



## CITY COUNCIL MEETING

### March 3, 2015 – Agenda

Mt. Si Senior Center, 411 Main Ave. S., North Bend, Washington

#### 7:00 P.M. – CALL TO ORDER, ROLL CALL, FLAG SALUTE

#### CONSENT AGENDA:

	Pg.#
1) Minutes Council Meeting of February 3, 2015 & Council Meeting of February 17, 2015	1
2) Payroll February 20, 2015 – 27217 through 27223, in the amount of \$155,158.09	
3) Checks March 3, 2015 – 60782 through 60837, in the amount of \$650,449.19	
4) AB15-019 Motion–Authorizing 1 <sup>st</sup> Amendment to Fire Station Lease Ms. Lindell	13

CITIZEN’S COMMENTS: (Please restrict comments to 3 minutes)

#### ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

5) Presentation Parks Commission Report & 2015 Work Plan Commission Chair Moore	17
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#### INTRODUCTIONS:

6) AB15-020 Public Hearing, Ordinance Vacating a Portion of East 5 <sup>th</sup> Street Mr. McCarty	19
7) AB15-021 Motion–Authorizing Contract for Water Main Break Restoration Project Mr. Rigos	37

**MAYOR, COUNCIL & ADMINISTRATOR CONCERNS AND INITIATIVES:** (Business and general information presented that may be deliberated upon by the Council. Formal action may be deferred until a subsequent meeting; immediate action may be taken upon a vote of a majority of all members of the Council.)

#### ADJOURNMENT:

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**NORTH BEND CITY COUNCIL MINUTES**

**February 3, 2015**

Senior Center, 411 Main Ave. S., North Bend, Washington

**CALL TO ORDER, ROLL CALL:**

Mayor Hearing called the regular meeting to order at 7:00 p.m.

**Councilmembers Present:** Cook, Gothelf, Kolodejchuk, Loudenback, Pettersen, Rosen and Williamson.

Councilmember Gothelf **MOVED**, seconded by Councilmember Williamson to pull AB15-007 – Motion Authorizing 2<sup>nd</sup> Amendment to Police Services Contract and AB15-008 – Motion Authorizing Contract with SHD for EJ Robert Park from the consent agenda and place on the main agenda for discussion. The motion **PASSED** 7-0.

**CONSENT AGENDA:**

**Minutes** – Council Meeting of January 6, 2015

**Payroll – December 31, 2014 – 27202**, in the amount of **\$36,196.71**

**January 20, 2015 – 27203 through 27209**, in the amount of **\$161,834.75**

**Checks – December 31, 2014 – 60600 through 60667**, in the amount of **\$738,680.29**

**January 20, 2015 – 60668 through 60687**, in the amount of **\$375,345.42**

**February 3, 2015 – 60688 through 60738**, in the amount of **\$575,640.94**

**AB15-009** – Motion Authorizing Contract with Blue Line for Ribary Creek Project

Councilmember Gothelf **MOVED**, seconded by Councilmember Williamson to approve the consent agenda as amended. The motion **PASSED** 7-0.

**CITIZENS COMMENTS:**

**Lizzy Billington**, CEO of Snoqualmie Valley Chamber of Commerce, commented the Chamber was hard at work promoting new businesses and events in the North Bend area and noted that a new North Bend business networking group had recently been formed for area businesses.

**Dave Olson**, 440 Main Ave. S., reported the Kiwanis would be holding a fundraising raffle in the near future. He encouraged all to attend and noted that many of the items for sale were high quality shoes, clothing and sporting goods which had been donated by the United States Secret Service.

**Travis Bridgman**, 713 Ogle Ave NE, encouraged all to engage in their community by getting out and greeting City workers, Councilmembers and those that work for local non-profits.

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**Celia McNay**, 13121 255<sup>th</sup> Place SE, commented that the large development that would be built near the North Fork of the Snoqualmie River conflicted with the City's branding statement which focused on creating a premium outdoor recreation destination in the Puget Sound Region. She requested Council carefully consider the public testimony given at the recent hearing on the Segale Tanner development when making any decision regarding the development.

Public Works Director Rigos reported work on the NE 12<sup>th</sup> Street pavement overlay project began last week. He noted the project, which was currently on time and within budget, encompassed improvements to the roadway, shoulder area, culverts and drainage ditches.

**ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:**

**Proclamation – Relay for Life Day**

Mayor Hearing read a proclamation declaring February 10, 2015 as Relay for Life Day. Bev Jorgensen, a representative of the Snoqualmie Valley Relay for Life organization, was present to accept the proclamation.

**INTRODUCTIONS:**

**AB15-010 – Resolution 1672 Setting Public Hearing Date on ROW Vacation Audio: 16:28**

Senior Planner Burrell provided the staff report.

Councilmember Kolodejchuk **MOVED**, seconded by Councilmember Loudenback to approve AB15-010, a resolution initiating vacation process for a portion of City right-of-way fronting 429 Main Avenue North and Setting a Public Hearing date of March 3, 2015. The motion **PASSED** 7-0.

**AB15-011 – Motion Authorizing Purchase of VIC Sign Audio: 19:42**

Community & Economic Development Director Estep provided the staff report.

Councilmember Williamson **MOVED**, seconded by Councilmember Gothelf to remand to Workstudy AB15-011, authorizing purchase of Visitor Information Center Sign from Tube Art in an amount not to exceed \$13,790. The motion **PASSED** 7-0.

**AB15-007 – Motion Authorizing 2<sup>nd</sup> Amendment to Police Services Contract Audio: 43:19**

City Administrator Lindell provided the staff report.

Councilmember Gothelf **MOVED**, seconded by Councilmember Loudenback to approve AB15-007, authorizing the Mayor to execute a Second Amendment to the Interlocal

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Agreement between North Bend and Snoqualmie for Police Services to increase the staffing to 8 police officers and authorize the purchase of another police vehicles, subject to City Attorney review and approval. The motion **PASSED** 7-0.

**AB15-008** – Motion Authorizing Contract with SHD for EJ Roberts Park      **Audio: 50:07**

Public Works Director Rigos provided the staff report.

Councilmember Loudenback **MOVED**, seconded by Councilmember Rosen to approve AB15-008, authorizing a contract with SHD to perform design services for the EJ Roberts Park Picnic Shelter and Playground Improvements, in a form acceptable to the City Attorney. The motion **PASSED** 7-0.

**MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:**

Councilmember Gothelf reported negotiations were currently taking place between Eastside Fire & Rescue and their labor unions and noted he was monitoring the situation closely as it may result in a cost increase for member cities.

Councilmember Kolodejchuk reported the recent Life Skills auction raised over \$12,000 in proceeds and encouraged all to support the upcoming Relay for Life event. He thanked Public Works Director Rigos for his efforts on the recent installation of a light pole at the 140<sup>th</sup> Street and North Bend Way intersection. He requested Public Works Director Rigos provide an update on future improvement by John Day Homes on 140<sup>th</sup> Street. Public Works Director Rigos reported that John Day Homes would be constructing street and pedestrian improvements from the 140<sup>th</sup> Street / East North Bend Way intersection to the entrance of the future Tanner Falls development. The improvements would consist of wider travel lanes and shoulders, improved sight distance for vehicular traffic, and a pedestrian walkway with curbing.

Councilmember Williamson congratulated the Seattle Seahawks football team for another great season.

City Administrator Lindell informed Council staff was currently preparing for the February 6<sup>th</sup> Council Retreat and expected to follow up with a management retreat in March.

Mayor Hearing spoke regarding the following items:

- Si View MPD designation of a Historic Place on the National Register
- NE 12<sup>th</sup> Street Road Repair
- Tannerwood Park Adopt-a-Park Program
- Visitor Information Center Visions of the Valley Event – February 7<sup>th</sup> 3 – 6 p.m.
- February 16<sup>th</sup> Presidents Day – City Offices Closed

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**ADJOURNMENT:**

Councilmember Gothelf **MOVED** to adjourn, seconded by Councilmember Williamson.  
The motion **PASSED** 7-0.

The meeting adjourned at 8:11 p.m.

ATTEST:

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Kenneth G. Hearing, Mayor

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Susie Oppedal, City Clerk

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**NORTH BEND CITY COUNCIL MINUTES**

**February 17, 2015**

Senior Center, 411 Main Ave. S., North Bend, Washington

**CALL TO ORDER, ROLL CALL:**

Mayor Hearing called the regular meeting to order at 7:00 p.m.

**Councilmembers Present:** Cook, Gothelf, Kolodejchuk, Loudenback, Pettersen, and Williamson. Councilmember Rosen was excused.

**CONSENT AGENDA:**

- Payroll – February 5, 2015 – 27210 through 27216**, in the amount of **\$130,635.45**  
**Checks – February 17, 2015 – 60739 through 60781**, in the amount of **\$295,291.98**  
**AB15-012** – Resolution 1673 Accepting NB Way Sidewalk Project – Downing to Orchard as Complete  
**AB15-013** – Resolution 1674 Adopting KC Regional Hazard Mitigation Plan  
**AB15-014** – Motion Authorizing Change Order for WWTP Improvement Project  
**AB15-015** – Motion Authorizing Extension of Animal Services ILA with King County  
**AB15-016** – Motion Authorizing Contract with AECOM for Engineering Services

Councilmember Gothelf **MOVED**, seconded by Councilmember Williamson to approve the consent agenda as presented. The motion **PASSED** 6-0.

**CITIZEN’S COMMENTS:**

**Dave Olson**, 440 Main Avenue N., commented the Kiwanis had received several inquiries about the raffle items they had obtained from the United States Secret Service. He noted the items were of high quality and encouraged all to participate in the upcoming raffle. Additionally, he encouraged everyone to attend one of the Kiwanis weekly meetings that are held on Thursdays at 7:00 a.m. at the Mt Si Golf Course.

**Sandy Horvath**, 1011 LaForest Drive SE, President of LaForest Holme Home Owner’s Association (HOA), introduced incoming HOA President Cory Brannon and commented on the potential zoning change of property near their development from cottage residential to high density residential zoning. He expressed concern about the change and the potential for increased accidents in the area and suggested a decrease in speed from 35 mph to 25 mph on Cedar Falls Way.

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**ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:**

**State of the City Address – Mayor Hearing**

Mayor Hearing delivered the following State of the City of North Bend 2015 address:

“Ladies and Gentlemen of the Council, Citizens, Property Owners, Staff and Friends; it is my great honor to present to you the North Bend 2015 State of the City Address.

I am very happy to say we continue to move in a positive financial direction, building upon the momentum established during my first two terms in office. In 2014 we experienced another year of growth in revenues which indicates that we may be seeing sustained recovery in the local economy. The City again was able to move forward with a comfortable 10% reserve on top of our general fund budget creating a safeguard against unexpected events in the coming year.

The City’s accomplishments in the next year will be built upon the successes of our past. The acquisition of water rights has led to an impressive amount of new development in our city. We issued 33 building permits for new homes during 2014, and are expecting similar activity in 2015. The City is currently processing applications for a total of 628 new building lots and new homes so you can see that staff is extremely busy processing development activity. Council also adopted code amendments last year to insure that our neighborhoods remain “highly livable” and development is consistent with our mission of “preserving the rural character of our community”. New Bulk and Dimensional standards were created that increased our minimum lot sizes and required larger setbacks between properties.

The citizens’ approval of the Transportation Benefit District has provided us with an ongoing revenue stream for transportation projects for the next eight years. This new source of revenue, combined with other City funds, will provide capital project funding to improve our roads and sidewalks. In 2015, we will be designing another major roundabout at Park Street. We will also be designing significant street improvements at Bendigo Blvd and Park Street to allow easier right turning movement so the Park Street bypass can be effectively used to assist folks attempting to move east-west through town. Additionally, we anticipate completing emergency repairs on NE 12<sup>th</sup> Street in order to provide safe travelling lanes on this existing road. We will be asking Council in 2015 to again consider its Transportation Impact Fee in order to have the fee more closely reflect the real transportation cost associated with new home construction to achieve Council’s goal that “growth pays for growth”.

In 2014, we replaced the failing 415<sup>th</sup> SE water line of nearly one mile at a cost of approximately \$1 million dollars. This project was substantially completed within budget and will insure reliable water service to our residents and avoid costly water line breaks in future years. Notwithstanding this significant improvement, we will be looking at

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additional capital investments in our water system as we replace remaining 50 year old water lines.

This year, the City had a challenge with our wastewater treatment plant when we learned our functional capacity was much lower than our permitted capacity due to several pinch points in the collection system. Council acted quickly and by emergency resolution authorized over \$1.3 million dollars in improvements to our WWTP. I am happy to report these improvements are being completed on time and the City is now issuing certificates of concurrency for sewer. In order to respond to anticipated growth in our community and insure reliability and sustainability, Staff and I will also be evaluating additional improvements we can make to our plant.

It has been almost one year since we switched police providers and started contracting with Snoqualmie. We have experienced a marked reduction in complaints regarding the criminal transient population and we are very much looking forward to seeing the results of our citizen satisfaction survey. I anticipate we will see what our citizens have been anecdotally telling us - they generally feel safer since the switch. Our citizens favorably responded to our request for an 8<sup>th</sup> police officer by passing Proposition One this past November. This new officer will allow the City to have 2 police officers on duty for 18 hours a day. This is a significantly higher level of police service than we had under our prior police contract. Thank you voters again for trusting us with your money and for investing in our number one priority - public safety.

Our Council was willing to be entrepreneurial last year in order to encourage downtown economic development by entering into a lease and making tenant improvements for a new wine tasting business which is now located in the City's old fire station. We have heard from our downtown brick and mortar businesses and citizens that this business has been a great addition to our historic downtown and we hope it will also help to promote tourism to our area.

Our new Visitor Information Center near Bartell's opened this September during the Jazz Walk in its highly visible location. This new public facility will promote tourism by providing information about our beautiful region to our visitors. It also houses the Mountain View Art Galley where our local artists have an opportunity to display and sell their artwork. The City has partnered with the Downtown Association who staffs the VIC and in 2015 we will be evaluating ways for the VIC to be self-supporting in the future. We are pleased to have been able to locate the VIC on this vital street corner at the entrance to our historic downtown.

We are also excited to have broken ground this year on a new hotel located on the corner of Bendigo Blvd and South Fork Avenue. This site will eventually have 2 separate hotel towers. During phase 1, approximately 110 hotel rooms, meetings rooms and possibly a new restaurant will be constructed. The applicant has estimated they will be open for business in September of 2016. I see this project as pivotal in drawing

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visitors to our downtown core and fulfilling the vision of our branding and marketing efforts to make North Bend a recreational destination.

After many years of planning and citizen involvement, we will construct a new Downtown Plaza this year at the intersection of Main Avenue and North Bend Way. The City was fortunate to receive a \$350,000 grant to offset part of the costs of this project. This project will enhance pedestrian amenities, create safer crossings and create a downtown plaza to attract people to shop, dine and enjoy our historic downtown core.

City staff is constantly looking for ways to increase efficiencies and cost effectiveness. In 2014, Council adopted a resolution to proceed with a biennial budget to reduce budgeting redundancies, and provide for biennial audits as allowed by state law.

The City had the opportunity to practice its emergency preparedness this year when an entire City block was decimated as a result of an accidental natural gas leak and explosion. I am proud of our first responders and staff for the incredible work they performed both in responding to the initial fire and crisis and then working effectively with both federal and state agencies to provide relief to our citizens adversely impacted by this tragedy. We are grateful that no human lives were lost, injuries were minimal and that property owners have been moving forward to rebuild and repair damage from the blast.

The City continues to expand communications within the community. Our new website continues to contain a host of offerings including video access to Council meetings and an increased social media presence. Our goal is to be a transparent government; we want to be successful in communicating with our citizens. The North Bend Webcam is a favorite link accessed from the City's website. This Webcam displays a live view of the City, laid out on the valley floor with Mount Si and the Cascades as a backdrop as viewed from Rattlesnake Ridge, be sure to check it out!

On the tourism and economic development front, City Staff has coordinated an amazing array of events over the past several years and 2015 will not be disappointing. Upcoming events include the North Bend Jazz Walk on March 14, the North Bend Farmers Market and Summer Concert Series beginning in June, the 5th annual Downtown Block Party on July 18<sup>th</sup> with a car show on July 19th, the Festival at Mt Si held the second weekend of August, and the Adventure Sport Festival and the North Bend Blues Walk will be held in September and the North Bend Mountain Film Festival which runs October through December, culminating with the Holiday Tree Lighting Festival. Go to the City's website under News and Highlights and check out the Highlighted Events for the full 2015 Schedule of Events.

The City in partnership with Si View Metropolitan Park District will be opening a new park at Tollgate Farm early this year which will include a children's play area, trails, restrooms and parking. This will provide an opportunity to enjoy the pristine beauty of

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Tollgate with its spectacular views of Mt Si. In addition, the City in partnership with the Snoqualmie Valley Little League will finalize design of improvements at Torguson Park to include new restrooms and a concession stand. Finally, the City will be making some upgrades to our beloved EJ Roberts Park by adding a new pedestrian bridge and hopefully a picnic shelter.

We continue discussions about the benefits of downtown redevelopment and moving City Hall to North Bend Way. Council will be refining its vision for a Civic Center in 2015 with discussions with the community on funding alternatives. I believe that, with the help of the citizens, a major facelift and economic boost is possible.

As you can see, the staff is hard at work and the city is growing. We had a good 2014 and I look forward to continued positive growth in 2015. Thank you, Citizens, once again, for trusting us to be good stewards of your money. This will be a time when our challenges should bring out the best in all of us and prove even more that North Bend is a City "Easy to reach, and Hard to Leave."

**Presentation – Police Services Year End Review & Police Services Survey Results**

Police Chief McCulley provided a year-end report which included discussion on the following items: staffing, calls for service, patrol statistics, community oriented policing and event, records/evidence, \$30,000 emphasis patrol, training hours, 2014 successes and challenges, and 2015 goals.

Chief McCulley reviewed the results of the recent survey on police services and noted overall the community reported feeling an increase in personal safety and decrease in crime within the City in the past twelve months. Additionally, he reported survey respondents indicated the Snoqualmie Police Department had a high level of response (95%) to community needs and overall satisfaction level of 88% for police services.

**COMMISSION AND COMMITTEE REPORTS:**

**Planning Commission**

A report of the February 12<sup>th</sup> meeting was provided.

**Parks Commission**

A report of the January 28<sup>th</sup> meeting was provided.

**Economic Development Commission**

No report – The January 22, 2015 meeting was cancelled.

**Community & Economic Development Committee – Councilmember Kolodejchuk, Chair**

A report of the February 11<sup>th</sup> meeting was provided.

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**Finance & Administration Committee** – Councilmember Cook, Chair

No report – The February 3, 2015 meeting was cancelled.

**Public Health & Safety Committee** – Councilmember Gothelf, Chair

A report of the February 10<sup>th</sup> meeting was provided.

**Transportation & Public Works Committee** – Councilmember Loudenback, Chair

A report of the February 11<sup>th</sup> meeting was provided.

**Council Workstudy** – Mayor Pro Tem Williamson

No report – The January 27<sup>th</sup> Workstudy was cancelled.

**Eastside Fire & Rescue Board Meeting** – Councilmember Gothelf

A report of the last meeting was provided.

**INTRODUCTIONS:**

**AB15-017** – Motion Authorizing ILA for Public Defense Monitoring Services **Audio: 48:11**

City Administrator Lindell provided the staff report.

Councilmember Gothelf **MOVED**, seconded by Councilmember Loudenback to approve AB15-017, authoring the Mayor to enter into an Interlocal Agreement with the cities of Sammamish, Issaquah and Snoqualmie for public defense monitoring services. The motion **PASSED** 6-0.

**AB15-018** – Motion Authorizing Ethnographic Study of Swing Rock **Audio: 56:05**

Senior Planner McCarty provided the staff report. King County Historic Preservation Program Planner Charlie Sundberg was present to answer questions regarding the ethnographic study.

Councilmember Kolodejchuk **MOVED**, seconded by Councilmember Loudenback to approve AB15-018, authorizing the City to contribute \$2,000 toward the preparation of an Ethnographic Study to Consider Nomination of the Swing Rock as a Historic Landmark. The motion **PASSED** 4-2 (Cook, Gothelf).

**MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:**

Councilmember Pettersen thanked Chief McCulley for his report on police services and the recent police survey. Additionally, she thanked Chief McCulley and Captain Almquist for their excellent leadership skills and the North Bend police officers for their professionalism and courtesy to the citizens of North Bend.

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Councilmember Kolodejchuk reported the Life Skills fundraiser had raised over \$40,000 and had \$10,000 more to collect to reach their fundraising goal. He noted that an upcoming ASB auction would be held for those wishing to donate to this worthy cause. Additionally, he informed staff of grant funding available through the Transportation Improvement Board and requested they investigate the potential funding opportunities.

Councilmember Loudenback reported Metro started a new bus service Route 628 in the Snoqualmie Valley with commuter service every thirty minutes to the Issaquah Highlands Park-and-Ride.

Councilmember Gothelf announced the Snoqualmie Valley School District passed their recent bond measure. He also mentioned a recent incident at the high school involving pictures taken of individuals without their permission and strongly discouraged this type of behavior.

Councilmember Williamson encouraged all to read the recent article in City Vision magazine which contained input from City Administrator Lindell on emergency management. Also, he reported CERT training would be starting on March 21<sup>st</sup> at the Snoqualmie Fire Station.

City Administrator Lindell thanked Councilmember Loudenback for his advocacy of behalf of the citizens of North Bend regarding improvements to bus service. She thanked Councilmember Williamson for mentioning emergency management and noted the City would be holding a second table top emergency management exercise September.

Mayor Hearing spoke regarding the following items:

- New Commuter Metro Route 628
- Road Improvements on SE 140<sup>th</sup> Street/East North Bend Way
- Snoqualmie Valley Teen Closet – March 4<sup>th</sup> 4 to 6 p.m.
- Cancellation of February 24<sup>th</sup> Council Workstudy

**ADJOURNMENT:**

Councilmember Kolodejchuk **MOVED** to adjourn, seconded by Councilmember Gothelf. The motion **PASSED** 6-0.

The meeting adjourned at 8:28 p.m.

ATTEST:

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Kenneth G. Hearing, Mayor

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Susie Oppedal, City Clerk





## City Council Agenda Bill

<b>SUBJECT:</b>		<b>Agenda Date: March 3, 2015</b>	<b>AB15-019</b>
<b>A Motion Authorizing the Mayor to Enter into a First Amendment for First Station Lease/Piccola Winery</b>		Department/Committee/Individual	
		Mayor Ken Hearing	
		City Administrator – Londi Lindell	X
		City Attorney - Mike Kenyon	
		City Clerk – Susie Oppedal	
		Community & Economic Development – Gina Estep	
		Finance – Dawn Masko	
		Public Works – Mark Rigos	
Cost Impact: No new expenditure. Revenue will vary based upon actual common area charges reconciliation at end of year			
Fund Source: N/A			
Timeline: Immediate			
<b>Attachments:</b> First Amendment to Fire Station Lease			
SUMMARY STATEMENT:  The City entered into an agreement with Piccola Winery to lease certain premises located in the City’s former fire station at City Hall on February 5, 2014 (“Lease”). The Lease contained provisions regarding the payment of common area charges and leasehold excise taxes. The Tenant has sought renegotiation of the Lease to reflect market conditions. The parties have agreed to a consumer price index annual increase on the common area charges and to increase them from the original amount of \$200 to \$250 commencing October 1, 2015.  Except as otherwise amended by the First Amendment, the remainder of the Lease is in full force and effect.			
COMMITTEE REVIEW AND RECOMMENDATION: The Finance and Administration Committee reviewed this First Amendment on March 3, 2015 and recommended it be placed on the Consent Agenda for approval.			
<b>RECOMMENDED ACTION: MOTION to approve AB15-019, authorizing a First Amendment to the Fire Station Lease originally entered into between the City of North Bend and Piccola Winery on February 5, 2014.</b>			
<b>RECORD OF COUNCIL ACTION</b>			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
March 3, 2015			



**FIRST AMENDMENT TO FIRE STATION LEASE**

THIS FIRST AMENDMENT TO FIRE STATION LEASE (“Amendment”) is entered into between the CITY OF NORTH BEND, a Washington municipal corporation (“Landlord”) and the EDMONDS WINERY LLC, A Washington Limited Liability Corporation d/b/a PICCOLA CELLARS and LA BOTTE PICCOLA WINE COMPANY (“Tenant”).

I  
RECITALS

A. Landlord and Tenant entered into that certain Lease dated February 5, 2014 (“Lease”) covering certain premises commonly known as the prior North Bend Fire Station and located at 112 W. Second Street, North Bend, Washington (“Premise”);

B Landlord and Tenant intend that the rent and common area charges reflect fair rental value.

C. The parties have agreed to modify the provisions covering the payment of common area charges and leasehold excise tax pursuant to the terms of this First Amendment.

D. Any capitalized terms in this First Amendment shall have the meaning set forth in the Lease.

II

1. **Common Area Charges.** Section 3.2(a) of the Lease shall be amended as follows:

3.2 **Common Area Charge.**

(a) Tenant agrees to pay Landlord, as additional rent, a Common Area Charge. The “*Common Area Charge*” is defined as Tenant’s Proportionate Share of Landlord’s costs and expenses of every kind and nature incurred in the operation and maintenance of the Common Areas and 100% of any leasehold excise tax that is due as a result of Tenant occupying property owned by the City. The “*Common Areas*” are defined as including, but not limited to, the sidewalks, pedestrian walkways, driveways, parking areas, service areas, landscaped areas, Premises identification signs, traffic markers and signs, parking lot lighting, storm drains and sewers, utility lines, restrooms serving the public, and all roofs and building exteriors of the Premises. The common area costs shall mean the total costs and expenses incurred by the Landlord for taxes (excluding leasehold excise tax which shall be paid 100% by Tenant), insurance, cleaning, repairing, operating, policing, managing, replacing, and modifying all or any part of the Common Areas as deemed appropriate by Landlord. All charges payable by Tenant under this section as Common Area Charges shall be estimated and paid in equal monthly installments in advance at the same time and place as provided for the payment of the Rent. For the first year of the Lease and thereafter until September 1, 2015, at a minimum, Tenant shall pay \$200 a month as an estimated Common Area Charge. Commencing October 1, 2015 and continuing until the expiration of the Initial Term, Tenant shall pay \$250 a month as an estimated Common Area Charge. Commencing January 1, 2016, the Common Area Charge shall be

adjusted annually by the amount of any increase from the prior year in the Consumer Price Index for Urban and Wage Earners and Clerical Workers (CPI-W) for the Seattle-Tacoma-Bremerton area.

**2. Reconciliation of Common Area Charges.** Section 3.2(c) of the Lease shall be amended as follows:

(c) If the Tenant elects to extend the term by exercising the Option Term, then within ninety (90) days following the end of each calendar year during the Option Term, or as soon as reasonably possible thereafter, Landlord shall furnish to Tenant a statement covering such year just ended, showing the Common Area Costs and the amount of Tenant's Proportionate Share of such costs for such year and the payments made by Tenant with respect to such year. If Tenant's Proportionate Share of such costs is less than Tenant's payments so made, Tenant shall not be entitled to a credit as the \$200 a month is a minimum amount to be paid or, if such share is greater than Tenant's said payments, Tenant shall pay Landlord the difference within thirty (30) days after receipt of such statement. Landlord and Tenant's obligations under this subsection shall survive the expiration or earlier termination of this Lease.

**3. All Other Provisions of ILA Remain in Full Force and Effect.**

All other provisions of the Lease not specifically amended by the First Amendment shall remain in full force and effect.

DATED effective this 3rd day of March, 2015.

PICCOLA

CITY OF NORTH BEND

By: \_\_\_\_\_  
Diana Kaspic

By: \_\_\_\_\_  
Kenneth G. Hearing, Mayor

**PARKS COMMISSION 2014 SUMMARY REPORT AND  
2015 TENTATIVE WORK PROGRAM**

**To:** City Council  
**Date:** January 28, 2015  
**From:** Mike McCarty, Senior Planner, and Chris Moore, Parks Commission Chair

City Council members,

As required per NBMC 2.24.120, *"the Parks Commission, at or before its first regular meeting in February of each year, shall make a full report, in writing, to the Council of its transactions and expenditures, if any, for the proceeding year, with such general recommendations as to matters covered by its prescribed duties and authority as may seem proper."*

This report is provided to summarize the activities and accomplishments and expenditures of the Parks Commission in 2014 as well as to provide the tentative work program of the Parks Commission in 2015, seeking any feedback or additional direction from the Council on this work program.

**2014 Expenditures:**

The Parks Commission expended \$5,365.75 for trash can lids and recycling and garbage cans at Torguson Park, EJ Roberts Park, and Gardiner Weeks Park. \$5,000 of this amount was provided from the Small Parks Improvements Budget, as requested via a 2014 Decision Card that was authorized in the third quarter budget adjustment. The remainder of this expenditure was covered by a grant in the amount of \$1,000 provided by the Cascade Covenant Church for purchase of garbage cans within Torguson Park.

The Parks Commission wishes to additionally thank the City Council for authorizing the continuation of the Small Parks Improvement Fund in the 2015 and 2016 budgets via the approved decision card for that fund.

**2014 Activities:**

**Recruiting and Coordinating Adopt A Park Volunteers**

The Parks Commission coordinated with a number of volunteers through the Adopt-a-Park Program in 2014, including the Cascade Covenant Church, who adopted Torguson Park, the Shogren Family, who adopted Tannerwood Park, and the Snoqualmie Valley Garden Club, who adopted the landscaping at the new municipal parking lot on 2<sup>nd</sup> and Main Street. Thank you to all of these volunteers!

**Coordinating Planning for Torguson Park BMX Park Area**

The Parks Commission met with representatives from the BMX group and Cascade Covenant Church to discuss improvements to this area of the park, as well as seeking a more formal connection of this corner of the park to North Bend Way. Cascade Covenant Church generously awarded a \$1,000 grant for garbage cans in the park to improve the appearance of the park and enable better litter collection in this area. The April 25 explosion put the planning efforts on this area of the park on hold until we understand adjacent site development plans and can coordinate with those efforts.

**Garbage and Recycling Recommendation**

The Parks Commission provided a recommendation to staff for use of the \$5,000 Small Parks Improvement Budget for purchasing trash can and recycling lids and new trash and recycle cans within City Parks.

**Park Signage Recommendation to City Council**

The Parks Commission reviewed the condition and consistency of the signs within North Bend city parks and provided a recommendation to the City Council to replace these signs for a more uniform, recognizable and attractive park sign standard throughout the City. The Parks Commission wishes to thank the Council for authorizing funds for this in 2015-2016 via the approved decision card.

**EJ Roberts Park Adoption Activities**

The Parks Commission provided a cleanup work party in April at EJ Roberts Park through the adopt-a-park program, clearing blackberries and weeding planting beds. Since 2011, the Parks Commission has put in

over 100 collective hours at this park, serving as a good example to the community about the Adopt a Park Program.

**Review of New Park Improvements**

As an established duty of the Parks Commission per NBMC 2.24.100, the Parks Commission is responsible to provide review and comment on new parks within the City. In 2014, the Parks Commission reviewed and made recommendations on the proposed park improvements for the Segale Subdivision and Maloney Grove 13 Subdivision.

**2015 Tentative Work Program**

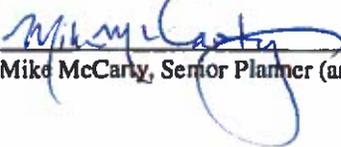
At their January 2015 meeting, the Parks Commission considered a number of potential topics to address in the coming year. The Parks Commission recommended the following topics for 2015, and seek any City Council feedback or additional direction regarding this tentative work program.

1. Amendments to the Parks Element of the Comprehensive Plan. The certification of the City's Parks Element by the State Recreation and Conservation Office (necessary for eligibility for grants for projects) expires January 19, 2016, and an update to the Parks Element is required to maintain certification. The Parks Commission will provide review of the Element, including the Parks Capital Facilities Plan, and provide opportunities for public participation in the update. A number of new projects have also been suggested for addition to the Parks Capital Facilities Plan, and the Parks Commission will need to recommend which projects should be on the Parks Capital Facilities Plan and anticipated order of implementation. This will be the Parks Commission's primary work in 2015.
2. Recommendation on West Entry Area to Torguson Park. Depending on submittal of site development plans for the explosion site property, the Parks Commission will make recommendations on the southwest corner of Torguson Park and its possible connection (via easements) through the development site out to North Bend Way.
3. Park signage Recommendation and Installation. The Parks Commission will refine their recommendation to City Staff for design and installation of the new park entry and orientation signs authorized through a 2015/2016 decision card.
4. Arbor Day: Coordinate activities recognizing National Arbor Day, including community involvement.
5. Park-Related Development Review: New mini park improvements will be reviewed by the Parks Commission during the preliminary plat process for new subdivisions, including:
  - a. Tanner Falls Subdivision (John Day Homes).
  - b. Cedar Landing Subdivision (Quadrant Homes).
  - c. Cottages at North Bend Subdivision.
  - d. Other subdivision applications as received.
6. Implementation of Park Improvements: Parks Commission will provide review of plans for the Torguson Park Restroom/Concession project, Torguson Park pathway and plaza improvements as those projects are implemented this year.

The Parks Commission and staff wish to thank the City Council for consideration of past and future Parks Commission recommendations, and appreciate your direction, feedback, and communication as we work collectively towards the planning and betterment of the City of North Bend's park and recreation resources.

  
 \_\_\_\_\_  
 Chris Moore, Parks Commission Chair

2/5/15  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Mike McCarty, Senior Planner (and staff to Parks Commission)

2/5/2015  
 \_\_\_\_\_  
 Date



## City Council Agenda Bill

<b>SUBJECT:</b>		<b>Agenda Date: March 3, 2015</b>	<b>AB15-020</b>	
<p><b>Public Hearing and Ordinance Vacating a Portion of East Fifth Street</b></p> <p>Cost Impact: N/A</p> <p>Fund Source: N/A</p> <p>Timeline: Immediate</p>		Department/Committee/Individual		
		Mayor Ken Hearing		
		City Administrator – Londi Lindell		
		City Attorney - Mike Kenyon		
		City Clerk – Susie Oppedal		
		Community & Economic Development – Gina Estep		
		Finance – Dawn Masko		
		Public Works – Mark Rigos		
		Jamie Burrell- Senior Planner		X
		<b>Attachments:</b> Ordinance, Appraisal with map		
<p><b>SUMMARY STATEMENT:</b></p> <p>The City received a request for vacation of a 10’ by 140’ long portion of East Fifth Street abutting the east property line at 429 Main Avenue North. This request was submitted due to the fact that the existing house and garage encroaches into this right-of-way and to clear the title a vacation would be required.</p> <p>Resolution 1672, which was approved at the February 3, 2015 City Council Meeting, set a public hearing on March 3, 2015, to take public testimony on the requested street vacation.</p> <p><b>Options:</b> The Council has several options, including, but not limited to:</p> <ol style="list-style-type: none"> <li>1. Approve the Vacation as requested.</li> <li>2. Approve a portion of the Vacation.</li> <li>3. Deny the Vacation.</li> </ol> <p><b>Payment:</b> Pursuant to RCW 35.79.030 the City Council may request that the petitioner compensate the City in an amount that does not exceed the full appraised value of the area vacated. The appraiser valued the 1,400 square feet at \$4,900.00</p> <p><b>Recommendation:</b> At this time, without the benefit of public testimony, and based on the above information, the fact that this action would create a consistent property line with the requesting property owner; and the fact that the City would still retain ownership of 50 feet of right-of-way, staff is recommending the Vacation be granted.</p>				
<p><b>COMMITTEE REVIEW AND RECOMMENDATION:</b> The CED Council Committee discussed this item at its January 14, 2015 meeting and recommended approval of this vacation.</p>				
<p><b>RECOMMENDED ACTION: MOTION to approve AB15-020, an ordinance vacating a portion of East Fifth Street, as a first and final reading.</b></p>				
<b>RECORD OF COUNCIL ACTION</b>				
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>		
March 3, 2015				



## ORDINANCE

### **AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, VACATING A PORTION OF EAST FIFTH STREET; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, a petition for vacation of a portion of the City's right-of-way, commonly known as E. Fifth Street, was filed with the City of North Bend pursuant to RCW 35.79; and

**WHEREAS**, a public hearing was held on the proposed vacation of said right-of-way on March 3, 2015; and

**WHEREAS**, it appears that vacation thereof would be in the public interest;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. Street Vacation and Reservation of Easements:** The following described portion of right-of-way commonly known as the 10' wide portion of E. Fifth Street that fronts the property at 429 Main Avenue North, and legally described as set forth in this section, is hereby vacated:

The Northwesterly 10 feet of Lot 1, Block 3 of Fremont Kelly's Subdivision of Tracts 1 and 2, WH Taylors Snoqualmie Prairie Acre Tract as per plat recorded in volume 19 of plats on page 15, records of King County, Washington.

As an express condition of this vacation, North Bend retains an easement over, under, through and along the vacated area for the purpose of construction, maintenance, and repair of public utilities and services.

**Section 2. Consideration for Street Vacation:** In consideration for the vacation of the portion of right-of-way legally described in Section 1 of this Ordinance, the petitioner shall pay to the City a sum, which shall be equal to 100% of the appraised value of the property to be vacated. Pursuant to RCW 35.79.030, one-half of this amount shall be dedicated to transportation capital projects within the City of North Bend. The vacation authorized by this ordinance shall not become effective until such payment is actually received by the City.

**Section 3. Recording with the County Auditor:** The City Clerk is hereby requested to deliver and have recorded with the King County Auditor a certified copy of this Ordinance.

**Section 4. Severability:** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 5. Effective Date:** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 3<sup>RD</sup> DAY OF MARCH, 2015.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Kenneth G. Hearing, Mayor**

\_\_\_\_\_  
**Michael R. Kenyon, City Attorney**

Published:  
Effective:

**ATTEST/AUTHENTICATED:**

\_\_\_\_\_  
**Susie Oppedal, City Clerk**



Borrower/Client	Client: Gavin Black	File No.	NB-001
Property Address	429 Main Ave N		
City	North Bend	County	King State WA Zip Code 98045
Lender	Client Gavin Black		

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**SUMMARY OF SALIENT FEATURES**

SUBJECT INFORMATION	Subject Address	429 Main Ave N
	Legal Description	See Attached
	City	North Bend
	County	King
	State	WA
	Zip Code	98045
	Census Tract	0327.04
	Map Reference	Thomas Guide Pg 974
SALES PRICE	Sale Price	\$ N/A
	Date of Sale	N/A
CLIENT	Borrower/Client	Client: Gavin Black
	Lender	Client Gavin Black
DESCRIPTION OF IMPROVEMENTS	Size (Square Feet)	
	Price per Square Foot	\$
	Location	North Bend
	Age	
	Condition	
	Total Rooms	
	Bedrooms	
Baths		
APPRAISER	Appraiser	Todd Wilnovsky
	Date of Appraised Value	
VALUE	Final Estimate of Value	\$ 4,900.00

**LAND APPRAISAL REPORT**

File No. NB-001

<b>SUBJECT</b>	Borrower Client: <u>Gavin Black</u>		Census Tract: <u>0327.04</u>		Map Reference: <u>Thomas Guide Pg 974</u>	
	Property Address: <u>429 Main Ave N</u>		City: <u>North Bend</u>		County: <u>King</u> State: <u>WA</u> Zip Code: <u>98045</u>	
	Legal Description: <u>See Attached</u>		Lender/Client: <u>Client Gavin Black</u>		Address: <u>429 Main Avenue N North Bend, WA</u>	
<b>NEIGHBORHOOD</b>	Sale Price \$ <u>N/A</u> Date of Sale <u>N/A</u> Loan Term <u>N/A</u> yrs. Property Rights Appraised <input checked="" type="checkbox"/> Fee <input type="checkbox"/> Leasehold <input type="checkbox"/> De Minimis PUD		Actual Real Estate Taxes \$ <u>N/A</u> (yr) Loan charges to be paid by seller \$ _____ Other sales concessions _____		Occupant: <u>Gavin Black</u> Appraiser: <u>Todd Wilmovsky</u> Instructions to Appraiser: <u>Valuation of site addition</u>	
	Location <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Rural		Built Up <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25% to 75% <input type="checkbox"/> Under 25%		Employment Stability <input checked="" type="checkbox"/> Good <input type="checkbox"/> Avg. <input type="checkbox"/> Fair <input type="checkbox"/> Poor	
	Growth Rate <input type="checkbox"/> Fully Dev. <input checked="" type="checkbox"/> Rapid <input type="checkbox"/> Steady <input type="checkbox"/> Slow		Property Values <input checked="" type="checkbox"/> Increasing <input type="checkbox"/> Stable <input type="checkbox"/> Declining		Convenience to Employment <input checked="" type="checkbox"/>	
	Demand/Supply <input checked="" type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input type="checkbox"/> Oversupply		Marketing Time <input checked="" type="checkbox"/> Under 3 Mos. <input type="checkbox"/> 4-6 Mos. <input type="checkbox"/> Over 6 Mos.		Convenience to Shopping <input type="checkbox"/>	
	Present <input checked="" type="checkbox"/> 65% One-Unit <input type="checkbox"/> 3% 2-4 Unit <input type="checkbox"/> 2% Apts. <input type="checkbox"/> 2% Condo <input type="checkbox"/> 10% Commercial		Change in Present Land Use <input checked="" type="checkbox"/> Not Likely <input type="checkbox"/> Likely (*) <input type="checkbox"/> Taking Place (*)		Convenience to Schools <input checked="" type="checkbox"/>	
	Land Use <input type="checkbox"/> Industrial <input type="checkbox"/> 18% Vacant		Predominant Occupancy <input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> % Vacant _____		Adequacy of Public Transportation <input checked="" type="checkbox"/>	
	One-Unit Price Range \$ <u>175,000</u> to \$ <u>900,000</u> Predominant Value \$ <u>275,000</u>		One-Unit Age Range <u>New</u> yrs. to <u>60</u> yrs. Predominant Age <u>25</u> yrs.		Recreational Facilities <input type="checkbox"/>	
	Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise) <u>Subject is located in the city limits of North Bend, WA. Schools, shopping, and most services can be obtained within 1.5 miles of the subject property. Employment centers are located in Seattle, Bellevue and Issaquah WA. Recreational facilities are abundant with ocean beaches a 3 hours drive and mountain ski resorts within a 1 hour drive.</u>				Adequacy of Utilities <input type="checkbox"/>	
					Property Compatibility <input type="checkbox"/>	
					Protection from Detrimental Conditions <input type="checkbox"/>	
				Police and Fire Protection <input type="checkbox"/>		
				General Appearance of Properties <input type="checkbox"/>		
				Appeal to Market <input type="checkbox"/>		
<b>SITE</b>	Dimensions: <u>10' x 140'</u> = <u>1,400</u> <input checked="" type="checkbox"/> Corner Lot		Zoning Classification _____ Present Improvements <input type="checkbox"/> Do <input type="checkbox"/> Do Not Conform to Zoning Regulations		Highest and Best Use <input checked="" type="checkbox"/> Present Use <input type="checkbox"/> Other (specify) _____	
	Elec. <input checked="" type="checkbox"/> City of N Bend		Gas <input checked="" type="checkbox"/> City of N Bend		Water <input checked="" type="checkbox"/> City of N Bend	
	San. Sewer <input checked="" type="checkbox"/> City of N Bend		San. Sewer <input type="checkbox"/> Storm Sewer <input type="checkbox"/> Curb/Gutter <input type="checkbox"/> Sidewalk <input type="checkbox"/> Street Lights		Topo: <u>Slightly Sloping</u>	
	Off Site Improvements: Street Access <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private		Surface: <u>Paved</u>		Size: <u>Small</u>	
	Maintenance: <input type="checkbox"/> Public <input type="checkbox"/> Private		Drainage: <u>Appears Adequate</u>		Shape: <u>Rectangular</u>	
	Is the property located in a FEMA Special Flood Hazard Area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions) <u>I did not find any adverse easements on the date of inspection.</u>		View: <u>Market Area</u>	
					Market Data Analysis: <u>Is the property located in a FEMA Special Flood Hazard Area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</u>	
					The undersigned has recited the following recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.	
					ITEM   SUBJECT PROPERTY   COMPARABLE NO. 1   COMPARABLE NO. 2   COMPARABLE NO. 3	
					Address: <u>429 Main Ave N North Bend, WA 98045</u>   <u>NW 14th Street North Bend, WA 98045</u>   <u>3 XX W 2nd Avenue North Bend, WA 98045</u>   <u>43704 SE 80th Street North Bend, WA 98045</u>	
				Proximity to Subject _____		
				Sales Price \$ <u>N/A</u>   \$ <u>55,000</u>   \$ <u>82,500</u>   \$ <u>59,950</u>		
				Price \$/Sq. Ft. \$ _____   \$ <u>3.05</u>   \$ <u>4.27</u>   \$ <u>1.79</u>		
				Data Source(s) _____		
				ITEM   DESCRIPTION   NWMLS   DESCRIPTION   +/- \$ Adjust.   NWMLS   DESCRIPTION   +/- \$ Adjust.   NWMLS   DESCRIPTION   +/- \$ Adjust.		
				Date of Sale/Time Adj. <u>N/A</u>   <u>Listing</u>   <u>1/25/13</u>   <u>Listed 7/4/14</u>		
				Location <u>North Bend</u>   <u>North Bend</u>   <u>North Bend</u>   <u>North Bend</u>		
				Site/View <u>1,400 sf</u>   <u>18,006 sf</u>   <u>19,421 sf</u>   <u>33,476 sf</u>		
				Power/Water/Sewer <u>Yes</u>   <u>Yes</u>   <u>Yes</u>   <u>Recreational Lot</u>		
				Cleared Pad <u>Yes</u>   <u>Yes</u>   <u>Yes</u>   <u>Yes</u>		
				Price Per Square Ft _____   <u>\$3.05 Per Sq Ft</u>   <u>\$4.27 Per Sq Ft</u>   <u>1.79 Per Sq Ft</u>		
				Sales or Financing Concessions _____		
				Net Adj. (Total) <input type="checkbox"/> + <input type="checkbox"/> - \$ _____   <input type="checkbox"/> + <input type="checkbox"/> - \$ _____   <input type="checkbox"/> + <input type="checkbox"/> - \$ _____		
				Indicated Value of Subject _____   <u>Net Gross % \$ 55,000</u>   <u>Net Gross % \$ 82,500</u>   <u>Net Gross % \$ 59,950</u>		
				Comments on Market Data <u>Data was very scarce and I used those properties available. Comparable #1 is a residential lot and is considered most like the subject. Comparable #2 is a closed sale that can be used for commercial or residential purposes. Comparable #3 was the next best option but given very little weight due to its recreational only use.</u>		
				Comments and Conditions of Appraisal <u>Most weight was given to comparable's 1 and 2 due to location and lot size. The range of these two comparables is between \$3.05 and \$4.27 dollars per square foot. I feel the subject is in the middle of this range due to location and overall similarities. The price per square foot for the proposed new site is \$3.50 per square foot.</u>		
				Final Reconciliation <u>The proposed boundary line adjustment will add 1400 square feet to the subject site. Site value is based on 1400 square feet at \$3.50 per square foot for a total of \$4,900.00.</u>		
<b>RECONCILIATION</b>	I (WE) ESTIMATE THE MARKET VALUE AS DERIVED BY THE SUBJECT PROPERTY AS OF <u>12/4/14</u> TO BE \$ <u>4,900.00</u>					
	Appraiser: <u>Todd Wilmovsky</u>		Supervisory Appraiser (if applicable) _____			
	Date of Signature and Report: <u>December 15, 2014</u>		Date of Signature _____			
	Title _____		Title _____			
	State Certification # <u>1701200</u> ST WA		State Certification # _____ ST			
Or State License # _____ ST		Or State License # _____ ST				
Expiration Date of State Certification or License <u>12/27/14</u>		Expiration Date of State Certification or License _____				
Date of Inspection (if applicable) _____		Did <input type="checkbox"/> Did Not <input type="checkbox"/> Inspect Property Date of Inspection _____				

Borrower/Client	Client: Gavin Black	File No. NB-001
Property Address	429 Main Ave N	
City	North Bend	County King State WA Zip Code 98045
Lender	Client Gavin Black	

**APPRAISAL AND REPORT IDENTIFICATION**

This Report is one of the following types:

- Appraisal Report** (A written report prepared under Standards Rule 2-2(a) , pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- Restricted Appraisal Report** (A written report prepared under Standards Rule 2-2(b) , pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

**Comments on Standards Rule 2-3**

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

**Comments on Appraisal and Report Identification**

Note any USPAP related issues requiring disclosure and any State mandated requirements:

Due to the scope of the appraisal assignment this is a restricted report to be used by the client and the City of North Bend. The limited data available required the use of comparables that would not normally be used. However, the data did have enough consistancies that I felt it was useful for the purpose of the report.

**SCOPE OF WORK:**

The appraiser has been asked to value a 1400 square foot vacant piece of land that the client will be adding to his existing property to correct an encroachment. The seller is the City of North Bend and the buyer is the client. I have used standard appraisal theory but due to a lack of data was forced to use some listed properties. This appears to be acceptable due to the lack of any other data available. This is a restricted report.

**APPRAISER:**

Signature: T. Wilmonsky  
 Name: Todd Wilmonsky  
 State Certification #: 1701200  
 or State License #:  
 State: WA Expiration Date of Certification or License: 12/27/14  
 Date of Signature and Report: December 15, 2014  
 Effective Date of Appraisal: 12/4/14  
 Inspection of Subject:  None  Interior and Exterior  Exterior-Only  
 Date of Inspection (if applicable):

**SUPERVISORY or CO-APPRAISER (if applicable):**

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 State Certification #: \_\_\_\_\_  
 or State License #:  
 State: \_\_\_\_\_ Expiration Date of Certification or License: \_\_\_\_\_  
 Date of Signature: \_\_\_\_\_  
 Inspection of Subject:  None  Interior and Exterior  Exterior-Only  
 Date of Inspection (if applicable):

**Legal Description Map**

Borrower/Client	Client: Gavin Black				
Property Address	429 Main Ave N				
City	North Bend	County	King	State	WA Zip Code 98045
Lender	Client Gavin Black				

**Legal Description**

**The Northwesternly 10 feet of Lot 1, Block 3 of Fremont Kelly's Subdivision of Tracts 1 and 2, WH Taylors Snoqualmie Prairie Acre Tract as per plat recorded in volume 19 of plats on page 15, records of King County, Washington.**

**Situate in the City of North Bend, Washington**

**Subject Photo Page**

Borrower/Client	Client: Gavin Black		
Property Address	429 Main Ave N		
City	North Bend	County	King
		State	WA
		Zip Code	98045
Lender	Client Gavin Black		



**Front of Site**

429 Main Ave N  
 Sales Price N/A  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location North Bend  
 View 1,400 sq ft  
 Site  
 Quality  
 Age



**Current Property Line**



**Garage On Property Line**

Photograph Addendum

Borrower/Client	Client: Gavin Black				
Property Address	429 Main Ave N				
City	North Bend	County	King	State	WA Zip Code 98045
Lender	Client Gavin Black				



Rear of Site

Comments:



From East Looking West

Comments:



Street

Comments:

Comments:

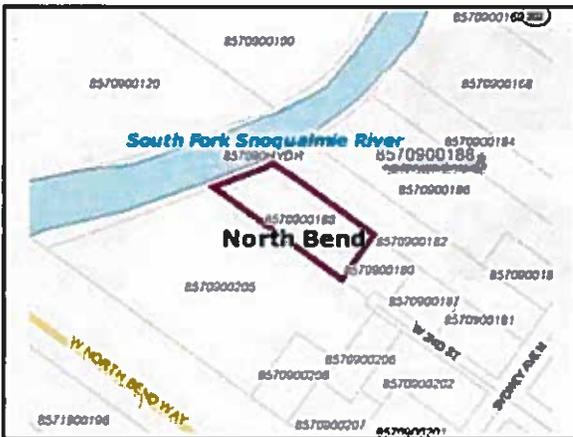
**Comparable Photo Page**

Borrower/Client	Client: Gavin Black		
Property Address	429 Main Ave N		
City	North Bend	County	King
Lender	Client Gavin Black	State	WA
		Zip Code	98045



**Comparable 1**

NW 14th Street  
 Prox. to Subject  
 Sales Price 55,000  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location North Bend  
 View 18,006 sf  
 Site  
 Quality  
 Age



**Comparable 2**

3 XX W 2nd Avenue  
 Prox. to Subject  
 Sales Price 82,500  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location North Bend  
 View 19,421 sf  
 Site  
 Quality  
 Age

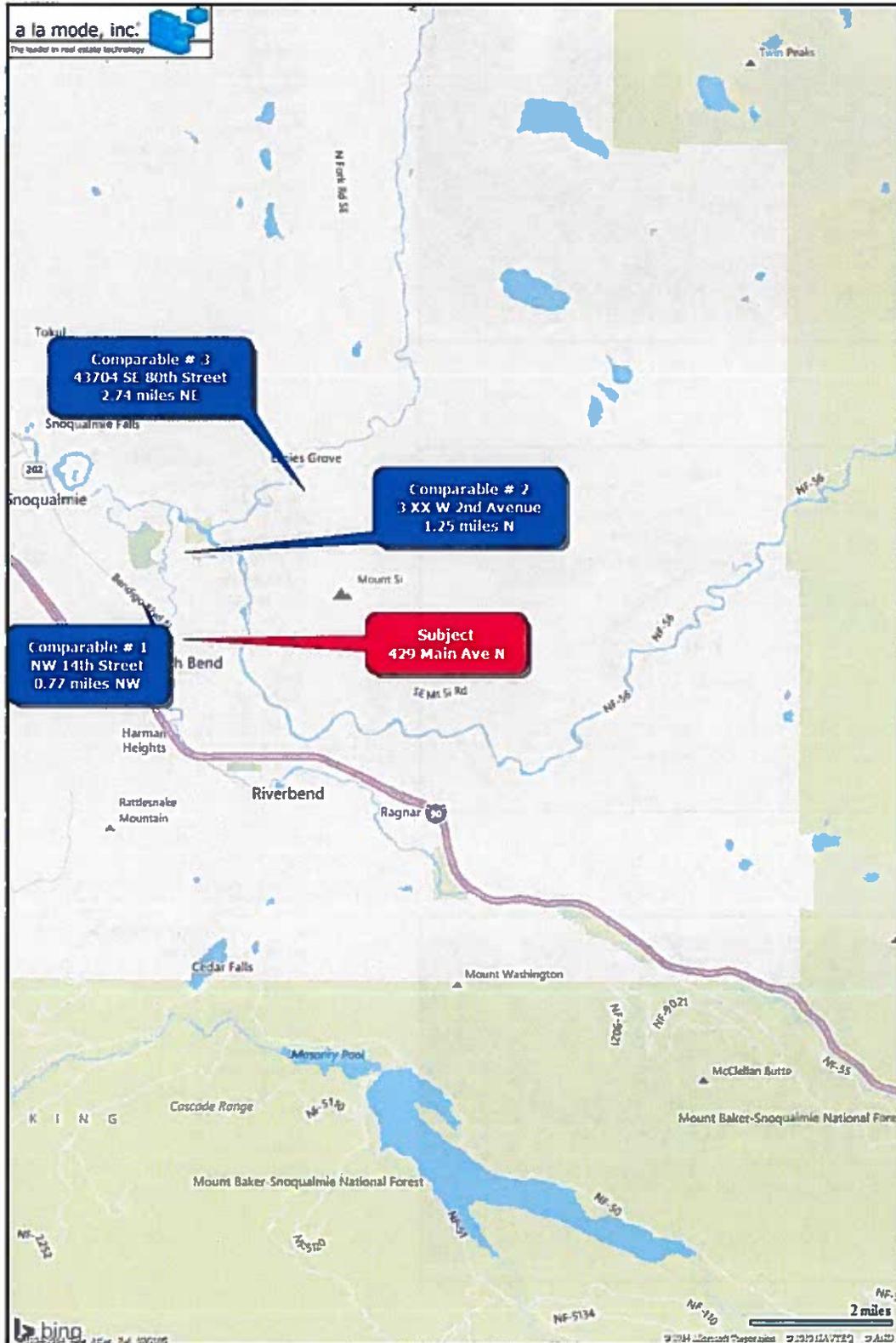


**Comparable 3**

43704 SE 80th Street  
 Prox. to Subject  
 Sales Price 59,950  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location North Bend  
 View 33,476 sf  
 Site  
 Quality  
 Age

**Comparable Sales Map**

Borrower/Client	Client: Gavin Black			
Property Address	429 Main Ave N			
City	North Bend	County	King	State WA Zip Code 98045
Lender	Client Gavin Black			





**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\* Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

### STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

**CONTINGENT AND LIMITING CONDITIONS:** The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

**APPRAISER'S CERTIFICATION:** The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

**SUPERVISORY APPRAISER'S CERTIFICATION:** If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

**ADDRESS OF PROPERTY APPRAISED:** 429 Main Ave N, North Bend, WA 98045

**APPRAISER:**

Signature: *T. Wilimovsky*  
 Name: Todd Wilimovsky  
 Date Signed: December 15, 2014  
 State Certification #: 1701200  
 or State License #: \_\_\_\_\_  
 State: WA  
 Expiration Date of Certification or License: 12/27/14

**SUPERVISORY APPRAISER (only if required):**

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Date Signed: \_\_\_\_\_  
 State Certification #: \_\_\_\_\_  
 or State License #: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Expiration Date of Certification or License: \_\_\_\_\_

Did  Did Not Inspect Property

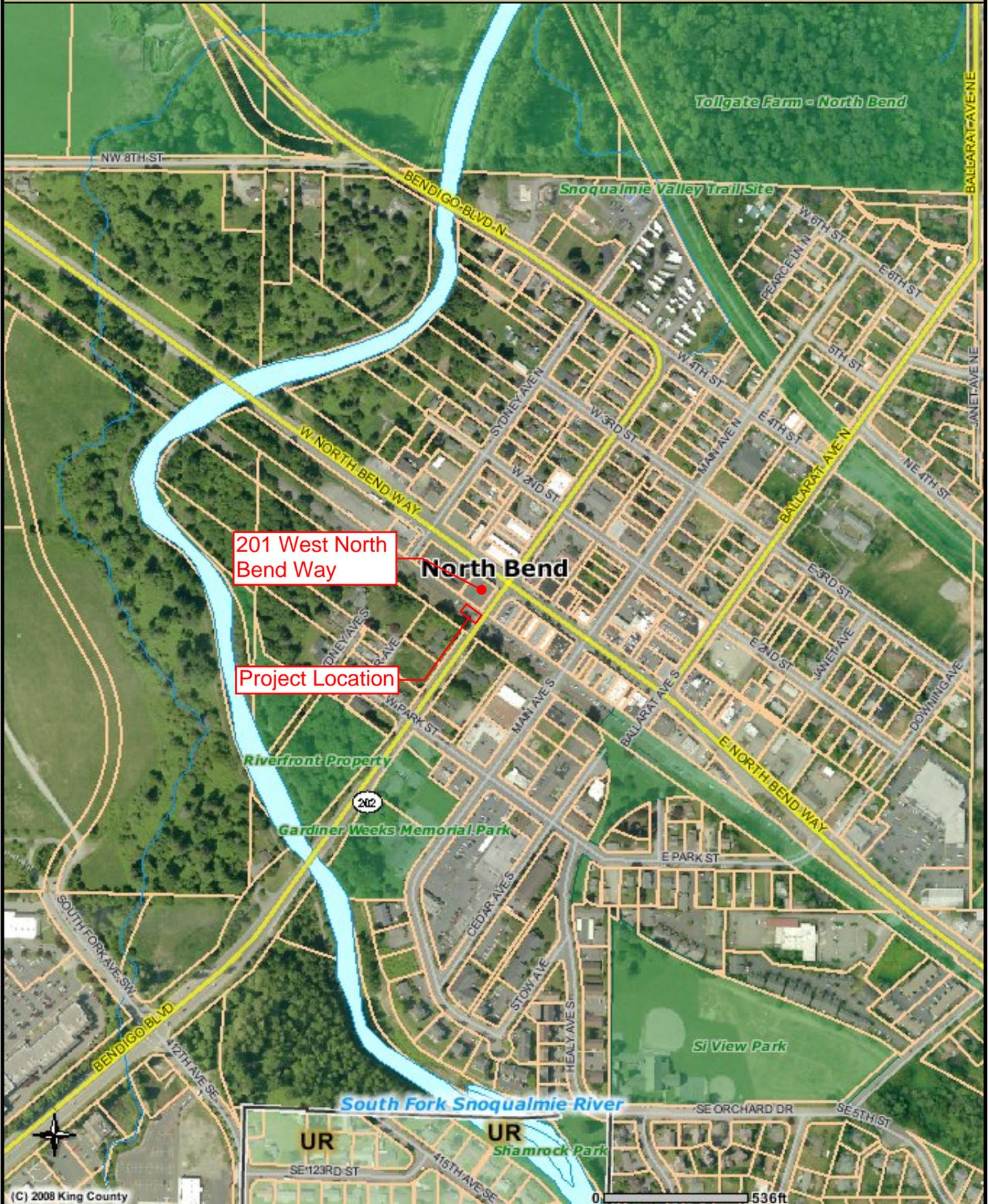




## City Council Agenda Bill

<b>SUBJECT:</b>		<b>Agenda Date: March 3, 2015</b>	<b>AB15-021</b>
<b>A Motion Authorizing the Mayor to Enter into a Contract for the 201 West North Bend Way Water Main Break Restoration Project</b>		Department/Committee/Individual	
		Mayor Ken Hearing	
		City Administrator – Londi Lindell	
		City Attorney - Mike Kenyon	
		City Clerk – Susie Oppedal	
		Community & Economic Development – Gina Estep	
		Finance – Dawn Masko	
		Public Works – Mark Rigos, P.E.	
Cost Impact: \$10,000 to \$20,000			
Fund Source: Water Fund			
Timeline: Immediate			
<b>Attachments:</b> Vicinity Map; Plan Sheet; Site Photos			
<p><b>SUMMARY STATEMENT:</b></p> <p>On Wednesday, February 18, 2015 the existing cap on a dead-end portion of a 12” diameter steel water main blew off in the alley behind D<sup>2</sup> Energy, located at 201 West North Bend Way. The cause of the incident was determined by staff to be a combination of improper installation when the water main was originally installed in conjunction with vibration from trains and heavy vehicles traversing the nearby railroad tracks. The cap on the water main should have had a concrete thrust block placed against it to bear the forces caused by water pressure against the cap. Instead, the contractor placed a grid of 4X4 lumber for support. This water main was constructed in 1976.</p> <p>City crews responded immediately, shutting off the water, re-installing the cap with a more secure attachment, placing the proper thrust blocking, and backfilling and rough grading the site. Remaining restoration work includes fine grading and compaction of the alley, adjusting underground utility lids, replacing the cement concrete driveway apron, and replacing approximately 700 square feet of asphalt pavement. Public Works recommends hiring a contractor to perform this work, which is estimated to cost between \$10,000 and \$20,000.</p> <p>On Monday, February 23, 2015, staff requested quotes from eleven (11) contractors listed on the Municipal Research and Services Center (MRSC) Small Works Roster. Quotes were to be submitted by email no later than Thursday, February 26, 2015 at 4:00 PM. As this document was prepared before quotes were received, no information is provided on the low quote or the contractor that submitted it. This information will be provided prior to the regularly scheduled City Council Meeting on March 3, 2015.</p>			
<p><b>COMMITTEE REVIEW AND RECOMMENDATION:</b> This item has not had a committee review due to the timing necessary to institute a repair.</p>			
<p><b>RECOMMENDED ACTION:</b> <b>MOTION to approve AB15-021, authorizing a contract with _____ for the 201 West North Bend Way Water Main Break Restoration Project, in a form as approved by the City Attorney.</b></p>			
<b>RECORD OF COUNCIL ACTION</b>			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
March 3, 2015			





201 West North Bend Way

Project Location

North Bend

(C) 2008 King County

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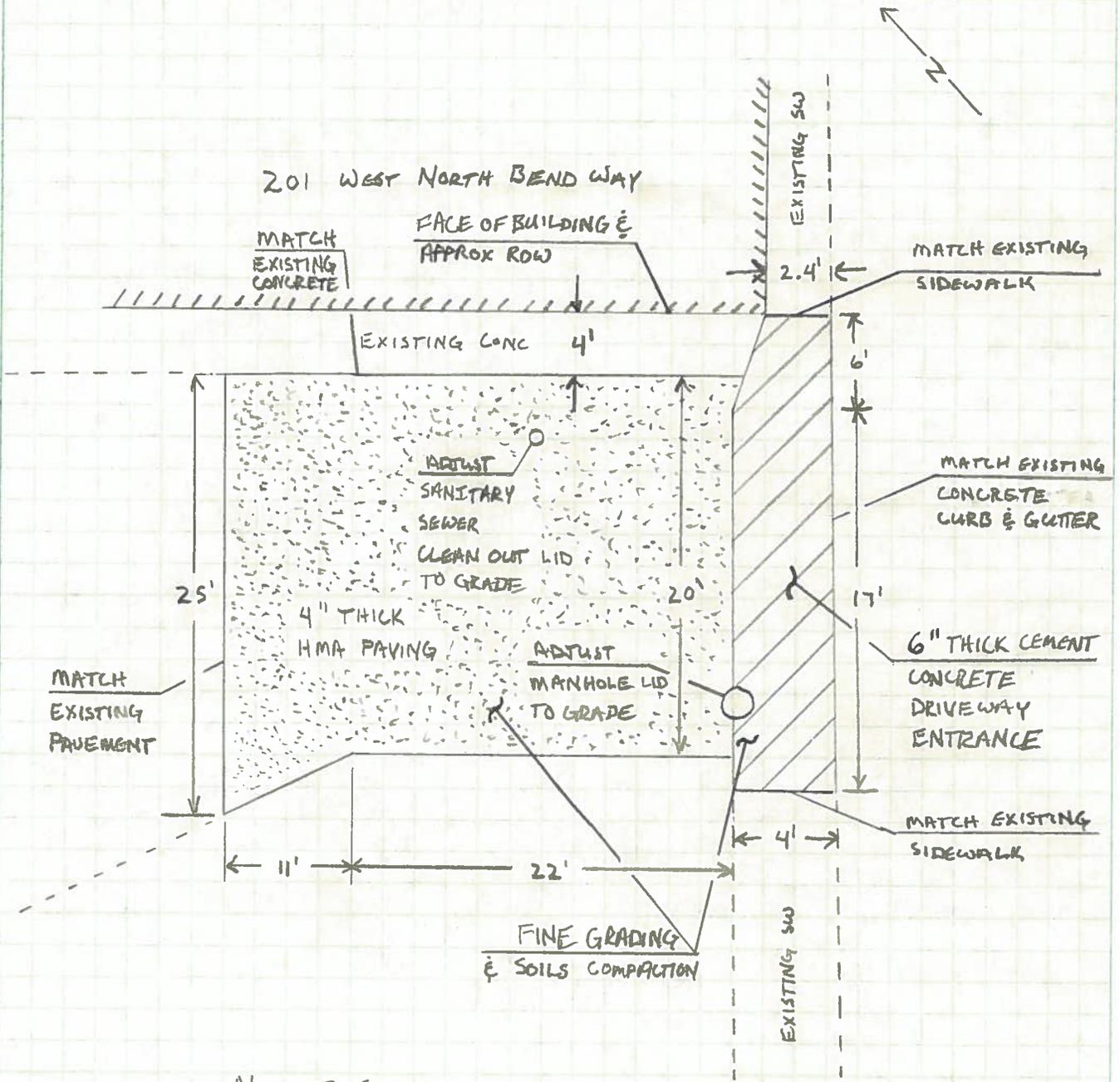
Date: 2/20/2015 Source: King County iMAP - Property Information (<http://www.metrokc.gov/GIS/iMAP>)



King County



AMPAD



NOT TO SCALE

PLAN





Damage to existing pavement.



Water line as it was found after asphalt removed.



Undermining of sidewalk caused by incident.



Rough graded site.



Rough graded site.

