



CITY OF MERCER ISLAND

CITY COUNCIL SPECIAL HYBRID MEETING

Tuesday, July 18, 2023 at 5:00 PM

MERCER ISLAND CITY COUNCIL:

Mayor Salim Nice, Deputy Mayor David Rosenbaum,
Councilmembers: Lisa Anderl, Jake Jacobson,
Craig Reynolds, Wendy Weiker, and Ted Weinberg

LOCATION & CONTACT:

Mercer Island Community & Event Center and via Zoom
8236 SE 24th Street | Mercer Island, WA 98040
206.275.7793 | www.mercerisland.gov

We strive to create an inclusive and accessible experience. Those requiring accommodation for meetings should notify the City Clerk's Office 3 days prior to the meeting at 206.275.7793 or by emailing cityclerk@mercerisland.gov.

The hybrid meeting will be broadcast live on MITV Channel 21 and live streamed on the City Council's [YouTube Channel](#)

Registering to Speak for Appearances: Individuals wishing to speak live during Appearances (public comment period) or during the Public Hearings must register with the City Clerk at **206.275.7793** or cityclerk@mercerisland.gov before 4 PM on the day of the Council meeting.

Please reference "Appearances" or "Public Hearing" on your correspondence and state if you would like to speak either in person at the Mercer Island Community & Event Center or remotely using Zoom. If providing your comments using Zoom, staff will be prepared to permit temporary video access when you enter the live Council meeting. Please remember to activate the video option on your phone or computer, ensure your room is well lit, and kindly ensure that your background is appropriate for all audience ages. Screen sharing will not be permitted, but documents may be emailed to council@mercerisland.gov.

Each speaker will be allowed three (3) minutes to speak. A timer will be visible to online to speakers, City Council, and meeting participants. Please be advised that there is a time delay between the Zoom broadcast and the YouTube or Channel 21 broadcast.

Join by Telephone at 6:30 PM (Appearances will start sometime after 6:30 PM): To listen to the meeting via telephone, please call **253.215.8782** and enter Webinar ID **896 4654 6706** and Password **730224** if prompted.

Join by Internet at 6:30 PM (Appearances will start sometime after 6:30 PM): To watch the meeting over the internet via your computer, follow these steps:

- 1) Click this [link](#)
- 2) If the Zoom app is not installed on your computer, you will be prompted to download it.
- 3) If prompted for Webinar ID, enter **896 4654 6706**; Enter Password **730224**
- 4) The City Clerk will call on you by name or refer to your email address when it is your turn to speak. Please confirm that your audio works prior to participating.

Join in person at Mercer Island Community & Event Center at 6:30 PM (Appearances will start sometime after 6:30 PM):
8236 SE 24th Street, Mercer Island, WA 98040

Submitting Written Comments: Email written comments to the City Council at council@mercerisland.gov.

MEETING AGENDA – Amended

EXECUTIVE SESSION, 5:00 PM - Approximately 90 Minutes – Extended by 30 minutes 7/14/2023

1. Collective Bargaining

Executive Session 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)

2. Pending or Potential Litigation

Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i)

3. Performance of a Public Employee

Executive Session to review the performance of a public employee pursuant to RCW 42.30.110(1)(g)

CALL TO ORDER & ROLL CALL, 6:30 PM

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

CITY MANAGER REPORT

APPEARANCES

(This is the opportunity for anyone to speak to the City Council on any item. As it is election season, however, please be reminded that state law (specifically, RCW 42.17A.555) prohibits the use of City facilities for campaign-related purposes with limited exceptions. Accordingly, please do not make campaign-related comments during this time.)

CONSENT AGENDA

1. AB 6298: June 30, 2023 Payroll Certification

Recommended Action: Approve the June 30, 2023 Payroll Certification in the amount of \$978,577.05 and authorize the Mayor to sign the certification on behalf of the entire City Council.

2. Certification of Claims:

A. Check Register | 216299-216392 | 6/30/2023 | \$529,748.61

B. Check Register | 216393-216449 | 7/07/2023 | \$438,407.53

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.

3. City Council Meeting Minutes of the July 5, 2023 Special Hybrid Meeting

Recommended Action: Approve the minutes of the July 5, 2023 Special Hybrid Meeting.

4. AB 6299: 81st Avenue SE Backyard Sewer Improvements Phase 2 Project Closeout

Recommended Action: Accept the 81st Avenue SE Backyard Sewer Improvements Phase 2 Project and authorize staff to close out the contract.

5. AB 6300: 2023 Water System Improvements Project Bid Award

Recommended Action: Award the 2023 Water System Improvements project to Kar-Vel Construction, authorize the City Manager to execute a contract with Kar-Vel Construction in an amount of \$3,584,335 and set the total project budget at \$4,657,092.

6. AB 6301: SE 22nd Street & SE 22nd Place Water System Improvements Project Closeout

Recommended Action: Accept the completed SE 22nd Street & SE 22nd Place Water System Improvements project and authorize staff to close out the contract.

7. AB 6302: Comprehensive Plan Periodic Review - Housing Element Update Supplemental Scope and Schedule

Recommended Action: Approve Resolution No. 1646 approving a Supplemental Scope of Work for the 2024 Comprehensive Plan Periodic Review.

8. AB 6303: 4004 ICW Property Transportation Improvement Project Funding Appropriation

Recommended Action: Appropriate \$250,000 from the Street Fund balance to fund construction of the 4004 ICW Property Transportation Improvement project.

9. AB 6309: Pickleball Court Configuration for Luther Burbank Park Sport Court Renovation (PA0143)

Recommended Action: Approve the pickleball court configuration as part of the Luther Burbank Park Sport Court Renovation capital project (PA0143) and direct staff to complete the project.

10. AB 6310: Interlocal Agreement with Mercer Island School District No. 400 for Enrollment of City Employee's Children/Dependents

Recommended Action: Authorize the City Manager or designee to execute an interlocal agreement with the Mercer Island School District No. 400 for enrollment of City employee's children/dependents substantially in the form attached as Exhibit 1.

11. AB 6311: Public Display of Firework Permit Issuance

Recommended Action: Approve the City of Mercer Island Fire Marshal's recommendation to issue an operational permit for Pyro Spectaculars North for the public display of fireworks to be discharged per the permit conditions on August 19, 2023, at approximately 2235hrs (10:35 pm) pursuant to MICC 8.35.020(C).

REGULAR BUSINESS

HYPERLINK "applSd11854f03f1f4b79b32935424d5ebfc1"**12. AB 6312: Memorandum of Understanding with IAFF Local 1762 Related to Regionalization of Fire and Emergency Medical Services – Added 7/14/2023**

Recommended Action: Approve tentatively agreed upon MOU with IAFF Local 1762 resolving all matters related to impacts of regionalization of fire and emergency medical services, and pending unfair labor practices complaint, interest arbitration, and collective bargaining agreement negotiations.

13. AB 6304: Public Hearing: Interim Regulations Related to Outdoor Dining (Ordinance No. 23C-09)

Recommended Action: Conduct public hearing. No further action necessary.

14. AB 6305: Public Hearing: Interim Regulations Related to Permit Processing in Chapters 19.15 and 19.16 MICC (Ordinance No. 23C-10)

Recommended Action:

1. Conduct the public hearing.
2. Adopt Emergency Ordinance No. 23C-10 for interim regulations related to permit processing in Chapter 19.15 and 19.16 MICC.

15. AB 6306: Public Hearing: Renew Interim Regulations in MICC 19.16.010 Related to Emergency Shelters and Housing, Transitional Housing, and Permanent Supportive Housing (First Reading of Ordinance No. 23C-11)

Recommended Action:

1. Conduct the Public Hearing and first reading of Ordinance No. 23C-11.
2. Move to set Ordinance No. 23C-11 for second reading and adoption at the September 5, 2023 City Council Meeting.

16. AB 6308: City Hall Closure Update

Recommended Action: Receive report. No action necessary.

OTHER BUSINESS

17. Planning Schedule

18. Councilmember Absences & Reports

ADJOURNMENT



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6298
July 18, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6298: June 30, 2023 Payroll Certification	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Approve the June 30, 2023 Payroll Certification in the amount of \$978,577.05.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Administrative Services
STAFF:	Ali Spietz, Chief of Administration Nicole Vannatter, Human Resources Manager
COUNCIL LIAISON:	n/a
EXHIBITS:	1. June 30, 2023 Payroll Certification 2. FTE/LTE Counts
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

This agenda bill is to approve the payroll certification for the City of Mercer Island for the period from June 10, 2023 through June 23, 2023 in the amount of \$978,577.05 (see Exhibit 1).

BACKGROUND

[RCW 42.24.080](#) requires that all claims presented against the City by performing labor must be certified by the appropriate official to ensure that the labor was performed as described, and that the claims are just, due, and unpaid obligations against the City, before payment can be made. [RCW 42.24.180](#) allows the payment of claims to occur prior to City Council approval to expedite processing of the payment of claims, provided, however, that review and approval of the claims' documentation occurs at the next regularly scheduled public meeting. The Payroll Certification details the total payment to employees for labor performed and benefits payments made for each payroll. The City is on a bi-weekly payroll schedule with payments every other Friday.

ISSUE/DISCUSSION

Each payroll varies depending on several factors (i.e., number of employees, pay changes, leave cash outs, overtime, etc.). In addition to regular pay for employees, this payroll has variants that are outlined below.

Additional payments:

Description	Amount
Leave cash outs for current employees	\$10,161.30
Leave cash outs for terminated employees	\$1,487.27
Service and recognition awards	\$7,005.66
Overtime earnings (see chart for overtime hours by department).	\$60,082.83
Total	\$78,737.06

Overtime hours by department:

Department	Hours
Administrative Services	
City Attorney's Office	
City Manager's Office	
Community Planning & Development	
Finance	
Fire	622.75
Municipal Court	
Police	127.75
Public Works	97.75
Thrift Shop	
Youth & Family Services	
Total Overtime Hours	831.25

NEXT STEPS

FTE/LTE COUNTS

The table in Exhibit 2 shows the budgeted versus actual counts for Full Time Equivalents (FTEs) and Limited Term Equivalents (LTEs) for the current payroll. Casual labor employees (temporary and seasonal) are not included in the counts.

Casual Labor

In addition to FTE and LTE employees, the City utilizes casual labor to address workload needs that exceed the capacity or expertise of the City's regular staff and that are time limited or seasonal. Casual labor is used primarily to address seasonal workload needs and short-term workload issues created by special projects or position vacancies. Compared to an LTE position, a casual labor position has limited benefits and is filled for a shorter period of time (1-3 months, 6 months, or 9 months). The departments/divisions that utilize casual labor the most are Parks Maintenance, Recreation, Public Works, and the Thrift Store.

RECOMMENDED ACTION

Approve the June 30, 2023 Payroll Certification in the amount of \$978,577.05 and authorize the Mayor to sign the certification on behalf of the entire City Council.

CITY OF MERCER ISLAND PAYROLL CERTIFICATION

Item 1.

PAYROLL PERIOD ENDING 06.23.2023
PAYROLL DATED 06.30.2023

Net Cash	\$	667,128.42
Net Voids/Manuals	\$	-
Net Total	\$	667,128.42
Federal Tax Deposit	\$	109,219.66
Social Security and Medicare Taxes	\$	60,353.92
Medicare Taxes Only (Fire Fighter Employees)	\$	2,612.99
State Tax (Oregon, Massachusetts and North Carolina)	\$	95.59
Family/Medical Leave Tax (Massachusetts)	\$	12.89
Public Employees' Retirement System (PERS Plan 2)	\$	29,586.52
Public Employees' Retirement System (PERS Plan 3)	\$	8,523.06
Public Employees' Retirement System (PERSJM)	\$	587.22
Public Safety Employees' Retirement System (PSERS)	\$	236.44
Law Enforcement Officers' & Fire Fighters' Retirement System (LEOFF Plan2)	\$	30,648.67
Regence & LEOFF Trust Medical Insurance Deductions		
Domestic Partner Medical Insurance Deductions		
Kaiser Medical Insurance Deductions		
Health Care - Flexible Spending Account Contributions	\$	1,864.24
Dependent Care - Flexible Spending Account Contributions	\$	1,346.17
ICMA Roth IRA Contributions	\$	666.23
ICMA 457 Deferred Compensation Contributions	\$	38,262.57
Fire Nationwide 457 Deferred Compensation Contributions	\$	14,447.21
Fire Nationwide Roth IRA Contributions	\$	2,871.87
ICMA 401K Deferred Compensation Contributions		
Garnishments (Chapter 13)	\$	754.70
Child Support Wage Garnishment	\$	706.03
Mercer Island Employee Association Dues	\$	212.50
AFSCME Union Dues		
Police Union Dues		
Fire Union Dues	\$	2,060.91
Fire Union Supplemental Dues	\$	162.00
Standard - Supplemental Life Insurance		
Unum - Long Term Care Insurance		
AFLAC - Supplemental Insurance Plans		
Coffee Club Dues	\$	(4.00)
Transportation - Flexible Spending Account Contributions		
Fire HRA-VEBA Contributions	\$	6,220.25
Miscellaneous		
GET		
Oregon Transit Tax and Oregon Benefit Tax	\$	0.99
Tax & Benefit Obligations Total	\$	311,448.63

TOTAL GROSS PAYROLL	\$	978,577.05
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I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.



Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

FTE AND LTE COUNTS AS OF 6/23/2023

Full Time Equivalents (FTEs)	2023 Budgeted	2023 Actual
Administrative Services	15.00	14.00
City Attorney's Office	2.00	2.00
City Manager's Office	3.00	3.00
Community Planning & Development	18.00	18.00
Finance	9.00	7.00
Fire	31.50	29.50
Municipal Court	3.10	3.10
Police	37.50	37.50
Public Works	64.80	57.80
Recreation	10.25	10.25
Youth & Family Services	11.43	10.43
Thrift Shop	2.00	2.00
Total FTEs	207.58	194.58
Limited Term Equivalents (LTEs)	2023 Budgeted	2023 Actual
Administrative Services		1.00
City Manager's Office ¹	1.00	1.00
Community Planning & Development ²	1.00	
Finance	1.00	1.00
Public Works ³	4.00	3.75
Youth & Family Services	3.03	3.83
Thrift Shop	7.50	6.50
Total LTEs	17.53	17.08
Total FTEs & LTEs	225.11	211.67

FTE Vacancies:

- 1.0 Asset Mgmt Bus Systems Analyst
- 1.0 CIP Project Inspector
- 2.0 CIP Project Manager
- 1.0 Clinical Supervisor
- 1.0 Deputy Fire Chief (contracted out)
- 1.0 Financial Analyst
- 1.0 Fire Chief (contracted out)
- 1.0 Parks Maintenance Team Member
- 1.0 ROW/Stormwater Team Member
- 1.0 Sustainability Program Analyst
- 1.0 Systems Support Specialist
- 1.0 Utility Billing Admin Assistant

LTE Vacancies:

- 1.0 Water Meter Project Team Member

Footnotes:

- ¹ 5/23/2023: Extend 1.0 LTE Management Analyst [AB 6255](#)
- ² 5/23/2023: New 1.0 LTE Assistant Planner [AB 6255](#)
- ³ 5/23/2023: New 1.0 LTE Support Services Foreman [AB 6255](#)

CERTIFICATION OF CLAIMS

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.



Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

Mayor

Date

Report	Warrants	Date	Amount
Check Register	216299-216392	6/30/2023	\$529,748.61 \$529,748.61

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P0118416	00216372	NATIONAL LEAGUE OF YOUNG MEN	Rental FA-5964 completed. Retu	200.00
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P0118499	00216347	GRAINGER	INVENTORY PURCHASES	222.42
P0118498	00216347	GRAINGER	INVENTORY PURCHASES	194.88
<i>Org Key: 814074 - Garnishments</i>				
	00216320	CHAPTER 13 TRUSTEE	PR EARLY WARRANTS 06.30.23	572.00
	00216308	AUDIT & ADJUSTMENT CO.	GARNISHMENT 06.30.23	182.70
<i>Org Key: 814075 - Mercer Island Emp Association</i>				
	00216370	MI EMPLOYEES ASSOC	PR EARLY WARRANTS-06.30.23	212.50
<i>Org Key: AS1100 - Administrative Services</i>				
P0118488	00216353	ICMA	2023 Membership Dues - Spietz	1,200.00
<i>Org Key: CM1100 - Administration (CM)</i>				
P0118536	00216344	GALLAGHER, ANITA	May Lobbying Services Invoice	2,000.00
<i>Org Key: CR1100 - Human Resources</i>				
P0118515	00216375	RALPH ANDERSON & ASSOCIATES	Class & Comp Study INV-04328	4,800.00
<i>Org Key: DS1100 - Administration (DS)</i>				
P0118492	00216337	FASTSIGNS BELLEVUE	Land use sign boards	3,170.88
P0117541	00216335	ESA	Peer Review, 2204-107	1,581.50
P0118422	00216388	VERIZON WIRELESS	VERIZON APR 24 - MAY 23 CM	519.26
P0118422	00216388	VERIZON WIRELESS	VERIZON APR 24 - MAY 23 CM	173.09
<i>Org Key: FR1100 - Administration (FR)</i>				
P0118501	00216389	WASHINGTON FITNESS SERV INC	Stairmaster stepmill repair	500.48
<i>Org Key: FR2100 - Fire Operations</i>				
P0118505	00216318	CASCADE FIRE EQUIPMENT	Bunker gear - Turnouts (coats,	6,760.14
P0118503	00216360	KROESENS UNIFORM COMPANY	Uniform Ops, Name tags	1,043.31
P0118494	00216332	EASTSIDE FIRE & RESCUE	Apparatus 8610	490.61
P0118495	00216306	AT&T MOBILITY	Cell and tablets	357.04
<i>Org Key: FR5100 - Community Risk Reduction</i>				
P0118502	00216340	FIRE SAFETY EDUCATION	Kids Fire Hats	880.00
<i>Org Key: GB0101 - HVAC Repairs</i>				
P0118484	00216307	AUBURN MECHANICAL	Condensate Pump Replacements F	3,476.24
<i>Org Key: GB0107 - Honeywell Site Remediation</i>				
P0117370	00216336	FARALLON CONSULTING LLC	2022 PROJECT MANAGEMENT AND	26,987.54
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
P0118500	00216378	RICOH USA INC	Copier rental	278.77
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
P0118531	00216328	DEVENY, JAN P	LEOFF1 LTC Expenses	12,708.00
	00216364	LEOFF HEALTH & WELFARE TRUST	POLICE RETIREES	6,215.85
	00216363	LEOFF HEALTH & WELFARE TRUST	FIRE RETIREES	3,271.50
	00216351	HILTNER, PETER	LEOFF1 Medicare Reimb	619.50

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0118532	00216334	ELSOE, RONALD	LEOFF1 Retiree Medical Expense	504.24
P0118520	00216313	BOOTH, GLENDON D	LEOFF1 Retiree Medical Expense	310.38
	00216327	DEEDS, EDWARD G	LEOFF1 Medicare Reimb	275.10
	00216311	BARNES, WILLIAM	LEOFF1 Medicare Reimb	271.10
	00216342	FORSMAN, LOWELL	LEOFF1 Medicare Reimb	271.10
P0118526	00216349	HAGSTROM, CRAIG	LEOFF1 Retiree Medical Expense	246.69
	00216385	THOMPSON, JAMES	LEOFF1 Medicare Reimb	245.90
	00216381	SCHOENTRUP, WILLIAM	LEOFF1 Medicare Reimb	240.60
	00216301	ABBOTT, RICHARD	LEOFF1 Medicare Reimb	239.10
P0118528	00216380	RUCKER, MANORD J	LEOFF1 Retiree Medical Expense	238.00
	00216345	GOODMAN, J C	LEOFF1 Medicare Reimb	236.30
	00216384	SMITH, RICHARD	LEOFF1 Medicare Reimb	219.60
	00216367	LYONS, STEVEN	LEOFF1 Medicare Reimb	211.80
	00216313	BOOTH, GLENDON D	LEOFF1 Medicare Reimb	210.60
	00216334	ELSOE, RONALD	LEOFF1 Medicare Reimb	208.30
	00216350	HAGSTROM, JAMES	LEOFF1 Medicare Reimb	204.50
	00216329	DOWD, PAUL	LEOFF1 Medicare Reimb	202.90
	00216302	ADAMS, RONALD E	LEOFF1 Medicare Reimb	201.40
	00216328	DEVENY, JAN P	LEOFF1 Medicare Reimb	200.60
	00216361	KUHN, DAVID	LEOFF1 Medicare Reimb	200.60
	00216309	AUGUSTSON, THOR	LEOFF1 Medicare Reimb	195.50
	00216366	LOISEAU, LERI M	LEOFF1 Medicare Reimb	195.50
P0118527	00216366	LOISEAU, LERI M	LEOFF1 Retiree Medical Expense	194.60
	00216371	MYERS, JAMES S	LEOFF1 Medicare Reimb	179.80
	00216380	RUCKER, MANORD J	LEOFF1 Medicare Reimb	176.00
	00216354	JOHNSON, CURTIS	LEOFF1 Medicare Reimb	175.50
	00216390	WEGNER, KEN	LEOFF1 Medicare Reimb	170.10
	00216391	WHEELER, DENNIS	LEOFF1 Medicare Reimb	164.90
P0118531	00216328	DEVENY, JAN P	LEOFF1 Retiree Medical Expense	137.46
	00216376	RAMSAY, JON	LEOFF1 Medicare Reimb	136.20
	00216316	CARLSON, LARRY	QUARTERLY MEDICARE REIM	82.40
P0118529	00216384	SMITH, RICHARD	LEOFF1 Retiree Medical Expens	43.19
Org Key: GGM606 - Excess Retirement-Fire				
	00216311	BARNES, WILLIAM	LEOFF1 Excess Benefit	1,683.87
	00216323	COOPER, ROBERT	LEOFF1 Excess Benefit	1,635.55
	00216354	JOHNSON, CURTIS	LEOFF1 Excess Benefit	770.26
	00216381	SCHOENTRUP, WILLIAM	LEOFF1 Excess Benefit	721.04
	00216376	RAMSAY, JON	LEOFF1 Excess Benefit	262.39
Org Key: GT0106 - Enterprise Resource Planning S				
P0116068	00216386	TYLER TECHNOLOGIES INC	License Fees Tyler Munis Finan	3,200.00
P0116068	00216386	TYLER TECHNOLOGIES INC	License Fees Tyler Munis Finan	1,600.00
Org Key: GT0108 - Technology Equipment Replaceme				
P0118070	00216341	Firstline Communications	Mitel 6920 Phones (10)	2,675.43
Org Key: GT0117 - Cybersecurity Software Update				
P0118497	00216325	DARKTRACE HOLDINGS LIMITED	Darktrace Network Detect	34,107.88
P0118444	00216319	CDW GOVERNMENT INC	Trend Micro Apex1+XDR	7,295.86
P0118444	00216319	CDW GOVERNMENT INC	Trend Micro Apex1 Apex Central	1,548.03

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
Org Key: GX9996 - Employee Benefits-Police				
	00216364	LEOFF HEALTH & WELFARE TRUST	POLICE	49,706.30
	00216364	LEOFF HEALTH & WELFARE TRUST	POLICE SUPPORT	3,436.09
Org Key: GX9997 - Employee Benefits-Fire				
	00216363	LEOFF HEALTH & WELFARE TRUST	FIRE ACTIVE	54,269.17
Org Key: MT1500 - Urban Forest Mangement				
P0117521	00216379	RON'S STUMP REMOVAL	WINTER 2023 TREE WORK	2,152.50
Org Key: MT2100 - Roadway Maintenance				
P0118480	00216303	All Traffic Solutions Inc.	App, Messaging Suite (12mo); E	1,045.95
P0118466	00216314	CADMAN INC	5/8"-MINUS ROCK (33.07 TONS)	324.28
P0118468	00216300	A R BROWN BACKFLOW TESTING	BACKFLOW TEST SMALL ASSEMBLY	110.00
Org Key: MT2255 - Urban Forest Management (ROW)				
P0117521	00216379	RON'S STUMP REMOVAL	WINTER 2023 TREE WORK	1,200.00
Org Key: MT3100 - Water Distribution				
P0117674	00216330	E.H. WACHS	Standard LX Valve Turner	95,869.58
P0118489	00216348	H D FOWLER	1" CARBIDE CUTTER # 351-01-108	398.03
P0118466	00216314	CADMAN INC	5/8"-MINUS ROCK (33.07 TONS)	345.20
P0118489	00216348	H D FOWLER	SMALL HOLES AW ARBOR WITH PILOT	281.11
P0118513	00216362	LAKESIDE INDUSTRIES	ASPHALT & LIQUID ASPHALT	170.57
P0118490	00216348	H D FOWLER	3/4" & 1" SOLID COPPER DISC FO	142.03
P0118461	00216352	HOME DEPOT CREDIT SERVICE	WRENCH SET & SOCKET	82.84
Org Key: MT3150 - Water Quality Event				
P0118467	00216305	AQUATIC INFORMATICS INC.	2023 CROSS CONNECTION WEB TEST	1,314.00
Org Key: MT3300 - Water Associated Costs				
P0117914	00216356	KAASM LLC	SCADA Scheduler License (2) an	817.30
	00216338	FELIX, JIM	MISC WORK CLOTHES	161.10
Org Key: MT3400 - Sewer Collection				
P0118407	00216310	BAINBRIDGE ASSOCIATES LLC	CAP ONE 24" BOLTED COMPOSITE C	4,387.24
P0118514	00216374	PACIFIC SAFETY SUPPLY INC	FOLDING SIGN STANDS	389.67
P0118514	00216374	PACIFIC SAFETY SUPPLY INC	ROLL UP SIGNS (ONE LANE ROAD A	336.82
P0118512	00216387	ULINE	HARD HAT SUN SHADE (ORANGE)	41.29
Org Key: MT3600 - Sewer Associated Costs				
P0117914	00216356	KAASM LLC	SCADA Scheduler License (2) an	817.30
Org Key: MT3800 - Storm Drainage				
P0118514	00216374	PACIFIC SAFETY SUPPLY INC	ROLL UP SIGNS (4-BE PREPARED T	1,347.26
P0118514	00216374	PACIFIC SAFETY SUPPLY INC	FOLDING SIGN STANDS	584.50
Org Key: MT4300 - Fleet Services				
P0118487	00216304	AMERIGAS-1400	2023 PROPANE DELIVERY	1,591.11
Org Key: MT4450 - Cust Resp - Clearing Acct				
	00216357	KELLEY, CHRIS M	SR9537-05.15.23	21.88
	00216357	KELLEY, CHRIS M	SR9658-06.07.23	21.87
Org Key: MT4501 - Water Administration				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0118521	00216392	WILLIAMS KASTNER & GIBBS PLLC	Mountain Sound Transit Claim	208.12
<i>Org Key: MT6100 - Park Maintenance</i>				
P0117705	00216343	FOSSIL INDUSTRIES INC	PARK SIGN 3/16/23	1,575.00
P0118496	00216373	NW PLAYGROUND EQUIPMENT INC	V-BRIDGE NET FOR THE PLAYGROUN	1,400.70
P0118466	00216314	CADMAN INC	5/8"-MINUS ROCK (33.07 TONS)	209.20
<i>Org Key: MT6500 - Luther Burbank Park Maint</i>				
P0118479	00216331	EASTSIDE EXTERMINATORS	Commercial Signature Pest Init	522.98
<i>Org Key: PA0122 - Luther Burbank Dock Repair & R</i>				
P0114806	00216359	KPFF CONSULTING ENGINEERS	Luther Burbank Park Final Desi	312.50
<i>Org Key: PA0124 - Luther Burbank Boiler Bldg Roo</i>				
P0114464	00216315	CARDINAL ARCHITECTURE PC	LUTHER BURBANK PARK BOILER BUI	1,919.90
<i>Org Key: PA122A - LB North Pier Renovation</i>				
P0114806	00216359	KPFF CONSULTING ENGINEERS	Luther Burbank Park Final Desi	213.50
<i>Org Key: PA122B - LB Shoreline Access Improvemen</i>				
P0114806	00216359	KPFF CONSULTING ENGINEERS	Luther Burbank Park Final Desi	227.50
<i>Org Key: PA122E - LB Docks - Project costs</i>				
P0114806	00216359	KPFF CONSULTING ENGINEERS	Luther Burbank Park Final Desi	140.00
<i>Org Key: PA124A - LB Boiler Annex & Deck</i>				
P0114464	00216315	CARDINAL ARCHITECTURE PC	LUTHER BURBANK PARK BOILER BUI	683.80
<i>Org Key: PA124B - LB Boiler Bldg City Portion</i>				
P0114464	00216315	CARDINAL ARCHITECTURE PC	LUTHER BURBANK PARK BOILER BUI	26.30
<i>Org Key: PO1800 - Contract Dispatch Police</i>				
P0118100	00216326	DATEC INC.	3 Laptops Semi-Rugged FZ-55	7,587.54
P0118100	00216326	DATEC INC.	3 Laptops Semi-Rugged FZ-55	3,793.77
<i>Org Key: PO2200 - Marine Patrol</i>				
	00216355	JOHNSTON, REID	MARINE PATROL BASIC-PER DIEM	379.50
<i>Org Key: PR1100 - Administration (PR)</i>				
P0118548	00216299	MI US POSTAL SERVICE	Postage Statement — USPS Mar	2,414.66
P0118360	00216319	CDW GOVERNMENT INC	Adobe Acrobat Standard	359.22
<i>Org Key: PR4100 - Community Center</i>				
P0118478	00216339	FIRE PROTECTION INC	Mercer Island Fire	2,235.40
<i>Org Key: SP0100 - Residential Street Resurfacing</i>				
P0118523	00216321	CM DESIGN GROUP	Billing Period: 1/8/23-5/31/23	27,038.40
P0114342	00216312	BLUE MOUNTAIN	SCH C RESIDENTIAL STORM	14,661.13
P0118504	00216333	EJ USA INC	6" X 24" RINGS & COVER "SEWER"	13,139.93
P0118504	00216333	EJ USA INC	6" X 24" RINGS & COVER "SEWER"	791.35
P0118466	00216314	CADMAN INC	5/8"-MINUS ROCK (33.07 TONS)	167.36
<i>Org Key: SP0103 - SE 68 Street & SE 70 Place Ove</i>				
P0114342	00216312	BLUE MOUNTAIN	SCH D RESIDENTIAL WATER	9,338.71
<i>Org Key: SP0104 - NMW - 7500 to Roanoke</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0118523	00216321	CM DESIGN GROUP	Billing Period: 1/8/23-5/31/23	18,025.60
<i>Org Key: SU0109 - Sewer System Generator Replace</i>				
P0112274	00216377	RH2 ENGINEERING INC	21-31 Sewer Pump Station Gener	3,283.84
<i>Org Key: SW0137 - Street Related Storm Improveme</i>				
P0118523	00216321	CM DESIGN GROUP	Billing Period: 1/8/23-5/31/23	13,795.75
<i>Org Key: WU0101 - Booster Chlorination Station</i>				
P0108114	00216317	CAROLLO ENGINEERS INC	BOOSTER CHLORINATION SYSTEM	11,609.50
<i>Org Key: WU0109 - 60 Ave SE, btw SE 27 and SE 32</i>				
P0118525	00216324	DAILY JOURNAL OF COMMERCE	WATER SYSTEM IMP	480.00
<i>Org Key: WU0119 - Reservoir Generator Replacemen</i>				
P0117841	00216369	McClure and Sons, Inc.	Reservoir Standby Generator	17,946.30
P0117489	00216322	CONSOR NORTH AMERICA INC	CONSTRUCTION SERVICES AND	3,573.00
<i>Org Key: YF1100 - YFS General Services</i>				
	00216368	MATTSON, JULIE	PROF. LICENSE RENEWAL	86.00
<i>Org Key: YF2600 - Family Assistance</i>				
P0118544	00216382	SHOREWOOD #14885	Utility assistance for EA clie	524.68
P0118547	00216346	Grace's Place	rental assistance for EA clien	257.00
P0118546	00216383	SHOREWOOD #14885	Rental assistance for EA clien	247.00
<i>Org Key: YF2850 - Federal SPF Grant</i>				
P0118231	00216365	Liu's Mental Health Services	IY mandarin group facilitation	3,900.00
P0118232	00216365	Liu's Mental Health Services	Review of parenting tools on	2,000.00
<i>Org Key: YF2860 - Federal STOP Grant</i>				
P0118545	00216358	KMIH 889 THE BRIDGE	Island Space Campaign promo	2,400.00
Total				<u>529,748.61</u>

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00216299	06/29/2023	MI US POSTAL SERVICE Postage Statement — USPS Mar	P0118548	JANUARY 2023	06/29/2023	2,414.66
00216300	06/30/2023	A R BROWN BACKFLOW TESTING BACKFLOW TEST SMALL ASSEMBLY	P0118468	2471	06/21/2023	110.00
00216301	06/30/2023	ABBOTT, RICHARD LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	239.10
00216302	06/30/2023	ADAMS, RONALD E LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	201.40
00216303	06/30/2023	All Traffic Solutions Inc. App, Messaging Suite (12mo); E	P0118480	SIN036951	06/01/2023	1,045.95
00216304	06/30/2023	AMERIGAS-1400 2023 PROPANE DELIVERY	P0118487	3151599736	06/14/2023	1,591.11
00216305	06/30/2023	AQUATIC INFORMATICS INC. 2023 CROSS CONNECTION WEB TEST	P0118467	104921	06/16/2023	1,314.00
00216306	06/30/2023	AT&T MOBILITY Cell and tablets	P0118495	470X06132023	06/05/2023	357.04
00216307	06/30/2023	AUBURN MECHANICAL Condensate Pump Replacements F	P0118484	35485	06/08/2023	3,476.24
00216308	06/30/2023	AUDIT & ADJUSTMENT CO. GARNISHMENT 06.30.23		PR 06.30.23	06/30/2023	182.70
00216309	06/30/2023	AUGUSTSON, THOR LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	195.50
00216310	06/30/2023	BAINBRIDGE ASSOCIATES LLC CAP ONE 24" BOLTED COMPOSITE C	P0118407	1023	06/16/2023	4,387.24
00216311	06/30/2023	BARNES, WILLIAM LEOFF1 Medicare Reimb		JUL2023A	07/01/2023	1,954.97
00216312	06/30/2023	BLUE MOUNTAIN SCH C RESIDENTIAL STORM	P0114342	06232023	06/23/2023	23,999.84
00216313	06/30/2023	BOOTH, GLENDON D LEOFF1 Medicare Reimb	P0118520	06272023	06/27/2023	520.98
00216314	06/30/2023	CADMAN INC 5/8"-MINUS ROCK (33.07 TONS)	P0118466	5911689	06/15/2023	1,046.04
00216315	06/30/2023	CARDINAL ARCHITECTURE PC LUTHER BURBANK PARK BOILER BUI	P0114464	2140-12	05/31/2023	2,630.00
00216316	06/30/2023	CARLSON, LARRY QUARTERLY MEDICARE REIM		JUL-23	07/01/2023	82.40
00216317	06/30/2023	CAROLLO ENGINEERS INC BOOSTER CHLORINATION SYSTEM	P0108114	FB37156	06/07/2023	11,609.50
00216318	06/30/2023	CASCADE FIRE EQUIPMENT Bunker gear - Turnouts (coats,	P0118505	INV4566	06/02/2023	6,760.14
00216319	06/30/2023	CDW GOVERNMENT INC Trend Micro Apex1+XDR	P0118360	KC88181	06/09/2023	9,203.11
00216320	06/30/2023	CHAPTER 13 TRUSTEE PR EARLY WARRANTS 06.30.23		PR 06.30.23	06/30/2023	572.00
00216321	06/30/2023	CM DESIGN GROUP Billing Period: 1/8/23-5/31/23	P0118523	23019	06/10/2023	58,859.75
00216322	06/30/2023	CONSOR NORTH AMERICA INC CONSTRUCTION SERVICES AND	P0117489	W192659WA.01-4	06/20/2023	3,573.00
00216323	06/30/2023	COOPER, ROBERT LEOFF1 Excess Benefit		JUL2023A	07/01/2023	1,635.55
00216324	06/30/2023	DAILY JOURNAL OF COMMERCE WATER SYSTEM IMP	P0118525	3390009	06/15/2023	480.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00216325	06/30/2023	DARKTRACE HOLDINGS LIMITED Darktrace Network Detect	P0118497	177706	06/19/2023	34,107.88
00216326	06/30/2023	DATEC INC. 3 Laptops Semi-Rugged FZ-55	P0118100	80446	06/22/2023	11,381.31
00216327	06/30/2023	DEEDS, EDWARD G LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	275.10
00216328	06/30/2023	DEVENY, JAN P LEOFF1 Medicare Reimb	P0118531	06272023	06/27/2023	13,046.06
00216329	06/30/2023	DOWD, PAUL LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	202.90
00216330	06/30/2023	E.H. WACHS Standard LX Valve Turner	P0117674	INV217465	06/21/2023	95,869.58
00216331	06/30/2023	EASTSIDE EXTERMINATORS Commercial Signature Pest Init	P0118479	717142	04/21/2023	522.98
00216332	06/30/2023	EASTSIDE FIRE & RESCUE Apparatus 8610	P0118494	5551	06/22/2023	490.61
00216333	06/30/2023	EJ USA INC 6" X 24" RINGS & COVER "SEWER"	P0118504	110230040061	06/09/2023	13,931.28
00216334	06/30/2023	ELSOE, RONALD LEOFF1 Medicare Reimb	P0118532	06272023	06/27/2023	712.54
00216335	06/30/2023	ESA Peer Review, 2204-107	P0117541	182106	02/09/2023	1,581.50
00216336	06/30/2023	FARALLON CONSULTING LLC 2022 PROJECT MANAGEMENT AND	P0117370	0048811	06/15/2023	26,987.54
00216337	06/30/2023	FASTSIGNS BELLEVUE Land use sign boards	P0118492	B-117117	06/16/2023	3,170.88
00216338	06/30/2023	FELIX, JIM MISC WORK CLOTHES		05292023	05/29/2023	161.10
00216339	06/30/2023	FIRE PROTECTION INC Mercer Island Fire	P0118478	81034	06/03/2023	2,235.40
00216340	06/30/2023	FIRE SAFETY EDUCATION Kids Fire Hats	P0118502	68754	06/21/2023	880.00
00216341	06/30/2023	Firstline Communications Mitel 6920 Phones (10)	P0118070	177638	06/13/2023	2,675.43
00216342	06/30/2023	FORSMAN, LOWELL LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	271.10
00216343	06/30/2023	FOSSIL INDUSTRIES INC PARK SIGN 3/16/23	P0117705	F100783	05/17/2023	1,575.00
00216344	06/30/2023	GALLAGHER, ANITA May Lobbying Services Invoice	P0118536	1039	06/01/2023	2,000.00
00216345	06/30/2023	GOODMAN, J C LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	236.30
00216346	06/30/2023	Grace's Place rental assistance for EA clien	P0118547	JULY 2023	06/29/2023	257.00
00216347	06/30/2023	GRAINGER INVENTORY PURCHASES	P0118498	9748351658	06/22/2023	417.30
00216348	06/30/2023	H D FOWLER SMALL HOLES AW ARBOR WITH PILOT	P0118490	I6432531	06/23/2023	821.17
00216349	06/30/2023	HAGSTROM, CRAIG LEOFF1 Retiree Medical Expense	P0118526	06272023	06/27/2023	246.69
00216350	06/30/2023	HAGSTROM, JAMES LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	204.50

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00216351	06/30/2023	HILTNER, PETER LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	619.50
00216352	06/30/2023	HOME DEPOT CREDIT SERVICE WRENCH SET & SOCKET	P0118461	0012545	06/21/2023	82.84
00216353	06/30/2023	ICMA 2023 Membership Dues - Spietz	P0118488	JUL2023-JUN2024	06/28/2023	1,200.00
00216354	06/30/2023	JOHNSON, CURTIS LEOFF1 Medicare Reimb		JUL2023A	07/01/2023	945.76
00216355	06/30/2023	JOHNSTON, REID MARINE PATROL BASIC-PER DIEM		05292023	05/29/2023	379.50
00216356	06/30/2023	KAASM LLC SCADA Scheduler License (2) an	P0117914	37159752	04/18/2023	1,634.60
00216357	06/30/2023	KELLEY, CHRIS M SR9537-05.15.23		06092023	06/09/2023	43.75
00216358	06/30/2023	KMIH 889 THE BRIDGE Island Space Campaign promo	P0118545	06292023	06/29/2023	2,400.00
00216359	06/30/2023	KPFF CONSULTING ENGINEERS Luther Burbank Park Final Desi	P0114806	474354	06/08/2023	893.50
00216360	06/30/2023	KROESENS UNIFORM COMPANY Uniform Ops, Name tags	P0118503	74445	06/22/2023	1,043.31
00216361	06/30/2023	KUHN, DAVID LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	200.60
00216362	06/30/2023	LAKESIDE INDUSTRIES ASPHALT & LIQUID ASPHALT	P0118513	235295	06/17/2023	170.57
00216363	06/30/2023	LEOFF HEALTH & WELFARE TRUST FIRE RETIREES		JULY-23	07/01/2023	57,540.67
00216364	06/30/2023	LEOFF HEALTH & WELFARE TRUST POLICE RETIREES		JULY-23B	07/01/2023	59,358.24
00216365	06/30/2023	Liu's Mental Health Services IY mandarin group facilitation	P0118232	05092023-1	05/09/2023	5,900.00
00216366	06/30/2023	LOISEAU, LERI M LEOFF1 Medicare Reimb	P0118527	06272023	06/27/2023	390.10
00216367	06/30/2023	LYONS, STEVEN LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	211.80
00216368	06/30/2023	MATTSON, JULIE PROF. LICENSE RENEWAL		06212023	06/21/2023	86.00
00216369	06/30/2023	McClure and Sons, Inc. Reservoir Standby Generator	P0117841	MAR 2023	04/20/2023	17,946.30
00216370	06/30/2023	MI EMPLOYEES ASSOC PR EARLY WARRANTS-06.30.23		PR 06.30.23	06/30/2023	212.50
00216371	06/30/2023	MYERS, JAMES S LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	179.80
00216372	06/30/2023	NATIONAL LEAGUE OF YOUNG MEN Rental FA-5964 completed. Retu	P0118416	06132023	06/13/2023	200.00
00216373	06/30/2023	NW PLAYGROUND EQUIPMENT INC V-BRIDGE NET FOR THE PLAYGROUN	P0118496	51643	06/26/2023	1,400.70
00216374	06/30/2023	PACIFIC SAFETY SUPPLY INC ROLL UP SIGNS (ONE LANE ROAD A	P0118514	741131	06/21/2023	2,658.25
00216375	06/30/2023	RALPH ANDERSON & ASSOCIATES Class & Comp Study INV-04328	P0118515	INV-04328	06/22/2023	4,800.00
00216376	06/30/2023	RAMSAY, JON LEOFF1 Medicare Reimb		JUL2023A	07/01/2023	398.59

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00216377	06/30/2023	RH2 ENGINEERING INC 21-31 Sewer Pump Station Gener	P0112274	91206	06/16/2023	3,283.84
00216378	06/30/2023	RICOH USA INC Copier rental	P0118500	107382454	06/21/2023	278.77
00216379	06/30/2023	RON'S STUMP REMOVAL WINTER 2023 TREE WORK	P0117521	05192023	05/19/2023	3,352.50
00216380	06/30/2023	RUCKER, MANORD J LEOFF1 Medicare Reimb	P0118528	06272023	06/27/2023	414.00
00216381	06/30/2023	SCHOENTRUP, WILLIAM LEOFF1 Medicare Reimb		JUL2023A	07/01/2023	961.64
00216382	06/30/2023	SHOREWOOD #14885 Utility assistance for EA clie	P0118544	JULY 2023	06/28/2023	524.68
00216383	06/30/2023	SHOREWOOD #14885 Rental assistance for EA clien	P0118546	JULY 2023 RENT	06/26/2023	247.00
00216384	06/30/2023	SMITH, RICHARD LEOFF1 Medicare Reimb	P0118529	06272023	06/27/2023	262.79
00216385	06/30/2023	THOMPSON, JAMES LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	245.90
00216386	06/30/2023	TYLER TECHNOLOGIES INC License Fees Tyler Munis Finan	P0116068	045-418650	05/03/2023	4,800.00
00216387	06/30/2023	ULINE HARD HAT SUN SHADE (ORANGE)	P0118512	164088808	05/25/2023	41.29
00216388	06/30/2023	VERIZON WIRELESS VERIZON APR 24 - MAY 23 CM	P0118422	9935579893	05/23/2023	692.35
00216389	06/30/2023	WASHINGTON FITNESS SERV INC Stairmaster stepmill repair	P0118501	W18354	06/16/2023	500.48
00216390	06/30/2023	WEGNER, KEN LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	170.10
00216391	06/30/2023	WHEELER, DENNIS LEOFF1 Medicare Reimb		JUL2023B	07/01/2023	164.90
00216392	06/30/2023	WILLIAMS KASTNER & GIBBS PLLC Mountain Sound Transit Claim	P0118521	649094	01/27/2023	208.12
					Total	529,748.61

CERTIFICATION OF CLAIMS

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.



Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

Mayor

Date

Report	Warrants	Date	Amount
Check Register	216393-216449	7/7/2023	\$438,407.53 \$438,407.53

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
Org Key: 402000 - Water Fund-Admin Key				
P0118590	00216409	GRAINGER	INVENTORY PURCHASES	1,237.77
P0118519	00216407	EXCEL SUPPLY COMPANY	INVENTORY PURCHASES	352.32
P0118551	00216411	H D FOWLER	INVENTORY PURCHASES	32.20
Org Key: CA1100 - Administration (CA)				
P0118592	00216419	KEATING BUCKLIN & MCCORMACK	Invoice #20065 General Litigat	11,767.30
P0118591	00216424	Madrona Law Group, PLLC	Invoice #11969 Professional	7,450.00
P0118591	00216424	Madrona Law Group, PLLC	Invoice #11970 Professional	1,647.00
P0118591	00216424	Madrona Law Group, PLLC	Invoice #11966 Professional	1,485.00
P0118579	00216431	OGDEN MURPHY WALLACE	Invoice #877034 Professional	870.00
P0118591	00216424	Madrona Law Group, PLLC	Invoice #11967 Professional	324.00
P0118591	00216424	Madrona Law Group, PLLC	Invoice #11971 Professional	243.00
P0118591	00216424	Madrona Law Group, PLLC	Invoice #11968 Professional	81.00
Org Key: CA1200 - Prosecution & Criminal Mngmnt				
P0118593	00216420	Kiviat, Aaron	Invoice #1596 Professional	3,800.00
P0118593	00216420	Kiviat, Aaron	Invoice #1600 Professional Ser	1,400.00
P0118593	00216420	Kiviat, Aaron	Invoice #1598 Professional Ser	1,100.00
P0118593	00216420	Kiviat, Aaron	Invoice #1601 Professional Ser	800.00
P0118593	00216420	Kiviat, Aaron	Invoice #1595 Professional Ser	100.00
Org Key: CM1100 - Administration (CM)				
P0118595	00216408	GALLAGHER, ANITA	June Legislative Services INV	2,000.00
P0118594	00216430	Nick Federici	May legislative services INV	2,000.00
P0118594	00216430	Nick Federici	June legislative services INV	2,000.00
Org Key: CM1200 - City Clerk				
P0118518	00216403	DELL MARKETING L.P.	Dell Latitude 5540	1,854.17
Org Key: CR1100 - Human Resources				
P0118578	00216444	The Fearey Group Inc.	Invoice #May 2023-194 Professi	1,357.13
P0118538	00216399	CINTAS	FIRST AID SUPPLIES	495.56
Org Key: CT1100 - Municipal Court				
P0118613	00216416	INTERCOM LANGUAGE SERVICES INC	Intercom invoice #23-276	1,385.94
P0118608	00216422	LANGUAGE LINE SERVICES	Language Line invoice #1103730	18.33
Org Key: DS1200 - Bldg Plan Review & Inspection				
P0118534	00216438	SOUND SAFETY PRODUCTS	SAFETY BOOTS & MISC. WORK CLOT	331.53
Org Key: FR1100 - Administration (FR)				
P0118586	00216405	EASTSIDE FIRE & RESCUE	June Interim Admin Services	32,254.20
P0118585	00216440	SYSTEMS DESIGN WEST LLC	PCG SFY 2022 Cost Report Consu	7,500.00
P0118577	00216440	SYSTEMS DESIGN WEST LLC	Transport Billing May	1,946.49
P0118587	00216393	ASPECT SOFTWARE INC	Telestaff monthly min in	165.15
Org Key: FR2100 - Fire Operations				
P0117114	00216400	COMCAST	MERCER ISLAND FIRE STATION	237.74
P0117114	00216400	COMCAST	MERCER ISLAND FIRE STATION	187.84
P0117114	00216400	COMCAST	MERCER ISLAND FIRE STATION	123.63
Org Key: GGM001 - General Government-Misc				
P0117114	00216400	COMCAST	CITY OF MERCER ISLAND	222.92

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0117114	00216400	COMCAST	MERCER ISLAND CITY HALL	22.86
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
P0118600	00216449	Xerox Financial Services	Copier Lease Fees July 2023 IN	857.69
P0118600	00216449	Xerox Financial Services	Copier Lease Fees July 2023 IN	284.06
<i>Org Key: GGX620 - Custodial Disbursements</i>				
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	3,406.20
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	3,150.29
P0118580	00216447	WA ST TREASURER'S OFFICE	Remit April 23 Newcastle Court	2,892.25
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	2,709.77
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	2,067.00
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	1,925.55
P0118580	00216447	WA ST TREASURER'S OFFICE	Remit April 23 Newcastle Court	1,780.87
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	1,588.13
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	1,528.90
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	1,461.01
P0118580	00216447	WA ST TREASURER'S OFFICE	Remit April 23 Newcastle Court	1,454.45
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	1,308.51
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	854.50
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	663.98
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	635.29
P0118580	00216447	WA ST TREASURER'S OFFICE	Remit April 23 Newcastle Court	632.36
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	559.30
P0118580	00216447	WA ST TREASURER'S OFFICE	Remit April 23 Newcastle Court	507.50
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	499.95
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	499.95
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	437.58
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	341.92
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	332.06
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	331.91
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	318.16
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	317.63
P0118580	00216447	WA ST TREASURER'S OFFICE	Remit April 23 Newcastle Court	316.48
P0118580	00216447	WA ST TREASURER'S OFFICE	Remit April 23 Newcastle Court	316.21
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	314.63
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	309.66
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	302.14
P0118580	00216447	WA ST TREASURER'S OFFICE	Remit April 23 Newcastle Court	281.84
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	279.62
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	279.59
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	154.91
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	16.94
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	16.93
P0118584	00216447	WA ST TREASURER'S OFFICE	Remit 5-2023 NC Court Fees	15.44
P0118581	00216447	WA ST TREASURER'S OFFICE	Remit April 23 MI Court Fees	14.56
P0118582	00216447	WA ST TREASURER'S OFFICE	Remit May 23 MI Court Fees	2.81
<i>Org Key: GT0106 - Enterprise Resource Planning S</i>				
	00216435	PETERSON, JENNIFER	MEALS-TYLER CONNECT	352.00
	00216423	LIU, GRACIE	MEALS-TYLER CONNECT	304.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00216435	PETERSON, JENNIFER	UBER FROM SEATAC-TYLER	75.18
	00216435	PETERSON, JENNIFER	UBER TO SEATAC-TYLER CONNECT	74.92
	00216423	LIU, GRACIE	UBER TO SAN AIRPTTYLER CONNECT	32.97
Org Key: GT0108 - Technology Equipment Replaceme				
P0117675	00216443	Tech Heads Inc.	2022 Switch Replacements Remai	13,122.66
P0118491	00216403	DELL MARKETING L.P.	3 Dell TB USB-C Docks	831.83
Org Key: IGVO02 - ARCH				
P0118589	00216394	BELLEVUE, CITY OF	Q3 ARCH Administrative Budget	17,411.50
Org Key: MT1500 - Urban Forest Mangement				
P0117894	00216412	HANSON TREE SERVICE LLC	2023 Tree planting and mainten	7,822.61
Org Key: MT2255 - Urban Forest Management (ROW)				
P0117894	00216412	HANSON TREE SERVICE LLC	2023 Tree planting and mainten	7,822.60
Org Key: MT3100 - Water Distribution				
P0118571	00216442	TACOMA DIESEL	Reservoir: 1. Perform Annual	1,403.78
P0118570	00216442	TACOMA DIESEL	First Hill Booster 1. Perform	1,095.50
P0118601	00216445	UNITED RENTALS NORTH AMERICA	FORKLIFT RENTAL	860.68
P0118603	00216395	BRIDGESTONE HOSEPOWER LLC	3/8" SHORT FLARE NUT	123.23
P0118609	00216428	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	17.83
Org Key: MT3150 - Water Quality Event				
P0118185	00216437	S&B INC	SCADA Data recovery	1,425.80
Org Key: MT3300 - Water Associated Costs				
P0118552	00216438	SOUND SAFETY PRODUCTS	MISC. WORK CLOTHES	99.08
Org Key: MT3400 - Sewer Collection				
P0118554	00216442	TACOMA DIESEL	Pump Station #4 1. Perform Ann	1,403.78
P0118555	00216442	TACOMA DIESEL	Pump Station #10 1. Perform An	1,095.50
P0118561	00216442	TACOMA DIESEL	Pump Station 11: 1. Perform An	1,095.50
P0118562	00216442	TACOMA DIESEL	Pump Station #13 1. Perform An	1,095.50
P0118564	00216442	TACOMA DIESEL	Pump Station #14 1. Perform An	1,095.50
P0118558	00216442	TACOMA DIESEL	Pump Station #15 1. Perform An	1,095.50
P0118559	00216442	TACOMA DIESEL	Pump Station #17 1. Perform An	1,095.50
P0118560	00216442	TACOMA DIESEL	Pump Station #18 1. Perform An	1,095.50
P0118557	00216442	TACOMA DIESEL	Pump Station #19 1. Perform An	1,095.50
P0118565	00216442	TACOMA DIESEL	Pump Station #20 1. Perform An	1,095.50
P0118566	00216442	TACOMA DIESEL	Pump Station #21 1. Perform An	1,095.50
P0118567	00216442	TACOMA DIESEL	Pump Station #22 1. Perform An	1,095.50
P0118568	00216442	TACOMA DIESEL	Pump Station #24 1. Perform An	1,095.50
P0118569	00216442	TACOMA DIESEL	Pump Station #25 1. Perform An	1,095.50
P0118572	00216442	TACOMA DIESEL	Pump Station #16 1. Perform An	1,095.50
P0118573	00216442	TACOMA DIESEL	Pump Station #23 1. Perform An	1,095.50
P0118556	00216442	TACOMA DIESEL	Pump Station #1: 1. Perform An	1,095.50
P0118606	00216432	ONE 7 INC.	MISC. HARDWARE	235.90
P0118540	00216414	HOME DEPOT CREDIT SERVICE	SPONGES, MIXING CONTAINERS & T	131.10
P0118542	00216409	GRAINGER	CHEMICAL RESISTANT GLOVES (ORA	82.17

Org Key: MT3500 - Sewer Pumps

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0118609	00216428	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	129.04
P0118539	00216398	CESSCO INC	POLYCUT TRIMMER HEADS	115.26
<i>Org Key: MT3800 - Storm Drainage</i>				
	00216436	ROBLE, DEEQA	MILEAGE-STORM QTRLY MEETING	35.50
	00216436	ROBLE, DEEQA	CERTIFIED MAIL	4.78
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P0118599	00216402	DATAQUEST LLC	Background Checks INV 21326	200.50
P0117114	00216400	COMCAST	CITY OF MERCER ISLAND	172.82
P0118552	00216438	SOUND SAFETY PRODUCTS	MISC. WORK CLOTHES	165.13
<i>Org Key: MT4200 - Building Services</i>				
P0118610	00216427	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	71.27
P0118611	00216426	MI HARDWARE - BLDG	MISC. HARDWARE FOR THE MONTH O	21.36
<i>Org Key: MT4300 - Fleet Services</i>				
P0118604	00216406	EMERALD SERVICES INC	OIL RECYCLING	452.54
P0118604	00216406	EMERALD SERVICES INC	OIL RECYCLING	102.34
<i>Org Key: MT4930 - ARPA-Eliminate Gas Blowers</i>				
P0118550	00216409	GRAINGER	BACKPACK BLOWER KIT: 56 V, 145	583.69
<i>Org Key: MT6100 - Park Maintenance</i>				
P0118535	00216414	HOME DEPOT CREDIT SERVICE	HAND PUMP, TRELLIS & UTILITY C	275.14
P0118552	00216438	SOUND SAFETY PRODUCTS	MISC. WORK CLOTHES	198.16
P0118605	00216433	PART WORKS INC., THE	BUTTON REPAIR KIT	139.57
P0118610	00216427	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	10.89
<i>Org Key: MT6200 - Athletic Field Maintenance</i>				
	00216434	PETERBURS, ROBINSON	DOT PHYSICAL SLEEP	288.80
	00216434	PETERBURS, ROBINSON	FUEL FOR #488	20.00
<i>Org Key: MT6500 - Luther Burbank Park Maint</i>				
P0118516	00216433	PART WORKS INC., THE	O-RING VALVE W/O-RING ASSEMBLY	276.73
P0118610	00216427	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	124.35
<i>Org Key: MT6900 - Aubrey Davis Park Maint</i>				
P0118602	00216415	HORIZON	MISC. IRRIGATION PARTS	588.83
P0118574	00216410	GREEN LATRINE	CITY OF MI PARKS DEPARTMENT	470.00
P0118575	00216410	GREEN LATRINE	Site: Aubrey Davis Park, 2223	395.00
P0118576	00216410	GREEN LATRINE	Site: MI Boat Launch, Frontage	395.00
<i>Org Key: PA0100 - Open Space Management</i>				
	00216439	Stone, Lizzy	PESTICIDE APPLICATORS TEST FEE	150.00
<i>Org Key: PA0111 - Aubrey Davis Park Vegetation M</i>				
P0116262	00216421	KPG	PSOMAS DBA KPG PSOMAS INC	1,222.00
<i>Org Key: PA0136 - Luther Burbank South Shoreline</i>				
P0118094	00216429	NEPTUNE GENERAL CONTRACTORS	22-35 Luther Burbank Park Sout	30,444.46
<i>Org Key: PA0143 - LB Park Tennis Court Resurface</i>				
P0118524	00216401	DA HOGAN	Project: 1871 Luther Burbank P	4,768.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: PA136B - WRIA8-LB South Shoreline</i>				
P0118094	00216429	NEPTUNE GENERAL CONTRACTORS	22-35 Luther Burbank Park Sout	52,017.00
<i>Org Key: PO1350 - Police Emergency Management</i>				
P0118549	00216425	MASTERMARK	Magnetic Nametag - Keverkamp (17.14
<i>Org Key: PR1100 - Administration (PR)</i>				
P0118609	00216428	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	76.73
	00216417	JASMAN, JEREMY	SUPERVISOR BOOT CAMP TRAINING	21.06
<i>Org Key: PR2104 - Special Events</i>				
P0118436	00216404	Dwain Bickham	Performance for Juneteenth	2,150.00
<i>Org Key: PR4100 - Community Center</i>				
P0117114	00216400	COMCAST	MERCER ISLAND COMMUNITY	645.40
<i>Org Key: PR5900 - Summer Celebration</i>				
P0118597	00216446	UNITED REPROGRAPHICS	ds direct to corex	255.78
<i>Org Key: SP0100 - Residential Street Resurfacing</i>				
P0118607	00216446	UNITED REPROGRAPHICS	PROJECT SIGNS FOR 2023 RESIDEN	212.77
P0118607	00216446	UNITED REPROGRAPHICS	PROJECT BOOKS	139.25
<i>Org Key: SP0111 - 80th Ave SE Sidewalk Improve</i>				
P0104658	00216421	KPG	80TH AVE SE PEDESTIAN IMPROVEM	3,975.00
<i>Org Key: SP0120 - Sunset Hwy/77 Ave SW Improveme</i>				
P0116933	00216421	KPG	77TH AVE SE & SUNSET HWY	21,343.78
P0116625	00216448	WSDOT	WSDOT	210.80
<i>Org Key: SP0122 - Minor Capital - Traffic Operat</i>				
P0117846	00216421	KPG	4004 ICW Pedestrian Corner	4,957.00
<i>Org Key: SP0135 - ICW Corridor Improvements</i>				
P0118254	00216421	KPG	ICW Corridor Safety Analysis a	41,543.30
P0118254	00216421	KPG	ICW Corridor Safety Analysis a	29,103.50
<i>Org Key: WU0101 - Booster Chlorination Station</i>				
P0108114	00216397	CAROLLO ENGINEERS INC	BOOSTER CHLORINATION SYSTEM	18,952.25
<i>Org Key: WU0117 - Meter Replacement Implementati</i>				
P0102980	00216413	HDR ENGINEERING INC	WATER METER REPLACEMENT	7,276.38
P0102980	00216413	HDR ENGINEERING INC	WATER METER REPLACEMENT	0.00
<i>Org Key: WU0175 - ARPA-PRV Replacement Design</i>				
P0114151	00216396	CAROLLO ENGINEERS INC	Risk and Resilience Assessment	18,351.50
<i>Org Key: YF1200 - Thrift Shop</i>				
P0118599	00216402	DATAQUEST LLC	Background Checks INV 21327	106.00
<i>Org Key: YF2600 - Family Assistance</i>				
P0118553	00216418	KC HOUSING AUTHORITY	Rental Assistance for EA clien	213.00
Total				<u>438,407.53</u>

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00216393	07/07/2023	ASPECT SOFTWARE INC Telestaff monthly min in	P0118587	AS1076906	07/05/2023	165.15
00216394	07/07/2023	BELLEVUE, CITY OF Q3 ARCH Administrative Budget	P0118589	44875	06/01/2023	17,411.50
00216395	07/07/2023	BRIDGESTONE HOSEPOWER LLC 3/8" SHORT FLARE NUT	P0118603	83045332-00	06/28/2023	123.23
00216396	07/07/2023	CAROLLO ENGINEERS INC Risk and Resilience Assessment	P0114151	FB37361	06/08/2023	18,351.50
00216397	07/07/2023	CAROLLO ENGINEERS INC BOOSTER CHLORINATION SYSTEM	P0108114	FB34893	04/07/2023	18,952.25
00216398	07/07/2023	CESSCO INC POLYCUT TRIMMER HEADS	P0118539	20344	06/22/2023	115.26
00216399	07/07/2023	CINTAS FIRST AID SUPPLIES	P0118538	5164699767	06/28/2023	495.56
00216400	07/07/2023	COMCAST MERCER ISLAND FIRE STATION	P0117114	0012599-JUNJUL23	07/01/2023	1,613.21
00216401	07/07/2023	DA HOGAN Project: 1871 Luther Burbank P	P0118524	23-8107	05/31/2023	4,768.00
00216402	07/07/2023	DATAQUEST LLC Background Checks INV 21326	P0118599	21327	06/30/2023	306.50
00216403	07/07/2023	DELL MARKETING L.P. Dell Latitude 5540	P0118491	10681732048	06/29/2023	2,686.00
00216404	07/07/2023	Dwain Bickham Performance for Juneteenth	P0118436	061923-RE	06/19/2023	2,150.00
00216405	07/07/2023	EASTSIDE FIRE & RESCUE June Interim Admin Services	P0118586	5538	06/22/2023	32,254.20
00216406	07/07/2023	EMERALD SERVICES INC OIL RECYCLING	P0118604	92136609	06/16/2023	554.88
00216407	07/07/2023	EXCEL SUPPLY COMPANY INVENTORY PURCHASES	P0118519	142769	06/20/2023	352.32
00216408	07/07/2023	GALLAGHER, ANITA June Legislative Services INV	P0118595	1042	07/03/2023	2,000.00
00216409	07/07/2023	GRAINGER INVENTORY PURCHASES	P0118550	9757131835	06/29/2023	1,903.63
00216410	07/07/2023	GREEN LATRINE CITY OF MI PARKS DEPARTMENT	P0118576	I33871	06/16/2023	1,260.00
00216411	07/07/2023	H D FOWLER INVENTORY PURCHASES	P0118551	I6438856	06/29/2023	32.20
00216412	07/07/2023	HANSON TREE SERVICE LLC 2023 Tree planting and mainten	P0117894	194960	06/07/2023	15,645.21
00216413	07/07/2023	HDR ENGINEERING INC WATER METER REPLACEMENT PROGRA	P0102980	1200532178	06/16/2023	7,276.38
00216414	07/07/2023	HOME DEPOT CREDIT SERVICE SPONGES, MIXING CONTAINERS & T	P0118535	5392798	06/26/2023	406.24
00216415	07/07/2023	HORIZON MISC. IRRIGATION PARTS	P0118602	3M481584	06/27/2023	588.83
00216416	07/07/2023	INTERCOM LANGUAGE SERVICES INC Intercom invoice #23-276	P0118613	23-276	06/29/2023	1,385.94
00216417	07/07/2023	JASMAN, JEREMY SUPERVISOR BOOT CAMP TRAINING		06292023	06/29/2023	21.06
00216418	07/07/2023	KC HOUSING AUTHORITY Rental Assistance for EA clien	P0118553	JUL 2023-RENT	06/30/2023	213.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00216419	07/07/2023	KEATING BUCKLIN & MCCORMACK Invoice #20065 General Litigat	P0118592	20065	06/08/2023	11,767.30
00216420	07/07/2023	Kiviat, Aaron Invoice #1596 Professional	P0118593	1595	05/30/2023	7,200.00
00216421	07/07/2023	KPG PSOMAS DBA KPG PSOMAS INC	P0118254	196274	05/18/2023	102,144.58
00216422	07/07/2023	LANGUAGE LINE SERVICES Language Line invoice #1103730	P0118608	11037307	06/30/2023	18.33
00216423	07/07/2023	LIU, GRACIE MEALS-TYLER CONNECT		06272023	06/27/2023	336.97
00216424	07/07/2023	Madrona Law Group, PLLC Invoice #11966 Professional	P0118591	11971	06/06/2023	11,230.00
00216425	07/07/2023	MASTERMARK Magnetic Nametag - Keverkamp (P0118549	3057537	06/28/2023	17.14
00216426	07/07/2023	MI HARDWARE - BLDG MISC. HARDWARE FOR THE MONTH O	P0118611	JUN 2023	06/30/2023	21.36
00216427	07/07/2023	MI HARDWARE - MAINT MISC. HARDWARE FOR THE MONTH O	P0118610	JUN 2023	06/30/2023	206.51
00216428	07/07/2023	MI HARDWARE - UTILITY MISC. HARDWARE FOR THE MONTH O	P0118609	JUN 2023	06/30/2023	223.60
00216429	07/07/2023	NEPTUNE GENERAL CONTRACTORS 22-35 Luther Burbank Park Sout	P0118094	MAY 2023	06/23/2023	82,461.46
00216430	07/07/2023	Nick Federici May legislative services INV	P0118594	000606	07/01/2023	4,000.00
00216431	07/07/2023	OGDEN MURPHY WALLACE Invoice #877034 Professional	P0118579	877034	06/13/2023	870.00
00216432	07/07/2023	ONE 7 INC. MISC. HARDWARE	P0118606	2173	06/26/2023	235.90
00216433	07/07/2023	PART WORKS INC., THE BUTTON REPAIR KIT	P0118516	INV94894	06/26/2023	416.30
00216434	07/07/2023	PETERBURS, ROBINSON FUEL FOR #488		06272023	06/27/2023	308.80
00216435	07/07/2023	PETERSON, JENNIFER MEALS-TYLER CONNECT		07062023	07/06/2023	502.10
00216436	07/07/2023	ROBLE, DEEQA CERTIFIED MAIL		05252023	05/25/2023	40.28
00216437	07/07/2023	S&B INC SCADA Data recovery	P0118185	26497A	05/30/2023	1,425.80
00216438	07/07/2023	SOUND SAFETY PRODUCTS SAFETY BOOTS & MISC. WORK CLOT	P0118552	262226/3	06/27/2023	793.90
00216439	07/07/2023	Stone, Lizzy PESTICIDE APPLICATORS TEST FEE		06292023	06/29/2023	150.00
00216440	07/07/2023	SYSTEMS DESIGN WEST LLC Transport Billing May	P0118585	WAGEMT2216	06/28/2023	9,446.49
00216442	07/07/2023	TACOMA DIESEL Reservoir: 1. Perform Annual	P0118556	138675	05/30/2023	21,431.06
00216443	07/07/2023	Tech Heads Inc. 2022 Switch Replacements Rемаi	P0117675	E5675	06/26/2023	13,122.66
00216444	07/07/2023	The Fearey Group Inc. Invoice #May 2023-194 Professi	P0118578	MAY 2023-194	05/31/2023	1,357.13
00216445	07/07/2023	UNITED RENTALS NORTH AMERICA FORKLIFT RENTAL	P0118601	221393605-001	06/27/2023	860.68

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00216446	07/07/2023	UNITED REPROGRAPHICS ds direct to corex	P0118607	9115601-IN	06/27/2023	607.80
00216447	07/07/2023	WA ST TREASURER'S OFFICE Remit April 23 MI Court Fees	P0118584	85001555 MAY-23	07/05/2023	34,826.78
00216448	07/07/2023	WSDOT WSDOT	P0116625	RE41 JZ1369 L014	06/13/2023	210.80
00216449	07/07/2023	Xerox Financial Services Copier Lease Fees July 2023 IN	P0118600	4481709	07/04/2023	1,141.75
					Total	<u>438,407.53</u>



CITY COUNCIL MINUTES SPECIAL HYBRID MEETING July 5, 2023

Item 3.

EXECUTIVE SESSION

At 5:01 pm, Mayor Nice convened an Executive Session via Microsoft Teams. The Executive Session was to discuss with legal counsel (1) to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price pursuant to RCW 42.30.110(1)(b), (2) to discuss with legal counsel litigation or potential litigation pursuant to RCW 42.30.110(1)(i), and (3) for planning or adopting the strategy or position to be taken by the governing body 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 6:51 pm.

CALL TO ORDER & ROLL CALL

Mayor Salim Nice called the Special Hybrid Meeting to order at 7:01 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 Jacobson to:

Approve the agenda.

PASSED: 7-0

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

APPEARANCES

Addie Smith spoke about being a hate crime survivor.

Dan Winder (Mercer Island) spoke in opposition of the regional fire services proposal.

Catherine Winder (Mercer Island) spoke in opposition of the regional fire services proposal.

Meridith Tall (Mercer Island) spoke in opposition of the regional fire services proposal.

STUDY SESSION

AB 6290: Comprehensive Plan Periodic Update – Supplemental Scope / Schedule

CPD Director Jeff Thomas introduced the supplemental scope of work to the periodic update to the

Comprehensive Plan.

Senior Planner Adam Zack presented an overview of the statewide legislation that has driven the need for the supplemental scope of work, discussed the guidance that has been received from the Department of Commerce, and reviewed the timeline for the Comprehensive Plan Periodic update including the supplemental scope of work.

CPD Director Jeff Thomas discussed next steps. Council asked questions and provided feedback to staff.

CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- **Council, Boards & Commission Meetings:** Provided an update on the City Hall Closure. Upcoming City Council meeting on July 18. Reminder on recess in August for public meetings. Upcoming Parks & Recreation Commission Hybrid Meeting on July 6 and Utility Board Hybrid Meeting on July 11.
- **City Services Updates:** Update on 4th of July activity and response from the Fire Department and Police Department, Update on Summer Camps at MICEC, Road maintenance is being performed by the Right-of-Way team, Sunset & 77th Avenue Intersection Improvement project completion, Luther Burbank Park public art is seeking community input to develop unique icons and designs for the 12 bronze pieces that will be inlaid into the new pavement at Luther Burbank waterfront plaza, and Extended Library hours.
- **Upcoming Events:** MIVAL Jr. Art show at MICEC through August 18, Mostly Music in the Park kicks off on July 13, Summer Celebration on July 15, thank you Sponsors!
- **News:** Congrats to Councilmember Weiker for being re-elected to the Association of Washington Cities Board of Directors, 2023 Graduating CERT Class.

CONSENT AGENDA

AB 6292: June 16, 2023 Payroll Certification

Recommended Action: Approve the June 16, 2023 Payroll Certification in the amount of \$968,021.03 and authorize the Mayor to sign the certification on behalf of the entire City Council.

Certification of Claims:

- A. Check Register | 216153-216215 | 6/16/2023 | \$1,246,024.72
- B. Check Register | 216216-216298 | 6/23/2023 | \$501,818.56
- C. EFT Payments | May 2023 | \$3,579,376.11

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 June 20, 2023 Special Hybrid Meeting

Recommended Action: Approve the revised minutes of the June 20, 2023 Special Hybrid Meeting.

AB 6293: Parks and Recreation Month Proclamation No. 312

Recommended Action: Approve Proclamation No. 312 proclaiming July 2023 as Parks and Recreation Month on Mercer Island.

AB 6295: Basin 40 Cured-In-Place-Pipe Sewer Lining Project Phase 2 Bid Award

Recommended Action: Award the Basin 40 Cured-In-Place-Pipe Sewer Lining Project Phase 2 to Insta-Pipe, Inc., in the amount of \$1,681,845, and authorize the City Manager to execute a contract with Insta-Pipe for the construction of the project.

AB 6296: 2022 Arterial and Residential Street Overlays Project Closeout

Recommended Action: Accept the completed 2022 Arterial and Residential Street Overlays project and authorize staff to close out the contract.

AB 6297: 2022 Street Related Utility Improvements Project Closeout

Recommended Action: Accept the completed 2022 Street Related Utility Improvements project and authorize staff to close out the contract.

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)

REGULAR BUSINESS

AB 6291: Town Center Parking Study Draft Report & Early Actions Implementation Update

CIP Project Manager Sarah Bluvus presented impacts from the 2023 state legislative session, provided background on the Town Center Parking Study. She discussed the Town Center Parking Study draft report, early action implementation items, and next steps.

Council asked questions and provided feedback.

It was moved by Reynolds; seconded by Weiker to:

Resume the process to finalize and adopt the Town Center Parking Study Report by the end of 2023.

PASSED: 7-0

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

AB 6307: Interlocal Agreement with Eastside Fire & Rescue for Regional Fire and Emergency Medical Services

City Manager Jessi Bon presented background information on the Regional Fire Services proposal, discussed the proposal review process with the City Council Ad-hoc Committee, and discussed the initial overview and discussion that led to City Council direction to begin negotiations with Eastside Fire & Rescue for regional fire services and to return to City Council with a recommendation. City Manager Bon discussed the current Fire and EMS services that are provided by the Fire Department, spoke about trend of regionalization of fire services throughout the region, discussed staffing and level of service with a contract for Eastside Fire & Rescue providing fire and EMS services, and spoke about mutual aid and regional coordination.

City Manager Bon presented her recommendation to contract with Eastside Fire & Rescue for fire and EMS services, discussed increased opportunities for Mercer Island Firefighters, and spoke about cost savings and efficiencies. City Manager Bon provided an overview of the Interlocal Agreement with Eastside Fire & Rescue and discussed next steps.

Council discussed the proposal.

It was moved by Weiker; seconded by Jacobson to:

Adopt Resolution No. 1645 approving the Interlocal Agreement with Eastside Fire & Rescue.

It was moved by Weinberg; seconded by Reynolds to:

Amend the first sentence in ILA section 3.3 to use the preposition “at” instead of the preposition “to.”

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:

Eliminate the last sentence of ILA section 6.2.

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:

Amend the second sentence of ILA section 3.9 to read:

“Further, the parties acknowledge that the Exhibits to this Agreement may be modified by the City Manager without further action by the Mercer Island City Council, provided the City Manager shall report all modifications to the City Council as soon as practicable following the modification, and provided further that no modifications shall be made without City Council pre-approval where the modification results in a decrease in staffing or a cost increase in excess of budget authority.”

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

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

It was moved by Jacobson; seconded by Anderl to:

Call the Question

FAILED: 4-3

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

AGAINST: 3 (Reynolds, Rosenbaum and Weinberg)

It was moved by Weinberg; seconded by Reynolds to:

Change the second sentence of ILA section 4.3.b.i from “Actual Personnel Costs shall include the fully burdened rate based on actual wages (including overtime) and benefits paid and accrued during the year” to “Actual Personnel Costs shall be equal to actual wages, overtime, and benefits paid or accrued during the year.”

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:

Add a new section to the ILA as follows:

“5.12. As part of taking ownership of all computer systems, Eastside shall fund, implement, and maintain all necessary information technology data system integrations resulting from this ILA.”

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:

Expand the term “City Manager” to read “Mercer Island City Manager” in ILA section 12.

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:

In the last sentence of ILA Exhibit B we expand “personal property” to “personal property of the Mercer Island 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:

In the first sentence of ILA Exhibit C, expand “personal property” to “personal property of the Mercer Island 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:

Change sentence 1.a of section 1 in Exhibit F of the ILA from: “Routine Maintenance refers to any maintenance task that is done on a planned and ongoing basis to identify and prevent problems before they result in a facility or equipment failure” to “Routine Maintenance refers to any maintenance task that is done on a planned and ongoing basis to identify and prevent problems before they result in a facility or equipment failure or negatively impacts to operations and the safety of Mercer Island residents.”

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:

Replace the word “will” in the first sentence with the word “shall”.

FAILED: 2-5

FOR: 2 (Reynolds and Weinberg)

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

MAIN MOTION PASSED AS MADE:

PASSED: 5-2

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

AGAINST: (Reynolds and Weinberg)

OTHER BUSINESS

Planning Schedule

City Manager Jessi Bon spoke about the July 18 City Council Meeting and about the August recess.

Councilmember Absences and Reports

Councilmember Reynolds is looking forward to Summer Celebration.

Deputy Mayor Rosenbaum thanked staff for all of the work on Summer Celebration.

ADJOURNMENT

The Special Hybrid Council Meeting adjourned at 10:13 pm.

Attest:

Salim Nice, Mayor

Andrea Larson, City Clerk



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6299
July 18, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6299: 81 st Avenue SE Backyard Sewer Improvements Phase 2 Project Closeout	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Accept the 81st Avenue SE Backyard Sewer Improvements Phase 2 Project and authorize staff to complete the closeout of the construction contract.	

DEPARTMENT:	Public Works
STAFF:	Patrick Yamashita, Deputy Public Works Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Project Location Map
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	\$239,598
AMOUNT BUDGETED	\$248,591
APPROPRIATION REQUIRED	\$ 0

EXECUTIVE SUMMARY

The purpose of this agenda bill is to accept the completed 2018 81st Avenue SE Backyard Sewer Improvements Phase 2 project and authorize staff to close out the construction contract.

- The project added eight manholes on the sewer line in 81st Avenue SE.
- The new manholes provide much needed access points in the sewer system to allow for proper cleaning and maintenance, reducing the chance of future sewer backups.
- Construction occurred in September to October 2018.
- The total project cost was \$239,598 and came in approximately \$8,893 (3.6%) under budget. Unspent funds will remain in the Sewer Utility Fund.

BACKGROUND

Public Works sewer crews regularly clean and maintain the island's 110 miles of sewer pipe. Cleaning requires the use of large equipment to hydro jet, flush, and remove debris from the sewer system that could otherwise clog the sewer mains over time, creating the potential for sewer backups. Manholes are the primary access points within the piped sewer system for cleaning.

ISSUE/DISCUSSION

The sewer crew identified a lack of access in a portion of the sewer system between the 6500 and 7000 blocks of 81st Avenue SE. This limited staff's ability to effectively clean the sewer system in this area.

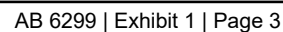
The 81st Avenue SE Backyard Sewer Improvements Phase 2 Project (see Exhibit 1) added eight manhole access points into the sewer system to allow for proper cleaning of the sewer system. The design was completed in summer 2018. Five contractor bids were received on September 6, 2018. A contract was awarded to Kamins Construction in September 2018 for \$209,629 with a total project budget of \$248,491.

Construction was complete by the end of October 2018. The total cost of the completed project was \$239,598, 3.6 percent (\$8,893) below the project budget of \$248,491. The unspent funds will remain in the Sewer Utility Fund.

RECOMMENDED ACTION

Accept the 81st Avenue SE Backyard Sewer Improvements Phase 2 Project and authorize staff to close out the contract.

Item 4.





BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6300
July 18, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6300: 2023 Water System Improvements Project Bid Award	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Award the 2023 Water System Improvements construction contract to Kar-Vel Construction.	

DEPARTMENT:	Public Works
STAFF:	Patrick Yamashita, Deputy Public Works Director Clint Morris, Capital Division Manager George Fletcher, Senior CIP Project Manager
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Project Locations Map
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	\$ 4,657,092
AMOUNT BUDGETED	\$ 4,684,000
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to award a public works construction contract to upgrade aging and undersized water system infrastructure at six locations on the northern portion of Mercer Island.

- This project replaces over 6,600 feet of watermain, along with water services, fire hydrants, and other critical water distribution system components.
- This project (WU0130) is included in the 2023-2024 Biennial Budget and Capital Improvement Program (CIP) with a total project budget of \$4,684,000, funded by the Water Fund.
- Five bids were received. The low construction bid is \$3,584,335.
- Design work was funded from the 2021-2022 CIP (WU0109) and a \$489,400 appropriation from the Water Fund ([AB6151](#)).
- Construction is scheduled to occur from August 2023 through April 2024.

BACKGROUND

One of the City's top priorities is to provide safe and reliable drinking water to the community. A major component of achieving that goal is on-going, planned replacement of portions of the water system that have reached the end of their service life.

Each biennium, the City constructs at least one watermain replacement project, as well as performing other capital water system upgrades. The City owns and maintains over 115 miles of water mains, ranging in size from 4-inches to 30-inches in diameter. During each Capital Improvement Program (CIP) budget planning process, City staff evaluate and prioritize water mains for replacement using a scoring matrix that applies rating factors to attributes such as pipe material, age, diameter, condition, water quality, and fire flow.

Six high priority locations were identified for water main replacement for 2023. These sites have water mains that were installed in the late 1950's and early 1960's, making them some of the oldest components of the City's water system. The mains are a combination of 4, 6, and 8-inch cast iron. Some are undersized. Most have a history of breaks and there are numerous undersized fire hydrants.

The replacement locations as outlined in Exhibit 1 include:

- 60th Avenue SE, from SE 27th to SE 32nd Streets, in the East Seattle neighborhood
- The 2400 Block of 62nd Avenue SE, also in East Seattle
- The 7400 Block of North Mercer Way
- 74th Avenue SE from north of SE 24th Street to SE 27th Street
- The 7600 Block of SE 37th Place in Mercerdale
- The 7600 Block of SE 41st Street.

This project will provide timely water system upgrades within these neighborhoods by strengthening the distribution system, increasing fire flow, and improving water quality.

During the 2023-2028 CIP development process, the 2023 Water System Improvements project was increased to almost double the historical size of the City's annual water main replacement effort. While the 2021-2022 CIP included funding for design of the 2023 project, the \$229,000 project budget for WU0109 was inadequate for the larger project size. In September 2022, Council approved an appropriation from the Water Fund of \$260,400 for additional design work, which increased the total design project funding to \$489,400 ([AB 6151](#)).

Design work began in October 2022 and was completed in mid-May 2023. The project was advertised for bids immediately after design work was finalized. At completion of design, the engineer's estimated construction cost of the project was \$3,672,374.

ISSUE/DISCUSSION

PROJECT DESCRIPTION

The 2023 Water System Improvements project (WU0130) consists of installing over 6,000 feet of new 8-inch ductile iron water main, 235 feet of new 6-inch ductile iron water main, 395 feet of new 4-inch ductile iron water main, 14 fire hydrants, 145 water services, 24 connections to existing water mains, and construction of a new pressure reducing valve station.

Work also includes the abandonment of over 1,200 feet of 4- and 6-inch asbestos cement water main pipe (also known as "AC" pipe or "Transite" pipe). On North Mercer Way, over 700 feet of redundant 6- and 8-inch cast iron water main will be abandoned and water services from those mains switched to a parallel existing 16-inch ductile iron water main. This will improve water quality and saves the cost of replacing those old mains.

BID RESULTS

Five construction bids were received and opened on June 29, 2023. The lowest bid was received from Kar-Vel Construction with a bid of \$3,584,335, which is approximately 2.4% below the engineer's construction cost estimate. The following table shows the bid results.

COMPANY NAME	TOTAL BID AMOUNT INCLUDING 10.1% WASHINGTON SALES TAX
Kar-Vel Construction	\$3,584,335
Fury Siteworks Inc	\$3,594,211
SCI Infrastructure, LLC	\$3,780,933
Strickland & Sons Excavation	\$3,790,855
Pacific Civil & Infrastructure, Inc	\$4,425,194
Engineer's Estimate:	\$3,672,374

The apparent low bidder, Kar-Vel Construction (Kar-Vel), based in Renton, Washington was established in 1990. They have completed several water main and other utility infrastructure construction projects for public agencies and private developments in Western Washington. Currently, Kar-Vel is finishing two asbestos cement water main replacement projects with the City of Bellevue that have a combined contract value of over \$6 M. Kar-Vel also successfully completed a pressure reducing valve station project for the Alderwood Water and Wastewater District on-time and on-budget in 2021.

A review of the Labor and Industries (L&I) website confirms Kar-Vel Construction is a contractor in good standing with no license violations, outstanding lawsuits, or L&I tax debt. Based on review of Kar-Vel's bid submittal and reference checks, staff has determined that Kar-Vel is the lowest responsive bidder for this project and staff recommends awarding the 2023 Water System Improvements project to Kar-Vel Construction.

PROJECT BUDGET

Adding amounts for construction, contingency, inspection, and project management brings the total estimated 2023 project cost to \$4,657,092, which is \$26,908 underbudget. This and any savings at the project's completion will return to the Water Fund. Note, project design expenses are not included in this estimate since those costs were funded from the 2021-2022 CIP.

Historically, staff applies a 20% contingency for utility construction due to the unknowns associated with underground work; however, with this larger project a 15% contingency is recommended. Project costs are summarized in the following table.

2023 WATER SYSTEM IMPROVEMENTS WU0130 PROJECT BUDGET	
Description	TOTAL
Construction (Schedules A, B and C)	\$3,255,527
Washington State Sales Tax @ 10.1%	\$328,808
Total Construction Contract Award to Kar-Vel	\$3,584,335
Construction Contingency @ 15%	\$537,650
Construction Support Services - Consultant	\$33,300
Project Management/In-House Staff Support	\$286,747
Construction Inspection	\$215,060
Total Estimated Project Cost	\$4,657,092
Total 2023-2024 Budget Available for Project WU0130	\$4,684,000
Budget Appropriation Needed	\$0

NEXT STEPS

Staff recommends authorizing the City Manager to execute a contract with Kar-Vel Construction, a Washington-based company, for the construction of the 2023 Water System Improvements project and set the total project budget at \$4,657,092.

Public agencies, contractors, and suppliers are still experiencing shortages of materials and long lead times on critical items, such as ductile iron pipe, brass pipe fittings, and other water system accessories. Staff anticipates construction work to begin in August of 2023. Completion of the entire project is not expected until April 2024. Staff will work closely with the Kar-Vel team to manage the project timeline and work schedule.

RECOMMENDED ACTION

Award the 2023 Water System Improvements project to Kar-Vel Construction, authorize the City Manager to execute a contract with Kar-Vel Construction in an amount of \$3,584,335 and set the total project budget at \$4,657,092.

2023 WATER SYSTEM IMPROVEMENTS WU0130- PROJECT VICINITY MAP

Item 5.



Project Areas
 Roads
 I-90
 Parcels
 Parks

Disclaimer: No warranties of any sort including accuracy, fitness or merchantability accompany this map.



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6301
July 18, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6301: SE 22 nd Street & SE 22 nd Place Water System Improvements Project Closeout	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed:
RECOMMENDED ACTION:	Accept the completed project and authorize staff to close out the contract.	<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Public Works
STAFF:	Patrick Yamashita, Deputy Public Works Director Clint Morris, Capital Division Manager Rona Lin, Utilities Engineer
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Project Location Map
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	\$895,083
AMOUNT BUDGETED	\$1,248,809
APPROPRIATION REQUIRED	\$0

EXECUTIVE SUMMARY

The purpose of this agenda bill is to accept the completed SE 22nd Street & SE 22nd Place Water System Improvements project and authorize staff to close out the construction contract.

- Work consisted of replacing 2,300 linear feet of water main; installing new water services, fire hydrants, and other water system components; and repaving one roadway.
- Project design was included in the 2017-2018 Capital Budget and funded from the Water Fund.
- Construction was included in the 2019-2020 Capital Budget and funded from the Water and Street Funds.
- Construction occurred from March through June of 2019.
- The total project cost was \$895,083 and came in \$353,726 under budget. Unspent funds will remain in the Water and Street Funds.

BACKGROUND

The City uses a scoring matrix to evaluate all water mains on the Island to prioritize them for replacement. These factors include size of pipe, age of pipe, pipe material, history of breaks, fire flow capacity/deficiency, water quality, and coordination with other projects. In 2016, the SE 22nd Street & SE 22nd Place Water System Improvements project ranked high on the priority list and was identified as one of the approved water system

projects in the 2017-2018 Capital Budget. This project involved water system upgrades (Bid Schedule A) and a small street overlay (Bid Schedule B). See Exhibit 1 for project locations. On 77th Avenue SE, the alignment of the new water main coupled with the roadway's poor condition prior to the project led staff to include repaving of the roadway in the project. Road work was budgeted from the Street Fund.

Project design began in July 2017, but was not completed until November 2018 to allow time for coordination with the design of King County's North Mercer Island Interceptor and Enatai Interceptor sewer improvement project. A construction contract was awarded to Rino Construction in January 2019 for \$835,068 and the total project budget was set at \$1,248,809 ([AB 5523](#)).

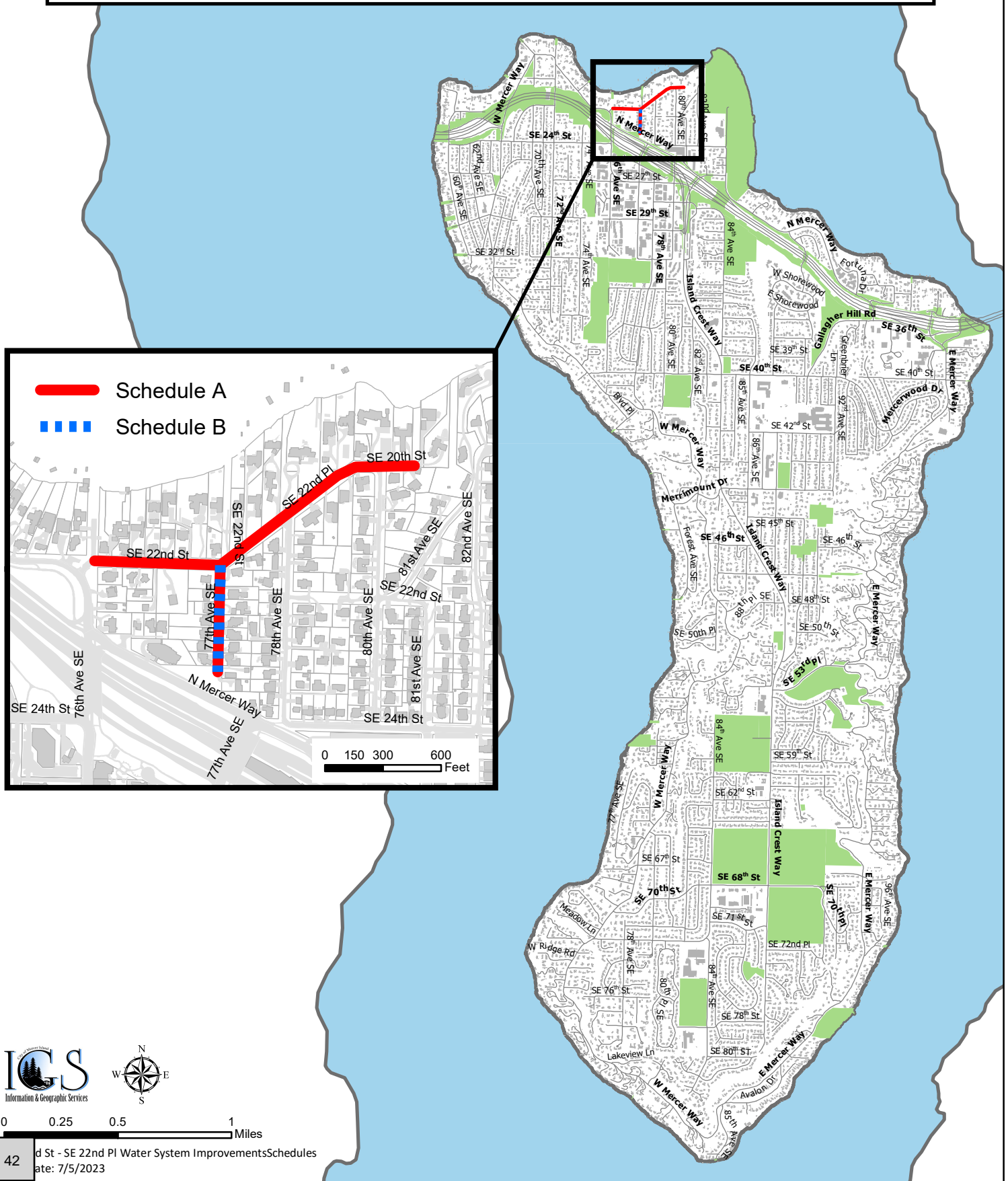
ISSUE/DISCUSSION

Construction activities began in March 2019 and the project was substantially complete in June 2019. Under Schedule A, a total of 2,300 linear feet of water main, 55 water services, five fire hydrants, three air/vacuum release assemblies, and two blow-off assemblies were replaced along SE 22nd Street, SE 22nd Place, and 77th Avenue SE. In Schedule B, a full width asphalt overlay was completed on the 77th Avenue SE roadway.

The total project cost was \$895,083, which was \$353,726 less than the total amount budgeted at the time of the contract bid award. Unspent funds from the project remain in the Water Fund (\$325,780) and in the Street Fund (\$27,946).

RECOMMENDED ACTION

Accept the completed SE 22nd Street & SE 22nd Place Water System Improvements project and authorize staff to close out the contract.





BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6302
July 18, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6302: Comprehensive Plan Periodic Review - Housing Element Update Supplemental Scope and Schedule	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution
RECOMMENDED ACTION:	Approve Resolution No. 1646, a Supplemental Scope of Work for the 2024 Comprehensive Plan Periodic Review.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Community Planning and Development Director Adam Zack, Senior Planner
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Resolution No. 1646
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to present a resolution to approve a supplemental scope of work for the 2024 Periodic Update of the Comprehensive Plan. The City of Mercer Island is required to review and update its Comprehensive Plan by December 31, 2024. The supplemental scope of work will add tasks to the scope of work, to be completed by this deadline.

- In 2021, the Washington (WA) State Legislature enacted Engrossed Second Substitute House Bill 1220 (HB 1220) requiring changes to the Comprehensive Plan to address potential racially disparate impacts of housing policies and affordable housing for all income ranges (see [AB 6156](#) for more information).
- On March 15, 2022, the City Council approved [Resolution No. 1621](#), which established a scope of work for the Comprehensive Plan periodic review.
- In late 2022 and early 2023, the WA Department of Commerce ("Commerce") issued guidance for complying with HB 1220. This guidance necessitates additional tasks for the comprehensive plan periodic review that were not included in the scope approved by Resolution No. 1621.
- In 2023, the WA State Legislature enacted House Bills 1110 ("HB 1110") and 1337 ("HB 1337") setting new requirements for residential densities in cities and amending the requirements for accessory

dwelling units (ADU). The changes enacted by both bills will require Comprehensive Plan amendments.

- Given the changes made by HB 1110 and HB 1337, and the Commerce guidance for complying with HB 1220, the scope approved by Resolution No. 1621 must be supplemented with additional tasks.
- The City Council was initially briefed on the supplemental scope of work on July 5, 2023, see [AB 6290](#).
- Resolution No. 1646 (Exhibit 1) would approve the supplemental scope of work that establishes tasks and the schedule needed to comply with recent changes in state law and Commerce guidance.

BACKGROUND

Cities and counties planning under the WA Growth Management Act (GMA) are required to periodically review and, if necessary, update their comprehensive plans. Cities in King County are required to complete periodic reviews and updates by December 31, 2024. The City Council approved a scope of work, public participation plan, and master schedule for the Mercer Island Comprehensive Plan periodic review with [Resolution No. 1621](#) on March 15, 2022.

The approved scope of work, public participation plan, and master schedule set the planned tasks for completing the comprehensive plan periodic review. Based on the minor changes to the City's housing and employment growth targets at that time, the periodic review was planned to be a 'surgical' update. While most of the Comprehensive Plan still only needs targeted updates, recent statewide legislation and guidance from Commerce indicate that the update to housing policies in the Housing Element will require additional tasks not included in the scope, public participation plan, and master schedule.

House Bill 1220 and Commerce Guidance

In 2021, the WA State Legislature enacted [HB 1220](#), which amended the planning requirements for cities. Complying with HB 1220 will necessitate additional tasks during the Comprehensive Plan periodic review. A requirement established in HB 1220 is that the City must adopt affordable housing unit targets and demonstrate that the Comprehensive Plan can accommodate the targets ([RCW 36.70A.070\(2\)](#)). Another requirement is that the City must identify policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing ([RCW 36.70A.070\(2\)\(e\)](#)) and policies to address those that may be caused by local policies, plans, and actions ([RCW 36.70A.070\(2\)\(f\)](#)). In late 2022 and early 2023, [Commerce issued guidance](#) for complying with these requirements. Based on the Commerce guidance, the City will need to add new tasks to the scope of work approved in 2022.

Recent Statewide Legislation

The WA State Legislature enacted [HB 1110](#) and [HB 1337](#) during the 2023 session. HB 1110 and HB 1337 both require regulatory changes that must be adopted within six months of the completion of the periodic review (by June 30, 2025). Those regulatory changes will also require policy amendments in the Comprehensive Plan to ensure they are consistent with each other. The policy changes that precede the development code amendments can be made during the Comprehensive Plan periodic review and can be rolled into the tasks detailed in the supplemental scope of work. Work on the regulatory changes will begin in 2024, following the completion of the Comprehensive Plan periodic review.

ISSUE/DISCUSSION

The requirements added to the Comprehensive Plan periodic review by HB 1220, HB 1110, HB 1337, and the guidance provided by Commerce requires expanding the scope of work for the Housing Element. The initial

scope of work for this element was planned to be a heavy touch of the existing element but did not contemplate the additional planning requirements the legislature has since added. Given the additional planning needed for affordable housing, racially disparate impacts, middle housing, and ADUs, the Housing Element will need an in-depth overhaul. The Land Use Element will also need some further policy amendments to correspond with the overhaul of the Housing Element.

Supplemental Scope of Work

The supplemental scope of work in Exhibit 1 details the additional tasks necessary to comply with changes to State law and the Commerce guidance. This document outlines the additional steps the City will take to respond to these changes and finish the Comprehensive Plan periodic review. The additional tasks will be undertaken between July 2023 and February 2024, when the Planning Commission is scheduled to begin the legislative review of the draft Comprehensive Plan Amendment.

Key tasks and milestones in the supplemental scope of work include:

- **July – October 2023:** Staff will conduct the additional land capacity and racially disparate impacts analyses outlined in the Commerce guidance.
- **November 2023:** City Council briefing on the outcomes of the additional land capacity and the racially disparate impacts analyses.
- **December 2023:** City Council will provide direction on preferred housing alternative to address land capacity and racially disparate impacts.
- **January 2024:** Housing Work Group will review the draft of Comprehensive Plan amendments related to housing.
- **February/March 2024:** Planning Commission begins its legislative review.

The supplemental scope of work aims to get the additional work to the Planning Commission in time to wrap up the periodic review by the end of June 2024, the date the periodic review is set to conclude in the scope of work adopted by [Resolution No. 1621](#). However, in 2022, the WA Legislature pushed back the deadline for cities in King County to finish their periodic review from June 30, 2024, to December 31, 2024. Thus, additional time in the second half of 2024 is available if one or more tasks in the supplemental scope take longer than expected and the City chooses to extend the timeline.

NEXT STEPS

Staff will begin working on the tasks in the supplemental scope of work.

RECOMMENDED ACTION

Approve Resolution No. 1646 approving a Supplemental Scope of Work for the 2024 Comprehensive Plan Periodic Review.

**CITY OF MERCER ISLAND
RESOLUTION NO. 1646**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON
APPROVING A SUPPLEMENTAL SCOPE OF WORK FOR THE 2024
COMPREHENSIVE PLAN PERIODIC REVIEW.**

WHEREAS, the Growth Management Act (GMA) was adopted by the WA State Legislature; and

WHEREAS, the GMA requires counties and cities in Washington State to adopt and periodically review comprehensive plans; and

WHEREAS, the last periodic review of the Mercer Island Comprehensive Plan was adopted by Ordinance 16-07 on June 6, 2016; and

WHEREAS, the next periodic review of the Mercer Island Comprehensive Plan must be completed by December 31, 2024; and

WHEREAS, on March 15, 2022, the City Council approved Resolution 1621 approving the 2024 Comprehensive Plan Periodic Review Scope of Work, Master Schedule, and Public Participation Plan; and

WHEREAS, guidance from the WA Department of Commerce (Commerce) regarding compliance with Engrossed Second Substitute House Bill 1220 combined with the WA Legislature enacting House Bill 1110 and House Bill 1337 will require additional tasks not included in the Comprehensive Plan Periodic Review Scope of Work, Master Schedule, and Public Participation Plan approved with Resolution 1621; and

WHEREAS, on July 5, 2023, the Mercer Island City Council was briefed on the proposed 2024 Comprehensive Plan Periodic Review Supplemental Scope of Work, Master Schedule and Public Participation Plan, which includes the tasks necessary to address compliance with House Bills 1110 and 1337 and Commerce guidance regarding compliance with Engrossed Second Substitute House Bill 1220; and

WHEREAS, the Mercer Island City Council provided comments and requests to amend the 2024 Comprehensive Plan Periodic Review Supplemental Scope of Work, Master Schedule and Public Participation Plan by July 11, 2023; and

WHEREAS, the Mercer Island City Council requests to amend the 2024 Comprehensive Plan Periodic Review Supplemental Scope of Work, Master Schedule and Public Participation Plan were logged and provided to the City Council with Agenda Bill 6290; and

WHEREAS, the Mercer Island City Council considered comments and requests to amend the 2024 Comprehensive Plan Periodic Review Supplemental Scope of Work, Master Schedule and Public Participation Plan on July 18, 2023; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AS FOLLOWS:

The 2024 Comprehensive Plan Periodic Review Supplemental Scope of Work in Exhibit A is hereby approved.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON THE 18TH DAY OF JULY 2023.

CITY OF MERCER ISLAND

Salim Nice, Mayor

ATTEST:

Andrea Larson, City Clerk

EXHIBITS

- A. 2044 Comprehensive Plan Periodic Review Supplemental Scope of Work

EXHIBIT A

Housing Element Supplement Scope of Work

CITY OF MERCER ISLAND COMPREHENSIVE PLAN PERIODIC REVIEW

Housing Element Supplemental Scope of Work

In 2022, the City Council approved a scope of work, master schedule, and public participation plan for the Comprehensive Plan update with Resolution 1621. Several months after the approval of Resolution 1621, The WA Department of Commerce began issuing guidance for changes to Growth Management Act (GMA) requirements for housing elements enacted by the WA Legislature in 2021 (E2SHB 1220). The guidance outlined new required steps cities should use when updating their housing elements. These new steps were beyond the work initially scoped and scheduled by Resolution 1621. In order to comply with state requirements, the City needs to supplement the scope and schedule for the Housing Element update.

The original scope of work and master schedule for the Comprehensive Plan update targeted April 2024 for adoption of the Comprehensive Plan update. This supplemental scope of work and schedule for updating the housing element is expected to delay adoption of the Comprehensive Plan update to a few months later than initially scoped and scheduled by Resolution 1621. The GMA requires cities in King County to complete their comprehensive plan updates by December 31, 2024. This supplemental scope of work details the tasks and schedule needed to update the Housing Element, amend other Comprehensive Plan policies to maintain internal consistency, and prepare an implementation plan to address the GMA requirements.

Engrossed Second Substitute House Bill 1220 (E2SHB 1220)

The WA State Legislature adopted E2SHB 1220 in 2021. This bill amended the GMA adding new housing element requirements. The Bill also requires the WA Department of Commerce (Commerce) to provide counties and cities with guidance for meeting the new requirements. The initial guidance from Commerce has indicated that the City will be required to undertake additional tasks not included in the scope of work and schedule approved with Resolution 1621. The new housing element requirements that will require additional tasks are summarized below.

Racially Disparate Impacts

A key change enacted by E2SHB 1220 is that cities and counties must identify housing policies that have resulted in racially disparate impacts, displacement, and exclusion. It must also include policies and regulations that address and begin to undo racially disparate impacts, displacement, and exclusion in housing. These requirements are established in [RCW 36.70A.070\(2\)\(e\)-\(h\)](#).

Housing Affordability

E2SHB 1220 added a new requirement that counties and cities planning under the GMA must inventory and analyze housing needs for households of all income levels (moderate, low, very low, and extremely low-income households as well as emergency housing, emergency shelters, and permanent supportive housing). The City must also demonstrate that “adequate provisions” are made for the existing and projected needs of all economic segments of the community. These requirements are established in [RCW 36.70A.070\(2\)\(a\)-\(d\)](#).

House Bill 1110 (HB 1110)

Adopted in 2023, HB 1110 requires cities to allow middle housing types in zones where single-family homes are allowed. A city the size of Mercer Island must allow the following densities:

- At least two units per lot unless the zone allows a greater density or intensity.
- At least four units per lot within one quarter mile walking distance of a major transit stop. Major transit stop is defined as any one of the following:

- A stop on a high-capacity transportation system;
 - Commuter rail stops;
 - Stops on rail or fixed guideway systems; or
 - Stops on bus rapid transit routes.
- At least four units per lot on any lot zoned for single-family residential provided one of the units is affordable housing.

Another feature of HB 1110 is that within single-family zones, cities must allow six of the nine middle housing types defined in the bill. The nine middle housing types defined in the bill are: duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing. The combination of allowing more diverse housing and amending density throughout the City will require changes to housing and land use policies in the Comprehensive Plan in addition to code amendments to implement those changes.

The required housing and land use policy amendments will be included in the 2024 Comprehensive Plan periodic update. The development code amendments required by HB 1110 will be adopted following the Comprehensive Plan update. The tasks associated with amending the Mercer Island City Code are not included in this scope of work.

House Bill 1337 (HB 1337)

In 2023, the WA Legislature also passed HB 1337 which changes how cities can regulate accessory dwelling units (ADUs). HB 1337 will require amendments to policies in the housing and land use elements during the Comprehensive Plan update. In addition to policy changes, many of the requirements of HB 1337 will be met through amending the Mercer Island City Code following the Comprehensive Plan update. The tasks associated with amending the Mercer Island City Code are not included in this scope of work.

Expanding the Scope of Work for the Housing Element

The requirements added to the Housing Element periodic review by E2SHB 1220, HB 1110, HB 1337, and the guidance provided by Commerce will require expanding the scope of work for the Housing Element. The initial scope of work for this element was planned to be a heavy touch of the existing element but did not contemplate the additional planning requirements the legislature has since added. Given the additional planning needed for affordable housing, racially disparate impacts, middle housing, and ADUs, the Housing Element will need an in-depth overhaul. The Land Use Element will need some policy amendments to correspond with the overhaul of the Housing Element.

This supplemental scope of work details a project to substantially rework the existing Housing Element as needed to account for the new requirements set in state law. The Housing Element will be reshaped by the new requirements. The existing goals and policies will be used as a point of reference, and many will be recycled into the rewritten element, but substantive changes are expected. Additional refinement of other Comprehensive Plan Policies will also be needed to maintain internal consistency. The bulk of additional policy amendments in other elements are expected to be made in the Land Use Element because those policies directly interface with developable land supply, moderate density, and housing affordability. An internal consistency review to ensure that other Comprehensive Plan policies are consistent with updated housing policies will be included in this project.

Supplemental Public Participation

HB 1220 requires evaluation of policies to determine whether they have had impacts to specific communities. A major component of HB 1220 is that the City must identify policies that may have had racially disparate impacts, displacement, and exclusion. After identifying the policies, the City must make amendments to begin undoing the legacy of those policies. After reviewing the guidance for complying with this requirement, targeted community engagement will be needed during the process of identifying those policies and developing alternatives that will help counter their effects. This will be conducted as a roundtable discussion with community leaders focused on potential racially disparate impacts analysis. The HWG can assist in selecting and reaching out to community leaders. The intent of the roundtable discussion is to collect input on the policy alternatives the City will consider during the Comprehensive Plan update.

Tasks

Task List

1. Racially Disparate Impacts Report
2. Housing Policy Evaluation
3. Prepare Housing For All Land Capacity Analysis Methodology
4. Conduct Housing For All Land Capacity Analysis
5. Targeted Community Engagement: Roundtable Discussion
6. Identify Adequate Provisions and Draft Alternatives
7. Initial City Council Briefing on Adequate Provisions and Draft Alternatives
8. Housing Work Group Check In
9. City Council Selects Desired Alternative
10. Prepare Housing Element Draft and Implementation Plan
11. Comprehensive Plan internal consistency review
12. HWG Reviews Draft
13. Initiate Legislative Review

Task Descriptions

Task 1 – Racially Disparate Impacts Report

July – September 2023

To begin addressing the changes from HB 1220 is to identify and measure potential racially disparate impacts. The first task is to prepare a report that details and quantifies disparate impacts.

Deliverable: A report summarizing the disparate impacts housing policies may have had. The report should identify, where applicable:

- Racially disparate outcomes;

- Displacement risks; and
- Possible exclusion resulting from housing policies.

Task 2 – Housing Policy Evaluation

July – September 2023

A policy framework will be prepared that analyzes existing policies for whether they have contributed to the outcomes identified in the Racially Disparate Impacts Report. Policy evaluation should include land use and policies in other Comprehensive Plan elements that relate to housing.

Deliverable: A policy framework describing which policies may have resulted in racially disparate impacts, increased displacement risk, or exclusion in housing.

Task 3 – Prepare Housing For All Land Capacity Analysis Methodology

July – September 2023

Prior to conducting the Housing For All Land Capacity Analysis, staff will prepare a methodology for the analysis. Preparing the methodology will provide an opportunity for the City Council to provide comments on the assumptions about growth to be used in the analysis. Following the guidance from Commerce, assumptions about growth are central to the Housing For All Land Capacity Analysis. These assumptions will articulate how the City expects growth to occur through the planning period. Essentially, the assumptions about growth are an estimate of how much development is expected to occur; tempering total capacity with the likelihood that full buildout will not happen in 10 or 20 years. This task will include a round of review and feedback on the draft methodology with the City Council.

Deliverable: A Housing For All Land Capacity Analysis Methodology.

Task 4 – Conduct Housing For All Land Capacity Analysis

July – September 2023

New GMA requirements adopted by E2SHB 1220 stipulate that the City must accommodate housing affordable to all income ranges. The City will need to demonstrate that the Comprehensive Plan and City zoning allow sufficient development capacity to accommodate the housing targets by income range. This will require analysis of the City's land capacity to identify how much housing can be developed in each affordability range. Affordability roughly correlates to density ranges per the Commerce guidance. This means that more dense housing capacity can accommodate lower income ranges. Additional analysis will be needed to identify the gaps between capacity and the housing targets and barriers for developing housing affordable for each affordability range.

Deliverable: Analysis of development capacity disaggregated by income band and potential barriers to housing development.

Task 5 – Targeted Community Engagement: Roundtable Discussion

September – October 2023

After identifying communities that may have been impacted by policies with racially disparate impacts, City staff will reach out to those communities to get more information about their lived experience. This qualitative input will be combined with the quantitative analysis and integrated into the Racially Disparate Impacts report. This information should provide valuable insight into the policies that may have had an impact and what amendments could help begin undoing that legacy.

Deliverable: Round of interviews and outreach to affected communities.

Task 6 – Identify Adequate Provisions and Draft Alternatives**August – October 2023**

After Tasks 4 and 5, the City will prepare policy alternatives that include adequate provisions for housing needs and addressing racially disparate impacts. During this task, potential policy, zoning map, and code amendments will be identified, and alternatives will be prepared. The draft of housing policy alternatives should include policy, development code, and zoning alternatives for consideration during the latter tasks of this project. These alternatives might include targeted development code amendments to necessary to increase housing capacity to accommodate the housing need allocated to the City by the state and County.

Deliverable: initial Draft of Housing Alternatives

Task 7 – Initial City Council Briefing on Adequate Provisions and Draft Alternatives**November 2023**

After concluding the land capacity and racially disparate impacts analyses, staff will brief the City Council on the results and draft alternatives. The City Council can consider the information and ask questions during the briefing. Initial feedback on the draft alternatives can also be provided during this meeting.

Deliverable: Initial City Council Direction on Draft Housing Alternatives

Task 8 – Housing Work Group Check In**October – December 2023**

The Housing Work Group will be briefed on the work completed during the previous tasks and provide input on the proposed alternatives. This can include more than one briefing.

Deliverable: Housing Work Group input on draft housing alternatives and preparation for involvement in the planned public participation.

Task 9 – City Council Selects Preferred Alternative**December 2023**

The City Council will review the analysis conducted earlier in the project and consider the alternatives provided. During this review, the City Council will take action to give staff direction on which alternative is preferred. This direction will inform the drafting of a draft Housing Element and Implementation Plan in Task 10.

Deliverable: City Council direction regarding the preferred housing alternative.

Task 10 – Prepare Housing Element Draft and Implementation Plan**January – March 2024**

After getting feedback from the Housing Work Group on the housing alternatives, staff will prepare an initial draft of the Housing Element amendments and implementation plan to address housing needs and racially disparate impacts identified in previous tasks. The initial draft will incorporate the public input gathered. The initial Housing Element draft is expected to be a substantial reworking of the element.

An initial draft of the housing implementation plan will be prepared at the same time as the Housing Element draft so that implementation can be concurrently considered. The City is not required to implement all of the changes to the Housing Element at the time the Comprehensive Plan update is adopted. The GMA requires Cities to report on implementation within five years of the Comprehensive Plan update adoption. The implementation plan should detail the implementation actions the City will take in the five years following adoption. Establishing this implementation plan at the same time amendments are made to the Housing Element will enable the City to track its progress toward achieving its housing goals and satisfy the GMA requirements.

Deliverable: Initial draft of the Housing Element and Implementation Plan

Task 11 – Comprehensive Plan Internal Consistency Review

February – March 2024

Prior to initiating the legislative review with the Planning Commission, staff will evaluate review and propose policy updates for other Comprehensive Plan elements to ensure that they are consistent with the amendments to Housing Element goals and policies. This will likely focus on the Land Use Element because that element and the Housing Element are closely linked.

Deliverable: Public Review Draft of the Comprehensive Plan Update

Task 12 – HWG Reviews Draft

January – February 2024

The Housing Work Group will review the draft Housing Element and implementation plan prior to making a recommendation to the Planning Commission. This will give the work group an opportunity to give staff direction on preparing the first draft Housing Element draft and implementation plan that will be presented to the Planning Commission.

Deliverable: Housing Work Group Feedback on Housing Element and implementation plan draft.

Task 13 – Initiate Legislative Review

February – April 2024

Initiating the legislative review with the Planning Commission will complete this project. At this point, the review of housing goals and policies will connect back with the overall Comprehensive Plan update process and proceed according to that scope and schedule.

Deliverables: First Housing Work Group meeting to review the initial draft of the Housing Element and other related policies.

Supplemental Schedule

Table 1. Housing Element Supplemental Scope of Work Master Schedule.

Task #	Task Description	2023							2024				
		J	J	A	S	O	N	D	J	F	M	A	M
1	Racially Disparate Impacts Report	J	J	A	S	O	N	D	J	F	M	A	M
2	Housing Policy Evaluation	J	J	A	S	O	N	D	J	F	M	A	M
3	Prepare Housing For All Land Capacity Analysis Methodology	J	J	A	S	O	N	D	J	F	M	A	M
4	Conduct Housing For All Land Capacity Analysis	J	J	A	S	O	N	D	J	F	M	A	M
5	Targeted Community Engagement: Roundtable Discussion	J	J	A	S	O	N	D	J	F	M	A	M
6	Identify Adequate Provisions and Draft Alternatives	J	J	A	S	O	N	D	J	F	M	A	M
7	Initial City Council Briefing on Adequate Provisions and Draft Alternatives	J	J	A	S	O	N	D	J	F	M	A	M
8	Housing Work Group Check In	J	J	A	S	O	N	D	J	F	M	A	M
9	City Council Selects Desired Alternative	J	J	A	S	O	N	D	J	F	M	A	M
10	HWG Updates Alternatives	J	J	A	S	O	N	D	J	F	M	A	M
11	Prepare Housing Element Draft and Implementation Plan	J	J	A	S	O	N	D	J	F	M	A	M
12	Comprehensive Plan internal consistency review	J	J	A	S	O	N	D	J	F	M	A	M
13	Initiate Legislative Review with Planning Commission	J	J	A	S	O	N	D	J	F	M	A	M



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6303
July 18, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6303: 4004 ICW Property Transportation Improvement Project Funding Appropriation	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Appropriate the required funds to construct the 4004 ICW Property Transportation Improvement Project	

DEPARTMENT:	Public Works
STAFF:	Patrick Yamashita, Deputy Public Works Director Lia Klein, Transportation Engineer
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Conceptual Design
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	\$ 250,000
AMOUNT BUDGETED	\$ 0
APPROPRIATION REQUIRED	\$ 250,000

EXECUTIVE SUMMARY

The purpose of this agenda bill is to request an appropriation to fund the construction of the 4004 Island Crest Way (ICW) Property Transportation Improvement Project.

- On July 6, 2021, the City Council authorized the acquisition of the 4004 ICW parcel through [Resolution No. 1600](#) with payment from the Street Fund.
- The intended use of the property is for transportation related improvements such as clear sight lines, ADA accessibility, and pedestrian safety.
- On December 7, 2021, the City Council declared the structure on the property as surplus; authorized the City Manager to execute an agreement to deconstruct, salvage, demolish, and remove the structure; and appropriated \$45,000 from the Street Fund for the work (see [AB 5991](#)).
- The property acquisition, demolition, and other related site work was ultimately funded via reimbursement using Sound Transit Settlement Funds.
- Project design is complete and includes ADA sidewalk and curb ramp upgrades, a pedestrian and bicycle rest area, sidewalk widening, improved sight lines for visibility, and landscape improvements.
- The site is currently a vacant, unattractive lot. The 2023-2024 CIP budget does not include funding for this project. Staff requests an appropriation of \$250,000 from the Street Fund Balance to initially pay for the construction followed by reimbursement using Sound Transit Settlement Funds to proceed with construction in 2023.

BACKGROUND

In July 2021, the City of Mercer Island began the formal process to acquire the property on the southeast corner of the Island Crest Way & SE 40th Street intersection located at 4004 Island Crest Way with the intent to deconstruct and remove the vacant house entirely, revegetate the exposed soil, and use the parcel to address current and future transportation needs for the adjacent roadway intersection. This was an opportunity to acquire a property adjacent to the roadway intersection with the highest traffic volumes on the island. It is also along a pedestrian route to schools, churches, parks, the Boys & Girls Club, and Mary Wayte Pool. Ownership of the property provides an opportunity for the City to make transportation improvements that align with the goals of the Transportation Improvement Program. This proposed project will:

- Widen sidewalks.
- Improve a safe pedestrian route.
- Remove visual obstructions such as fences and vegetation to clear sight lines.
- Improve ADA accessibility.
- Accommodate future roadway widening if necessary due to growth.

The property acquisition was authorized by the City Council on July 6, 2021 in [Resolution No. 1600](#). The site was cleared and the structure was deconstructed in early 2022, as authorized by the City Council in [AB 5991](#) on December 7, 2021. The property acquisition and work was funded using Sound Transit Settlement Funds.

ISSUE/DISCUSSION

The parcel is largely bare following the removal of the house, fence, and pavement. Some trees have been planted for screening from the neighboring property. Design of transportation and landscaping improvements for the site has been completed; however, the 2023-2024 CIP budget does not include funding for these improvements since the project was not contemplated at the start of the CIP budget process in spring of 2022.

The proposed design includes sidewalk and curb ramps, landscape features (timber steps, rockery wall, and benches), planting and seeding, and irrigation. A conceptual drawing of the proposed improvements is shown in Exhibit 1. Staff are currently seeking construction bids through the Small Public Works bid process. The construction cost of the site improvements is estimated to be \$195,000. If this project is funded, construction would likely start in September and be complete by December 2023.

To proceed with the project, an appropriation from the Street Fund is needed. These improvement costs will initially be paid from the Street Fund followed by reimbursement using Sound Transit Settlement Funds. A breakdown of the estimated costs is summarized in the following table.

4004 ICW Property Transportation Improvement	TOTAL
Estimated Construction Contract	\$195,000
Project Management/Utility Team Coordination	\$15,000
Construction Contingency	\$40,000
Total Estimated Cost	\$250,000
Total Approved Project Budget (2023-2024)	\$0
Additional Budget Needed	\$250,000

NEXT STEPS

Following City Council appropriation of funding, City staff will receive and review bids, and execute a small public works construction contract for the improvements. Construction is anticipated from September through December of 2023.

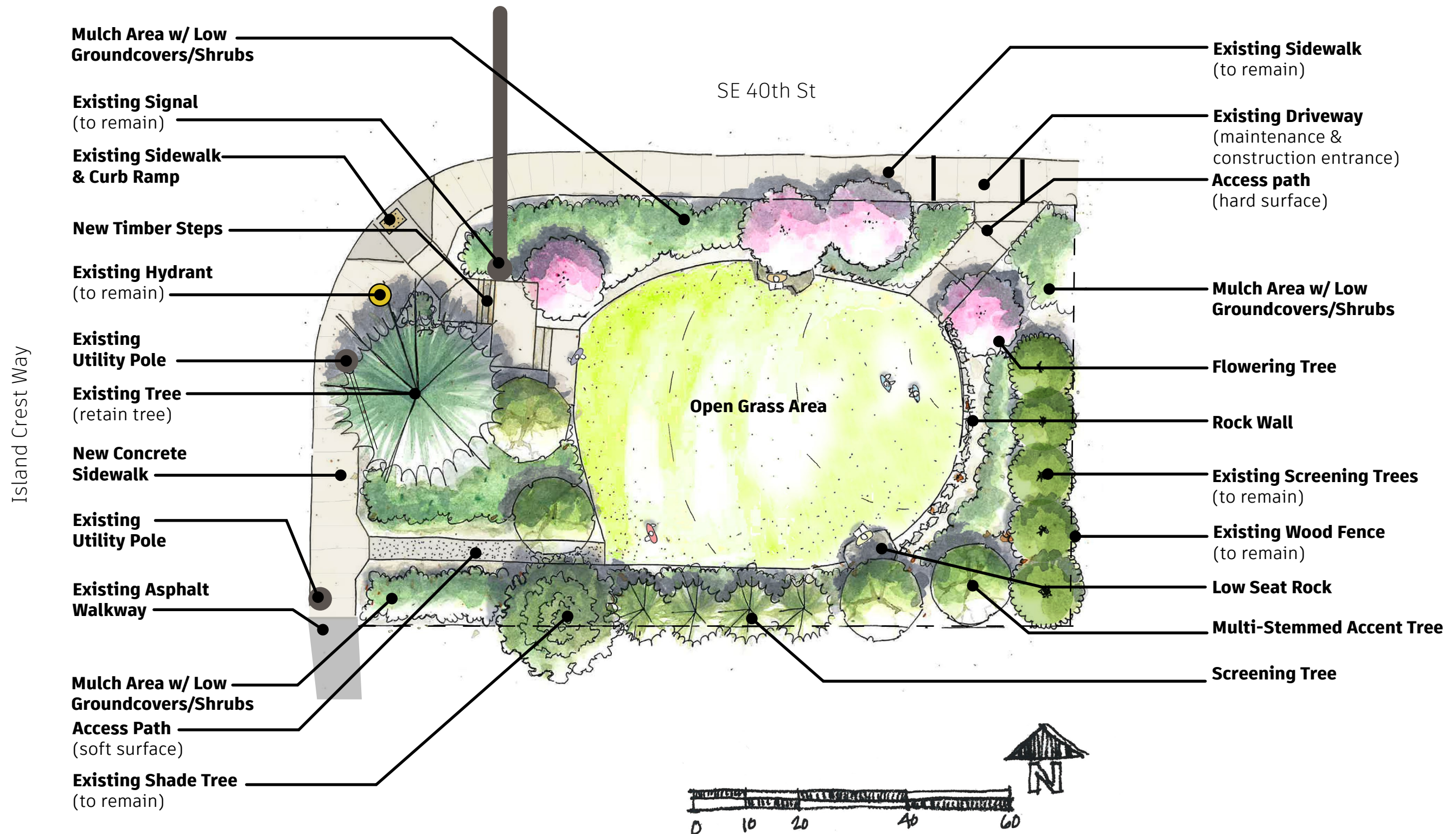
RECOMMENDED ACTION

Appropriate \$250,000 from the Street Fund balance to fund construction of the 4004 ICW Property Transportation Improvement project.

Mercer Island Island Crest Way & SE 40th St

Final Design Pedestrian Corner Improvements

July 7, 2023





BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6309
July 18, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6309: Pickleball Court Configuration for Luther Burbank Park Sport Court Renovation (PA0143)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Approve the pickleball court configuration as part of the Luther Burbank Park Sport Court Renovation capital project (PA0143) and direct staff to complete the project.	

DEPARTMENT:	Public Works
STAFF:	Patrick Yamashita, Deputy Director Clint Morris, Capital Division Manager Sarah Bluvas, CIP Project Manager
COUNCIL LIAISON:	Craig Reynolds
EXHIBITS:	1. Recommended Pickleball Court Configuration
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	\$ 458,000
AMOUNT BUDGETED	\$ 545,000
APPROPRIATION REQUIRED	\$ 0

EXECUTIVE SUMMARY

The purpose of this agenda bill is to seek City Council approval of the recommended configuration for pickleball courts as part of the Luther Burbank Park Sport Court Renovation capital project.

- The Luther Burbank Park Sport Court Renovation project (PA0143) was included in the 2023-2024 Biennial Budget and Capital Improvement Program in an amount of \$545,000 for design and construction, with the total project budget offset by a \$193,000 grant received from the King County Parks Capital and Open Space grant program.
- The original project scope included resurfacing and restriping the Luther Burbank tennis courts for dual-use tennis/pickleball; replacing netting systems; and improving court access through limited grading and entrance repairs.
- On March 2, the Parks & Recreation Commission (PRC) supported amending the project scope to permanently stripe the renovated courts for pickleball only, as opposed to striping one court for dual-use tennis and pickleball.

- From March to June 2023, staff worked with the firm DA Hogan and Mercer Island's pickleball community to develop the preferred configuration for pickleball courts, which was accepted by the PRC on July 6 and is shown in Exhibit 1.

BACKGROUND

Luther Burbank Park features three sport courts that have host summer tennis camps and first-come, first-served open play by community members and off-Island visitors. The asphalt courts were constructed in 1972, below grade and on top of dense soil. Over the last 50 years, the subgrade has settled. The courts have endured tree root intrusion and become wavy, affecting recreational play and general useability.

In summer 2018, the City closed the courts to repair extensive cracking, and the courts closed again in 2020 to prevent players from congregating during the COVID-19 pandemic. During the pandemic, residents worked with the City to temporarily stripe the Luther Burbank courts for dual-use tennis and pickleball play. Since then the courts have continued to be primarily used for pickleball.

The 2022 Parks, Recreation, and Open Space Plan (PROS Plan) identifies the Luther Burbank Park sport courts as a preferred site for converting some tennis courts to pickleball. To address the court repair needs and the strong community interest in creating dedicated pickleball courts, the City Council approved the Luther Burbank Park Sport Courts Renovation capital project (PA0143) with the 2023-2024 Biennial Budget and Capital Improvement Program (CIP). The City also received a \$193,000 grant from the King County Parks Capital and Open Space grant program to support design and construction of this project. The total project budget is \$545,000.

ISSUE/DISCUSSION

DEVELOPING THE PICKLEBALL COURT CONFIGURATION

The scope for this project originally included repairing and resurfacing the existing court area and installing new netting and striping to provide playable courts for tennis and pickleball. On March 2, 2023, staff provided an update to the Parks & Recreation Commission (PRC) on this project and sought the PRC's support to recommend modifying the project scope to permanently stripe the courts for pickleball as the primary use, as opposed to maintaining one of the three existing tennis courts as a dual-striped pickleball/tennis court. The PRC unanimously supported the staff recommendation ([Staff Report](#)).

Following the March PRC meeting, the City contracted with DA Hogan, a leading provider of design and engineering services for sport courts and athletic fields. Design work on the project began in April, and City staff from the Capital, Parks Operations, and Recreation teams reviewed preliminary court configuration concepts with the consultant in May. Refined concepts were then shared with liaisons from the Mercer Island pickleball community, who distributed the concepts to Island pickleball players for feedback. More than 100 comments were received and included preferences for number of pickleball courts; court orientation; amenities such as seating, shelter, and lighting; and other design elements.

City staff, pickleball liaisons, and the consultant reconvened in early June to review the feedback received and refine the preliminary concepts to identify the preferred alternative for the pickleball court configuration. On July 6, staff presented the preferred configuration to the PRC, who unanimously voted to recommend that the City Council approve the pickleball court configuration ([Staff Report](#)).

COURT CONFIGURATION DETAILS

The recommended pickleball court configuration (Exhibit 1) features striping for eight dedicated pickleball courts in a north/south orientation. The layout follows court dimensions outlined in the USA Pickleball Official Rulebook, which recommends that playing surface dimensions measure at least 30' wide by 60' long (the recommended Luther Burbank Park courts measure 34' wide by 60' long). Design elements such as court colors and fencing placement will be determined as the design is finalized this summer.

LIGHTING AT THE COURTS

During preliminary engagement to develop the preferred court configuration, pickleball players expressed interest in installing lighting at the Luther Burbank Park sport courts as part of this capital project. Lighting installation was not included in the original project scope or budget, and the Luther Burbank Park Master Plan does not give specific guidance on lighting the courts.

There are considerable operational impacts of extending park hours by adding lighting, and these impacts must be carefully considered. Adding lighting at this stage would also require extended public process and funding as well as delay the project by six months or more. Staff do not recommend considering the addition of lighting at this time but are exploring the feasibility of installing limited electrical infrastructure should lighting be considered in the future. The additional design work to potentially add electrical conduit under the courts can be accommodated by the existing project budget.

COST ESTIMATES AND CONSTRUCTION PLAN

The approved budget for this project is \$545,000, including \$193,000 received through the King County Parks Capital and Open Space grant program. The total estimated project cost is \$458,000 at this time, which is \$87,000 underbudget. The estimated project costs are summarized below.

LUTHER BURBANK PARK SPORT COURTS RENOVATION ESTIMATED PROJECT BUDGET	
Design Services (thru construction)	\$40,000
Construction Contract (w/ 20% contingency + WSST)	\$395,000
Project Management	\$15,000
Plan Review and Permits	\$8,000
Total Estimated Project Cost	\$458,000
Approved Budget (2023-2024)	\$545,000
<i>Estimated Savings</i>	<i>\$87,000</i>

This project will be constructed using the King County Directors Association (KCDA) purchasing cooperative. Historically, the City has used KCDA to purchase commodities and allied services for products ranging from garbage cans to the Island Crest Park synthetic turf field. Recent parks projects constructed through a purchasing cooperative include the Mercerdale Park Playground (2022) and the Bike Skills Area at Deane's Children's Park (construction begins summer 2023).

Purchasing through KCDA is an efficient means of procurement when much of the project is commodities with predictable installation needs. Since the competitive bidding process is already completed through KCDA, using KCDA is a faster process than the phased design/bid/construct process typical with other types of

public works' projects. Staff and the consultant reviewed KCDA's vendor list for sport/athletic court projects and preliminarily selected Beynon Sports, who designs and builds tennis and pickleball facilities throughout the Northwest.

Construction will be completed in two phases, providing the necessary time for new asphalt to cure before final court surfacing is applied. The tentative construction schedule is as follows:

- Fall 2023: Demolition, asphalt overlay, and temporary striping.
- Spring 2024: Acrylic surfacing, permanent striping, netting, and fencing.

NEXT STEPS

Upon receipt of the City Council's acceptance of the recommended pickleball court configuration, staff will finalize the design and proceed to construction. Project updates will continue to be shared on Let's Talk at <https://letstalk.mercergov.org/lbp-sport-courts-renovation-pickleball>.

RECOMMENDED ACTION

Approve the pickleball court configuration as part of the Luther Burbank Park Sport Court Renovation capital project (PA0143) and direct staff to complete the project.

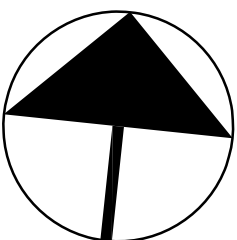
REVISION DATE



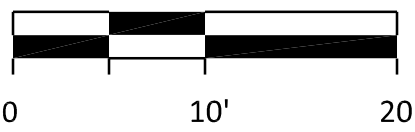
LUTHER BURBANK PARK
**PICKLEBALL
COURTS**



119 1st Avenue South, Suite 110
Seattle, Washington 98104
P. 206.235.0600
www.dahogan.com



NORTH



SCALE: 1" = 10'

PRELIMINARY

DATE 6-27-23

SCALE 1"=10'

DRAWN CPW

CHECKED EIG

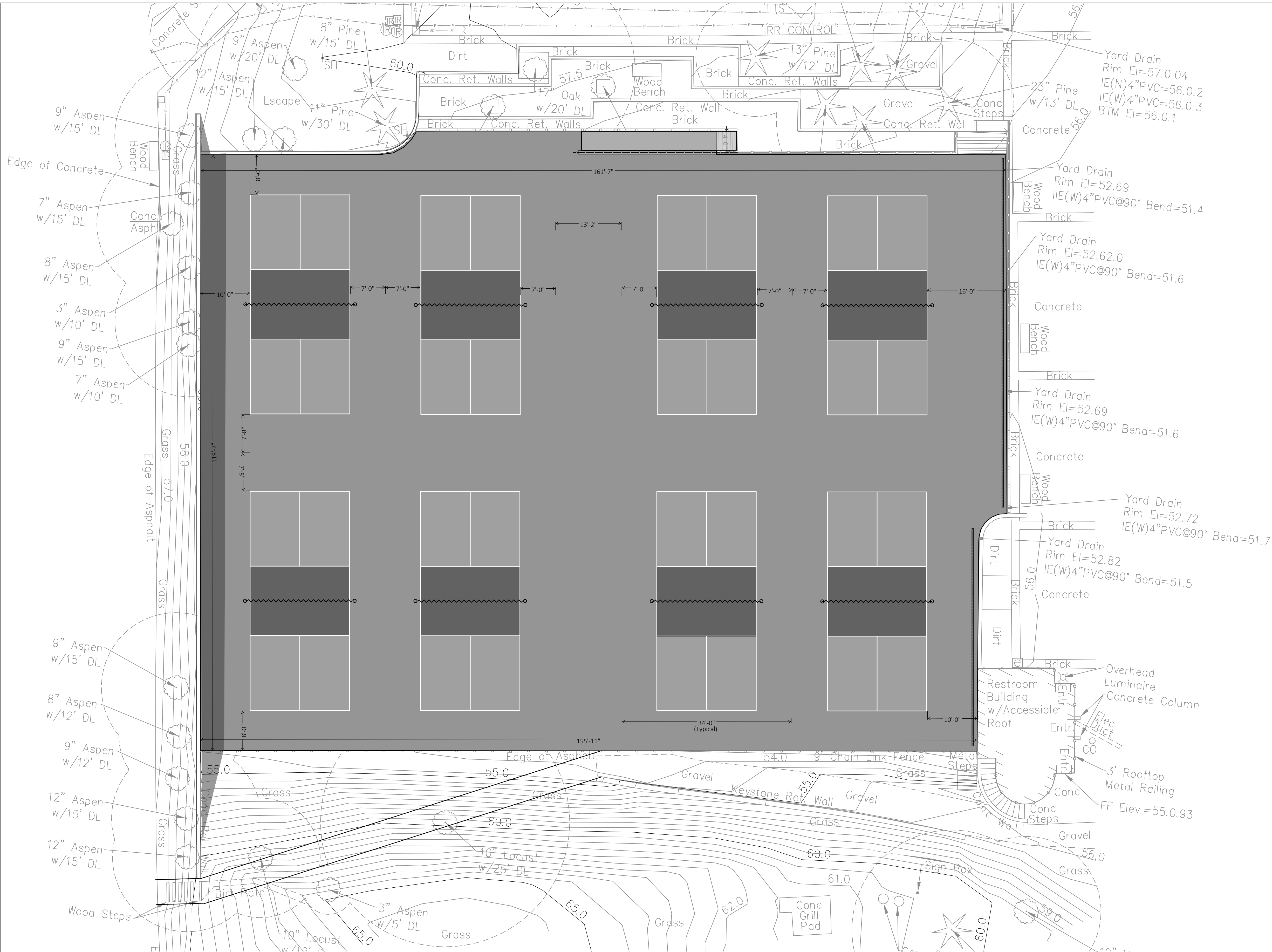
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DRAFT
PREFERRED
OPTION



Know what's below.
Call before you dig.

F101





BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6310
July 18, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6310: Interlocal Agreement with Mercer Island School District No. 400 for Enrollment of City Employee's Children/Dependents	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Authorize the City Manager to execute the Interlocal Agreement.	

DEPARTMENT:	City Manager
STAFF:	Jessi Bon, City Manager Bio Park, City Attorney
COUNCIL LIAISON:	Dave Rosenbaum Ted Weinberg
EXHIBITS:	1. Interlocal Agreement for Enrollment of City Employee's Children/Dependents
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda item is to authorize the Interlocal Agreement (ILA) between the City of Mercer Island (City) and Mercer Island School District No. 400 ("District") for enrollment of children and dependents of City employees who do not reside on Mercer Island.

- Under the ILA, eligible City employees who do not reside on Mercer Island would have the opportunity to enroll their children and dependents in District public schools.
- To be eligible for enrollment, a child must be the dependent child of a full-time or part-time City employee.
- The initial duration of the ILA is until August 31, 2025, which is equivalent to two (2) school years.

BACKGROUND

The District approached the City this past Spring to inquire whether the City would be agreeable to the District extending public school enrollment to children and dependents of nonresident City employees. An informal survey to gauge the level of interest from City employees showed there was immediate interest, and the District and the City began working on an ILA to make this opportunity possible to interested City employees.

An ILA is required to make this opportunity possible, because statutory restrictions on receiving compensation and benefit for City employment prohibit the District from offering this opportunity directly to City employees without an agreement with the City. The ILA, drafted by the District in collaboration with the City, is attached as Exhibit 1, and it has already been approved by the District Board.

ISSUE/DISCUSSION

Beginning with the 2023-2024 school year, the ILA, if approved by the City Council, opens enrollment at District public schools to children and dependents of eligible City employees who do not reside on Mercer Island. To be eligible for enrollment, a child must be the dependent child of a full-time or part-time City employee, including limited term employee whose employment term with the City is at least one year in length, who is employed by the City on a regular basis and who receives City-paid benefits. Children and dependents of temporary, casual, or seasonal employees are not eligible.

Enrollment of children and dependents of eligible employees may continue as long as the ILA or renewal/extension thereto remains in effect, and the City employee remains eligible. The ILA also provides for transition of enrolled students when there is a change in their parent's employment status with the City. Such students will be allowed to finish their school years, and those in their junior year will be allowed to return for their senior year.

The initial term of the ILA is until August 31, 2025, which is equivalent to two (2) full school years. At the sole discretion of the District, the ILA may be renewed for successive two (2) year terms for up to four (4) times. Notice will be provided to the City by February 1 of the last then effective year of the ILA indicating the District's intentions whether or not to renew the ILA.

The opportunity to enroll their children and dependents at District public schools will be attractive to current eligible City employees, which may help with employee retention. It will also make the City more attractive to applicants considering positions at the City.

NEXT STEPS

If the City Council authorizes the ILA, a City policy will be issued describing the terms under which this opportunity will be made available to eligible City employees. Because the District controls the details of this opportunity, as well as the renewal and changes thereto after the initial term, the City policy will have to include restrictions to ensure precedents are not set and the City will not have to bargain impacts to changes implemented by the District, including the termination of the ILA.

RECOMMENDED ACTION

Authorize the City Manager or designee to execute an interlocal agreement with the Mercer Island School District No. 400 for enrollment of City employee's children/dependents substantially in the form attached as Exhibit 1.

**INTERLOCAL AGREEMENT
REGARDING NONRESIDENT ENROLLMENT OF CITY OF MERCER ISLAND
EMPLOYEE'S CHILDREN OR DEPENDENTS**

This Interlocal Agreement ("Agreement") is entered into as of June [REDACTED], 2023, by and between Mercer Island School District No. 400 ("District") and the City of Mercer Island, a municipal corporation of the State of Washington ("City"), (collectively, "Parties") pursuant to and authorized by the Interlocal Cooperation Act (Chapter 39.34 RCW).

WHEREAS the District desires to permit nonresident student enrollment for the child(ren) of eligible City employees beginning with the 2023-2024 school year; and

WHEREAS the City has determined that cooperative action with the District permitting the nonresident student enrollment of a child(ren) of eligible City employees represents a benefit to such employees; and

WHEREAS the Parties desire to enter into this Agreement to set forth the terms and conditions under which nonresident student enrollment will be permitted;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is mutually agreed as follows:

1. Purpose.

The purpose of this Agreement is to set forth the terms and conditions for eligible City employees to enroll dependent child(ren) as nonresident student(s) in the District regardless of whether the District is determined to be open for nonresident enrollment. The dependent child(ren) of City-staff will be eligible to enroll in the below:

- a. A District school that houses early intervention services pursuant to RCW 28A.155.065 or preschool services pursuant to RCW 28A.155.070, if the student is eligible for such services; or
- b. A school deemed by the District to be the best location based on enrollment space and capacity.

2. Eligibility.

To be eligible for enrollment under this Agreement, a child must be the dependent child of a full-time or part-time City employee, including limited term employee whose employment term with the City is at least one year in length, who is employed by the City on a regular basis and who receives City-paid benefits. Temporary, casual, or seasonal employees are expressly excluded from this definition.

An application from a nonresident student who is the dependent child of an eligible City employee may be rejected if:

- a. The student's disciplinary records indicate a history of convictions for offenses or crimes,

violent or disruptive behavior, or gang membership; provided that for purposes of this section a "gang" is defined as a group that consists of three or more persons, has identifiable leadership, and on an on-going basis, regularly conspires and acts in concert mainly for criminal purposes;

- b. The student has been expelled or suspended from a public school for more than ten consecutive days; provided that the District's regulations allowing for re-admission of expelled or suspended students apply uniformly to both resident and nonresident applicants; or
- c. Enrollment would displace a child who is a resident of the District.

3. Confirmation of Employment Status.

The District reserves the right to contact the City's Human Resources Department to verify the employment status of any City employee submitting an application for nonresident student enrollment under this Agreement.

It is the responsibility of the City employee to report to the District's Choice Transfer Coordinator any change in employment status within five (5) business days.

4. Enrollment Process.

a. Application for Nonresident Enrollment

City employees who desire to enroll their child(ren) as nonresident students in a District school or schools are required to apply annually for admission on behalf of their child(ren). The application procedure requires the City employee to complete the appropriate interdistrict transfer application process to be outlined in Board Policy 3141: *Enrollment – Nonresident Students*. Enrollment of nonresident students in a District school or schools may occur only after an interdistrict transfer application has been approved by the District and the student's resident school district.

Failure of a City employee to complete the application process or any material misrepresentation of facts by the applicant regarding application information shall be grounds for denying the admission request.

b. Enrollment for Successive Years

A City employee's nonresident dependent child(ren) may continue to enroll in the District so long as this Agreement or any extension thereto remains in effect, the City employee remains a part-time or full-time employee as described in Section 2, and if the eligible City employee completes the interdistrict transfer application process consistent with Board Policy 3141: *Enrollment – Nonresident Students*.

During the District's annual Review Student Verification Process (RSVP), the City employee must provide proof of:

- i. an approved interdistrict transfer application for the school year in which their nonresident student(s) is/are being enrolled, and

- ii. proof of continuing City employment consistent with Section 2.

5. Change in Employment Status.

As a condition on enrollment, a City employee whose dependent, nonresident child(ren) is/are enrolled in the District pursuant to this Agreement is obligated to inform the District of changes in their City employment status. Specifically, a City employee must provide written notification to the District's Choice Transfer Coordinator of a change in employment status and submit a new interdistrict transfer application if the City employee:

- a. becomes a temporary, casual, or seasonal City employee or a City employee who is otherwise ineligible for City-paid benefits, or
- b. separates from City employment.

In response to a notification that a City employee has had a change in employment status and after receiving a new, complete interdistrict transfer application, the District will follow the below procedures:

- a. If the separation or change in employment status occurred after the first day of the traditional, 180-day academic year, the District may allow the child(ren) of the employee to complete the current school year before unenrolling the child(ren); or
- b. If the separation or change in employment status occurred after the first day of the traditional, 180-day academic year and the child(ren) is/are enrolled in the 11th grade and has/have continuously attended Mercer Island High School since the beginning of the academic year, the District may allow the child(ren) to complete the remainder of the current school year and permit them to apply to complete the subsequent school year regardless of whether the District is open for enrollment to other nonresident students. Eligibility for 11th grade students to ongoing enrollment under this subsection does not extend to siblings who do not otherwise qualify under this subsection.
- c. If the City employee separates from employment or otherwise becomes an ineligible employee under Section 2, prior to the first day of the next, traditional 180-day academic year for which their child(ren) has/have been admitted for nonresident student enrollment, the District reserves the right to rescind any interdistrict transfer applications previously accepted for the upcoming school year.

6. Transportation and Supervision.

As a condition on enrollment, City employees who enroll their child(ren) in the District pursuant to this Agreement are responsible for providing adequate transportation for their child(ren) to the school their student(s) attends. Unless otherwise agreed to by the District on an individual student basis, the District shall incur no cost or responsibility for transporting any City employee's nonresident child enrolled in the District pursuant to this Agreement. Further, such City employees are responsible for the supervision of their child(ren) both before and after school.

7. Nonresident Enrollment Notification.

The District's Superintendent or designee shall provide written notification of the approval or denial of an interdistrict transfer application within forty-five (45) days of receipt of a completed application. If the application is rejected, the notification shall include the reason or reasons for denial, the right to request an informal conference with the superintendent or designee to reconsider the denial, and the right to appeal to the superintendent of public instruction or designee under RCW 28A.225.225(5).

8. Impact of Agreement Termination on Enrollment.

Should this Agreement be terminated by the District, City employees with a dependent child enrolled in the District at the time of termination who maintain continuous, regular employment with the City shall be permitted to apply for nonresident enrollment for their child(ren) until each nonresident student, independent of one another, has completed the grade-band in which the student was enrolled at the time of the Agreement's termination (i.e., grades K-5, 6-8 or 9-12). Such applications must comport with Board Policy 3141.

9. Indemnification. The City will protect, defend, indemnify, and save harmless the District, its officers, employees, and agents from and against any costs, claims, actions, liabilities, judgments or awards and damages (including attorney's fees and costs) arising out of or in any way resulting from the negligent acts or omissions of the City, its officers, its employees, and agents in connection with this Agreement. The District will protect, defend, indemnify, and save harmless the City, its officers, employees, and agents from and against any and all costs, claims, actions, liabilities, judgments or awards and damages (including attorney's fees and costs) arising out of or in any way resulting from the negligent acts or omissions of the District, its officers, employees, and agents in connection with this Agreement. The Parties waive any immunity that may be granted to them under the Washington State Industrial Insurance Act, Title 51 RCW, but only to the extent necessary to effectuate this provision.

10. Nondiscrimination.

All applications for nonresident attendance submitted under this Agreement shall be considered equally on a fair, rational, and equitable basis pursuant to RCW 28A.225.225 and WAC 392-137-205(1) and no applicant shall be denied admission because of race, creed, color, sex, sexual orientation, age, national origin, marital status, physical and motor disability, or other circumstances prohibited by federal, state, or local law or ordinance.

11. Administration of Agreement.

Each party shall designate an official responsible for the administration of this Agreement and negotiate with regard thereto. These officials shall meet from time to time as they deem necessary to discuss the Agreement, the performance thereunder, and other relevant matters.

12. Amendment.

This Agreement may be amended only upon consent of all Parties hereto. Any amendment hereto shall be in writing and shall be ratified and executed by the Parties in the same manner in which

it was originally adopted.

13. Severability.

If any provision of this Agreement is held to be invalid or unenforceable, such provision will be struck from this Agreement and the remaining provisions will remain in full force and effect.

14. Integration Clause.

This Agreement constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior or contemporaneous communications, representations, or agreements, whether oral or written.

15. Governing Law/ Venue.

This Agreement shall be interpreted in accordance with the laws of the State of Washington. The venue for any cause of action arising out of this Agreement shall be King County, Washington.

16. Authority.

Each individual executing this Agreement on behalf of the City and the District represents and warrants that such individuals are duly authorized to execute and deliver this Agreement on behalf of the City or District, respectively.

17. Duration/Termination.

The initial term of the Agreement shall extend from the execution date until August 31, 2025. This initial term permits the enrollment of nonresident children of eligible City employees during the 2023-24 academic year and/or the 2024-25 academic year.

The District may, at its sole discretion, choose to renew this Agreement for successive two-year periods. Any renewal of this Agreement will enable the enrollment of nonresident children of eligible City employees on a year to year basis for up to a maximum of two academic years per renewal.

In the event that the District wishes to renew the Agreement, written notice must be provided to the City no later than February 1, 2025, and every two years thereafter. The notice will indicate the District's intention to either terminate the Agreement or renew it.

The Agreement may be renewed for a maximum of four (4) successive terms under this Agreement.

Any additional terms or conditions pertaining to the termination, or renewal of this Agreement shall be documented in writing and agreed to by both parties as an addendum to this Agreement.

18. Agreement Notices.

Under this Agreement, all notices and other communications are required to be in writing. The

following methods of delivery are deemed acceptable:

- a. In-person Delivery: If a notice is delivered in person on any business day during regular operating hours, it will be considered duly given and received on that day.
- b. United States Mail: If a notice is sent via United States mail, it will be deemed to have been duly given on the first business day following its deposit with USPS. The notice should be sent with postage prepaid and through certified or registered mail, with a return receipt requested.
- c. Electronic Delivery: If a notice is delivered electronically to the District Superintendent or City Manager, it will be considered duly given on the next business day following the delivery.

19. Effective Date.

This Agreement shall be effective upon ratification by action of the governing body, execution of each of the Parties, and publication as required under chapter 39.34 RCW.

IN WITNESS WHEREOF, the parties have executed this Agreement on the of June, 2023.

CITY OF MERCER ISLAND

MERCER ISLAND SCHOOL DISTRICT

City Manager

Superintendent

Dated: _____

Dated: _____

Approved as to Form:

City Attorney

Executive Director of Compliance, Legal
Affairs and Human Resources



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6311
July 18, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6311: Public Display of Firework Permit Issuance	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Approve the Fire Marshal's recommendation to issue an operational permit to Pyro Spectaculars North, INC. for a public display of fireworks on August 19, 2023	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Fire
STAFF:	Ben Lane, Interim Fire Chief Doug McDonald, Interim Deputy Fire Chief Jeromy Hicks, Fire Marshal
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Insurance Verification 2. Site Layout, Display Area Map, Manifest, Pyrotechnic License
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to issue a public display of firework permit as required under International Fire Code (IFC) section 105 and Mercer Island City Code ([MICC](#)) [8.35.020](#).

- Pyro Spectaculars North has applied for an operational permit for the public display of fireworks.
- This display will take place on August 19, 2023 at approximately 2235hrs (10:35pm) for a duration of approximately 18 minutes on Lake Washington and conforms to applicable City adopted codes and Washington State RCW (70.77.295).
- The Fire Marshal's Office is required to investigate the validity of the permit application and make a recommendation for approval or denial of the permit to the City Council.
- The Fire Marshal's Office recommends approval of the permit.

BACKGROUND

On average, the City of Mercer Island approves one to two public fireworks displays per year. In this instance, the information provided by Pyro Spectaculars North meets submission requirements. The applicant provided information containing MICC required insurance (see Exhibit 1), discharge location, firework manifest, WA State Operators License, and applicable licenses (see Exhibit 2).

Mercer Island Marine Patrol will be contracted to provide security of the required isolation zone as done with previous displays of this type. Professional public displays provide a safe and controlled environment for spectators to observe from a distance. These displays are designed with a high level of safety margin and operated by a licensed pyrotechnician.

ISSUE/DISCUSSION

While this display is being conducted on a barge in a waterway, the jurisdiction for the barge location falls under the Mercer Island Fire Marshal's Office for a public display of fireworks permit and is subject to our adopted code. MICC 8.35.020(C) states:

"The local fire official shall investigate and submit a report of findings and recommendations for or against the issuance of the permit to the city council. The city council shall have the power in its discretion to grant or deny the application, subject to such reasonable conditions, if any, as it shall prescribe."

During the application review it was found that the applicant meets all state and local requirements, including licensed pyrotechnician, General Display Fireworks License, barge manifest, isolation area, and safety plan. Additionally, the applicant provided a Certificate of Liability Insurance (see Exhibit 1) with the proper insurance limits required by [RCW 70.77.295](#) and [MICC 8.35.020\(F\)](#).

The discharge of fireworks occurs on a barge in the water. Firework displays are conducted in/around water areas due to the increased safety margin. The applicant shall secure proper waterway permits (where applicable) and security for exclusion zones.

NEXT STEPS

If approved the Fire Marshal's Office will issue an operational permit to Pyro Spectaculars North. This permit will contain specific conditions as outlined by best practices, applicable laws, and industry standards. The operational permit is only valid for this one event. Any further displays requests will follow the same requirements and be brought before the City Council.

RECOMMENDED ACTION

Approve the City of Mercer Island Fire Marshal's recommendation to issue an operational permit for Pyro Spectaculars North for the public display of fireworks to be discharged per the permit conditions on August 19, 2023, at approximately 2235hrs (10:35 pm) pursuant to MICC 8.35.020(C).



CERTIFICATE OF LIABILITY INSURANCE

DATE (7/17)
Item 11.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure, LLC dba Britton Gallagher & Associates One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 E-MAIL ADDRESS: FAX (A/C, No): 216-658-7101														
INSURED Pyro Spectaculars North, Inc. 5301 Lang Ave. McClellan Park CA 95652	<table><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A : Everest Indemnity Insurance Co.</td><td>10851</td></tr><tr><td>INSURER B : Axis Surplus Insurance Company</td><td>26620</td></tr><tr><td>INSURER C :</td><td></td></tr><tr><td>INSURER D :</td><td></td></tr><tr><td>INSURER E :</td><td></td></tr><tr><td>INSURER F :</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Everest Indemnity Insurance Co.	10851	INSURER B : Axis Surplus Insurance Company	26620	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER B : Axis Surplus Insurance Company	26620														
INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES **CERTIFICATE NUMBER:** 2059491482 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			SI8GL00282-231	1/13/2023	1/13/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input checked="" type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			P-001-000063946-05	1/13/2023	1/13/2024	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Certificate Holder is named as an Additional Insured in regards to General Liability.
Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

Date of Display: August 19, 2023
Location of Display: on a barge on Lake Washington in front of Seaward Park

Additional Insured(s): Fireworks for Recovery, Recovery Funfest, Waterfront Construction, City of Mercer Island, WA,- & their Employees when acting in the official compacity. Mercer Island Fire Department, and their officers, agents and employees when acting in their official capacity as such.

CERTIFICATE HOLDER Fireworks for Recovery 300 NW 85th St, Suite 300 Seattle WA 98117	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--



Mercer Island Fire Marshal's Office
3030—78th Avenue SE • Mercer Island, WA 98040
(206) 275-7607 • Fax: (206) 275-7970

APPLICATION FOR OPERATIONAL PERMIT (IFC 105.1.2-A)

Item 11.

FOOD VENDOR OR CRAFT VENDOR USING OPEN FLAME DEVICE

Return to Fire Marshal's Office

3030 78th Avenue SE, Mercer Island, WA 98040
Fax: 206-275-7970
E-mail: Fire_Marshal@mercerisland.gov

Check Appropriate Boxes Below:

Event Type: ☐ Farmers Market ☐ Summer Celebration ☐ Food Truck ☒ Other

If food truck—location(s): _____

Date(s) of event: August 19, 2023 - Fireworks Display for Recovery Funfest

Type of Cover: ☐ Food Truck ☐ Tent ☐ Canopy ☒ Open Air

Proposed Operation (check applicable operation below):

- ☐ Amusement building (105.6.2)
- ☐ Compressed Gas: storage, use or handling (105.6.8)
- ☐ Use of open- flame or exposed flame (3104.7)
- ☐ Hot work operations, welding, cutting, glass blowing or melting, metal crafting (105.6.23)
- ☐ Carnival and fairs (105.6.4)
- ☐ Use of a tent (105.6.43)- Required for tents over 400 sq/ft only
- ☒ Exhibitions or trade show (105.6.13)
- ☐ LP-gas use (3104.16)
- ☐ Open outdoor burning (105.6.30)
- ☐ Open flames and torches in hazardous fire area (105.6.31)
 - Open flames and candles in connection with an assembly area (105.6.32)
 - Deep fryer (outside) (Class K, 1.5 gallon wet chemical extinguisher is required with current inspection tag)
 - Deep fryer (well frying) in travel trailer or motor home. Class 1 hood with wet chemical extinguishing system is REQUIRED. Current inspection and cleaning certification is required.
 - Wok Frying (outside) (Class K, 1.5 gallon wet chemical extinguisher is required with current inspection tag)
 - Wok frying in travel trailer or motor home. Class 1 kitchen hood with wet chemical extinguishing system is required. Current inspection tag required.

Describe your use of flame or heat source (if applicable):

Public Display of Fireworks- Lake Washington IFC 105.6.40/ MICC 8.35.020 (C)



Mercer Island Fire Marshal's Office
3030—78th Avenue SE • Mercer Island, WA 98040
(206) 275-7607 • Fax: (206) 275-7970

APPLICATION FOR OPERATIONAL PERMIT
(IFC 105.1.2-A)
FOOD VENDOR OR CRAFT VENDOR USING OPEN FLAME DEVICE

Item 11.

Name of Business: Pyro Spectaculars North, Inc.
Responsible Party: Cindi Grant - PSNI Office Administrator
Business License: 602810145
Address: 4405 N. Evergreen Rd
City: Spokane Valley State: WA Zip: 99216
E- Mail Address: cgrant@pyrospec.com or rvaughan@pyrospec.com
Cell Number: (509) 981-4186 or (509) 710-0262

UNDER PENALTY OF INTENTIONAL MISREPRESENTATION AND /OR PERJURY, I declare that I have examined and/or made this application and it is true and correct to the best of my knowledge and belief. I agree to perform the operation as described in compliance with all provisions of the applicable ordinances. If applicable, I have been given authorization from the property owner to obtain this permit. I realize that the information that I have affirmed hereon forms a basis for the issuance of the permit herein applied for and approval of the operation in connection therewith shall not be construed to permit any operation upon said premises or use thereof in violation of any applicable ordinance or to excuse the owner or his or her successors in title from complying therewith.

I understand that by applying for this permit, I am consenting to the inspection of this property and to the entry onto the property by inspectors of the authority having jurisdiction for the purpose of performing the necessary inspections during normal business hours for the duration of the permit.

Cindi Grant Cindi Grant - PSNI Office Administrator July 4, 2023
Responsible Party Signature Printed Name Date

For Fire Department Use Only:			
Application Number: <u>FW23-003</u>	Permit Number: <u>FW23-003</u>	Permit Fee: <u>\$209.92</u>	Date Received: _____
Revisions Received: _____			
Permit Required: <input checked="" type="checkbox"/>	No Permit Required: <input type="checkbox"/>		

WASHINGTON STATE PUBLIC FIREWORKS DISPLAY PERMIT

Applicant

Name of Event Recovery Funfest

Street Address on a barge on Lake Washington in front of Seaward Park

City Mercer Island County King

Event Date August 19, 2023 Event Time 10:15 ☐ AM ☒ PM

Applicant's/Sponsor's Name Fireworks for Recovery Phone No. (425) 471-9895

Pyrotechnic Operator Jonathan Clark License No. P-04470

Experienced Assistant's Name Jonathan Huffman

General Display Company Name Pyro Spectaculars North, Inc. Phone No. (509) 467-9282

Attach a separate piece of paper and/or copies of the following documents:

- The number of set pieces, shells (specify single or multiple break), and other items.
- The manner and place of storage of such fireworks prior to the display.
- A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of all buildings, highways, and other lines of communication; the lines behind which the audience will be restrained; and the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction.
- Documentary proof of procurement of Surety bond or public liability insurance.

Local Fire Code Authority

Authority Having Jurisdiction City Of Mercer Island Fire Marshals Office

Name of Permitting Official Jeromy Hicks

Title Fire Marshal Phone No. 206-275-7979

Permit Granted: ☐ Yes ☐ Yes, with Restrictions (see "Notations" below) ☐ No

Restrictions/Notations Permit Conditions Attached

FW23-003

Signature of Permitting Official _____ Date of Approval _____ Permit Number _____

If approved, this permit is granted for the date and time noted herein under the authority of the International Fire Code in accordance with Revised Code of Washington 70.77 and all applicable rules and ordinances pertaining to fireworks in this jurisdiction. This permit is INVALID unless in the possession of a properly licensed Pyrotechnic Operator, who is responsible for any and all activities associated with the firing of this show.



Washington State Patrol Fire Protection Bureau
Office of the State Fire Marshal

10939P

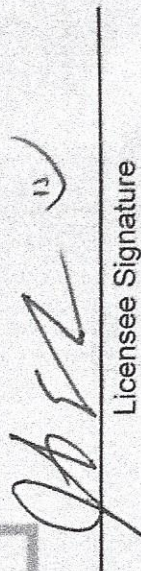
Pyrotechnic Operator License

Licensee Data

Jonathan Clark
36422 Southeast Isley Street
Snoqualmie, WA 98065
License Number: P-04470

Phone Number: (206) 715-8914
Email Address: inbox@clarkfarm.org
Date of Issue: January 19, 2023
Date of Expiration: January 31, 2024


State Fire Marshal


Licensee Signature

Licensee Wall Mount Card

3000-420-043 (10/18)

The Sponsor – Fireworks for Recovery

Kelly Farnsworth (425) 471-9895

is contacting Mercer Island Marine Patrol for Safety boats.

Sqəbəqsəd Trail

Grovela
Beach P



Seward Park
Amphitheater



47.54268
-122.24687

560' IN
ALL DIRECTIONS

W Mercer Way

SE 72nd

FIREWORKS FOR RECOVERY AUG. 19202

	6"	6"	6"			<div></div> <div>Safety Barricade</div>
2.5"	6"	6"	6"	5"	5"	
8"	6"	6"	6"	5"	5"	
8"	6"	6"	6"	5"	5"	
8"	6"	6"	6"	5"	5"	
2.5"	6"	6"	6"	5"	5"	
2.5"	6"	6"	6"	5"	5"	
	6"	6"	6"			

91'

22'



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6312
July 18, 2023
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6312: Memorandum of Understanding with IAFF Local 1762 Related to Regionalization of Fire and Emergency Medical Services	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Approve tentatively agreed upon MOU with IAFF Local 1762 resolving all matters related to impacts of regionalization of fire and emergency medical services, and pending unfair labor practices complaint, interest arbitration, and collective bargaining agreement negotiations.	

DEPARTMENT:	City Manager
STAFF:	Jessi Bon, City Manager Ali Spietz, Chief of Administration
COUNCIL LIAISON:	n/a
EXHIBITS:	n/a
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

Following the Executive Session, the City Council may take action after reviewing the tentatively agreed MOU with IAFF Local 1762 related to regionalization of fire and emergency medical services.

RECOMMENDED ACTION

Approve tentatively agreed upon MOU with IAFF Local 1762 resolving all matters related to impacts of regionalization of fire and emergency medical services, and pending unfair labor practices complaint, interest arbitration, and collective bargaining agreement negotiations.

MEMORANDUM OF UNDERSTANDING

The purpose of this Memorandum of Understanding ("MOU") between IAFF Local 1762 (the "Union") and the City of Mercer Island ("City") is to memorialize an agreement to resolve all issues between the parties associated with the City's potential agreement for regionalization of fire services with Eastside Fire & Rescue (EFR) and the transition of the City's fire employees to EFR.

RECITALS

Whereas, in response to a solicitation by the City, EFR and the City have entered into an agreement whereby EFR will assume responsibility for the delivery of fire suppression, emergency/non-emergency medical, fire prevention, fire marshal, hazardous materials incident response, command, and administrative services to the City's service area; and

Whereas, such service will be provided through EFR's workforce, directed by EFR command; and whereas EFR has expressed its intention, to hire all represented uniformed City fire employees who are members of the Union and who choose to accept the EFR positions offered on a transition date which is yet to be determined, and

Whereas, from the transition date, the terms, and conditions of employment at EFR will be governed by EFR and subject to applicable union contracts and policies; and

Whereas the City will have no control of EFR's employees; and whereas, on the transition date, the City will lay off any remaining represented fire employees as it will no longer have operations or work to perform.

The parties hereby agree as follows: the Union has demanded to bargain with the City regarding the decision and impacts of the decision to regionalize services with EFR. While the City and Union do not agree on whether there is a decisional bargaining obligation, the parties have reached agreement to fully resolve all issues between the parties associated with the transition of City's workforce to EFR, including retroactive compensation for the period from the expiration of the last collective bargaining agreement between the parties through the transition date and all issues relative to the ULP filed by the Union in Case No. 136578-U-23. The parties have executed this MOU to memorialize their agreements. The MOU is subject to ratification of the Union, approval of the terms herein by the City Council, and the City successfully negotiating and executing an interlocal agreement with EFR for regional fire services.

AGREEMENT

Now, therefore, the parties agree as follows:

1. **Wages:** Effective January 1, 2023, Union employees will receive a cost of living adjustment of 8.6% (100% of the percentage increase in the Seattle-Tacoma-Bellevue CPI-W - first half index released in July 2022).
2. **Transition Compensation:** Effective January 1, 2023, Union employees will receive an additional 3.75% wage increase for transition impact compensation, as well as \$2,000 per member deposited into each member's HRA VEBA account within 30 days of ratification/approval of this

agreement by both parties. This is intended to address issues relative to transition that are not explicitly addressed in this agreement.

3. **Vacation Leave:**
 - a. The City will buy out all Union employees accrued vacation leave hours over the EFR cap at 100%, at the 2023 pay rate, on or before December 31, 2023.
 - b. All Union employees accrued vacation leave hours at and under EFR cap on December 31, 2023 will be transferred to EFR.
4. **Comp Time.** All remaining comp-time banks will be bought out to Zero at the employees 2023 pay rate.
5. **Sick Leave.** All Union employees accrued sick leave hours at or below the cap on December 31, 2023 will be transferred to EFR.
6. **2023 Sick Leave Incentive.** The City will deposit \$250 into each Union employee's HRA-VEBA account for each calendar month in 2023 that an employee does not use any hours of sick leave. This contribution will be made on or before February 1, 2024.
7. **2023 LEOFF 1 Retiree Healthcare Insurance Premium Savings.** Additionally the City will continue its pre-existing obligations to contribute to the employees' HRA-VEBA account consistent with Appendix F of the CBA (LEOFF 1 Retiree Healthcare Insurance Premium Savings Calculations for Annual HRA VEBA Contribution). This will be completed on or before February 1, 2024 after which the City shall have no further obligations in this regard.
8. **HRA-VEBA.** The City supports the Union maintaining separately administered HRA-VEBA accounts subject to any bargaining obligations between EFR and its union.
9. **Promotions.** The City will promote Union employees to fill out the EFR four platoon staffing model for Station 91 and 92 effective on or before transition as follows:
 - a. **Engineers:** based on seniority
 - b. **Lieutenants:** based on current promotions list
 - c. **Captains:** the City will conduct promotional testing for the Captain positions
 - d. **Battalion Chiefs:** based on current promotions list
10. **Seniority.** Seniority will be preserved subject to agreement between the Union and IAFF Local 2878.
11. **PFML Benefits:** The City will ensure all Union employees have continued PFML coverage, including those currently using **PFML**. There will be no break in PFML coverage in the transition from the City's voluntary plan to the state plan
12. **Fire Marshal.** The current Fire Marshal, Jeromy Hicks, will remain in the DRS LEOFF 2 Plan after transferring to EFR. It is the understanding and intent of both parties to this Agreement that Fire Marshal Hicks will be assigned job duties upon his transfer to EFR that will be similar or identical to those he has performed for the City

13. **Washington Task Force 1 (WA-TF1).** The five Union employees who are members of the Washington Task Force 1 (WA-TF1) will continue their appointments at EFR.
14. **Wildland Incident Qualifications.** All Union employees with wildland incident qualification cards ("red cards") will transfer to EFR.
15. **Joint Statement.** City and the Union will issue a joint written statement in support of the transition to EFR.
16. **Unfair Labor Practice Case No. 136578-U-23.** The Unfair Labor Practice will be dismissed with prejudice following approval and execution of this agreement by the City and by Local 1762.
17. **Collective Bargaining Agreement.** Resolves all issues and/or negotiations with the collective bargaining agreement between the City and the Union.
18. **Interest Arbitration PERC Nos. 136066-I-22.** The City agrees to remove all cameras from Station 91. Once those cameras are removed and once this MOU has been executed by both parties, all issues connected with the above interest arbitration proceeding will be resolved and the parties will notify the members of the arbitration panel, and PERC, that there is no need to proceed further with that proceeding. Any costs associated with terminating that proceeding (such as any cancellation fees charged by the neutral arbitrator) will be split equally by the parties.
19. **JATC requirements.** Completion of the JATC program will apply to members hired on or after December 27th 2022.
20. **Re-employment.** In the event that the City reconstitutes its own fire department at a future time before December 31, 2033, the City hereby agrees that any of its former employees who are employed by the City at the time when this MOU is executed by the parties and who are also employed by EFR at the time when the City reconstitutes its fire department and who at that point in time are interested, qualified, and able to perform available positions at the City's reconstituted fire department shall be given reasonable notice about available positions at the City and a right of first refusal to fill any available position at the City to which they apply and for which they are qualified.
21. **Complete Agreement.** This agreement is a complete agreement, which resolves all issues relative to the parties' bargaining obligations relative to regionalization of the City's delivery of fire suppression, emergency/non-emergency medical, fire prevention, fire marshal, hazardous materials incident response, command, and administrative services to the City's service area by transferring such services to EFR.

Signed this ____ day of July 2023.

For the IAFF, Local 1762

For the City of Mercer Island

Ray Austin, President

Jessi Bon, City Manager



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6304
July 18, 2023
Public Hearing

AGENDA BILL INFORMATION

TITLE:	AB 6304: Public Hearing: Interim Regulations Related to Outdoor Dining (Ordinance No. 23C-09)	<input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Conduct public hearing.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Community Planning & Development Director Alison Van Gorp, Community Planning & Development Deputy Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 23C-09
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda item is to hold the required public hearing on Ordinance No. 23C-09 (Exhibit 1), which was adopted by the City Council on June 20, 2022, which extends interim regulations allowing outdoor dining in the public right of way and in private parking spaces.

BACKGROUND

On June 20, 2023 the City Council adopted Ordinance No. 23C-09 (Exhibit 1) renewing interim regulations that:

- Amend Mercer Island City Code (MICC) [19.06.050](#) to permit temporary food and beverage service in the public ROW with a simple ROW permit;
- Provide a temporary waiver of the minimum parking regulations for eating and drinking establishments identified in MICC [19.04.040](#) and MICC [19.11.030](#); and
- Authorize the temporary use of private parking spaces for outdoor dining.

This ordinance re-established the outdoor dining provisions initially adopted during the COVID-19 Pandemic to align with an extension of regulations on outdoor sales of liquor by the State Liquor and Cannabis Board, and to support a request by a local business ([AB 6285](#)).

ISSUE/DISCUSSION

Pursuant to [RCW 35A.63.220](#) and [RCW 36.70A.390](#), a public hearing must be scheduled within 60 days of adopting an interim ordinance to solicit public input on the regulations. The public hearing on Ordinance No. 23C-09 is scheduled for July 18, 2023, and was duly noticed according to state and City requirements.

NEXT STEPS

The interim regulations adopted in Ordinance No. 23C-09 will be in effect for one year from July 3, 2023, to July 2, 2024. The City will begin developing permanent regulations related to temporary uses and outdoor dining during that time, as outlined in the work plan adopted as an attachment to Ordinance No. 23C-09.

RECOMMENDED ACTION

Conduct public hearing. No further action necessary.

**CITY OF MERCER ISLAND
ORDINANCE NO. 23C-09**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
ADOPTING INTERIM ZONING MEASURES TO ALLOW MORE OUTDOOR
SEATING FOR EATING AND DRINKING ESTABLISHMENTS; SCHEDULING A
PUBLIC HEARING; ADOPTING A WORK PLAN; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, the City of Mercer Island adopted Ordinance No. 20C-17 on August 4, 2020, enacting interim zoning and official controls to allow existing eating and drinking establishments to expand outdoor seating into available public and private space in order to provide safer dining conditions for patrons during the COVID-19 pandemic; and

WHEREAS, the City Council renewed the interim regulations on February 16, July 6, December 7, 2021, and January 7, 2023; and

WHEREAS, the City Council wishes to continue promoting local economic recovery and to make eating and drinking establishments safer to operate by leveraging available private and public space to be used as additional outdoor areas for eating and drinking; and

WHEREAS, outdoor restaurant seating has been determined to be safer and less likely to lead to the spread of COVID-19 than indoor restaurant seating, which was previously restricted; and

WHEREAS, the Washington State Liquor and Cannabis Board enacted temporary rules for outdoor alcohol service in WAC 314-03-205, which provide temporary exceptions to WAC 314-03-200; and

WHEREAS, the City's interim regulations for outdoor dining can only apply to outdoor alcohol service if the State Liquor and Cannabis Board temporary rules are in effect; and

WHEREAS, the State Liquor and Cannabis Board temporary rules were recently extended by the State Legislature and now expire July 1, 2025; and

WHEREAS, the City is authorized under RCW 35A.63.220, 36.70A.390 to pass an interim zoning and official control ordinance for up to one year, provided a work plan is developed and it holds a public hearing on the same within sixty days after passage; and

WHEREAS, consistent with the provisions of RCW 35A.63.220 and RCW 36.70A.390, it is appropriate for the City Council to hold a public hearing and adopt additional findings of fact, if necessary, supporting and justifying the interim zoning and official control ordinance within at least sixty days of its passage;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Whereas Clauses Adopted. The "Whereas Clauses" set forth in the recital of this Ordinance are adopted as the findings of fact of the City Council for passing this Ordinance.

Section 2. Code Amended. Subsections (D)(4) and (E) of MICC 19.06.050 are amended as follows for the duration of this Ordinance:

D. 4. The design for any non-temporary improvements is consistent with the design requirements for the Town Center plan.

E. A permit to operate a private business on public property shall be reviewed and approved by the design commission; provided, that temporary business operations involving temporary structures and/or temporary right-of-way obstructions may be approved by the code official ~~or referred to the design commission at the code official's discretion.~~ Permit applications from existing eating and drinking establishments at Mercer Island to temporarily provide outdoor food and beverage service on public property adjacent to the eating and drinking establishment shall be considered to be temporary, and they may be approved by the code official without review or approval by the design commission.

Section 3. Authorization to Use Private Parking Areas for Outdoor Dining. Subject to the provisions of this Ordinance, the City grants temporary permission for existing eating and drinking establishments at Mercer Island to temporarily utilize private parking areas for outdoor food and beverage service, provided the private parking area is immediately adjacent to the eating and drinking establishment, and the following conditions are met:

A. An eating and drinking establishment may provide food and beverage service in a private parking area only while this Ordinance remains in effect.

B. Use of any portion or percentage of private off-street parking areas for outdoor food and beverage service shall require the landlord's / property owner's approval. Nothing in this Ordinance compels a landlord / property owner to permit a tenant to expand its business to the exterior.

C. This Ordinance authorizes only temporary use of private areas otherwise restricted for parking purposes. Nothing in this Ordinance authorizes permanent improvements or interior expansions.


Section 4. Minimum Parking Regulations Waived. In order to effectuate the purpose of Section 3 above, but only to the extent necessary to so effectuate and under the terms and conditions set forth in this Ordinance, minimum parking regulations normally applicable to eating and drinking establishments are waived to enable such uses to serve patrons in adjoining parking spaces for the duration of this Ordinance.

Section 5 Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, a public hearing shall occur on July 18, 2023, or within 60 days of this Ordinance passage, in order to hear and consider the comments and testimony of those wishing to speak at such public hearing regarding the interim zoning and official controls approved by this Ordinance, and to consider adopting further findings of fact, if necessary.

- Section 6. Work Plan adopted.** The Work Plan attached as Attachment A is adopted pursuant to RCW 35A.63.220 and RCW 36.70A.390 and indicates the City's plans for considering permanent regulations during the pendency of the interim regulations.
- Section 7. Duration of Interim Zoning and Official Controls.** The interim zoning and official controls approved by this Ordinance shall continue in effect for an initial period of one year from the effective date, unless repealed, extended or modified by the City Council pursuant to RCW 35A.63.220 and RCW 36.70A.390.
- Section 8. Severability.** If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property, or circumstance, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this Ordinance or its application to any other person, property, or circumstance.
- Section 9. Publication and Effective Date.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full force five days after the date of publication.

PASSED THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON JUNE 20, 2023.

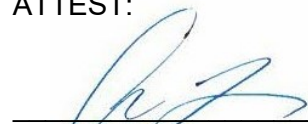
CITY OF MERCER ISLAND


Salim Nice, Mayor

APPROVED AS TO FORM:

/s/ Bio Park
Bio Park, City Attorney

ATTEST:


Andrea Larson, City Clerk

Date of Publication: June 28, 2023

Attachment ATemporary Uses and Outdoor Dining Work Plan

Q3 2023-Q3 2024	<p>Await the conclusion of the Town Center Parking Study, completion of the Economic Development Element of the Comprehensive Plan, and action from the State Liquor and Cannabis Board on permanent provisions for outdoor alcohol service.</p> <p>Coordinate with City staff in the Recreation Division, the Chamber of Commerce, and local eating and drinking establishments to understand the needs for outdoor dining and special events in terms of temporary use of the public ROW and private parking areas.</p>
Q3-Q4 2024	<p>Propose a code amendment for the annual docket related to temporary uses and outdoor dining.</p>
Q1-Q2 2025	<p>Legislative review of the proposed code amendment.</p>



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6305
July 18, 2023
Public Hearing

AGENDA BILL INFORMATION

TITLE:	AB 6305: Public Hearing: Interim Regulations Related to Permit Processing in Chapters 19.15 and 19.16 MICC (Ordinance No. 23C-10)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Conduct public hearing and adopt Interim Emergency Ordinance No. 23C-10 for interim regulations related to permit processing in Chapters 19.15 and 19.16 MICC.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Director Adam Zack, Senior Planner
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 23C-10 for Interim Regulations Related to Permit Processing in Chapters 19.15 and 19.16 MICC
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to present Ordinance No. 23C-10 (Exhibit 1), which would establish interim regulations in Title 19 Mercer Island City Code (MICC) to comply with Senate Bill 5290.

- [Senate Bill 5290](#) (SB 5290) was enacted by the Washington (WA) State Legislature in 2023.
- SB 5290 amends [Chapter 36.70B RCW](#), which establishes the required processes for local project review.
- SB 5290 changes the requirements for determinations of completeness for project permit applications.
- Cities and counties must comply with most provisions of SB 5290 by July 23, 2023, the bill's effective date.
- SB 5290 also adds a new requirement for cities and counties to establish maximum permit review times, but that section (SB 5290 Section 7) is not effective until January 1, 2025.
- Amendments to [Mercer Island City Code \(MICC\) 19.15.030 – Land use review types](#), [MICC 19.15.070 – Determination of completeness and letter of completeness](#), and [MICC 19.16.010 – Definitions](#) are required to comply with SB 5290.

- The July 23rd deadlines in SB 5290 for cities to adopt compliant development regulations cause a public emergency which necessitates that Ordinance No. 23C-10, which as a land use ordinance is not subject to referendum, become effective immediately for the protection of public health, public safety, public property, or the public peace pursuant to RCW 35A.13.190 upon passage by at least a majority plus one member of the City Council.
- An ordinance with interim regulations can be adopted to temporarily amend the development code as needed while the City develops permanent regulations to address SB 5290.

BACKGROUND

[Chapter 19.15 MICC](#) establishes the land use review processing standards in the City of Mercer Island. The standards in this chapter detail how a land use application must be reviewed for compliance with the Unified Land Development Code in [Title 19 MICC](#). This includes the requirements for submitting an application, the code official reviewing that application for completeness, and the decision-making authority issuing a decision. The review procedures in Chapter 19.15 MICC ensure that each application is subject to consistent and predictable processes. Recently enacted legislation, SB 5290, requires some amendments to Chapter 19.15 MICC by July 23, 2023.

SB 5290

Chapter 36.70B Revised Code of Washington (RCW) establishes the standards for processing land use permits for all cities and counties in Washington. In 2023, the WA State Legislature enacted SB 5290, which amended some sections in Chapter 36.70B RCW. The bill's effective date is July 23, 2023. Cities must ensure their land use review regulations comply with SB 5290, except for Section 7, by July 23, 2023. Section 7 of SB 5290 does not become effective until January 1, 2025.

The sections of SB 5290 that require code amendments to comply are summarized as follows.

- **Section 1.** Amends RCW 36.70B.140 to stipulate that “interior alterations” are exempt from site plan review. Interior alterations are defined as construction activities that do not modify the existing site layout or its current use and involve no exterior work adding to the building footprint. Some minor amendments to MICC 19.15.030 – Land use review types and MICC 19.16.010 – Definitions are required by July 23, 2023, to comply with SB 5290. See the discussion of Emergency Ordinance No. 23C-10 below for more detail on the amendments predicated by SB 5290 Section 1.
- **Section 5.** Amends RCW 36.70B.020 – Definitions to change the definition of “project permit” and “project permit application” to remove building permits from the list of what constitutes a local government’s land use review under Chapter 36.70B RCW. This change influences what types of review are subject to the standards elsewhere in the chapter, including which reviews are subject to the updated determination of completeness standards in SB 5290 Section 6 and the maximum review time periods in SB 5290 Section 7.
- **Section 6.** Amends RCW 36.70B.070 – Project permit applications—Determination of completeness—Notice to applicant. The changes articulate what is required for determinations of completeness for project permit applications. This section requires amendments of the Mercer Island City Code by July 23, 2023. See the discussion of Ordinance No. 23C-10 below for more detail on the amendments required by SB 5290 Section 6.
- **Section 7.** Amends RCW 36.70B.080 – Development regulations—Requirements—Report on implementation costs. This section establishes permit review timelines for project permit applications.

This section also establishes penalties for reviews that exceed the maximum review timelines. SB 5290 becomes effective on January 1, 2025 (see Section 13). Cities and counties must ensure that their development regulations comply with this section by the effective date. See the discussion of permit review timelines below for more detail on SB 5290 Section 7.

- **Section 8.** Amends RCW 36.70B.160 – Additional project review encouraged—Construction. This section encourages cities and counties to adopt further measures to provide prompt and coordinated review of project permit applications. Cities are not required to adopt these additional measures in order to comply with SB 5290. The additional measures encouraged in the amended RCW 36.70B.160 are options the City can consider as it works to adopt permanent regulations to comply with SB 5290.
- **Section 13.** Sets the effective date for SB 5290 Section 7 for January 1, 2025.

Project Permit Applications

[RCW 36.70B.020\(4\) – Definitions](#) defines what constitutes a project permit application or project permit as follows:

"Project permit" or "project permit application" means any land use or environmental permit or license required from a local government for a project action, including but not limited to subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones which do not require a comprehensive plan amendment, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection.

The definitions of project permit and project permit application are important because they specify what local project reviews require determinations of completeness. They are also subject to the project review timelines as set in SB 5290.

Site Plan Review

Section 1 of SB 5290 requires cities to exempt “interior alterations” from site plan review. For the purposes of SB 5290 Section 1, “interior alterations” are construction activities that do not modify the existing site layout or its current use and involve no exterior work adding to the building footprint.

Determinations of Completeness

[RCW 36.70B.070](#) sets the requirements for issuing a determination of completeness for project permit applications. A determination of completeness is a notice to the applicant that the submitted application contains all the necessary information for the code official to complete review of the project permit application. If a project permit application does not include all the information necessary to complete review, a letter of incompleteness detailing the additional submittals required is issued. Cities are required to issue determinations of completeness or a letter of incompleteness within 28 calendar days of application submittal.

The determination of completeness is an important step in the permit review process. The City does not begin its review of project permit applications until an application is deemed complete. The permit review timelines discussed below also begin at the time a determination of completeness is issued. The letters of incompleteness also serve an important function in the review process. Applicants have 90 days to respond to a letter of incompleteness. If an applicant fails to respond to a letter of incompleteness within 90 days, the application lapses ([MICC 19.15.070\(E\)](#)). This allows the City to expire delinquent project permit applications

and avoid unnecessary additional administrative costs for incomplete applications. Having a clear process for issuing determinations of completeness and letters of incompleteness is vital to the efficient operation of local project review.

Section 6 of SB 5290 changes the requirements in RCW 36.70B.070 for issuing determinations of completeness for project permit applications. The first substantive change is a clarification that the number of days for issuing a determination of completeness is counted as calendar days (SB 5290 Section 6(1)(c)). The second substantive change is that submittal requirements to project permit applications must be detailed on the application form (SB 5290 Section 6(2)). The third substantive change is that an application must be deemed procedurally complete on the 29th day after receiving a project permit application if the local government does not provide a written determination of completeness or letter of incompleteness (SB 5290 Section 6(4)(a)).

SB 5290 Section 6 requires a determination of completeness for all “project permit applications” as defined in RCW 36.70B.020(4). Not all land use review applications the City reviews meet the definition of project permit applications. Those land use review applications that do not fall under the definition of project permit applications in RCW 36.70B.020 do not require a determination of completeness.

Permit Review Timelines

The most significant change enacted by SB 5290 is the establishment of permit review timelines in Section 7. These timelines are the maximum amount of time a city or county can have a project permit application in review before a decision must be issued. The permit review timelines are set relative to the issuance of a determination of completeness.

The maximum timelines in SB 5290 Section 7(1)(d) are as follows. For project permits which do not require public notice under [RCW 36.70B.110](#), a local government must issue a final decision within 65 days of the determination of completeness. This affects many Type I and II land use reviews as categorized in MICC 19.15.030. For project permits which require public notice under RCW 36.70B.110, a local government must issue a final decision within 100 days of the determination of completeness. This will affect Type III land use reviews as categorized in MICC 19.15.030. For project permits which require public notice under RCW 36.70B.110 and a public hearing, a local government must issue a final decision within 170 days of the determination of completeness. This will affect Type IV land use reviews categorized in MICC 19.15.030.

SB 5290 Section 7(1)(l)(i) also establishes a new penalty for missing the permit review deadline. Cities and counties must refund or not collect 10 percent of the permit fee if a decision is made after the applicable deadline but the period from the passage of the deadline to the time of issuance of the final decision did not exceed 20 percent of the original time period. Cities and counties must refund or not collect 20 percent of the permit fee if the period from the passage of the deadline to the time of the issuance of the final decision exceeded 20 percent of the original time period.

The provisions of SB 5290 Section 7 do not become effective until January 1, 2025, giving the City time to enact these more substantial changes to project permit review. The permit review deadlines will require amendments to section in Chapter 19.15 MICC and changes to administrative processes to ensure compliance.

ISSUE/DISCUSSION

Interim regulations are needed to ensure the MICC is consistent with Chapter 36.70B RCW as amended by SB 5290. Ordinance No. 23C-10 would enact those interim regulations for a period of one year. This will give the City time to review permanent amendments to comply with SB 5290. The interim regulations would amend MICC 19.15.030, MICC 19.15.070, and MICC 19.16.010 as follows.

MICC 19.15.030

MICC 19.15.030 establishes review types for all land use reviews. The land use review type determines the steps required for review and issuing a decision. Ordinance No. 23C-10 would amend MICC 19.15.030 by adding a new subsection G that clarifies that interior alterations are not subject to site plan review. This amendment is required by SB 5290 Section 1, which exempts interior alterations from site plan review (see page 11). Ordinance No. 23C-10 also includes a new note 3 for MICC 19.15.030 Table B to clarify that determinations of completeness are subject to the standards in MICC 19.15.070 (see page 13).

MICC 19.15.070

MICC 19.15.070 establishes the requirements for issuing determinations of completeness and letters of incompleteness for land use reviews. Ordinance No. 23C-10 would amend MICC 19.15.070(A), (B), and (D) (see page 13 and 14).

MICC 19.16.010

MICC 19.16.010 establishes the definitions for terms used throughout Title 19 MICC. Ordinance No. 23C-10 would amend MICC 19.16.010 to add a definition for interior alterations to clarify what would be exempted from site plan review by the amendments to MICC 19.15.030 (see page 14).

Work Plan

Cities adopting interim regulations for a period longer than six months must also adopt a work plan for adopting permanent regulations (RCW 36.70A.390). Ordinance No. 23C-10 includes a work plan in Exhibit A. The work plan targets adoption of permanent regulations by the end of the second quarter of 2024. The permanent regulations will include work necessary to address the permit review timelines from SB 5290 Section 7.

NEXT STEPS

Staff will draft permanent regulations for the City Council's consideration and adoption according to the work plan established in Ordinance No. 23C-10.

RECOMMENDED ACTION

1. Conduct the public hearing.
2. Adopt Emergency Ordinance No. 23C-10 for interim regulations related to permit processing in Chapter 19.15 and 19.16 MICC.

**CITY OF MERCER ISLAND
ORDINANCE NO. 23C-10**

AN INTERIM ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, AMENDING MICC 19.15.030, LAND USE REVIEW TYPES, MICC 19.15.070, DETERMINATION OF COMPLETENESS AND LETTER OF COMPLETION; MICC 19.16.010, DEFINITIONS RELATING TO LAND USE REVIEW AND THE DETERMINATION OF COMPLETENESS; ADOPTING A WORK PLAN; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's police power and is specifically authorized by RCW 35A.63.100; and

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim development regulations; and

WHEREAS, local project review processes are governed by Chapter 36.70B RCW; and

WHEREAS, the Washington State legislature recently passed SB 5290, which amends Chapter 36.70B RCW to set new requirements for the processing of project permit applications; and

WHEREAS, SB 5290 becomes effective on July 23, 2023, with the exception that Section 7 relating to maximum permit review times which is not effective until June 30, 2025; and

WHEREAS, the City of Mercer Island must amend portions of the development code in Title 19 Mercer Island City Code (MICC) by July 23, 2023, to comply with SB 5290; and

WHEREAS, the City Council has determined that to comply with SB 5290 and thoroughly analyze permanent regulations, interim development regulations adopted under the provisions of RCW 36.70A.390 are necessary to allow adequate time for the City to adopt permanent development regulations in compliance with SB 5290; and

WHEREAS, the City is authorized under RCW 35A.63.220 and 36.70A.390 to pass an interim zoning and official control ordinance for up to one year if a work plan is developed for related studies providing for such a longer period; and

WHEREAS, City Staff have developed a work plan for related studies for compliance with SB 5290 and such work plan is attached to this Ordinance as Exhibit A; and

WHEREAS, the City is authorized under RCW 35A.63.220 and 36.70A.390 to pass an interim zoning and official control ordinance, provided it holds a public hearing on the same within sixty days after passage if it has not previously held a public hearing on the proposed ordinance; and

WHEREAS, the City Council held a public hearing on July 18, 2023 regarding this interim zoning and official control ordinance; and

WHEREAS, the deadline in SB 5290 for cities to adopt compliant development regulations cause an emergency which necessitates that this ordinance become effective immediately in order to preserve the public health, safety, and welfare and also requires action prior to the preparation of

a State Environmental Protection Act threshold determination pursuant to WAC 197-11-880 and MICC 19.21.160;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

- Section 1: Whereas Clauses Adopted.** The “Whereas Clauses” set forth in the recitals of this Ordinance are hereby adopted as the findings and conclusions of the City Council for passing this Ordinance.
- Section 2: Section 19.15.030 MICC, Land Use Review Types, Amended.** MICC Section 19.15.030, Land use review types, is hereby amended as shown in Exhibit B.
- Section 3: Section 19.15.070 MICC, Determination Of Completeness And Letter Of Completion, Amended.** MICC Section 19.15.070, Determination of completeness and letter of completion, is hereby amended as shown in Exhibit B.
- Section 4: Section 19.16.010 MICC, 19.16.010 Definitions, Amended.** MICC Section 19.16.010, Definitions, is hereby amended as shown in Exhibit B.
- Section 5: Duration of Interim Zoning and Official Controls.** The interim zoning and official controls approved by this Ordinance shall be effective immediately upon passage of this ordinance and continue in effect for a period of one year, unless repealed, extended, or modified by the City Council.
- Section 6. Adoption of Work Plan.** The work plan attached to this Ordinance as Exhibit A is hereby adopted.
- Section 7. Severability.** If any section, sentence, clause or phrase of this Ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this Ordinance or the amended code section.
- Section 8: Effective Date.** The City Council hereby finds and declares the deadlines in SB 5290 for cities to adopt compliant development regulations cause a public emergency which necessitates that this ordinance become effective immediately in order to preserve the public health, public safety, public property, or the public peace. This ordinance, which is not subject to referendum, shall become effective immediately upon passage by at least a majority plus one member of the City Council pursuant to RCW 35A.13.190. The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS MEETING ON JULY 18, 2023.

CITY OF MERCER ISLAND

Salim Nice, Mayor

Approved as to Form:

ATTEST:

Bio Park, City Attorney

Andrea Larson, City Clerk

Date of Publication: _____

EXHIBIT A

State Mandated Code Amendments Work Plan

1. Technical analysis and staff recommendation <ul style="list-style-type: none"> a. Review peer city approaches b. Analyze existing code criteria for determinations of completeness, permit review times, and other permit processes c. Prepare staff recommendations and begin drafting a code amendment based on the above information d. Prepare a SEPA checklist and determination on the proposed code amendment, provide notification to state agencies and tribes 	Q4 2023
2. Planning Commission review and recommendation on a draft code amendment <ul style="list-style-type: none"> a. Public outreach, including public hearing b. Approximately 3 points of review by the commission – study session, public hearing, and recommendation 	Q1 2024
3. City Council review and approval of code amendment <ul style="list-style-type: none"> a. First and second reading of the ordinance 	Q2 2024

EXHIBIT B

MICC 19.15.030 Land Use Review Types.

There are four categories of land use review that occur under the provisions of the development code.

- A. *Type I.* Type I reviews are based on clear, objective and nondiscretionary standards or standards that require the application of professional expertise on technical issues.
- B. *Type II.* Type II reviews are based on clear, objective and nondiscretionary standards or standards that require the application of professional expertise on technical issues. The difference between Type I and Type II review is that public notification shall be issued for Type II decisions.
- C. *Type III.* Type III reviews require the exercise of discretion about nontechnical issues.
- D. *Type IV.* Type IV reviews require discretion and may be actions of broad public interest. Decisions on Type IV reviews are only taken after an open record hearing.
- E. The types of land use approvals are listed in Table A of this section. The required public process for each type of land use approval are listed in Table B of this section.
- F. *Consolidated permit processing.* An application for a development proposal that involves the approval of two or more Type II, III and IV reviews may be processed and decided together, including any administrative appeals, using the highest numbered land use decision type applicable to the project application. The following permits and land use reviews are excluded from consolidated review and approval:
 - 1. Building permits associated with the construction of one or more new single-family dwellings on lots resulting from the final plat approval of a short subdivision or long subdivision.
 - 2. Building permits associated with shoreline conditional use permits and shoreline variance.
 - 3. Project SEPA reviews shall be processed as a Type III land use review.
 - 4. When a review is heard by multiple decision bodies, the higher decision body will make the final decision, and the lower decision body will review the project at a public meeting and issue a recommendation that will be reviewed by the higher decision body. The higher decision body will either adopt the recommendation as part of the permit conditions, will remand the recommendation back to the lower body for further consideration, will amend the recommendation, or will deny adoption of the recommendation and will adopt their own permit conditions. The hierarchy of decision bodies is as follows, from highest to lowest:
 - a. City council;

- b. Hearing examiner;
- c. Design commission.

G. Interior Alterations Exempt From Site Plan Review.

1. Applications for interior alterations are exempt from site plan review provided they meet the following criteria:

- a. The proposed development does not result in additional sleeping quarters or bedrooms;
- b. The proposed development would not result in nonconformity with federal emergency management agency substantial improvement thresholds; or
- c. The proposed development would not increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.

2. Applications for interior alterations are subject to review for consistency with any otherwise applicable building, plumbing, mechanical, or electrical codes.

Table A. Land Use Review Type			
Type I	Type II	Type III	Type IV
<ul style="list-style-type: none"> • Home business • Nonmajor single-family dwelling building permits • Tree removal permit • Right-of-way permit • Special needs group housing safety determination • Tenant improvement/change of use • Shoreline exemption¹ • Critical area review¹ • Temporary commerce on public property • Site development permits • Transportation concurrency certificate 	<ul style="list-style-type: none"> • Modified wireless communication facilities (6409 per 47 CFR 1.40001) • Lot line revision • Setback deviations • Final plat^{2,3} • Code official design review • Accessory dwelling unit • Parking modification⁷ (reviewed by city engineer) • Small wireless facility deployment • Seasonal development limitation waiver • Final short plat 	<ul style="list-style-type: none"> • New and modified wireless (non-6409) eligible facility • SEPA threshold determination • Critical area review² • Public agency exception • Temporary encampment⁴ • Short plat alteration and vacations • Preliminary short plat • Development code interpretations • Major single-family dwelling building permit⁵ • Shoreline substantial development permit¹ 	<ul style="list-style-type: none"> • Preliminary long plat approval • Conditional use permit • Variance • Critical areas reasonable use exception • Long plat alteration and vacations • Parking modifications⁷ (reviewed by design commission) • Variance from short plat acreage limitation • Wireless communication facility height variance • Planned unit development

		<ul style="list-style-type: none"> • Shoreline revision (substantial development)¹ 	<ul style="list-style-type: none"> • Design commission design review • Permanent commerce on public property • Shoreline conditional use permit (SCUP)⁶ • Shoreline variance⁶ • Shoreline revision (variance and SCUP)
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¹ Appeal will be heard by the shorelines hearings board.

² Decision is made by city council after discussion at a public meeting.

³ A notice of decision will be issued for a final long plat.

⁴ A public meeting is required.

⁵ Major single-family dwelling building permits are subject only to the notice of application process. A notice of decision will be provided to parties of record.

⁶ Hearing examiner will forward a recommendation to the Washington State Department of Ecology for Ecology's decision.

⁷ Parking modifications are issued pursuant to the provisions of MICC 19.11.130.

Table B. Review Processing Procedures				
	Type I	Type II	Type III	Type IV
	No Notice of Application No Notice of Decision Code Official	Public Notification No Notice of Application No Notice of Decision Code Official	Notice of Application Notice of Decision Code Official	Notice of Application Public Hearing Notice of Decision Hearing Examiner/Design Commission
Preapplication meeting required	No	No	Yes	Yes
Letter of completion <u>Determination of Completeness³</u> (within 28 days)	No	No	Yes	Yes
Public Notification	No	Yes	No	No
Notice of Application (mailing and posting)	No	No	Yes	Yes
Public Comment Period	None	None	30 days	30 days
Public Hearing (open record pre-decision)	No	No	No	Yes

Notice of Decision	Code Official	Code Official	Code Official	Hearing Examiner ² or Design Commission
Notice of Decision	No	No	Yes	Yes
Appeal Authority	Hearing Examiner ¹	Hearing Examiner or Design Commission (code official design review)	Hearing Examiner	Superior Court or Shoreline Hearings Board (shoreline permits)

¹ Appeals of final short plat approvals shall be to superior court. Appeals of shoreline exemptions shall be to the shoreline hearings board.

² The hearing examiner will provide a recommendation to ecology for decisions on shoreline conditional use permits and shoreline variances.

³ Determinations of completeness are subject to the standards in MICC 19.15.070.

MICC 19.15.070 Determination of completeness and letter of completion.

- A. Complete application required. The city will not accept an incomplete application for processing and review. An application is complete only when all information required on the application form ~~and all submittal items required by the development code have~~ has been provided to the satisfaction of the code official. The code official may request additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur.
- B. Determination of completeness. Within 28 calendar days after receiving an application for a Type III and Type IV land use review, the city shall mail, email, or provide in person a written letter of completion or letter of incompleteness to the applicant, stating either that the application is complete or that the application is incomplete. If an application is incomplete, the letter of incompleteness shall identify what additional documentation is necessary to result in a procedurally complete application. To the extent known at the time of review, the code official shall identify other agencies of local, state, or federal governments that may have jurisdiction over some aspect of the application. An application shall be deemed complete if the city does not provide a written determination to the applicant stating that the application is incomplete within 28 days after receiving an application.
1. At the discretion of the code official, the determination of completeness may include or be combined with any of the following:
 - a. A preliminary determination of those development regulations that will be used for project mitigation;
 - b. A preliminary determination of consistency, as provided under RCW 36.70B.040;
 - c. Other information the code official chooses to include; and
 - d. A notice of application issued in compliance with MICC 19.15.090.

- C. Response to letter of incompleteness. Within 14 days after an applicant has submitted all additional information identified as being necessary for a complete application, the city shall notify the applicant that the application is complete, or indicate that the application is incomplete and specify additional documentation as specified in subsection B of this section that is necessary to result in a complete application.
- D. Completion date. The date an application is determined complete is the date of receipt by the department of all of the information necessary to make the application complete as provided in this chapter. The department's issuance of a letter of complete application, or the failure of the department to provide ~~such a letter as directed by this section~~ the applicant a letter detailing what additional documentation is necessary to result in a complete application, shall cause an application to be conclusively deemed to be complete as provided in this section.
- E. If the applicant fails to provide the required information within 90 days of the letter of incompleteness, the application shall lapse.

MICC 19.16.010 Definitions.

[...]

Interior Alteration: Construction activities that do not modify the existing site layout or its current use and involve no exterior work adding to the building footprint.

[...]



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6306
July 18, 2023
Public Hearing

AGENDA BILL INFORMATION

TITLE:	AB 6306: Public Hearing: Renew Interim Regulations in MICC 19.16.010 Related to Emergency Shelters and Housing, Transitional Housing, and Permanent Supportive Housing (First Reading of Ordinance No. 23C-11)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Conduct public hearing and schedule Ordinance No. 23C-11 for second reading and adoption on September 5, 2023.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Community Planning and Development Director Alison Van Gorp, Deputy Community Planning and Development Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 23C-11 Regarding Renewing Interim Regulations in MICC 19.16.010 for Emergency Shelters and Housing, Transitional Housing, and Permanent Supportive Housing
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to conduct a public hearing and first reading of Ordinance No. 23C-11 (Exhibit 1) to consider the renewal of the interim regulations adopted in Mercer Island City Code (MICC) [19.16.010](#) related to emergency shelters and housing, transitional housing, and permanent supportive housing in response to E2SHB 1220.

- During the 2021 state legislative session, the legislature passed [E2SHB 1220](#), requiring amendment of MICC Title 19. The timeline imposed by this legislation required the City to comply with the new requirements by September 30, 2021.
- Interim regulations were adopted by Ordinance No. 21C-23 at the September 21, 2021, City Council meeting. Ordinance Nos. 22C-14 and 23C-02 renewed the interim regulations for concurrent six month periods.
- The current interim regulations are set to expire on September 21, 2023. The City must renew the interim regulations for another six months or adopt permanent regulations to comply with state law.
- The interim regulations allow the City to comply with state law while awaiting the King County Council's adoption of the number of units of permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters that Mercer Island must accommodate.

- The City anticipates developing permanent regulations after King County adopts these numbers.

BACKGROUND

E2SHB 1220: Emergency Shelters and Housing

[E2SHB 1220](#) addresses transitional housing, emergency shelters, and permanent supportive housing. The bill contains new requirements for Comprehensive Plan housing element updates and creates new requirements for cities' zoning/development regulations regarding indoor shelters and housing for the homeless, summarized below:

- The bill forbids cities from prohibiting transitional or permanent supportive housing in residential zones or zones where hotels are allowed.
- The bill also forbids cities from prohibiting indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed (except for cities that authorize indoor emergency shelters/housing in a majority of zones within a one-mile proximity to transit).
- Any regulations regarding occupancy, spacing, and intensity of use requirements regarding the four types of housing listed above must be reasonable and designed to protect public health and safety.
- Finally, such restrictions cannot be used to prevent the siting of a sufficient number of housing units necessary to meet Mercer Island's projected need for such housing and shelter as determined by the WA Department of Commerce (Commerce) and King County.

The City's development code currently includes some spacing restrictions; staff recommends retaining these restrictions for now and will further evaluate them for compliance with E2SHB 1220 when developing a permanent code amendment after Mercer Island's projected housing needs are adopted by the King County Council.

Projected Need

E2SHB 1220 amended the Growth Management Act (GMA) to require cities to include in the housing element of their comprehensive plans "an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, as provided by the department of commerce, including: (i) Units for moderate, low, very low, and extremely low-income households; and (ii) Emergency housing, emergency shelters, and permanent supportive housing" ([RCW 36.70A.070\(2\)\(a\)](#)). In addition to including this inventory and analysis, the City will be required to identify sufficient land capacity to accommodate the projected need ([RCW 36.70A.070\(2\)\(c\)](#)).

The actions the City must take to comply with these requirements are dependent on the projections and guidance Commerce finalized earlier this year, as well as the allocation of housing needs to King County jurisdictions, which the King County Council is scheduled to adopt in late-2023. The City can make permanent amendments to the development code related to permanent supportive housing after King County adopts the housing need allocations.

ISSUE/DISCUSSION

State law allows for interim ordinances to be renewed for six months provided a public hearing is held and findings of fact are made prior to each renewal. Ordinance No. 23C-11 will renew the interim regulations adopted in 2021 by [Ordinance No. 21C-23](#) and renewed for 6-month periods by Ordinance Nos. [22C-14](#) and [23C-02](#). The proposed renewal would extend the interim regulations for another six months from September 21, 2023, to March 21, 2024.

Ordinance No. 23C-11

E2SHB 1220 Section 4 requires the City to allow the following:

- Transitional housing and permanent supportive housing in any zones in which residential dwelling units or hotels are allowed, and
- Indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed.

The City currently allows social service transitional housing and special needs group housing as defined in [MICC 19.16.010](#) in residential zones. The definitions for these uses include many uses similar to those required by E2SHB 1220 Section 4 and only require minor clarifying amendments to be consistent (Exhibit 1).

NEXT STEPS

Following the public hearing and first reading, staff will schedule a second reading of Ordinance No. 23C-11 at the September 5, 2023 City Council meeting. Staff will develop permanent regulations for City Council review once the King County Council adopts the housing need allocations later in 2023.

RECOMMENDED ACTION

1. Conduct the Public Hearing and first reading of Ordinance No. 23C-11.
2. Move to set Ordinance No. 23C-11 for second reading and adoption at the September 5, 2023 City Council Meeting.

**CITY OF MERCER ISLAND
ORDINANCE NO. 23C-11**

AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, RENEWING THE INTERIM REGULATIONS ADOPTED BY ORDINANCE NO. 21C-23 ON DEFINITIONS RELATING TO EMERGENCY SHELTERS AND HOUSING, TRANSITIONAL HOUSING, AND PERMANENT SUPPORTIVE HOUSING; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the adoption of land use and zoning regulations is a valid exercise of the City's police power and is specifically authorized by RCW 35A.63.100; and

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim development regulations; and

WHEREAS, in 2021, the Washington State legislature passed E2SHB 1220, which, among other things, requires cities to allow indoor emergency shelters and housing, transitional housing, and permanent supportive housing in certain zones; and

WHEREAS, E2SHB 1220 provides, in part, that a city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed, and

WHEREAS, E2SHB 1220 further provides, in part, that a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except if the city has adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit; and

WHEREAS, E2SHB 1220 allows cities to adopt reasonable occupancy, spacing, and intensity of use requirements on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety so long as those reasonable restrictions do not prohibit the number of units assigned to the city by the Washington State Department of Commerce ("Commerce"); and

WHEREAS, the King County Council has not yet adopted the number of units for permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters that Mercer Island must accommodate; and

WHEREAS, E2SHB 1220 included a September 30, 2021, deadline for cities to comply, and the City Council determined that to comply with the deadline and thoroughly analyze permanent regulations, interim development regulations adopted under the provisions of RCW 36.70A.390 are necessary to allow adequate time for the City to adopt permanent development regulations in compliance with E2SHB 1220; and

WHEREAS, the City is authorized under RCW 35A.63.220 and 36.70A.390 to pass an interim zoning and official control ordinance, provided it holds a public hearing on the same within sixty days after passage if it has not previously held a public hearing on the proposed ordinance; and

WHEREAS, an interim zoning and official control ordinance may be effective for up to one year if a work plan is developed for related studies providing for such a longer period; and

WHEREAS, on September 21, 2021, the City Council adopted Ordinance 21C-23 that established interim regulations relating to emergency shelters and housing, transitional housing, and permanent supportive housing; and

WHEREAS, the City is authorized under RCW 35A.63.220 and 36.70A.390 to renew an interim zoning and official control ordinance for one or more six-month periods provided a subsequent public hearing is held and findings of fact are made prior to each renewal; and

WHEREAS, the City Council has adopted ordinance 22C-14 on September 21 2022 and Ordinance 23C-02 on March 21, 2023 to renew the interim regulations established by Ordinance 21C-23 for additional six-month periods; and

WHEREAS, the interim regulations renewed by Ordinance 23C-02 will expire on September 21, 2023; and

WHEREAS, it is necessary to renew the interim regulations established by Ordinance No. 21C-23 for an additional six months to allow additional time for the King County Council to adopt the City's projected need for emergency housing, emergency shelters, and permanent supportive housing; and

WHEREAS, on July 18, 2023, the City Council held a public hearing and had their first reading of this ordinance; and

WHEREAS, on September 5, 2023 the City Council had their second reading of this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

- Section 1. Findings.** The findings adopted for Ordinances No. 21C-23, 22C-14 and 23C-02, and the "Whereas Clauses" set forth in the recitals of this Ordinance are hereby adopted as the findings of the City Council for passing this Ordinance.
- Section 2. Interim Ordinance No. 21C-23 Renewed.** The interim regulations established by Ordinance No. 21C-23 are renewed by this Ordinance and shall continue in effect for a period of six months from the effective date established in Section 4 of this Ordinance, unless repealed, extended, or modified by the City Council.
- Section 3. Severability.** If any section, sentence, clause or phrase of this Ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the amended code section.
- Section 4. Effective Date.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full force on September 21, 2023, provided five days have passed since publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS MEETING ON **SEPTEMBER 5**, 2023.

CITY OF MERCER ISLAND

Salim Nice, Mayor

Approved as to Form:

ATTEST:

Bio Park, City Attorney

Andrea Larson, City Clerk

Date of Publication: **September 13**, 2023



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6308
July 18, 2023
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6308: City Hall Closure Update	<input checked="" type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Receive report. No action necessary.	<input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Public Works
STAFF:	Jessi Bon, City Manager Alaine Sommargren, Deputy Public Works Director Jaime Page, Support Services Manager
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Map of City Hall Testing Locations
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda item is to provide an update on the status of City Hall following the discovery of broken asbestos-containing flooring materials in mid-April 2023.

- Broken floor tiles and flooring adhesive were found in the mechanical room on April 17, 2023, which were subsequently confirmed to contain asbestos.
- The mechanical room houses one of the building's air handling units for the Heating, Ventilation and Air Conditioning (HVAC) system, raising a concern about asbestos being distributed in the building via forced air.
- City Hall was immediately closed to all employees and visitors.
- Extensive testing has resulted in asbestos detection in several locations throughout the building, both in surface dust and in the HVAC system.
- The costs associated with abatement and re-occupancy are currently being researched and preliminary information will be shared at the meeting.

BACKGROUND

On April 17, 2023, staff visually identified broken floor tiles and flooring adhesive in the basement mechanical room, which had a similar appearance to other asbestos-containing materials previously abated in the City

Hall building. Immediate testing of the materials confirmed that both the tiles and the adhesive contained asbestos. This mechanical room houses one of the building's two primary air handling units (AHU), a key component of the HVAC system.

To ensure the safety of City staff and visitors, City Hall was closed immediately while further testing was conducted to determine if asbestos fibers were present in other areas of the facility. Initial testing, performed by an asbestos abatement contractor, focused on air quality throughout the building and identifying other asbestos-containing materials. Additional floor tiles containing asbestos were identified under the carpet tiles on the main floor, covering approximately 10,000 sq ft. The contractor determined that these floor tiles do not currently pose a safety concern, as they are intact and undisturbed. Air quality tests detected no airborne asbestos.

Testing Methods and Results

Following the initial testing, the City hired PBS Engineering and Environmental (PBS) to advise staff, conduct more intensive testing, and ensure that industry best practices were followed in further detection and risk mitigation efforts. Between late April and early July, PBS performed three primary types of tests: air quality, settled dust, and bulk material testing, with a total of 179 samples collected across all test types. See Exhibit 1 for a map of all City Hall testing locations.

Air Sampling

The intent of air sampling is to screen interior air for potential asbestos fibers. Twenty air samples were collected from locations throughout the building, using high-volume air sampling pumps and analyzed using the NIOSH 7402 method, which uses Transmission Electron Microscopy (TEM) and reports findings in concentrations of fibers per cm^3 . No asbestos fibers were identified in the collected air samples.

Settled Dust Sampling

The intent of this sampling is to evaluate surface dust in the building and mechanical system for potential asbestos content. PBS collected 75 settled dust samples at representative locations throughout the interior of City Hall and inside the HVAC system. Each sample was collected using an air sampling pump to draw dust from a 100 cm^2 area.

Samples were analyzed using the ASTM D 5575-09 method, which uses Transmission Electron Microscopy (TEM) and reports findings in concentrations of structures per square centimeter (s/cm^2). Findings are reported based on the size of any asbestos identified, grouped by between 0.5 and 5 microns, and those larger than 5 microns.

'Background levels' of asbestos structures in accumulated dust range from an average of $1,000 \text{ s}/\text{cm}^2$ in non-industrial areas to $10,000 \text{ s}/\text{cm}^2$ in cities and industrial areas where asbestos materials are common. Levels above $10,000 \text{ s}/\text{cm}^2$ are generally considered to be "above background" in any geographical location. There are no regulatory thresholds for the amount of asbestos in surface dust.

Of the 58 samples collected, asbestos was detected in ten samples from nine separate locations. Asbestos concentrations in excess of $10,000 \text{ s}/\text{cm}^2$ were identified on six of the samples, all of which were associated with the HVAC system. The highest concentration, numbering over thirteen million structures per square centimeter ($13,000,000 \text{ s}/\text{cm}^2$), was found inside the AHU located in the attic.

Bulk Asbestos Sampling

PBS has taken 84 samples from various materials for the presence of asbestos. This has been conducted both at the request of the City and to confirm asbestos content in select building materials.

Samples were analyzed according to either EPA Method 600R-93/116 using Polarized Light Microscopy (PLM) or EPA Method 600R-93/116 TEM Bulk Semi-Quantitative.

In addition to the various flooring and adhesive materials that tested positive for the presence of asbestos, three bulk samples taken from HVAC filters contained trace amounts of asbestos, and two window-glazing putty samples tested positive.

Limitations on Testing and Inspection

One goal of this wide-ranging testing was to create a comprehensive survey of conditions inside the HVAC system. However, field analysis found that many of the oldest ducts are encapsulated behind heavy plastic sheeting and fiberglass batt insulation and/or multiple layers of ceiling material. Accessing these areas for testing will require coordinated and costly deconstruction of multiple building systems including but not limited to electrical, data and low-voltage cabling, plumbing, ceiling grid, and insulation. The testing inside the HVAC system was taken as far as it could but halted recently due to limited access to the remaining areas.

In conjunction with the targeted HVAC testing, a building-wide “Good Faith Inspection” was conducted on June 27, 2023 to detect, identify, and catalog any unknown asbestos-containing materials. The goal of the inspection was a full-building analysis, but the scope of the investigation was also limited due to the inaccessibility of much of the attic and roof structure of the building. No previously unknown asbestos-containing materials were found in the areas that were accessible for surveying.

While the floor tiles and adhesive found in the basement mechanical room alerted staff to the asbestos issue and prompted extensive testing in the building, these items are not likely to be the sole source of asbestos detected in portions of the HVAC system. Additional source(s) of asbestos contamination have not been definitively identified, and likely will not be uncovered by further testing. Based on the varying levels and locations of asbestos identified through the testing completed to date, PBS consultants believe there is a high probability that one or more sources of contamination contributed to the issue over the life of the building. Further, there is a high likelihood that the original asbestos-containing materials were removed during a previous renovation in the late 1980s.

Abatement

Abatement, which is the removal of contaminated materials and equipment by a specialized contractor, has only been completed in a limited area of the basement of City Hall. Specifically, the basement mechanical room floor with asbestos containing broken tiles and adhesive was abated by a licensed contractor in mid-May, with post-abatement sampling of the floor confirming that there are no longer detectable traces of asbestos present. The HVAC system at City Hall remains unabated and turned off. Unless it is abated, it must remain off.

Long-Range Facility Planning

Prior to the discovery of asbestos, the City began working with Northwest Studio to conduct Facility Condition Assessments of select City buildings, including City Hall. These assessments evaluate the physical condition

and functional performance of each facility, including building systems such as electrical and HVAC. The contract with Northwest Studio has been amended to support the City staff team in preparing a scope of work and cost estimate to abate the HVAC system and re-occupy the building.

Staff Displacement

The displacement of staff from City Hall has had wide-reaching impacts across all departments and workgroups. While some functions can be performed remotely with relatively little operational impact, other functions such as Police Operations and Municipal Court require specialized facilities that are not easily replicated. The City Administration and other support teams are continuing to work with the staff teams and consultants to identify short-term solutions to mitigate the impacts of the unexpected closure of City Hall.

ISSUE/DISCUSSION

The purpose of this agenda item is to present an overview of the anticipated scope of work necessary to abate the HVAC system at City Hall and re-occupy the building.

In general, the scope of work necessary to re-occupy City Hall will require the installation of a new HVAC system, and the replacement of all systems that have been affected by the abatement, which is likely to include electrical and data cabling, insulation, and ceiling grid and tiles. Furthermore, other improvements to the building envelope may be required to meet current code requirements. Due to the intricate nature of the internal components of the AHUs, the presence of fiberglass batt insulation lining many of the HVAC ducts, and the age and volume of the dust build-up present throughout the system, it is not possible to clean and return the existing system to operation.

The consulting team was also asked to investigate alternatives such as occupancy of a portion of the building through the use of temporary or short-term heating and cooling options.

At the time the agenda packet materials were prepared, the consultants were still working on the anticipated scope of work, including alternative operations scenarios. Additional information, including very preliminary cost estimates and timelines will be shared at the City Council meeting.

NEXT STEPS

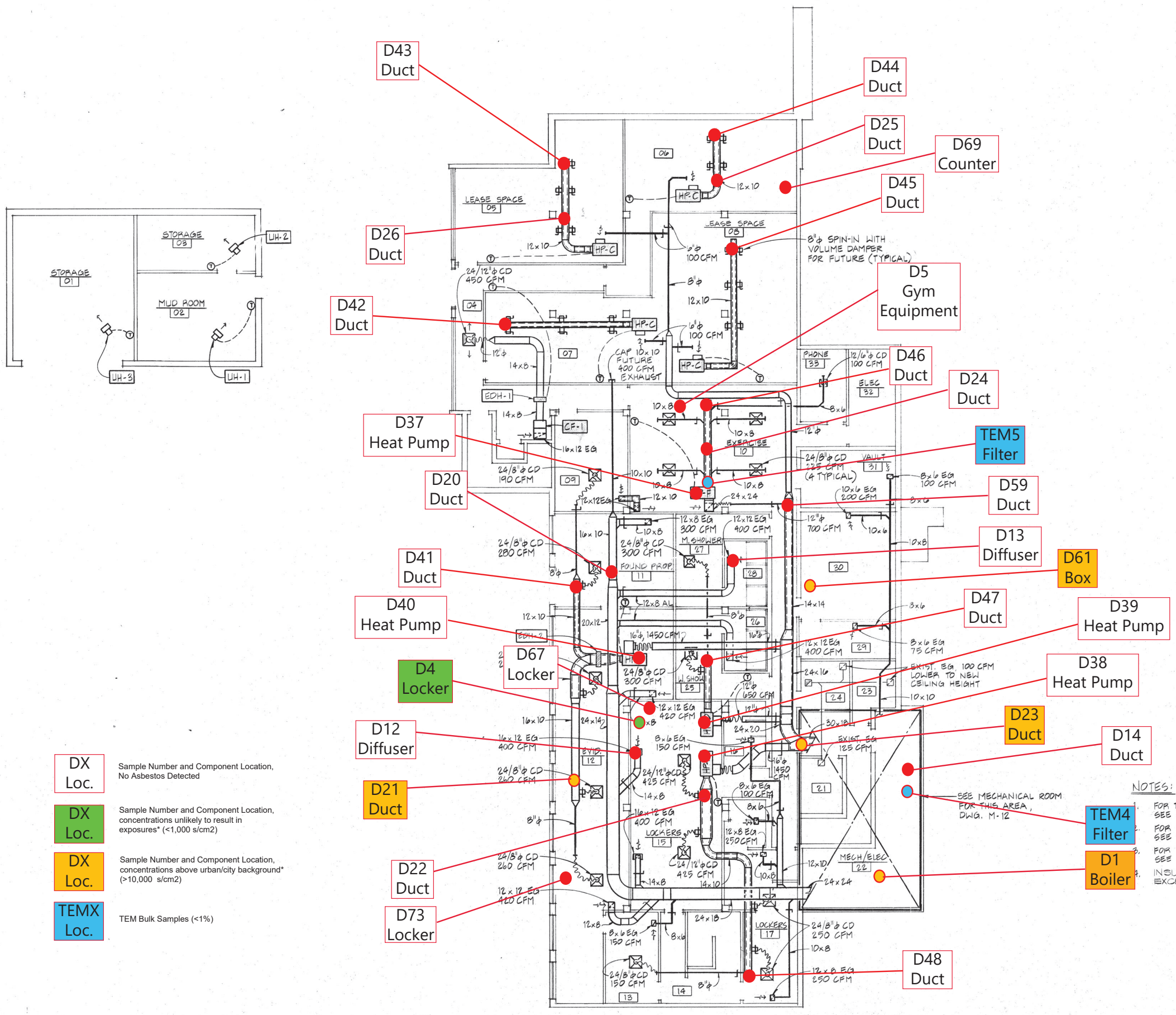
The information presented at the City Council meeting is preliminary and is intended to provide an update on the emergency closure of City Hall, the findings, and the anticipated scope of work to abate the facility. The project team will use the feedback from the City Council meeting to inform the development of the final scope of work and cost estimates to re-occupy City Hall, with a plan to return to the City Council for another update in September.

City staff will also continue working with Northwest Studios on the preliminary Facility Condition Assessment for City Hall. The results of this analysis, combined with the scope and cost of the abatement, will help determine whether further investment in the City Hall building is in the best interest of the City.

City Hall will remain closed to employees and the public while this work continues.

RECOMMENDED ACTION

Receive report. No action necessary.



- DX Loc.** Sample Number and Component Location, No Asbestos Detected
- DX Loc.** Sample Number and Component Location, concentrations unlikely to result in exposures* (<1,000 s/cm²)
- DX Loc.** Sample Number and Component Location, concentrations above urban/city background* (>10,000 s/cm²)
- TEMX Loc.** TEM Bulk Samples (<1%)

NOTES:

- FOR TYPICAL HEAT PUMP INSTALLATION, SEE DETAIL 2, DWG. M-14.
- FOR RELIEF GRILLE INSTALLATION SEE DETAIL 1, DWG. M-14.
- FOR TYPICAL DIFFUSER INSTALLATION SEE DETAILS 4 & 6, DWG. M-14.
- INSULATE ALL OUTSIDE AIR DUCTS EXCEPT WHERE INDICATED AS S

* Per "EPA World Trade Center Expert Technical Review Panel on the Issue of Microvacuum Sampling", David Newman, May 3, 2004 (Reapproved 2014)

BASEMENT PLAN - HVAC
SCALE 1/8"=1'-0"



ASTM-D Dust and TEM Bulk Sampling Diagram
07/13/2023
Page 1 of 3

NOTKIN ENGINEERING, INC.
4th & Vine Bldg.
2615 4th Ave., Suite 420
Seattle, WA 98121
OFF: 206/448-1911
FAX: 206/448-9485

Mercer Island City Hall

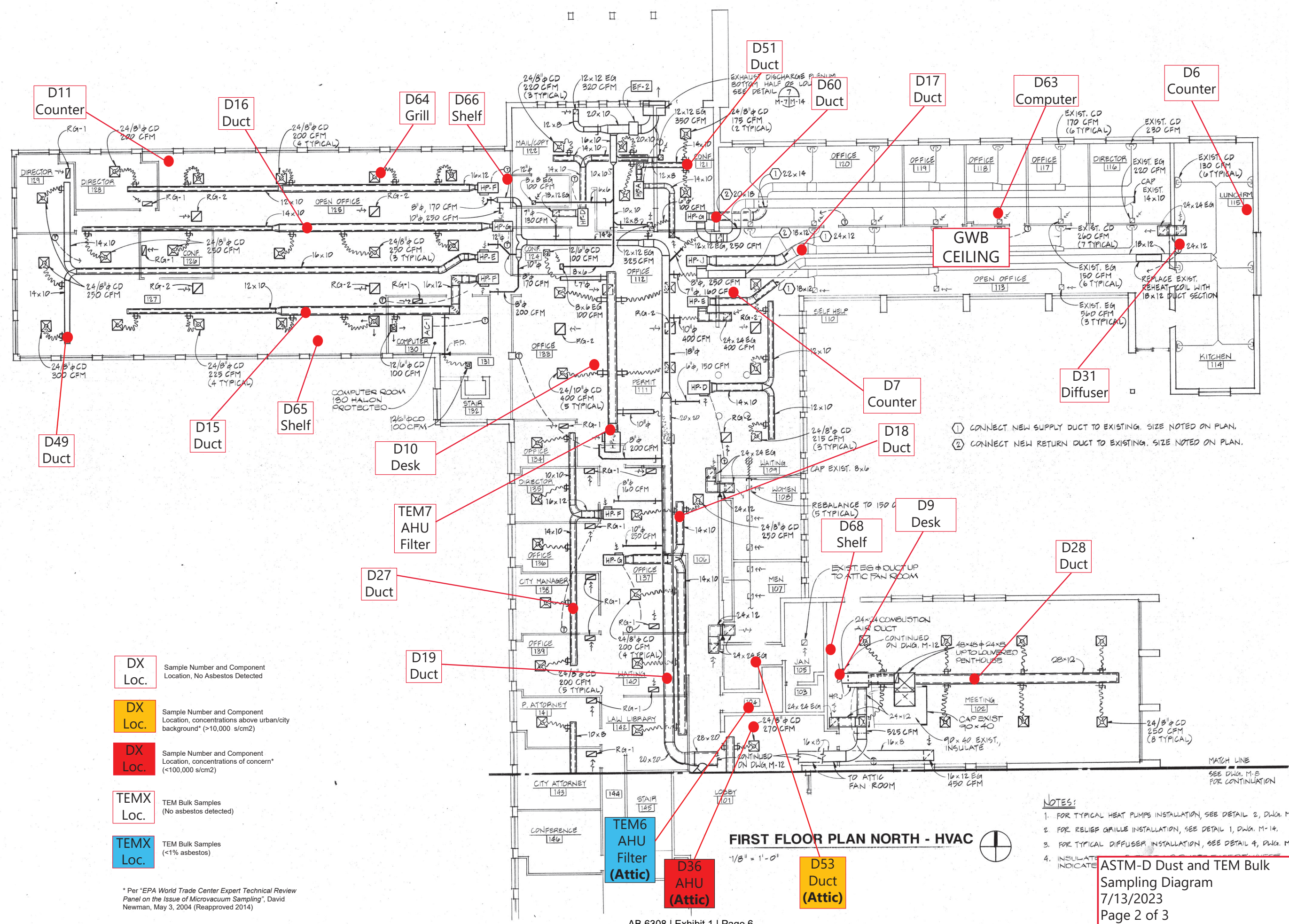
Alterations and Additions to 9611 S.E. 36th Street, Mercer Island Washington

MITHUN-BOWMAN-EMRICH GROUP PS
ARCHITECTURE
PLANNING AND
INTERIOR DESIGN

2000 112TH AVE NE
BELLEVUE, WASH
98004 (206) 454-3344

JOB NO. 83027
DATE: 8-25-88

M-7



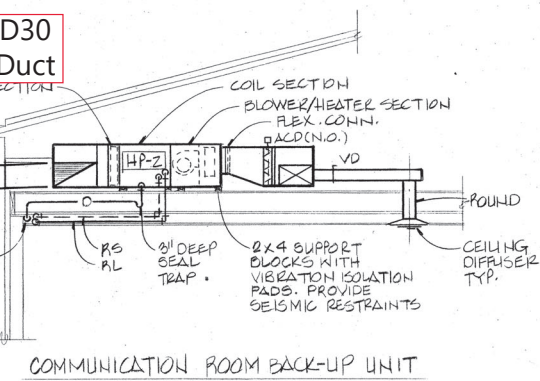
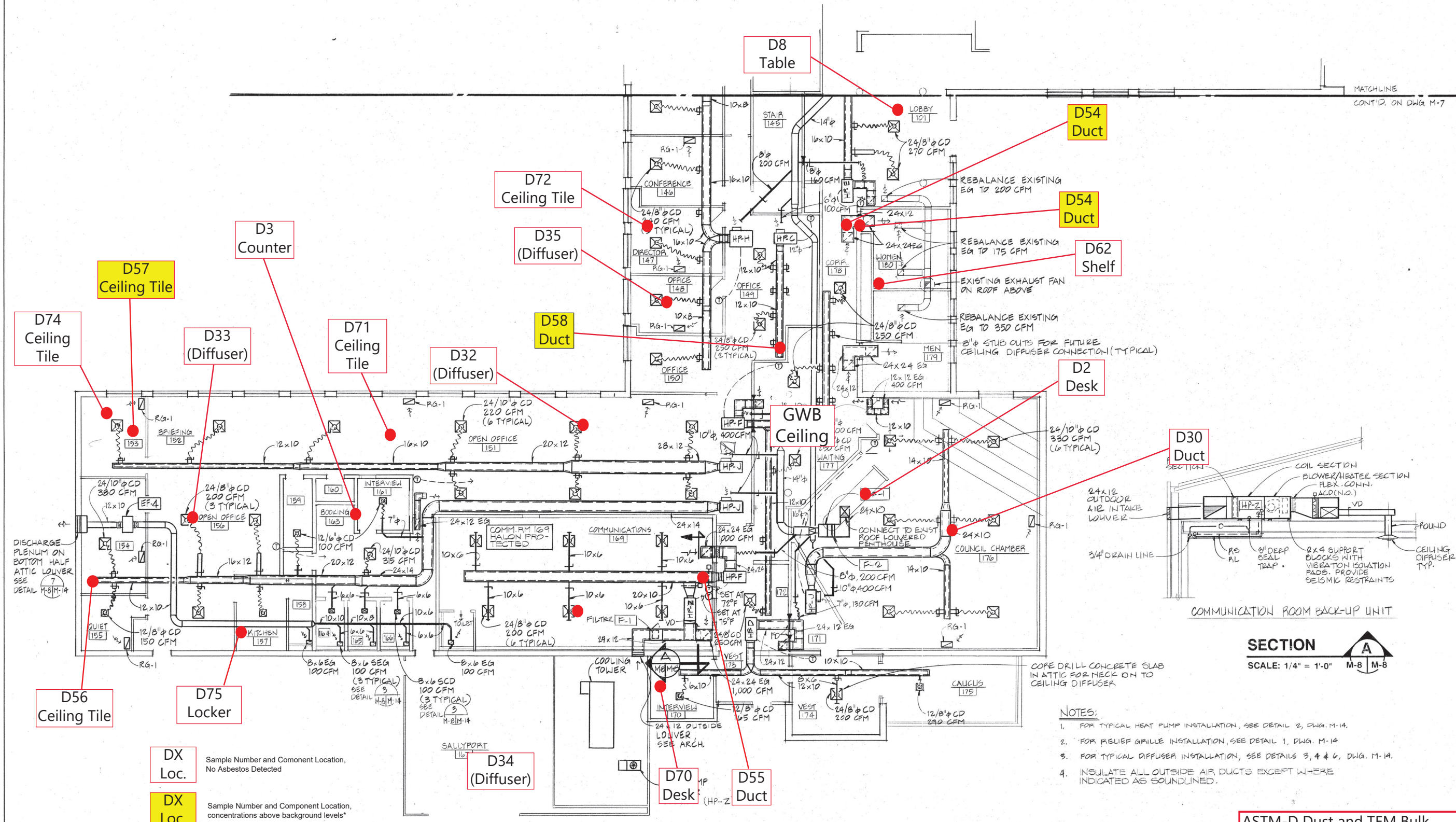
- DX Loc.** Sample Number and Component Location, No Asbestos Detected
- DX Loc.** Sample Number and Component Location, concentrations above urban/city background* (>10,000 s/cm2)
- DX Loc.** Sample Number and Component Location, concentrations of concern* (<100,000 s/cm2)
- TEMX Loc.** TEM Bulk Samples (No asbestos detected)
- TEMX Loc.** TEM Bulk Samples (<1% asbestos)

* Per "EPA World Trade Center Expert Technical Review Panel on the Issue of Microvacuum Sampling", David Newman, May 3, 2004 (Reapproved 2014)

NOTES:

1. FOR TYPICAL HEAT PUMPS INSTALLATION, SEE DETAIL 2, DWG. M-14.
2. FOR RELIEF GRILLE INSTALLATION, SEE DETAIL 1, DWG. M-14.
3. FOR TYPICAL DIFFUSER INSTALLATION, SEE DETAIL 4, DWG. M-14.
4. INSULATE INDICATE

ASTM-D Dust and TEM Bulk Sampling Diagram
7/13/2023
Page 2 of 3



SECTION A
SCALE: 1/4" = 1'-0"
M-8 M-8

- NOTES:**
1. FOR TYPICAL HEAT PUMP INSTALLATION, SEE DETAIL 2, DWG. M-14.
 2. FOR RELIEF GRILLE INSTALLATION, SEE DETAIL 1, DWG. M-14.
 3. FOR TYPICAL DIFFUSER INSTALLATION, SEE DETAILS 3, 4 & 6, DWG. M-14.
 4. INSULATE ALL OUTSIDE AIR DUCTS EXCEPT WHERE INDICATED AS SOUNDLINED.

ASTM-D Dust and TEM Bulk Sampling Diagram
7/13/2023
Page 3 of 3

* Per "EPA World Trade Center Expert Technical Review Panel on the Issue of Microvacuum Sampling", David Newman, May 3, 2004 (Reapproved 2014)

FIRST FLOOR PLAN SOUTH - HVAC
1/8" = 1'-0"

* Per "EPA World Trade Center Expert Technical Review Panel on the Issue of Microvacuum Sampling", David Newman, May 3, 2004 (Reapproved 2014)



AB 6308 City Hall Closure Update

Mercer Island City Council | July 18, 2023





Part 1

- Overview and Purpose
- Timeline
- Asbestos 101
- Testing and Results
- Findings

Part 2

- Re-occupancy of the building:
 - Anticipated Scope of Work
 - Estimated Cost
 - Estimated Timeline



Staff & Consultants

- **Jessi Bon** | City Manager
- **Jaime Page** | Support Services Manager
- **Alaine Sommargren** | Deputy Public Works Director
- **Tim Ogden** | Principal | PBS Engineering & Environmental
- **Aaron Young** | Partner | Northwest Studio
- **David Cutler** | Partner | Northwest Studio
- **Allan Montpellier** | Principal | PAE Engineers

Overview & Purpose

- The purpose of this agenda item is to present an overview of the City Hall closure, including the anticipated scope of work necessary to abate the asbestos detected in the HVAC system and re-occupy the building.
- The preliminary cost estimate to abate and re-occupy City Hall is \$10 million with an estimated timeline of nearly two years to complete the work. This will be further detailed in the second half of the presentation.
- We are also underway with a Facilities Conditions Assessment (FCA) for City Hall and several other City facilities. The FCA has identified other issues that need to be further evaluated (e.g. structural and seismic issues) for consideration in a future renovation project.
- This is our first presentation on the City Hall closure. We will be back in early fall with an update and to further discuss policy decisions related to the City Hall facility, including whether or not to re-occupy the building.

Overview & Purpose

- The closure of City Hall has been very impactful on City staff teams, who are making do with temporary accommodations.
- We will continue to work on short-term solutions to meet operations and customer service needs while discussions with the City Council are ongoing related to re-occupancy of the building.
- City Hall will remain closed to employees and the public.

Timeline - Discovery

April 17

- Broken tiles and tile adhesive in the basement Mechanical Room of City Hall were identified as possibly containing asbestos.
- The tiles were discovered by a staff person while inspecting the Mechanical Room and may have been in that condition for some time.
- Same-day tests confirmed that both the tiles and adhesive contained asbestos.
- The Mechanical Room also contains an air handling unit for the City Hall HVAC system.
- City Hall was immediately closed to further investigate.

Picture: Broken tiles in Mechanical Room



Timeline – Early Investigation

April 18 – April 21

- The asbestos abatement contractor performed an initial building walk through.
- Additional floor tiles on the Main Floor of City Hall also tested positive for asbestos. These tiles are intact, undisturbed, and under carpet tiles, and do not present an immediate hazard. However, they will require abatement in the event of a renovation involving the floor plate in the areas where present.
- The contractor conducted initial air quality testing throughout the building; there were no positive tests for airborne asbestos.

Picture: Asbestos-containing tiles under carpet floor tiles on first floor of City Hall.



Timeline – In-Depth Testing

April 21 – July 7

- The City hired PBS Engineering and Environmental to develop and perform comprehensive testing protocols.
- Extensive testing was conducted, including air samples, settled dust, and bulk materials.
- A thorough investigation of the HVAC system as conditions allowed was conducted.
- Other possible sources of asbestos were also evaluated.

May 15 - 19

- Boiler room flooring materials abated (pictured)

June 27

- Good Faith Inspection performed.

Picture: Basement mechanical room post-abatement.



Asbestos 101

- Asbestos was widely used in a range of goods, including building materials and fire retardants, from the late 1800s through the 1980s.
- Common sources of asbestos in older buildings include flooring, insulation, roofing, adhesives, and ceiling tiles.
- When materials are disturbed or damaged, fibers can become airborne, and be inhaled. Significant exposure over time may cause serious health issues.
- In 1989, the EPA issued a ban on most asbestos-containing products.

Asbestos 101 (continued)

Regulations

- Unlike air and bulk materials, no regulatory threshold exists to determine safe levels of asbestos in settled dust.
- Research on workers responding to the collapse of the World Trade Centers established non-regulatory thresholds for asbestos concentrations in settled dust.
- Depending on the environment, 'background' levels of asbestos in dust can range from 1,000 structures per cm^2 to 10,000 s/ cm^2 .
- Concentrations over 10,000 s/ cm^2 are considered 'above background' for any environment.
- Each organization must determine their own allowable threshold – 1,000 s/ cm^2 is a commonly applied standard.

Testing and Results

- Some testing data has been updated since the Agenda Bill was published. Updates are denoted with an asterisk (*).
- 180* total samples collected and processed:
 - Air - 20 samples
 - Settled dust – 73 samples
 - Bulk materials – 87 samples
- Presenting a high-level summary of testing procedures and results.

Testing and Results

Air Testing

- Air testing for asbestos collects interior air to screen for airborne asbestos fibers.
- 20 samples were collected throughout City Hall and tested using high volume air pumps.

Results

- No asbestos fibers were identified in any air testing samples.

Picture: Air sampling performed in City Hall kitchen.



Testing and Results

Settled Dust Testing

- This testing method evaluates settled surface dust in the building and in the HVAC system for asbestos fibers.
- 73* samples were collected and tested using a device similar to what is shown in the picture.
- Results indicate the asbestos concentration based on the area sampled.

Results

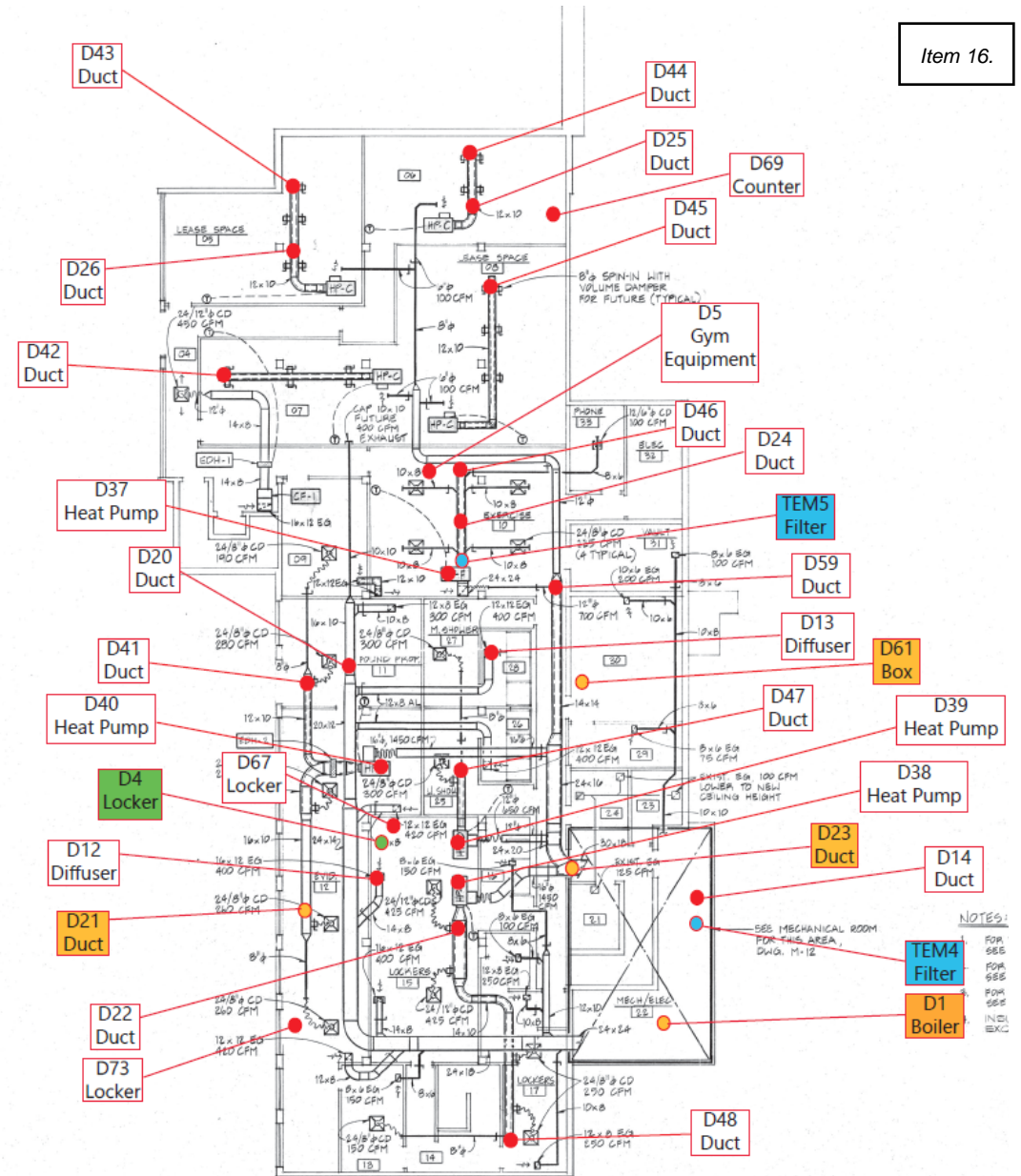
- Asbestos detected in 11* settled dust samples from 10* locations:
 - Five samples: $>10,000$ s/cm²
 - One sample: $>13,000,000$ s/cm²



Item 16.

Sampling Diagrams: Basement

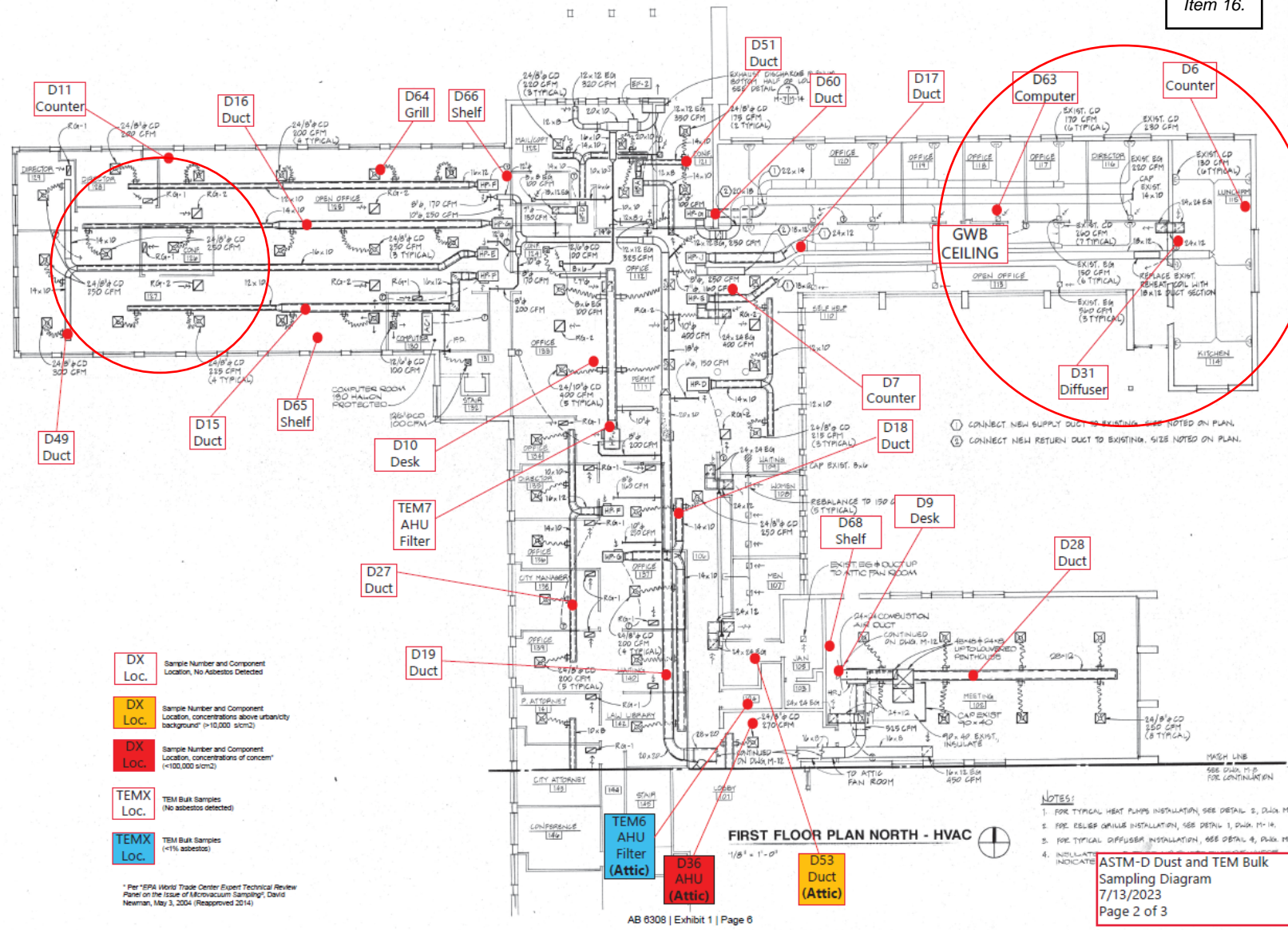
- Exhibit 1 to the AB shows mechanical drawings with dust and bulk sampling results.
- No air samples are recorded on these diagrams.
- Color coding indicates the absence or concentration of detected asbestos.
- The basement had several positive dust and bulk material tests:
 - White: No asbestos detected
 - Green: Dust $<1,000$ s/cm²
 - Yellow: Dust $<10,000$ s/cm²
 - Orange: Dust $>10,000$ s/cm²
 - Blue: Bulk sample with a positive detection



Sampling Diagram: First Floor, North

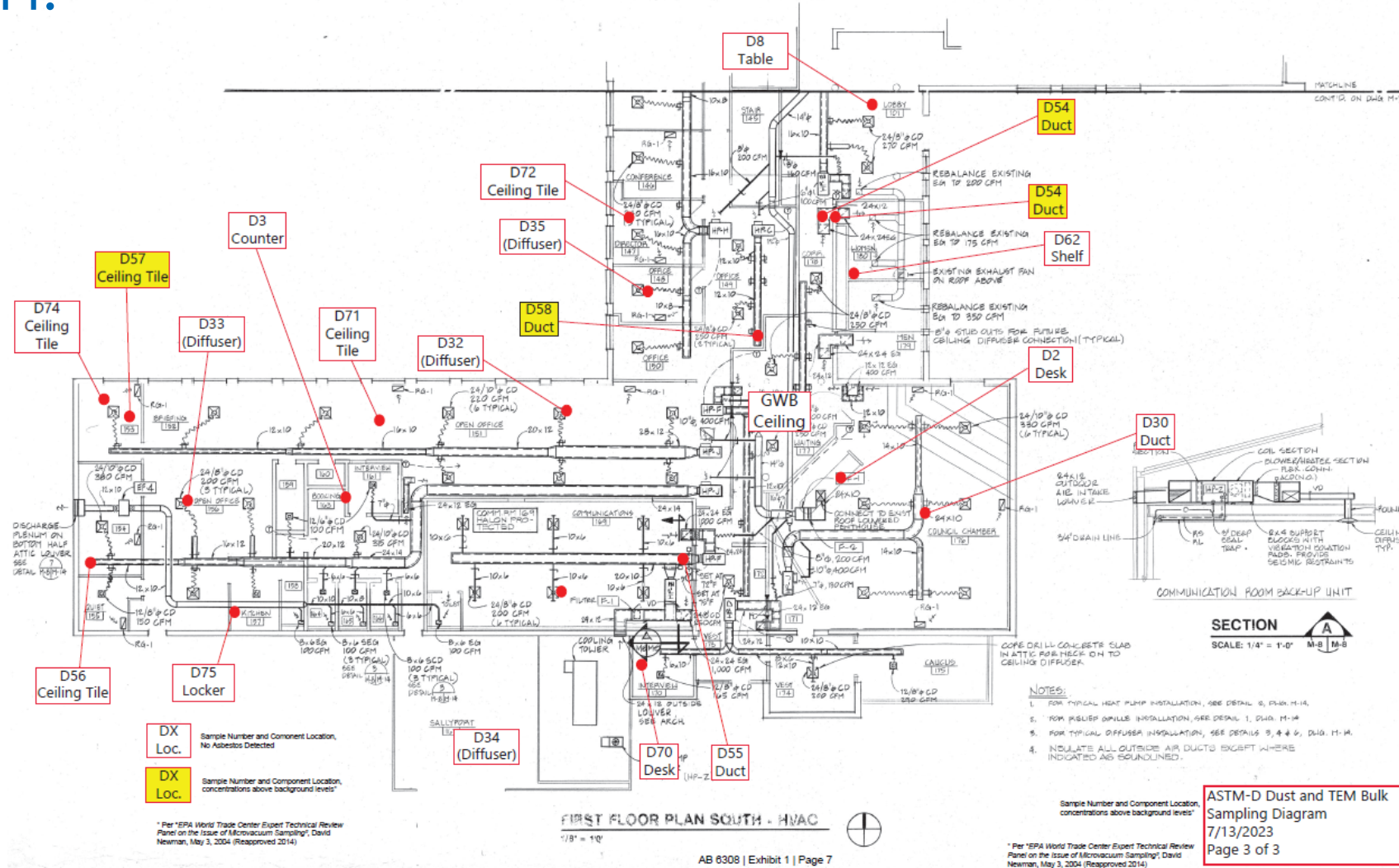
Item 16.

- Area includes CPD, Finance, City Manager, and Municipal Court.
- Area around Municipal Court had several positive tests:
 - White: No asbestos detected
 - Orange: Dust >10,000 s/cm²
 - Red: Dust >100,000 s/cm²
 - Blue: Bulk sample with a positive detection
- Ceiling construction in northeast and northwest corners of building limited access for duct sampling.



Sampling Diagram: First Floor, South

- Area includes Police Department and Council Chambers
- Several positive dust samples:
 - White: No asbestos detected
 - Yellow: Dust $<10,000$ s/cm²



Duct Conditions



Picture: Example of lined duct in attic mechanical room.



Picture: Dust build-up in an unlined duct in the attic mechanical room (sample D53).

Testing and Results

Bulk Material Testing

- Bulk material testing involves the removal of materials to be tested. Actual materials are removed and tested
- 10 samples were collected and tested.
 - HVAC filter, ceiling tile, mastic, floor tile, sheet flooring

Results

- Bulk testing identified asbestos in two HVAC system filters and one sample of flooring.
- As previously noted, approx. 10,000 sq ft of asbestos tiles were known to be present throughout City Hall, but most are undisturbed.



Testing and Results

Good Faith Inspection

- A Good Faith Inspection surveys all potential asbestos-containing materials in a building.
- The investigation of City Hall was limited by access issues in the ceiling and attic (pictured).
- This work included 77 additional bulk samples.

Results

- 13* samples were positive, including:
 - Three types of flooring (additional 20,000 sq ft)
 - Flooring adhesive
 - Window putty
- 31 interior fire doors visually identified as asbestos-containing* (pictured)



Findings

- It is unlikely that the basement floor tiles are the sole source of the asbestos found in the HVAC system. However, additional sources of asbestos have not been identified.
- It is possible that the asbestos contamination within the HVAC system occurred prior to City ownership or during a renovation project in the late 1980s - early 1990s.
- Significant destructive investigation (e.g. full removal of the City Hall ceiling) is required to fully confirm conditions.
- Requirements to abate and re-occupy the building are anticipated to be costly and extensive and will be further detailed in the second part of the presentation.



Questions

Next:

Re-occupancy of City Hall: Estimated Scope, Cost, and Timelines



2023 PLANNING SCHEDULE

Item 17.

Please email the City Manager & City Clerk when an agenda item is added, moved, or removed.

Items are not listed in any particular order. Agenda items & meeting dates are subject to change.

AUGUST 1, 2023					
POTENTIALLY CANCELED					

AUGUST 15, 2023					
POTENTIALLY CANCELED					

SEPTEMBER 5, 2023			DD	FN	CA	Clerk	CM
ABSENCES:			8/25	8/28	8/28	8/29	8/29
ITEM TYPE TIME TOPIC					STAFF		
STUDY SESSION							
60	Discussion: Review Site Concepts for Former Tully’s Property				Jessi Bon		
SPECIAL BUSINESS							
15	AB xxxx: 2021 Financial and Accountability Audit Exit Conference				Matt Mornick/ SAO		
CONSENT AGENDA							
--	AB xxxx: July 14, 2023 Payroll Certification				Ali Spietz/Nicole Vannatter		
--	AB xxxx: July 28, 2023 Payroll Certification				Ali Spietz/Nicole Vannatter		
--	AB xxxx: August 11, 2023 Payroll Certification				Ali Spietz/Nicole Vannatter		
--	AB xxxx: August 25, 2023 Payroll Certification				Ali Spietz/Nicole Vannatter		
--	AB xxxx: National Preparedness Month Proclamation, No. xxx				Mayor Nice/Amanda Keverkamp		
--	AB xxxx: National Recovery Month Proclamation, No. xxx				Mayor Nice/Derek Franklin		
--	AB xxxx: Peace Day on Mercer Island, Proclamation No. xxx				Mayor Nice/Andrea Larson		
--	AB xxxx: Mayor’s Day of Concern for the Hungry, Proclamation No. xxx				Mayor Nice/Derek Franklin		
--	AB 6289: MIYFS Foundation Donation Acceptance				Ali Spietz/Derek Franklin		
--	AB xxxx: Second reading of Ordinance No. 23C-11 (renews Ordinance No. 21C-23) on interim regulations in MICC 19.16.010 related to emergency shelters and housing, transitional housing, and permanent supportive housing in response to E2SHB 1220				Jeff Thomas/Alison Van Gorp		
--	AB xxxx: Lease for Telecommunications Facilities at Island Crest Park				Bio Park/Alaine Sommargren		
REGULAR BUSINESS							
10	AB xxxx: Board & Commission Vacancy Appointment (Resolution No. xxxx)				Mayor Nice/Deputy Mayor Rosenbaum/Andrea Larson		
15	AB xxxx: Financial Status Update for the Second Quarter 2023 and Budget Amending Ordinance (Ord. No. 23-xx)				Matt Mornick		
15	AB xxxx: Code amendment for Stormwater Maintenance Manual updates (First Reading Ord. No. 23C-xx)				Jason Kintner/Brian Hartvigson		
EXECUTIVE SESSION							

SEPTEMBER 19, 2023		DD	FN	CA	Clerk	CM
ABSENCES:		9/8	9/11	9/11	9/12	9/12
ITEM TYPE TIME TOPIC				STAFF		
STUDY SESSION						
30	AB xxx: Stationary ALPR Cameras			Ed Holmes/Scott Schroeder		
SPECIAL BUSINESS						
CONSENT AGENDA						
--	AB xxxx: September 8, 2023 Payroll Certification			Ali Spietz/Nicole Vannatter		
--	AB xxxx: 2022 Water System Imp. (Madrona Crest East) Project Closeout			Jason Kintner /Clint Morris/George Fletcher		
--	AB xxxx: Code amendment for Stormwater Maintenance Manual updates (second reading)			Jason Kintner/ Brian Hartvigson		
--	AB xxxx: Sunset Hwy/77th Ave SE Improvements Project Closeout			Jason Kintner /Clint Morris/Lia Klein		
--	AB xxxx: S.C.O.R.E. ILA Update			Scott Schroeder		
REGULAR BUSINESS						
30	AB xxxx: Public Hearing of Town Center Parking Study Draft Report			Patrick Yamashita/Ed Holmes/Mike Seifert/Sarah Bluvus		
EXECUTIVE SESSION						

OCTOBER 3, 2023			DD	FN	CA	Clerk	CM
ABSENCES:			9/22	9/25	9/25	9/26	9/26
ITEM TYPE TIME TOPIC					STAFF		
STUDY SESSION							
45	AB 6294: Geographic Information Systems (GIS) Products Demo				Ali Spietz/Leah Llamas		
SPECIAL BUSINESS							
CONSENT AGENDA							
--	AB xxxx: September 22, 2023 Payroll Certification				Ali Spietz/Nicole Vannatter		
--	AB xxxx: Arbor Day Proclamation No. xxx				Jason Kintner/Andrew Prince		
--	AB xxxx: Domestic Violence Action Month Proclamation No. xxx				Mayor Nice/Derek Franklin		
REGULAR BUSINESS							
EXECUTIVE SESSION							

OCTOBER 17, 2023 ABSENCES:		DD 10/6	FN 10/9	CA 10/9	Clerk 10/10	CM 10/10
ITEM TYPE TIME TOPIC				STAFF		
STUDY SESSION						
30	AB xxxx: Water System Reliability Action Plan Check-In, with Confluence Engineering			Jason Kintner/Alaine Sommargren/Allen Hunter		
SPECIAL BUSINESS						
CONSENT AGENDA						
--	AB xxxx: October 6, 2023 Payroll Certification			Ali Spietz/Nicole Vannatter		
--	AB xxxx: Basin 40 Cured-In-Place-Pipe (CIPP) Sewer Lining, Phase 1 Closeout			Jason Kintner/Clint Morris/Chris Marks		
REGULAR BUSINESS						
30	AB xxxx: Fiscal Year 2023 and 2024 Revenue Forecast			Matt Mornick		
30	AB xxxx: King County Solid Waste Rate Restructure			Jason Kintner		
EXECUTIVE SESSION						