



CITY COUNCIL MINUTES REGULAR VIDEO MEETING JUNE 16, 2020

CALL TO ORDER & ROLL CALL

Mayor Benson Wong called the meeting to order at 5:00 pm from a remote location.

Mayor Benson Wong, Deputy Mayor Wendy Weiker and Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds, and David Rosenbaum participated remotely using a video teleconferencing platform by Zoom.

City Attorney Bio Park and several additional staff members participated from remote locations.

City Manager Jessi Bon and City Clerk Deborah Estrada participated remotely from separate rooms at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

PLEDGE OF ALLEGIANCE

Mayor Wong led the Council in the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Anderl and Jacobson asked that the agenda be amended to include Council comments at the beginning of Regular Business.

It was moved by Anderl; seconded by Jacobson to:

Approve the agenda as amended.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

SPECIAL BUSINESS

AB 5716: Juneteenth Community Event

It was moved by Jacobson; seconded by Reynolds to:

Endorse Friday, June 19, as Juneteenth in Mercer Island.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

CITY MANAGER REPORT

City Manager Bon reported on the following:

- 2020 Water System Improvements Construction Project
- CPD Operations
- CPD Project Updates
 - Design Commission tentatively scheduled to meet on July 8
 - Hearing Examiner scheduled a public hearing on July 20
 - Final Environmental Impact Study for the proposed East Seattle School demolition
 - Xing Hua mixed used building in Town Center

- Parks Operations
 - Modified Phase 1; Slowly re-opening park amenities
- Parks Operations Parking Lots
 - Most parking lots open; opening remaining lots and adjusting restrictions in the coming weeks
- Parks Operations Playgrounds
 - Closed; anticipate reopening in Phase 2 or Phase 3 depending on Seattle-King County Public Health
- Fire Services Study Report
 - Matrix Consulting Group final report will be ready the first week in July
 - City Council Study Session to review and discuss reported tentatively scheduled for July 14
- Police Operations
 - Black Lives Matter March & July 14 Study Session
- COVID-19
 - Update on the Coronavirus
 - Local Business Updates
 - Mercer Island Business Guide
- Bus/Rail Interchange Open House – comment period ends this Friday
- Be Kind Art Contest Winners
- Mercer Island PTA Awards
- Thank you to Kirsten Taylor for 30 years of service to the Mercer Island Community

APPEARANCES

Kiernan Boike, Mercer Island – Encouraged the Council to support the Mayors Commit to Action Pledge by former President Obama and encourage the Mercer Island School Board to adopt a Black Lives Matter curriculum similar to the Seattle School District. On behalf of her young son, she requested that Mercer Island open a fossil store on the Island.

Robin Li, Mercer Island – She thanked the City Council for their service and supporting families of color on the Island. She further explained that her group was granted a permit to install a temporary memorial at Mercerdale Park recognizing the lives lost. Unfortunately, the sign was vandalized, and several other items were removed. She expressed her gratitude for the City's support and explained that the sign would be restored and maintained until the permit expired on June 28.

Jackie Dunbar, Mercer Island (Let's Talk, Council Connects) – Expressed support for upgrading the Thrift Shop and encouraged the City to recognize the Mercer Island High School students that helped build and run the recycling center. Dunbar also encouraged Council to repeal the Multi-Family Housing Property Tax, noting that developers should be able to apply for the tax break and that it was unfair to burden homeowners with the cost of running the city.

Gail D Spangenberg-Parrish, Mercer Island (Let's Talk, Council Connects) – Explained that he was not supportive of expanding the Thrift Shop. He expressed surprise at the proposed expansion of the Thrift Shop given recent city employee furloughs, cuts in hours, and the cancelation of programs and events. He further noted that enlarging the footprint of the Thrift Shop would impact the surrounding streets and neighboring residents.

CONSENT CALENDAR

Claims Reporting for Electronic Funds Transfers for the month ending May 31, 2020 in the amount of \$2,442,820.36

Recommendation: Certify that the materials or services herein before specified have been received and that all warrant numbers listed are approved for payment.

Payables Reports for the June 5, 2020 in the amount of \$503,639.90

Recommendation: Certify that the materials or services herein before specified have been received and that all warrant numbers listed are approved for payment.

AB 5702: 2020 Arterial and Residential Street Overlays Bid Award

Recommended Action: Award Schedules A, B, C, and D of the 2020 Arterial and Residential Street Overlays project to Lakeside Industries in the amount of \$488,308.00. Set the total project budget to \$678,022 and direct the City Manager to execute the construction contract.

AB 5692: Resolution authorizing RCO grant application for pier renovation at Luther Burbank Park

Recommended Action: Approve Resolution No. 1581 authorizing the Boating Infrastructure Grant application for the Phase 2 design and construction of renovations and upgrades to the Luther Burbank Park dock.

It was moved by Reynolds; seconded by Nice to:

Approve the Consent Calendar as amended.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

REGULAR BUSINESS

Councilmember Statements recognizing and thanking Mercer Island public safety officers.

City Council expressed their gratitude and appreciation for the Mercer Island Police Department.

AB 5707: Interim Ordinance Design and Concealment Standards for Small Cell Facilities Deployment

PUBLIC HEARING

Mayor Wong opened the public hearing at 5:47 pm.

City Clerk Estrada noted that no one signed up to speak during the Public Hearing by the published 4 pm deadline.

Mayor Wong closed the public hearing at 5:48 pm.

Evan Maxim, Community Planning & Development Director, introduced the item, explaining that the City Council adopted an interim small cell ordinance on January 15, 2019 and then extended the ordinance on June 18 and December 3 that same year. He further explained that the Planning Commission initiated its work and provided preliminary direction to staff in February 2020; however, the work was temporarily suspended following the onset of the COVID-19 pandemic and anticipated beginning work again in July.

It was moved by Jacobson; seconded by Reynolds to:

Suspend the City Council Rules of Procedure 6.3, requiring a second reading of an ordinance.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

It was moved by Anderl; seconded by Jacobson to:

Adopt Ordinance No. 20-11, extending the Interim Design and Concealment Standards for Small Cell Facilities deployment established under Ordinance No. 19C-02.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

AB 5706: Adoption of 2021-2026 Transportation Improvement Program (Public Hearing continued from May 19 Meeting)

PUBLIC HEARING

Mayor Wong opened the public hearing at 5:55 pm.

There were no requests to speak live during public comments received by the 4 pm published deadline.

Jim Stanton, Robert Olson, Jeff Koontz, Kirk Griffin, and Mark Clausen with Neighbors in Motion (“NIM”) provided written comments on the 2021-2026 Transportation Improvement Program via Let’s Talk that were emailed to City Council and staff. In summary, comments addressed the following:

- 1) Project No. SP126. Bike lanes on 77th Ave SE in the Town – expressed the importance of keeping the bike lanes or redesigning an equivalent alternative.
- 2) Project No. PW10 in the city's response to Sound Transit's 60% design, highlights that safe access for bicycles to the light rail station is inadequate.
- 3) Project No. SP119. Missing link - encouraged the City and MISD to work together to create a safe, North South bicycle route that will connect most schools and the Town Center with the rest of the Island.
- 4) Project No. SP 105. Chip Seal. While the council did not recommend changes to the SP105 chip seal project on West Mercer Way, NIM believe modifications to the use of chip seal would achieve both the desired cost savings and make the roads safer and less corrosive to bicycling.

Mayor Wong closed the public hearing at 5:56 pm.

Patrick Yamashita, City Engineer, summarized the May 19 direction provided by Council, noting that the public hearing was continued to June 16 to allow additional time for public comment. Since the May 19 hearing, nine comments were received and were related to the following:

- North-South Bike Route (SP119),
- 77th Ave. SE Channelization (SP126), and
- NMW – MI Park & Ride Frontage Improvements (SP123), street standards, and speeding.

Yamashita further explained that when staff drafted a revised work plan for the 2020 TIP, transportation-related capital work scheduled in 2020 was based on available staff and financial resources. Projects were delayed to future years because of impacts from the Pandemic and lack of staff resources, and less so due to lack of financial resources as outlined in the Street Fund financial forecast. He went on to explain that staff is working to complete 2020 transportation-related capital project work while also filling vacant positions to complete the important work outlined in the TIP’s six-year program.

Matt Mornick, Interim Finance Director, outlined the Street Fund, explaining that the revenues were projected to decrease over prior years due to a drop in fuel taxes, impact fees, and REET as a result of the Pandemic. Mornick noted that Finance staff are closely monitoring the Street Fund and REET revenues and will adjust the forecast assumptions accordingly.

It was moved by Nice; seconded by Jacobson to:

Adopt the 2021-2026 Transportation Improvement Program as reflected in Exhibit 2..

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

AB 5710 Shoreline Master Program Update 2019-2020

Robin Proebsting, Senior Planner, summarized the Shoreline Master Program’s (“SMP”) history, explaining that the City Council originally reviewed the Planning Commission’s recommended update to the SMP in June 2019. In response to public comment, the City Council incorporated amended language to reduce the requirements triggered when only decking repair (and no structural repairs) of piers was proposed. The change triggered the need for a Cumulative Impact Analysis and as part of this review process, City staff drafted non-substantive amendments to the SMP language to improve clarity, which included:

- Using the term “framing elements” instead of “structural elements;”
- Clarifying that when more than 50% of exterior surface areas are proposed to be repaired or replaced, 100% of decking must be replaced with materials that allow for 40% light-transmittance; and,
- Clarifying that any decking removed as part of a repair must be replaced with decking materials that allow 40% light transmittance.

The draft amendments were shared with the Department of Ecology and received conditional approval.

It was moved by Weiker; seconded by Rosenbaum to:

Suspend the City Council Rules of Procedure 6.3, requiring a second reading of an ordinance.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

It was moved by Jacobson; seconded by Nice to:

Adopt Ordinance No. 20C-13 amending MICC 19.13.050(F)(2) in Exhibit A to Ordinance No. 19C-06 as recommended by the Department of Ecology for approval of the proposed Shoreline Master Program.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

AB 5711: Thrift Shop and Recycling Center Remodel Project

City Manager Jessi Bon outlined the Thrift Shop History, noting that it helps fund the services provided by the City of Mercer Island Youth and Family Services ("YFS") Department and that in 2019 it generated \$1.98 million in annual revenues, which represents 65% of the resources needed to support the department.

Due to the COVID-19 Pandemic, the Thrift Shop closed in mid-March. In response, a team of community volunteers, City Councilmembers, and staff completed an initial project scoping exercise that proposed expanding retail floor space, decommissioning the existing production spaces and opening the walls, which would increase the retail floor space by approximately 50%. Bon explained the project goal included relocating production space to the former Recycling Center, but that additional design work and assessment was needed. She further noted that the preliminary cost estimate was \$250,000 with a project timeline of four months.

In response to questions about sales increase scenarios, staff reviewed what could be achieved with an increase in retail floor space based on 2019 revenues and net margins after all costs. To fund the project, several capital projects could be suspended or modified thereby making available \$807,274 in funds.

Council debated the project at length and staff discussed next steps, which outlined options for proceeding with the project or not proceeding. Under both scenarios, City Manager Bon explained that the City Council would need to revisit funding for the YFS Department through the end of 2020, noting that the \$250,000 that City Council allocated from the Contingency Fund at its June 2 meeting would only sustain YFS operations through August 31, 2020. Continuing, City Manager Bon and Public Works Director Kintner explained what the architectural services would entail and why a 30% design was necessary to identify cost estimates, construction timelines, and a detailed analysis before completing additional design work.

It was moved by Nice; seconded by Jacobson to:

~~1) Suspend the capital facility projects as previously described and allocate up to \$800,000 for the Thrift Shop and Recycling Center Remodel Project.~~

2) Authorize \$50,000 for architectural services to begin design of the Thrift Shop and Recycling Center Remodel Project.

3) Direct the City Manager to provide a 30% design update to the City Council including updated cost estimates, construction timelines, project scope of work, and an operations analysis before completing further design work.

It was moved by Reynolds; seconded by Weiker to:

Strike the first bullet to the motion "Suspend the capital facility projects as previously described and allocate up to \$800,000 for the Thrift Shop and Recycling Center Remodel Project."

A roll call vote was conducted, and the results were as follows:

Passed 5-2

FOR: 5 (Anderl, Reynolds, Rosenbaum, Weiker, and Wong)

AGAINST: 2 (Nice, Jacobson)

A roll call vote was conducted, and the results of the amended motion were as follows:

Passed 6-1

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

AGAINST: 1 (Weiker)

AB 5714: City Council Voting Delegates for the 2020 AWC Business Meeting

Mayor Wong explained that the Association of Washington Cities requested that each member city designate up to three voting delegates for the annual AWC Business Meeting on June 25, explaining that voting delegates would elect the AWC Board of Directors and vote on important policy documents.

It was moved by Rosenbaum; seconded by Anderl to:

Appoint Deputy Mayor Wendy Weiker and Councilmembers Jake Jacobson and Craig Reynolds as the City of Mercer Island voting delegates for the Association of Washington Cities Business Meeting on June 25, 2020.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

Discuss actions for the city to consider, to oppose racism and encourage inclusion and diversity.

Pursuant to Section 4.2(D) of the City Council Rules of Procedure, Councilmembers Reynolds and Rosenbaum requested to discuss actions for the city to consider to oppose racism and encourage inclusion and diversity.

It was moved by Reynolds; seconded by Weiker to:

Direct the city manager to return to the city council at the next regular meeting, or as soon thereafter as practical, with an agenda bill to:

- 1) Mandate and appropriate funds for annual training in diversity, implicit bias, cultural awareness or related topics for the city council and all members of city Boards and Commissions.**
- 2) Authorize and appropriate funds for engaging a consultant or contractor to conduct a series of listening sessions for the community so that we can hear first-hand the stories of minority experiences on the Island, and gather ideas for what we can do to make the island a safe and welcoming place for people of all races and ethnicities.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

OTHER BUSINESS

Planning Schedule

City Manager Bon reported on the following:

- The Planning Schedule will be updated and included at the July 7 meeting when the Work Plan is discussed.
- Boards and commissions have not been meeting during the pandemic, but it was anticipated that the Design Commission would meet in July. The remaining boards and commissions will likely not come back online until September.
- There are several boards and commissions that are not supported at this time due to staff reductions that will need to be addressed.

Councilmember Absences

There were no absences to report.

Councilmember Reports

Councilmember Reynolds shared his observations of the June 12 Rally.

Councilmember Jacobson provided a brief update on the Eastside Transportation Association, which met earlier in the day.

Deputy Mayor Weiker reported several government agencies are struggling financially as a result of the COVID-19

pandemic.

Mayor Wong summarized his virtual meeting with Lake Washington Mayors.

ADJOURNMENT

There being no additional business to come before City Council, the Special Video Meeting adjourned at 8:34 PM

Attest:

Benson Wong, Mayor

Deborah A. Estrada, City Clerk