



# CITY COUNCIL MINUTES REGULAR VIDEO MEETING July 6, 2021

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## EXECUTIVE SESSION

Mayor Benson Wong called the Executive Session to order at 5:00 pm from a remote location 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) and to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately one hour.

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

At 5:58 pm Mayor Wong adjourned the executive session.

## CALL TO ORDER & ROLL CALL

Mayor Wong called the meeting to order at 6:02 pm from a remote location.

Mayor Benson Wong, Deputy Mayor Wendy Weiker, and Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds (6:16 pm), 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

Deputy Mayor Weiker delivered the Pledge of Allegiance.

## AGENDA APPROVAL

It was moved by Nice; seconded by Jacobson to  
**Amend the agenda to add consideration for acquiring real property by the City of Mercer Island as discussed in Executive Session and the possible adoption of Resolution No. 1600 and Ordinance No. 21-15.**

Passed 6-0

FOR: 6 (Anderl, Jacobson, Nice, Rosenbaum, Weiker, and Wong)

ABSENT: 1 (Reynolds)

## CITY MANAGER REPORT

City Manager Bon reported on the following items:

- Response to Extreme Heat
  - Cooling Center
  - Temporary Fireworks Ban
- Board & Commission Updates (Virtual Meetings & Return to In-Person Meetings)
- Board & Commission Recruitment – Round 2
- City Service Updates
  - East Mercer Way Landslide Repair
  - Summer Road Construction

- Drinking Fountains
- ADA Transition Plan
- Risk and Resilience Assessment
- Emergency Management Volunteer Lead Changes
- Community and Regional Updates
  - Where's Waldo
  - Mercer Island Library
  - Best Starts for Kids Levy Renewal
- Some Good News
  - Grant Awarded for Luther Burbank Dock Renovation
  - Get Active, Stay Active Grant
  - Windermere Foundation Grant
  - Student Resource Officer Changes

## APPEARANCES

Addie Smith, Mercer Island – thanked the Bellevue City Council of approving its multi-housing project program, noting that Mercer Island does not support such a project. She also encouraged registered voters to vote for new candidates in the election.

Marissa Orenstein, Mercer Island – explained that her cat was recently killed by a coyote on the Island and asked that the Council do something to address the increasing number of domestic animals being killed by coyotes.

Kevin Cobden, Mercer Island – also expressed concern for the coyote that killed Mr. Orenstein's cat and encouraged City Council to address the issue before the coyote attacks a person.

## CONSENT AGENDA

### Approve Accounts Payable Reports for the periods ending:

- June 11, 2021 in the amount of \$321,670.91
- June 18, 2021 in the amount of \$234,179.54
- June 25, 2021 in the amount of \$574,834.70

### AB 5894: June 18, 2021 Payroll Certification

**Recommended Action:** Approve the June 18, 2021, Payroll Certification (Exhibit 1) in the amount of \$797,275.74 and authorize the Mayor to sign the certification on behalf of the entire City Council.

### AB 5904: Parks and Recreation Month Proclamation No. 274

**Recommended Action:** Mayor Wong proclaims July 2021 as Parks and Recreation Month on Mercer Island.

### AB 5902: Antisemitism Proclamation No. 275 (pulled and moved to Regular Business)

### AB 5900: City Manager Performance Review and Evaluation Report (pulled and moved to Regular Business)

### AB 5901: Community-Based Counseling Staffing Appropriation

**Recommended Action:** Appropriate up to \$60,000 from 2020 General Fund year-end balance to hire a 1.0 LTE Community-Based Counselor through December 31, 2021.

It was moved by Jacobson; seconded by Anderl to:

**Approve the Consent Agenda and the recommendations contained therein, as amended.**

PASSED: 7-0

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

## REGULAR BUSINESS

**(No AB): Consideration for acquiring real property by the City of Mercer Island as discussed in Executive**

## Session and the possible adoption of Resolution No. 1600 and Ordinance No. 21-15

Staff explained that the property at 4004 Island Crest Way is for sale and is located at one of the four corners of SE 40<sup>th</sup> Street and Island Cres Way, which is listed within the City's Comprehensive Plan, Transportation Element. Staff further explained that the City's acquisition of the property would help the City address current needs for the intersection, as well as future capacity growth needs at the intersection of SE 40<sup>th</sup> Street and Island Crest Way. Further discussion outlined a broker's opinion of value for the property, which supports a fair market value purchase price of \$1,175,000.

It was moved by Nice; seconded by Jacobson to:

**Approve Resolution No. 1600 authorizing the purchase of real property and authorizing the City Manager to sign documents required to complete the purchase of real property.**

Passed 6-0

FOR: 6 (Anderl, Jacobson, Nice, Rosenbaum, Weiker, and Wong)

ABSENT: 1 (Reynolds)

It was moved by Nice; seconded by Jacobson to:

**Adopt Ordinance No. 21-15 incorporating certain budget revisions to the 2021-2022 Biennial Budget and Amending Ordinance No. 20-29, 21-07, and 21-11**

Passed 7-0

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

### **AB 5902: Antisemitism Proclamation No. 275 (pulled off Consent by Rosenbaum)**

Councilmember Rosenbaum thanked the City Council and staff for the proclamation and addressed its importance.

It was moved by Rosenbaum; seconded by Anderl to:

**Authorize Mayor Wong to sign Proclamation No. 275 proclaiming an ongoing commitment to be an inclusive community.**

Passed 7-0

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

### **AB 5900: City Manager Performance Review and Evaluation Report (pulled off Consent by Wong)**

City Council thanked City Manager for her service and highlighted her performance during the Pandemic.

It was moved by Anderl; seconded by Nice to:

**Accept City Manager Jessi Bon's performance review and evaluation report from February 2020 through April 2021.**

Passed 7-0

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

### **AB 5910: Town Center Moratorium: Economic Analysis Revised Outputs and Legislative Options Consideration**

Jeff Thomas, Community Planning and Development Interim Director, and Sarah Bluvas, Economic Development Coordinator outlined several legislative options for Council consideration:

1. Do nothing.
2. Amend the TC Sub Area Plan and Zoning Map to remove the moratorium area from the TC and rezone to an exclusive commercial zone such as "General Commercial," "Community Business," or "Neighborhood Business."
3. (A) Amend MICC 19.11.020 Figure 2 to require blanket "retail street frontage" throughout the TC or only blanket throughout the moratorium boundary.  
(B) Amend MICC 19.11.020 Figure 2 to complete surgical additions / deletions to the current map.  
(C) Repeal MICC 19.11.020 (B) and Figure 2 that require "retail street frontage" in the TC and replace with the regulations existing prior to the adoption of Ordinance No. 16C-06.
4. Amend MICC 19.11.020 to add a "no net loss" commercial retail square footage requirement throughout the TC administered on a parcel-by-parcel basis.

5. Amend MICC 19.11.020 to add a “commercial floor area ratio” requirement for properties subject to the requirement in Figure 2.

Staff explained that should City Council direction include amendments to the Town Center development regulations, changes would be presented to the Planning Commission in September. Any Planning Commission recommendation would then be brought forward to City Council in late 2021 for consideration and adoption.

In response to Council direction, staff agreed to return City Council at its August 31 special meeting to present a Town Center methodology that supported the following:

- Updates to MICC 19.11.020(B)(4) Retail Use Required Adjacent to Street Frontages;
- A new Town Center commercial Floor Area Requirement (FAR); and
- The applicability of a new Town Center no net loss requirement.

**AB 5907: Interim Ordinance No. 21C-16 updating and replacing interim development regulations to allow more outdoor seating for eating and drinking establishments during the declared COVID-19 emergency and setting a Public Hearing date.**

Sarah Bluvas, Economic Development Coordinator, explained that Ordinance No. 21C-03, which was adopted on February 16, 2021, and reinstated interim development regulations to allow more outdoor seating for eating and drinking establishments, was due to expire on August 16, 2021. To update and replace the interim regulations for a six-month period, City staff sought adoption of Interim Ordinance No. 21C-16. Ordinance No. 21C-16 would permit outdoor seating for eating and drinking establishments during the declared COVID-19 emergency even if no indoor seating restrictions were effective. It also sets a Public Hearing date of August 31, 2021, as required by statute for an Interim Ordinance.

Staff also explained that upon adoption of this Ordinance, staff would alert the current permit-holder of the renewal process as well as continue marketing the outdoor seating opportunities through the City’s business outreach channels. In addition to the commerce on public property permit, businesses would also be required to provide a certificate of insurance and indemnification (hold harmless). Finally, staff outlined a plan to return later this year to discuss pilot project opportunities to extend and/or formalize these regulations for a longer time horizon.

It was moved by Anderl; seconded by Nice to:

**Adopt Interim Ordinance No. 21C-16 updating and replacing interim regulations to allow more outdoor seating for eating and drinking establishments during the declared COVID-19 emergency and setting a Public Hearing date of August 31, 2021.**

Passed 7-0

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

**AB 5908: Mercer Island Community and Event Center & Recreation Programs and Services Strategy Adoption**

Jason Kintner, Chief of Operations, and Ryan Daly, Operations & Transition Team Manager, outlined the Mercer Island Community and Event Center (MICEC) re-opening which included the following:

- A list of programs and services
- Public operating hours will total 41 hours per week starting at the end of July 2021, with the possibility of adding another 19 hours for gymnasium rentals
- Summer camps are underway and Mercer Island residents are accessing the MICEC for the first time since March 2020

Staff continued, explaining that while 2021 recreation services are being implemented, city staff and consultant, Emily Moon, were preparing the Recreation Division for 2022 and full implementation of the Reset Strategy. Some highlights of what the division will be focused on include:

- Professional management: smart business operations, best practices, accountability, consistency with goals, targeting outcomes.
- Flexible, cross-trained and retained staff.
- Contracting and leveraging partnerships to perform some responsibilities or offer some programs.
- Adding more programs and services; implementing piloting and evaluation practices.
- Aligning facility space allocation with the Strategy and new policies.
- Boosting self-service possibilities and reducing staff inefficiencies.

Staff also reviewed anticipated 2022 program and services, noting that MICEC hours would expand to 64 per week and that potential extra hours for private rentals would also expand to 28 per week, including Sunday rentals. The Reset Strategy also recommends conducting thoughtful evaluations of programs and services and taking a phased approach to implementing additional categories.

Staff reviewed the anticipated challenges, the Arts and Recreation Budget, and the anticipated timeline, noting that development and approval of the 2022 budget would continue throughout the remainder of 2021. The implementation of budgeted programs and services in 2022 would take place over the first half of 2022, as new staff and contractors are brought on-board

Council expressed support for the strategy roll-out and bringing back a version of Summer Celebration. Council also supported considering a budget proposal for lifeguards.

It was moved by Weiker; seconded by Reynolds to:

**Accept the Strategy for the Mercer Island Community and Event Center and Recreation Programs and Services**

Passed 6-0

FOR: 6 (Anderl, Nice, Reynolds, Rosenbaum, Weiker, and Wong)

ABSTAINED: 1 (Jacobson)

#### **AB 5909: 2021 City Council Liaison to Mercer Island Chamber of Commerce**

Sarah Bluvas, Economic Development Coordinator, explained that in March 16, the City Council approved the scope of work for the 2021 Partnership Agreement with the Mercer Island Chamber of Commerce. As part of the partnership, City leadership and the Chamber Board of Directors agreed to create a Liaison position to enhance communications between City Council and the Chamber Board. Staff outlined the liaison role and responsibilities, noting that the suggested responsibilities were modeled on the liaison responsibilities outlined in Section 8.15 of the City Council Rules of Procedure.

Deputy Weiker nominated Councilmember Rosenbaum; there were no objections

It was moved by Nice; seconded by Anderl to:

**Confirm the appointment of Councilmember Rosenbaum as the City Council Liaison to the Mercer Island Chamber of Commerce.**

Passed 7-0

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

#### **AB 5892: 2020 Community Member of the Year Nomination**

Mayor Wong outlined the selection process for the 2020 Community Member of the Year, noting that 2020 was not normal due to the Pandemic. Mayor Wong further noted that once a selection of a nominee is made, staff will invite the nominee to an upcoming City Council meeting so the City Council may formally recognize their contributions to the Mercer Island community.

**Deputy Mayor Weiker nominated Mercer Island Community Fund; there were no objections.**

It was moved by Nice; seconded by Rosenbaum to:

**Select the Mercer Island Community Fund as the 2020 Community Member of the Year.**

Passed 7-0

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

### **OTHER BUSINESS**

#### **Planning Schedule**

It was moved by Jacobson; seconded by Reynolds to:

**Cancel the August 3, August 17, and September 7, 2021 Regular meetings and schedule a special meeting on August 31 at 5 PM.**

Passed 7-0

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

**Councilmember Absences**

There were no absences reported.

**Councilmember Reports**

Councilmember Jacobson reported that he had met the four new police officers and was impressed by all and Chief Holmes selection. Mayor Wong echoed Councilmember Jacobson's comments.

**ADJOURNMENT**

The regular Council Meeting adjourned at 10:34 PM.



Benson Wong, Mayor

Attest:



Deborah Estrada, City Clerk