



# CITY COUNCIL MINUTES REGULAR HYBRID MEETING DECEMBER 3, 2024

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## CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the Regular Hybrid Meeting to order at 5:00 pm in the Slater Room Council Chambers at the Mercer Island Community & Event Center, 8236 SE 24<sup>th</sup> Street, Mercer Island, Washington.

Mayor Salim Nice, Deputy Mayor Dave Rosenbaum, and Councilmembers Jake Jacobson, Wendy Weiker, and Ted Weinberg attended in person. Councilmembers Lisa Anderl and Craig Reynolds attended via Zoom.

## PLEDGE OF ALLEGIANCE

The City Council delivered the Pledge of Allegiance.

## AGENDA APPROVAL

It was moved by Rosenbaum; seconded by Weiker to:

**Approve the agenda as presented.**

PASSED: 7-0

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

## SPECIAL BUSINESS

### **AB 6567: 2023 Financial, Accountability, and Federal Audit Exit Conference**

Deputy Finance Director LaJuan Tuttle introduced the audit team of Auditor In Charge Ava Maxwell and Assistant Audit Manager Stacey Chen.

Assistant Audit Manager Stacey Chen spoke about the process for the presentation and the importance of the work the State Auditor's Office does. Auditor In Charge Ava Maxwell spoke about the results of the Financial and Accountability Audits. Ms. Chen spoke about next steps and about timeline for publication of the audit on the Auditors website.

City Council asked questions of the audit team.

## CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- **Council, Boards & Commission Meetings:** Next City Council Meeting – January 7, 2025 at 5:00 pm. Design Commission on December 4 at 6:00 pm and Parks & Recreation Commission Meeting on January 2, 2025 at 5:00 pm.
- **City Services Updates:**
  - Bomb Cyclone Response and Recovery – there was extensive damage on Mercer Island following the November 19 Bomb cyclone wind event. MICEC was opened as a warming/charging center on extended hours during the storm response. Thank you, Mercer Island community, for checking on your neighbors, sharing resources, and being so resilient!
  - Booster Pump Station Upgrades – Replacement of the five pumps at the City's water reservoir is underway. Contractor crews have formed and poured new concrete pads that will support new pumps 2 and 3 which will be delivered and installed soon. Pumps 1, 4, and 5 will be replaced in early 2025.

- 4004 Island Crest Way Repairs and Improvements – All damaged landscaping and topsoil at the site have been removed and new clean topsoil, and bark mulch have been delivered. Landscapers will begin planning new trees and shrubs and will reinstall the irrigation system.
- Phase 1 PRV Station Replacement – This is the first of several projects to replace the City’s 85 pressure-reducing valve stations over the next 20 years. Crews have completed the replacement of two PRVs and are working at the third site. Work on the fourth PRV on this contract is scheduled to begin in January.
- Operation Anti-Grinch – MIPD has implemented a seasonal, high-visibility crime control emphasis focused on reducing holiday crime. Officers will be performing extra directed patrols all over the Island and engaging with the community through both enforcement and social contacts to help prevent and deter crime.
- CERT Training – Congratulations to the 23 new Community Emergency Response Team (CERT) graduates who successfully completed the program last month!
- **Upcoming Events:**
  - Illuminate MI Tree Lighting – Thursday, December 5 at 5:30 pm at Mercerdale Park.
  - Holiday Makers Market – December 7 from 10 am – 3 pm at MICEC.
  - Family Movie Night – The Muppets Christmas Carol – December 13 at 5:30 pm at MICEC.
  - Argosy Christmas Ship – December 15 at 7 pm at Luther Burbank Swim Beach.
- **News:**
  - YFS Holiday Programs – YFS provided holiday food to 87 individuals and families last week. The YFS Holiday program Gifts for Kids included a voucher for a holiday tree or wreath to be redeemed at the MIYFS Foundation Tree Lot.
  - Thank you, Emergency Management Volunteers, for your efforts and work during the November windstorm.

## APPEARANCES

Jeff Haley (Mercer Island) spoke about Comprehensive Plan and Development Code Amendments Docket Proposal No. 9.

Daniel Thompson (Mercer Island) thanked the City Council for the work done in 2024 and spoke about the about the Annual Comprehensive Plan and Development Code Amendments Docket.

Jessica Clawson (Mercer Island) spoke about Comprehensive Plan and Development Code Amendments Docket Proposal No. 1.

Ewan Rankin (Mercer Island) spoke about the Planning Commission appointments.

## CONSENT AGENDA

### AB 6580: November 15, 2024 Payroll Certification

**Recommended Action:** Approve the November 15, 2024 Payroll Certification in the amount of \$825,800.39 and authorize the Mayor to sign the certification on behalf of the entire City Council.

#### Certification of Claims:

- A. Check Register | 00221493-00221556 | 11/15/2024 | \$782,690.98
- B. Check Register | 00221558-00221638 | 11/22/2024 | \$2,788,965.98

**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.

### City Council Regular Hybrid Meeting Minutes of November 19, 2024

**Recommended Action:** Approve the City Council Regular Hybrid Meeting Minutes of November 19, 2024.

**AB 6578: Interim Regulations Related to Permit Processing in Chapters 19.15 and 19.16 MICC (Second Reading Ordinance No. 24C-17)**

**Recommended Actions:** Adopt Ordinance No. 24C-17 establishing interim regulations in Title 19 Mercer Island City Code (MICC) related to permit processing to comply with Senate Bill 5290, with an effective date of January 1, 2025.

**AB 6579: Interim Regulations Related to the 2024 Comprehensive Plan Periodic Update and HB 1220 for Affordable Housing Capacity and Requirements in Title 19 MICC (Second Reading Ordinance No. 24C-18)**

**Recommended Action:** Adopt Ordinance No. 24C-18 amending Chapter 19.11 Mercer Island City Code to achieve the required affordable housing target capacity within the Mercer Island Town Center as a component of the 2024 Comprehensive Plan Periodic Update as required by the Washington State Growth Management Act, with an effective date of December 31, 2024.

**AB 6581: 2025 Fee Schedule Adoption**

**Recommended Action:** Approve Resolution No. 1668 adopting the 2025 Fee Schedule.

**AB 6583: Island Crest Park North Infield Turf Replacement Project Closeout**

**Recommended Action:** Accept the completed Island Crest Park North Infield Turf Replacement project and authorize staff to close out the project with the King County Directors Association.

**AB 6584: Human Services Pooled Fund Interlocal Agreement**

**Recommended Action:** Authorize the City Manager to sign the interlocal agreement to continue the Human Services Pooled Fund substantially in the form attached as Exhibit 1 to this agenda bill.

**AB 6585: 2025-2026 Biennial Budget Adoption**

**Recommended Action:** Adopt Ordinance No. 24-21, which encompasses the biennial budget for the City of Mercer Island, Washington, for fiscal years 2025-2026.

**AB 6586: 2025-2027 Collective Bargaining Agreement with Police**

**Recommended Action:** Authorize the City Manager to sign the Collective Bargaining Agreement with the Mercer Island Police Association for Commissioned Officers for the period of January 1, 2025 through December 31, 2027 in substantially the form attached hereto as Exhibit 1.

**AB 6587: Ratification of Emergency Proclamation Issued by the City Manager – Windstorm (Proclamation No. 351)**

**Recommended Action:** Ratify and continue the ratification of Emergency Proclamation No. 351, issued by the City Manager on November 21, 2024 because of the impacts of the “Bomb Cyclone” windstorm on Mercer Island, until the same is ended by the City Manager after the impacts of the Storm have been mitigated.

**AB 6589: Ratification of Mayor and Deputy Mayor’s Joint Statement Regarding the Windstorm**

**Recommended Action:** Ratify the joint statement issued by Mayor Nice and Deputy Mayor Rosenbaum on November 23, 2024 regarding storm recovery and response.

**AB 6590: Interlocal Agreement for Jail Services with King County**

**Recommended Action:** Authorize the City Manager to sign the updated Interlocal Agreement for Inmate Housing between the City of Mercer Island and King County, substantially in the form attached as Exhibit 1 to this agenda bill, and any other non-substantive documents necessary for the implementation of the updated Agreement.

**AB 6591: Amendment to Interlocal Agreement for Jail Services with South Correctional Entity (SCORE)**

**Recommended Action:** Authorize the City Manager to execute the amendment to the Interlocal Agreement with SCORE as substantially shown in Exhibit 1 to AB 6591.

It was moved by Weinberg; seconded by Jacobson to:

**Approve the Consent Agenda as presented, and the recommended actions contained therein.**

PASSED: 7-0

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

**REGULAR BUSINESS**

**AB 6564: Board & Commission Appointments – Planning Commission (Resolution No. 1663)**

Mayor Nice explained the process for Planning Commission appointments.

City Council discussed the process.

It was moved by Weinberg; seconded by Anderl to:

**Suspend City Council Rules of Procedure Section 8.12 regarding Board and Commission Appointments**

PASSED: 5-2

FOR: 5 (Anderl, Jacobson, Nice, Weiker, and Weinberg)

AGAINST: 2 (Rosenbaum and Reynolds)

It was moved by Weinberg; seconded by Reynolds to:

**Adopt an alternate process for the Planning Commission appointments, requesting the City Council’s support of the following slate of recommended appointments:**

<u>Pos. No.</u>	<u>Commissioner</u>	<u>Position Description</u>	<u>Term Ending</u>
1	Anthony Perez	Paid Practitioner Resident	5/31/29
2	Kate Akyuz	Paid Practitioner Resident	5/31/29
3	Jeff Bender	Resident Lay Person	5/31/28
4	Xiaoqu Cai	Resident Lay Person	5/31/28
5	Neil Piispanen	Paid Practitioner Resident	5/31/27

FAILED: 3-4

FOR: 3 (Rosenbaum, Reynolds, and Weinberg)

AGAINST: 4 (Anderl, Jacobson, Nice, and Weiker)

It was moved by Nice; seconded by Jacobson to:

**Appoint the following individuals to fill the vacancies on the Planning Commission with their associated position numbers and term expirations:**

<u>Pos. No.</u>	<u>Commissioner</u>	<u>Position Description</u>	<u>Term Ending</u>
1	Dan Thompson	Paid Practitioner Resident	5/31/29
2	Nazim Nice	Paid Practitioner Non-Resident	5/31/29
3	JB Gibson	Paid Practitioner Resident	5/31/28
4	Kate Akyuz	Paid Practitioner Resident	5/31/28
5	Anthony Perez	Paid Practitioner Resident	5/31/27

**And, in consideration of the non-resident paid practitioner qualifications, dismiss the two unappointed non-resident paid practitioners' applications from further consideration as applicants to the Planning Commission.**

PASSED: 4-3

FOR: 4 (Anderl, Jacobson, Nice, and Weiker)

AGAINST: 3 (Rosenbaum, Reynolds, and Weinberg)

City Clerk Larson read Resolution No. 1663 into the record.

It was moved by Jacobson; seconded by Weiker to:

**Approve Resolution No. 1663, appointing those voted on to fill the vacancies on the Planning Commission.**

PASSED: 4-3

FOR: 4 (Anderl, Jacobson, Nice, and Weiker)

AGAINST: 3 (Rosenbaum, Reynolds, and Weinberg)

### **AB 6577: 2025 Annual Comprehensive Plan and Development Code Amendments Docket**

CPD Director Jeff Thomas spoke about the how the annual Comprehensive Plan and Development Code Amendments Docket works and the process and timing for legislative review on items that may be docketed this year.

Senior Planner Molly McGuire presented the 2025 Annual Docket, the Docketing Criteria to be used to determine what items are to be docketed. She discussed the existing items already on the work plan for 2025 for CPD Staff and the Planning Commission. She spoke about the process to set the 2025 Annual Docket and the Planning Commission recommendation.

City Council discussed the process and asked questions of staff.

It was moved by Rosenbaum; seconded by Weinberg to:

**Approve Resolution No. 1664 setting the 2025 Docket with Proposals Nos. 1, 8, and 15 added to the future CPD work program.**

PASSED: 4-3

FOR: 4 (Rosenbaum, Reynolds, Weiker, and Weinberg)

AGAINST: 3 (Anderl, Jacobson, and Nice)

### **AB 6588: Repealing the Code of Ethics for Officials (Ordinance No. 24C-22, First Reading)**

Chief of Administration Ali Spietz presented a background of the Code of Ethics and spoke about the state law requirements that governs, and will continue to govern, elected officials.

City Council discussed the proposal and requests a future work item to look at adding an ethics training for elected and appointed officials.

It was moved by Jacobson; seconded by Rosenbaum to:

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

PASSED: 7-0

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

It was moved by Jacobson; seconded by Rosenbaum to:

**Adopt Ordinance No. 24C-22 repealing chapter 2.06 MICC, Code of Ethics.**

PASSED: 7-0

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

## **OTHER BUSINESS**

### **Planning Schedule**

Chief of Administration Ali Spietz spoke about the January 2025 meetings and the February 4, 2025 Planning Session.

It was moved by Anderl; seconded by Weinberg to:

**Cancel the December 17 Regular City Council Meeting.**

PASSED: 7-0

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

### **Councilmember Absences and Reports**

Deputy Mayor Rosenbaum thanked the staff for their work during the bomb cyclone response and noted there is an SCA PIC Meeting next week

Councilmember Weiker wished everyone Happy Holidays and Happy New Year!

Councilmember Weinberg thanked the staff for their work during the bomb cyclone response, noted that at his recent monthly lunch the topic was the bomb cyclone, and noted that his next lunch is on December 21 at Alistair.

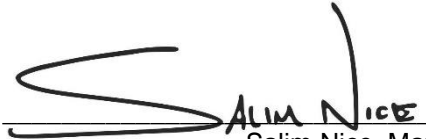
Councilmember Reynolds thanked staff for their work during the bomb cyclone response

Councilmember Anderl thanked staff for their work during the bomb cyclone response.

Councilmember Jacobson thanked the community and staff for their work during the bomb cyclone response.

## ADJOURNMENT

The Regular Hybrid Council Meeting adjourned at 6:30 pm.



Salim Nice  
Salim Nice, Mayor

Attest:



Andrea Larson, City Clerk