



CITY COUNCIL MINUTES REGULAR HYBRID MEETING APRIL 16, 2024

EXECUTIVE SESSION

At 5:02 pm, Mayor Nice convened an Executive Session in Room 104 at the Mercer Island Community & Event Center, 8236 SE 24th Street, Mercer Island, WA and via Microsoft Teams. The Executive Session was to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price pursuant to RCW 42.30.110(1)(b).

Mayor Salim Nice, Deputy Mayor Rosenbaum, and Councilmembers Jake Jacobson, Craig Reynolds, Wendy Weiker, and Ted Weinberg participated in person in Room 104. Councilmember Lisa Anderl attended via Microsoft Teams.

Mayor Nice adjourned the Executive Session at 5:38 pm.

CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the Regular Hybrid Meeting to order at 5:45 pm in the Slater Room Council Chambers at the Mercer Island Community & Event Center, 8236 SE 24th Street, Mercer Island, Washington.

Mayor Salim Nice, Deputy Mayor Dave Rosenbaum, and Councilmembers Jake Jacobson, Craig Reynolds, Wendy Weiker, and Ted Weinberg participated in person in the Slater Room Council Chambers. Councilmember Lisa Anderl attended via MZoom.

PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Jacobson; seconded by Reynolds to:

Approve the agenda as presented.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

STUDY SESSION

Emergency Manager Amanda Keverkamp introduced Eastside Fire & Rescue (EFR) Emergency Manager Greg Badwin, Deputy Chief Will Aho, and Fire Marshall Jeromy Hicks. Deputy Chief Aho spoke about wildfire preparedness, and response capabilities. He spoke about how all EFR firefighters have wildfire training, the water supplies that EFR have in their fleet including three water tenders, about the hydrants on the island, and that EFR also has the ability to draw water from Lake Washington if needed. Deputy Chief Aho spoke about EFR's state and regional mobilizations to wildfires and how these deployments allow the firefighters to continue to learn how other agencies fight wildfires.

EFR Emergency Manager Baldwin spoke about how Mercer Island has a lower wildfire risk than other recent high-profile fires, the culminative wildfire risk over the next 30 years, and about how the westside of the state wildfire risk has historically been lower. He discussed ways to reduce wildfire risk, including partnership with King Conservation District for assessments on Mercer Island. He spoke about wildfire urban interface maps and how home hardening can help mitigate risks to houses during wildfires.

CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- **Council, Boards & Commission Meetings:** Next City Council Meeting – May 7 at 5:00 PM, Arts Council – April 17, Planning Commission – April 17, Parks & Recreation Commission with Open Space Conservancy Trust Board – April 18 and May 2 at 5:00 PM. Board and Commission annual recruitment is open through April 26.
- **Update on Water Landslide Risk Emergency:** On April 3, 2024 the Emergency Operations Center was activated due to a leak in the underground Seattle Public Utilities (SPU) water main that supplies water to the island. The City and SPU are evaluating plans for the repair work. Updates will be posted to Let's Talk.
- **Update on City Hall Transitions:** Police modular buildings have been energized and connected to the City's data infrastructure. The final plumbing connections are being made this week, with access card readers, cameras, and security monitoring installations next week.
- **City Services Updates:** Luther Burbank Boiler Building Phase 1 construction is underway. Sewer upgrades at Mercerdale Park are planned for later in 2024 and crews will be conducting geotechnical boring this week to prepare. The City was awarded a grant from WSDOT for traffic signal safety improvements to improve signal visibility and safety at several intersections. 4004 Island Crest Way has landscaping improvements ongoing and will be open to the public soon. SCADA Sewer Equipment Replacement Project is beginning to replace outdated equipment.
- **Upcoming Events:** Registration for summer camps is now open. Comprehensive Plan Community Open House on May 1 from 6pm – 8pm at MICEC.
- **News:** YFS's Healthy Youth Initiative launched ParentingMercerIsland.org in March, this tool has been developed with long-time YFS partner the Center for Health and Safety Culture. MI Thrift Shop has seen 26% increase in donations in 2024!

APPEARANCES

Chris Goelz (Mercer Island) spoke about the proposal to reconstitute the Planning Commission

Carolyn Boatsman (Mercer Island) spoke about the proposal to reconstitute the Planning Commission.

Marie Bender (Mercer Island) spoke about the proposal to reconstitute the Planning Commission.

Dan Thompson (Mercer Island) spoke about the proposal to reconstitute the Planning Commission.

Meg Lippert (Mercer Island) spoke about the proposal to reconstitute the Planning Commission.

CONSENT AGENDA

AB 6447: April 5, 2024 Payroll Certification

Recommended Action: Approve the April 5, 2024 Payroll Certification in the amount of \$851,786.11 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Certification of Claims:

A. Check Register | 219195-219269 | 03/29/24 | \$620,806.87

B. Check Register | 219270-219347 | 04/05/24 | \$1,550,754.58

Recommended Action: Certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

City Council Regular Hybrid Meeting Minutes of April 2, 2024

Recommended Action: Approve the City Council Regular Hybrid Meeting Minutes of April 2, 2024.

AB 6448: Earth Day Proclamation (No. 326)

Recommended Action: Proclaim April 20, 2024 as Earth Day in the City of Mercer Island, to encourage community action in the protection of the environment.

AB 6446: Phase 1 PRV Station Replacement-Bid Award

Recommended Action: Award the Phase 1 PRV Station Replacement Project to Fury Site Works Inc, a Washington-based company, and authorize the City Manager to execute a contract with Fury Site Works Inc. in an amount not to exceed \$1,350,406 and set the total project budget at \$1,928,787.

AB 6449: 2024 Legislative Session Recap

Recommended Action: Receive report. No action necessary.

AB 6450: Fourth Extension Agreement to Interlocal Agreement with the Mercer Island School District for the Mary Wayte Pool (2025-2034)

Recommended Action: Authorize the City Manager to sign the Fourth Extension Agreement to the Interlocal Agreement with the Mercer Island School District for the operation of the Mary Wayte Pool from January 1, 2025 through December 31, 2034, substantially in the form attached as Exhibit 2 to AB 6450.

It was moved by Rosenbaum; seconded by Weinberg to:

Approve the Consent Agenda as amended, and the recommended actions contained therein.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

REGULAR BUSINESS

AB 6442: Hiring Incentives for Lateral Police Officers

It was moved by Rosenbaum; seconded by Weinberg to:

Approve the Lateral Police Officer Hiring Incentives Program for a 12-month trial period substantially in the form attached as Exhibit 1 with the following changes: increase the total Lateral Hiring Incentive from \$20,000 to \$40,000 and increase the total Referral Incentive from \$5,000 to \$10,000

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

AB 6453: Alternative Public Works Contracting Methods Discussion

Management Analyst Robbie Cunningham-Adams introduced consultant Diana Brown from who spoke about alternative Public Works contracting methods, explained that project delivery methodology is the structure of the relationship which defines the process in which a project is designed and delivered, and explained how alternate delivery is an adjustment in the relationship which defines the process that a project is designed and delivered. She discussed the traditional method of Design-Bid-Build, how it works, and why it is the primary way public agencies procure construction. Ms. Brown presented General Contractor/Construction Manager (GC/CM), how it works, how it is different than Design-Bid-Build, and the differences in control, owner risk, cost certainty, and speed. She also presented Progressive Design Build, discussed how it works, how it is different than Design-Bid-Build, and the differences in control, owner risk, cost certainty, and speed. Lastly, she presented Design Build, how it works, how it is different than Design-Bid-Build, and the differences in control, owner risk, cost certainty, and speed. She spoke about how an alternate delivery method could be selected, discussed the RCW requirements for GC/CM, Progressive Design-Build and Design-Build.

City Manager Jessi Bon spoke about where in the process the City currently is for the Public Safety and Maintenance Facility, and discussed how alternate delivery methods for this facility may want to be considered by the City Council.

Council discussed the presentation and asked questions of staff and the consultant.

AB 6452: 2023 Washington Cities Electrical Code (Ordinance No. 24C-05, First Reading and Adoption)

CPD Director Jeff Thomas presented the state mandated updates to the Washington Cities electrical code.

Council discussed the amendments and asked questions.

It was moved by Jacobson; seconded by Reynolds to:

Adopt, at first reading under City Council Rules of Procedures 6.3(C)(3), Ordinance No. 24C-05, amending Chapter 17 MICC with the updated editions of the Construction Codes.

PASSED: 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Weiker, and Weinberg)

ABSENT: 1 (Rosenbaum)

AB 6455: Project Update on 80th Avenue Sidewalk Improvements

Deputy Public Works Director Patrick Yamashita introduced 80th Avenue sidewalk improvements. Capital Division Manager Clint Morris discussed location of the project, the background on the infrastructure on the eastside of the 80th Avenue sidewalk, and how this is a replacement project for sidewalks, trees, and lights will replace very old infrastructure on the eastside of 80th Avenue.

Street Engineer Ian Powell presented the existing sidewalk conditions that include heaving from tree roots, grading differences between the sidewalk and the street, and the sidewalk does not meet ADA grade or width requirements. He discussed existing trees that are in poor health due to limited growing area, poor ADA access at driveways, and uneven sidewalk panels with high root masses. Street Engineer Powell presented the proposed new tree layout highlighting existing trees that will remain, which trees will be replaced with new tree plantings that will be planted in a modular planting cell that promotes tree health and helps protect the sidewalk by building a barrier between the roots and the sidewalk.

Capital Division Manager Morris discussed how the trees selected for replanting that have generally smaller root masses when the trees are mature. He discussed the street lighting on 80 Avenue and how it will utilize existing conduits that were installed along the westside in 1996. Capital Division Manager Morris presented the estimated project costs and budget, the current budget for this project, and the project timeline.

City Council discussed the improvements and asked questions of staff.

AB 6454: Reconstitution of the Planning Commission – consideration of amendments to MICC, Chapter 3.46 (Ordinance No. 24C-06, First Reading)

CPD Director Jeff Thomas presented the proposed amendments on the reconstitution of the Planning Commission. He spoke about some clean-up items to be included in the second reading of Ordinance No. 24C-06 including:

- Amend Ordinance Section 1 to clarify that all existing Planning Commission terms will expire on 12/31/2024.
- Amend Exhibit A MICC 3.46.030(A)(1) to strike “as well as five years of such experience” from that section.
- Amend Exhibit A MICC 3.46.030(A)(3) to strike “as well as five years of such experience” from that section.
- Amend Exhibit A, MICC 3.46.030 (B)(1) to add “any vacancy may be filled by a resident lay person if unable to find a qualified paid practitioner.

City Council discussed the amendments and asked questions.

It was moved by Weinberg; seconded by Reynolds to:

Direct the City Manager to add a clause to the appropriate part of the ordinance establishing a quarterly meeting between the Mayor, the Chair of the Planning Commission, and staff. The purpose of the meetings is to identify the elements of the Planning Commission’s work plan which the commission can realistically address in the forthcoming quarters. Any proposed updates to the work plan shall be presented to the full Council for approval or adjustment at the next regularly

scheduled meeting.

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Rosenbaum; seconded by Jacobson to:

Move to schedule second reading and adoption of Ordinance No. 24C-06 as amended for May 7, 2024.

PASSED: 5-2

FOR: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

AGAINST: 2 (Reynolds and Weinberg)

OTHER BUSINESS

Planning Schedule

City Manager Jessi Bon spoke about the May 7 meeting and the July 2 meeting.

Councilmember Absences and Reports

Councilmember Weiker will be absent from the July 2 meeting.

Deputy Mayor Rosenbaum noted that there was an SCA PIC meeting last week.

Councilmember Weinberg noted that MISD held the second meeting of the artificial intelligence policy workgroup in April.

Councilmembers Reynolds noted that the Parks & Recreation Commission and Open Space Conservancy Trust are continuing to meet about the Parks Zone. Visited MICEC on Sunday to meet with Friendship Circle and encouraged the rest of the Council to attend as well.

Councilmember Jacobson noted that the Parks & Recreation Commission and Open Space Conservancy Trust are continuing to meet about the Parks Zone and that there was a King County Metro Solid Waste Advisory committee meeting.

City Council was in recess from 8:21 pm – 8:32 pm.

EXECUTIVE SESSION

At 8:32 pm, Mayor Nice convened an Executive Session in Room 103 at the Mercer Island Community & Event Center, 8236 SE 24th Street, Mercer Island, WA and via Microsoft Teams. The Executive Session was to discuss with legal counsel litigation or potential litigation pursuant to RCW 42.30.110(1)(i).

Mayor Salim Nice, Deputy Mayor Rosenbaum, and Councilmembers Jake Jacobson Craig Reynolds, Wendy Weiker, and Ted Weinberg participated in person in Room 104. Councilmember Lisa Anderl attended via Microsoft Teams.

Mayor Nice adjourned the Executive Session at 10:14 pm.

ADJOURNMENT

The Regular Hybrid Council Meeting adjourned at 10:14 pm.

Salim Nice, Mayor

Attest:

Andrea Larson, City Clerk