



**BUSINESS OF THE CITY COUNCIL  
CITY OF MERCER ISLAND**

**AB 6344  
September 19, 2023  
Consent Agenda**

**AGENDA BILL INFORMATION**

<b>TITLE:</b>	AB 6344: First Amendment to Agreement with Kirkland for Court Facility Use	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
<b>RECOMMENDED ACTION:</b>	Ratify the Agreement for Temporary, Emergency Use of Court Facility with the City of Kirkland and Authorize the City Manager to Execute the First Amendment to the Agreement.	

<b>DEPARTMENT:</b>	Administrative Services
<b>STAFF:</b>	Ali Spietz, Chief of Administration
<b>COUNCIL LIAISON:</b>	n/a
<b>EXHIBITS:</b>	1. Agreement for Temporary, Emergency Use of Court Facility with the City of Kirkland 2. First Amendment to the Agreement for Temporary, Emergency Use of Court Facility with the City of Kirkland
<b>CITY COUNCIL PRIORITY:</b>	n/a

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

**EXECUTIVE SUMMARY**

This agenda bill is to ratify the agreement with the City of Kirkland for temporary use of their court facility for the Mercer Island Municipal Court and to authorize the City Manager to sign the first amendment to the agreement extending the term through December 31, 2023.

- With the closure of City Hall on April 17, 2023, due to the discovery of asbestos in the building, the Mercer Island Municipal Court (MIMC) was required to cancel court proceedings until an alternate location could be found.
- Court staff relocated their administrative office to the meeting room at Fire Station 91.
- In May, the City reached out to the City of Kirkland to inquire about using their court facility to hold MIMC proceedings.
- On June 1, 2023, the City entered into an agreement for temporary, emergency use of Kirkland’s court facility through September 30, 2023.
- City staff are working on a mid- to long-term solution for the MIMC and need to extend the term of the agreement with Kirkland until the end of 2023.

## **BACKGROUND**

City Hall was temporarily closed in April due to the discovery of asbestos in the building and the Mercer Island Municipal Court (MIMC) was required to cancel court proceedings until an alternate location could be found. In May, Court staff relocated their administrative office to the meeting room at Fire Station 91 and the City reached out to the City of Kirkland to inquire about using their court facility to hold MIMC court proceedings.

## **ISSUE/DISCUSSION**

Due to the emergency nature of needing a facility to hold court proceedings, the City Managers of Mercer Island and Kirkland executed a temporary, emergency agreement for the MIMC to hold court days at Kirkland's court facility (see Exhibit 1). The agreement term is June 1 through September 30, 2023. The City of Kirkland has been extremely generous by only charging the City \$160.47 per day for use of their court facility; with a total cost of \$3,209.49 from June 1 to September 30. Staff are seeking the Council's ratification of the Agreement for Temporary, Emergency Use of Kirkland's Court Facility.

City staff are working on a mid- to long-term solution for the MIMC, however this will not be completed by September 30. Extending the term of the agreement with Kirkland until the end of the 2023 will provide staff additional time to relocate the MIMC and provide ample notice to the Administrative Office of the Courts and the public of the change in court location.

Attached as Exhibit 2 is the proposed first amendment to the agreement with Kirkland for City Council's review and approval. This amendment will extend the agreement until December 31, 2023 and continue the same rate to use Kirkland's court facility at \$160.47 per day. There are 14 court days (from October 1 to December 31) for a total cost of \$2,246.58.

## **NEXT STEPS**

Staff will return at a future City Council meeting regarding the mid- to long-term relocation of the Mercer Island Municipal Court.

## **RECOMMENDED ACTION**

1. Ratify the Agreement for Temporary, Emergency Use of Court Facility with the City of Kirkland attached as Exhibit 1.
2. Authorize the City Manager to execute the First Amendment to the Agreement Temporary, Emergency Use of Court Facility with the City of Kirkland substantially as set forth in Exhibit 2 to AB 6344.