



CITY COUNCIL MINUTES REGULAR VIDEO MEETING FEBRUARY 16, 2021

CALL TO ORDER & ROLL CALL

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

Mayor Wong, Deputy Mayor Wendy Weiker, and Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds, and David Rosenbaum participated remotely using a video teleconferencing platform by Zoom.

City Manager Bon 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.

Due to technical challenges, Mayor Wong excused himself from the meeting and rejoined a short time later.

PLEDGE OF ALLEGIANCE

Councilmember Nice delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Jacobson; seconded by Nice to:

Approve the agenda.

Passed 7-0

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

SPECIAL BUSINESS

AB 5812: 2019 Annual Financial and Accountability Audit Exit Conference

Representatives of the Washington State Auditor's Office addressed the City Council to report on the results of the Financial and Accountability Audits for the year ending December 31, 2019. The purposed of the Exit Conference was to report on audit results to management prior to publication of the audited financial statements, notes to the financial statement, and required supplementary information on the SAO website.

- Accountability Audit Report
- Financial Statements Audit Report
- Summary of Uncorrected Items
- Exit Recommendations

CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- Update on the Coronavirus
- City Service Updates:
 - February Snow Response
 - Recology Service Delay
 - Thrift Shop Donations on hold through March 13
 - Wear Your Strips on February 28 in support of Rare Disease Day
- MIFYS Foundation Breakfast Fundraiser – over \$440,000
- Anonymous Donation for Police Programs - \$2,000
- 30 Years of Service – Sergeant Noel is Retiring

APPEARANCES

COUNCIL CONNECTS COMMENTS:

Support Adopting Ordinance 21C-02		Oppose Adopting Ordinance 21C02	
Shannon	Derek	Allyson	Susanna
Troy	Richard Winslow	Lita	Ryan Cox
		Aimee	Karen AR
		Araceli	Hannah
		Wang	Mike Radow

The following individuals spoke during public appearances in **SUPPORT** of adopting Ordinance 21C-02, Use of Mercer Island Public Property:

Deb Read	Sunjay Pandey	Matt Goldbach	Matt Galvin
Beth Christofferson	Kevin Cobden	Tom Imrich	Traci Granbois
Bonnie Godfred	Denise Mogil	Robin Russell	Robbie Cape
Tim Punke	Katrina Spaunhurst	Meg Lippert	Tom Jacobs
Brigid Stackpool	Peter Struck	David Ordell	Tom Acker
Jim Mattison	David Wisenteiner	Tim White	Ira Appelman
Sarah Zenz	Doris Cassan	Nikki Norvell	
Victor Raisys	Ben Sharpe	John Hall	

The following individuals spoke during public appearances in **OPPOSITION** to adopting Ordinance 21C-02, Use of Mercer Island Public Property, and/or supported postponing it for 90 days.

Alayne Sulkin	Kiernan Boike	Ruth Gelsey	Marissa Hackett
Hannah Heydon	Linda Floyd	Alison Eisinger	Karen Taylor
Bharat Shyam	Danielle Damasius	Coalition on Homelessness	Addie Smith
Sarah Fredrickson	Roberta Lewandowski	Hannah Lessing	Jenni Mechem
Tammy Heydon	Lori Hughes	Justin Olson	Cullen Mott
Patrick Allcorn	Sara Federman	Joshua Wang	Jordan Friedman
Gwen Loosmore	Robin Klevansky	Gail Stagman	
Ivy Suzuki-Jaecks	Araceli Efigenio	Allyson McDonough	
		Sydney Schwartz	

There being no additional public comments, Mayor Wong closed Appearances at 9:18 PM.

CONSENT CALENDAR

Approve Accounts Payable Report for the periods ending February 1, 2021 (\$559,154.11) and February 5, 2021 (\$249,322.80)

Recommended Action: 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 February 12, 2021 in the amount of \$757,302.97.

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

Approve Minutes of the following meetings:

- January 27, 2021 Special Meeting
- February 2, 2021 Regular Meeting
- February 9, 2021 Special Meeting

Recommended Action: Approve the minutes as written.

AB 5815: Rare Disease Day Proclamation No. 262

Recommended Action: Mayor Wong proclaims February 28, 2021 Rare Disease Day in Mercer Island.

AB 5811: Mayors United Against Antisemitism

Recommended Action: Authorize Mayor Wong to sign the Mayors United Against Antisemitism letter.

AB 5814: Authorizing a Limited-Term Recreation Specialist Position

Recommended Action: Authorize up to \$72,000 of the 2021 Recreation Recovery Plan Startup funding to hire a limited-term Recreation Specialist through the end of 2021.

It was moved by Reynolds; seconded by Rosenbaum to:

Approve the Consent Calendar and the recommendations contained therein as presented and amended.

PASSED: 7-0

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

REGULAR BUSINESS

AB 5816: An emergency ordinance establishing interim development regulations to allow more outdoor seating for eating and drinking establishments and setting a Public Hearing date

Interim Community Planning and Development Director Jeff Thomas explained that Ordinance No. 20C-17 was adopted on August 4, 2020 and established interim development regulations to allow more outdoor seating for eating and drinking establishments. The ordinance expired on February 4, 2021. He went on to explain that to reinstate the interim development regulations for another 6-month period, the City Council needed to adopt Ordinance No. 21C-03 as an emergency ordinance. Ordinance No. 21C-03 would also set a Public Hearing date of April 6, 2021 as required by statute for an interim ordinance. Finally, instead of referencing a specific Governor's plan by name, the ordinance updated references to any Governor's plan related to a declared COVID-19 emergency under which drinking and eating establishments were limited to less than 75% indoor "sit-down" service capacity.

It was moved by Rosenbaum; seconded by Nice to:

Suspend the City Council Rules of Procedure 6.3, requiring a second reading of an ordinance.

Passed: 7-0

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

It was moved by Jacobson; seconded by Reynolds to:

Adopt Ordinance No. 21C-03 establishing interim development regulations to allow more outdoor seating for eating and drinking establishments and setting a Public Hearing date of April 6, 2021.

Passed: 7-0

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

AB 5813: Second Reading of Ordinance No. 21C-02 - Use of Mercer Island Public Property

Police Chief Ed Holmes explained that the Council completed a first reading on January 19 and what the proposed ordinance does and does not do.

It preserves public spaces for their intended purposes.

- Camping without adequate sanitation services presents public health and safety concerns.
- Camping and storage of personal property on public property can prevent access to and use of public property for its intended purposes.

It does not criminalize homelessness.

- Experiencing homelessness is not a crime.
- This ordinance cannot be enforced when shelter space is not available.

Chief Holmes also explained the typical steps taken by the Police Department and their guiding principles:

- Officers assess the situation and needs of the person contacted.
- Options for assistance are offered:
 - King County's Mobile Crisis Team (most common for those experiencing homelessness).
 - Transport to area shelter.
 - Other resources: food bank, clothing resources, Youth & Family Services, mental health provider.
- Guiding Principles:
 - A compassionate approach will be taken when police officers interact with those experiencing homelessness.
 - Priority will continue to be on getting people connected to resources (rather than enforcement).
 - The ordinance will be applied in a fair and equitable manner.

Councilmembers discussed their views and voted accordingly:

It was moved by Jacobson; seconded by Anderl to:

Adopt Ordinance No. 21C-02, adding Chapter 9.60 – Use of Mercer Island Public Property to Title 9 of the Mercer Island City Code

PASSED: 6-1

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

AGAINST: 1 (Reynolds)

It was moved by Rosenbaum; seconded by Jacobson to:

Direct the City Manager to provide the City Council with a report on the experience the City has had with implementation of this ordinance within six months, and to include this information as part of the Annual Police Report.

PASSED: 7-0

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

OTHER BUSINESS

Councilmember Absences

There were no absences reported.

Planning Schedule

City Manager Bon reported that the Planning Schedule in the packet had been updated and that more information would be available in the March 2 packet.

Councilmember Reports

Councilmember Anderl reported that she missed the last Utility Board meeting due to a Special City Council meeting held the same evening.

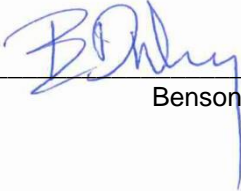
Councilmember Jacobson reported on the Disability Board actions and the recent Eastside Transportation Partnership.

Councilmember Reynolds thanked Deputy Finance Director LaJuan Tuttle for all her work on the Audit and year-end report. He also thanked IT staff and the City Clerk for their efforts in coordinating the Public Appearances.

Deputy Mayor Weiker thanked the Public Works staff for all their work during the snowstorm and the Public Works' leadership in preparing and responding to the incident.

ADJOURNMENT

The regular Council Meeting adjourned at 10:22 pm.



Benson Wong, Mayor

Attest:



Deborah A. Estrada, City Clerk