TOWN OF YARROW POINT
COUNCIL REGULAR MEETING (TELECONFERENCE) MINUTES
October 13, 2020
7:00 pm

The following is a summary of the proceedings and is not a verbatim transcript.

CALL TO ORDER:
Mayor Dicker Cahill called the meeting to order at 7:00 pm

PRESENT:

Mayor:	Dicker Cahill
Councilmembers:	Mary Elmore Stephan Lagerholm Steve Bush – Excused absence Andy Valaas Carl Scandella
Staff:	Bonnie Ritter – Clerk-Treasurer Austen Wilcox – Deputy Clerk Stacia Schroeder – Town Engineer Mona Green – Town Planner Scott Missall – Town Attorney
Guests:	Lt. Dawn Hanson – Clyde Hill Police Kevin Brown – Gray & Osborne, Inc

APPEARANCES:
None.

PUBLIC MEETING GUIDELINES
Mayor Cahill presented legalities of how public meetings must be held and what essential business can be discussed during the COVID-19 Pandemic, in accordance with State proclamations and guidelines.

1. CONSENT CALENDAR:
Mayor Cahill noted the following large expenditure items included in the September Consent Calendar:

- Fourth quarter payment to City of Clyde Hill for police services.
- Payment to Iron Creek Construction relating to 92nd Ave NE sidewalk paving.

MOTION: Councilmember Valaas moved to approve the Consent Calendar as presented including the Payment Approval Report dated 10/8/2020 approving payments as shown totaling $172,852.67, plus payroll, benefits, and tax expenses of $31,186.57 as shown on the attached payroll and benefits reports for a grand total of $204,039.24. Councilmember Scandella seconded the motion.
VOTE: 4 For, 0 Against. Motion carried.

2. MINUTES

Minutes of regular meeting September 8, 2020.
MOTION: Councilmember Valaas moved to approve the regular meeting minutes of September 8, 2020 as presented. Councilmember Scandella seconded the motion.
VOTE: 4 For, 0 Against. Motion carried.

3. STAFF REPORTS:

A. Police Report

Lieutenant Dawn Hanson provided a police report of September activity.

- Prowler/trespassing
- Traffic accident on 92nd Ave NE Lid
- Overdose

Mayor and Council discussed overdose prevention. Mayor Cahill recommends forming an informal task force and will reach out to Mayor Klaas at Clyde Hill to do what they can to prevent future overdoses. Councilmember Elmore suggests having education programs at Town Hall. Mayor Cahill will reach out to Councilmember Elmore offline to further discuss.

The use of the Town's Flock license plate reader cameras for a recent accident on the 92nd Ave NE Lid were discussed. Councilmember Lagerholm recommends notifying the State Patrol and related agencies to inform them that the Town has the cameras and they could be utilized for investigations. Mayor Cahill explained that the current contract would need to be modified to allow other agencies to access the data. He will contact the Washington State Patrol to find out if they need access to the data for the recent accident.

B. Planning Report

Town Planner Mona Green shared that the Planning Commission is still researching a private property tree code. The Town's Arborist provided input at the September Planning Commission meeting. She shared on the various topics discussed. Planning Commission Chairman Hellings decided that future planning meetings would be more productive if only one topic was discussed at each meeting relating to the tree code. Ms. Green noted that no (potential) legislative action, as directed by Council, will be recommended by the Planning Commission for a tree code while the virtual meetings are taking place due to COVID-19.

REGULAR BUSINESS:

4. AB 20-30: 2021 Levy Increase

Property Tax Levy

The setting of the property tax levy is routine:

- The levy is limited to 1% on existing property plus an amount related to new construction.
- Property tax levies are set by ordinance and filed with the County.
- If the estimated levy request is higher than the finally determined allowable rate the assessor will reduce the levy to the appropriate rate.

Here is the preliminary levy limit worksheet information as provided by the County on 10/8/2020.

620,922	Levy basis for calculation (2020 Limit Factor)
X 1.01	x Limit Factor
627,131	= Levy
14,222,972	Local new construction
0.42102	x Last Year's regular levy rate
5,988	= New construction levy
633,119	**Total Limit Factor Levy**

Mayor Cahill opened the public hearing at 7:28 PM, and upon hearing no comments, closed the public hearing at 7:29 PM.

MOTION: Councilmember Scandella moved to adopt Ordinance No. 706, An Ordinance of the Town of Yarrow Point, Washington Increasing the Town of Yarrow Point's Regular Levy from the Previous Year, Commencing January 1, 2021 on All Property; and Establishing an Effective Date. Councilmember Elmore seconded the motion.
VOTE: 4 For, 0 Against. Motion carried.

5. AB 20-31: Preliminary Budget

A public hearing is required to give citizens an opportunity to be heard with reference to the 2021 preliminary budget.

Mayor and Council discussed budget items at the fund level.

Council requested that Mayor Cahill research new interest rates.

Mayor Cahill opened the public hearing at 8:11 PM, and upon hearing no comments, closed the public hearing at 8:12 PM.

6. AB 20-32: NE 42nd Street/ 91st Ave NE Stormwater Upsizing & UGC Project / Lowest Bidder

The NE 42nd Street/ 91st Ave NE Stormwater Upsizing and Underground Conversion Project went to bid on Wednesday, September 16, 2020. Bids were due back and opened on September 30, 2020.

The Town of Yarrow Point received ten (10) separate bids by the deadline. The certified bid results were included in the Council packet and posted to the town website.

The low bidder, PGH Excavating, Inc. is approximately 7% over the engineer's estimate at $854,655.50.

Town staff and Kevin Brown with Gray & Osborne reviewed the estimates for mathematical errors as well as other irregularities; none were found.

Additionally, Town staff investigated the low bidder for compliance with all the state and project specific criteria and all references were checked on October 5, 2020.

To summarize, the Town has invested roughly $108,500 in this project to date. Construction is expected to take an additional $1.5 million, with the Town responsible for $1.262 million. Considering the full grind and overlay of both NE 42nd Street and 91st Ave NE the final project cost is expected to be roughly $1.5 million. NOTE: This estimate includes a 20% contingency.

Town Engineer Schroeder provided detail from Labor & Industries on the lowest bidder.

Council discussed:

- Spread of bids
- Mobilization
- Flagging
- On-site project management by Gray & Osborne

MOTION: Councilmember Valaas moved to Accept low bid received September 30, 2020 and authorize the Mayor to enter into a contract with PGH Excavating, Inc., for the NE 42nd Street/ 91st Ave NE Stormwater Upsizing & UGC Project. Councilmember Lagerholm seconded the motion.
VOTE: 4 For, 0 Against. Motion carried.

7. AB 20-33: NE 42nd St PSE Agreement

Puget Sound Energy, the electricity purveyor for Yarrow Point, prepared a standard Schedule 74 Underground Conversion Project Construction Agreement and associated Exhibit A – Project Plan as well as a Construction Costs Estimate Summary.

In general, the Town of Yarrow Point has already invested $18,814.06 in PSE design costs. If the project (as designed) does not ultimately progress to the construction phase the Town must pay this full amount. If, however, the Town approves construction of the project, we will receive a 60% discount on not only the design cost, but PSE's construction cost as well.

The Town cost for this project payable to Puget Sound Energy is anticipated to be $156,791.21.

MOTION: Councilmember Lagerholm moved to Approve Puget Sound Energy Schedule 74 – Project Construction Agreement. Councilmember Elmore seconded the motion.
VOTE: 4 For, 0 Against, 0 Abstain. Motion carried.

8. AB 20-34: Gray and Osborne Change Order #2 – construction support

Gray & Osborne, the civil engineer, submitted a proposal for construction support ($87,500.00). Tasks included in this amendment are detailed in the attached Amendment No. 2.

Most notably the new scope of work includes construction staking, construction inspection, and assisting town staff with project management activities such as reviewing submittals, responding to requests for information (RFIs), and preparing record drawings.

Past experience has shown that construction staking, and additional staff support is necessary to complete this project.

MOTION: Councilmember Valaas moved to Approve Gray & Osborne, Inc. Amendment No. 2 to original Contract for Professional Engineering Services. Councilmember Scandella seconded the motion.
VOTE: 4 For, 0 Against, 0 Abstain. Motion carried.

9. AB 20-35 – Out West Landscape & Irrigation, Inc. Bid for Town Entry Improvement Project

The Park Commission is requesting approval to complete Phase 2 of the town entry improvement project. The Park Commission worked with JGM Landscape Architects and finalized a landscape plan.

Councilmember Valaas mentioned some recent plantings in the area near the project location and questioned the project boundary. Staff will investigate the matter.

MOTION: Councilmember Scandella moved to Approve bid received September 17, 2020 from Out West Landscape & Irrigation, Inc. in the amount of $7,969.50 to fulfill the Park Commission's Phase 2 of the town entry improvement project. Councilmember Elmore seconded the motion.
VOTE: 4 For, 0 Against, 0 Abstain. Motion carried.

10. MAYOR AND COUNCIL REPORTS:

Mayor:

Mayor Cahill gave an update on several detail legal fees and updates:

- FEMA Floodplain Insurance: Mayor Cahill stated that FEMA reached out to the Town offering an opportunity for Town residents to purchase floodplain insurance through them. Upon further research, Mayor Cahill decided not to pursue the opportunity further as it had a high deductible and residents can purchase floodplain insurance through their own insurance provider.

- Sport court keypad: Mayor Cahill clarified that while playgrounds have been mandated to be closed for COVID-19 due to the Governor's orders, sport courts have been allowed to remain open. Over the summer months, several residents made complaints to the town saying that there were out of town people using the sport court and some were using it for long durations at a time. They requested that a lock be put on the gate with a code that only residents could have access to. Staff researched the cost of a lock and due to the style of the existing gate, it would require an expensive installation of such device. As an alternative, the town has placed a signup sheet inside the gate so that the public must sign in and only use the court for 45-minute intervals at a time unless there are no other people wanting to use the court. Council discussed and concluded that they do not want to limit the sport court only to Yarrow Point residents.

- Playground reopening: City of Bellevue recently reopened their playgrounds. Mayor Cahill noted that he directed staff to remove the yellow tape around the Yarrow Point playground. Council requested to have the playground closure signs removed following City of Bellevue's guidelines for social distancing. Mayor Cahill said new signs will be made stating the guidelines.

- Issues related to Variance application for 3802 94th Ave NE: Town Attorney Missall responded stating that the applicant's attorney reached out to him to discuss their application and proposed plans.

- Replacement tree on Town ROW on 95th Ave NE: A tree on Town ROW was damaged and removed due to poor construction practices relating to an ongoing new single-family residence project. Engineer Schroeder responded stating that a replacement tree is part of the conditions for final approval.

Councilmember Scandella:
Councilmember Scandella shared a positive story regarding a Nobel Prize awarded to a former colleague of his for their research on limiting the damage of Hepatitis C.

11. ADJOURNMENT:
MOTION: Councilmember Valaas moved to adjourn the meeting at 9:04 pm.
Councilmember Lagerholm seconded the motion.
VOTE: 4 For, 0 Against. Motion carried.

APPROVED: ATTEST:

Dicker Cahill, Mayor Bonnie Ritter, Clerk-Treasurer

TOWN OF YARROW POINT, WASHINGTON CORPORATE SEAL 1959