



CITY COUNCIL MINUTES REGULAR VIDEO MEETING July 20, 2021

EXECUTIVE SESSION

Mayor Benson Wong called the Executive Session to order at 5:00 pm from a remote location to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 90 minutes.

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

Councilmember Jake Jacobson was absent.

At 6:30 PM, City Clerk Deborah Estrada extended the Executive Session on behalf of the City Council for 20 minutes until 6:50 PM. At 6:52 PM Mayor Wong adjourned the executive session. No action was taken.

CALL TO ORDER & ROLL CALL

Mayor Wong called the meeting to order at 6:52 pm from a remote location.

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

Councilmember Jake Jacobson was absent.

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 Rosenbaum delivered the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Nice; seconded by Weiker to:
Approve the agenda as presented.
Passed 6-0
FOR: 6 (Anderl, Nice, Reynolds, Rosenbaum, Weiker, and Wong)
ABSENT: 1 (Jacobson)

SPECIAL BUSINESS

2020 Community Member of the Year Award Presentation

On behalf of the City Council, Mayor Wong presented the 2020 Community Member of the Year Award to The Mercer Island Community Fund (MICF).

Mayor Wong noted that when the adverse impact of the pandemic was gripping our community along with the rest of the world, the MICF Board of Directors was among the first to step up to organize the community and to help those most hurt by the pandemic. MICF led the way in collaboration with other groups in organizing and launching the WeLoveMI COVID Relief Campaign. This campaign continues today and has raised over \$260,000 for small businesses on the Island, and nonprofit organizations on the Island.

Erin Krawiec, Mary Ann Flynn, Sharon Perez, and Carolyn Counihan were present on behalf of the Mercer Island Community Fund and thanked the Council and community for the award and recognition.

CITY MANAGER REPORT

City Manager Bon reported on the following items:

- Primary Election – Ballot Drop Box is Open
- Board & Commission Updates:
 - Upcoming Virtual Meetings
 - Recruitment Update
 - August Recess
- City Service Updates:
 - MI Aid Vehicle struck by concrete debris on July 20
 - Low Pressure Event – July 18
 - Emergency Alerts
 - Water Main Flushing
 - Finance System Technology Upgrade
 - Thrift Shop Operations Update
 - Parks Division Updates
 - Road Construction Update
 - Keeping the Island Clean
 - Report a Service or Maintenance Issue
- Some Good News
 - Mostly Music in the Park returns for three Thursday evenings
 - Thrift Shop Volunteer Recognition

APPEARANCES

The following individuals expressed concern for the damage to open space created by the BMX course and requested that Council address the damage to trees and vegetation:

- Bharat Shyam
- Rita Moore
- Sue Stewart
- Amanda Clark

Addie Smith, Mercer Island, reported that she and her daughter are hate crime survivors and that they were both attacked on the Island. She expressed a desire to end systemic racism on the Island and asked that the Police Department be held accountable.

Callie Ridolfi, Mercer Island, member of the League of Women Voters and co-chair of the City's Climate Action Committee. She explained that their goal is to make sure every Mercer Islander knows that they have an emission reduction goal and that there are actions that everyone can take to address climate change.

CONSENT AGENDA

Approve Accounts Payable Reports for the periods ending:

- A) July 2, 2021 in the amount of \$362,431.59
- B) July 9, 2021 in the amount of \$802,715.11

Approve Minutes of the June 15, 2021 Regular Meeting

AB 5912: July 2, 2021 Payroll Certification

Recommended Action: Approve the July 2, 2021 Payroll Certification in the amount of \$803,351.63 and authorize the Mayor to sign the certification on behalf of the entire City Council.

AB 5905: 2021-2022 Interlocal Agreement with the Mercer Island School District for School-Based

Counseling Services

Recommended Action: Authorize the City Manager to sign an Interlocal Agreement with the Mercer Island School District for counseling services during the 2021-2022 school year.

AB 5914: Parks Deferred Maintenance Plan and Appropriation Request

Recommended Action: Appropriate \$200,000 from the first tranche of ARPA Fiscal Recovery Funds for parks maintenance catch-up work.

~~AB 5913: Bid Award for the Booster Chlorination System Project (Pulled and placed under Regular Business)~~

AB 5911: First Modification to the Interlocal Agreement for the Independent Force Investigation Team – King County (IFIT-KC)

Recommended Action: Authorize the City Manager to sign the First Modification to the interlocal agreement between regional law enforcement agencies for the Independent Force Investigation Team of King County.

AB 5918: Illuminate MI - 2021 Appropriation

Recommended Action: Appropriate \$50,000 from the FY2020 General Fund Surplus to develop and implement Illuminate MI - 2021

AB 5919: Volunteer Recognition Event Appropriation Request

Recommended Action: Appropriate \$5,000 from the 2020 General Fund Surplus to develop and implement a volunteer recognition event on Thursday, September 2, at Mercerdale Park.

Mayor Wong requested that AB 5913: Bid Award for the Booster Chlorination System Project be pulled and placed under Regular Business.

It was moved by Nice; seconded by Reynolds to:

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

PASSED: 6-0

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

ABSENT: 1 (Jacobson)

REGULAR BUSINESS

AB 5913: Bid Award for the Booster Chlorination System Project

The objective of the Booster Chlorination System project is to maintain adequate levels of secondary disinfectant in the City's water storage tanks and distribution system to prevent coliform growth. In conjunction with the Supervisory Control and Data Acquisition Water project, currently under construction, the project will strengthen the City's water supply system and improve system operations for water quality control.

Mayor Wong recognized staff and the work on this project.

It was moved by Anderl; seconded by Nice to:

Award Bid No. 21-28 to Harbor Pacific Contractors, Inc., a Washington-based company, for the construction of a permanent booster disinfection system for the City's Reservoir and Main Pump Station

PASSED: 6-0

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

ABSENT: 1 (Jacobson)

It was moved by Nice; seconded by Weiker to:

Authorize the City Manager to execute a contract with Harbor Pacific Contractors, Inc., in an amount not to exceed \$2,115,642.

PASSED: 6-0

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

ABSENT: 1 (Jacobson)

AB 5915: Town Center Parking Study Scope of Work

The following staff members outlined the Town Center Parking Study Scope of Work, noting that the City Council participated in a project scoping discussion last May that provided input that would inform the development of the Request for Proposals for a Town Center Parking Study:

- Jason Kintner, Chief of Operations
- Ed Holmes, Chief of Police
- Jeff Thomas, Interim Community Planning & Development Director
- Sarah Bluvus, Economic Development Coordinator

Goals for the Town Center Parking included:

- Create a parking program that activates the Town Center, supports small businesses, and enhances the Town Center visitor experience.
- Ensure Island residents have priority access to public transportation.
- Determine if on-site commercial parking and multi-family residential parking are adequately supplied and utilized. Identify options for increasing and/or regulating its use.

Staff reviewed the draft scope, which outlined six areas of analysis, and posed research questions to provide more context on what the City hopes to learn from the analysis:

- Park Supply:
 - What is the current supply of on-street and off-street parking?
 - Are there opportunities to increase on-street parking capacity?
- Parking Usage:
 - What is the current and future demand for Town Center parking?
 - How do different user groups currently use Town Center parking?
 - To what extent can we change user behavior to better optimize parking supply and use?
- Parking Regulations:
 - What are gaps or opportunities for improving municipal code that regulates Town Center parking?
 - How can we streamline the current range of parking requirements allowed in the code?
 - How can we update regulatory authority to better enforce parking regulations?
 - Do we have options for increasing/regulating use of multi-family residential parking in Town Center?
- Parking Management:
 - How is our parking permit program running currently?
 - Where do we need to improve (e.g. opportunities for cost recovery, expanded enforcement, etc.)?
 - What are best practices for parking zone limits?
- Wayfinding - How can we improve signage and other wayfinding / messaging to communicate parking options throughout Town Center?
- Town Center Activation:
 - Relevant to outdoor dining and other local business needs supported during the pandemic
 - Are there opportunities to repurpose parking supply to activate Town Center and support local businesses?
 - How can we improve municipal code to enable these types of opportunities?

Other considerations included Consultant Methodology and Stakeholder Engagement and Public Input.

Staff requested two to three Councilmembers participate in the selection process to accomplish the following tasks:

- Review and score proposal submittals
- Prepare a short-list of candidates to invite for interviews
- Participate in candidate interviews and ranking
- Participate in development of candidate recommendation for Council approval

The RFP is expected to be released August 2 with proposals due to the City by September 7. Candidate interviews are expected to occur in October and the consultant selection and contract award were tentatively scheduled of the October 19 Council meeting.

There was **Council Consensus** to support the study goals and scope of work.

It was moved by Nice; seconded by Weiker to:

Appoint Councilmembers Anderl, Jacobson, and Reynolds to serve on the consultant selection committee.

PASSED: 6-0

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

ABSENT: 1 (Jacobson)

AB 5903: Development Code Amendment ZTR19-004 Small Cell / Wireless Facilities (Ord. No. 21C-12 Second Reading)

Jeff Thomas, Community Planning and Development Interim Director, and Alison Van Gorp, Deputy Director, explained that the Planning Commission had recommended approving a proposed code amendment to repeal the existing interim wireless communications and small cell regulations contained in Mercer Island City Code (MICC) Chapter 19.06 and replace it with permanent regulations, as well as to adopt related clean up amendments within MICC Chapters 19.15 and 19.16.

After the first reading in June, and at the direction of City Council, staff made several revisions to the draft code amendment. The City Council also 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 similar to a native conifer tree. Based on staff research, it was not recommended to include this type of concealment standard in the revised code. Staff will continue to monitor developments in small cell concealment technology options and bring the matter back to City Council if and when technology and concealment standards change.

It was moved by Nice; seconded by Weiker to:

Amend Exhibit B, Section 19.06.070 “Small wireless facilities deployment” Subsection C to read as follows:

Hollow poles that can conceal equipment and appurtenances are required in Undergrounded Utility Areas, if feasible, and preferred in all other portions of the City.

PASSED: 6-0

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

ABSENT: 1 (Jacobson)

It was moved by Nice; seconded by Anderl to:

Adopt Ordinance No. 21C-12, amending Chapters 19.06, 19.15, and 19.16 to revise standards and communications facilities and repealing the temporary regulations contained in Ordinance 21-08.

PASSED: 6-0

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

ABSENT: 1 (Jacobson)

AB 5917: Public Access Easement Mid-Block Pedestrian Connection – Xing-hua Project

Jeff Thomas, Community Planning and Development Interim Director, explained the easement and that authorization to approve acceptance of a grant of a 20' public access easement to the City for a mid-block pedestrian connection between 77th Avenue SE and 78th Avenue SE associated with the Xing-hua project was requested. He further noted that the easement constituted the northern most 20' of the project site spanning two existing tax parcels. Per State law, the City Council must authorize changes to property interests for all public property.

It was moved by Nice; seconded by Reynolds to:

Authorize the City Manager to execute instruments, subject to approval as to form by the City Attorney, accepting a grant of a 20' public access easement to the City, substantially in the form proposed in Exhibit 3 of AB5917

PASSED: 6-0

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

ABSENT: 1 (Jacobson)

AB 5916: Acceptance of Grant of Public Access Easements for Sidewalks and Extinguishment of Public Access and Landscape Easements – Xing-hua Project

Jeff Thomas, Community Planning and Development Interim Director, explained that staff was seeking authorization to approve the granting of three new public access easements to the City for sidewalks on 77th Avenue SE, 29th Street SE, and 78th Avenue SE (plus an easement replacement on the NW corner of 29th Street SE and 78th Avenue SE) associated with the Xing-hua project. Additionally, the extinguishment of one public access easement was proposed on the corner of 29th Street SE and 78th Avenue SE and one public landscape easement on 78th Avenue SE to accommodate the new public access easements. Per State law, the City Council must authorize changes to property interests for all public property.

It was moved by Nice; seconded by Weiker to:

Authorize the City Manager to execute instruments, subject to approval as to form by the City Attorney, accepting the grant of three new public access easements to the City for sidewalks on 77th Avenue SE, 29th Street SE and 78th Avenue SE (plus an easement replacement on the NW corner of 29th Street SE and 78th Avenue SE), as well as the extinguishing one public access easement on the corner of 29th Street SE and 78th Avenue SE and one public landscape easement on 78th Avenue SE, substantially in the form proposed in Exhibit 4.

PASSED: 6-0

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

ABSENT: 1 (Jacobson)

OTHER BUSINESS

Planning Schedule

City Manager Bon reported that the August meetings were canceled and that a Special meeting would be scheduled on August 31 in place of holding the Regular Council Meeting on September 7.

Councilmember Absences

Councilmember Jacobson's absence was excused.

Councilmember Reports

Deputy Mayor Weiker – Reported on Sustainability MI tour of Cedar Grove.

Councilmember Reynolds thanked staff for quickly addressing the water pressure issue over the weekend.

Councilmember Rosenbaum reported on a Department of Ecology comment period on a new rule regarding waste water treatment. Mayor Wong expanded, explaining that there are proposed regulations regarding a permit process intended to reduce the amount of nitrogen being deposited in Puget Sound. The response period was extended to August 16 to allow for more comments. There was **Council Consensus** to authorize the City Manager and Chief of Operations to review King County's letter prior to sending it to the DOE

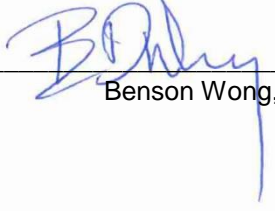
EXECUTIVE SESSION

At 10:06 PM, Mayor Wong announced that the City Council would recess and then go into executive session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately one hour. No action to be taken.

At 11:07 PM, Mayor Wong extended the Executive Session for 20 minutes.

ADJOURNMENT

The regular Council Meeting adjourned at 11:29 PM.



Benson Wong, Mayor

Attest:



Deborah Estrada, City Clerk