

**Question & Answer Matrix**  
**December 3, 2024 - City Council Meeting**

Log #	AB No.	Received From	Question	Staff Response
1	6564	Reynolds	The AB states that “The Paid Practitioner Non-Resident and the Paid Practitioner Resident will have experience in land use planning in the state of Washington and demonstrated experience in public service, working with the Growth Management Act, Shoreline Management Act, and State Environmental Policy Act.”. Do you agree that this overstates the requirements actually in 3.46.030 which only provides that these latter areas are “preferred” skills—not requirements?	The code in pertinent states “[d]emonstrated experience in public service, working with the Growth Management Act (GMA), Shoreline Management Act (SMA) and State Environmental Policy Act (SEPA) as well as the drafting of land use policies and codes <u>preferred</u> .” AB was drafted to describe the “ideal” paid-practitioner candidate, but it is correct that the foregoing are not requirements.
2	6564	Reynolds	Please clarify the meaning of 3.46.030. In particular it states, in part “Additionally, the council should give preference to appointing resident paid practitioner applicants for any open planning commission positions”.  I note that we have 7 resident paid practitioner applications. Should we read this code section to mean that if we feel that 5 (or more) of these 7 meet the qualifications for the paid practitioner positions that we have to select them without consideration for who else has applied? Or does the term “give preference” allow us wiggle room?	MICC 3.46.030(B)(1) provides that the planning commission <u>shall</u> be two paid practitioner non-resident; two lay person resident; and one paid practitioner resident.  The Council must try to end up with a PC that reflect the above numbers and position types. However, if it is not possible, and vacancies remain, then (and only then) the following applies:  (1) Council should give preference to appoint a resident paid practitioner to any open position. (2) Council may appoint a resident lay person to an open position for any paid practitioner.
3	6564	Reynolds	Applicant Hintz says that he is applying for resident paid. Why was he included in the folder with non-resident paid?	Mr. Hintz’s application notes that he lives in the City of Kent, therefore he is ineligible for a Resident Paid Practitioner position and is eligible for a Non-Resident Paid Practitioner position.
4	6564	Reynolds	If we appoint a resident paid practitioner applicant to a lay position, do they get paid?	Yes, the resident paid practitioner will be paid if they are appointed to serve in a lay person position. The code associates payment with qualifications, not with the position.

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5	6564	Reynolds	Are there any code of ethics / conflict of interest implications of having (or voting for) a planning commission member who is a close family member of a sitting Council member? Would said Council member be required to recuse himself from the vote? From the debate?	<p>The City's Ethics Officer has issued an opinion that there is no conflict of interest with the council member participating in the appointment process, provided that the family member seeking to be appointed to the PC does not live in the same household.</p> <p>Additionally, the City sought an opinion from outside counsel, who concluded there is no per se conflict of interest with someone serving in the PC while having a family member sitting in the Council, provided again, they do not live in the same household.</p>
6	6577	Reynolds	Please correct or confirm my impression that previously docketed items that have not yet been addressed remain docketed, with no council action required, unless we vote to remove them.	<p>Correct - items added to the docket in any given year remain on the CPD work plan until a complete legislative review occurs including Planning Commission public hearing, review and recommendation followed by City Council review and decision.</p> <p>Please note, items "docketed" cannot be "undocketed". Therefore, the only way to clear items once docketed is to complete a legislative review.</p>
7	6577	Reynolds	<p>"The following [previously docketed] items should be addressed prior to any new items added to the 2025 Annual Docket..."</p> <p>Is this order a best practice suggestion or a requirement? Could we direct the PC to follow a different order if we so chose? In the absence of Council direction, who picks the order?</p>	<p>In the absence of specific City Council direction, staff will add items to the annual work plan on a "first come, first served" basis. The City Council may provide specific direction to staff on the order/phasing of work plan items, if they so choose. An example of City Council providing such direction occurred in 2023 when staff was directed to expedite the interim temporary use / structure development regulations.</p>
8	6579	Reynolds	I believe the Figure 1 map is incorrect, in that there are two NS Avenues identified as 78 <sup>th</sup> Ave SE. Please confirm or correct me as needed and correct the map.	<p>Good catch. We will have GIS staff correct this prior to publication of the adopted ordinance.</p>

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Log #	AB No.	Received From	Question	Staff Response
9	6581	Reynolds	<p>Exhibit 1, Page 15 states that “All boaters in Washington State age 50 and under are required to take or have taken a National Association of State Boating Law Administrators (NASBLA) and Washington State approved boating education course to operate a boat with a motor rated over 15 horsepower”.</p> <p>I believe the actual requirement is broader. It applies to anyone born in 1955 or later, not just people 50 and younger. Please correct.</p>	<p>Thank you for catching this. For the final version of the 2025 Fee Schedule, we will update the boater information to read:</p> <p>“Anyone 12 years old and older may operate a motorboat of 15 horsepower and greater with a Washington Boater Education Card. Without a card, the person must be supervised by someone at least 16 years old, who is carrying a Boater Education Card. Anyone born before January 1, 1955 is exempt from needing to carry a Boater Education Card. Click here to access qualifying courses.”</p>
10	6581	Reynolds	<p>Now that the new water meters have been in place for several months, do we have enough data to compare measured usage year-on-year to see if the readings they are coming up with are materially different? Alternatively, has the ratio of (Reported water usage per our meters) to (Amount of water we buy from SPU) materially changed? (This is not urgent and need not be answered before this meeting, but I would like to know the answer.)</p>	<p>Data received to date shows that water consumption is trending slightly higher relative to prior periods. However, staff anticipates a “cooling period” after leaks are identified and fixed and consumption behavior “normalizes.”</p> <p>Currently, new water meters have not been in place long enough to compare data year to year. Staff anticipates being equipped to complete more thorough analyses using new meter data by Q3 2025.</p> <p>Water purchased from SPU is trending similarly to prior years. This water is metered separately and used to help identify the City’s annual unaccounted water loss, which staff anticipates will decrease with the installation of the new meters. Again, the data required for this analysis will likely be available in Q3 2025.</p> <p>An atypical factor to consider is the effect of the water conservation measures enacted during the SPU transmission pipe leak in spring and summer of 2024, which will skew year over year comparisons of water use patterns.</p>

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11	6581	Reynolds	When and how were the valuation table rates on exhibit 1 page 49 last updated? The values shown seem unreasonably low to me relative to realistic construction costs.	<p>The residential buildings section (SECTION 8. DWELLINGS) was updated in 2021 to include three new classifications: very good, very good-custom, and luxury-custom. This change was made after reviewing the values used by other Eastside jurisdictions and having discussions with building professionals. The added classifications use higher “per square footage” factors that were found to be more representative of values used in nearby jurisdictions. They are used to validate project valuation data provided (by the permit applicant) for most new residential construction projects on the island. Additional conversation about that change is found in <a href="#">AB 5781</a>.</p> <p>The other sections of the Building Valuation Data Table have simply been adjusted annually by the same factor applied to the building permit fees.</p>
12	6583	Reynolds	Are the identified design “savings” for the backstop design deferral just deferred costs? Why was this part of the project deferred and will this result in different total costs for that portion of the project?	<p>Yes, the savings identified for design are deferred to 2025, and the cost for backstop design was previously factored in when developing the proposed project budget included in the 2025-2030 Capital Improvement Program. The backstop project includes replacing backstops on both fields at Island Crest Park and requires different materials and construction elements than a synthetic turf replacement. The turf replacement and backstop projects were previously broken into discreet construction projects, and backstop design was reprogrammed for 2025 to better align with other/similar CIP projects and work across the parks system.</p>

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Log #	AB No.	Received From	Question	Staff Response
13	6584	Reynolds	<p>I note this includes funding for \$30,000 for three different homeless shelters. Please help me to reconcile this to the \$20,000 approved in AB 5944 in 2022 for homeless shelters. Was the latter amount for 2022 only or did it continue in later years? Was the Human Services Pooled Fund already funding homeless shelters back in 2022 at the same level so that effectively we funded homeless shelters to the tune of \$50,000 not just 20,000?</p>	<p>In the 2021-2022 adopted budget, an increase of \$10,000 was authorized for the City of Bellevue pooled services contribution for additional “shelter support” (pandemic homelessness increase). See image at end of document.</p> <p>The \$10,000 was allocated to the following:</p> <ul style="list-style-type: none"> <li>a. Catholic Community Services, New Bethlehem Programs (shelter for families): \$2,500</li> <li>b. Congregations for the Homeless, Rotating Shelter (shelter for men): \$2,500</li> <li>c. Friends of Youth, Youth Haven Shelter (shelter for youth): \$2,500</li> <li>d. The Sofia Way, Helen’s Place (shelter for women): \$2,500</li> </ul> <p>In 2022, the City Council authorized an ADDITIONAL \$20,000 for shelter services using General Fund Surplus AB 5944 (paid directly to the Sophia Way and Porchlight in 2022) as follows:</p> <ul style="list-style-type: none"> <li>a. Porchlight (aka Congregations for the Homeless) outreach services: \$10,000</li> <li>b. The Sophia Way outreach services: \$10,000</li> </ul> <p>Total has remained at \$30,000 since 2022.</p>

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14	6584	Reynolds	How was our share (\$47,500) of the HSPF total budget determined? How does it compare to that in prior years? What is the total HSPF budget and how does it compare to prior years?	<p>CMI’s share of the Pooled Funders ILA contribution is calculated differently than the other Eastside Cities. In other cities, council or mayor-appointed human services commissions staffed typically by Human Services Managers working for those cities engage the commissioners in a process of recommending human service funding amounts and grantees to their respective councils for approval.</p> <p>CMI largely provides its own human services to its residents through the YFS Department. YFS staff recommend ILA funding amounts as part of the budget process for critical services that YFS does not provide itself: affordable legal assistance, domestic violence support, and sexual assault assessment of support services.</p> <p>During the pandemic, additional funds were approved to provide shelter support for those experiencing homelessness via CMI’s biennial budget process. In 2022, council approved additional funds for homelessness outreach (e.g., staff in community to link those experiencing homelessness on Mercer Island to shelters and other services and to be available for referral for MIPD and YFS).</p> <p>Of note, is CMI/YFS contributes significantly less than other cities as they tend to give significant funds to organizations that provide for their residents what YFS provides for residents of MI: for example, school counseling, outpatient mental health, senior case management, rent assistance, food assistance, employment assistance, drug/alcohol intervention &amp; prevention.</p>
15	6585	Reynolds	This appears to be in the agenda packet twice. Accidental duplication, or is there some difference I am missing?	This was an accidental duplication. There was an issue with the agenda management system and this item was accidently uploaded twice to the packet. Staff are working with the vendor to resolve this.

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16	6586	Reynolds	<p>I realize it is too late to fix, but I believe I have found a mistake in section 2.5 of the agreement, when it states:</p> <p>“For purposes of calculating the regular hourly rate of pay each additional pay will be calculated separately first and then added together with the basic pay to determine the regular rate. For example, if an employee’s basic pay is \$45 and an employee has one additional pay of 2%, then you would take 2% of \$45 (\$0.90) and add it to \$45 for a total regular hourly rate of pay of \$45.90. If the employee received two additional pays at 2% each, their regular hourly rate of pay would be: \$45 + \$0.90 + \$0.90 (\$46.80). It would not be calculated by adding the additional pays of 2% and 2% together for 4% and then multiplying the 4% by \$45.”</p> <p>The last sentence is problematic, as multiplying 4% by \$45 (Which we are NOT supposed to do) yields the same \$1.80 as the defined method. Either that sentence should be struck or it should be replaced with “It would not be calculated by increasing \$45 by 2%, and then increasing this result by 2% of the increased amount”.</p>	<p>We will review this section and note it for possible correction in the next CBA.</p>
17	6588	Reynolds	<p>“the City has determined that Chapter 2.60 MICC should be repealed”. Who is “the City” in this sentence? The City Manager? What is the opinion of the city manager and the city attorney on this AB?</p>	<p>“The City” as referenced in the ordinance is the City Council. The opinion of the City Attorney is that having a local code of ethics is discretionary. It is legal for the Council to repeal the code if it wishes to do so. Neither state nor federal law or caselaw requires the City to have a local code of ethics.</p> <p>Comment from City Manager: I fully support and advocate for the repeal of this code. The City Attorney will not be providing an opinion on this proposed repeal.</p>

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18	6588	Reynolds	If we repeal the code of ethics, and someone believes an official has violated the STATE code of ethics, what is the process for filing and adjudicating an ethics complaint?	Depending on the violation, complaints would be filed with the PDC (election/improper use of public facilities related), AG's office (abuse of authority); and superior court (malfeasance/misfeasance).
19	6588	Reynolds	Are there currently any pending ethics complaints? (Note I am not asking what they are or who they are against.) If there are, what will happen to them if we repeal the code before the complaint is resolved?	No ethics complaints are pending. The Ordinance states the following:  <b>Section 2. Pending Complaints.</b> No further action shall be taken on any pending ethics complaint, unless it has been determined to be sufficient by the Ethics Officer before this ordinance becomes effective.

**Human Services Pooled Fund Allocations**

		2018 Actual	2019 - Actual	2020 - Budget	2021	2022	
IGHS00	Human Service Contracts				10,000	10,000	Budget Proposal - Shelter Support
IGHS02	Eastside Legal Aid Program	3,500	3,500	3,500	3,500	3,500	Human Services Pooled - City of Bellevue
IGHS03	CHILREN'S RESPONSE CENTER	1,500	1,500	1,500	1,500	1,500	Human Services Pooled - City of Bellevue
IGHS05	King County Sexual Assault	2,500	2,500	2,500	2,500	2,500	Human Services Pooled - City of Bellevue
IGHS07	Domestic Violence	10,000	10,000	10,000	10,000	10,000	Human Services Pooled - City of Bellevue