



CITY COUNCIL MINUTES SPECIAL HYBRID MEETING NOVEMBER 4, 2024

CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the Regular Hybrid Meeting to order at 5:00 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, Wendy Weiker, and Ted Weinberg attended in person. Councilmembers Lisa Anderl and Craig Reynolds attended via Zoom.

PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Rosenbaum; seconded by Jacobson to:

Approve the agenda as presented.

PASSED: 7-0

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

CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- **Council, Boards & Commission Meetings:** Next City Council Meeting – November 19 at 5:00 pm, Parks & Recreation Commission – November 7 at 5:00 pm, Utility Board – November 12 at 5:00 pm, and Arts Council – November 18 at 5:30 pm.
- **City Services Updates:**
 - Planning Commission Recruitment – The recruitment for the Planning Commission has been extended through November 19. The City Council is recruiting for five positions, with terms beginning January 1, 2025.
 - Luther Burbank Sports Court Renovations – Temporary court striping is being painted and crews have installed posts for nets and court fencing. The permanent court surfacing and striping will occur in Spring of 2025.
 - 80th Avenue SE Pedestrian Improvements – Crews have poured sections of new curb, gutter, sidewalk, and stairs along the east side of 80th Avenue between SE 30th Street and SE 32nd Street.
 - Tree Giveaway – The City partnered with WA State Nursery & Landscape Association to incentivize tree planting and educate homeowners on tree care. Residents can apply for a voucher towards the purchase of a single tree or several smaller trees. Applications will be accepted through mid-December.
 - Mercerdale Playground Repairs – Parks Maintenance Team in collaboration with our vendor have collaborated to repair the pour in place surfacing, the train's interior, that were damaged by vandalism in August. The vendor also completed warranty repairs on the cone spinner. Most of the repairs have been completed and the playground is functionally back in service!
 - Clearing Storm Drains – Public Works Stormwater team has been busy clearing culverts and storm drains as the heavy leaves keep falling. This work is essential to efforts to minimize flooding, road damage, and costly maintenance. Reminder - Islanders are encouraged to help by clearing leaves and debris from storms drains in their neighborhoods if it is safe to do so.

- **Upcoming Events:**
 - Illuminate MI is back! Holiday lights are up in Town Center and work on the Mercerdale tree is almost complete! Town Center lights will be shining bright beginning in mid-November and the tree lighting event will be held on December 5.
- **News:**
 - Electric Vehicle Grant Awarded to MI – The City was awarded \$100,000 in grant funding from the Department of Commerce’s Climate Planning grant program. These funds will be used to develop a municipal Electric Vehicle Charging Infrastructure Plan.
 - MIPD Drug Take Back Event – MIPD successfully hosted another Drug Take Back Event on October 26 collecting over 150 pounds of medications being disposed of.

APPEARANCES

Sue Stewart (Mercer Island) spoke on behalf of Friends of Luther Burbank Park in support of the Open Space Zone code amendment.

Daniel Thompson (Mercer Island) spoke about the draft Comprehensive Plan.

Evan Lawler (Bainbridge Island) spoke about the draft Comprehensive Plan

Addie Smith spoke about being a hate crime survivor.

CONSENT AGENDA

Councilmember Jacobson requested removal of AB 6565: 2025-2026 Biennial Budget Workshop Follow-up on Remaining Budget Proposals from the Consent Agenda. Mayor Nice moved it to the first item of Regular Business.

AB 6561: October 18, 2024 Payroll Certification

Recommended Action: Approve the October 18, 2024 Payroll Certification in the amount of \$827,741.50 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Certification of Claims:

- A. Check Register | 00221078-00221145 | 10/11/2024 | \$399,184.17**
- B. Check Register | 00221146-00221229 | 10/18/2024 | \$1,151,761.19**
- C. Check Register | 00221230-00221324 | 10/25/2024 | \$1,128,647.16**

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 October 15, 2024

Recommended Action: Approve the City Council Regular Hybrid Meeting Minutes of October 15, 2024.

AB 6560: Shop Small Month, Proclamation No. 350

Recommended Action: Approve Proclamation No. 350 Proclaiming November 2024 Shop Small Month in Mercer Island.

AB 6558: Second Reading of Ordinance No. 24C-15 Open Space Zone Code Amendment

Recommended Action: Adopt Ordinance No. 24C-15 establishing the Open Space Zone and the associated development regulations with an effective date of December 31, 2024.

AB 6562: Imagine Housing Priority and Subordination Agreement

Recommended Action: Approve a new priority and subordination agreement for the Johnson Hill project and authorize the City Manager to sign administrative agreements related to the project.

AB 6569: Correction to the Reallocation of ARCH HTF Funds for the Redmond Plymouth Housing Project

Recommended Action: Reallocate \$59,100 previously awarded to Plymouth Housing to the Redmond Supportive Housing Project, with revised conditions as described in Exhibit 1.

AB 6570: Written Public Comment on the Proposed Changes to Washington State Supreme Court Standards for Indigent Defense

Recommended Action: Ratify the City's comment letter to the Washington State Supreme Court regarding the proposed changes to Standards for Indigent Defense.

It was moved by Jacobson; seconded by Rosenbaum to:

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

PASSED: 7-0

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

REGULAR BUSINESS

AB 6565: 2025-2026 Biennial Budget Workshop Follow-up on Remaining Budget Proposals

It was moved by Jacobson; seconded by Rosenbaum to:

Amend the City Manager's Office 2025-2026 Work Plan to include a revision to the Code of Ethics and direct staff to return with a proposed scope of work and an appropriation request by Q2 2025.

MOTION PASSED: 7-0

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

It was moved by Nice; seconded by Jacobson to:

- 1. Appropriate \$30,000 of 2023 year-end unassigned fund balance in the General Fund for the Fee-in-Lieu Program for Affordable Housing and add to the Community Planning and Development Department's work plan in the 2025-2026 Biennial Budget.**
- 2. Appropriate \$20,000 of 2023 year-end unassigned fund balance in the General Fund for the Digital Accessibility Audit of Web and Mobile App Access for People with Disabilities and add to the Administrative Services Department's work plan in the 2025-2026 Biennial Budget.**
- 3. Appropriate the remaining \$6,273 the remaining 2023 year-end unassigned fund balance in the General Fund to the Municipal Facility Replacement Fund.**

MOTION PASSED: 6-0

FOR: 6 (Anderl, Jacobson, Nice, Reynolds, Weiker, and Weinberg)

ABSENT: 1 (Rosenbaum)

AB 6559: First reading of Ord. No. 24C-16 to adopt the 2024 Comprehensive Plan

CPD Director Jeff Thomas provided an update of the work that was completed since the September 17 City Council Meeting including the public review draft of the 2024 Comprehensive Plan that was released for public review and comment on October 1, 2024, the final legal and City Manager reviews and recommendations that resulted from those reviews, and the public comments that were received through October 31, 2024. CPD Director Thomas reviewed the proposed motions before the City Council and the next steps for adoption and publication for the 2024 Comprehensive Plan.

City Manager Jessi Bon thanked the many people who have supported the work on the Comprehensive Plan over the past three years including the Mercer Island Community, City Council, Planning Commission, City Council and Planning Commission Working Groups, staff and consulting teams.

It was moved by Rosenbaum; seconded by Jacobson to:

Approve the proposed amendments in Exhibit 2 and direct staff to include these changes in the 2024 Comprehensive Plan

It was moved by Anderl; seconded by Rosenbaum to amend the main motion as follows:
Amend Housing Element goal 5.2 to add “consistent with state law and this comprehensive plan” and to add to Housing Element Goal 5.3 to add “consistent with this comprehensive plan”.

AMENDMENT PASSED: 6-1

FOR: 6 (Anderl, Jacobson, Nice, Rosenbaum, Weiker, and Weinberg)

AGAINST: 1 (Reynolds)

It was moved by Weinberg; seconded by Reynolds to amend the main motion as follows:

Create a new goal number 6.8 in the Utilities Element stating as follows:

“Encourage PSE to offer contractual bi-directional charging and utilization of distributed energy resources, allowing PSE to use resources located at customer properties such as stationary batteries, electric vehicles (including electric school buses), and solar panels, thereby avoiding expensive or emitting sources of electricity in various scenarios throughout the year.”

AMENDMENT FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

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

It was moved by Weinberg; seconded by Reynolds to amend the main motion as follows:

Change the 2nd sentence of proposed log entry 2-16B to read:

“Design safe pedestrian routes to break up larger city blocks.”

AMENDMENT FAILED: 3-4

FOR: 3 (Reynolds, Rosenbaum, and Weinberg)

AGAINST: 4 (Anderl, Jacobson, Nice, and Weiker)

It was moved by Weinberg; seconded by Reynolds to amend the main motion as follows:

The wording of the new Land Use Element policy 13.3 match what was in Goal 13, specifically:

“Town Center buildings should meet a high standard of energy efficiency and sustainable construction practices and exhibit other innovative green features above and beyond what is required by the existing Construction Code.”

AMENDMENT FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

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

It was moved by Weinberg; seconded by Reynolds to amend the main motion as follows:

Strike the change proposed in log 2-28.

AMENDMENT FAILED: 1-6

FOR: 1 (Weinberg)

AGAINST: 6 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to amend the main motion as follows:

Strike the change proposed in Log 2-31.

AMENDMENT FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

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

It was moved by Weinberg; seconded by Reynolds to amend the main motion as follows:

Strike the change proposed in Log 8-12.

AMENDMENT FAILED: 1-6

FOR: 1 (Weinberg)

AGAINST: 6 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, and Weiker)

MAIN MOTION PASSED AS AMENDED: 7-0

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

It was moved by Jacobson; seconded by Reynolds to:

Schedule Ordinance No. 24C-16 for second reading on November 19, 2024.

MOTION PASSED: 7-0

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

It was moved by Weiker; seconded by Weinberg to:

Direct the City Manager to make any final non-substantive amendments as necessary to the 2024 Comprehensive Plan in preparation for second reading and adoption on November 19, 2024.

MOTION PASSED: 7-0

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

It was moved by Reynolds; seconded by Weinberg to:

Direct the City Manager to prepare a revised draft of the Climate Action Plan with due reflection of the climate related motions that Councilmember Weinberg made at tonight's meeting for consideration at a future City Council meeting.

MOTION FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

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

OTHER BUSINESS

Planning Schedule

City Manager Jessi Bon spoke about the November 19 and December 3 meetings.

Councilmember Absences and Reports

Councilmember Weinberg noted that the Sister City welcomed the daughter of a councilmember from Sister City, Thonon-Les-Bains, France, spoke about next year's Sister City student delegation to Thonon-Les-Bains in April 2025, and noted that his next open lunch on November 24 at Allistar.

Councilmember Reynolds reminded everyone to vote.

Councilmember Jacobson noted that there was a volunteer planting in the Gallagher Hill open space and thanked staff for their work on this event.

ADJOURNMENT

The Regular Hybrid Council Meeting adjourned at 6:36 pm.

Attest:

Salim Nice, Mayor

Andrea Larson, City Clerk