



# CITY COUNCIL MINUTES **\*\*REVISED\*\***

## REGULAR VIDEO MEETING

### MARCH 1, 2022

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#### CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the meeting to order at 5:00 pm in the Council Chambers at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds, David Rosenbaum, Wendy Weiker, and Ted Weinberg participated remotely using Zoom.

#### PLEDGE OF ALLEGIANCE

Councilmember Weinberg delivered the Pledge of Allegiance.

#### AGENDA APPROVAL

It was moved by Jacobson; seconded by Anderl to:

**Approve the agenda as presented.**

Motion Passed 7-0

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

#### STUDY SESSION

##### AB 6024: 2022 Community Survey

Communications Manager Mason Luvera gave a presentation to Council on the 2022 Community Survey. He spoke about the history of the community survey, noted that the results are used to inform the biennial budget process, and introduced ETC Institute who will be conducting the 2022 survey. Communications Manager Luvera also spoke about the development of 2022 survey, the use of a standardized survey template for accuracy and benchmarking, the use of the same core questions from 2018 allowing the City to track progress and change over the four-year period, and how supplemental questions regarding current issues could be included.

Jason Morado from ETC Institute provided an overview about the three phases of a survey: execution, analysis, and final report. Communications Manager Luvera reviewed the timeline and the proposed supplemental questions.

Chief of Administration Ali Spietz noted that questions 9 and 16 on the 2018 survey will not be included in the 2022 survey. Following questions, the Council directed staff not to include any supplemental questions in the 2022 community survey and requested that questions regarding gender and race be expanded with additional choices.

#### CITY MANAGER REPORT

City Manager Bon reported on the following items:

- Council, Boards & Commission meetings update: Hybrid City Council meeting March 15. Virtual Boards & Commission meetings Parks & Recreation Commission March 3 and Planning Commission March 23. Hybrid City Council Planning Session on March 26
- City services updates: 2022 Summer Camps, Aubrey Davis Park Trail Safety Improvements survey, Mercerdale Playground update, MIPD joins regional group tackling catalytic converter thefts
- Community Updates: Leprechaun Walk in Town Center, Eastlink online open house and survey

- News: Summer Celebration is back, saying goodbye to Suzanne Philen and Detective Sergeant Jim Robarge

## **APPEARANCES**

Sue Stewart (Mercer Island), president of Friends of Luther Burbank Park, spoke regarding the history of Upper Luther Burbank park and spoke against the bike skills area.

Carolyn Boatsman (Mercer Island), spoke regarding gas powered blowers and lighting and her support of the proposed code amendments regarding noise and lighting.

## **CONSENT AGENDA**

### **City Council Meeting Minutes of February 15, 2022**

**Recommended Action:** Adopt the City Council Special Video Meeting Minutes of February 1, 2022 as presented.

### **Certification of Claims**

- A. Check Register 210765-210845 | 2/11/2022 | \$795,861.53**
- B. Check Register 210846-210900 | 2/18/2022 | \$295,149.03**

**Recommendation Action:** Certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

### **AB 6033: January 28, 2022 Payroll Certification**

**Recommended Action:** Approve the January 28, 2022 Payroll Certification (Exhibit 1) in the amount of \$842,718.00 and authorize the Mayor to sign the certification on behalf of the entire City Council.

### **AB 6016: February 11, 2022 Payroll Certification**

**Recommended Action:** Approve the February 11, 2022 Payroll Certification in the amount of \$835,571.69 and authorize the Mayor to sign the certification on behalf of the entire City Council.

### **AB 6022: Open Space Conservancy Trust Annual Report**

**Recommended Action:** Accept the 2021 Open Space Conservancy Annual Report and the 2022 Work Plan.

### **AB 6025: 2022 Street Related Utility Improvements**

#### **Recommended Action:**

1. Award Schedules 'A', 'B', 'C' and 'D' of the 2022 Street Related Utility Improvements project to Blue Mountain Construction Group, LLC.
2. Authorize the City Manager to execute a contract with Blue Mountain Construction Group, LLC in an amount not to exceed \$522,216.08.
3. Appropriate \$212,504 from the Water Fund and \$16,739 from the Storm Water Fund to fully fund the 2022 Street Related Utility Improvements project.

### **AB 6028: Roadside Shoulder Improvements, West Mercer Way Phase 2**

**Recommended Action:** Accept the completed Roadside Shoulder Improvements West Mercer Way Phase 2 project and authorize staff to close out the project.

### **AB 6029: Ratifying King County Countywide Planning Policies**

**Recommended Action:** Approve Resolution No. 1620 to ratify the King County Countywide Planning Policies updates.

### **AB 6030: WRIA 8 Interlocal Agreement Addendum**

**Recommended Action:** Authorize the City Manager to sign the Addendum to the Interlocal Agreement for the Watershed Basins within Water Resource Inventory Area 8.

## **AB 6031: Authorization of Enterprise Financial Management System Purchase**

### **Recommended Action:**

1. Award RFP #21-37 to Tyler Technologies, Inc., a Maine-based company, for a Financial Management Software System to replace the City's current financial software system.
2. Authorize the City Manager to negotiate and execute an agreement with Tyler Technologies, Inc., in an amount not to exceed \$587,000 which includes the first year of the software subscription, implementation services, and a \$150,000 project contingency, with future funding contingent on Council budget approval.
3. Authorize a new, full-time Systems Analyst position in the Finance Department at an estimated annual cost of \$127,000 (for 2022) to facilitate the financial management software implementation and oversee the ongoing maintenance, staff training, and development of the software system's overall functionality.
4. Authorize one-time funding not to exceed \$272,000 to facilitate the successful implementation the new financial management software system.
5. Appropriate \$736,000 and authorize staff to allocate the project funding to the Street, Capital Improvement, Water, Sewer, Stormwater and General Funds in accordance with existing overhead allocation budget policies.

## **AB 6023: Approval of the 2022 Parks, Recreation and Open Space (PROS) Plan and Initial Project Appropriation**

### **Recommended Action:**

1. Approve Resolution No. 1618 adopting the 2022 Parks, Recreation, and Open Space (PROS) Plan.
2. Appropriate \$750,000 from available balance in the Capital Improvement Fund for athletic field design, joint master planning for Clarke and Groveland beaches, and the MICEC Annex facility assessment.

It was moved by Weinberg; seconded by Reynolds to:

**Approve the Consent Agenda and the recommended actions contained therein.**

PASSED: 7-0

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

## **REGULAR BUSINESS**

### **AB 6032: 2021 Board and Commission Vacancy Appointments**

Mayor Nice reviewed the process for board and commission appointments and that the applicants that receive the most votes, provided they received a minimum of four votes, would be appointed to the vacant positions on the board or commission. The names of the applicants would then be added to Resolution No. 1619 with final approval by a vote of the City Council.

**Arts Council** – Two open positions; two applications received.

**Round 1, Position 4 - Term 2022 and Position 5 – Term 2024** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Daniel Becker, Jonathan Harrington

The ballots were tallied, and Jonathan Harrington received four votes to be appointed to the Arts Council, Position 4, expiring May 31, 2022 and Daniel Becker received four votes to be appointed to the Arts Council, Position 5, expiring May 31, 2024.

#### **Position 4 Ballot Results:**

Daniel Becker – 3 (Anderl, Nice, Weiker)

Jonathan Harrington – 4 (Jacobson, Reynolds, Rosenbaum, Weinberg)

#### **Position 5 Ballot Results:**

Daniel Becker – 4 (Jacobson, Reynolds, Rosenbaum, Weinberg)

Jonathan Harrington – 3 (Anderl, Nice, Weiker)

Mayor Nice reminded Council that in accordance with City Code City Council should seek to fill the open position on the Design Commission with a landscape architect or an urban planner.

**Design Commission** – One open specialist position; two application received.

**Round 1, Position 1 – Term 2023** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Megan Atkinson and Adam Ragheb

The ballots were tallied, and Megan Atkinson received seven votes to be appointed to the Design Commission, Position 1, expiring May 31, 2023.

**Ballot Results:**

Atkinson – 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, Weinberg)  
Ragheb – 0

**Planning Commission** – One open position; four application received.

**Round 1, Position 7 – Term 2022** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Kate Akyuz, Daniel Becker, Matthew Goldbach, and Adam Ragheb

The ballots were tallied, and Kate Akyuz received four votes to be appointed to the Planning Commission, Position 7, expiring May 31, 2022.

**Ballot Results:**

Akyuz – 4 (Reynolds, Rosenbaum, Weiker, Weinberg)  
Becker – 0  
Goldbach – 1 (Nice)  
Ragheb – 2 (Anderl, Jacobson)

**Utility Board**– One open position; four application received.

**Round 1, Position 7 – Term 2022** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Meredith Lehr, Will Quantz, Adam Ragheb, and Amy Ting

The ballots were tallied, and there was a tie between Will Quantz and Adam Ragheb

**Ballots Results:**

Lehr – 1 (Rosenbaum)  
Quantz – 3 (Reynolds, Weiker, Weinberg)  
Ragheb – 3 (Anderl, Jacobson, Nice)  
Ting – 0

City Clerk Larson explained the process for a tie vote.

**Round 2, Position 7 – Term 2022** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Will Quantz and Adam Ragheb.

The ballots were tallied, and Will Quantz received four (4) votes to be appointed to the Utility Board, Position 7, expiring May 31, 2022.

**Ballot Results:**

Quantz – 4 (Reynolds, Rosenbaum, Weiker, Weinberg)  
Ragheb – 3 (Anderl, Jacobson, Nice)

Chief of Administration Ali Spietz read the appointments listed in Resolution No. 1619 into the record.

It was moved by Weinberg; seconded by Weiker to:

**Adopt Resolution No. 1619 appointing members to the Mercer Island Boards and Commissions.**

PASSED: 7-0

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

**AB 6019: Development Code Amendment ZTR21-005 Noise and Residential Exterior Lighting Standards (Ord. No. 22C-02 First Reading)**

Interim CPD Director Jeff Thomas, Deputy CPD Director Alison Van Gorp, and Senior Planner Adam Zack presented Development Code Amendment ZTR21-005 Noise and Residential Exterior Lighting Standards

(Ord. No. 22C-02 First Reading). Senior Planner Zack covered the purpose of the proposed code amendment, the docket item process, background on the proposed code amendment, and an overview of what is being proposed. He described what enforcement of the proposed code amendment could look like.

Council discussed the proposed amendment.

It was moved by Anderl; seconded by Weiker to:

**Not move forward with a second reading of Ord. No. 22C-02 – Development Code Amendment ZTR21-005 Noise and Residential Exterior Lighting Standards.**

PASSED: 5-2

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

AGAINST 2 (Reynolds and Weinberg)

City Council was in recess from 7:08 pm – 7:18 pm.

### **AB 6021: Luther Burbank Docks and Waterfront Project 30% Design Recommendation**

Chief of Operations Jason Kintner and CIP Project Manager Paul West gave a presentation on the Luther Burbank Docks and Waterfront Project 30% Design Recommendation. Parks & Recreation Commission Vice Chair Peter Struck gave an overview of the work that the Parks & Recreation Commission did on the project design recommendation. CIP Project Manager West discussed grant opportunities, budgeting needs, and appropriation needed for the project.

Council reviewed the recommendation and asked questions of staff.

It was moved by Jacobson; seconded by Reynolds to:

- 1. Accept the Luther Burbank Docks and Adjacent Waterfront 30% design recommendation from the Parks & Recreation Commission.**
- 2. Appropriate \$321,000 of the available fund balance in the Capital Improvement Fund to complete 100% design of the Luther Docks and Adjacent Waterfront Project.**
- 3. Accept and appropriate the \$94,200 King County Flood Control District Sub-regional Opportunity Fund grant for design of drainage and LID improvement portion of Phase 2.**
- 4. Authorize the City Manager to execute professional services agreements for the remaining project design work.**

PASSED: 7-0

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

### **AB 6020: COVID-19 Utility Relief Grant Program Overview**

Deputy Finance Director LaJuan Tuttle and Senior Management Analyst Merrill Thomas-Schadt gave a presentation to Council on the proposed COVID-19 Utility Relief Grant Program. They reviewed the ARPA funds that the City has received, how a portion of those funds can be used to fund a utility grant program, and how the program would be implemented by the Utility Billing team.

Council reviewed the proposal and provided feedback to staff. Staff will return with a final grant program recommendation at a future meeting for final review and approval by the City Council.

## **OTHER BUSINESS**

### **Planning Schedule**

City Manager Bon noted that the first hybrid City Council meeting will be held on March 15 and that the Planning Session on March 26 would also be a hybrid meeting.

### **Councilmember Absences and Reports**

Councilmember Weiker will be absent for the April 5 and July 19 City Council Meetings.

Deputy Mayor Rosenbaum spoke about the PTA Advocacy meeting last week. He also wanted Ukrainian and

Ukrainian-American community members to know that the Mercer Island community is there for them. Councilmember Weiker sent staff the PSRC framework for federal funding opportunities that are coming.

### **EXECUTIVE SESSION**

At 8:19 pm, Mayor Nice convened an executive session via Microsoft Teams to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) and, 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) for approximately 90 minutes.

Mayor Nice adjourned the executive session at 9:40 pm.

### **ADJOURNMENT**

The Council Meeting adjourned at 9:40 pm.

Attest:

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Salim Nice, Mayor

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Andrea Larson, City Clerk