



Date: January 15, 2019
Time: 7:00 p.m.
Place: Chambers

1. CALL TO ORDER / FLAG SALUTE

A. Mayor Ralph called the meeting to order at 7:03 p.m.

2. ROLL CALL

Attendee Name	Title	Status	Arrived
Dennis Higgins	Councilmember	Present	
Les Thomas	Councilmember	Present	
Bill Boyce	Council President	Present	
Dana Ralph	Mayor	Present	
Satwinder Kaur	Councilmember	Present	
Brenda Fincher	Councilmember	Present	
Toni Troutner	Councilmember	Present	
Marli Larimer	Councilmember	Present	

3. AGENDA APPROVAL

A. Approve the agenda as presented

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Boyce, Council President
SECONDER:	Les Thomas, Councilmember
AYES:	Higgins, Thomas, Boyce, Kaur, Fincher, Troutner, Larimer

4. PUBLIC COMMUNICATIONS

Mayor Ralph advised of the recent passing of Col. Joe M. Jackson and recognized his contributions to the United States and the City of Kent.

A. Public Recognition

1. Oath of Office - Judge Michael Frans

Mayor Ralph performed the ceremonial swearing in of Judge Michael Frans to the position of the Kent Municipal Court Judge. Judge Frans is replacing the recently-vacated office of Judge Karli Jorgensen.

2. Employee of the Month

Mayor Ralph recognized Taylor Burns as the City's Employee of the Month for January 2019.

3. Proclamation for Human Trafficking

Mayor Ralph presented representatives from Kent Youth and Family Services with the Proclamation for Human Trafficking.

Kyra Doubeck works with Kent Youth and Family Services in conjunction with the Kent Police Department. Doubeck expressed her appreciation and provided an example of the successful collaboration with the Kent Police Department in getting a girl out of the human trafficking system.

Executive Director of Kent Youth and Family Services, Mike Heinish introduced board members and advised that their work with the Kent Police Department has helped them attack human trafficking to rescue men and women.

4. Recognition of Adopt-A-Street/Spot Partners

Public Works Conservation Coordinator, Tony Donati provided a brief presentation regarding the City's Adopt-a-Street/Spot Partners. Donati recognized the volunteers and expressed appreciation of the work they do throughout the City.

5. Appointments to the Lodging Tax Advisory Committee

Mayor Ralph advised of the appointments and reappointments to the Lodging Tax Advisory Committee.

6. Appointment to the Bicycle Advisory Board

Mayor Ralph advised of the reappointment of Mel Roberts to the Bicycle Advisory Board.

7. Torklift Turkey Challenge Awards

Torklift Content Coordinator, Kerstin Stokes, and Torklift Owner, Jack Kay provided a brief overview of Torklift's Turkey Challenge and conveyed the benefits of bringing the community together to contribute to supporting the Kent Food Bank.

Over the past eight years, the Annual Kent Turkey Challenge has raised \$158,398 and 55,566 pounds of food for the Kent Food Bank.

Stokes recognized the top five monetary donors: Eberle Vivian, Pegasus NW, Inc, Kent United Methodist Church, Shannon and Associates and Chateau at Valley Center, and the top five food donors: Plemmons Industries, Sunrise Elementary, Seattle/Tacoma KOA, Grass Lake Elementary and Seattle Mabuhay Lions Club.

Anytime Fitness won the Facebook contest.

Mayor Ralph expressed her appreciation of Torklift's work supporting the Kent community.

B. Community Events

Council President Boyce advised of recent and upcoming events at the accesso ShoWare Center and encouraged everyone to attend events.

Councilmember Kaur invited everyone to attend "A Night of Healing" on January 21, 2019 from 6 - 8 p.m. in Council Chambers. This event is an opportunity to come together and reflect on the effects of gun violence and provide an opportunity to begin to heal as a community.

Kaur advised of the "Under our Skin" workshop on January 26, 2019 at 9 a.m. at the Kent Senior Center. This event is organized by the Neighborhood Program and will provide an opportunity to have discussions on difficult subjects.

Councilmember Troutner advised of upcoming Spotlight Series Events.

C. Public Safety Report

Chief Rafael Padilla introduced the newly-hired police officers: Matthew Fisher, Jordan Axelson, Joshua Arnett, and Andrehas Rodriguez and Mayor Ralph performed the official swearing-ins.

Chief Padilla introduced the newly-hired lateral police officers: Jacob Mines, Jim Beemer, Patrick Baughman, William Fritsch, and Oscar Rodriguez and Mayor Ralph performed the official swearing-ins.

Chief Padilla presented a life-saving award to Officer Taylor Burns for his work assisting King County Sheriffs with lifesaving efforts on a gunshot victim.

Chief Padilla presented Officer Tessa Melville with a lifesaving award for her lifesaving efforts on a stabbing victim on November 9, 2018.

Chief Padilla provided 2018 preliminary crime data.

D. Economic and Community Development Report

Chief Economic Development Officer, Bill Ellis presented the Economic and Community Development report that included information on the grand opening of Dick's Drive-in.

Ellis provided an update on the closing of the Kmart property and the department's work communicating with the owners.

Ellis indicated the Second and Meeker building has a new owner who is restoring the building facing and the Morrill Bank building is being reimaged to a more original look. The City is working with the parties regarding the

restoration.

Ellis provided an update on the Naden Avenue property. The City and PSE have agreed upon the purchase and sale for the remaining parcel so that the City can obtain the right-in, right-out from WSDOT. Ellis indicated the purchase and sale agreement will be brought before the Council for approval soon.

Ellis provided information on global trade and the supply chain management sector throughout the Kent Valley and provided details on the Kent Valley marketing update.

Ellis provided a recap of the recent Aerospace Job fair held at the accesso ShoWare Center.

E. Presentation on How Electricity Came to Kent

Ella Johnson presented a report on "Electricity Comes to Kent." Johnson's presentation included a brief introduction to life before electricity, electricity comes to Kent in 1890, and life after electricity.

Johnson's presentation included information on domestic life before electricity, business before electricity, transportation before electricity, the Kent Recorder, Kent Water and Light, the Power House, Puget Sound Energy, the first telephone, domestic life after electricity, transportation after electricity, entertainment after electricity and the Carnation company

5. REPORTS FROM STANDING COMMITTEES, COUNCIL, AND STAFF

Mayor Ralph reported that she has testified in front of the House Ways and Means Committee and the House Appropriations Committee for the continuation of streamlined sales tax and is committed to lobbying on Kent's behalf in Olympia.

Council President Boyce expressed his appreciation of the Mayor's advocacy in Olympia on behalf of the City of Kent.

Boyce serves on the Sound Cities Association Public Issues Committee. Recent discussion included information on the King County Parks Levy.

Boyce provided a recap of today's workshop presentations on drainage sustainability and K4C.

Councilmember Larimer serves on the Sound Cities Association Advisory Council on Aging and Disability Services and recently participated in the strategy retreat. There are five legislative priorities and opportunities. Information on the priorities can be found at Agingkingcounty.gov. Larimer encouraged residents to call the Washington State Legislative hotline at 800-

562-6000 and ask for legislator's support for aging and disability services.

Councilmember Fincher serves on the Sound Cities Association King Conservation District Advisory Committee and reported that the committee heard from member cities on what issues are most important to their jurisdictions.

Fincher is the Chair of the Parks and Human Services Committee and reported that the human services two-year grants have been awarded to applicants.

Fincher serves on the Arts Commission and reported that additional traffic controller boxes will be wrapped with art.

Fincher advised of upcoming Spotlight Series events and invited everyone to attend an event.

Councilmember Higgins is the Chair of the Public Works Committee and reported the committee recently recommended to the full council the residential parking zone for the Mill Creek neighborhood.

Councilmember Kaur serves on the Sound Cities Association Puget Sound Clean Air Agency Advisory Council and reported that during the January meeting, the council heard a presentation on greenhouse gas emission reduction strategies. Additionally, the Council will be working on bills to reduce greenhouse gas emissions, the transportation package, and supporting the state's wood heat emission standards and increase funding for wood stove replacement.

Kaur was recently appointed to the Domestic Violence Regional Task Force that will meet on February 7.

Councilmember Thomas serves as the Chair of the Operations Committee and reported the details of the meeting can be found in the minutes.

Thomas serves on the Puget Sound Regional Fire Authority Governance Board and reported that the next meeting is scheduled for January 16, 2019, at 3 p.m. at station 78 in Covington.

Councilmember Troutner is the Chair of the Public Safety Committee and reported that the committee heard a presentation on the Game of Life Conference recently held at Kent Commons. Visit the Kent Police Department website for information on the recent conference and information on how to become a member of the Kent Police Youth Board.

A. Chief Administrative Officer's Report

Chief Administrative Officer, Derek Matheson reported that the Council is preparing for the 2019 Strategic Planning Retreat that will be held February 1 and 2, 2019. The facilitator finished interviewing the Mayor and Councilmembers and a draft agenda is being prepared.

Matheson indicated the Clerk's Office processed over 3,400 requests for public records and expressed his appreciation of the work of the Clerk's Office and City staff.

Matheson's written report is included in today's packet and that there is an executive session to discuss potential litigation and property negotiations and is expected to last 25 minutes with no action anticipated when the Council reconvenes.

6. PUBLIC HEARING

There was no public hearing.

7. PUBLIC COMMENT

Tim Brown, a Kent resident, expressed his appreciation of the Mayor lobbying in Olympia for Kent. Brown spoke in opposition of the proposed plastic bag ban. If the Council wishes to move forward with the ban, Brown asked that the Council send it to a vote of the people.

Representatives from Living Well Kent Youth Policy Council invited everyone to attend the "Night of Healing" event that will be held in City Council chambers on January 21, 2019 from 6 - 8 p.m. The event will be a night of healing with an opportunity to bring people together and reflect on the effects of gun violence and provide an opportunity to begin healing as a community.

8. CONSENT CALENDAR

Approve the Consent Calendar items A-S.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Boyce, Council President
SECONDER:	Les Thomas, Councilmember
AYES:	Higgins, Thomas, Boyce, Kaur, Fincher, Troutner, Larimer

A. Minutes of December 11, 2018, Workshop and Council Meeting - Approve

MOTION: Approve the minutes of the December 11, 2018, City Council Workshop and Regular City Council meeting.

B. Payment of Bills - Approve

MOTION: Approve the payment of bills received through November 15, 2018, and paid on November 15, 2018, and checks issued for payroll November 1, 2018 through November 15, 2018, and paid on November 20, 2018.

C. Appointments to the Lodging Tax Advisory Committee - Appoint

MOTION: Appoint Mohamad Abouelrous and reappoint Andrew Hutchison and Barbara Smith to the Lodging Tax Advisory Committee for three-year terms that will expire on December 31, 2021.

D. Appointment to Bicycle Advisory Board - Confirm

MOTION: Confirm the appointment of Mel Roberts to the Bicycle Advisory Board for a two-year term that will expire on January 1, 2021.

E. Puget Sound Energy Easement at Marquee on Meeker - Authorize

MOTION: Authorize the Mayor to sign the conveyance of an easement at the Marquee on Meeker project over Lots 3, 4, and 5 of the Riverbend Short Plat to Puget Sound Energy for gas and electric service, subject to approval of the Economic and Community Development Director and City Attorney.

F. Consultant Services Agreement with Transportation Solutions, Inc, for the 4th and Willis Roundabout Design - Authorize

MOTION: Authorize the Mayor to sign a Consultant Services Agreement with Transportation Solutions, Inc, for transportation engineering services for the 4th Avenue and Willis Street Roundabout Project in an amount not to exceed \$79,570.00, subject to final terms and conditions acceptable to the City Attorney and Public Works Director.

G. A&E Contract with KBA, Inc. for South 228th Street Union Pacific Railroad Grade Separation Ground Improvements and Embankment Project - Authorize

MOTION: Authorize the Mayor to sign an A&E Professional Services Agreement with KBA, Inc, for contract administration, management, quality control, and inspection services in the amount of \$467,960.00 for the South 228th Street Union Pacific Railroad Grade Separation Ground Improvements and Embankment project, subject to final terms and conditions acceptable to the City Attorney and Public Works Director.

H. King County Solid Waste Division/Waste Reduction and Recycling Grant - Authorize

MOTION: Authorize the Mayor to accept the Waste Reduction and Recycling Grant in the amount for \$178,192.00 for 2019/2020, establish a budget and authorize expenditure of the grant funds in accordance with the grant terms and conditions, and authorize the Mayor to sign all necessary documents, subject to final terms and conditions acceptable to the City Attorney and Public Works Director.

- I. S.E. 248th Street Improvements Joint Utility Trench Agreements with Century Link, and Comcast and MCI Communications, and Schedule 74 Underground Conversion Agreement with PSE - Authorize**

MOTION: Authorize the Mayor to sign the Schedule 74 Underground Conversion Agreement with Puget Sound Energy, and the Joint Utility Trench Agreements with, Century Link, Comcast, and MCI Communications for the S.E. 248th Street Improvements Project - 107th Avenue S.E. to 110th Court S.E., subject to final terms and conditions acceptable to the City Attorney and Public Works Director.

- J. Goods and Services Agreement with Environmental Coalition of South Seattle - Authorize**

MOTION: Authorize the Mayor to sign a Goods and Services Agreement with Environmental Coalition of South Seattle, in an amount not to exceed \$125,000, for the 2019 - 2020 Recycling Program, subject to final terms and conditions acceptable to the City Attorney and Public Works Director.

- K. South 228th Street Corridor Washington State Transportation Improvement Board Grant - Authorize**

MOTION: Authorize the Mayor to sign the Washington State Transportation Improvement Board Fuel Tax Grant Agreement and any other necessary documents, amend the budget, and authorize the expenditure of the funds in accordance with the grant terms and conditions for the South 228th Street Union Pacific Grade Separation Project in the amount of \$3.5 million dollars, subject to final terms and conditions acceptable to the City Attorney and Public Works Director.

- L. Amendment to City of Covington Transmission Main Interlocal Agreement - Authorize**

MOTION: Authorize the Mayor to sign an Amendment to the Interlocal Agreement between the cities of Covington and Kent for joint public works operations for Capital Improvement Project 1127 SE 272nd St (516) Improvements between Jenkins Creek and 185th Place S.E., subject to final terms and conditions acceptable to the City Attorney and Public Works Director.

M. Leland Glen Bill of Sale - Authorize

MOTION: Authorize the Mayor to accept the Bill of Sale from Cooper Ridge, LLC, for the Leland Glen Project as detailed in the summary below.

N. Sound Development Short Plat Bill of Sale - Authorize

MOTION: Authorize the Mayor to accept the Bill of Sale from Sound Development and Construction, LLC, as detailed in the summary below.

O. Dwell at Kent Station LLC Apartments Phase 3 Bill of Sale - Authorize

MOTION: Authorize the Mayor to accept the Bill of Sale from the Dwell at Kent Station LLC, Apartments Phase 3 as detailed in the summary below.

P. Hawkesbury Division 3 and 4 Plat Bill of Sale - Authorize

MOTION: Authorize the Mayor to accept the Bill of Sale from Schneider Homes Inc, for the Hawkesbury Division 3 and 4 Plat as detailed in the summary below.

Q. 2018 Paint Line Striping/Raised Pavement Markings Replacement Project - Authorize

MOTION: Authorize the Mayor to accept the 2018 Paint Line Striping/Raised Pavement Markings Replacement Project as complete and release retainage to Stripe Rite, Inc., upon receipt of standard releases from the state and the release of any liens.

R. Labor Agreements with the Kent Police Officers Association - Authorize

MOTION: Authorize the Mayor to sign the labor agreements with the Kent Police Officers Association for Sergeants and Officers and Assistant Chiefs and Commanders for the period of January 1, 2019 through December 31, 2021, subject to final terms and conditions acceptable to the Police Chief and City Attorney.

S. Small Cell Franchise with New Cingular Wireless (AT&T) - Introduce

MOTION: - No Action Required - Introduction Only.

9. OTHER BUSINESS

A. Lease Agreement with Half Lion Brewing Company, LLC for the Riverbend Golf Complex Restaurant - Authorize

Parks Director, Julie Parascondola provided information on the proposed Riverbend restaurant lease with Half Lion Brewing Company, LLC.

Parascondola provided a look-back at the Riverbend restaurant journey. She presented information on turning key challenges into a new way of thinking that included completing the 2018-2023 Riverbend Golf Complex Business Plan and removing the gross profit expectation and transition to flat monthly lease fee. In 2018, a survey of golfers/community provided the City with priorities regarding food/beverage was completed.

In April 2018, a Request For Proposal was advertised. After months of negotiations, staff is now recommending moving forward with Half Lion Brewing Company, who will be creating a new subsidiary branch of their existing Brewing Company brand, d/b/a, "Half Lion Public House" at Riverbend.

Parascondola reviewed the lease terms and its alignment with the 2018-2023 Riverbend Business Plan.

Next steps include finalizing the lease, renovation approach, set a soft opening in May, sending out a joint press release, begin integration and engagement with Half Lion and Riverbend golfers through meet and greets, and continue collaboration and success.

MOTION: Authorize the Mayor to sign all documents necessary to enter into a lease agreement with Half Lion Brewing Company, LLC, d/b/a Half Lion Public House, for the restaurant at Riverbend Golf Complex, subject to final terms and conditions acceptable to the Parks Director and the City Attorney.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brenda Fincher, Councilmember
SECONDER:	Satwinder Kaur, Councilmember
AYES:	Higgins, Thomas, Boyce, Kaur, Fincher, Troutner, Larimer

B. Kent Townhomes Rezone Ordinance – Approve (QUASI-JUDICIAL)

City Attorney, Pat Fitzpatrick advised that an open record hearing regarding this rezone occurred before the City's hearing examiner on December 5,

2018. People owning property within 300 feet of the subject property were notified of the hearing, and no person appeared to oppose the rezone. Staff recommended approval and on December 18, 2018, the Hearing Examiner recommended the rezone be approved. The property subject to this rezone is located at 23901 108th Avenue SE in Kent, and a map of the parcel is in your agenda packet at Page 467.

Because this is an issue of changing the zoning on a specific parcel of property, this is a quasi-judicial matter. Typically, as a city council, you sit as a legislative body making policy decisions for the City. However, in this quasi-judicial matter, you are changing hats. In your quasi-judicial capacity, you act as a panel of judges determining the rights of a specific property owner.

The appearance of fairness doctrine applies to your actions as a quasi-judicial panel. The appearance of fairness doctrine is set forth in the Revised Code of Washington, and was established to ensure that you, the decision-makers, are impartial and free from outside influences. Fitzpatrick indicated, in order to ensure this, we need to establish the record that you are qualified to consider this matter.

Fitzpatrick asked the following questions of the councilmembers:

1. Does any member of the council have knowledge of having conducted business with the proponents of this rezone?

No councilmember responded that they had knowledge of having conducted business with the proponents of this rezone.

2. Does any member of the council have either a pecuniary or non-pecuniary interest in the outcome of this proceeding?

Councilmember Thomas was uncertain if he had a pecuniary or non-pecuniary interest in the outcome of this proceeding, so he recused himself from voting on this matter.

No other councilmember responded.

3. Does any member of the council know whether or not his/her employer has a financial interest in this matter, or has an interest in the outcome of this proceeding?

No councilmember responded that they knew whether or not his/her employer has a financial interest in this matter, or had an interest in the outcome of this proceeding.

4. Does any member of the council live or own property within 300 feet of the property which is the subject of this proceeding?

No councilmember responded that they live or own property within 300 feet of the property which is the subject of this proceeding.

5. Other than what was established in the record that is in the council

agenda, does any member of the council have any special knowledge of the substance or merits of this proceeding which might cause the council member to prejudge the outcome of this proceeding?

No councilmember responded that they have any special knowledge of the substance or merits of this proceeding which might cause the councilmember to prejudge the outcome of this proceeding.

6. Does any member of the council believe that he or she cannot consider this matter fairly and impartially?

No councilmember responded that they believe he or she cannot consider this matter fairly and impartially.

7. Is there any member of this audience who, because of the Appearance of Fairness Doctrine, wishes to disqualify any member of the council from hearing this matter? If so, please state the name of the council member and the reason or reasons you believe the member should be disqualified because of the Appearance of Fairness Doctrine.

No members of the audience responded.

The record has been established that you are qualified to consider this quasi-judicial matter. Senior Planner, Jason Garnham, will make a presentation. Remember that the hearing has already occurred. In your packet is the decision of the hearing examiner and the exhibits that were considered. You are being asked tonight to approve the rezone based on that record as recommended by the hearing examiner and staff. The motion to do so is in the Agenda at Page 462.

Senior Planner, Jason Garnham, made the staff presentation that included the request to rezone a vacant one-acre property located on 108th Avenue S.E. just Northwest of its intersection with SE 240th Street. Garnham detailed the difference between the "CC" Community Commercial and "MRT-16" Multifamily Residential Townhouse zonings.

The applicant property owner intends to develop the site with 14 townhouse units and a multifamily design review application has been submitted.

Garnham detailed the surrounding zoning and indicated the MRT-16 zoning is consistent with the comprehensive plan land use designation and that the proposed development is consistent with the vision for mixed use areas.

Staff and the Hearing Examiner recommend approval.

MOTION: Accept the Findings, Conclusions, and Recommendation of the Hearing Examiner on the Kent Townhomes rezone application and adopt Ordinance No. 4303 approving the Kent Townhomes Rezone application from CC (Community Commercial) to MRT-16 (Multifamily Residential Townhouse).

RESULT: **APPROVED [6 TO 0]**
MOVER: Bill Boyce, Council President
SECONDER: Toni Troutner, Councilmember
AYES: Higgins, Boyce, Kaur, Fincher, Troutner, Larimer
RECUSED: Thomas

C. Ordinance Establishing Franchise Application Requirements and Process for use of City Right-of-Way - Adopt

City Attorney, Pat Fitzpatrick advised that there is an ordinance before the Council to establish a process for franchise applications and that the FCC rules regarding small cells went into effect on January 14, 2018. The City needs to establish a process for processing franchise applications. This ordinance is an emergency ordinance, that if passed, will become effective immediately, however the motion must be approved by a majority plus one of the Council, which would be five votes.

Assistant City Attorney, Christina Schuck gave the staff presentation to the Council regarding the ordinance for franchise applications for use of right-of-way. Schuck advised there will be a new chapter 6.15 of the Kent City code for the franchise application process. This is necessary to standardize the process to comply with deadlines in the new FCC Order. The ordinance details the application contents and completeness review. Applications will be for utility or services providers, not cable or water/sewer districts.

MOTION: Adopt Ordinance No. 4304, creating a new chapter 6.15 of the Kent City Code to establish franchise application requirements for the use of City right-of-way, declaring an emergency, and providing for an immediate effective date for the ordinance.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Les Thomas, Councilmember
SECONDER: Bill Boyce, Council President
AYES: Higgins, Thomas, Boyce, Kaur, Fincher, Troutner, Larimer

D. Transit Operations and Maintenance Facilities Interim Zoning Ordinance - Adopt

City Attorney, Pat Fitzpatrick advised that Hayley Bonsteel, the City's Long-Range Planning Manager, is going to present the background for the Transit Operations and Maintenance Facilities Interim Zoning Ordinance.

Fitzpatrick indicated that this is an interim ordinance that provides for a temporary zoning code change to the Midway Subarea. The effect of the ordinance is to prohibit transit operations and maintenance facilities in the north Midway Subarea (MTC and MCR Districts), and specifically allow them

in the south Midway Subarea (CM-2 District).

In accordance with RCWs 35A.63.220 and 36.70A.390, an interim zoning ordinance may be effective for up to six months unless renewed or repealed, and a public hearing must be held within 60 days of the adoption of the interim ordinance. As a result, the ordinance provides that a public hearing will occur at the February 5, 2019, council meeting. Moreover, the ordinance directs staff to prepare a permanent zoning ordinance for transit operations and maintenance facilities for consideration.

Due to the detrimental impacts to the area that will be caused by siting an operations and maintenance facility in the MTC and MCR Districts, an emergency exists, and it is imperative that the ordinance become effective immediately upon adoption. In order to become effective immediately, the motion to adopt the ordinance must be approved by a majority plus one of the full council, or five members of the council.

Bonsteel presented the staff report as follows:

- Knowing light rail was coming, the City invested significant resources in a robust visioning exercise, the Midway Subarea Plan. The Plan welcomed light rail, planned for its success, and provided a framework for future decision-making.
- Community engagement guided the vision and the region recognized this approach, as evidenced by multiple agencies using it as the basis for station area design decisions, as well as writeups on local transit blogs.
- Midway Goal (Recital H) "create a dense, pedestrian-friendly, sustainable community that provides jobs, housing, services and public open space around nodes of HCT while maintaining auto-oriented uses between transit-oriented nodes." - envisioned a well-designed built environment, including pedestrian-friendly streetscapes, multimodal connections and a variety of housing types and jobs that support transit use.
- Framework guided zoning changes, including establishing new zones for the dense, urban pedestrian-oriented development that takes full advantage of HCT and brings a host of benefits to the area.
- Distinction between N of 245th and S of 245th (Recital J) - transit-oriented community to the north (high intensity transit supportive mixed use with a residential focus and strong pedestrian orientation with no single use, big box industrial or auto dependent uses) and highway commercial corridor to the south (wide range of community, citywide or regional commercial and light industrial uses that are primarily vehicle dependent).
- New zones purpose - MCR and MTCs - dense and varied retail, office and residential, with a pedestrian orientation.

- Every eventuality could not have been considered, and new use categories were not added at that time.
- Existing use category of “transit facilities” was obviously permitted in the new zones, as they were all about attracting light rail. Characteristics of light rail stations include that they primarily serve passengers, attract activity, catalyze dense development, and are about 5-7 acres in size (KDM: 6 acres, SL: 7 acres). All these characteristics were welcome in the new MCR and MTC zones.
- We’ve learned that Sound Transit is considering a very different kind of transit facility for the Midway area. OMF, which has very different characteristics: 30 acres, active at night, not beneficial for pedestrians, doesn’t attract interest or activity. Brings jobs (relatively low intensity: 300 jobs over 30 acres). Size is more than 22.5 football fields.
- OMF might be more similar to outdoor storage of trucks, heavy equipment, contractor storage yards than it is to a light rail station.
- Those kinds of outdoor storage of trucks and related uses are not permitted in MCR/MTCs, as one might expect. But they are permitted in CM2. CM2’s purpose is to provide area for a combination of retail, small scale light industrial, heavy commercial, wholesale, advanced manufacturing.
- Characteristics of OMFs or outdoor storage of trucks, any use like that, might not be our first preference but that doesn’t mean they don’t belong anywhere, just that they must be carefully sited. We have a zone appropriate for that, and it’s appropriate in terms of adjacency to I-5 light rail alignment as well-CM2.
- This ordinance defines both types of transit facilities to differentiate them, and zones OMFs to be allowed in CM2 and not in other zones.
- OMFs were not contemplated at the time of the Midway zoning changes but it’s safe to say they don’t meet the intent of a “safe urban place where buildings hug the edge of generous sidewalks... aesthetically pleasing, where sights, smells and sounds make it a place to linger and enjoy.”
- So to protect MCR and MTC zones, to ensure an OMF can be a benefit to our community, to set the stage for a win-win that meets the goals of both agencies, and to meet the shared vision, this ordinance invites Sound Transit to work with us to site an OMF in CM2.

Councilmember Higgins spoke in support of the ordinance and in opposition to Sound Transit siting the operations and maintenance yard on the Lowe's and Dick's Drive-in properties.

Mayor Ralph provided additional background. In November 2018, Sound Transit informed Kent of the proposed locations for the operations and maintenance facility that included the Lowe's and Dick's Drive-In properties.

Mayor Ralph advised that the Midway landfill has been capped, treated, measured, and monitored and is owned by Seattle Public Utilities. The Lowe's and Dick's site is not appropriate for the operations and maintenance facility and the Midway landfill property is appropriate an appropriate site for the facility.

Mayor Ralph has requested Sound Transit remove the Lowe's and Dick's Drive-in sites from the list of potential properties that would be included in the Environmental Impact Statement process for the operations and maintenance facility.

Mayor Ralph advised she is committed to doing everything in her power to get the Lowe's and Dick's properties removed from the list and that Kent is willing to work with Sound Transit to make the landfill site a win-win for the City and Sound Transit.

Mayor Ralph indicated that the City has the support of the City Manager of the City of Des Moines and the Mayor of the City of Federal Way. Councilmember Peter von Reichbauer has sent a letter to Sound Transit supporting Kent's position.

MOTION: Adopt Ordinance No. 4305, amending title 15 of the Kent City Code to establish interim zoning for transit operations and maintenance facilities in the Midway Subarea, setting a date for a public hearing, declaring an emergency, and providing for an immediate effective date for the ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marli Larimer, Councilmember
SECONDER:	Satwinder Kaur, Councilmember
AYES:	Higgins, Thomas, Boyce, Kaur, Fincher, Troutner, Larimer

10. **BIDS**

A. Lake Meridian Park Bathhouse Repair Project Bid - Award

Parks Director, Julie Parascondola provided information regarding the Lake Meridian Park bathhouse repair project bid.

MOTION: Award the Lake Meridian Park Bathhouse Repair project to A-to-B Builders LLC, in the amount of \$677,942.10, including Washington State Sales Tax, and authorize the Mayor to sign all necessary documents, subject to final terms and conditions acceptable to the City Attorney and Parks Director.

RESULT: APPROVED [UNANIMOUS]
MOVER: Brenda Fincher, Councilmember
SECONDER: Satwinder Kaur, Councilmember
AYES: Higgins, Thomas, Boyce, Kaur, Fincher, Troutner, Larimer

B. Kent Valley Signal System Upgrade Bid - Award

Public Works Director, Tim LaPorte presented information on the Kent Valley Signal System upgrade project.

MOTION: Award the Kent Valley Signal System Upgrade project to Northeast Electric, LLC, in the amount of \$802,869.00 and authorize the Mayor to sign all necessary documents, subject to final terms and conditions acceptable to the City Attorney and Public Works Director.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dennis Higgins, Councilmember
SECONDER: Brenda Fincher, Councilmember
AYES: Higgins, Thomas, Boyce, Kaur, Fincher, Troutner, Larimer

C. Historic Dvorak Barn Relocation Project Bid - Award

Public Works Director, Tim LaPorte presented information on the Historic Dvorak Barn Relocation project bid.

MOTION: Award the Historic Dvorak Barn Relocation project to Nickel Bros., in the amount of \$159,494.50 and authorize the Mayor to sign all necessary documents, subject to final terms and conditions acceptable to the City Attorney and Public Works Director.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dennis Higgins, Councilmember
SECONDER: Toni Troutner, Councilmember
AYES: Higgins, Thomas, Boyce, Kaur, Fincher, Troutner, Larimer

11. EXECUTIVE SESSION AND ACTION AFTER EXECUTIVE SESSION

At 9:45 p.m, the Council convened into executive session.

At 10:23 p.m, executive session was extended an additional 10 minutes.

At 10:31, the Council reconvened into open session.

A. Current or Potential Litigation, as per RCW 42.30.110(1)(i)

B. Property Negotiations, as per RCW 42.30.110(1)(b) to consider the acquisition of real estate for purchase.

12. ADJOURNMENT

With no action following executive session, the Mayor declared the meeting adjourned.

Meeting ended at 10:32 p.m.

Kimberley A. Komoto
City Clerk