



# CITY COUNCIL MINUTES SPECIAL HYBRID MEETING JUNE 6, 2023

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## EXECUTIVE SESSION #1

At 5:02 pm, Mayor Nice convened an Executive Session via Microsoft Teams. The Executive Session was to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) and for planning or adopting the strategy or position to be taken by the City Council during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress pursuant to RCW 42.30.140(4)(b).

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmembers Lisa Anderl, Jake Jacobson, Craig Reynolds, Wendy Weiker and Ted Weinberg participated via Microsoft Teams.

Mayor Nice adjourned the Executive Session at 5:40 pm.

## CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the Special Hybrid Meeting to order at 5:45 pm from a remote location.

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmember Lisa Anderl, Jake Jacobson, Craig Reynolds, Wendy Weiker, and Ted Weinberg participated remotely using Zoom.

## PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

## AGENDA APPROVAL

It was moved by Rosenbaum; seconded by Reynolds to:

**Approve the agenda.**

PASSED: 7-0

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

## STUDY SESSION

### AB 6281: Joint City Council and Utility Board Study Session: April Water Emergency Debrief

Mayor Salim Nice welcomed the Utility Board and thanked them for joining the meeting. Utility Board Chair Tim O'Connell, Vice Chair Steve Milton, and Board Members Meredith Lehr, William Pokorny, and Will Quantz participated remotely using Zoom.

Deputy Public Works Director Alaine Sommargren introduced the following staff from Seattle Public Utilities (SPU): Alex Chen, Water Line of Business and Shared Services Branch Deputy Director, Julie Crittenden, Water Planning and Program Management Division Director, Wylie Harper, Water Operations and System Maintenance Division Director, and Kathy Curry, Wholesale Water Contracts Manager.

Mr. Chen presented information about the Seattle Regional water system, how water gets on to Mercer Island through the subregional pipelines system, the planned pipeline shut down and what happened with both broken valves, and the work that went into repairing the valves. Mr. Chen also spoke about lessons learned and next steps including development of options for long-term improvements, ordering and stocking of spare valves, and looking at valve exercising and maintenance protocols.

The City Council and the Utility Board asked questions of SPU staff.

## CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- **Council, Boards & Commission Meetings:** Update on the City Hall closure, anticipating that City Hall will remain closed through the Summer. Upcoming City Council Meeting on June 20 and upcoming Planning Commission Meeting on June 7.
- **City Services Updates:** Update on the Bike Skills Area, MIFD participated in a Wildland Fire training.
- **Upcoming Events:** Summer Celebration is on July 15 and includes the return of the Community Parade, thank you sponsors!
- **News:** Dedication of Riley Cove on June 6.

## APPEARANCES

Amy Hart, Bellevue, spoke about the Pea Patch.

Addie Smith spoke about being a hate crime survivor.

Audrey Covner, Mercer Island, spoke in support of AB 6274 regarding Business Zone permitted use.

Anjli Grant, Seattle, spoke in support of AB 6274 regarding Business Zone permitted use.

Daniel Thompson, Mercer Island, spoke about AB 6265 regarding Aubrey Davis trail safety improvements.

## CONSENT AGENDA

### AB 6273: May 19, 2023 Payroll Certification

**Recommended Action:** Approve the May 19, 2023 Payroll Certification (Exhibit 1) in the amount of \$998,448.77 and authorize the Mayor to sign the certification on behalf of the entire City Council.

#### Certification of Claims:

- A. Check Register | 215805-215857 | 5/12/2023 | \$906,952.20
- B. Check Register | 215858-215933 | 5/19/2023 | \$735,553.50
- C. Check Register | 215934-216023 | 5/26/2023 | \$357,793.84
- D. EFT Payments | April 2023 | \$2,516,343.26

**Recommended Action:** Certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

#### Revised City Council Meeting Minutes of:

- A. May 16, 2023 Special Hybrid Meeting
- B. May 23, 2023 Special Hybrid Meeting

**Recommended Action:** Approve the revised minutes of the May 16, 2023 Special Hybrid Meeting and of the May 23, 2023 Special Hybrid Meeting.

### AB 6263: Roadside Shoulder Improvements, West Mercer Way Phase 3

**Recommended Action:** Accept the completed Roadside Shoulder Improvements West Mercer Way Phase 3 project and authorize staff to close out the contract.

### AB 6265: Aubrey Davis Park Trail Safety Improvements Design Recommendation

**Recommended Action:** Accept the design recommendation from the Parks & Recreation Commission, authorize the City Manager to finalize the design documents and advertise the project for construction

bids, and direct staff to provide project updates to the Parks & Recreation Commission as project work continues.

**AB 6272: Pride Month, Proclamation No. 310**

**Recommended Action:** Approve Proclamation No. 310 proclaiming the month of June Pride Month on Mercer Island.

**AB 6280: Juneteenth Proclamation No. 311**

**Recommended Action:** Approve Proclamation No. 311 proclaiming June 19th as Juneteenth on Mercer Island.

**AB 6274: Development Code Amendment – Business Zone Permitted Uses (Second Reading Ord No. 23C-08)**

**Recommended Action:** Adopt Ordinance No. 23C-08, amending MICC 19.04.050 to permit public and private schools in the Business Zone.

**AB 6275: 2018 Street Projects Closeout**

**Recommended Action:** Accept the 2018 SE 40th Street Corridor Improvements, the 2018 Arterial and Residential Street Overlays, and the 2018 Arterial and Residential Chip Seal project and authorize staff to complete the closeout of these construction contracts.

**AB 6276: 2023 Residential Street Overlays Project Bid Award**

**Recommended Action:**

1. Set the total project budget to \$1,223,967.
2. Award schedules A, B, and C of the 2023 Residential Street Overlays project to Lakeside Industries, Inc., a Washington-based company, and authorize the City Manager to execute a contract with Lakeside Industries, Inc in an amount not to exceed \$1,019,877.

**AB 6282: Interlocal Agreement with MISD for Mental Health Counseling Services**

**Recommended Action:** Authorize the City Manager to sign the interlocal agreement with the Mercer Island School District for mental health counseling services during the 2023-2024 school year substantially in the form attached as Exhibit 1 to AB 6282.

It was moved by Jacobson; seconded by Reynolds to:

**Approve the Consent Agenda and the recommended actions contained therein.**

PASSED: 7-0

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

**PUBLIC HEARING**

**AB 6278: Public Hearing 2024-2029 Six-Year Transportation Improvement Program (Public Hearing Continued from May 2 Meeting)**

Mayor Nice opened the Public Hearing at 7:10 pm. There being no public comment, Mayor Nice Closed the Public Hearing at 7:11 pm.

**REGULAR BUSINESS**

**AB 6277: 2023 Board & Commission Annual Appointments (Resolution. No. 1644)**

Mayor Nice reviewed the process for board and commission appointments noting that the applicants that receive the most votes, provided they received a minimum of four votes, would be appointed to the vacant

positions on the board or commission. The names of the applicants would then be added to Resolution No. 1644 with final approval by a vote of the City Council.

**Arts Council** – Two open positions; two applications received.

**Position 1 - Term 2027** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Suzanne Skone and Hannah Youn

The ballots were tallied, and Suzanne Skone received seven votes to be appointed to the Arts Council, Position 1, expiring May 31, 2027.

**Position 1 Ballot Results:**

Anderl - Suzanne Skone  
Jacobson - Suzanne Skone  
Nice - Suzanne Skone  
Reyolds - Suzanne Skone  
Rosenbaum - Suzanne Skone  
Weiker - Suzanne Skone  
Weinberg - Suzanne Skone

**Position 2 - Term 2027** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Suzanne Skone and Hannah Youn

The ballots were tallied, and Hannah Youn received seven votes to be appointed to the Arts Council, Position 2, expiring May 31, 2027.

**Position 2 Ballot Results:**

Anderl - Hannah Youn  
Jacobson - Hannah Youn  
Nice - Hannah Youn  
Reyolds - Hannah Youn  
Rosenbaum - Hannah Youn  
Weiker - Hannah Youn  
Weinberg - Hannah Youn

Mayor Nice reminded Council that in accordance with City Code City Council should seek to fill the open position on the Design Commission with a landscape architect, an urban planner or a lay person who is a property/business owner in Town Center.

**Design Commission** – Two open specialist positions; six applications received.

**Position 1 - Term 2027** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Megan Atkinson, Sarah Fletcher, Traci Granbois, Valerie Lanterman, Jason Rogers, and Hannah Youn

The ballots were tallied, and Megan Atkinson received five votes to be appointed to the Design Commission, Position 1, expiring May 31, 2027.

**Position 1 Ballot Results:**

Anderl - Megan Atkinson  
Jacobson – Traci Granbois  
Nice - Megan Atkinson  
Reyolds - Megan Atkinson  
Rosenbaum - Megan Atkinson  
Weiker - Megan Atkinson  
Weinberg - Jason Rogers

**Position 2 - Term 2027** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Megan Atkinson, Sarah Fletcher, Traci Granbois, Valerie Lanterman, Jason Rogers, and Hannah Youn

The ballots were tallied, and Traci Granbois received six votes to be appointed to the Design Commission, Position 2, expiring May 31, 2027.

**Position 2 Ballot Results:**

Anderl - Traci Granbois  
Jacobson - Traci Granbois  
Nice - Traci Granbois  
Reynolds - Traci Granbois  
Rosenbaum - Traci Granbois  
Weiker - Traci Granbois  
Weinberg - Jason Rogers

**Parks & Recreation Commission** – Two open positions; twelve applications received.

**Position 1 - Term 2027** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Lacey Aaker, Ka Anderson, Daniel Becker, Don Cohen, Sarah Fletcher, Chriz Goelz, Ashley Hay, Lindsey Holt, Daniel Norwood, Joanna Sheppard, Robert Weisman, and Hannah Youn.

The ballots were tallied, and Don Cohen received six votes to be appointed to the Parks & Recreation Commission, Position 1, expiring May 31, 2027.

**Position 1 Ballot Results:**

Anderl - Don Cohen  
Jacobson - Ashley Hay  
Nice - Don Cohen  
Reynolds - Don Cohen  
Rosenbaum - Don Cohen  
Weiker - Don Cohen  
Weinberg - Don Cohen

**Position 2 - Term 2027** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Lacey Aaker, Ka Anderson, Daniel Becker, Don Cohen, Sarah Fletcher, Chriz Goelz, Ashley Hay, Lindsey Holt, Daniel Norwood, Joanna Sheppard, Robert Weisman, and Hannah Youn.

The ballots were tallied, and Ashley Hay received six votes to be appointed to the Parks & Recreation Commission, Position 2, expiring May 31, 2027.

**Position 2 Ballot Results:**

Anderl - Ashley Hay  
Jacobson - Ashley Hay  
Nice - Ashley Hay  
Reynolds - Ashley Hay  
Rosenbaum - Ashley Hay  
Weiker - Ashley Hay  
Weinberg - Daniel Becker

**Planning Commission** – Three open positions; seven applications received.

**Position 1 - Term 2027** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Lacey Aaker, Angela Battazzo, Kian Bradley, Chris Goelz, Jonathan Harrington, Michael Murphy, and Hannah Youn.

The ballots were tallied, and Michael Murphy received six votes to be appointed to the Planning Commission, Position 1, expiring May 31, 2027.

**Position 1 Ballot Results:**

Anderl - Angela Battazzo  
Jacobson - Michael Murphy  
Nice - Michael Murphy  
Reynolds - Michael Murphy  
Rosenbaum - Michael Murphy  
Weiker - Michael Murphy  
Weinberg - Michael Murphy

**Position 2 - Term 2027** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Lacey Aaker, Angela Battazzo, Kian Bradley, Chris Goelz, Jonathan Harrington,

Michael Murphy and Hannah Youn.

The ballots were tallied, and Angela Battazzo received six votes to be appointed to the Planning Commission, Position 2, expiring May 31, 2027.

**Position 2 Ballot Results:**

Anderl - Angela Battazzo  
Jacobson - Angela Battazzo  
Nice - Angela Battazzo  
Reynolds - Angela Battazzo  
Rosenbaum - Angela Battazzo  
Weiker - Angela Battazzo  
Weinberg - Chris Goelz

**Position 3 - Term 2024** - City Clerk Larson emailed the ballots to each Councilmember with a list of the following applicants: Lacey Aaker, Angela Battazzo, Kian Bradley, Chris Goelz, Jonathan Harrington, Michael Murphy, and Hannah Youn.

The ballots were tallied, and Chris Goelz received five votes to be appointed to the Planning Commission, Position 3, expiring May 31, 2024.

**Position 3 Ballot Results:**

Anderl - Chris Goelz  
Jacobson - Chris Goelz  
Nice - Chris Goelz  
Reynolds - Kian Bradley  
Rosenbaum - Lacey Aaker  
Weiker - Chris Goelz  
Weinberg - Chris Goelz

City Clerk Larson read the appointments section of Resolution No. 1644.

It was moved by Jacobson; seconded by Reynolds to:

**Approve Resolution No. 1644, appointing those voted on to fill the vacancies on the Arts Council, Design Commission, Parks & Recreation Commission, and Planning Commission, and setting the appointment date as June 9, 2023.**

PASSED: 7-0

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

**AB 6279: AWC 2023 Business Meeting Voting Delegate**

Mayor Nice explained to the City Council that they need to select voting delegates to attend the AWC Business meeting in June. Councilmember Weiker said she would be attending the AWC Conference and could be the voting delegate.

It was moved by Reynolds; seconded by Jacobson to:

**Appoint Councilmember Weiker as the voting delegate at the AWC 2023 Business Meeting in June.**

PASSED: 7-0

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

**AB 6284: Repeal Ordinance No. 23C-04 related to the Adoption of the 2021 Construction Codes**

CPD Director Jeff Thomas presented the background on the repeal of Ordinance No. 23C-04 to maintain the current construction codes in MICC Title 17 to maintain compliance with state law since. He spoke about how the Washington State Building Code Council delaying the adoption of the 2021 Building Code for 120 days and discussed the next steps, including the further amendments to the residential and commercial energy codes, and when the building codes will return to City Council for approval this fall.

It was moved by Jacobson; seconded by Rosenbaum to:

**Adopt at first reading under City Council Rules of Procedures 6.3(C)(3), Ordinance No. 23C-07 repealing Ordinance No. 23C-04 and maintaining the current construction codes in MICC Title 17.**

PASSED: 7-0

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

Council was in recess from 7:41-7:51 pm

### **AB 6283: Initial Discussion of Regional Fire Service Proposals**

City Manager Jessi Bon presented an overview of the Regional Fire Service Proposals that were received from the City of Bellevue and Eastside Fire and Rescue. She provided background of the Mercer Island Fire Department (MIFD) and the current MIFD staffing model and spoke how there would be no reduction in service levels in a Regional Fire service model. City Manager Bon spoke about how fire services are different now than even a few decades ago and cover many more services than just fire emergencies. She spoke about how a regional collaboration often provides for enhanced fire and emergency services, introducing specialty services not available through a smaller department, in a cohesive, efficient, and cost-efficient manner. City Manager Bon discussed what mutual aid agreements are and how MIFD works currently with in a mutual aid structure through a regional coordination framework. She discussed the trends in the region of regionalizing fire services and that most surrounding communities have moved to a regional services model.

City Manager Bon discussed the review of Regional Fire Services Proposals that were received from the City of Bellevue and Eastside Fire and Rescue that has been conducted by staff and the City Council ad-hoc committee that have met four times in the month of May. She also discussed next steps in the City Manager recommendation to the City Council on the adoption of a Regional Fire Services Model.

Management Analyst Robbie Cunningham-Adams presented the initial cost analysis of MIFD compared to the proposals received from Eastside Fire and Rescue and City of Bellevue, as shown in Exhibit 1 of AB 6283. He walked through the costs for each entity covering anticipated costs for 2024.

City Council discussed the proposals and asked questions of staff.

It was moved by Weinberg; seconded by Reynolds to:

**Ask staff to gather COLA information from the past 5 years for Mercer Island, Eastside Fire and Rescue, and City of Bellevue, and prepare an analysis for the council of whether the historical gap between Mercer Island's COLAs and those of Eastside Fire and Rescue and City of Bellevue would, if projected forward 10 years, have a material impact on the cost savings, if any of outsourcing the Fire Department**

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Weinberg; seconded by Reynolds to:

**Ask staff to ask Eastside Fire and Rescue and City of Bellevue to provide an itemization of their Administration Fees, showing how much of their Administration Fee would go to each department or leadership role.**

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

It was moved by Reynolds; seconded by Weinberg to:

**Ask the City Manager to identify two to three cities that have subcontracted with one of these fire agencies and interview the City Manager or Mayor of those cities to report back to the ad hoc committee on their experience with being a subcontractor.**

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

AGAINST: 5 (Anderl, Jacobson, Nice, Rosenbaum, and Weiker)

Council was in recess from 9:31pm - 9:38pm.

## **AB 6278: Adoption of 2024-2029 Six-Year Transportation Improvement Program Review**

Deputy Public Works Director Patrick Yamashita introduced the 2024-2029 Six-Year Transportation Improvement Program (TIP).

Transportation Engineer Lia Klein presented the review process of the 2024-2029 Six-Year TIP and discussed the changes to the TIP since May 2 to include the Mercer Way Shoulder Study.

The City Council discussed the TIP and asked questions of staff.

It was moved by Jacobson; seconded by Rosenbaum to:

**Adopt the 2024-2029 Transportation Improvement Program as reflected in Exhibit 3.**

PASSED: 7-0

FOR (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker, and Weinberg)

## **OTHER BUSINESS**

### **Planning Schedule**

City Manager Jessi Bon spoke about the June 20 and the July 5 City Council Meetings.

### **Councilmember Absences and Reports**

Councilmember Reynolds provided an update on the Parks & Recreation Commission meeting last week where the Commission started work on a naming/renaming policy. He thanked MIFD for their work and thanked staff for the work on the boards and commissions recruitment.

Deputy Mayor Rosenbaum attended the PTA Advocacy Committee Meeting and noted there is a PTA Council meeting tomorrow.

Councilmember Weiker thanked staff for all the great work.

## **EXECUTIVE SESSION #2**

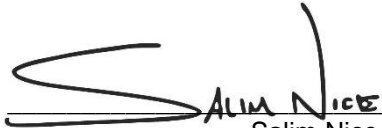
At 9:59 pm, Mayor Nice convened an Executive Session via Microsoft Teams. The Executive Session was to discuss with legal counsel to review the performance of a public employee pursuant to RCW 42.30.110(1)(g).

Mayor Salim Nice, Deputy Mayor David Rosenbaum and Councilmembers Lisa Anderl, Jake Jacobson, Craig Reynolds, Wendy Weiker, and Ted Weinberg via Microsoft Teams.

Mayor Nice adjourned the Executive Session at 10:30 pm.

## **ADJOURNMENT**

The Special Hybrid Council Meeting adjourned at 10:30 pm.

  
Salim Nice, Mayor

Attest:

  
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Andrea Larson, City Clerk