



CITY COUNCIL MINUTES SPECIAL MEETING NOVEMBER 4, 2019

CALL TO ORDER & ROLL CALL

Mayor Debbie Bertlin called the Special Meeting to order at 5:41 pm at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Debbie Bertlin and Councilmembers Bruce Bassett, Deputy Mayor Salim Nice, Wendy Weiker, David Wisenteiner (Arrived at 6:25 pm), and Benson Wong were present. Councilmember Lisa Anderl was absent.

AGENDA APPROVAL

It was moved by Nice; seconded by Wong to:

Approve the agenda as presented.

Passed: 5-0

FOR: 5 (Bassett, Bertlin, Nice, Weiker, and Wong)

ABSENT: 2 (Anderl and Wisenteiner)

STUDY SESSION

5622: Aubrey Davis Park Master Plan Review

Interim Parks & Recreation Director Ryan Daly and Capital Projects and Planning Manager Paul West reviewed with Council the draft Aubrey Davis Park Master Plan (“ADMP”) timeline, evolution, and the revisions made since the October 15 Study Session. Council discussed the suggested revisions with staff, demonstrating support for the following changes:

- Planting Palette - Designate the “Northwest Feel” palette as primary and include the “Ornamental” and “Sensory” palettes for specific project designs.
- Water Conservation - Include both strategies in the master plan.
- Trail Width - Include photographic cross sections and change the Lid Park cross section trail width label from “current width” to “12 feet”
- Restroom Conflict Zone - Keep both options in the final plan
- Optional Informal Soft Surface Trails - Remove from plan.
- New Restroom - Show both locations in final plan.
- Dog Off-leash Area - Keep in plan without specifics.

Suggested changes will be incorporated into the ADMP and the final plan is scheduled for adoption at the November 19 Regular meeting.

CITY MANAGER REPORT

Interim City Manager Jessi Bon reported on the following:

- 2019 CERT Graduates
- Pumpkin Walk
- Recology Transition Final Update:
 - Cart Collection & Distribution,
 - Billing, and
 - Holiday Tree Curbside Collection
- 2019 Thrift Shop Anniversary Sale – Monday, November 11

APPEARANCES

There were no appearances.

CONSENT CALENDAR

Accounts Payable Reports:

- A. October 10, 2019 in the amount of \$354,296.48
- B. October 17, 2019 in the amount of \$982,764.49
- C. October 24, 2019 in the amount of \$408,929.23

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

Certification of Payroll dated October 25, 2019 in the amount of \$817,157.33

Recommendation: Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

Minutes:

- A. September 17, 2019 Regular Meeting
- B. October 7, 2019 Special Meeting
- C. October 15, 2019 Regular Meeting
- D. October 25, 2019 Special Meeting

Recommendation: Approve the minutes as written.

AB 5625: Due Diligence Costs for the City's Proposed Commuter Parking & Mixed-Use Project

Recommended Action:

- A. Authorize the City Manager to (a) Amend the professional services agreement with Aspect Consulting to provide additional site delineation work at the former BP/ARCO property; (b) Transfer \$56,855 from the Contingency Fund to the Town Center Parking Facilities Fund; and (c) Appropriate \$56,855 for additional due diligence and negotiation costs related to the environmental cleanup of the City's proposed commuter parking project, which will be reimbursed by known contaminator BP/ARCO.
- B. Authorize the City Manager to (a) Transfer \$6,200 from the Contingency Fund to the Town Center Parking Facilities Fund; and (b) Appropriate \$6,200 for additional property rental costs related to the City's proposed commuter parking project, which will be reimbursed by Sound Transit when the project is constructed.

It was moved by Nice; seconded by Wisenteiner to:

Approve the Consent Calendar as presented.

Passed: 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

ABSENT: 1 (Anderl)

REGULAR BUSINESS

AB 5615: SAMHSA Grants for Youth and Family Services Prevention Work

Youth and Family Services Director Cindy Goodwin and Senior Programs Manager and Clinical Supervisor Derek Franklin reviewed the MIYFS Department's grant history and spoke about the newly awarded grants from the Substance Abuse and Mental Health Services Administration:

- Sober Truth on Preventing Underage Drinking Act ("STOP Act") grant; \$48,600 annually for four years (2019-2022) for underage alcohol prevention only
- Partnership for Success, Strategic Prevention Framework ("SPF") grant; \$300,000 annually for 5 years (2019-2023) for drug/alcohol prevention and mental health promotion

Mr. Franklin reviewed the grants' models coordination and funding/budget decisions. He spoke about the data and outcomes of the grants including substance abuse prevention, mental health and community benefits of healthy youth and reducing future treatment needs, hospitalization, or in-patient care.

It was moved by Nice; seconded by Wong to:

Authorize City Manager to accept the SAMHSA STOP and SPF grants and appropriate \$435,750 in grant funds for the 2019-2020 biennium.

Passed: 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

ABSENT: 1 (Anderl)

AB 5621: Sales and Use Tax for Affordable and Supportive Housing

Community Planning and Development Deputy Director Alison Van Gorp briefly explained that House Bill 1406 authorizes counties and cities to implement a local sales tax to fund affordable or supportive housing, noting that the tax would be offset by a reduction in the state's portion of sales tax, which would not result in an increased tax on consumers. She reported that Mercer Island would receive approximately \$36,000 in annual revenue and outlined eligible expenditures, which included the following:

- Acquiring, rehabilitating, or constructing affordable housing
- Operations and maintenance of new affordable or supportive housing
- Rental assistance to tenants

If adopted by City Council, the tax would be collected starting in January 2020 and revenues credited back from the State Department of Review would begin in March 2020.

It was moved by Bassett; seconded by Wong to:

Suspend the City Council Rules of Procedures Section 6.3 requiring a second reading on an ordinance

Passed: 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

ABSENT: 1 (Anderl)

It was moved by Bassett; seconded by Wong to:

Adopt Ordinance No. 19C-16 enacting a sales and use tax for affordable and supportive housing and amending Section 4.15 MICC.

Passed: 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

ABSENT: 1 (Anderl)

AB 5620: Update Business and Occupation Tax Municipal Code Language

Special Projects Consultant Matt Mornick reported that the Washington state legislature passed two bills (HB 1403 and HB 1059) that impact cities with a business and occupation tax. House Bill 1403 updates how businesses apportion, or divide, their taxable income between taxing jurisdictions when business is taking place in more than one jurisdiction. House Bill 1059 changes the filing deadline for B&O tax annual filers to April 15, thus aligning the tax filing process with Federal tax reporting deadlines.

If adopted, the new filing deadlines would go into effect in 2021 when 2020 taxes are filed.

It was moved by Bassett; seconded by Wong to:

Suspend the City Council Rules of Procedures Section 6.3 requiring a second reading of an ordinance

Passed: 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

ABSENT: 1 (Anderl)

It was moved by Bassett; seconded by Wong to:

Adopt Ordinance No. 19C-18, amending Chapter 4.10 of the Mercer Island City Code related to business and occupation tax.

Passed: 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

ABSENT: 1 (Anderl)

AB 5624: 2020 Comprehensive Plan Amendment Docket

It was moved by Nice; seconded by Wong to:

Table discussion on the 2020 Comprehensive Plan Docket until the meeting on December 3 to allow the City Council to complete their deliberations on the 2019 Comprehensive Plan Amendments.

Passed: 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

ABSENT: 1 (Anderl)

OTHER BUSINESS

Planning Schedule

Mayor Bertlin recommended that if a second December meeting is needed that a Special Meeting be scheduled on December 10 in lieu of the Regular Meeting on December 17.

Interim City Manager Jess Bon reported on the following:

- November 4 and December 3 meetings are full
- Code of Ethics Statement and Procedures scheduled for November 19
- 2020 Planning Session is scheduled for January 25

City Council canceled the December 17, 2019 Regular Council Meeting

Councilmember Absences & Reports

Councilmember Anderl absence were excused.

Councilmember David Wisenteiner will not attend the November 19 Regular Meeting.

Councilmember Wong:

- Thanked the various organizations that held candidate forums.
- Councilmember Bassett was recognized at the K4C Summit for his years of service addressing sustainability and climate change.
- Mercer Island School District's "Dial for Dollars" raised more than \$38,000 over two days
- Chamber of Commerce notice regarding a special art exhibit at Clark and Clark in the Towne Center

Councilmember Weiker:

- Chamber Fitness Crawl
- Band Boosters Auction
- Rotary MI Half in March 2020

Mayor Bertlin:

- Tree Lighting and Firehouse Munch on December 6

EXECUTIVE SESSION

At 8:22 pm, Mayor Bertlin convened an Executive Session to 1) discuss pending or potential litigation with legal counsel pursuant to RCW 42.30.110(1)(i) and 2) 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. No action will be taken.

At 9:52 pm, Mayor Bertlin extended the Executive Session to 10:15 pm.

At 10:14 pm, Mayor Bertlin extended the Executive Session to 10:20 pm.

At 10:20 pm, Mayor Bertlin extended the Executive Session to 10:25 pm.

At 10:25 pm, Mayor Bertlin adjourned the Executive Session; no action was taken.

ADJOURNMENT

There being no additional business to come before City Council, the Regular Meeting adjourned at 10:26 pm.

Attest:

Debbie Bertlin, Mayor

Deborah Estrada, City Clerk