



CITY COUNCIL MINUTES

REGULAR VIDEO MEETING

June 15, 2021

CALL TO ORDER & ROLL CALL

Mayor Wong called the meeting to order at 5:00 pm from a remote location.

Mayor Benson Wong, Deputy Mayor Wendy Weiker (5:03), and Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds, and David Rosenbaum participated remotely using a teleconferencing platform provided by Zoom.

Jessi Bon, City Manager, participated remotely from City Hall, 9611 SE 36th Street, Mercer Island, Washington. The City Attorney and Mercer Island City Leadership Team participated from remote locations.

PLEDGE OF ALLEGIANCE

Councilmember Jacobson delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Nice; seconded by Reynolds to

Amend the agenda to include an additional 20-minute Executive Session pursuant to RCW 42.30.110(1)(b) to consider the purchase or lease of real estate when public knowledge of such consideration would cause a likelihood of increased price.

Passed 7-0

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

SPECIAL BUSINESS

AB 5895: Healthy Youth Initiative Year in Review

Staff updated City Council on the grant-funded Healthy Youth Initiative program. The grant, which was authorized in November 2019, has expanded grant-funded services while adapting to new challenges presented by the COVID-19 pandemic.

YFS staff worked with federal funders to modify the HYI strategic plan to adapt to pandemic realities, resulting in the following efforts and partnerships from March 2020 to June 2021:

- Check In with Yourself Mercer Island in partnership with UW Center for Health & Risk Behaviors
- Mental Health First Aid in partnership with Jewish Family Services
- Be Kind to Your Mind mental health promotion campaign with National League of Young Men
- Most Steer Clear radio campaign with KMIH 89.9 The Bridge
- Med Take Back Day with Mercer Island Police Department
- Incredible Years Attentive Parenting
- Be Real for Young Adults Mercer Island in partnership with UW Center for Child & Family Wellbeing
- Launched www.mihealthyyouth.com (including new branding)

CITY MANAGER REPORT

City Manager Bon reported on the following items:

- COVID-19 Update
- Council Board & Commission Updates
- City Service Updates:

- East Mercer Way Landslide Repair
- Recreation Reset Update
- Mostly Music in the Park
- Catalytic Converter Thefts
- 2021 CERT Class
- Fireworks Reminder
- Some Good News:
 - May CPR Call
 - Juneteenth Art Installation
 - Congrats Class of 2021

APPEARANCES

Darren Gold, Mercer Island – requested that the Council pass a proclamation in support of the Jewish Community.

CONSENT AGENDA

Approve Accounts Payable Reports for the period ending June 3, 2021 in the amount of \$945,694.59

Approve Claims Reporting for Electronic Funds Transfer for the months ending:

- A) April 30, 2021 in the amount of \$2,203,962.58
- B) May 31, 2021 in the amount of \$2,256,114.63

AB 5891: 6/4/2021 Payroll Certification

Recommended Action: Approve the 6/4/2021 Payroll Certification (Exhibit 1) in the amount of \$790,677.80 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Approve Minutes of the May 18, 2021 Special Meeting and June 1, 2021 Regular Meeting

It was moved by Reynolds; seconded by Nice to:

Approve the Consent Agenda and the recommendations contained therein.

PASSED: 7-0

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

REGULAR BUSINESS

AB 5898: Code of Ethics Revisions (Ordinance No. 21C-10, Third Reading)

At the January 19, 2021, Council Meeting, the City Council directed the City Manager to prepare an ordinance amending chapter 2.60 MICC – the City's Code of Ethics. Matthew Segal and Sarah Washburn of Pacifica Law Group were hired to assist the City and evaluate and recommend revisions to the current Code of Ethics. A first reading was presented to Council at its May 4, 2021, meeting. Based on the City Council's suggestions and continuing to take into account state law and other municipal jurisdictions' approaches to common issues, Pacifica presented to the City Council a revised draft ordinance for second reading on June 1, 2021.

Staff reviewed with Council the various changes requested at the June 1 meeting and Council discussed the revisions at length.

It was moved by Jacobson; seconded by Nice to:

Adopt Ordinance No. 21C-10 amending chapter 2.60 MICC to revise the Code of Ethics for officials

PASSED: 7-0

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

It was moved by Reynolds; seconded by Weiker to:

Amend 2.60.010(A)4 and strike the word "only"

PASSED: 7-0

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

It was moved by Reynolds; seconded by Rosenbaum to:

Amend 2.60.010(A)6, replacing the word "which" with "that"

PASSED: 7-0

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

It was moved by Reynolds; seconded by Weiker to:

Amend 2.60.070(I) and add to the end of the section "Any such reimbursement must not exceed reasonable actual costs incurred and professional services at the prevailing rates for such services."

FAILED: 4-3

AGAINST: 4 (Anderl, Jacobson, Nice, and Wong)

FOR: 3 (Reynolds, Rosenbaum, and Weiker)

PASSED: 7-0

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

AB 5899: American Rescue Plan Act Funds Update

Finance Director Matt Mornick updated the City Council on the latest information and guidance for receipt of American Rescue Plan Act funding, noting that as of June 9, 2021, the Washington State Office of Financial Management confirmed Mercer Island would receive \$7.23 million in ARPA funding. The presentation expanded on additional findings received up and until June 15, 2021, from both the U.S. Department of Treasury and the State of Washington Office of Financial Management, which included:

- First half of allocation due end of June; second half a year later
- Funds must be committed by December 2024 and spent by December 2026
- Eligible Uses:
 - Investing in Water, Sewer, and Broadband
 - Supporting public health expenditures
 - Address local negative economic impacts
 - Replacing lost public sector revenue

Mornick also reported that would complete the requisite requirements to ensure the first half of the funds would be transferred by OFM to the City by June 27, 2021, contingent upon the OFM taking receipt of those funds from the U.S. Treasury Department. The second half of the funds would be received within twelve months thereafter. Any funds declined by NEU cities would transfer to the state.

AB 5890: Youth & Family Services (YFS) Levy Discussion

City Manager Bon reviewed the revised list of potential Youth & Family Services programs and services that could be included in a levy lid lift and Deanna Gregory, of Pacifica Law Group, provided an overview of the levy lid lift process, identified additional decisions to be made, and provided preliminary financial modeling for two levy scenarios. Staff explained that if the City Council desired to pursue a levy in November 2021, staff would need direction to proceed with development of a ballot measure ordinance for City Council consideration in July.

Council discussed the levy lid lift process at length.

It was moved by Rosenbaum; seconded by Anderl to:

Direct the staff to take no further action on a levy for the 2021 election and return to the Council with a recommendation to maintain current YFS service levels and identify potential funding alternatives for items C, D & E in AB 5890.

PASSED: 7-0

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

(Councilmember Jacobson left the meeting at 7:04 PM)

AB 5889: Wireless Communications / Small Cell City Code Amendment (ZTR19-004)

Staff reported that the Planning Commission recommended approving the proposed code amendment to repeal the existing interim wireless communications and small cell regulations contained in Mercer Island City Code 19.06 and replace with permanent regulations, as well as to adopt related clean up amendments within MICC Chapters 19.15 and 19.16.

Council provided direction to staff on several revisions to the draft code amendment and inquired about additional concealment standards for small wireless facilities in underground utility areas. In particular, there was interest in requiring concealment that makes the wireless facility/support structure look like a native conifer tree.

It was moved by Nice; seconded by Reynolds to:

Set second reading of Ordinance 21C-12 for July 6, 2021.

PASSED: 5-0

FOR: 5 (Anderl, Nice, Reynolds, Rosenbaum, and Wong)

ABSENT: 2 (Jacobson and Weiker)

AB 5886: Emergency Medical Transport Policy Update

Jeff Clark, Interim Fire Chief, explained that at the March 16 City Council meeting, staff sought direction from the City Council on the policies guiding emergency medical transportation fees. After receiving input from the City Council, staff evaluated King County area transport policies and fees to inform the policy recommendation for the Council. Staff attempted to meet three overarching objectives when determining the recommendation:

1. Uniformity and consistency of application.
2. Best business and financial practices.
3. Provide financial forgiveness if qualified.

Staff further explained that the \$770 base transport fee and \$15 per mile reimbursement for MIFD emergency medical transport have remained unchanged since 2012, noting that many agencies within the region had raised emergency medical transport fees at the beginning of 2021. If approved, all patients transported would be billed consistently, according to standard medical billing practices, which included billing for co-payments and charges for insured and uninsured patients. Finally, the policy would include going to collections if necessary. The collections process would be handled through a professional collections agency within industry norms and only as a last resort. All uncollected fees would be written off as bad debt and reported to the City Council quarterly.

Based on the recommended policy set forth in Resolution No. 1599, all patients who received emergency medical transport on Mercer Island would be billed using the same practices, regardless of if MIFD, AMR, or Bellevue conducted the transport. If approved, the fees would be updated after going unchanged for ten years and an escalator would be added to keep pace with the transport market.

It was moved by Reynolds; seconded by Anderl to:

Adopt Resolution No. 1599 (Exhibit 1) updating the City's emergency medical transport billing fee.

PASSED: 5-0

FOR: 5 (Anderl, Nice, Reynolds, Rosenbaum, and Wong)

ABSENT: 2 (Jacobson and Weiker)

It was moved by Nice; seconded by Reynolds to:

Adopt the Emergency Medical Billing policy substantially in the form as presented in Exhibit 2, subject to the amendment to 5.5.4 as discussed.

PASSED: 5-0

FOR: 5 (Anderl, Nice, Reynolds, Rosenbaum, and Wong)

ABSENT: 2 (Jacobson and Weiker)

It was moved by Nice; seconded by Anderl to:

Adopt the Finance Assistance Form substantially in the form as presented in Exhibit 3.

PASSED: 5-0

FOR: 5 (Anderl, Nice, Reynolds, Rosenbaum, and Wong)

ABSENT: 2 (Jacobson and Weiker)

AB 5893: Review Arts Council Membership

Sarah Bluvas, Community Development Coordinator and Arts Council liaison, explained that the proposed ordinance would amend MICC 3.55.030(B) to reduce the size of the Mercer Island Arts Council from its current size of nine members to seven members. It would also provide flexibility regarding term limits to allow past members having served two full consecutive terms to serve again if there was a lack of applicants who had not yet served two full consecutive terms. However, the amendment would establish a preference for applicants who had not previously served two full consecutive terms.

It was moved by Nice; seconded by Reynolds to:

Adopt Ordinance No. 21C-13 amending MICC 3.55.030(B) reducing the size of the Arts Council and revising term limits

PASSED: 5-0

FOR: 5 (Anderl, Nice, Reynolds, Rosenbaum, and Wong)

ABSENT: 2 (Jacobson and Weiker)

AB 5896: Providing Flexibility Regarding Utility Board Term Limits

Staff explained that the proposed ordinance would amend MICC 3.52.030(B) to provide flexibility regarding term limits for members of the Mercer Island Utility Board. The ordinance would allow past members having served two full consecutive terms to serve again if there was a lack of applicants who had not yet served two full consecutive terms. However, the amendment would establish a preference for applicants who had not previously served two full consecutive terms.

It was moved by Anderl; seconded by Nice to:

Adopt Ordinance No. 21C-14 amending MICC 3.52.030(B) regarding Utility Board term limits

PASSED: 5-0

FOR: 5 (Anderl, Nice, Reynolds, Rosenbaum, and Wong)

ABSENT: 2 (Jacobson and Weiker)

OTHER BUSINESS

Planning Schedule

City Manager Bon reported on the July meetings and explained that staff were looking to cancel both meetings in August. She further noted that the first meeting in September might be changed to a special meeting on August 31.

Councilmember Absences

There were no absences reported.

Councilmember Reports

Councilmember Reynolds – reported that the Senate just passed Juneteenth as a national holiday.

Mayor Wong:

- King County Regional Water Quality Committee held a workshop for elected officials on the Clean Water Plan and intend to hold more workshops for elected officials in September and October.
- On June 3, Mayor Wong, Deputy Mayor Weiker and Councilmember Reynolds attended a K4C elected officials work session.

EXECUTIVE SESSION

Mayor Benson Wong called the Executive Session to order at 8:25 pm from a remote location to discuss to review the performance of a public employee pursuant to RCW 42.30.110(1)(g) for approximately 45 minutes and to consider the purchase or lease of real estate when public knowledge of such consideration would cause a likelihood of increased price pursuant to RCW 42.30.110(1)(b) for approximately 20 minutes.

Mayor Benson Wong and Councilmembers Lisa Anderl, Salim Nice, Craig Reynolds, and David Rosenbaum participated remotely using a teleconferencing platform provided by Microsoft Teams.


Absent: Deputy Mayor Wendy Weiker and Councilmember Jake Jacobson

At 9:30 PM Mayor Wong extended the Executive Session for 30 minutes.

Mayor Wong adjourned the executive session at 10:00 pm. No action was taken.

ADJOURNMENT

The regular Council Meeting adjourned at 10:01 PM.



Benson Wong, Mayor

Attest:



Deborah Estrada, City Clerk