



# CITY COUNCIL MINUTES SPECIAL VIDEO MEETING JULY 14, 2020

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## EXECUTIVE SESSION

At 5:00 pm, Mayor Wong convened an Executive Session:

- 1) To discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 15 minutes.
- 2) To discuss 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) for approximately 30 minutes. No action will be taken.

At 5:44 pm, Mayor Wong adjourned the Executive Session.

## CALL TO ORDER & ROLL CALL

Mayor Benson Wong called the meeting to order at 6:00 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 36<sup>th</sup> Street, Mercer Island, Washington.

## AGENDA APPROVAL

It was moved by Rosenbaum; seconded by Reynolds to:

**Approve the agenda as presented.**

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)

## APPEARANCES

Mayor Wong opened public appearances and noted that Ms. Meg Lippert would be given two three-minute opportunities to speak as she was unable to deliver her statement during the July 7 meeting, having previously registered with the City Clerk.

Meg Lippert, Mercer Island – Lippert expressed concern about the protection and preservation of public parkland, specifically Mercerdale Park, in light of the Council's discussion regarding the Thrift Shop expansion. She further noted that the community needs assurance that current public street parking on the south side of 32<sup>nd</sup> Street would not be coopted by the Thrift Shop.

Meg Lippert, Mercer Island – Lippert outlined the technical difficulties she experienced when she attempted to speak during the July 7 public appearances and encouraged the City to clarify its language and procedures on the City webpage and calendar. She also requested that if a citizen is unable to present due to technical

difficulties that they be permitted to present two appearances at the following meeting.

Bharat Shyam, Mercer Island – Shyam spoke in support of the Mercer Island Police Department and recommended that their budget be increased to increase bias training opportunities. Shyam thanked Police Chief Holmes and his officers.

Addie Smith, Mercer Island – Smith reported that she is a hate crime survivor and believes that the Police Department's funding should be decreased. She also addressed affordable housing, explaining that new housing will not be more affordable than old housing.

Ira Appleman, Mercer Island – Appleman objected to the building project in Mercerdale Park without public input or public participation, noting that it was a violation of the OPMA by excluding the public in making the decision. Appleman outlined his objectives and encouraged the Council to suspend all expenditures and put the project on hold until public input and involvement has occurred, and the Council has identified protections for the park.

## **STUDY SESSION**

### **AB 5724: Police Operations Report**

Chief Ed Holmes and Sargent Mike Seifert outlined the Police Department's ongoing efforts to build and maintain trust within the community by explaining the following department practices:

- Hiring Process – testing, oral boards, background investigation, Chief's Interview, and conditional job offer
- Initial Training – Pre-Academy, Basic Law Enforcement Academy, Post-Academy Training, Field Training, and 18-month probationary period
- Clear Policies – Lexipol/Daily training bulletins, Use of Force policy, Biased-Based Policing
- Ongoing Training:
  - State law requires officers attend a minimum of 24 hours training annually; however, MIPD officers typically receive more than the minimum
  - Coalition of Small Police Agencies sponsors anti-biased police training
  - Crisis Intervention Training
  - Use of Force and De-escalation Training
- Accountability:
  - Few complaints are received, and all complaints are taken seriously and investigated.
  - If gaps are identified, additional training is completed to prevent future issues.
  - Citizens are given the outcome of their complaint
  - Use of force is rarely used and hands-on force is applied on average once every other year.
  - All applications of force require a separate Use of Force report and are reviewed by supervisors
  - Corrective actions are taken when necessary
  - Criminal and/or administrative investigations are initiated when appropriate

Council asked several questions to which Police Chief Holmes explained that the department recognizes Public Trust is earned and must be maintained, noting that the department continually looks for ways to improve the services provided to the community.

Mayor Wong reported that he had received several requests to sign the Mayors Commit to Action Pledge, to which Chief Holmes explained is aimed at addressing use of force policies in police departments across the country. Chief Holmes further explained that MIPD's Use of Force Policy already includes best practices and comports with current law, noting that the Pledge's fourth action point "to reform policies" assumes that the current Use of Force policy is inadequate or misguided. It was also noted that if the Mayor were to sign the Pledge, there would be an expectation that the community would be actively involved in reforming the Use of Force policy.

Council expressed strong support for the Police Department's ongoing efforts to meet the community's needs and requested that staff bring the Mayors Commit to Action Pledge back to Council at its July 21 Regular meeting for consideration.

### **AB 5726: MIFD Fire Services Study**

Chief Steve Heitman explained that in October 2019, a Request for Proposals was issued to perform a Fire Services Study for the Mercer Island Fire Department. Six proposals were received, and MATRIX Consulting Group was selected. The purpose of the Study Session was to review the Fire Services Study completed by MATRIX, noting that the intent of the analysis was to evaluate existing conditions and determine if the City could realize greater efficiencies in the delivery of fire protection services.

Chief Heitman introduced Robert Finn, of MATRIX, who explained that the City commissioned a staffing study to conduct an organizational and operational assessment of the Fire Department, including:

- Gathering Input from internal and external stakeholders
- Reviewing existing conditions of the Mercer Island Fire Department
- Development of analysis of future service demand
- Development of future service delivery models
- Presentation of the findings to the City Council

Mr. Finn reviewed the Department's strengths and response time performance in detail. Finn also outlined the following improvement opportunities and a list of study recommendations:

- Improvement Opportunities:
  - Improve Training through the use of an online program and video conferencing.
  - Additional personnel is needed in areas with high-rise and mid-rise developments.
  - Reduce OT by moving the D-Shift firefighter to a 24-hour shift and hiring two additional firefighters
  - Replace one engine with a quint will improve response times and availability of an aerial apparatus and further improve the City's WSRB rating.
- Study Recommendations:
  - Continue monitoring response time metrics against established community standards.
  - Continue the use of shift personnel to manage and deliver training programs.
  - Invest in an online training program for the delivery of training programs.
  - Utilize video conferencing between the stations to allow units to remain in their district during meetings and training sessions.
  - Replace an existing engine with a quint style apparatus during the normal apparatus replacement schedule.
  - Assign the D-shift firefighter and hire two additional firefighters to staff 24-hour shifts saving approximately \$162,000 in OT.
  - Continue to maintain the 7-person minimum daily shift staffing and scheduling one firefighter for a Kelly Day and one firefighter for vacation leave each shift.
  - If the option of contracting for services is desired, negotiate a contract with the City of Bellevue due to potential cost savings and improved regional approaches to providing services.

Council asked several questions. City Manager Bon explained that the report would be added to the Work Plan and follow-up discussion with the Council would be scheduled as part of the 2021-2022 biennial budget process to determine next steps.

## **REGULAR BUSINESS**

### **Communication on Commuter Parking & Mixed-Use Development Project**

City Manager Bon shared a draft message to the Community from the City Council, outlining the Council's relationship with the MainStreet Property Group and the City's decision to part ways with MainStreet over differences in the project vision. The letter further explained that the large-scale project was not a viable investment for the City given the current fiscal realities of an unpredictable post COVID-19 landscape and significant reductions in City staff.

It was moved by Jacobson; seconded by Rosenbaum to:

**Authorize the publication of the City Council's letter to the community on the subject of ending the City's Commuter Parking & Mixed-Use Development Project substantially in the form presented.**

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)

**OTHER BUSINESS**

There were no other items brought before Council for discussion.

**EXECUTIVE SESSION**

At 9:08 pm, Mayor Wong convened an Executive Session for approximately 60 minutes to discuss 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)

No action will be taken.

At 10:05 pm, Mayor Wong adjourned the Executive Session.

**ADJOURNMENT**

There being no additional business to come before City Council, the Special Video Meeting adjourned at 10:06 PM

Attest:

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Benson Wong, Mayor

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Deborah A. Estrada, City Clerk