



# CITY COUNCIL MINUTES SPECIAL VIDEO MEETING (EXECUTIVE SESSION) OCTOBER 26, 2020

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## EXECUTIVE SESSION

At 9:01 am, Mayor Wong convened an Executive Session for approximately 60 minutes to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i).

Mayor Benson Wong, Deputy Mayor Wendy Weiker and Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds, and David Rosenbaum participated remotely using the teleconferencing platform Microsoft Teams.

City Manager Jessi Bon and City Attorney Bio Park participated in the executive session from a remote location using Microsoft Teams.

At 9:53 am, Mayor Wong adjourned the Executive Session noting that no action was taken.

## CALL TO ORDER & ROLL CALL

Mayor Benson Wong called the Special Meeting to order from a remote location at 10:00 am using a teleconferencing platform provided by Zoom.

The full Council, City Manager Jessi Bon, City Attorney Bio Park, and Communications/Sustainability Manager Ross Freeman participated in the executive session from a remote location using Zoom.

## SPECIAL BUSINESS

City Manager Jessi Bon explained that the City received Sound Transit's Right-of-Way permit application for the construction of the Mercer Island Transit Interchange on 77<sup>th</sup> Avenue and N. Mercer Way. The permit application included curb cuts along N. Mercer Way intended for bus layovers and violates the City's Settlement Agreement with Sound Transit. While the City has complied with dispute resolution requirements as outlined in the agreement; Sound Transit has refused the City's repeated requests to engage in mediation.

City Manager Bon requested authorization to proceed with litigation, as discussed in Executive Session, to enforce the Settlement Agreement with Sound Transit.

It was moved by Anderl; seconded by Weiker to:

**Authorize the City Manager to commence litigation with Sound Transit to enforce Settlement Agreement with Sound Transit**

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)

Communications/Sustainability Manager Ross Freeman read a draft letter to the Community from the City Council.

It was moved by Jacobson; seconded by Reynolds to:

**Authorization to publish a communication from the City Council to the community in substantially the form discussed in the Executive Session.**

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)

The Special Meeting adjourned at 10:12 am.

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Benson Wong, Mayor

Attest:

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Deborah Estrada, City Clerk