
Police Officer's responded to the 2900 Blk of Evergreen Point Road for a report of a suicidal subject. The subject was placed into protective custody and transported by aid to Overlake Medical Center.



MEDINA POLICE DEPARTMENT
Steve Burns, Chief of Police
 City of Medina

November 2021 - Monthly Report

CRIMES	Current Month	YTD 2021	YTD 2020	2020 Year End
Arson	0	0	0	0
Assault				
DV Assault	0	5	0	1
Non-DV Assault	0	3	0	0
Sexual Assault/Rape	0	0	0	0
Simple Assault	0	0	0	0
Burglary				
Residential	2	10	12	12
Attempted	0	1	1	1
Malicious Mischief				
Felony	1	1	0	0
Misdemeanor	0	5	12	13
Theft				
Auto	1	1	0	0
Fraud (ID Theft)	0	9	34	35
Over \$750	0	2	8	8
Under \$750	0	8	7	7
Motor Vehicle Prowl	0	12	11	11
TOTAL CRIMES	4	57	85	88

ENFORCEMENT	Current Month	YTD 2021	YTD 2020	2020 Year End
Drug Violations	0	3	0	0
Minor in Possession	0	0	0	0
Possession of Stolen Prop.	0	0	2	2
Warrant Arrests	0	1	4	4
TOTAL ENFORCEMENT	0	4	6	6

TRAFFIC	Current Month	YTD 2021	YTD 2020	2020 Year End
Accidents				
Injury	0	0	1	1
Non-Injury	4	16	9	9
Citations				
DUI	0	1	0	0
Other*	0	7	5	5
Infractions				
Speeding	8	132	5	5
Parking	5	12	15	15
Other**	1	13	6	6
Warnings	99	1704	415	434
TOTAL TRAFFIC	117	1885	456	475

CALLS FOR SERVICE	Current Month	YTD 2021	YTD 2020	2020 Year End
Animal Complaints	1	31	25	27
Assists	44	438	463	488
False Alarms	23	224	156	167
House Watch	26	221	185	209
Missing Person	0	7	4	4
Property Lost/Found	1	13	22	25
Suspicious Circumstances	4	122	124	136
Other ***	9	89	107	118
TOTAL SERVICE	108	1145	1086	1174

*DWLS, Fail to transfer title, No License
 ** Expired tabs, No insurance, Fail to stop, Defective equipment, Cell phone use
 ***Civil Dispute, Disturbance, Death investigation, Suicide Attempt, Trespass, Harassment, Mental



TOWN OF HUNTS POINT
Steve Burns, Chief of Police

MONTHLY SUMMARY
NOVEMBER 2021



FELONY CRIMES

Nothing to report.

MISDEMEANOR CRIMES

Nothing to report.



MEDINA POLICE DEPARTMENT
Steve Burns, Chief of Police
Town of Hunts Point



November 2021 - Monthly Report

CRIMES	Current Month	YTD 2021	YTD 2020	2020 Year End
Arson	0	0	0	0
Assault				
DV Aggravated Assault	0	2	0	0
Non-DV Aggravated Assault	0	0	0	0
Sexual Assault/Rape	0	0	0	0
Simple Assault	0	0	0	0
Burglary				
Residential	0	1	1	1
Attempted	0	0	0	0
Malicious Mischief				
Felony	0	0	0	0
Misdemeanor	0	1	3	3
Theft				
Auto	0	2	1	1
Fraud (ID Theft)	0	1	6	6
Over \$750	0	3	2	2
Under \$750	0	0	0	1
Motor Vehicle Prowl	0	1	10	11
TOTAL CRIMES	0	11	23	25

ENFORCEMENT	Current Month	YTD 2021	YTD 2020	2020 Year End
Drug Violations	0	0	0	0
Minor in Possession	0	0	0	0
Possession of Stolen Prop.	0	3	1	1
Warrant Arrests	0	0	0	0
TOTAL ENFORCEMENT	0	3	1	1

TRAFFIC	Current Month	YTD 2021	YTD 2020	2020 Year End
Accidents				
Injury	0	0	0	0
Non-Injury	0	1	1	1
Citations				
DUI	0	0	0	0
Other*	0	1	0	0
Infractions				
Speeding	2	22	4	4
Parking	0	1	0	0
Other**	0	1	0	0
Warnings	11	178	79	81
TOTAL TRAFFIC	13	204	84	86

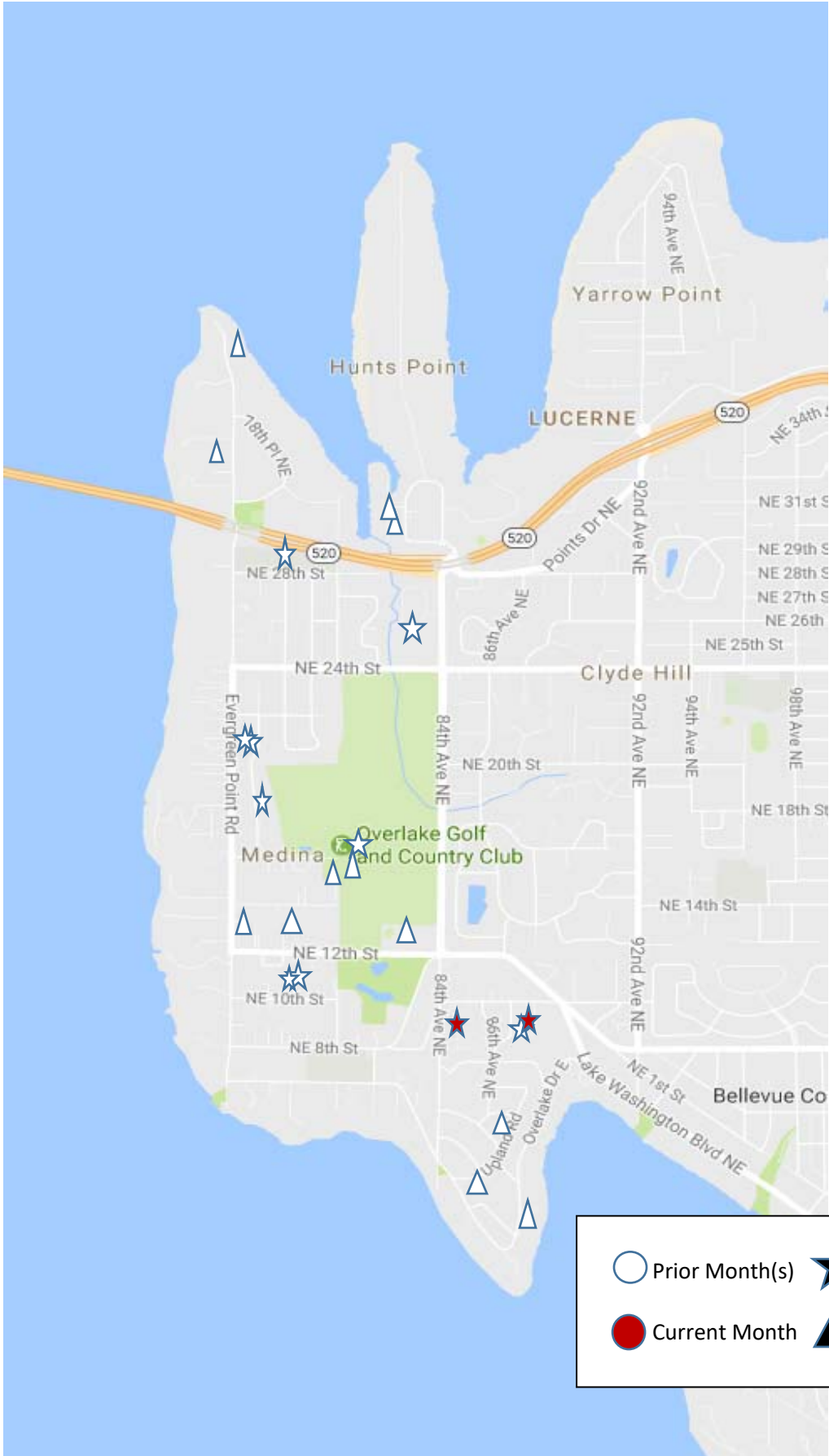
CALLS FOR SERVICE	Current Month	YTD 2021	YTD 2020	2020 Year End
Animal Complaints	0	5	0	2
Assists	2	42	42	51
False Alarms	1	22	30	33
House Watch	1	13	10	10
Missing Person	0	0	0	0
Property Lost/Found	0	3	5	5
Suspicious Circumstances	0	6	17	19
Other ***	0	24	15	16
TOTAL SERVICE	4	115	119	136

*DWLS, Fail to transfer title, No License

** Expired tabs, No insurance, Fail to stop, Defective equipment, Cell phone use

***Civil Dispute, Disturbance, Death investigation, Suicide Attempt, Trespass, Harassment, Mental

2021 Burglaries & Vehicle Prowls Medina & Hunts Point



	Prior Month(s)		Burglaries
	Current Month		Vehicle Prowls



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

Date: December 13, 2021

To: Honorable Mayor and City Council

Via: Michael Sauerwein, City Manager

From: Steven R. Wilcox, Development Services Department Director

Subject: Development Services Department Monthly Report

Permit Activity

Please see the permit activity reports provided. Permit activity typically slows this time of year which is where we are now. We do however have several requests for pre-application meetings which is not as usual for this time of year. Pre-application meetings meant that people are preparing permit applications. Local design and construction professionals continue to be busy and do not see any changes from 2021 into 2022.

Planning Commission

By Stephanie Keyser

At the end of October, the city applied for two grants from the Department of Ecology: one to establish a monitoring system of the approved shoreline applications, and the second to create user friendly guides for Medina’s Shoreline Master Program (SMP). On November 23rd, we were notified that we were successful in receiving \$12,030 to do the SMP User Guide. This will be a simple yet visual guide to help both homeowners and professionals alike in navigating development within the Shoreline Jurisdiction (200-feet inward of the Ordinary High-Water Mark). The Watershed Company assisted us in the preparation of the grant, and we will utilize them to do this work.

On December 14th, Planning Commission will hold a public hearing on permanent supportive and transitional housing. Earlier this year, the Governor signed E2SHB 1220 into law which requires cities to allow transitional or permanent supportive housing in any zoning district that allows residential dwellings; in Medina this is every zoning district. The city cannot prevent one of these facilities from coming into the city, however there are guardrails that can be adopted to ensure potential impacts are limited. Once Planning Commission recommends approving the draft code, it will be sent to the Department of Commerce so that they may begin their review and SEPA will be done. It is anticipated that this will be brought to Council to adopt in February 2022.

The City put out a Request for Proposals (RFP) for a consultant to assist with the Comprehensive Plan Update on November 19th with a closing date of December 10th. Staff anticipates selecting a consultant before the end of the year.

Code Enforcement

A new report ("Complaint Assignments") is being provided to you this month. The report shows much of the monthly code enforcement activity performed by Development Services.

In addition to the items in the report we removed about a dozen commercial signs placed in the right of way. A few of the signs were political that should have been removed by the candidates shortly after the November elections. Other items not in the report are our responses to activities that we believed may be code violations, but upon investigation we found were not violations. We perform many investigations either by complaint, or because of things we notice.

Of note in the report are two dog barking enforcement actions at the same property. These types of complaints are new to us, but with evidence gathered we are enforcing provisions of our code to the benefit of neighboring residents.

Tree Management Code

Provided with this report are two tree removal decisions, and one determination regarding tree removal in November. The decisions are drafted by our tree code consultant then reviewed and were ultimately approved by the Development Services Director.

Below is a list of all activity by our tree code consultant during November.

- 1. TREE21-052 3232 78th Place Heathcote – final inspection, replanted two trees for removal of one tree
- 2. 1636 73rd Ave NE Watermark ROW Cottonwoods – coordination with neighbor to address fallen tree concerns
- 3. TREE20-008 2626 78th Ave NE Schademan – coordination with project arborist on reducing tree protection area
- 4. TREE17-048 2841 76th Ave NE Stephanus – revision review and approval
- 5. TREE18-024 3263 EPR Sunny Dream lot 3 – revision review and approval, previously non-significant trees are all grown up and significant now
- 6. TREE21-079 2206 EPR Marcinek – remove and replace the decayed and declining Black Locust tree NE of the intersection of 22nd and EPR
- 7. TREE21-077 2401 EPR Milner – remove the declining birch tree at the SE property corner
- 8. 7651 NE 16th Naieni - began permit coordination
- 9. TREE19-081 442 Upland REV2 request – coordinating a revision to remove additional trees driven by the neighbors request
- 10. 8235 NE 8th O'Hara – began permit coordination
- 11. TREE21-074 8224 Overlake Yarduminian ROW – Administrative Decision and permit issuance for ROW tree removals

- 12. TREE21-075 3245 EPR Sheree Wen ROW – Administrative Decision and permit issuance for ROW tree removals
- 13. TREE17-060 1201 EPR Chen Shao – reviewed revision plans of driveway
- 14. TREE21-081 647 EPR Grinstein – working through complete permit submittal for two maple tree removals
- 15. TREE21-082 7813 NE 10th St Valaas – issued permit for removal of pine with requirement to replant two trees
- 16. TREE21-080 2827 EPR Parish – removal of one tree that began leaning during early fall storm season
- 17. TREE21-055 2659 EPR Ingrid Wang – approval of steep slope tree removal and restoration tree planting
- 18. TREE21-068 1525 79th Ave Chao – began review of application and issuance of additional information letter

Supplemental Tree Enforcement

A discussion surrounding supplemental trees will be coming to Council in early 2022 as part of the overall Tree Management Code update. Council will be asked to take action on what will be a proposed code amendment. Supplemental trees are those which must be planted as part of a Tree Activity permit. Generally, adding new trees as a code requirement is the result of a math calculation found in the permit application that is related to tree removal on a site. Planning Commission had asked the Council to add review of the enforcement of the 5-year health and viability of supplemental trees to their 2021 Work Plan Calendar and Council agreed.

Our current Tree Management Code Chapter 16.52 has varied references to supplemental trees, but the enforcement is the same. Example: *“The owner of the subject lot shall take necessary measures to ensure that supplemental trees remain healthy and viable for at least five years after inspection by the city and the owner shall be responsible for replacing any supplemental trees that do not remain healthy and viable for the five years after inspection by the city.”*

Our current code does not provide for any city enforcement to assure that supplemental trees are healthy and viable for at least five years after planting. Planning Commission would like to improve the enforcement.

Because the impacts that a new enforcement requirement will have, and that the responsibility will be that of the Development Services Department, our staff should be involved in decision making. Good code development should involve those who are responsible for enforcement. Code development should always involve an analysis of impacts.

A first step should be a determination of the level of enforcement that is desired regarding supplemental trees. Whether a comprehensive code is drafted with intent to fully assure the 5-year health and viability of supplemental trees, or if there is a compromise with a view of improving the current code which has no enforcement provision combined with an overall approach to improving tree code enforcement. Legal, budget, staffing, resident impact, and practicality are considerations as part of a supplemental tree code enforcement amendment.

Permit Tracking and Portal

We are still working with the vendor of our electronic permitting system to try to make it work properly. It would be much better to have the vendor fix the problems we have had since the portal was first developed. In November we met with vendor technicians to go over several issues. It does not appear that the problems can be solved by the vendor- or possibly that they don't want to spend the time on a small client.

We are talking to other permit software companies about the possibility of moving to a new tracking system and portal. We have also recently invited our current vendor to fix the problems in their software or likely see us leave as a client. A decision will be made in January once we have all information needed and have exhausted options with our current vendor. At this time there is no need for an RFQ.

With the implementation of the new City website in December, Development Services will now be able to allow direct applicant access to the permit portal.

Telecommunications Franchise

This past October T-Mobile submitted a franchise application for location of telecommunications facilities within the public right of way. On November 12, 2021 a complete application was determined according to Medina Municipal Code Section 15.06.020. An additional fee deposit was required following the determination which we received on December 3, 2021.

With the complete application including the deposit being received, the process as outlined in MMC 15.06.030 Determination by the city will begin. This is now with our City Attorney to draft the franchise and begin negotiations with T-Mobile. The complete franchise application is with Steve Wilcox. If you would like to see the application or have questions, please email swilcox@medina-wa.gov or 425-233-6409.

Reference

[15.06.020. - Franchise application. | Code of Ordinances | Medina, WA | Municode Library](#)

[15.06.030. - Determination by the city. | Code of Ordinances | Medina, WA | Municode Library](#)

Staff Changes

Both our tree code consultant/arborist and our engineering consultant resigned their respective positions with the companies they were working for and left Medina as well. Both gave notice the same day. With short notice both consultants left us at the beginning of December. Both Mason Oh from Gray and Osborne and Tom Early from Otak are now no longer with Medina.

Tom Early had been working with Medina through Otak for about 15 years. Otak has provided us with another Landscape Architect from their company, and also a sub-consultant ISA arborist to help us with our Tree Management Code administration. Tom took a position with King County Parks. We have sent out an RFP for the position. The RFP is provided with this report for your information.

Tom Early had a combination of qualifications which will be difficult to replace in one person. It is most likely we will have two staff performing tree code administration which is similar to most cities and also to how Medina operated in the past.

1

Monthly Applications Submitted				
11/01/2021 – 11/30/2021				
Permit Type	Submitted Date	Permit Number	Total Valuation	Address
** PRE-APPLICATION **	11/10/2021	PA-2021-007	\$100,000.00	2525 MEDINA CIR
TOTAL ** PRE-APPLICATION **:	1		\$100,000.00	
ADVANCE DEPOSIT	11/01/2021	DEP00159		3245 EVERGREEN POINT RD
TOTAL ADVANCE DEPOSIT:	1			
B-ACCBLD	11/04/2021	B-21-119	\$105,956.38	8436 MIDLAND RD
TOTAL B-ACCBLD:	1		\$105,956.38	
B-ADD/ALT	11/15/2021	B-21-122	\$55,914.47	7813 NE 10TH ST
TOTAL B-ADD/ALT:	1		\$55,914.47	
B-FENCE	11/01/2021	B-21-117	\$600.00	2519 82ND AVE NE
B-FENCE	11/03/2021	B-21-118	\$500.00	3244 76TH AVE NE
B-FENCE	11/16/2021	B-21-124		7829 NE 14TH ST
TOTAL B-FENCE:	3		\$1,100.00	
B-GAS	11/11/2021	G-21-040		417 84TH AVE NE
TOTAL B-GAS:	1			
B-GATE	11/08/2021	B-21-121	\$15,000.00	500 86TH AVE NE

TOTAL B-GATE:	1		\$15,000.00	
B-MECHANICAL	11/16/2021	M-21-074	\$650.00	417 84TH AVE NE
B-MECHANICAL	11/16/2021	M-21-075	\$10,000.00	1617 73RD AVE NE
B-MECHANICAL	11/18/2021	M-21-076	\$16,283.00	821 83RD AVE NE
TOTAL B-MECHANICAL:	3		\$26,933.00	
B-PIER	11/05/2021	B-21-120	\$18,500.00	2207 EVERGREEN POINT RD
TOTAL B-PIER:	1		\$18,500.00	
B-PLUMBING	11/10/2021	P-21-088		111 84th Ave NE
B-PLUMBING	11/15/2021	P-21-092		8398 NE 12th St
B-PLUMBING	11/18/2021	P-21-094		2036 Evergreen Point RD
TOTAL B-PLUMBING:	3			
B-RES-SFR	11/29/2021	B-21-126	\$2,900,000.00	2841 76TH AVE NE
B-RES-SFR	11/17/2021	B-21-125	\$3,930,374.00	202 OVERLAKE DR E
TOTAL B-RES-SFR:	2		\$6,830,374.00	
B-SFR	11/16/2021	B-21-123	\$850,000.00	530 87TH AVE NE
TOTAL B-SFR:	1		\$850,000.00	

CAP - CONSTRUCTION ACTIVITY PERMIT	11/18/2021	CAP-21-033		2207 EVERGREEN POINT RD
CAP - CONSTRUCTION ACTIVITY PERMIT	11/05/2021	CAP-21-032		7617 NE 24TH ST
TOTAL CAP - CONSTRUCTION ACTIVITY PERMIT:	2			
ENG-GRADING/DRAINAGE	11/23/2021	ENG-GD-21-027		8224 OVERLAKE DR W
ENG-GRADING/DRAINAGE	11/29/2021	ENG-GD-21-028	\$1,890.00	2841 76TH AVE NE
ENG-GRADING/DRAINAGE	11/16/2021	ENG-GD-21-026	\$850,000.00	530 87TH AVE NE
TOTAL ENG-GRADING/DRAINAGE:	3		\$868,900.00	
P-ADMIN SPECIAL USE	11/10/2021	P-21-090		3234 78TH PL NE
TOTAL P-ADMIN SPECIAL USE:	1			
P-ADMIN SUBSTANTIAL DEV	11/15/2021	P-21-093		3225 EVERGREEN POINT RD
TOTAL P-ADMIN SUBSTANTIAL DEV:	1			
P-NON ADMIN VARIANCE	11/10/2021	P-21-089		8417 NE 12TH ST
TOTAL P-NON ADMIN VARIANCE:	1			
P-SEPA THRESHOLD	11/14/2021	P-21-091		2525 MEDINA CIR
TOTAL P-SEPA THRESHOLD:	1			
PW-RIGHT OF WAY	11/05/2021	PW-ROW-21-091		2226 79TH AVE NE

PW-RIGHT OF WAY	11/04/2021	PW-ROW-21-090		7611 NE 12TH ST
TOTAL PW-RIGHT OF WAY:	2			
TREE-HAZARD EVALUATION	11/19/2021	TREE-21-081		647 EVERGREEN POINT RD
TOTAL TREE-HAZARD EVALUATION:	1			
TREE-PERFORMANCE	11/19/2021	TREE-21-080		2827 EVERGREEN POINT RD
TREE-PERFORMANCE	11/02/2021	TREE-21-076		2301 EVERGREEN POINT RD
TREE-PERFORMANCE	11/24/2021	TREE-21-083		647 EVERGREEN POINT RD
TREE-PERFORMANCE	11/29/2021	TREE-21-084		8235 NE 8TH ST
TOTAL TREE-PERFORMANCE:	4			
TREE-RESTORATION	11/23/2021	TREE-21-082		7813 NE 10TH ST
TREE-RESTORATION	11/16/2021	TREE-21-079		2206 Evergreen Point Road
TREE-RESTORATION	11/08/2021	TREE-21-077		2401 76TH AVE NE
TOTAL TREE-RESTORATION:	3			
TREE-WITH BUILDING/DEVELOPMENT	11/29/2021	TREE-21-085		2841 76TH AVE NE
TREE-WITH BUILDING/DEVELOPMENT	11/16/2021	TREE-21-078		530 87TH AVE NE
TOTAL TREE-WITH BUILDING/DEVELOPMENT:	2			

Total # of Permits		40	\$8,855,667.85	
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Monthly Issued Permit Report

November, 2021

Construction Value:	November 2021	November 2020	2021 YTM	2020 YTM	Difference
Accessory Structure	-	-	-	-	\$0.00
Addition / Alteration	\$77,932.00	\$90,623.20	\$11,400,251.21	\$3,606,366.25	\$7,793,884.96
Fence / Wall	\$11,100.00	-	\$455,900.00	\$29,000.00	\$426,900.00
New Construction	-	\$2,205,840.00	\$31,766,487.00	\$39,164,701.00	(\$7,398,214.00)
Repair / Replace	-	-	-	\$6,000.00	(\$6,000.00)
Wireless Comm. Facility	-	-	-	-	\$0.00
Total Value:	\$89,032.00	\$2,296,463.20	\$43,622,638.21	\$42,806,067.25	\$816,570.96

Permits Issued:	November 2021	November 2020	2021 YTM	2020 YTM	Difference
New Construction	-	1	15	17	(2)
Permit Extension	-	1	35	4	31
Accessory Structure	-	-	-	-	0
Addition / Alteration	3	1	35	9	26
Construction Activity Permit	-	1	24	23	1
Demolition	-	1	18	9	9
Fence / Wall	3	-	16	2	14
Grading / Drainage	-	1	23	21	2
Mechanical	4	15	75	80	(5)
Other - Moving	-	-	-	-	0
Plumbing / Gas	4	5	82	63	19
Repair / Replace	-	-	-	1	(1)
Reroof	-	-	-	-	0
Right of Way Use	4	3	86	60	26
Tree Mitigation	9	2	65	59	6
Wireless Comm. Facility	-	-	-	-	0
Total Permits:	27	31	474	348	126

Inspections:	November 2021	November 2020	2021 YTM	2020 YTM	Difference
Building	116	75	977	705	272
	16	12	344	143	201
Engineering/Other	2	1	60	20	40
Tree	-	-	19	5	14
Total Inspections:	134	88	1,400	873	527



Complaint Assignments

Submitted Date Between 11/01/2021 And 11/30/2021

Report run on: 12/01/2021 07:26 AM

Case Number	Submitted	Closed	Case Type	Case Status	Assigned To	Parcel / Address	Case Text
CC-2021-024	11/04/2021	11/04/2021	INITIAL WARNING	COMPLETED	Rob Kilmer	Parcel Number: 6447300140 Address: 8425 RIDGE RD	Emailing warning to project agent and GC that blocking of road during concrete work is not permitted. A ROW permit was instructed to be applied for.
CC-2021-025	11/09/2021	11/10/2021	STOP WORK ORDER	COMPLETED	Rob Kilmer	Parcel Number: 2018700246 Address: 8335 OVERLAKE DR W	Failure to comply with construction parking regulations found within Medina Municipal Code Chapter 10.72 and Construction Mitigation Plan CMP-13-009 Action Taken: Stop Work Order was posted and a formal, signed agreement was created with the Owner, Agent, and Project Manager. This is saved to Notes.
CC-2021-026	11/09/2021	11/10/2021	INITIAL WARNING	COMPLETED	Rob Kilmer	Parcel Number: 3835501951 Address: 707 OVERLAKE DR E	Description: Construction vehicles parked in ROW Action Taken: Verbal warning given to project Agent/Owner.
CC-2021-027	11/09/2021	11/10/2021	ROW VIOLATION	COMPLETED	Rob Kilmer	Parcel Number: 6447300105 Address: 8426 OVERLAKE DR W	Landscapers using crane lift to prune hedges along sidewalk, blocking one lane of Overlake Drive West. Action Take: Verbally warned workers that proper traffic control is required for any work in ROW. Workers told to stop work in ROW until a ROW permit was obtained.
CC-2021-028	11/09/2021	11/10/2021	SIGN VIOLATION	COMPLETED	Rob Kilmer	Parcel Unknown Address: 86th Ave NE & NE 9th St.	Description: Commercial yard sign in grass by side of road. Action Taken: Picked up sign and called business to let them know that commercial signs are not allowed to be placed in ROW. "We Hang Christmas Lights" 425-623-2100 - NWProKleen.com



Complaint Assignments

Submitted Date Between 11/01/2021 And 11/30/2021

Report run on: 12/01/2021 07:26 AM

Case Number	Submitted	Closed	Case Type	Case Status	Assigned To	Parcel / Address	Case Text
CC-2021-029	11/09/2021	11/10/2021	GENERAL	COMPLETED	Rob Kilmer	Parcel Number: 3262300700 Address: 2457 78TH AVE NE	<p>Description: Complaint regarding boat parked along side of 78th Ave NE.</p> <p>Action Taken: Visually confirmed that a boat is parked along 78th, but not obstructing the road. The MMC does not appear to contain any rule applying to boats parked parallel to the street, not obstructing traffic. I have communicated this to the complainant.</p>
CC-2021-030	11/12/2021	11/16/2021	GENERAL	COMPLETED	Rob Kilmer	Parcel Number: 2425049104 Address: 7800 NE 28TH ST	<p>Description: Diesel fuel spill reported by the police at approximately 7:30am in the area of 78th Ave NE, North from 24th to 28th.</p> <p>Action Taken: Spill was caused by a Bellevue Christian School Bus with a broken fuel injector. Contacted Jeff Evenson, the bus-fleet manager, and insured a spill-cleanup response was mobilized. I used one of the city's spill response kits from the Public Works department and additional spill kits were provided and used by their fleet management workers. Department of Ecology report submitted 11/15/21</p>
CC-2021-031	11/12/2021	11/16/2021	GENERAL	COMPLETED	Rob Kilmer	Parcel Number: 2425049104 Address: 7800 NE 28TH ST	<p>Description: Dumpster trailer reported on 78th Ave NE across from Bellevue Christian School during the morning school drop-off period.</p> <p>Action Taken: While investigating the diesel full spill the facilities manager for Bellevue Christian mentioned that their dumpster-removal service truck had broken down and this was the cause of the issue.</p>



Complaint Assignments

Submitted Date Between 11/01/2021 And 11/30/2021

Report run on: 12/01/2021 07:26 AM

Case Number	Submitted	Closed	Case Type	Case Status	Assigned To	Parcel / Address	Case Text
CC-2021-032	11/16/2021	11/16/2021	STOP WORK ORDER	COMPLETED	Rob Kilmer	Parcel Number: 4000500075 Address: 1655 73RD AVE NE	Description: Work vehicles parked in ROW Action Taken: Stop Work Order issued. Project Agent is required to submit a parking plan for review and approval before the Stop Work Order is lifted.
CC-2021-033	11/17/2021	11/17/2021	GENERAL	COMPLETED	Rob Kilmer	Parcel Number: 3025300107 Address: 7608 NE 12TH ST	Description: Construction related vehicles parked on NE 12th St. by the intersection with Evergreen Point Road Action Taken: Spoke with owners of the vehicles. They then relocated to the correct area for construction parking area on 12th.
CC-2021-034	11/17/2021	11/17/2021	GENERAL	COMPLETED	Rob Kilmer	Parcel Unknown Address: 2873-2865 Evergreen Point Rd	Description: Pickup truck parked along Evergreen Point Road, adjacent to the 520 Overpass Park and Ride, partially blocking the Northbound lane. It was not clear whether this vehicle was construction or Park and Ride related. Action Taken: Spoke with Officer Anderson to ask that he address this as a parking violation.
CC-2021-035	11/17/2021	11/17/2021	INITIAL WARNING	COMPLETED	Rob Kilmer	Parcel Number: 252504-9218 Address: 1407 EVERGREEN POINT RD	Description: Multiple work vehicles parked in ROW's. Action Taken: Agent for project informed that any additional infraction will result in a Stop Work Order for the project.
CC-2021-036	11/19/2021	11/24/2021	GENERAL	COMPLETED	Rob Kilmer	Parcel Number: 2525049155 Address: 830 82ND AVE NE	Description: Tree cutting reported at 830 82nd Ave NE Action Taken: Investigated and confirmed that this action had been approved as a permit-exemption. See attached Administrative Determination saved in notes.



Complaint Assignments

Submitted Date Between 11/01/2021 And 11/30/2021

Report run on: 12/01/2021 07:26 AM

Case Number	Submitted	Closed	Case Type	Case Status	Assigned To	Parcel / Address	Case Text
CC-2021-037	11/24/2021	11/24/2021	GENERAL	COMPLETED	Rob Kilmer	Parcel Number: 3625049102 Address: 7753 Overlake Dr W	Description: Tree cutting Action Taken: Confirmed that the work was permitted. See permit: TREE-21-066
CC-2021-038	11/24/2021		CITATION	OPENED	Rob Kilmer	Parcel Number: 2425049136 Address: 3660 FAIRWEATHER LN	Description: Report of ongoing dog barking. Action Taken: Visited site and recorded barking. Provided recordings as evidence for Notice of Citation. NOC issued 11/24/21.
CC-2021-039	11/29/2021	11/30/2021	STOP WORK ORDER	COMPLETED	Rob Kilmer	Parcel Unknown Address: 202 OVERLAKE DR E	Description: Construction vehicles parked in ROW Action Take: Stop Work Order Issued until a new, signed agreement can be reached between project Agent(s) and the City. Signed agreement saved into notes. 11/30/21
CC-2021-040	11/29/2021		CITATION	OPENED	Rob Kilmer	Parcel Number: 2425049136 Address: 3660 FAIRWEATHER LN	Description: Report of ongoing dog barking. Action Taken: Second NOC issued 11/29.
CC-2021-041	11/29/2021	12/01/2021	GENERAL	COMPLETED	Rob Kilmer	Parcel Number: 9208900067 Address: 1859 EVERGREEN POINT RD	Description: Received complaint regarding work at 1859 EPR. Action Taken: Investigated scope of work being performed. Work currently being performed on 11/29/21 is under the threshold for a permit. Notified General Contractor that their future, planned scope of work would require permits unless it can be demonstrated that the square footage does not cross the threshold for a Grading and Drainage permit.



Complaint Assignments

Submitted Date Between 11/01/2021 And 11/30/2021

Report run on: 12/01/2021 07:26 AM

Case Number	Submitted	Closed	Case Type	Case Status	Assigned To	Parcel / Address	Case Text
CC-2021-042	11/29/2021	11/29/2021	GENERAL	COMPLETED	Rob Kilmer	Parcel Number: 3025300271 Address: 7630 NE 14TH ST	Description: Tree cutting reported at 7630 NE 14th St. Action Taken: Visited site and confirmed that the work matches the current, approved permit: TREE-21-050
CC-2021-043	11/29/2021		NOTICE OF VIOLATION	OPENED	Rob Kilmer	Parcel Number: 3999900075 Address: 1641 EVERGREEN POINT RD	Description: Notice of Violation issued for work performed without required permit. Action Taken: Notice sent 11/29/21. Complete permit required by COB 12/13/21 to avoid accrual of penalties. Notice attached in Notes.



City of Medina

501 Evergreen Point Road
Medina, Washington 98039
(425) 454-9222

AGENDA ITEM 10.1c

TREE REMOVAL DETERMINATION OF PERMIT EXEMPTION

DATE: 11/1/2021

SITE ADDRESS: 830 82nd Ave NE

OWNER/CONTACT NAME: George Ledwith

EMAIL: gledwith@comcast.net

The following tree has been determined by the City Tree Consultant to meet the MMC 16.52.030(C) exception. The subject tree meets the hazard tree definition. This tree may be removed without a permit due to the exception. The exemption is limited only to the removal of the tree indicated below. No other work is authorized by this exemption.

– Tom Early, City Tree Consultant



*Image 1: Hazard tree subject to removal is a mature black cottonwood (*Populus trichocarpa* var *trichocarpa*) that has begun losing large limbs out of its upper canopy – typically known as sudden limb drop. The subject tree has canopy overhanging house at 830 82nd Ave NE.*



STAFF ANALYSIS AND DECISION
WEN ADMINISTRATIVE RIGHT OF WAY TREE REMOVAL PERMIT

Prepared by: Tom Early, Medina Tree Code Consultant

Date: November 23, 2021

Summary of Decision: Approved, subject to conditions.

Part 1 – General Information:

CASE NUMBER: TREE 21-075

LOCATION OF TREE: City of Medina Right-of-way adjoining 3245 Evergreen Point Drive

TAX PARCEL NUMBER: Not applicable

PROPERTY OWNER: Public right-of-way is controlled by the City of Medina

APPLICANT: Sheree Wen (Owner)

LEGAL DESCRIPTION: Evergreen Point Road Public Right-of-way

PROPOSAL: Remove one significant Red Alder tree and one hazard Bigleaf Maple tree from the City right-of-way by the adjoining property owner

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential.

ZONING DESIGNATION: Single-family Residence, R-20

CRITICAL AREAS: None identified.

ENVIRONMENTAL REVIEW (SEPA): Exempt pursuant to WAC 197-11-800(2)(d)(ii).

EXHIBITS:

1. Application
2. Legal Notices
3. Tree Removal and Planting Plan, received by the City on November 1, 2021

Part 2 – Site Characteristics:

EXISTING CONDITIONS: The right-of-way is developed with two vehicle travel lanes with a gravel shoulder in the adjoining right-of-way. The ground surface relatively level.

SURROUNDING ZONING:

Location	Land Use	Zoning
North	Residential	R-20
South	Residential	R-20
East	Residential	R-20
West	Residential	R-20

ACCESS: Ingress and egress of the adjacent property is from a driveway connecting to Evergreen Point Road.

Part 3 – Comprehensive Plan:

The Medina Comprehensive Plan identifies the setting and character of Medina as having a distinctive and informal natural setting that is typified by semi-wooded and heavily landscaped lots that provide visual and acoustic privacy between neighbors and abutting city streets. One of the primary goals is: “To maintain Medina’s high-quality residential setting and character” (Goal LU-G1).

The Medina Landscape plan is a component of the Community Design Element (Chapter 3) of the Comprehensive Plan. The Medina Landscape Plan lists landscaping alternatives to perpetuate the informal, natural appearance of Medina’s street right-of-way, public areas, and the adjacent portions of private property.

The following are applicable goals that apply to the creation of landscaping arrangements:

- Screen development from City streets and from neighboring properties;
 - Respect the scale and nature of plantings in the immediate vicinity;
 - Recognize “historical” view corridors;
 - Maintain the city’s informal, natural appearance.
- GOAL: CD-G2: To maintain the informal, natural appearance of Medina’s street rights-of-way and public areas.

Policy CD-P5: Residents are urged to consult with the City and with their neighbors on both removal and replacement of trees and tree groupings to help protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence).

Part 4 – Agency Review/ Public Comment:

NOTICES: (See Exhibit 2)

Application Received:	November 1, 2021
Determination of Completeness:	November 2, 2021
Notice of Application:	November 3, 2021

A Notice of Application was mailed to nearby property owners consistent with MMC 16.80.110. A 14-day public comment period was utilized. The notice was posted at Medina City Hall, the Post Office in Medina, the public notice board at Medina Park, the City’s website, and at the tree removal site.

GENERAL PUBLIC COMMENTS: No public comments were received.

AGENCY COMMENTS: Not applicable.

Part 5 – Staff Analysis/ Findings of Fact:

GENERAL:

1. Sheree Wen (Owner) requests the removal of one significant tree and one hazard tree from the City right-of-way adjoining the owner’s property.
2. King County Parcel Viewer indicates Sheree Wen the owner of the lot adjoining the subject tree.
3. The two subject trees are a hazardous 20-inch diameter at breast height (DBH) Bigleaf maple (*Acer macrophyllum*) and a 19-inch DBH Red alder (*Alnus rubra*). Both trees are listed as significant tree species for the right-of-way under List 2, Significant Tree Species on City Rights-of-way, of the City of Medina List of Suitable Tree Species.

ANALYSIS OF THE TREE REMOVAL PERMIT:

4. MMC 16.52.190(D) requires city trees in the right-of-way to be preserved unless removal can be authorized. The subject tree does not qualify for an exemption under MMC 16.52.030. Pursuant to MMC 16.52.190(D), removal of a tree located within a city right-of-way can be authorized for the following:
 1. Hazard trees;
 2. Nuisance trees;
 3. Trees not suitable under utility lines, or in the city right-of-way, as prescribed in the “City of Medina List of Suitable Tree Species”;
 4. Any tree having less than a 10-inch diameter breast height size; and any trees not included on the “City of Medina Suitable Tree Species List” for the right-of-way having less than a 36-inch diameter breast height size;
 5. Trees where pruning and trimming for utilities caused significant defects to the primary stem of the tree resulting in significant abnormal growth;
 6. Trees where removal is necessary to allow vehicle access to a property; or
 7. Trees where removal is necessary to restore a view.

The request to remove the Bigleaf Maple qualifies for removal because it is a hazard tree. The request qualifies for the allowance of removal set forth in MMC 16.52.190(D)(1). The request to remove the Red Alder qualifies because it is a nuisance tree, with disease and restoration of the tree to a sound condition is not practical.

- 5. MMC 16.52.160(C) establishes a requirement for an Administrative Right-of-way Tree Activity Permit for removal of any tree, excluding hazard trees, that is:
 - a. Six inches or larger diameter breast height (DBH) size;
 - b. Located in any open or closed city right-of-way;
 - c. Application for the permit is made by the owner of property adjoining the right-of-way where the tree is located; and
 - d. The removal does not require a non-administrative right-of-way tree activity permit under subsection (D) of this section.

The request to remove the subject tree meets the criteria for requiring an Administrative Right-of-way Tree Activity Permit. The trees are larger than six inches DBH and the request for removal is by the adjoining property owner. The request does not meet any of the conditions requiring a non-administrative right-of-way tree activity permit.

- 6. Pursuant to MMC 16.80.050(B), Administrative Right-of-way Tree Activity Permits are a Type 2 decision. Type 2 decisions are administrative actions that require public notice. The Director of Development Services is designated as the decision authority to decide Administrative Right-of-way Tree Activity Permits.
- 7. MMC 16.52.190(E) allows removal of city trees only if replacement trees pursuant to Table 16.52.190(E)(1) are provided. Table 16.52.190(E)(1) requires removal of the hazard Bigleaf maple tree to be replaced with one replacement tree. Table 16.52.190(E)(1) requires removal of the Red Alder tree to be replaced with two replacement trees. Additionally, MMC 16.52.190(E)(3) requires a contribution to the Medina Tree Fund for lost public benefits. This is calculated at \$25 multiplied by the total number of diameter breast height inches being removed. With a total of 19 diameter breast height inches being removed, the applicant is required to contribute of \$475 (19 X \$25) to the Medina Tree Fund. The hazard Bigleaf maple tree inches do not count toward the Medina Tree Fund for lost public benefits.
- 8. A replacement tree is required to meet the requirements set forth in MMC 16.52.190(E)(2). This includes being eligible for credit based on the Medina Suitable Tree Species List, minimum caliper of two-inches, proper spacing and lighting, and at least one replacement tree being of the same plant division (deciduous or coniferous) as the tree being removed. The applicant has specified the replacement trees to be a selection from list 5 of the Medina Suitable Tree List, replacement tree species for credit on City rights-of-way. Verification of satisfying this condition will be included in the conditions of approval. The current proposal identifies two Pacific dogwood (*Cornus nuttallii*) and one additional tree to be either Western Serviceberry (*Amelanchier grandiflora*), another Pacific Dogwood (*Cornus nuttallii*) or Vine Maple (*Acer circinatum*).
- 9. MMC 16.52.190(F)(1) limits the number of trees in the right-of-way to one tree for every 17 linear feet of street frontage, or one tree for every 300 square feet of plantable area, whichever is greater. Plantable area is the pervious surface portion of the city's street rights-of-way located between the curb and the adjoining property line. It excludes the driveways and sidewalk. The adjoining right-of-way contains 68 lineal feet of street frontage and 840 square

feet of plantable area. This means the calculated maximum number of trees in the right-of-way adjoining the applicant's property is 4 trees. (68 lineal feet / 17 feet = 4 trees; 840 sq. ft. / 300 sq. ft. = 3 trees.) The maximum number of trees has been not administratively increased to allow for additional replacement trees. The right-of-way contains one tree to be retained. The proposed three new trees are to be placed in right-of-way adjacent to this property, bringing the total trees in the right-of-way up to four.

10. No public comments were received during the noticing period.

STATE ENVIRONMENTAL POLICY ACT:

11. The Responsible Official concluded that the proposal is exempt from environmental (SEPA) review and threshold determination pursuant to WAC 197-11-800(2)(d)(ii). The maintenance of trees within the street right-of-way represents minor street improvements by a private property that includes transportation corridor landscaping.

Part 6 - Conclusions:

- A. The Director of Development Services has jurisdiction to decide requests for an Administrative Right-of-way Tree Activity Permit pursuant to Table 16.80.050(A). Administrative Right-of-way Tree Activity Permits may be granted for pruning or removing trees located within the city rights-of-way. The applicant is eligible to make the request for the Administrative Right-of-way Tree Activity Permit as the adjoining property owner.
- B. Adequate public notice was provided for the application. A Determination of Completeness was issued by the City on November 2, 2021. A Notice of Application was posted on the property and mailed to nearby property owners on November 3, 2021, consistent with MMC 16.80.110. No public comments were received.
- C. Pursuant to MMC 16.71.050(E), the Director of Development Services may approve an Administrative Right-of-way Tree Activity Permit only if the following criteria are satisfied:
 - 1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
 - 2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;
 - 3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
 - 4. Removal of a city tree is permitted pursuant to MMC 16.52.190(D);
 - 5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
 - 6. Tree trimming or pruning is done in accordance with the following:
 - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;

- b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
- c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree.

7. All other requirements set forth in MMC 16.52.190 are satisfied.

In authorization of an Administrative Right-of-way Tree Activity Permit, the Director of Development Services may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

1. **MMC 16.71.050 (E)(1): The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan.**

Response: Non-viable trees will be removed and replaced [with viable trees]. The proposal meets this requirement.

2. **MMC 16.71.050 (E)(2): The proposal is consistent with the public interest in maintaining an attractive and safe environment.**

Response: The maple and alder are in poor condition and hazardous with moderate to high-risk ratings. Removal will remediate risk to those that make use of Evergreen Point Road. The proposal meets this requirement.

3. **MMC 16.71.050 (E)(3): The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties.**

Response: Removal will not negatively impact nearby properties. The proposal meets this requirement.

4. **MMC 16.71.050 (E)(4): Removal of a city tree is permitted pursuant to MMC 20.52.400(D).**

Response: Yes. The proposal meets this requirement.

5. **MMC 16.71.050 (E)(5): Tree mitigation is provided in accordance with MMC 20.52.400(E) for removed trees.**

Response: Yes, three replacement trees will be planted. The proposal meets this requirement.

6. **MMC 16.71.050 (E)(6): Tree trimming or pruning is done in accordance with the following:**

- a. **The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;**
- b. **The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and**
- c. **The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree.**

Response: This application does not include a request to trim or prune right-of-way trees. This criterion is not applicable.

7. **MMC 16.71.050 (E)(7): All other requirements set forth in MMC 20.52.400 are satisfied.**

Response: Yes. The proposal meets this requirement.

Part 7 - Decision:

The request for an administrative right-of-way tree activity permit to remove a hazardous 20-inch diameter at breast height (DBH) Bigleaf maple (*Acer macrophyllum*) and a 19-inch DBH Red alder (*Alnus rubra*) from the public right-of-way adjoining 3245 Evergreen Point Road is hereby **APPROVED**, subject to the following conditions, allowed as necessary to safeguard the public health, general welfare, and safety pursuant MMC 16.71.050 (F):

1. Tree removal is authorized for the subject trees specified in the ROW tree activity application.
2. The applicant shall plant three replacement trees within the adjoining City right-of-way on Evergreen Point Road. The species will be selected from list 5 of the Medina suitable tree species lists. The current replacement tree planting plan calls for two Pacific Dogwood and one tree that is a Pacific Dogwood, Western Serviceberry or Vine Maple; Species substitutions must obtain approval by the City prior to planting.
3. The applicant is required to contribute \$425 to the Medina Tree Fund prior to the approval of the final inspection for TREE21-075.
4. The applicant shall be responsible for all costs associated with removal of the subject tree and all costs associated with planting the replacement tree.
5. The adjoining property owner shall be responsible to make certain that the replacement tree remains healthy and viable for at least five years after inspection by the City and shall replace the replacement tree if it does not remain healthy and viable during the next five years.
6. Final approval for complying with the terms of this permit and the Medina Tree Code (Chapter 16.52 MMC) is required to be obtained from the City after the replacement tree has been planted. The applicant shall contact the City for final inspection to verify compliance.
7. This administrative right-of-way tree activity permit shall expire 18 months from the later date of this decision being issued or an appeal becoming final. Expiration of the administrative right-of-way tree activity permit is automatic and notice is not required. No extension of the time period for the permit is allowed.
8. A right of way use permit is required under Medina Municipal Code 12.04 and 16.07.020. Submit a traffic control plan for review. Issuance of the permit is required prior to use of the right of way.

Signature: 

Date: November 23, 2021

Steven R. Wilcox
Development Services Director

Part 8 – Appeal:

Pursuant to MMC 16.80.220, decisions by the Director may be appealed to the City of Medina Hearing Examiner. A written notice of appeal identifying the grounds for appeal must be filed by **4:00 pm, Tuesday, December 7, 2021**. Appeals must be in writing and contain specific factual objections. Appeals may be submitted along with the appropriate appeal fee to: Development Services, 501 Evergreen Point Road, PO Box 144, Medina, WA 98039.



STAFF ANALYSIS AND DECISION
YARDUMIAN ADMINISTRATIVE RIGHT OF WAY TREE REMOVAL PERMIT

Prepared by: Tom Early, Medina Tree Code Consultant

Date: November 23, 2021

Summary of Decision: Approved, subject to conditions.

Part 1 – General Information:

CASE NUMBER: TREE 21-074

LOCATION OF TREE: City of Medina Right-of-way adjoining 8224 Overlake Drive West

TAX PARCEL NUMBER: Not applicable

PROPERTY OWNER: Public right-of-way is controlled by the City of Medina

APPLICANT: Ed Yardumian (Owner)

LEGAL DESCRIPTION: Overlake Drive West Public Right-of-way

PROPOSAL: Remove six significant trees from the City right-of-way by the adjoining property owner

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential.

ZONING DESIGNATION: Single-family Residence, R-16

CRITICAL AREAS: None identified.

ENVIRONMENTAL REVIEW (SEPA): Exempt pursuant to WAC 197-11-800(2)(d)(ii).

EXHIBITS:

1. Application
2. Legal Notices
3. Tree Removal and Planting Plan, received by the City on November 1, 2021

Part 2 – Site Characteristics:

EXISTING CONDITIONS: The right-of-way is developed with two vehicle travel lanes with curb, gutter and sidewalk in the adjoining right-of-way. The ground surface relatively level.

SURROUNDING ZONING:

Location	Land Use	Zoning
North	Residential	R-16
South	Residential	R-30
East	Residential	R-16
West	Residential	R-30

ACCESS: Ingress and egress of the adjacent property is from a driveway connecting to Overlake Drive West.

Part 3 – Comprehensive Plan:

The Medina Comprehensive Plan identifies the setting and character of Medina as having a distinctive and informal natural setting that is typified by semi-wooded and heavily landscaped lots that provide visual and acoustic privacy between neighbors and abutting city streets. One of the primary goals is: “To maintain Medina’s high-quality residential setting and character” (Goal LU-G1).

The Medina Landscape plan is a component of the Community Design Element (Chapter 3) of the Comprehensive Plan. The Medina Landscape Plan lists landscaping alternatives to perpetuate the informal, natural appearance of Medina’s street right-of-way, public areas, and the adjacent portions of private property.

The following are applicable goals that apply to the creation of landscaping arrangements:

- Screen development from City streets and from neighboring properties;
 - Respect the scale and nature of plantings in the immediate vicinity;
 - Recognize “historical” view corridors;
 - Maintain the city’s informal, natural appearance.
- GOAL: CD-G2: To maintain the informal, natural appearance of Medina’s street rights-of-way and public areas.

Policy CD-P5: Residents are urged to consult with the City and with their neighbors on both removal and replacement of trees and tree groupings to help protect views and to prevent potential problems (e.g., removal of an important tree or planting a living fence).

Part 4 – Agency Review/ Public Comment:

NOTICES: (See Exhibit 2)

Application Received:	November 1, 2021
Determination of Completeness:	November 2, 2021
Notice of Application:	November 3, 2021

A Notice of Application was mailed to nearby property owners consistent with MMC 16.80.110. A 14-day public comment period was utilized. The notice was posted at Medina City Hall, the Post Office in Medina, the public notice board at Medina Park, the City’s website, and at the tree removal site.

GENERAL PUBLIC COMMENTS: No public comments were received.

AGENCY COMMENTS: Not applicable.

Part 5 – Staff Analysis/ Findings of Fact:

GENERAL:

1. Ed Yardumian (Owner) requests the removal of six significant trees from the City right-of-way adjacent to their property.
2. King County Parcel Viewer indicates Ed Yardumian the owner of the lot adjoining the subject tree.
3. The six subject trees are four western red cedar (*Thuja plicata*) measuring 9.8, 9.9, 25.5 and 12.7-inch diameter at breast height (DBH) and two Douglas fir (*Pseudotsuga menziesii*) measuring 14.3 and 21.6-inch DBH. Both trees are listed as significant tree species for the right-of-way under List 2, Significant Tree Species on City Rights-of-way, of the City of Medina List of Suitable Tree Species.

ANALYSIS OF THE TREE REMOVAL PERMIT:

4. MMC 16.52.190(D) requires city trees in the right-of-way to be preserved unless removal can be authorized. The subject trees do not qualify for an exemption under MMC 16.52.030. Pursuant to MMC 16.52.190(D), removal of a tree located within a city right-of-way can be authorized for the following:
 1. Hazard trees;
 2. Nuisance trees;
 3. Trees not suitable under utility lines, or in the city right-of-way, as prescribed in the “City of Medina List of Suitable Tree Species”;
 4. Any tree having less than a 10-inch diameter breast height size; and any trees not included on the “City of Medina Suitable Tree Species List” for the right-of-way having less than a 36-inch diameter breast height size;
 5. Trees where pruning and trimming for utilities caused significant defects to the primary stem of the tree resulting in significant abnormal growth;
 6. Trees where removal is necessary to allow vehicle access to a property; or

7. Trees where removal is necessary to restore a view.

The request to remove the subject trees qualifies for removal because they are nuisance trees, in that they have all been previously topped and have defects which cannot be restored to a sound condition practically. The request qualifies for the allowance of removal set forth in MMC 16.52.190(D)(2).

- 5. MMC 16.52.160(C) establishes a requirement for an Administrative Right-of-way Tree Activity Permit for removal of any tree, excluding hazard trees, that is:
 - a. Six inches or larger diameter breast height (DBH) size;
 - b. Located in any open or closed city right-of-way;
 - c. Application for the permit is made by the owner of property adjoining the right-of-way where the tree is located; and
 - d. The removal does not require a non-administrative right-of-way tree activity permit under subsection (D) of this section.

The request to remove the subject trees meets the criteria for requiring an Administrative Right-of-way Tree Activity Permit. The trees are larger than six inches DBH and the request for removal is by the adjoining property owner. The request does not meet any of the conditions requiring a non-administrative right-of-way tree activity permit.

- 6. Pursuant to MMC 16.80.050(B), Administrative Right-of-way Tree Activity Permits are a Type 2 decision. Type 2 decisions are administrative actions that require public notice. The Director of Development Services is designated as the decision authority to decide Administrative Right-of-way Tree Activity Permits.
- 7. MMC 16.52.190(E) allows removal of city trees only if replacement trees pursuant to Table 16.52.190(E)(1) are provided. Table 16.52.190(E)(1) requires removal of the trees six to ten-inches DBH to be replaced with one tree, the removal of subject trees over ten but less than 24-inches DBH to be replaced with two trees and the removal of subject trees twenty-four inches and over to be replaced with three trees. The removal of the subject trees requires a total of 11 replacement trees to be planted in the adjacent right-of-way. Additionally, MMC 16.52.190(E)(3) requires a contribution to the Medina Tree Fund for lost public benefits. This is calculated at \$25 multiplied by the total number of diameter breast height inches being removed. With a total of 94 diameter breast height inches being removed, the applicant is required to contribute of \$2,350 (94 X \$25) to the Medina Tree Fund.
- 8. A replacement tree is required to meet the requirements set forth in MMC 16.52.190(E)(2). This includes being eligible for credit based on the Medina Suitable Tree Species List, minimum caliper of two-inches, proper spacing and lighting, and at least one replacement tree being of the same plant division (deciduous or coniferous) as the tree being removed. The applicant has specified the replacement trees to be a selection from list 5 of the Medina Suitable Tree List, tree species suitable for credit on City rights-of-way. Verification of satisfying this condition will be included in the conditions of approval. The current proposal identifies three Vine Maple (*Acer circinatum*), four mountain hemlock (*Tsuga mertensiana*) and two Hinoki cypress (*Chamaecyparis obtusa*).
- 9. MMC 16.52.190(F)(1) limits the number of trees in the right-of-way to one tree for every 17 linear feet of street frontage, or one tree for every 300 square feet of plantable area, whichever is greater. Plantable area is the pervious surface portion of the city's street rights-of-way located between the curb and the adjoining property line. It excludes the driveways and

sidewalk. The adjoining right-of-way contains 68 lineal feet of street frontage and 840 square feet of plantable area. This means the calculated maximum number of trees in the right-of-way adjoining the applicant's property is 4 trees. (97 lineal feet / 17 feet = 6 trees; 1892 sq. ft. / 300 sq. ft. = 7 trees.)

- 10. The maximum number of trees has been administratively increased, pursuant to MMC 16.52.190 (F)(2) to allow for two additional replacement trees for a total of nine replacement trees. The right-of-way will contain no retained trees. The proposed nine new trees are to be placed in right-of-way adjacent to this property, bringing the total trees in the right-of-way up to nine.
- 11. Pursuant to MMC 16.52.190(F)(3), the applicant shall contribute \$290 for each replacement tree above the maximum in lieu of planting replacement trees above the maximum. The calculated replacement trees is eleven, requiring an additional \$1,160 to the Public Benefit Contribution, totaling \$3,510.
- 12. The two additional replacement trees, being conifer trees, gain \$600 each to reduce the Total Public Benefit by \$1200. The Net Public Benefit Contribution to be paid is \$3,510-\$1200 = \$2,310.
- 13. No public comments were received during the noticing period.

STATE ENVIRONMENTAL POLICY ACT:

- 14. The Responsible Official concluded that the proposal is exempt from environmental (SEPA) review and threshold determination pursuant to WAC 197-11-800(2)(d)(ii). The maintenance of trees within the street right-of-way represents minor street improvements by a private property that includes transportation corridor landscaping.

Part 6 - Conclusions:

- A. The Director of Development Services has jurisdiction to decide requests for an Administrative Right-of-way Tree Activity Permit pursuant to Table 16.80.050(A). Administrative Right-of-way Tree Activity Permits may be granted for pruning or removing trees located within the city rights-of-way. The applicant is eligible to make the request for the Administrative Right-of-way Tree Activity Permit as the adjoining property owner.
- B. Adequate public notice was provided for the application. A Determination of Completeness was issued by the City on November 2, 2021. A Notice of Application was posted on the property and mailed to nearby property owners on November 3, 2021, consistent with MMC 16.80.110. No public comments were received.
- C. Pursuant to MMC 16.71.050(E), the Director of Development Services may approve an Administrative Right-of-way Tree Activity Permit only if the following criteria are satisfied:
 - 1. The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan;
 - 2. The proposal is consistent with the public interest in maintaining an attractive and safe environment;

- 3. The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties;
- 4. Removal of a city tree is permitted pursuant to MMC 16.52.190(D);
- 5. Tree mitigation is provided in accordance with MMC 16.52.190(E) for removed trees;
- 6. Tree trimming or pruning is done in accordance with the following:
 - a. The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;
 - b. The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and
 - c. The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree.
- 7. All other requirements set forth in MMC 16.52.190 are satisfied.

In authorization of an Administrative Right-of-way Tree Activity Permit, the Director of Development Services may attach reasonable conditions as necessary to safeguard the public health, general welfare and safety.

- 1. **MMC 16.71.050 (E)(1): The proposal is compatible with Chapter 3, Community Design Element, of the comprehensive plan.**
 Response: All 4 western red cedars and 2 Douglas fir [trees] have been previously topped [for view improvement of the eastern neighbors] which is irrevocable damage and runs counter to the goals stated above. The proposal meets this requirement.
- 2. **MMC 16.71.050 (E)(2): The proposal is consistent with the public interest in maintaining an attractive and safe environment.**
 Response: Previously topped trees are not natural shapes and are aesthetically displeasing. These trees would have a higher probability of failure as they grow taller due to false stems growing larger and sitting on top of a rot pocket that is created when a conifer is topped. The proposal meets this requirement.
- 3. **MMC 16.71.050 (E)(3): The tree trimming, pruning or removal will have no materially detrimental effects on nearby properties.**
 Response: As these trees are not naturally shaped they provide little to no value aesthetically. The proposal meets this requirement.
- 4. **MMC 16.71.050 (E)(4): Removal of a city tree is permitted pursuant to MMC 20.52.400(D).**
 Response: Yes. The proposal meets this requirement.
- 5. **MMC 16.71.050 (E)(5): Tree mitigation is provided in accordance with MMC 20.52.400(E) for removed trees.**
 Response: Yes, three replacement trees will be planted. The proposal meets this requirement.

- 6. **MMC 16.71.050 (E)(6): Tree trimming or pruning is done in accordance with the following:**
 - a. **The trimming or pruning does not exceed 25 percent of the canopy of the tree in the area, unless supported by ANSI Standard A300;**
 - b. **The trimming or pruning does not adversely affect adjoining and nearby properties regarding erosion control, noise control, shade, or other existing landscaping within the unimproved areas of the right-of-way; and**
 - c. **The trimming or pruning complies with ANSI Standard A300 and does not cause unnecessary mutilation or damage to the tree.**

Response: This application does not include a request to trim or prune right-of-way trees. This criterion is not applicable.

- 7. **MMC 16.71.050 (E)(7): All other requirements set forth in MMC 20.52.400 are satisfied.**

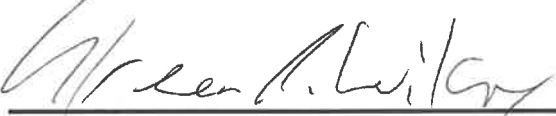
Response: Yes. The proposal meets this requirement.

Part 7 - Decision:

The request for an administrative right-of-way tree activity permit to remove four western red cedar (*Thuja plicata*) measuring 9.8, 9.9, 25.5 and 12.7-inch diameter at breast height (DBH) and two Douglas fir (*Pseudotsuga menziesii*) measuring 14.3 and 21.6-inch DBH from the public right-of-way adjoining 3245 Evergreen Point Road is hereby **APPROVED**, subject to the following conditions, allowed as necessary to safeguard the public health, general welfare, and safety pursuant MMC 16.71.050 (F):

- 1. Tree removal is authorized for the subject trees specified in the ROW tree activity application.
- 2. The applicant shall plant nine replacement trees within the adjoining City right-of-way on Evergreen Point Road. The species will be selected from list 5 of the Medina suitable tree species lists. The current replacement tree planting plan calls for three Vine Maple (*Acer circinatum*), four mountain hemlock (*Tsuga mertensiana*) and two Hinoki cypress (*Chamaecyparis obtusa*); Species substitutions must obtain approval by the City prior to planting.
- 3. The applicant is required to contribute \$2,310 to the Medina Tree Fund prior to the approval of the final inspection for TREE21-074.
- 4. The applicant shall be responsible for all costs associated with removal of the subject tree and all costs associated with planting the replacement tree.
- 5. The adjoining property owner shall be responsible to make certain that the replacement tree remains healthy and viable for at least five years after inspection by the City and shall replace the replacement tree if it does not remain healthy and viable during the next five years.
- 6. Final approval for complying with the terms of this permit and the Medina Tree Code (Chapter 16.52 MMC) is required to be obtained from the City after the replacement tree has been planted. The applicant shall contact the City for final inspection to verify compliance.

- 7. This administrative right-of-way tree activity permit shall expire 18 months from the later date of this decision being issued or an appeal becoming final. Expiration of the administrative right-of-way tree activity permit is automatic and notice is not required. No extension of the time period for the permit is allowed.
- 8. A right of way use permit is required under Medina Municipal Code 12.04 and 16.07.020. Submit a traffic control plan for review. Issuance required prior to any use of the right of way.

Signature:  Date: November 23, 2021

Steven R. Wilcox
Development Services Director

Part 8 – Appeal:

Pursuant to MMC 16.80.220, decisions by the Director may be appealed to the City of Medina Hearing Examiner. A written notice of appeal identifying the grounds for appeal must be filed by **4:00 pm, Tuesday, December 7, 2021**. Appeals must be in writing and contain specific factual objections. Appeals may be submitted along with the appropriate appeal fee to: Development Services, 501 Evergreen Point Road, PO Box 144, Medina, WA 98039.



CITY OF MEDINA REQUEST FOR PROPOSAL

ARBORIST SERVICES

Submittal Due Date: 4:00 PM December 23, 2021

The City of Medina is soliciting your proposal to assist with the administration of its Tree Management Code. This is on-call and contractual basis. The City of Medina considers proper enforcement of the Tree Management Code a priority.

Duties

The City Arborist is a professional consultant who works under the general supervision of the Development Services Department Director. The City Arborist must work effectively with residents, design and construction professionals, and city staff. The work will involve all duties as required to assist in administration of the Medina Municipal Code specific to Chapter 16.52 – Tree Management Code. Additional duties in support of the enforcement of Medina environmental ordinances including landscape restoration and critical areas are needed. Ability to support city staff in non-compliant tree and other landscape activity matters through code enforcement. Participation in Medina hosted pre-application meetings which are held on Wednesday mornings based upon need. Ability to schedule and attend on-site pre-construction meetings with a 48-business hour notice. Occasional attendance at Planning Commission, Parks Board, City Council meetings, and hearings. All work is performed in collaboration with Medina staff and consultants within private property and the public right of way. City hall is currently closed, but once re-opened the arborist will be expected to be able to attend in-person meetings.

Qualifications

Any combination of education, experience, and certification required to perform the duties as City Arborist with International Society of Arboriculture (ISA) certification and/or Washington State licensed Landscape Architect preferred. City Arborist duties may be separated or consolidated between more than one person.

Demonstration of qualification through experience and education in ability to:

- Apply and support Municipal tree code enforcement
- Effective and professional writing skills
- Effectively communicate technical concepts to residents
- Apply right of entry rules
- Guide permit applicants through process
- Perform unbiased risk and health assessments
- Draft administrative and non-administrative decisions
- Perform plan review according to adopted codes and standards
- Perform field inspections following approved permits
- Read working drawings
- Review plans electronically through use of Bluebeam
- Prepare effective staff reports regarding monthly tree permitting activity
- Detailed monthly invoicing fully accounting for charged activities
- Work remotely
- Use Medina’s permit tracking system, and Microsoft products
- Work in-person to perform field inspections, field meetings and similar with in-office/in-person attendance at City Hall pending re-opening
- Perform other associated duties as needed
- Perform according to the template “Agreement for Consultant Services” provided

Submittal Requirements

Please submit a transmittal letter accompanying your proposal on or before 4:00 PM on Thursday December 23, 2021. Please detail qualifications and compensation.

Send via regular mail to:

**City of Medina
501 Evergreen Point Road
Medina, WA 98039**

**ATTN Steven R. Wilcox
Development Services Director**

and/or via email to:

swilcox@medina-wa.gov
with copy to Akellerman@medina-wa.gov

Selection Process

Initial review by the Development Services Director followed by committee review. Director decision.

Candidate agencies will be notified through the assigned contact of selection process status no later than 4:00 PM on Friday January 7, 2022.

Rejection of Submittals

The City reserves the right to reject any and all submittals and to waive irregularities and informalities in the submittal and evaluation process. This RFP does not obligate the City to pay any costs incurred by respondents in the preparation and submission of their Qualifications. Furthermore, the RFP does not obligate the City to accept or contract for any expressed or implied service.

RFP Questions

Questions regarding this request for proposal:

Steven R. Wilcox
City of Medina
Development Services Director

425-233-6409
swilcox@medina-wa.gov



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

Date: December 13, 2021

To: Honorable Mayor and City Council

Via: Michael Sauerwein, City Manager

From: Julie Ketter, Finance & HR Director

Subject: November 2021 Financial Reporting

The November 2021 Reporting includes:

- November 2021 AP Check Register Activity Detail (5.1)
- November 2021 Revenue & Expense Summary
- November Cash Position Report
- 2021 Projected Comparative Fund Summary, including 2022's adopted budget

Key Items for November YTD include:
 (Items in red reflect new alerts since prior reporting.)

GENERAL FUND

Revenue:

- Property Tax is at \$4M (99.2% of budget) as of November 2021. Property Tax normally is deposited during the April/May and October/November fiscal periods. It is expected that the remaining amounts of our annual total will be received as the associated owners' late tax payments are paid.
- Sales Tax Revenues are \$1.8M (16% above budget) as of November 2021. This continues the 2020 pace, elevated due to COVID impacts causing increased destination-based receipts. Additional destination-based receipts are high due to the large amount of development activity and the increase costs of their building supplies. In creating the 2021 budget, staff and Council decided to budget this revenue conservatively rather than planning for sporadic windfalls caused by large expensive destination-based purchases. The COVID related impacts *were* expected to lessen as the year progressed; however, if receipts continue at this pace, this revenue source could exceed \$2M. This would represent a 27% increase over prior year.
- Utility Taxes & Franchise Fees are remitted mostly by the quarter. The year-to-date amount reflected in November, \$942K represents receipts of 4th quarter 2020 and 2021 Q1, Q2 & Q4 amounts. No additional amounts are expected this year.
- Development fees continue to come in at a stunning pace; associated expenses will take 1-2 years to catch up with receipts.
- Hunts Point's Q1-Q3 contract payments for police services have been received and are reflected in General Government revenues. Q4's payment is expected to arrive before the end of the year. The contract receipts for 2021 will be \$17K below line-item budget due to 2020 PD cost savings Medina is contractually obligated to pass along to Hunts Point in 2021.
- Traffic fines receipts are low, matched with low court-related expenses. With stepped up enforcement an uptick is expected. However, it is unlikely to bring the revenue & court expenses up to budgeted amounts.

- Note: asset disposal is high due to a \$41K receipt caused by a return and 2021 refund of camera equipment purchased in 2020. It is flagged in the General Fund this way in order to track it for eventual repurchases.

Expense:

- Finance pays the full 2021 annual WCIA Insurance Liability premiums in January, \$186K. This single expense accounts for 35% of its overall budget. Additionally, Finance’s budget includes amounts for banking fees. With the recent launching of an online DS permit application and payment process, credit card processing fees are exceeding the expense line’s budget (Miscellaneous). It is offset by applicant convenience revenue. Staff, in creating the budget, underestimated the willingness of applicants to pay 3% in order to pay by credit cards.
- Fire & Medical Aid pays the contract fees to Bellevue Fire in two installments. The first half was paid in June. In August, the City paid its LEOFF1, retirees pension obligation of \$30K. The second half will be paid in December.

CAPITAL FUND

- There is \$1.7M of REET (real estate excise tax) revenue year-to-date, reflecting December 2020 - October’s real estate activity. This is 199% of the receipts we had anticipated for the entire year when drafting the (amended) budget. So far the predicted, eventual, slowing of home sales in Medina has yet to show itself.
- The first half of the Federal ARPA (covid relief funds) has been received; \$459K. The second half is expected in 2022 and is reflected in the 2022 budget adopted last month.
- Capital expense budget is only at 14.76% spent. Large project billings have yet to be received but cost center is still projected to come in below budget due to delay of some items into 2022.

CASH POSITION

- As of 11/30/2021, the City’s total cash balances are at a robust \$11M. However, approximately 60% of that is restricted---such as REET receipts, ARPA funds & Development Service customer deposits. And the non-restricted, General Fund cash will be tapped heavily in the remaining 2 months of the year as we finish out the budget year.

Year End Carryover Balances

Now that we are in the final third of the year, as per our practice a Comparative Summary by Fund has been added to the packet. It reflects the anticipated year end balances for 2021 that will be carried into 2022. It is the City’s policy to carry a balance, equal to 25% of next year’s General Fund expenses, forward from the prior year in that fund. This is to cover monthly expenses until the City’s major source of funding (property taxes) is received in the spring. Currently we are projecting about \$823K in excess of the 25% requirement needed at 12/31/2021. This is mainly due to higher than typical Sales Tax receipts and moving Development Services out of the General Fund, thus lowering the amount needed to achieve 25%. It is staff’s recommendation, after the 2021’s books have been closed to transfer the amount above the 25% required to the Contingency Fund, as was done with 2020’s year-end carryover excess. This will be discussed at Finance Committee’s next meeting, once the books are closed for the year.

GENERAL FINANCE NOTES:

None.

City of Medina
Revenue & Expense Summary
November 2021

	NOV ACTUAL	NOV YTD ACTUAL	Amended (12/13/21) 2021 ANNUAL BUDGET	% of Budget Total	REMAINING BUDGET	2021 Year-end Projection	% of Budget
REVENUE:							
General Fund							
Property Tax	\$501,409	\$3,954,569	\$3,986,413	99.20%	\$31,844	\$ 3,986,413	100.00%
Sales Tax	\$161,034	\$1,845,229	\$1,587,354	116.25%	(\$257,875)	\$ 2,013,839	126.87%
Criminal Justice	\$8,612	\$95,810	\$90,080	106.36%	(\$5,730)	\$ 95,810	106.36%
B & O Tax: Utility & Franchise Fee	\$140,156	\$941,869	\$890,524	105.77%	(\$51,345)	\$ 941,869	105.77%
Leasehold Excise Tax	\$0	\$911	\$800	113.88%	(\$111)	\$ 911	113.88%
Building Permits, Planning & Development	\$71,730	\$1,276,922	\$890,611	143.38%	(\$386,311)	\$ 1,393,006	156.41%
General Government (includes Hunts Point)	\$0	\$271,824	\$353,811	76.83%	\$81,987	\$ 358,406	101.30%
Passports, General Licenses & Permits	\$90	\$1,344	\$8,490	15.83%	\$7,146	\$ 1,344	15.83%
Fines, Penalties, Traffic Infr.	\$1,960	\$11,808	\$31,250	37.79%	\$19,442	\$ 12,873	41.19%
Misc. Invest. Facility Leases	\$16,466	\$145,907	\$128,007	113.98%	(\$17,900)	\$ 148,959	116.37%
Other Revenue, Dispositions	\$3,196	\$54,646	\$3,000	1821.52%	(\$51,646)	\$ 54,646	1821.52%
General Fund Total	\$904,652	\$8,600,839	\$7,970,340	107.91%	(\$630,499)	\$ 9,008,075	113.02%
Street Fund	\$4,562	\$122,661	\$143,514	85.47%	\$20,853	\$ 128,800	89.75%
Street Fund Transfers In	\$31,428	\$345,704	\$377,132	91.67%	\$31,428	\$ 377,132	100.00%
Tree Fund	\$0	\$0	\$3,075	0.00%	\$3,075	\$ -	0.00%
Contingency Fund (Transfers In)	\$0	\$0	\$250,000	0.00%	\$250,000	\$ 250,000	100.00%
Levy Stabilization Fund (Transfers In)	\$41,667	\$458,333	\$500,000	91.67%	\$41,667	\$ 500,000	100.00%
Capital Fund	\$113,419	\$2,248,184	\$1,215,016	185.03%	(\$1,033,168)	\$ 2,686,946	121.14%
Total (All Funds)	\$1,022,634	\$10,971,684	\$9,331,945	117.57%	(\$1,639,739)	\$ 11,823,822	126.70%
Total (All Funds) Transfers In	\$73,094	\$804,038	\$1,127,132	71.33%	\$323,094	\$ 1,127,132	100.00%

	NOV ACTUAL	NOV YTD ACTUAL	Amended (12/13/21) 2021 ANNUAL BUDGET	% of Budget Total	REMAINING BUDGET	2021 Year-end Projection	% of Budget
EXPENDITURES:							
General Fund							
Legislative	\$0	\$9,186	\$39,600	23.20%	\$30,414	\$ 16,357	41.30%
Municipal Court	\$4,850	\$49,407	\$57,000	86.68%	\$7,593	\$ 57,000	100.00%
Executive	\$30,212	\$263,966	\$339,819	77.68%	\$75,853	\$ 339,819	100.00%
Finance	\$37,927	\$503,747	\$524,983	95.95%	\$21,236	\$ 552,950	105.33%
Legal	\$24,852	\$267,456	\$367,200	72.84%	\$99,744	\$ 337,200	91.83%
Central Services	\$66,182	\$748,330	\$941,639	79.47%	\$193,309	\$ 849,957	90.26%
Police Operations	\$176,143	\$1,986,294	\$2,380,557	83.44%	\$394,263	\$ 2,306,179	96.88%
Fire & Medical Aid	\$0	\$418,977	\$807,954	51.86%	\$388,977	\$ 807,954	100.00%
Public Housing, Environmental & Mental Health	\$240	\$29,381	\$31,238	94.05%	\$1,857	\$ 31,306	100.22%
Development & Planning	\$67,290	\$783,666	\$910,642	86.06%	\$126,976	\$ 851,332	93.49%
Recreational Services	\$0	\$27,218	\$44,820	60.73%	\$17,602	\$ 27,218	60.73%
Parks	\$41,574	\$443,068	\$511,781	86.57%	\$68,713	\$ 493,517	96.43%
General Fund Total	\$449,269	\$5,530,696	\$6,957,233	79.50%	\$1,426,537	\$ 6,670,789	95.88%
General Fund Transfers Out	\$73,094	\$804,038	\$1,127,132	71.33%	\$323,094	\$ 1,127,132	100.00%
Street Fund	\$33,744	\$373,583	\$515,112	72.52%	\$141,529	\$ 438,738	85.17%
Tree Fund	\$0	\$18,976	\$38,000	49.94%	\$19,024	\$ 18,976	49.94%
Capital Fund	\$26,175	\$139,079	\$942,000	14.76%	\$802,921	\$ 832,107	88.33%
Capital Fund Transfers Out	\$0	\$0	\$0	0.00%	\$0	\$ -	-
Total (All Funds)	\$509,188	\$6,062,334	\$8,452,344	71.72%	\$2,390,010	\$ 7,960,610	94.18%
Total (All Funds) Transfers Out	\$73,094	\$804,038	\$1,127,132	71.33%	\$323,094	\$ 1,127,132	100.00%

**2021 YTD Cashflow Report
November 2021**

<u>2021 Beginning Cash Balance 1/1/2021</u>		<u>2021 Cash Balance, to date</u>	
<u>TOTAL CASH & INVESTMENTS</u>		<u>TOTAL CASH & INVESTMENTS</u>	
Beginning Year: 1/1/2021		Period Ending 11/30/2021	
WA ST INV POOL	\$ 2,842,687	WA ST INV POOL	\$ 5,368,049
OTHER INVESTMENTS	1,500,000	OTHER INVESTMENTS*	1,500,000
CHECKING	<u>1,580,653</u>	CHECKING	<u>4,033,312</u>
	\$ 5,923,340		\$ 10,901,362

*Bond maturity dates:

\$500K bond (Mar 2021)
3/3/2025
\$1M bond (Aug 2020)
8/5/2024

COMPARATIVE SUMMARY BY FUND
Projections as of 12/13/2021

	2019	2020	2021 Budget, assuming passing of 12/13/2021 amendment	2021 Year-end Projections	2022 Adopted Budget	
DESCRIPTION	Actuals	Actual				General Fund Year End Carryover Balances
GENERAL FUND						
BEGINNING FUND BALANCE	\$ 837,822	\$ 1,181,753	\$ 2,194,185	\$ 2,194,185	\$ 3,404,339	2021 Fund Balance Projected. Excess/(Shortfall)
REVENUES	6,816,529	7,983,720	7,970,340	9,008,075	8,270,543	
OPERATING TRANSFERS-IN	-	-	-	-	-	\$823,319
EXPENDITURES	6,432,598	6,601,288	6,957,233	6,670,789	6,779,723	25% Policy Minimum
OPERATING TRANSFERS-OUT	40,000	370,000	1,127,132	1,127,132	1,901,527	
Year end carryover balance	\$ 1,181,753	\$ 2,194,185	\$ 2,080,160	\$ 3,404,339	\$ 2,993,632	\$2,170,313
STREET FUND						
BEGINNING FUND BALANCE	\$ 17,469	\$ 16,031	\$ 13,778	\$ 13,778	\$ 74,963	34.5%
REVENUES	88,024	65,875	143,514	129,371	118,801	
OPERATING TRANSFERS-IN	387,000	370,000	377,132	377,132	401,527	<i>Note: GF balances prior to 2022 do not include Development Services' customer deposits or SAO 2019 directive "fiduciary" amounts</i>
EXPENDITURES	476,461	438,128	515,112	445,318	520,328	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
Year end carryover balance	\$ 16,031	\$ 13,778	\$ 19,312	\$ 74,963	\$ 74,963	
DEV. SERVICES FUND						
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	-	
REVENUES	-	-	-	-	1,356,895	
OPERATING TRANSFERS-IN	-	-	-	-	1,000,000	
EXPENDITURES	-	-	-	-	1,179,726	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
Year end carryover balance	\$ -	\$ -	\$ -	\$ -	\$ 1,177,169	
TREE FUND						
BEGINNING FUND BALANCE	\$ 139,689	\$ 113,572	\$ 110,072	\$ 110,072	\$ 91,096	
REVENUES	3,950	-	3,075	-	3,075	
OPERATING TRANSFERS-IN	-	-	-	-	-	
EXPENDITURES	30,067	3,500	38,000	18,976	40,000	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
Year end carryover balance	\$ 113,572	\$ 110,072	\$ 75,147	\$ 91,096	\$ 54,171	
LEVY STABILIZATION FUND						
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	\$ 500,000	
OPERATING TRANSFERS-IN	-	-	500,000	500,000	500,000	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
Year end carryover balance	\$ -	\$ -	\$ 500,000	\$ 500,000	\$ 1,000,000	Must have min. of \$2M by 12/31/2025
CAPITAL PROJECTS FUND						
BEGINNING FUND BALANCE	\$ 1,930,333	\$ 2,049,772	\$ 3,281,736	\$ 3,281,736	\$ 5,701,992	
REVENUES	1,420,455	1,841,084	1,215,016	3,150,363	2,086,618	
OPERATING TRANSFERS-IN	-	-	-	-	-	
EXPENDITURES	954,015	609,120	942,000	730,107	1,510,000	<i>Note: CPF balances do not include contractor retainage activity amounts</i>
OPERATING TRANSFERS-OUT	347,000	-	-	-	-	
Year end carryover balance	\$ 2,049,772	\$ 3,281,736	\$ 3,554,752	\$ 5,701,992	\$ 6,278,610	
CONTINGENCY FUND						
BEGINNING FUND BALANCE	\$ -	\$ -	\$ -	\$ -	\$ 250,000	
REVENUES	\$ -	\$ -	\$ -	\$ -	\$ -	
OPERATING TRANSFERS-IN	\$ -	\$ -	\$ 250,000	\$ 250,000	\$ -	
OPERATING TRANSFERS-OUT	-	-	-	-	-	
Year end carryover balance	\$ -	\$ -	\$ 250,000	\$ 250,000	\$ 250,000	
TOTAL ALL FUNDS BUDGET						
BEGINNING FUND BALANCE	\$ 2,925,313	\$ 3,361,128	\$ 5,599,771	\$ 5,599,771	\$ 10,022,390	
REVENUES	8,328,957	9,890,679	9,331,945	12,287,809	11,835,932	
OPERATING TRANSFERS-IN	387,000	370,000	1,127,132	1,127,132	1,901,527	
EXPENDITURES	7,893,142	7,652,036	8,452,345	7,865,190	10,029,777	
OPERATING TRANSFERS-OUT	387,000	370,000	1,127,132	1,127,132	1,901,527	
Year end carryover balance	\$ 3,361,128	\$ 5,599,771	\$ 6,479,373	\$ 10,022,390	\$ 11,828,545	



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

Date: December 13, 2021

To: Honorable Mayor and City Council

Via: Michael Sauerwein, City Manager

From: Aimee Kellerman, City Clerk

Subject: Central Services Department Monthly Report

NOVEMBER AND DECEMBER PUBLIC MEETINGS AND EVENTS

Event	Date	Time	Location
Planning Commission Meeting	Dec 14	4:00 pm	Teleconference/Online
Day Before Christmas Holiday – <i>City Hall Closed</i>	Dec 24		
City Council Meeting - <i>Cancelled</i>	Dec 27		
Day Before New Year’s Holiday – <i>City Hall Closed</i>	Dec 31		
City Council Meeting	Jan 10	4:00 pm	Teleconference/Online
Martin Luther King Jr.’s Birthday – <i>City Hall Closed</i>	Jan 17		
Park Board Meeting	Jan 18	5:00 pm	Teleconference/Online
City Council Meeting	Jan 24	4:00 pm	Teleconference/Online
Planning Commission Meeting	Jan 25	4:00 pm	Teleconference/Online

Meetings are publicly noticed on the City’s three official notice boards, City website, and via GovDelivery. Occasionally notices require publication in the City’s official newspaper, The Seattle Times. Public meetings scheduled after publication of this report can be found on the City’s website.

COMMUNICATION TO OUR COMMUNITY

E-Notice Program: During the month of November, the City issued 27 bulletins amounting to a total of 93,226 bulletins delivered to subscribers; approximately 10.2% were opened. See **Attachment 1**.

As of November 30, the City had 12,003 subscribers (change in total subscribers +206), with a combined total of 122,630 subscriptions (change in total subscriptions +1,616).

RECORDS REQUESTS

As of November 30, 6 public records requests have been received by Central Services. See **Attachment 2**.

ATTACHMENT 1

	Bulletins Developed	Total Recipients	Total Delivered	Unique Email Opens	Unique Email Open	Wireless Recipients
Comparisons:						
November, 2021	27	100,179	93,226	7,593	10.20%	22,569
October, 2021	37	124,366	118,068	9,230	8.60%	21,579
September, 2021	25	86,280	80,364	6,546	10.10%	18,846
August, 2021	21	98,271	92,022	9,193	12.40%	21,013
July, 2021	17	46,230	43,222	4,020	10.80%	7,435
June, 2021	23	80,050	75,120	6,629	10.40%	13,924
May, 2021	31	120,746	113,370	10,176	10.70%	21,364
April, 2021	35	115,716	109,081	9,571	10.10%	17,510
March, 2021	37	101,291	95,540	8,119	9.50%	12,522
February, 2021	26	71,737	67,738	6,927	11.50%	9,355
January, 2021	20	68,455	64,548	6,858	11.90%	8,944
December, 2020	27	115,648	109,761	9,151	9.30%	14,662
November, 2020	24	84,718	80,375	7,115	9.80%	9,772
October, 2020	37	124,366	118,068	9,230	8.60%	14,379
Date Sent	Top 10 Most Read Bulletins During November				Emails Opened	Email Open Rate
11/05/2021 02:13 PM PDT	Save the Date! Reception Honoring Outgoing Council Members - December 9, 2021				868	11%
11/05/2021 02:54 PM PDT	Save the Date! Christmas Ships Parade - Wednesday, Dec. 22nd 5:35 PM @ Medina Beach Park!				1,109	11%
11/05/2021 02:57 PM PDT	November 8, 2021 Medina City Council Regular Meeting (on-line) Agenda				803	10%
11/17/2021 10:00 AM PST	November 22, 2021- Medina City Council Regular Meeting - CANCELLED				820	12%
11/17/2021 01:36 PM PST	Annual Holiday Giving Program to Benefit Childhaven				901	12%
11/19/2021 12:17 PM PST	E-lert - MEDINA ACCREDITED FOR HIGHEST PROFESSIONAL STANDARDS OF POLICING				914	26%
11/19/2021 03:00 PM PST	Save the Date! Christmas Ships Parade - Wednesday, Dec. 22nd 5:30 PM @ Medina Beach Park!				987	12%
11/19/2021 03:00 PM PST	Save the Date! Reception Honoring Outgoing Council Members - December 9, 2021				891	12%
11/24/2021 10:00 AM PST	Reminder! Annual Holiday Giving Program to Benefit Childhaven deadline is December 3rd				784	11%
11/24/2021 04:00 PM PST	City Hall Closed In Observance of Thanksgiving - November 25th and 26th				742	10%



ATTACHMENT 2

501 EVERGREEN POINT ROAD • P.O. BOX 144 • MEDINA, WA 98039-0144
TELEPHONE (425) 233-6400 • FAX (425) 451-8197 • www.medina-wa.gov

DATE: December 13, 2021
TO: Mayor and City Council
From: Aimee Kellerman, City Clerk
Subject: November 2021, Public Records Request Tracking

In November 2021, Central Services staff received **6** new public records requests, **1** ongoing public records request. These requests required approximately **5 hours** of Central Services staff time and **0 hours** of consulting time with the City Attorney. The overall November cost, which includes staff hourly rate plus benefits and City Attorney fees is approximately **\$293**.

In addition, the police department receives public records requests specific to police business that require records research and information distribution. In November 2021, the Police Department received **11** new records requests. These requests required approximately **1.5 hours** of staff time and **0 hours** of consulting time with the City Attorney. The overall November cost, which includes staff hourly rate plus benefits is approximately **\$93**. The requests are from outside law enforcement agencies, insurance carriers, the public and persons involved in the incidents.

November 2021 Monthly PRR Report

Run Date: 12/08/2021 2:18 PM

ATTACHMENT 2

Run Date: 12/08/2021 2:18 PM

Assigned Dept	Create Date	Reference No	Request Type	Required Completion Date	Summary	Customer Full Name	PRR - Type of Records Requested	Public Record Desired	Assigned Staff
Central Services	11/5/2021	P002257-110521	Public Records Request	11/16/2021	Public Records Request	Architect Brittney Wilson	Development Services	Invoices for Grading & Drainage inspections completed for permits: ENG-GD-20-020 ENG-GD-20-026	Dawn Nations
Central Services	11/10/2021	P002260-111021	Public Records Request	11/19/2021	Public Records Request	Braden Mineer	Building	Requesting a report of all issued and pending building permits for residential & commercial properties from 10/1/2021 to 10/31/2021. Report to include if possible: permit number, issue date, site addresses, valuation of project, description of work, contractor information and owner name.	Dawn Nations
Central Services	11/15/2021	P002261-111521	Public Records Request	11/24/2021	Public Records Request	Architect Scot Carr	Building	Looking for all permit drawings including structural plans for 1997 construction and renovation of 2216 77th Ave, NE, Medina, WA 98039. Thank you.	Dawn Nations
Central Services	11/19/2021	P002265-111921	Public Records Request	11/30/2021	Public Records Request	Owner Stephen Stark	Building	I am looking for the structural engineering and geotechnical report for the construction of the retaining wall that supports the road traveling from 3313 Evergreen Pt Rd down to the lake to Parcel 2425049275. William Savoy is the owner of 3313 and he nor his architect Dan Pence can locate the plans.	Dawn Nations
Central Services	11/25/2021	P002273-112521	Public Records Request	12/9/2021	Public Records Request	Jeff han	Building	Full Building Plan Set including: architecture plans, site plan, drainage plan, etc for the address - 520 Evergreen Point Road, Medina WA 98039 / Tax ID : 362504-9066	Dawn Nations
Central Services	11/30/2021	P002275-113021	Public Records Request	12/9/2021	Public Records Request	Jeff han	Building	All pages of architect plans; and site plan; and drainage design and; all civil plans of 2436 82ND AVE NE, Medina WA 98039 (tax ID is 542570-0020)	Dawn Nations



CITY OF MEDINA

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Date: December 13, 2021
To: Honorable Mayor and City Council
Via: Michael Sauerwein, City Manager
From: Ryan Osada, Public Works Director
Subject: Public Works Monthly Report

1. TIB_NE 7th STREET OVERLAY – Last August, the city submitted three grant applications through TIB’s small cities program. We were notified last month that one of the applications was selected for award. This project will grind and overlay NE 7th Street from 84th Ave NE to Overlake Drive East. The estimated project cost is \$252,880.00 of which the City of Medina will be responsible for \$37,932.00



Washington State Transportation Improvement Board

TIB Members

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Councilmember Sam Low
Snohomish County
- Vice Chair
Mayor Glenn Johnson
City of Pullman
- Amy Asher
Mason Transit Authority
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- Barbara Chamberlain
WSDOT
- Elizabeth Chamberlain
City of Walla Walla
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Spokane County
- Mike Dahlem, P.E.
City of Sumner

November 23, 2021

Mr. Ryan Osada
Director of Public Works
City of Medina
PO Box 144
Medina, WA 98039-0144

Dear Mr. Osada:

Congratulations! We are pleased to announce the selection of your project, NE 7th Street Overlay, 84th Ave NE to Overlake Dr, TIB project number 2-P-109(003)-1.

TIB is awarding 85.0000% of approved eligible project costs with a maximum grant of \$214,948.

Before any work is allowed on this project, you must:

• Verify the information on the Project Funding Status Form, revise if necessary.

2. 77TH AVENUE NE STORM REPAIR PHASE 1 – This project was originally scheduled to start in November, however due to material supply issues the start date has been moved to December 8th. To expedite the project, a road closure will be necessary from December 13th – January 14th. Detours and local access signs will be posted in and around 77th Ave NE. Alerts were sent out via the city’s social media channels in addition to contacting each individual property owner within the construction zone.



3. MEDINA PARK PLAYGROUND IMPROVEMENTS – Last month, Public Works received shipment of the playground equipment. This is a relief since there have been global shipping issues and multiple delays. After a seven-month wait, we are now able to confidently move forward with scheduling and coordinating the playground improvements. Currently the tentative start date for the construction of the new playground is Spring 2022.



4. MAINTENANCE UPDATES – The public works crew continues to monitor catch basins and roadway areas that are prone to localized flooding. We have been receiving numerous complaints of blocked storm systems which typically requires vactoring or jetting. In addition, to dealing with immediate issues, they are still clearing fallen trees and debris caused by rain and windstorms that have been hitting our region. As the weather gets cooler, our crew is also preparing for potential snow removal operations.





5. PROJECT UPDATES –

2015 Medina Park Stormwater Pond Imp. – We are looking into alternate ways to dredge the stormwater ponds. Overlake Golf & Country Club is currently in the permit process to dredge their north ponds. Depending on the outcome, the city could use the same method.

2017 Medina Beach Park Tree Replanting – Phase III tree planting.

TIB 84th Ave NE Overlay – NE 12th St to Overlake Drive – completed

2021 Overlay Program 77th Ave NE / NE 22nd St – completed

Medina Park Playground Improvements – Public Works is in possession of the playground equipment. This project is scheduled for Spring of 2022.

Post Office Floor Replacement – Due to potential subfloor issues, the city has hired a contractor to evaluate the post office building and provide an assessment of the structure.

Citywide Stormwater System Mapping & Evaluation – G&O has completed most of the mapping. We are currently working on scoping and mapping the storm infrastructure that is located on several private properties.

2021 Hazardous Tree Removal – in review

NE 12th Street Sidewalk Improvements – 70% construction drawings are due in the next couple weeks

Fairweather Tennis Court Resurfacing – completed

77th Ave NE Stormwater Repair Phase 1 – Due to supply issues, this project is scheduled to start December 8, 2021.