



CITY COUNCIL MINUTES REGULAR HYBRID MEETING JULY 19, 2022

EXECUTIVE SESSION

At 5:04 pm, Mayor Nice convened an Executive Session in the Farside Room at City Hall, 9611 SE 36th Street, Mercer Island, WA and via Microsoft Teams. The Executive Session was to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i).

Mayor Nice adjourned the Executive Session at 5:16 pm.

CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the regular meeting to order at 5:30 pm in the Council Chambers at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmembers Jake Jacobson, Craig Reynolds, and Ted Weinberg participated in person in Council Chambers. Councilmember Lisa Anderl joined by Zoom.

Councilmember Wendy Weiker was absent.

PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Rosenbaum; seconded by Reynolds to:
Approve the agenda as amended.

It was moved by Jacobson; seconded by Weinberg to:
Amend the agenda to add authorization to settle the Petty v. Mercer Island litigation.
PASSED: 6-0
FOR: 6 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, and Weinberg)
ABSENT: 1 (Weiker)

AMENDED MOTION PASSED: 6-0
FOR: 6 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, and Weinberg)
ABSENT: 1 (Weiker)

STUDY SESSION

AB 6118: Town Center Parking Study Check-in

Interim CPD Director Jeff Thomas and CIP Project Manager Sarah Bluvas provided an overview of the agenda for the study session.

Chrissy Mancini Nichols from Walker Consultants presented an overview of the data that has been collected thus far on parking in Town Center. She discussed the guiding principles for parking, the future goals for Town Center and the City, and how to implement best practices and maximize existing infrastructure. Ms. Nichols also spoke about the parking utilization data and the on-stie observation data that was collected over the summer. She talked about next steps in the data analysis and potential strategies for both parking management and improving livability. She discussed options for parking management that included time limits

and enforcement, adding parking, using parking as traffic calming, monitoring permit parking and new commuter parking, wayfinding and signage, and expanded pick-up and delivery areas. Ms. Nichols presented options for improving livability that included create more community gathering spaces, improving pedestrian and bicycle connections, transportation demand management, promote and encourage shared parking agreements, and possible ways to leverage technology for paid parking locations.

Council discussed the parking data and potential strategies, asked questions, and provided feedback to staff.

SPECIAL BUSINESS

AB 6125: 2021 Community Member of the Year

Mayor Nice postponed the 2021 Community Member of the Year presentation due to a scheduling conflict with the recipient.

CITY MANAGER REPORT

City Manager Bon reported on the following items:

- **Council, Boards & Commission Meetings Update:** August recess, Hybrid City Council meeting September 6 at 5pm. Hybrid Boards & Commission meetings – Arts Council, July 20, Open Space Conservancy Trust, July 21, Planning Commission, July 27.
- **City Services Updates:** Seafair Weekend Aug 4-7, Luther Burbank Shoreline Trail, South Mercer Playfields, Pedestrian Safety Project Update, Comp Plan Update: Economic Development Vision Survey, Flags at Mercerdale.
- **Upcoming Events:** Shakespeare in the Park, Mostly Music in the Park, Kirk Robinson Skate Park Dedication.
- **News:** Summer Celebration was a great success.

APPEARANCES

John Hamer (Mercer Island) thanked the City Council for their support of Summer Celebration and the new playground at Mercerdale Park.

Geraldine Poor (Mercer island) spoke in support of the proposed parks levy.

Callie Ridolfi (Mercer Island) spoke about climate action and thanked the City Council for starting the process of the Climate Action Plan.

Brian Shiers (Mercer Island) spoke in support of the bike skills area.

Jake Greer (Mercer Island) spoke in support of the bike skills area.

Ira Appleman (Mercer Island) spoke in opposition of the bike skills area and in opposition to the proposed parks levy.

Matthew Greer (Mercer Island) spoke in support of the bike skills area.

CONSENT AGENDA

AB 6116: July 7, 2022 Payroll Certification

Recommended Action: Approve the July 7, 2022 Payroll Certification (Exhibit 1) in the amount of \$999,515.04 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Certification of Claims: Check Register 212320-212453 | 7/8/2022 | \$1,040,147.12

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 Meeting Minutes of July 5, 2022 Regular Hybrid Meeting

Recommended Action: Approve the minutes of July 5, Regular Hybrid Meeting.

AB 6119 - An Ordinance Amending MICC Ch. 9.30 (Second Reading Ord. No. 22C-10)

Recommended Action: Adopt Ordinance No. 22C-10, Amending MICC Ch. 9.30, Relating to Park Rules.

AB 6115: Update on Community Conversations Series

Recommended Action: Receive report. No action necessary.

AB 6109: Interlocal Agreement with MISD for Mental Health Counseling Services

Recommended Action: Authorize the City Manager to sign the interlocal agreement with the Mercer Island School District substantially in the form attached as Exhibit 1 to AB 6109.

AB 6112: Water Meter Replacement Program Bid Award

Recommended Action:

1. Authorize the City Manager to execute a contract with Ferguson Enterprises, LLC, a Washington-based company, substantially in the form hereto attached as Exhibit 1, for the deployment and implementation of the Water Meter Replacement project, in an amount not to exceed \$5,101,745 over a two-year period, with future year funding contingent on Council budget approval.
2. Appropriate \$3,252,916 from the Water Fund to increase total project funding not to exceed \$7,352,916.

AB 6114: Appropriation for Lobbyist Services

Recommended Action:

1. Authorize the City Manager to negotiate a execute a contract with Federici, Esser, and Gallagher, a Washington-based partnership, for professional lobbyist services; and
2. Appropriate \$30,000 for lobbyist services through 2022.

It was moved by Jacobson; seconded by Reynolds to:

Approve the Consent Agenda and the recommended actions contained therein.

PASSED: 6-0

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

ABSENT: 1 (Weiker)

REGULAR BUSINESS

No AB: Authorization to Finalize Settlement in Petty v. Mercer Island

It was moved by Jacobson; seconded by Weinberg to:

Authorize the City Attorney to finalize settlement in Petty v. Mercer Island per terms discussed in Executive Session this evening.

PASSED: 6-0

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

ABSENT: 1 (Weiker)

AB 6117: City Manager Annual Performance Review

Mayor Nice thanked the Council for their support in drafting and preparing City Manager Bon's annual review.

Council thanked City Manger Bon for her work over the past year.

It was moved by Jacobson; seconded by Rosenbaum to:

Accept City Manager Jessi Bon's performance review and award \$2,500 through the Employee Recognition Program for her work from May 2021 through April 2022.

PASSED: 6-0

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

ABSENT: 1 (Weiker)

AB 6122: A public hearing and first reading of Ordinance No. 22C-14 (renews Ordinance No. 21C-23) on interim regulations in MICC 19.16.010 related to emergency shelters and housing, transitional housing, and permanent supportive housing in response to E2SHB 1220.

Mayor Nice opened the public hearing at 7:13 PM. There being no public comment, Mayor Nice closed the public hearing at 7:13 PM.

Interim CPD Director Jeff Thomas and Senior Planner Adam Zack presented the proposed interim code amendment related to emergency shelters and housing, transitional housing, and permanent supportive housing in response to E2SHB 1220.

It was moved by Weinberg; seconded by Jacobson to:

Set Ordinance No. 22C-14 for a second reading and adoption on September 6, 2022.

PASSED: 6-0

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

ABSENT: 1 (Weiker)

AB 6126: ARCH Revenue Options Focus Group Delegates

Interim CPD Director Jeff Thomas and Deputy CPD Director Alison Van Gorp provided a brief presentation on the ARCH Revenue Options Focus Group and selection of delegates to attend these meetings.

Mayor Nice and Deputy Mayor Rosenbaum recommended that Mayor Nice and Deputy Mayor Rosenbaum serve as the delegates, and Councilmember Jacobson to serve as an alternate.

It was moved by Anderl; seconded by Rosenbaum to:

Appoint Mayor Salim Nice and Deputy Mayor David Rosenbaum as members of the ARCH Revenue Options Focus Group and Councilmember Jacobson as an alternate.

PASSED: 6-0

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

ABSENT: 1 (Weiker)

AB 6123: Climate Action Plan Update

Chief of Operations Jason Kintner and Sustainability Program Analyst Ross Freeman provided an update on Climate Action Plan (CAP).

Addie Bash from Cascadia Consulting, , spoke about the importance of the CAP globally and locally. She discussed the recent achievements in the Climate Action Plan including updated Greenhouse Gas (GHG) inventory, the GHG emission projections.

Angela Pietschmann from Cascadia Consulting presented the GHG Wedge analysis tool and the strategic approach for action development to tailor actions to Mercer Island.

Sustainability Program Analyst Freeman discussed the work of the Sustainability Committee to draft goals,

actions, and strategies on Let's Talk. He also spoke about the preliminary ranking exercise that the Sustainability Committee performed.

City Council discussed the CAP and provided feedback to staff.

It was moved by Rosenbaum; seconded by Jacobson to:

1. **Direct the Sustainability Committee to include strategies and actions that received a B+ or higher average rank in the draft Climate Action Plan, update the CAP wedge analysis by including these strategies, and then identify the remaining strategies needed to close the emissions gap in the new analysis.**
2. **Direct staff to revise the statistically valid survey to focus on these aforementioned strategies and include questions that will gauge the overarching perspective of the community and provide a report back to Council on both items in September prior to the release of the statistically valid survey.**

PASSED: 6-0

FOR: 4 (Anderl, Jacobson, Nice, and Rosenbaum)

AGAINST: 2 (Reynolds and Weinberg)

ABSENT: 1 (Weiker)

AB 6121: Second Reading and Adoption of Parks Levy Renewal Ordinance (Ord. No. 22-13); and Statement of Intent to Not Impose Two Parks Levies (Resolution. No. 1628)

City Manager Jessi Bon provided a brief presentation on the Parks Levy Renewal Ordinance including a recap of the City Council meeting presentations on the Parks Levy renewal, the ballot title, the ballot measure, and the question to the voters contained in Ordinance No. 22-13. City Manager Bon also discussed the explanatory statement and Resolution No. 1628 stating the City Council's intent not to impose two parks levies.

It was moved by Rosenbaum; seconded by Weinberg to:

Adopt Ordinance No. 22-13, providing for the submission on the November 8, 2022 election, a ballot proposition authorizing the City to lift the levy limit established in RCW 84.55.010 to pay for costs of maintaining and operating City parks, open spaces, and recreation facilities, and to fund playground replacements, operations and maintenance of Luther Burbank Park, and forest restoration at Pioneer Park and Engstrom Open Space.

PASSED: 6-0

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

ABSENT: 1 (Weiker)

It was moved by Rosenbaum; seconded by Jacobson to:

Adopt Resolution No. 1628, expressing the City's intent to not impose two parks levies for 2023.

PASSED: 6-0

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

ABSENT: 1 (Weiker)

AB 6124: Parks Levy Pro and Con Committee Appointments (Res. No. 1629)

City Manager Jessi Bon provided a brief presentation on the role of the pro and con committees for the parks ballot measure and the recruitment process.

It was moved by Jacobson; seconded by Rosenbaum to:

Approve Resolution No. 1629 and appoint Marie Bender, John Hamer and Ashley Hay to the pro committee and Ira Appelman to the con committee

PASSED: 6-0

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

ABSENT: 1 (Weiker)

AB 6120: Bike Skills Area Update & Appropriation Request

Chief of Operations Jason Kintner and Deputy Public Works Director Alaine Sommargren provided an update on the Bike Skills Area. Deputy Public Works Director Sommargren discussed the background of the bike skills area, the closure of the bike skills area in October of 2021, the assessment that was conducted, and the corresponding report and recommendations. She also discussed the work the recommendation from the Parks & Recreation Commission (PRC).

Deputy Director Sommargren presented on Deane's Children's Park and the PRC recommendation to design the new bike skills area in the former Adventure Playground location within Deane's Children's Park. She also spoke about next steps for course and site design, community engagement, and the timeline and projected budget.

Parks & Recreation Commissioners Peter Struck and Paul Burstein discussed the process and engagement that the PRC completed to come to the recommendation that is before the City Council.

City Council discussed the proposal and asked questions.

It was moved by Jacobson; seconded by Reynolds to:

Appropriate \$75,000 from the Capital Improvement Fund balance to enter into a professional service agreement to begin 30% design of a Bike Skills Area in Deane's Children's Park to include a community engagement process and review of the 30% design by the Parks and Recreation Commission.

PASSED: 5-0-1

FOR: 5 (Jacobson, Nice, Reynolds, Rosenbaum, and Weinberg)

ABSTAIN: 1 (Anderl)

ABSENT: 1 (Weiker)

OTHER BUSINESS

Planning Schedule

City Manager Bon spoke about the and August recess and highlighted a change to the September 6 meeting, that there will be a joint meeting Study Session with the Planning Commission on the Comprehensive Plan Update.

Councilmember Absences and Reports

Councilmember Anderl: Congratulations to the Utility Board for awarding the bid for water meter replacement project

Councilmember Jacobson: Met with Deputy Fire Chief McDonald and residents on the fire plan for Pioneer Park.

Deputy Mayor Rosenbaum: Thanked staff for their work on Summer Celebration and thanked Councilmember Weinberg for attending the SCA PIC meeting in his place.

Councilmember Weinberg: Attended the SCA PIC meeting where delegates were selected for King County boards and commissions.

It was moved by Jacobson; seconded by Weinberg to:

Excuse Councilmember Weicker's absence from the July 19 Hybrid City Council meeting.

PASSED: 6-0

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

ABSENT: 1 (Weiker)

ADJOURNMENT

The regular Council Meeting adjourned at 9:03 pm.

Salim Nice, Mayor

Attest:

Andrea Larson, City Clerk