



CITY COUNCIL MINUTES REGULAR HYBRID MEETING JULY 16, 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 Lisa Anderl, Jake Jacobson Craig Reynolds, Wendy Weiker, and Ted Weinberg attended in person.

PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Weinberg; seconded by Reynolds to:

Approve the agenda as presented.

PASSED: 7-0

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

SPECIAL BUSINESS

The Police Chief swearing in was postponed.

CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- **Council, Boards & Commission Meetings:** Next City Council Meeting – September 3 at 5:00 pm, Arts Council – July 17 at 5:30 pm, and Open Space Conservancy Trust – July 18 at 5:00 pm.
- **SPU Water Supply pipeline repair:** SPU has pulled the new liner through the existing 24” pipe and they are reconnecting the pipe this week. Next, they will drain the liner, weld at both the east and west pits, apply coatings to the interior and exterior of the connection points, and form anchor blocks at each pit. Upon completion of that work, disinfection, flushing, and water sampling/testing will take place with the aim to have the pipe back in operation by late July or early August.
- **Water Conservation:** Last Monday, the City issued a call to conserve water due to declining reservoir levels. On Tuesday, following the call to conserve water, Mercer Island water use dropped considerably, allowing the reservoir tanks to catch up. Water use has returned to “normal” patterns since that time and the reservoir levels are being maintained.
- **City Services Updates:**
 - Public Works teams are in the final stages of installing the new meters in the **Advanced Metering Infrastructure (AMI) system**, which will allow the City and customers to detect and fix leaks immediately, reducing water loss. To date, 7,397 meters have been replaced, with only 10 remaining to be installed, mostly large diameter meters
 - Construction began on July 1 at the **Island Crest Way Crosswalk Improvements** project’s three locations: SE 63rd Street, SE 62nd Street, and the Island Park Elementary school driveway. Crews are working weekdays between 7:00AM to 4:00PM. Single lane closures during work hours are planned with long traffic delays expected.
 - Phase 1 construction on the **Luther Burbank Boiler Building** continues. Work involves seismic retrofits, chimney reinforcement, and renovation of the restrooms. Roofing work is nearly

complete. Concrete floors in restrooms and mezzanine are being ground and polished. Chimney reinforcement work is underway, with the lower 1/3 of the chimney completed.

- **Upcoming Events:**
 - **National Night Out** - Tuesday, August 6 from 5pm-8pm at the Community Center
 - **Bloodworks NW Blood Drive** - Monday, August 26 from 10:30am - 4:30pm in the Mercer Room at the Community Center
 - **Sister City Annual Soirée** - Sunday, September 22, from 5-8 pm at Allister.
- **Summer Celebration:**
 - **Parade:** Over thirty-six groups plus City of Mercer Island vehicles joined the parade to kick off Saturday's festivities with crowds lining 78th Ave SE from Sunset Hwy to Mercerdale Park.
 - **Daytime Festivities:** After the parade, and estimated 5,000 attendees gathered in Mercerdale Park and along 77th Ave SE and SE 32nd Street where they enjoyed 63 booths for vendors, sponsors, and community groups, 12 food vendors, 11 City booths and Touch-a-Truck, a foam party, no-tent circus, 2 bands, and the Kamishibai Storytelling Japanese Theater
 - **Evening Festivities:** Crowds moved to Luther Burbank Park for more food, fun, entertainment, and fireworks. Staff estimate that over 7,000 people attended the evening events and fireworks show. Paid parking at the Community Center brought in over \$6,000, directly supporting the event.
 - **Thank You:** This event would not have been possible without the help of numerous volunteers, businesses, and community organizations. To our sponsors, your support makes this event shine every year. Our thanks also go to local partners: the Mercer Island School District and King County Search & Rescue!

APPEARANCES

Addie Smith spoke about being a hate crime survivor.

The following individuals spoke in opposition to Proclamation No. 339 as presented:

- Angela Bahng, Mercer Island
- Jaymee Lundin, Mercer Island
- Christine Nakano, Mercer Island
- Aedan McCall, Mercer Island
- Deanne Etsekson, Mercer Island
- G. Laster, Mercer Island
- Randy Kessler, Mercer Island
- Russell Federman, Mercer Island
- Sarah Karim, Mercer Island
- Kimberly Frank, Mercer Island
- Rae Levine, Mercer Island
- Abby Brockman, Mercer Island
- Isabelle Floodwallin, Mercer Island
- Mohammed Obeidat, Mercer Island

Darren Gold, Mercer Island, asked that the City Council pass Proclamation No. 339 with the IHRA definition.

CONSENT AGENDA

AB 6511: June 28, 2024 Payroll Certification

Recommended Action: Approve the June 28, 2024 Payroll Certification in the amount of \$905,231.08 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Certification of Claims:

A. Check Register | 00220164-00220219 | 6/28/2024 | \$829,594.10

B. Check Register | 00220220-00220309 | 7/05/2024 | \$1,934,871.71

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 July 2, 2024

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

AB 6512: 2024 Asbestos Cement (AC) Water Main Replacement Bid Award

Recommended Action: Award the 2024 AC Water Main Replacement project to Kar-Vel Construction, authorize the City Manager to execute a contract with Kar-Vel Construction in an amount of \$3,737,940, and set the total project budget at \$5,151,289.

AB 6513: 80th Avenue SE Pedestrian Improvements Bid Award

Recommended Action: Award the 80th Avenue SE Pedestrian Improvements project to Always Active Services, LLC, a Washington-based company, and authorize the City Manager to execute a contract with Always Active Services, LLC in an amount not to exceed \$1,590,160; appropriate an additional \$808,711 from the Street Fund balance for the project; and set the total project budget at \$2,184,711.

AB 6504: Sewer Pump Station Generator Replacement Bid Award

Recommended Action: Award the Sewer Pump Station Generator Replacement project to Valley Electric Co of Mt Vernon, a Washington-based company, in the amount of \$879,947, authorize the City Manager to execute a contract with Valley Electric Co of Mt. Vernon for the construction of the Sewer Pump Station Generator Replacement project, and appropriate \$698,650 from the Sewer Fund balance and set the project's total budget at \$1,102,212.

AB 6506: Kroger Co. Opioid Settlement

Recommended Action: Authorize the City Manager to execute and submit the necessary participation forms for the Kroger Co. Settlement.

AB 6516: MICEC Room 104 Hybrid Meeting Capability Upgrade

Recommended Action: Appropriate \$99,565 of ARPA funds to upgrade MICEC Room 104 audio-visual capabilities and purchase associated equipment for hybrid meetings.

AB 6517: Public Works Building Seismic Repairs

Recommended Action: Appropriate \$987,000 from the ARPA fund and authorize staff to proceed with seismic repairs to Public Works building.

AB 6518: Disability Pride Month, Proclamation No. 340

Recommended Action: Approve Proclamation No. 340 proclaiming the month of July as Disability Pride Month on Mercer Island.

It was moved by Jacobson; seconded by Weinberg to:

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

PASSED: 7-0

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

REGULAR BUSINESS

AB 6515: Definition of Antisemitism, Proclamation No. 339

Councilmember Jacobson spoke about the proclamation he proposed to the City Council for review and approval. He spoke about his research and decision to propose the IHRA definition of antisemitism.

It was moved by Jacobson; seconded by Weinberg to:
Approve Proclamation No. 339 defining antisemitism.

It was moved by Weinberg; seconded by Nice to:
Amend the approval line of the proclamation to read:
“APPROVED, this 16th day of July ~~2024~~2023.”
MOTION TO AMEND PASSED 7-0.
FOR: 7 (Anderl, Jacobson, Nice, Rosenbaum, Reynolds, Weiker, and Weinberg)

It was moved by Reynolds; seconded by Weiker to:
Amend the proclamation to insert the missing text from the IHRA definition to the top of page 2 as follows:

“To guide IHRA in its work, the following examples may serve as illustrations: Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.”

MOTION TO AMEND PASSED 7-0.
FOR: 7 (Anderl, Jacobson, Nice, Rosenbaum, Reynolds, Weiker, and Weinberg)

It was moved by Reynolds; seconded by Weiker to:
Amend the seventh bullet of page 2 of the proclamation to read as follows:
“Denying the Jewish people their right to self-determination, ~~e.g., by claiming that the existence of a State of Israel is a racist endeavor.~~”

MOTION TO AMEND FAILED **1-67-0.**
FOR: 1 (Reynolds)
AGAINST: 6 (Anderl, Jacobson, Nice, Rosenbaum, Weiker, and Weinberg)

MAIN MOTION AS AMENDED PASSED: 6-1
FOR: 6 (Anderl, Jacobson, Nice, Rosenbaum, Weiker, and Weinberg)
AGAINST: 1 (Reynolds)

City Council was in recess from 6:35 pm to 6:49 pm.

AB 6510: 2024 Comprehensive Plan Periodic Update – Presentation of Planning Commission Recommended Draft

CPD Director Jeff Thomas spoke about the 2024 Periodic Update to the Comprehensive Plan and introduced Planning Commission Chair Angela Battazzo. Chair Battazzo spoke about the Planning Commission’s review process and formally presented the Planning Commission’s recommended draft of the Comprehensive Plan Periodic Update.

Senior Planner Adam Zack discussed the background, process, and timeline of the 2024 Periodic Update to the Comprehensive Plan. He spoke about the updates to the Plan Elements including: Land Use, Transportation, Capital Facilities, Utilities, Economic Development, Parks and Open Space, and Housing.

CPD Director Thomas discussed the process for City Council proposed amendments.

City Council asked questions of staff.

It was moved by Rosenbaum; seconded by Weiker to:
Set the following due dates for City Council to provide any proposed amendments to the June 12, 2024 Planning Commission draft, proposed amendments are welcome to be submitted earlier than but not later than the due dates below:

- **Due July 29 – Introduction, Land Use Element, and Housing Element;**

- **Due August 5 – Transportation Element, Utilities Element, and Capital Facilities Element; and**
- **Due August 12 – Economic Development, Parks and Recreation Element, and Shoreline Master Program**

It was moved by Jacobson; seconded by Weinberg to:

City will have the September 3 packet materials for the Comprehensive Plan to the City Council 10 days prior to September 3 (Friday, August 23).

MOTION TO AMEND PASSED: 7-0

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

MAIN MOTION AS AMENDED PASSED: 7-0

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

AB 6514: Town Center Parking Regulations

Senior Management Analyst Robbie Cunningham-Adams introduced the background and implementation actions of the Town Center Parking Plan including increasing the parking citation fee, adding language regarding what is considered reparking, standardizing the time limit in Town Center to two hours, implementation of an on-street parking system, and the sunset of the Town Center Commuter Parking Program.

Management Analyst Ameila Tjaden spoke about the 2024 Town Center Parking counts that were conducted in May 2024. She presented the history of the parking citation fee, how increasing the fee couple improve parking compliance, and the recommend increase in the parking citation fee to \$54.00. She discussed how this rate was chosen to create parity between the City and other neighboring jurisdictions. Management Analyst Tjaden spoke reparking, the challenges in issuance of parking citations, and the recommendation to add language to the Mercer Island City Code defining the distance a vehicle must move to be considered reparked. She spoke about the standardization and conversion of on street parking to be two hour parking, options for parking management systems, and the recommendation to sunset the Town Center commuter parking permit program.

City Council discussed the proposals and asked questions of staff.

City Council provided consensus to sunset the Town Center commuter parking permit program, increase the parking citation fee to \$54, and to set parking limits in Town Center as two-hours free, with 4-hours max, from 8 am to 8 pm, with an app, and to return with options for all of these items at a future meeting.

OTHER BUSINESS

Planning Schedule

City Manager Jessi Bon spoke about the agendas for all Council meetings and the August recess.

Councilmember Absences and Reports

Councilmember Jacobson will be absent September 3.

Councilmember Reynolds spoke about the Eastside Transportation Partnership meeting.

City Council was in recess from 8:40 pm to 8:50 pm.

EXECUTIVE SESSION

At 8:50 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 (1) for planning or adopting the strategy or position to be taken by the City Council during the course of any collective bargaining, professional negotiations, or grievance or mediation

proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress pursuant to RCW 42.30.140(4)(b), 2) 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), and 3) to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i).

Mayor Salim Nice, Deputy Mayor Dave Rosenbaum, and Councilmembers Lisa Anderl, Jake Jacobson, Craig Reynolds, Wendy Weiker, and Ted Weinberg participated in person.

Mayor Nice adjourned the Executive Session at 10:18 pm.

ADJOURNMENT

The Regular Hybrid Council Meeting adjourned at 10:18 pm.

Attest:

Salim Nice, Mayor

Andrea Larson, City Clerk