



# CITY COUNCIL MINUTES SPECIAL VIDEO MEETING JUNE 9, 2020

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## CALL TO ORDER & ROLL CALL

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

Mayor Benson 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 Attorney Bio Park and several additional staff members participated from remote locations.

City Manager Jessi Bon and City Clerk Deborah Estrada participated remotely from separate rooms at City Hall, 9611 SE 36<sup>th</sup> Street, Mercer Island, Washington.

## PLEDGE OF ALLEGIANCE

Mayor Wong led the Council in the Pledge of Allegiance.

## AGENDA APPROVAL

It was moved by Rosenbaum; seconded by Weiker to:

**Approve the agenda as presented.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

## CITY MANAGER REPORT

City Manager Bon reported on the following:

- Mercer Island Food Pantry Schedule Changes
- CPD Operations Update
- Parks Operations
- Coronavirus & Modified Phase 1 Update
- Emergency Operations Center Report Out
- Emergency Assistance Donations
- Thank you to MIHS Graduating Senior, Poly Schaps
- Congratulations Class of 2020
- Honor a Grad with a gift to WeLoveMI

## APPEARANCES

There were no individuals that requested to speak live under appearances.

Ira B. Appelmann, (Lets Talk, Council Connects), expressed his objection to the retroactive action outlined in Agenda Bill 5712, explaining that the agenda bill did not justify the legality of retroactive motions. He further explained that no reason was given for not simply passing the ordinance again after suspending the rules or considering it as a second reading during the current meeting and believed it would set a dangerous precedent.

## CONSENT CALENDAR

**Payables Reports** for the Periods Ending May 29, 2020 in the amount of \$205,221.81

**Recommendation:** Certify that the materials or services herein before specified have been received and that all warrant numbers listed are approved for payment.

**Certification of Payroll** dated June 5, 2020 in the amount of \$761,970.98

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

Approve the **Minutes** of the May 27, 2020 City Council Special Video Meetings.

AB 5705: King County Regional 2020 Hazard Mitigation Plan Adoption

**Recommended Action:** Adopt King County 2020 Regional Hazard Mitigation Plan (RHMP) to include the Mercer Island Annex.

~~AB 5712: Retroactive suspension of Council Rules of Procedure 6.3 for adopting Ord. No. 20-08~~

~~**Recommended Action:** Authorize a retroactive suspension of the City Council Rules of Procedure 6.3 providing for the adoption of Ordinance No. 20-08 on its first reading.~~

At Councilmember Anderl's request, Mayor Wong removed Agenda Bill 5712 from the Consent Calendar and moved it to the first item of Regular Business for discussion.

It was moved by Jacobson; seconded by Anderl to:

**Approve the Consent Calendar as amended.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

## REGULAR BUSINESS

**AB 5712: Retroactive suspension of Council Rules of Procedure 6.3 for adopting Ord. No. 20-08**

City Attorney Bio Park explained that the requirement to waive the second reading of an ordinance in order to adopt it at first reading is a rule in the City Council Rules of Procedure and not a statutory requirement, thereby giving Council broad authority to correct procedural missteps.

Park also noted that staff considered various ways in which to correct the adoption of Ord 20-08 at first reading without waiving second reading, including bringing back the ordinance as a seconding reading and adoption, ratifying last week's action, or bringing it back for rule waiver and adoption. In the end, it was decided that the simplest method would be to waive the rule retroactively, because the other options would require additional steps, including reversing the action taken at the June 2 meeting to adopt the ordinance and canceling the publication of the ordinance, which would delay the ordinance's effective date.

It was moved by Reynolds; seconded by Weiker to:

**Authorize a retroactive suspension of the City Council Rules of Procedure 6.3 providing for the adoption of Ordinance No. 20-08 on its first reading.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

**AB 5697: ARCH 2019 Housing Trust Fund Project Funding Approval**

CPD Deputy Director Alison Van Gorp and ARCH Executive Manager Lindsay Masters, provided an overview of the six projects recommended by the ARCH Executive Board for funding from Mercer Island's contributions to the ARCH Housing Trust Fund (HTF):

- Samma Senior Apartments
- Eastside men's Shelter

- Polaris at Eastgate
- Together Center Redevelopment
- Sharing Living Home 1
- Adult Family Home 8

Approval of funding for these projects would allocate funds contributed to the HTF in 2018 and 2019, totaling \$106,950. Council asked several questions, to which staff responded.

It was moved by Reynolds; seconded by Weiker to:

**Approve the use of \$106,950 from the City’s contributions to the ARCH Housing Trust Fund as recommended by the ARCH Executive Board and authorize execution of any related agreements and documents.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

### **AB 5701: COVID-19 Response: Financial Status Update and Phase 3 Cost Saving Measures**

Interim Finance Director Matt Mornick explained that at the June 2 Council meeting, staff committed to return at the June 9 meeting and provide the City Council with a financial status report and detail on the \$1.2 million in Phase 3 cost saving measures to help address the remaining projected General Fund revenue shortfall.

Mornick’s status report summarized revenue collected (\$9.3 M) and expenditure (\$10.5 M) actuals through April, 2020, noting that savings from measures executed during the pandemic began in early May and the big three revenues were on track.

Phase 3 Cost Saving Measures included:

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|--|-----------|
| • Reduced Transfer to the Equipment Rental Fund          | \$277,200 |
| • Departmental One-time Budget Savings                   | \$518,900 |
| • Municipal Court Staffing Reductions                    | \$ 13,000 |
| • Community Planning and Development Staffing Reductions | \$388,900 |

Mornick went on to outline the Phase 3 impacts on unemployment and the Compensated Absences Reserve. Staff then explained that furloughs were not included in Phase 3 reductions, noting that while a single day furlough would generate approximately \$25,000 in savings to the General Fund, the City Manager is not recommending this approach due to current staffing levels. With Phase 1, 2, and 3 adjustments, the remaining revenue shortfall is estimated at \$371,700.

Council enquired about Municipal Court costs and when the Court is expected to open. Council also discussed whether REET funds from the sale of the Farmers Insurance building could be used to bridge the gap in the General Fund, to which staff explained that REET funds are restricted revenues that can be used for two purposes only, 1) buildings, parks, streets, and trails or 2) parks, streets, and trails, but not for public facilities.

Some Councilmembers suggested that the Fleet size and fund be reviewed going into the next biennium, to which City Manager Bon agreed and noted that while staffing has reduced, the COVID pandemic had required that only one staff member per vehicle is allowed until such time that the distancing restrictions are lifted.

In response to Council requests, staff reassured City Council that meeting presentations are loaded to the online agenda within 24 to 48 hours, if not sooner. To the extent possible, meeting presentations will be provided sooner rather than later, with the understanding that many presentations are created and changed frequently in response to Council questions.

In summary, Council requested that staff look at available options for REET funds, review Municipal Court expenditures and revenues, and consider the long-term needs of the Fleet size and funding. In response, City Manager Bon did not recommend additional staff reductions and requested that Council allow staff to look at another month of actuals, before bringing back a recommendation with updated assumptions to close the General Fund gap. She projected that staff would be prepared to bring additional information back to the City Council in late July, early August. Bon further projected that the capital budget discussion would continue later in the fall.

## **AB 5713: City Council direction on proposed PIC recommendations to the SCA Board of Directors**

Mayor Wong explained that he serves as the City of Mercer Island representative and that at the June 10 Public Issues Committee, there would be a discussion on the proposed King County Rates and Fees and COVID-19 Legislative Priorities. He further explained that the PIC is recommending that the SCA Board of Directors adopt the following policy positions:

- 1) The SCA urges King County and other entities to forego any increases in rates and fees in light of the COVID-19 public health emergency and the resulting economic impacts.

Deputy Mayor Weiker recused herself from taking a position on policy positions.

**Council Consensus** - oppose any increase in rates and fees.

- 2) The SCA adopt the AWC legislative priorities related to COVID-19 response and relief in advance of a potential special session of the Washington State Legislature in 2020.

**Council Consensus** – support legislative priorities.

## **OTHER BUSINESS**

### **Planning Schedule**

City Manager Bon reported on the following:

- June 16 Regular City Council meeting includes two public hearings, YFS Fund and Thrift Shop Remodel, and Shoreline Master Plan
- After June 16, there is a two-week break that will provide an opportunity to build out the Planning Schedule. Staff will bring back a revised Work Plan on July 7
- An August 4 meeting may be necessary to catch up, but the second meeting in August is still tentatively canceled.
- Staff will contact Council to coordinate check-in meetings between City Council and the City Manager

### **Councilmember Absences**

There were no absences reported.

### **Councilmember Reports**

Councilmembers Reynolds, Rosenbaum, and Deputy Mayor Weiker requested to discuss actions for the city to consider opposing racism and encourage inclusion and diversity.

Deputy Mayor Weiker:

- Congratulations to the 2020 graduates
- KC Climate Collaborative has their latest commitment out

Councilmember Rosenbaum:


- Attended the June 3 Vigil
- Congratulations to Farmers Market start up last Sunday, June 7
- Congrats to the 2020 Mercer Island High School graduates
- Disability Board met last Friday, June 5

Mayor Wong:

- Attended the June 3 Vigil
- Attended K4C Summit and Work session
- Reminder that the Council will identify volunteers to serve as AWC voting delegates at the June 16 Regular Meeting

**ADJOURNMENT**

There being no additional business to come before City Council, the Special Video Meeting adjourned at 7:56 PM

  
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Benson Wong, Mayor

Attest:

  
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Deborah A. Estrada, City Clerk