



## BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

**AB 5990**  
**December 7, 2021**  
**Consent Agenda**

### AGENDA BILL INFORMATION

<b>TITLE:</b>	AB 5990: Confirmation of the Municipal Judge Appointment	<input type="checkbox"/> Discussion Only
<b>RECOMMENDED ACTION:</b>	Adopt Resolution No. 1613 confirming the appointment of the Municipal Judge of the Mercer Island Municipal Court	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution

<b>DEPARTMENT:</b>	City Manager
<b>STAFF:</b>	Jessi Bon, City Manager
<b>COUNCIL LIAISON:</b>	n/a
<b>EXHIBITS:</b>	1. Recruitment Brochure 2. Jeff Gregory Application Materials 3. Notice of Appointment 4. Resolution 1613 and Employment Agreement
<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

### SUMMARY

The purpose of this agenda bill is to adopt Resolution No. 1613 confirming the appointment of Jeff Gregory to the position of Municipal Judge for the Mercer Island Municipal Court.

### BACKGROUND

On February 2, 2004, the Mercer Island City Council adopted Ordinance No. 04C-01 forming the Mercer Island Municipal Court.

RCW 3.50.040 requires that all municipal court judges' terms be four years with the starting and ending date of such terms set by statute. The next statutory four-year term commences on January 1, 2022 and ends on December 31, 2025.

Pursuant to RCW 35A.13.080(2), the appointment of a municipal judge of a code city shall be made by the city manager subject to confirmation by the City Council, for a four-year term.

Judge Wayne Stewart has served as the City's Municipal Judge since inception of the court and notified the City Manager of his intent to retire on September 28, 2021. The City Manager immediately commenced a recruitment process to fill the vacancy.

## **RECRUITMENT AND SELECTION**

The recruitment for the Municipal Court Judge position opened on October 15, 2021 (see Exhibit 1). The position was advertised across numerous websites including the King County Bar Association, the Washington State Bar Association, Association of Washington Cities, LinkedIn, Washington Women Lawyers, Asian Bar Association of Washington, Latina/Latino Bar Association of Washington, Loren Miller Bar Association, and more.

A total of 19 applications were received for the position, with six finalists invited to a virtual interview on November 17, 2021, consisting of two separate interview panels. Interview panelists included the Honorable Judge Kimberly Walden from the City of Tukwila, Mayor Wong, Councilmember Jacobson, Councilmember Reynolds, City staff, and outside legal counsel. At the conclusion of the interview process, three candidates were recommended by both panels to advance to second interviews with the City Manager.

The City Manager conducted second interviews on Friday, November 19, 2021, and was joined by the Court Administrator and outside legal counsel. At the conclusion of the second interviews, two finalists were identified to advance to reference checks. One of the two finalists received an offer from another jurisdiction and notified the City Manager on Wednesday, November 24, 2021 that they would be withdrawing from consideration. Candidate Jeff Gregory remained in the process and upon conclusion of reference checks was confirmed as the finalist for the Municipal Judge position.

Mr. Gregory has been a practicing attorney for almost 20 years, primarily focusing on criminal law. He has experience as a prosecutor, public defender, and has served as the judge pro tem for Mercer Island and other jurisdictions for the past six years (see Exhibit 2).

Pursuant to RCW 35A.13.080(2), the appointment of the municipal judge of a code city shall be made by the city manager subject to confirmation by the council, for a four-year term. The City Manager extended a preliminary offer of appointment to Mr. Gregory on Wednesday, November 24, 2021, and he verbally accepted. Notification of appointment to the Municipal Judge position by the City Manager was made on December 1, 2021 (see Exhibit 3), pending confirmation by the City Council and execution of an employment agreement.

An employment agreement with Jeff Gregory is attached (see Exhibit 4, Resolution No. 1613, and Exhibit A thereto, Municipal Court Judge Employment Agreement). The proposed employment agreement is within the budgeted amount for this position as approved in the 2021-2022 Biennial Budget.

## **RECOMMENDATION**

Based upon the foregoing, the City Manager recommends that the City Council confirm the appointment of Jeff Gregory as the Municipal Judge for the Mercer Island Municipal Court for a four-year term, effective January 1, 2022 through December 31, 2025.

## **RECOMMENDED ACTION**

Adopt Resolution No. 1613 confirming the appointment of Jeff Gregory to serve as the Mercer Island Municipal Court Judge for a four-year term, effective January 1, 2022 through December 31, 2025, and authorize the City Manager to sign the Municipal Court Judge Employment Agreement in substantially the form attached as Exhibit A thereto.