



# CITY COUNCIL MINUTES

## REGULAR MEETING

### JUNE 5, 2018

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#### CALL TO ORDER & ROLL CALL

Mayor Debbie Bertlin called the meeting to order at 5:30 pm in the City Hall Council Chambers, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Debbie Bertlin, Deputy Mayor Salim Nice, and Councilmembers Tom Acker (arrived 5:34 pm), Bruce Bassett, Wendy Weiker, and Benson Wong were present. Councilmember David Wisenteiner was absent.

#### AGENDA APPROVAL

It was moved by Bassett; seconded by Wong to:

**Amend the agenda to add an Executive Session before AB 5433 and approve as amended.**

Passed 5-0

FOR: 5 (Bassett, Bertlin, Nice, Weiker, Wong)

ABSENT: 1 (Acker, Wisenteiner)

#### STUDY SESSION

##### **AB 5436: King County Metro Routes 201/204 Service Changes and Community Connections Program Performance Updates**

Senior Project Manager Kirsten Taylor introduced Katie Chalmers, Service Planning Supervisor and Cathy Snow, Community Connections Program Manager with King County Metro who presented information regarding King County Metro route 201/204 service changes and provide an update on the Community Connections Program on Mercer Island.

They noted that King County Metro staff will be soliciting responses to the Rider Survey for Route 201/204 Proposed Service Change on the Mercer Island bus routes as well as online. They discussed performance metrics for the TripPool pilot project that has been promoted on Mercer Island since May 2016, noting that this program will likely be discontinued in 2019 due to low usage.

##### **AB 5438: Solid Waste Contract RFP**

Public Works Director Jason Kintner, Sustainability Manager Ross Freeman, and the City's consultant, Jeff Brown from Epicenter Services, provided the history of the City's current solid waster contract and noted that it is set to expire September 30, 2019.

Manager Freeman reviewed the current market challenges of restrictions and closures from China for recyclables and volatility that is expected to impact RFP.

Director Kintner reviewed the RFP timeline and process explaining that it has been compressed in order to have service continuity.

Mr. Brown spoke to the Council about the base contract and alternatives. He noted that the base residential and commercial services would remain largely comparable to current service levels, but that there are alternatives for consideration as follows:

- Weekly Single-Family Recycling Collection
- Mandatory Collection (no self-haul)
- Spring Clean Up Scenarios
- Collection Fleet – no vehicle chassis must be older than ten years
- Consumer Price Index Escalators – (Base Contract uses CPI 0-5%)

Director Kintner requested feedback from the Council regarding the alternatives and timelines. He noted that staff will work with the Utility Board to make a recommendation to the Council for awarding the contract in the fall.

## **CITY MANAGER REPORT**

City Manager Julie Underwood reported on the following:

- New Parks & Rec Director – Jessi Bon
- Chamber to Host Representatives Clibborn & Senn, Thurs., June 7, 12 pm - 1 pm, Community Center
- Emergency Preparedness Training: Community Point of Distribution and Well Operation, Sat., June 9, 9 am - 11 am, Rotary Park (4320 88th Ave SE)
- Volunteer at an upcoming Forest Restoration Event!
  - Sat., June 16, 9 am - 1 pm, Gallagher Hill Open Space
  - Sat., June 30, 10 am – 2 pm, Ellis Pond
- MI Center for the Arts Community Visioning, Mon., June 11, 7:00 pm – 8:30 pm, Boys and Girls Club (4120 86th Ave SE)
- Flash Family Inspirational Award Nominations Due by June 22
- MI Farmers Market is now open! Sundays through October 7, 10 am - 3pm, north end of Mercerdale Park
- Solarize Mercer Island 2.0
- Park & Ride Lighting Retrofit, starting Wed., June 6, from 7 pm to 5 am, project will take place over 9 days
- MI is now a designated Tree City USA!
- Police Department Receives Community Partner Award from Mercer Island PTA Council

## **APPEARANCES**

Bharat Shyam, 8405 SE 35<sup>th</sup> Place, spoke about the importance of Youth and Family Services and stated that he would like the City to do more regarding gun violence in order to protect Mercer Islanders.

Jim Schwab, 7800 SE 27<sup>th</sup> Street, lives in building next to Tully's and asked the City to work with the condo owners in his building during the development of the Tully's site.

Marty Gale, 9404 SE 54<sup>th</sup> Street, spoke about keeping Mercerdale Park a park and not constructing a building on a portion of it.

Kathy Moffett-MacDonald, 8403 East Mercer Way, representing a group of Island residents who supports mental health counselors, encouraged the Council to consider a single-issue levy for mental health counselors at YFS.

Jane Meyer Brahm, 7420 North Mercer Way, spoke about the Mercer Island Sister City Association and encouraged the Council to continue to fund and support cultural exchanges, official delegations and student exchanges, French dinners, films, conversations, and travels.

Amy Ohta, 9318 SE 43<sup>rd</sup> Street, urged the council to consider a YFS mental health counselors 6-year standalone levy.

Hillary Benson, 7344 Island Crest Way, supports a levy for MIYFS mental health counselors. She noted that the City police and fire services are keeping residents safe, and that the mental health experts are a vital part of keeping the community safe.

Erica Jerome, 9447 SE 52<sup>nd</sup> Street, spoke in support of mental health counselors.

John Schroeder, a pediatrician, stated the one out of seven children are diagnosed with a mental illness. He spoke about mental illness being a crisis in the Mercer Island community right now and urged the Council to keep MIYFS counselors.

Zach Gottesman, MIHS senior and Community Advisory Board member, spoke to the Council about the importance of having MIYFS mental health counselors in the schools to protect the community. He stated that this year already there have been 21 school shootings in the United States and that he supports YFS counselors in the schools to identify students that are at risk for committing violence.

Deb Voss, 8403 SE 46th Street, spoke about her experience with her child's mental illness and the support she receives at school to stay healthy and safe. She thanked the Council and the CAG for their work. She urged to consider six-year standalone levy for MIFYS mental health counselors and geriatric services.

John Derks, 8011 84th Ave SE, amazing to know that mental health services are available in the schools if needed and supports standalone levy for YFS counselors.

Alexander Zimmerman, President of Standup America, spoke to the Council about public comment opportunities and fascism.

Michael Ross, 7010 93rd Ave SE, supports the City purchasing the Tully's site.

Suzanne Zahr and Sabine Fleming, 8110 SE 70th St, spoke about their support for the purchase and sale agreements for the Tully's and Freshy's sites. They also support a mental health counselors levy.

Mike Cero, 8300 Avalon Drive, spoke to the Council regarding the City's financial challenges and 2017 year-end financial report. He encouraged the Council to adopt the CAG minority report.

Dwight Shaffer, 6958 96<sup>th</sup> Ave SE, spoke about the financial challenges and urged the Council to use REET funds to balance the General Fund and the budget.

Gary Robinson, 5654 89<sup>th</sup> Ave SE, spoke about the citizen survey and the request for individual addresses.

## **CONSENT CALENDAR**

**Payables: \$308,485.81 (5/10/18), \$894,677.78 (5/17/18), \$973,312.04 (5/24/18), & \$176,691.02 (5/31/18)**

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

**Payroll: \$863,135.80 (5/25/18)**

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

**AB 5437: 2018 Arterial and Residential Chip Seals Bid Award**

**Recommendation:** Award Schedules 'A', 'B', 'C', and 'D' of the 2018 Arterial and Residential Chip Seals project to Doolittle Construction Company in the amount of \$354,775.60. Set the total project budget to \$560,706 and direct the City Manager to execute the construction contract.

**AB 5432: Adoption of the 2019-2024 Transportation Improvement Program**

**Recommendation:** Adopt the 2019-2024 Transportation Improvement Program as reflected in Exhibit 1 of AB 5432.

**AB 5431: Summer Celebration Fireworks Display Permit**

**Recommendation:** Approve the permit application from Western Display Fireworks, LDT for the *Summer Celebration!* Fireworks Display

It was moved by Bassett; seconded by Wong to:

**Approve the Consent Calendar and the recommendations contained therein.**

Passed 6-0

FOR: 6 (Acker, Bassett, Bertlin, Nice, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

## REGULAR BUSINESS

### AB 5440: City's Financial Challenges: Continue Discussion and Review Final Citizen Survey Results

Julie Underwood introduced Chris Tatham with ETC Institute who presented the results of the community survey that was conducted in spring 2018. He described the survey and methodology for administering the survey. He reviewed the overall perceptions of the City (95% of the residents surveyed, who had an opinion, indicated they were "very satisfied" or "satisfied" with Mercer Island as a place to live) and overall and specific satisfaction levels with City services. He reported major findings from the survey as follows:

- **Residents Have a Positive Perception of the City**  
79% are satisfied with the overall quality of City services; only 5% are dissatisfied
- **Mercer Island Rates Higher Than Other Cities in the Overall Quality of City Services**  
The City rated 36% above the Northwest Regional Average, 32% above the average for similarly sized communities, and 30% above the U.S. Average in the overall quality of services provided by the City
- **Mercer Island Rates Higher Than Other Cities in Providing Major City Services**  
The City was rated above the Northwest Regional, similarly sized communities, and U.S. averages for all Major City Services that were compared
- **Overall Priorities for Improvement:**
  - Efforts to regulate development on the Island
  - Level of public involvement in local decision making
  - Adequacy of street lighting
  - Condition of bicycle infrastructure in the City
  - Codes enforcement
  - Town Center parking

City Manager Julie Underwood reviewed why the City is facing financial challenges, the recent community engagement process, and the citizen satisfaction survey. She also presented information in response to the Council's follow-up questions and requests from the May 15 meeting regarding:

- Sales tax revenue
- Building permits issued
- Building valuation
- Development activity
- Thrift Shop sales revenue
- Proposal to increase the B&O tax and its impacts
- Overview of what staff heard when presenting the City's "roadshow" presentations to the community
- CAG's subgroup's recommendation to implement an immediate 5% "cost containment"
- A third-party consultant review of the City's methodology and assumptions built into the projections and forecasts

The Council discussed the upcoming Mini-Planning Session on June 9 and City Manager Underwood explained what she would be seeking from the Council in preparation for developing the 2019-2020 biennial budget.

Council is supportive of the Mayor and Deputy Mayor participating in the review of the City's forecasts by Management Partners, but in an observing capacity.

### AB 5439: 2017 Year-End Financial Status Report & Budget Adjustments

Finance Director Chip Corder presented the 2017 Year-End Financial Status Report including a review of the General Fund, Utility Funds, all other Funds, and the comprehensive update on the status of each Capital Improvement Program (CIP) project as of December 31, 2017. He also presented an ordinance amending the 2017-2018 Budget.

It was moved by Weiker; seconded by Wong to:

**Suspend the City Council Rules of Procedure 6.3, requiring a second reading for an ordinance and adopt Ordinance No. 18-03, amending the 2017-2018 Budget.**

Passed 6-0

FOR: 6 (Acker, Bassett, Bertlin, Nice, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

## EXECUTIVE SESSION

### Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 20 minutes

At 10:32 pm, Mayor Bertlin convened the Executive Session for 20 minutes.

At 10:52 pm, Mayor Bertlin extended the Executive Session for five minutes.

At 10:54 pm, Mayor Bertlin adjourned the Executive Session and the Regular Meeting reconvened.

## REGULAR BUSINESS (CONTINUED)

### AB 5433: Resolution to Authorize a Purchase and Sale Agreement between the City of Mercer Island and Twenty Four Eleven, LLC to Develop Long-Term Transit Commuter Parking in the Town Center, Including Declaring Part of Parcel 7 Surplus Property

City Manager Underwood introduced the City's consultant, Bob Stowe from Stowe Development & Strategies, who reviewed the terms of the agreement and the public-private partnership.

It was moved by Wong; seconded by Bassett to:

**Approve Resolution No. 1543, declaring Parcel 7 surplus to the needs of the City and authorizing the City Manager to execute the Purchase and Sale Agreement and the Parking Agreement between the City of Mercer Island and Twenty Four Eleven, LLC, in substantially the form attached as Exhibits A and B to Resolution No. 1543.**

Passed 6-0

FOR: 6 (Acker, Bassett, Bertlin, Nice, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

### AB 5434: Resolution to Authorize a Purchase and Sale Agreement between the City of Mercer Island and Parkway Management Group et al. to Develop Long-Term Transit Commuter Parking in the Town Center

The City's consultant, Bob Stowe from Stowe Development & Strategies, reviewed the terms of the agreement and the public-private partnership.

It was moved by Wong; seconded by Nice to:

**Approve Resolution No. 1544, authorizing the City Manager to execute the Purchase and Sale Agreement between the City of Mercer Island and Parkway Management Group, et al. in substantially the form attached as Exhibit A to Resolution No. 1544.**

Passed 6-0

FOR: 6 (Acker, Bassett, Bertlin, Nice, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

It was moved by Wong; seconded by Bassett to:

**Approve Resolution No. 1545, initiating a proposed, out of cycle Comprehensive Plan amendment to change the land use designation and zoning of a portion of the land known as Parcel 12 and a portion of the adjoining WSDOT property from Public Institution (P) to Town Center (TC) with a five-story height limit.**

It was moved by Wong; seconded by Bassett to:

**Amend the previous motion as follows:**

- 1. Amend the third Whereas statement on page two of Resolution No. 1545 as follows: *WHEREAS, the City Council requires wants the right to consider the re-designation and re-zone of the City's Property to Town Center, prior to closing on the Tully's Property; and***
- 2. Amend the third Whereas statement on page two of Resolution No. 1545 as follows: *WHEREAS, based on the foregoing, the City Council determines it is necessary to expedite the consideration of, and a possible decision on, ~~the~~ any proposed re-***

*designation and re-zone of the City's Property, and potentially a portion of the adjoining WSDOT property, to promote timely completion of a long-term, transit commuter parking facility within the City of Mercer Island's Town Center near the East Link Light Rail Station while still ensuring early and continuous public participation; and*

**3. Amend the Resolution language as follows:**

*The City Council directs City staff and the Planning Commission to analyze, study, and make recommendations to the City Council by September 18, 2018 on the proposed, out of cycle Comprehensive Plan amendment and rezone of the portion of land known as Parcel 12 (the City's Property) and potentially a portion of the adjoining WSDOT property from Public Institution to Town Center as approximately shown on Exhibit A.*

Motion to Amend Passed 6-0

FOR: 6 (Acker, Bassett, Bertlin, Nice, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

Main Motion as Amended Passed 6-0

FOR: 6 (Acker, Bassett, Bertlin, Nice, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

## **OTHER BUSINESS**

### **Councilmember Absences**

Deputy Mayor Nice will be absent July 17.

Councilmember Acker will be present July 10.

Councilmember Wisenteiner's absence was excused.

### **Planning Schedule**

City Manager Underwood noted that the Council's review of the RFQ process would be moved up. She asked the Council to consider what they want to see on the RFQ.

### **Board Appointments**

It was moved by Bassett; seconded by Wong to:

**Affirm the Mayor and Deputy Mayor's appointments to the City's Boards and Commissions as follows:**

#### **Arts Council**

Candace Chuck, Position 2 (expires 2019)

Gaylene Vaden, Position 3 (expires 2019)

Erik Gordon, Position 9 (expires 2022)

Damian Schwiethale, Position 10 (expires 2022)

Xixi Shakes, Position 11 (expires 2022)

#### **Design Commission**

Colin Brandt, Position 7 (expires 2022)

#### **Open Space Trust**

Carol Lynn Berseth, Position 2 (expires 2022)

Rory Westberg, Position 4 (expires 2022)

#### **Planning Commission**

Craig Reynolds, Position 2 (expires 2019)

Jennifer Mechem, Position 6 (expires 2022)

Ted Weinberg, Position 7 (expires 2022)

#### **Utility Board**

Brian Thomas, Position 6 (expires 2022)

Tom DeBoer, Position 7 (expires 2022)

Passed 6-0

FOR: 6 (Acker, Bassett, Bertlin, Nice, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

**Councilmember Reports**

There were no reports.

**ADJOURNMENT**

The Regular Meeting adjourned at 11:27 pm.

Attest:

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Debbie Bertlin, Mayor

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Deborah Estrada, City Clerk