



CITY OF MERCER ISLAND

CITY COUNCIL MEETING AGENDA

Monday
May 1, 2017
5:00 PM

Mayor Bruce Bassett
Deputy Mayor Debbie Bertlin
Councilmembers Dan Grausz, Jeff Sanderson,
Wendy Weiker, David Wisenteiner
and Benson Wong
Contact: 206.275.7793, council@mercergov.org
www.mercergov.org/council

All meetings are held in the City Hall Council Chambers at
9611 SE 36th Street, Mercer Island, WA unless otherwise noticed

"Appearances" is the time set aside for members of the public to speak to the City Council about any issues of concern. If you wish to speak, please consider the following points:
(1) speak audibly into the podium microphone, (2) state your name and address for the record, and (3) limit your comments to three minutes.
Please note: the Council does not usually respond to comments during the meeting.

REGULAR MEETING

CALL TO ORDER & ROLL CALL, 5:00 PM

AGENDA APPROVAL

EXECUTIVE SESSION

Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes

STUDY SESSION, 6:00 PM

- (1) AB 5269 City Council Rules of Procedures Amendments

SPECIAL BUSINESS, 7:00 PM

- (2) Affordable Housing Week Proclamation

APPEARANCES

CONSENT CALENDAR

- (3) Payables: \$184,130.47 (04/13/2017), \$1,018,977.65 (04/24/2017), \$183,564.61 (04/27/2017)
Payroll: \$786,924.78 (04/28/2017)

Minutes: Special Meeting Minutes of April 13, 2017, Regular Meeting Minutes of April 17, 2017, Special Joint Meeting Minutes of April 20, 2017 (5:00 pm), Special Meeting Minutes of April 20, 2017 (7:00 pm), Special Meeting Minutes of April 24, 2017 (8:00 am), and Special Meeting Minutes of April 24, 2017 (5:30 pm)

AB 5290 Adoption of 2017-2018 City Council Goals and Work Plan

REGULAR BUSINESS

- (4) AB 5292 I-90 Loss of Mobility Status Report
- (5) AB 5289 Public Hearing: Temporary Increase in Utility Tax Rate on Water, Sewer, and Storm Water Utilities
- (6) AB 5293 Appeals and Review Processes Code Amendments (1st Reading)
- (7) AB 5296 Fourth Quarter 2016 Financial Status Report & Budget Adjustments

OTHER BUSINESS

Councilmember Absences
Planning Schedule
Board Appointments
Councilmember Reports

ADJOURNMENT



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 5269
May 1, 2017
Study Session**

**CITY COUNCIL RULES OF PROCEDURES
AMENDMENTS**

Proposed Council Action:

Review proposed amendments and policy recommendations; provide direction to staff.

DEPARTMENT OF

City Manager (Kirsten Taylor, Ed Holmes, Ali Spietz)

COUNCIL LIAISON

Dan Grausz Wendy Weiker David Wisenteiner

EXHIBITS

1. Current City Council Rules of Procedures
2. Redlined Version of Proposed Amendments to the City Council Rules of Procedures
3. Clean Version of Proposed Amendments to the City Council Rules of Procedures

APPROVED BY CITY MANAGER

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

SUMMARY

In 2004, the City Council adopted Rules of Procedures (“Rules”) in accordance with MICC 2.06.050, which reads, in part, “The council shall determine its own rules, bylaws and order of business, and may establish rules for the conduct of council meetings and the maintenance of order.” The Rules were amended in 2004 and 2006 regarding: (1) Boards and Commissions and the role of the Council Liaison and (2) the requirement that all ordinances receive a first and second reading prior to adoption and allowing for certain exceptions. The Rules have remained unchanged since 2006 (see Exhibit 1 for the current Rules).

At the January 2016 City Council Planning Session, a Council Effectiveness Subcommittee (“Subcommittee”) was formed to review and propose amendments to the Rules. Councilmembers Grausz, Weiker, and Wisenteiner, along with staff representatives Assistant City Manager Kirsten Taylor and Police Chief Ed Holmes were assigned to the subcommittee. The subcommittee discussions included topics identified by the full Council and also updates suggested by the City’s staff Leadership Team.

Suggested updates for the Rules fall into three categories.

1. **Policy Recommendations.** These proposed policy updates were vetted by the Subcommittee and include significant changes to the Rules.
2. **Simple Non-Policy Updates.** Language updates that are non-substantive in nature but help clarify information, correct references, or organize the Rules for ease of reference, as vetted by the Subcommittee.
3. **New Language Proposed by Staff.** These additional suggestions were identified by staff (City Manager, City Attorney, and City Clerk) upon review of the Subcommittee work. These proposed

changes have not been vetted by the Subcommittee, but are included in the proposed Rules because of their potential to further clarify Council meeting guidelines or other procedures.

Attached as Exhibit 2 is a redlined version of the proposed amendments to the Rules. The proposed amendments incorporate feedback from the Subcommittee and staff. The text highlighted in yellow relate to the Subcommittee Policy Recommendations listed below. The Simple Non-Policy Updates are shown in strike-through format but not highlighted. The text highlighted in green is New Language Proposed by Staff. A clean version of the proposed amendments is attached as Exhibit 3.

POLICY RECOMMENDATIONS

There are eight policy decisions for Council review and discussion. Five policies are recommended by the Subcommittee, and three were identified by staff upon review of the Subcommittee work. Please note that all page references below are for Exhibit 2, Redlined Version of Proposed Amendments to the City Council Rules of Procedures.

1. Council Meeting Day – Section 3.2(1) (page 7)

Subcommittee Recommendation: Move Council meetings from the 1st and 3rd Mondays to the 1st and 3rd Tuesdays of the month, allowing for one more day for Council to review the agenda packet and one more working day for staff to respond to Council feedback.

Considerations: n/a

2. Meeting Start Time – Section 3.2(1) (page 7)

Subcommittee Recommendation: Start all Regular and Special City Council meetings at 6:00 pm regardless if there is a Study Session scheduled.

Considerations: Variability in the start time could cause confusion for citizens, particularly those who wish to address the Council during Appearances.

3. Hour of Adjournment – Section 3.2(1) (page 7)

Subcommittee Recommendation: Remove the hour of adjournment provision.

Considerations:

- Retaining the 10:00PM hour of adjournment language can aid in keeping meetings on track.
- When needed, adding language to specify the additional amount of time required to conclude business is advised.

4. Councilmember Absences – Section 3.3(1) and (11) (pages 8 and 11)

Subcommittee Recommendation: Remove the requirement to vote on Councilmember Absences from the Other Business section on the agenda.

Considerations:

- Chapter 35A.12.060 RCW states, *“In addition a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council.”* See also, RCW 35A.13.020.
- In an effort to simplify the process, staff recommends amending subsections (1) and (11) to include a requirement that in order to be excused, a Councilmember must inform the Mayor or City Manager by 5:00 pm on the day of a regular meeting if s/he will not be in attendance.
- Staff further recommends that the Mayor will simply note whether a councilmembers’ absence is excused or unexcused during Councilmember Absences rather than having the Council vote to excuse the absence.

5. City Manager Report – Section 3.3(6) (page 9)

Subcommittee Recommendation: n/a

Considerations: City Manager Underwood would like to implement a “City Manager Report” at each Regular Meeting to keep the Council and public informed of City business. The City Manager may provide an oral report, make comments, extend compliments, express concerns, or make announcements concerning any topic during this time. This would occur before Appearances on the agenda.

6. Appearances Follow-Up – Section 3.3(7) (page 10, paragraph 4)

Subcommittee Recommendation: Propose a process for responding to Appearances.

Considerations: In the fourth paragraph, delete the text after the first sentence and add the following language: “Traditionally, the Council does not respond to comments made at the meeting, however the City Manager may direct staff to follow up with the speaker as appropriate.”

7. Paper Agenda Packets Delivery – Section 4.3 (page 13)

Subcommittee Recommendation: n/a

Considerations: City Manager Underwood would like to change the process for delivering paper agenda packets to Councilmembers requesting such. Police Chief Ed Holmes reports that it takes the Police Support Officer approximately one hour to deliver the agenda packets to the homes of the Councilmembers. This takes the officer away from regular duties of parking enforcement in the Town Center, around the high school and responding to neighborhood parking complaints (violations for cars parked illegally and issuing 72-hour notices), as well as animal enforcement in the parks and responding to other animal complaints (barking dogs). In addition, prisoner transports for Mercer Island and Newcastle and assisting officers in the field with arrestee transport and processing take priority, often delaying the delivery of the agenda packets until Friday afternoon or evening.

Staff proposes that home delivery of agenda packets be discontinued and Councilmembers be given 24/7 access to pick up their packets from the locked HAM radio room that is accessed from the Police Department lobby (located across the lobby from the Caucus Room).

8. Boards and Commissions Appointments and Vacancies – Section 8.5 and 8.6 (page 20)

Subcommittee Recommendation: n/a

Considerations: City Manager Underwood has received comments from more than one Councilmember about the process for appointing new members and filling vacancies on the City’s Boards and Commissions:

- Building Board of Appeals
- Civil Service Commission
- Design Commission
- Disability Board
- Planning Commission
- Utility Board
- Community Advisory Board
- Mercer Island Arts Council
- Open Space Conservancy Trust Board

Mercer Island City Code Title 3 details the membership requirements and appointment processes for these Boards and Commissions, except the Open Space Conservancy Trust Board. For many of the Boards and Commissions, new members and those filling vacancies are appointed by the Mayor and subject to confirmation of the City Council.

Staff proposes creating a three-member Ad Hoc Subcommittee of the Council to interview applicants and make a recommendation for appointments to expiring and vacant positions on the Design Commission and Planning Commission. This would allow Councilmembers and staff to gain further knowledge of an applicant's interest, skill set and availability for the responsibilities of the position. Staff is recommending that the appointment process would not change for the other Boards and Commissions at this time.

Staff will update the Rules to reflect the Council's desired actions and bring the amended Rules back for adoption on the Consent Calendar in the near future.

RECOMMENDATION

Assistant City Manager, Police Chief, and City Clerk

Review proposed amendments and policy recommendations to the City Council Rules of Procedure; provide direction to staff.

CITY OF MERCER ISLAND
CITY COUNCIL
RULES OF PROCEDURE

ADOPTED
April 19, 2004
AMENDED
August 2, 2004
February 21, 2006
June 19, 2006

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SECTION 1 AUTHORITY

- 1.1** The Mercer Island City Council hereby establishes the following Rules of Procedure (“Rules”) pursuant to the authority set forth in Mercer Island City Code 2.06.050(A), for the conduct of Council meetings, proceedings and business. These Rules shall be in effect upon adoption by the Council and until such time as they are amended or new Rules adopted in the manner provided by these Rules.

SECTION 2. COUNCIL MEETINGS

2.1 TYPES OF MEETINGS

- (1) **Regular Meetings.** Council's regular meetings will be held the first and third Mondays of each month in Council Chambers, City Hall.

Regular Council meetings will begin at the hour of 7:00 p.m., and will adjourn no later than 10:00 p.m. The Council may continue past this time of adjournment by a two-thirds (2/3) vote of the Council members in attendance at the meeting.

If any Monday on which a meeting is scheduled falls on a legal holiday, the meeting shall be held at 7:00 p.m. on the first business day following the holiday, or on another day designated by a majority vote of the Council.

- (2) **Special Meetings.** A special meeting is any Council meeting other than a regular council meeting. Notice shall be given at least 24 hours in advance specifying the time and place of the meeting and the business to be transacted. A special council meeting may be scheduled by the Mayor, City Manager or at the request of a majority of the Council members.
- (3) **Study Sessions.** Study sessions will be held at 6:00 p.m., when needed and may be called by the Mayor, City Manager or by a majority of the Council members.

Study sessions will be informal meetings for the purpose of reviewing forthcoming programs, receiving progress reports on current programs or projects, or receiving other similar information.

No final decisions can be made at a study session. Decisions on those issues will be scheduled for a regular or special council meeting.

- (4) **Emergency Meetings.** An emergency meeting is a special council meeting called without 24 hour notice. An emergency meeting may only be called as a result of an emergency involving injury or damage to persons or property or the likelihood of such injury or damage or when time requirements of a 24 hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor. The minutes will indicate the reason for the emergency.
- (5) **Executive Session Meetings.** An executive session is a Council meeting that is closed except to the Council, City Manager, City Attorney and staff members and/or consultants authorized by the City Manager. The public is restricted from attendance. Executive sessions may be held during regular or special council meetings and will be announced by the Mayor or the Chair of a council committee, respectively. Executive session subjects are limited pursuant to Chapter 42 RCW, including considering real property acquisition and sale, public bid contract performance, complaints against public officers and employees, review of collective

bargaining agreements, public employment applications and evaluations, and certain attorney-client discussions. Before convening an executive session, the Mayor or Chair shall announce the purpose of the meeting.

2.2 **ORDER OF REGULAR COUNCIL MEETING AGENDA**

- (1) **Call Meeting to Order & Roll Call.** The Mayor calls the meeting to order. The City Clerk will take roll call. The Mayor will announce the attendance of Council members and indicate any Council Member who is not in attendance and whether or not the Council Member has an excused absence.
- (2) **Agenda Approval/Amendment.** Agenda items may be added to a regular Council meeting agenda after the meeting notice is published, if a Council Member or City Manager explains the necessity and receives a majority vote of the Council. The Mayor may, with the concurrence of the Council members, take agenda items out of order.
- (3) **Proclamations and Presentations.** A Proclamation is defined as an official announcement made by either the City Council or the Mayor.

City Council Proclamations are defined as those non-controversial events which have a major citywide impact. City Council Proclamations shall be publicly read at a City Council meeting and presented to a representative of the event during the Council meeting.

Mayor's Proclamations are defined as those non-controversial events which are requested by and for a special interest group within the City. Mayor's Proclamations are signed by the Mayor and forwarded to a representative of the event.

The Mayor and City Manager shall determine if the Proclamation request is for a City Council Proclamation or a Mayor's Proclamation.

Controversy is defined as a dispute, especially a lengthy and public one, between sides holding opposing views.

- (4) **Citizen Comment/"Appearances".** Members of the audience may comment on any matter. Comments are limited to three (3) minutes, except that for a person speaking on behalf of a group, comments are limited to five (5) minutes. The Mayor will announce these time periods at the commencement of Appearances. No speaker may convey or donate his or her time for speaking to another speaker. The Mayor may grant additional time for citizen comments. Persons addressing the Council will be requested to step up to the podium and give their name and address for the record.

The Mayor may allow citizens to comment on individual agenda items at times during any regularly scheduled City Council meeting other than the regularly scheduled Citizen Comment period.

All remarks will be addressed to the Council as a whole, and not to individual City Council or staff members. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested by the Mayor to leave the meeting.

The City Clerk will record all citizen comments. At the next scheduled regular Council meeting, the City Manager will report on such citizen comments and advise the Council whether the matter was referred to City staff, a Council Committee, placed on a future City Council meeting or other City response. Citizen comments that do not request City staff action but merely are advising the City Council of the citizen's position on a policy matter will not be included in the City Manager's report.

- (5) **Minutes.** The City Clerk will keep an account of all proceedings of the Council in accordance with the statutory requirements, and proceedings will be entered into a minute book constituting the official record of the Council. The City Council will approve minutes from prior Council meetings by majority affirmative vote. Council meeting minutes will not be revised without a majority affirmative vote of the Council.
- (6) **Consent Calendar.** Consent Calendar items have either been fully considered by a City Council Committee or are considered to be routine and non-controversial and may be approved by one motion. Items on the Consent Calendar include without limitation, minutes, resolutions and ordinances discussed at a previous City Council meeting, bid awards and previously authorized agreements. A Council member may remove a consent agenda item from the consent calendar for separate discussion and action. If removed, that item will become the first item of business under Regular Business of the same meeting.
- (7) **Public Hearings.** There are two types of public hearings: legislative and quasi-judicial. The Mayor will state the public hearing procedures before each public hearing. Citizens may comment on public hearing items.
 - (i) **Legislative Public Hearings.** The purpose of a legislative public hearing is to obtain public input on legislative or policy decisions, including without limitation, review by the City Council of its comprehensive land use plan or biennial budget.
 - (ii) **Quasi-Judicial Public Hearings.** The purpose of a quasi-judicial public hearing is to decide issues involving the rights of specific parties including without limitation, certain land use matters such as site specific rezones, preliminary plats, and variances.

The City Council's decision on a quasi-judicial matter must be based upon and supported by the "record" in the matter. The "record" consists of all testimony or comment presented at the hearing and all documents and exhibits that have been submitted.

In quasi-judicial hearings, Council members shall comply with all applicable laws including without limitation the appearance of fairness doctrine (Chapter 42.36 RCW). The appearance of fairness doctrine prohibits ex parte (outside the hearing) communications; prohibits a Council members from making a determination on the matter in advance of the hearing; requires the hearing to be fair and impartial; and prohibits the participation of any Council member who has a conflict of interest or financial interest in the outcome of the hearing.

A Council member shall consult with the City Attorney to determine whether or not he or she should recuse themselves from the quasi judicial hearing discussion and decision.

- (8) **Regular Business.** Regular Business items are all other regular Council business, including resolutions and ordinances requiring Council action.
- (9) **Other Business.** The Council will discuss the Planning Schedule, Board and/or Commission appointments and Council reports. During Council reports, Council members may report on significant activities since the last meeting; provided, however, that Council members may not enter into debate or discussion on any item raised during a Council report.
- (10) **Adjournment.** With no further business to come before the Council, the Mayor adjourns the meeting.

2.3 **COUNCIL MEMBER SEATING**

A Council member's seat at the dais will be determined as follows:

- (1) The Mayor shall sit in Chair #4, the center seat at the dais, the Deputy Mayor shall sit to the Mayor's right, in Chair #3 and the City Manager shall sit to the Mayor's left, in Chair #5.
- (2) The Mayor will determine the seats of the remaining Council members.

(Section 2.1(1) Updated June 19, 2006)

SECTION 3. AGENDA PREPARATION

3.1 The City Manager in consultation with the Mayor and Deputy Mayor will prepare an agenda for each Council meeting setting forth a brief general description of each item to be considered by the Council.

3.2 An item may be placed on a Council meeting agenda by any of the following methods:

- (1) By the City Manager;
- (2) By two (2) or more Council members; or
- (3) By the Mayor.

Preparation of any agenda bill and supporting documents will be limited by the one (1) hour rule set forth in Rule 7.8 herein.

3.3 Agenda materials will be available at City Hall for the Council, City staff, media and public by 5:00 p.m. on the Thursday before the meeting.

3.4 The Council may use the agenda bill "Recommendation" language for making a motion.

SECTION 4. COUNCIL PROTOCOLS

- 4.1 Roberts Rules/Council Rules.** All Council discussion shall be governed by Roberts Rules of Order, Newly Revised or by these Rules. Examples of parliamentary rules and motions are shown in appendix A to these Rules. In the event of a conflict, these Rules shall control. The City Attorney shall decide all questions of interpretations of these Rules and other questions of a parliamentary nature which may arise at a Council meeting.
- 4.2 Citizen Comment Protocols.** Council agrees to adhere to the following protocols during Citizen Comment:
- (1) Council shall listen attentively to the citizen comments.
 - (2) Council shall avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal, disparaging actions when citizens are speaking.
 - (3) Council shall not engage in debate or discussion with any individual citizen but may be recognized by the Mayor in order to ask the citizen clarifying questions.
 - (4) The Mayor will summarize at the end of citizen comment that the City Manager will be responding to comments requesting staff action at the next regularly scheduled Council meeting or that Council appreciates the citizen input on the other policy matters.
- 4.3 Discussion Protocols.** Council agrees to adhere to the following protocols for Council discussion and debate:
- (1) Be courteous and professional at all times.
 - (2) Avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal disparaging actions when colleagues or staff are speaking.
 - (3) Be recognized by the Mayor before speaking.
 - (4) Be respectful of the City Manager and staff.
 - (5) Speak in turn after being recognized.
 - (6) Do not personally criticize other members who vote against or disagree with you.
 - (7) Do not be repetitive in your arguments or discussion.
 - (8) Respect each others differences, honor disagreements, vote and move on.
- 4.4 Council Decisions.** Council members recognize that they are part of a legislative or corporal body. As such, when the Council has voted to approve or pass an agenda item, the members agree not to contact staff to encourage actions inconsistent with such Council action or take other action adversely impacting staff resources. Council members may not bring any approved action up for reconsideration following Council review and approval of such agenda item except by majority vote. The City Council's goal is to make final decisions and not to revisit or reconsider such decisions.
- 4.5 No Surprise Rule.** Council members should call each other and the City Manager on key issues to advise of emerging issues.

Council members agree not to propose substantial amendments and/or revisions to any agenda item unless they provide each other and City staff 24 hours notice to review any

written proposal. If this 24 hour rule is not met, a Council member may present his or her proposal at a Council meeting, but the Council shall not vote, discuss, debate or take other action on such proposal until the following regular City Council meeting.

To provide staff the necessary preparation time, Council members will use best efforts to provide staff advance notice of any questions or concerns they may have regarding an agenda item prior to a public meeting, if possible.

- 4.6 Council Representation.** If a Council member appears on behalf of the City before another governmental agency, a community organization, or through the media, for the purpose of commenting on an issue, the Council member must state the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Council member clarifies that these statements do not represent the Council's position. Council members must obtain other Council member's concurrence before representing another Council member's views or positions with the media, another governmental agency or community organization.

SECTION 5. ORDINANCES/CITY DOCUMENTS

5.1 All ordinances, resolutions, contracts, motions, amendments and other City documents shall be reviewed by the City Attorney. An individual Council member may contact the City Attorney to request the preparation of motions for a Council meeting. No ordinance, resolution or contract shall be prepared for presentation to the Council, unless requested by a majority of the Council or by the City Manager.

5.2 **Ordinances.** The following rules shall apply to the introduction, adoption and/or amendment of all ordinances:

(1) **First Reading of Ordinances.** An ordinance shall be scheduled for first reading at any regular or special City Council meeting. First reading of any ordinance shall be amending Title 19 of the Mercer Island City Code shall be advertised as a public hearing consistent with MICC 19.14.010(D)(4) and shall be listed on the Council's agenda as a public hearing. All other ordinances shall be listed on the Council's agenda as regular business. The City Council will consider all public testimony and any Council member may direct the City Manager/City Attorney to prepare any amendments to the ordinance for consideration during second reading and adoption.

(2) **Second Reading/Adoption.** An ordinance that has previously been introduced for first reading may be scheduled for second reading and adoption at any regular or special City Council meeting. Second reading and adoption of an ordinance may be advertised as a public hearing if the City Council has directed staff to continue the public hearing to second reading. If the public hearing has not been continued, the City Council may still consider public testimony prior to adoption. The ordinance shall be listed on the Council's agenda as either regular business or as a part of the consent calendar.

Any amendments that any Council member has directed the City Manager/City Attorney to prepare will be included as proposed amendments in the Council packet for the Council's consideration. In the event that further amendments (other than clerical, punctuation or other non-substantive amendments) are requested at second reading, the ordinance shall be continued to the next regular City Council meeting for adoption.

(3) **Exceptions.** This Rule shall not apply to any housekeeping ordinances that the City Manager recommends be adopted at first reading or any ordinances that Council determines require an effective date precluding a second reading, so long as Council suspends this Rule pursuant to Section 11. This Rule shall not apply to public emergency ordinances, necessary for the protection of public health, public safety, public property or public peace consistent with RCW 35A.11.12.

(Section 5.2 Updated August 2, 2004)

SECTION 6. MAYOR AND DEPUTY MAYOR

6.1 The Presiding Officer at all meetings of the Council shall be the Mayor, and in the absence of the Mayor, the Deputy Mayor will act in that capacity. If both the Mayor and Deputy Mayor are absent, the Mayor will appoint another Council member as acting Mayor. If the Mayor fails to appoint an acting Mayor, the Council members present shall elect one of its members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor.

6.2 The Presiding Officer shall:

- (1) Preserve order and decorum in the Council chambers;
- (2) Observe and enforce these Rules;
- (3) Recognize Council members in the order in which they request the floor. The Presiding Officer, as a Council Member, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Council members;
- (4) Appoint Council members to serve on City Council Committees, ad hoc committees and to serve as liaisons to advisory boards and commissions; Recommend appointment of citizens to serve on advisory boards and committees; and
- (5) Impose Council member sanctions for violation of these Rules consistent with Section 12 of these Rules.

6.3 Mayor and Deputy Mayor Elections

- (1) Any Council Member may nominate a candidate; no second is needed.
- (2) Nominations are closed by a motion, second and 2/3 vote of Council.
- (3) If only one (1) nomination is made, it is appropriate to make a motion and obtain a second to instruct the City Clerk to cast a unanimous ballot for that nomination. Approval is by majority vote of Council members present.
- (4) If more than one (1) nomination is made, an open election is conducted by roll call vote.
- (5) To be elected, the nominee needs a majority vote of the Council.
- (6) Elections will continue until a Mayor and Deputy Mayor are elected by a majority vote of the Council.
- (7) The City Clerk shall declare the nominee receiving the majority vote as the new Mayor. The new Mayor shall declare the nominee receiving the majority vote as the new Deputy Mayor. The Clerk shall swear the individuals into office.

SECTION 7. COUNCIL RELATIONS WITH CITY STAFF

- 7.1** Council members will focus primarily on policy matters and not administrative issues.
- 7.2** The City Manager is the primary point of contact between the City Council and the staff.
- 7.3** There will be mutual respect from both City staff and Council members of their respective roles and responsibilities when, and if, expressing criticism in a public meeting.
- 7.4** City staff will acknowledge the Council as policy makers, and the Council members will acknowledge City staff as administering the Council's policies.
- 7.5** All written informational material requested by individual Council members shall be delivered by City staff, after approval by the City Manager, to all Council members with a notation indicating which Council Member requested the information.
- 7.6** Council members shall not attempt to coerce or influence City staff in the selection of personnel, the awarding of contracts, the selection of consultants, the processing of development applications, the granting of City licenses or permits, interpretation and implementation of Council policy, or in any other matter involving the administration of City business.
- 7.7** The Council shall not attempt to change or interfere with the operating rules and practices of any City department.
- 7.8** No Council member shall direct the City Manager or Department Directors to initiate any action or prepare any report that is significant in nature, or initiate any significant project or study without the consent of a majority of the Council. A matter shall be deemed to be "significant" if it would require more than one (1) hour of staff time. Once notified that a request for information or staff support would require more than one (1) hour, the Council member may seek to place the request on an upcoming Council agenda consistent with Section 3.2.
- 7.9** Individual Council requests for information can be made directly to the Department Director unless otherwise determined by the City Manager. If the request would create a change in work assignments or require the Department Director or his or her staff to work in excess of 1 hour, the request must be made through the City Manager.

SECTION 8. CITY BOARDS AND COMMISSIONS

- 8.1** Mercer Island's boards, commissions and ad hoc committees provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Council members in the decision-making process. Effective citizen participation is an invaluable tool for local government.
- 8.2** These advisory bodies originate from different sources. Some are established by Title 3 of the Mercer Island City Code while others are established by motion or ordinance of the City Council. It is at the discretion of the Council as to whether or not any advisory body should be established by ordinance. Title 3 of the Mercer Island City Code establishes the following advisory boards and commissions for 2004:
- (1)** Design Commission
 - (2)** Planning Commission
 - (3)** Utility Board
 - (4)** Youth and Family Services Board
 - (5)** Mercer Island Arts Council
- 8.3** The adoption of uniform rules of procedure is necessary to assure maximum productivity for these boards and commissions.
- 8.4** The Council may dissolve any advisory body that, in their opinion, has completed its working function or for any other reason.
- 8.5** Members and alternate members of all advisory bodies are recommended for appointment by the Mayor, following consultation with the Council Liaison and staff, during a regularly scheduled meeting, subject to City Council approval.
- 8.6** Vacancies are advertised so that any interested citizen may submit an application. Applicants must be citizens of the City of Mercer Island if required by the Mercer Island City Code or if required by the Mayor. Councilmembers will be notified of any vacancy in any board or commission. Council members are encouraged to solicit applications from qualified citizens. Applications shall be available from the Office of the City Clerk. The City Clerk will retain completed applications for 2 weeks for City Council review.
- 8.7** Lengths of terms vary from one advisory body to another, but in all cases overlapping terms are intended. On ad hoc committees, where a specific project is the purpose, there will not be terms of office.
- 8.8** All meetings of advisory bodies are open to the public in accordance with Chapter 42.30 RCW, Open Public Meetings Act and require a minimum 24 hour advance notice.
- 8.9** The number of meetings related to business needs of the advisory group may be set by the individual body, unless set forth in a resolution or ordinance or unless the number of meetings adversely impacts City staff resources, as determined by the City Manager.

- 8.10** Members may be removed, from any advisory committee, prior to the expiration of their term of office, by a majority vote of the City Council.
- 8.11** All members of advisory bodies should be aware of the need to avoid any instance of conflict of interest. No individual should use an official position to gain a personal advantage.
- 8.12** The City Council transmits referrals for information or action through the City Manager and the City Council liaison to the advisory groups. These advisory groups transmit findings, reports, etc., to the City Council through the City Manager and City Council liaison.
- 8.13** While the City staff's role is one of assisting the boards and commissions, the City staff members are not employees of that body. The City staff members are directly responsible to his or her Department Director and the City Manager.
- 8.14** Annually, staff shall develop a draft work program for each board and commission based upon the City Council's annual work plan. Staff will present the draft work program to each board and commission for input and revision. All Board and commission work programs will then be presented to the City Council for review, possible amendments and approval. Boards and commissions shall not direct City staff to perform research, gather information or otherwise engage in activities involving projects or matters that are not listed on the work plan unless approved by the City Council or City Manager. Copies of board and commission agendas will be included in City Council regular meeting packets.
- 8.15** **Roles & Duties for Council Liaison.** The Mayor may appoint a Council liaison for any boards or commissions. The Council liaison shall report objectively on the activities of both the City Council and the advisory group. Any member of the Council is allowed to attend advisory committee meetings so long as a quorum is not present. The Council liaison shall report objectively on the activities of both the City Council and the advisory group. The specific duties of a Council liaison are as follows:
- (1) Attend meetings of the board or commission on a regular basis and sit at the table or dais, as applicable.
 - (2) Except in quasi-judicial matters, may participate in discussion and debate of the board or commission but may not vote on any matter.
 - (3) Represent the majority City Council position, if known.
 - (4) Participate in a manner that will not intimidate or inhibit the meetings and operations of the board or commission. Make comments in a positive manner so as to promote positive interaction between Council and the board or commission.
 - (5) Be prepared to give Council regular and timely reports at every regular City Council meeting. Take the lead on discussion items before the Council which pertain to the assigned board or commission.
 - (6) With the Mayor, evaluate potential candidates for appointment to the board or commission. Based upon liaison and Council input, the Mayor will recommend appointment of candidates subject to City Council approval.
 - (7) Schedule with Council an annual presentation by the board or commission and staff on the annual work program, projected goals and funding

requirements. These presentations should be integrated with the annual budget process.

- (8)** Schedule with Council an annual presentation by staff on the annual work program, projected goals and funding requirements. These presentations should be integrated with the annual budget process.

(Section 8 Updated February 21, 2006)

SECTION 9 COUNCIL COMMITTEES

- 9.1** Council committees are policy review and discussion arms of the Council. Committees may study issues and develop recommendations for consideration by the Council. Committees may not take binding action on behalf of the City Council. Council Committee structure shall be as determined by the City Council in January of each year.
- 9.2** Committees shall establish regular meeting schedules as determined by the Chair of the Committee.
- 9.3** Each committee will have staff support assigned by the City Manager. Staff will work with the committee chairs to set agendas, provide support materials and prepare reports.
- 9.4** The City Manager or Mayor may send issues directly to committees for their review or a matter may be referred to a committee by Council vote or consensus.
- 9.5** Committee appointments (chairs and members) shall be made by the Mayor. The Mayor will take into account the interests and requests of individual Council members in making committee assignments.
- 9.6** Membership of each committee will consist of three (3) Council members.
- 9.7** The Mayor will make committee assignments each January in which there is an election of the Mayor and Deputy Mayor.

SECTION 10 COUNCIL WORK PROGRAM

- 10.1** The Council shall attend an annual retreat during the first quarter of each year. During this retreat, Council will agree upon an annual work program.
- 10.2** Any modifications to this work program will require a formal majority affirmative vote; provided, however, that this Rule will not interfere with the City Manager performing his professional administrative duties including, without limitation, implementing additional staff work to improve the operation or functioning of the City and/or Council at any time.

SECTION 11 SUSPENSION AND AMENDMENT OF RULES

- 11.1** Any provision of these rules not governed by state law or ordinance, may be temporarily suspended by a two-thirds (2/3) majority vote of the Council.

- 11.2** These rules may be amended or new rules adopted, by a majority vote of the Council.

SECTION 12

SANCTIONS FOR RULE VIOLATIONS

12.1 Council members may be sanctioned for violation of these Rules in any of the following ways:

- (1)** Two (2) or more Council members may call an executive session under RCW 42.30.110(f) to discuss complaints brought against a public officer;
- (2)** Public censure if a majority of Council supports public censure. During a regular City Council meeting, the Mayor shall state in detail the Rule(s) violated and the Council member's conduct resulting in violation of the Rule. The Council member who is the subject of the sanction shall have the opportunity to rebut;
- (3)** The Mayor may terminate committee, board or liaison assignments; and/or
- (4)** Any other appropriate action decided by a majority of the City Council.

APPENDIX “A”

PARLIAMENTARY RULES AND MOTIONS

- (1) If a motion does not receive a second, it dies. Motions that do not need a second include: nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.
- (2) A motion that receives a tie vote is deemed to have failed.
- (3) When making motions, be clear and concise and do not include arguments for the motion within the motion.
- (4) After a motion and second, the Mayor will indicate the names of the Council members making the motion and second.
- (5) No further citizen comments may be heard when there is a motion and a second on the floor and Council should attempt to ask questions of staff prior to such motion and second.
- (6) When the Council concurs or agrees to an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion. Council members may object to such summary if any feel the summary does not reflect the Council consensus.
- (7) A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.
- (8) A motion to table is undebatable and shall preclude all amendments or debates of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future regular or special meeting at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.
- (9) A motion to postpone to a certain time is debatable as to the reason for the postponement but not to the subject matter of the motion; is amendable; and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future regular or special City Council meeting.
- (10) A motion to postpone indefinitely is debatable as to the reason for the postponement as well as to the subject matter of the motion; is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.
- (11) A motion to call for the question shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' (2/3) vote; debate is reopened if the motion fails.
- (12) A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.

- (13) Motions that cannot be amended include: Motion to adjourn, agenda order, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order.
- (14) Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- (15) The motion maker, Mayor or City Clerk should repeat the motion prior to voting.
- (16) At the conclusion of any vote, the Mayor will announce the results of the vote.
- (17) When a question has been decided, any Council member who voted in the majority may move for reconsideration.
- (18) Roll call votes will be taken if requested by a Council member.

CITY OF MERCER ISLAND

CITY COUNCIL

RULES OF PROCEDURE

ADOPTED

April 19, 2004

AMENDED

August 2, 2004

February 21, 2006

June 19, 2006

Month day, 2017

INDEX

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SECTION 1 GOVERNANCE AND AUTHORITY

1.1 Council-Manager Form of Government

The City of Mercer Island is a Council-Manager form of government. As described in the municipal code and [chapter 35A.13 of the Revised Code of Washington \("RCW"\)](#), certain responsibilities are vested in the City Council and the City Manager. This form of government prescribes that a City Council's role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is and gives direction to the City Manager to administer the affairs of the city government in a businesslike and prudent manner.

1.2 Rules of Procedure

The Mercer Island City Council hereby establishes the following Rules of Procedure ("Rules") pursuant to the authority set forth in Mercer Island City Code [\("MICC"\) 2.06.050\(A\)](#), for the conduct of Council meetings, proceedings and business. These Rules shall be in effect upon adoption by the Council and until such time as they are amended or new Rules adopted in the manner provided by these Rules.

1.3 Orientation of New Councilmembers

The City Manager will host an orientation program for newly-elected or appointed Councilmembers, including guidance on the Open Government Trainings Act enacted in 2014, which requires training in the fundamentals of the Open Public Meetings Act (OPMA), Public Records Act (PRA), and records retention requirements.

1.4 Mentoring of New Councilmembers

Current Councilmembers shall seek out opportunities to mentor newly elected or appointed Councilmembers to help them gain an understanding of their role as Councilmember.

SECTION 2 COUNCIL ORGANIZATION

Commented [AS1]: New section created

2.1 Swearing-In. New Councilmembers shall be sworn in by the City Clerk.

2.2 Election of Mayor and Deputy Mayor. The Council shall elect a Mayor and Deputy Mayor for a term of two years. The City Clerk shall conduct the elections for Mayor and Deputy Mayor at the first Council meeting of each even-numbered year as follows:

Commented [AS2]: Amended and moved from Section 5

- (1) Any Councilmember may nominate a candidate; no second is needed.
- (2) Nominations are closed by a motion, second and 2/3 vote of Council.
- (3) If only one (1) nomination is made, it is appropriate to make a motion and obtain a second to instruct the City Clerk to cast a unanimous ballot for that nomination. Approval is by majority vote of Councilmembers present.
- (4) If more than one (1) nomination is made, an open election is conducted by roll call vote.
- (5) To be elected, the nominee needs a majority vote of the Council.
- (6) Elections will continue until a Mayor and Deputy Mayor are elected by a majority vote of the Council.
- (7) The City Clerk shall declare the nominee receiving the majority vote as the new Mayor. The new Mayor shall declare the nominee receiving the majority vote as the new Deputy Mayor. The Clerk shall swear the individuals into office.

2.3 Duties of Officers.

Commented [AS3]: Amended and moved from Section 5

- (1) Mayor. The Mayor serves as the Presiding Officer and acts as chair at all meetings of the City Council. The Mayor may participate in all deliberations of the Council in the same manner as any other members and is expected to vote in all proceedings, unless a conflict of interest exists. The Mayor does not possess any power of veto. The Mayor may not move an action, but may second a motion. The Mayor is assigned as the Ceremonial Representative at public events and functions. The Mayor is vested with the authority to initiate and execute proclamations.
- (2) Deputy Mayor. The Deputy Mayor serves as the Presiding Officer in the absence of the Mayor and assumes Ceremonial Representative responsibilities when needed. If both the Mayor and Deputy Mayor are absent, the Mayor will appoint another Councilmember as acting Mayor. If the Mayor fails to appoint an acting Mayor, the Councilmembers present shall elect one of its members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor.
- (3) Presiding Officer. The Presiding Officer shall:
 - (i) Preserve order and decorum in the Council Chambers;
 - (ii) Observe and enforce these Rules;
 - (iii) Call the meeting to order;
 - (iv) Keep the meeting to its order of business.

- (v) Recognize Councilmembers in the order in which they request the floor. The Presiding Officer, as a Councilmember, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers;
- (iv) Appoint Councilmembers to serve on City Council Committees, ad hoc committees and to serve as liaisons to advisory boards and commissions; Appointment citizens to serve on advisory boards and committees (with affirmation from the Council); and
- (v) Impose Councilmember sanctions for violation of these Rules consistent with Section 12 of these Rules.

2.4 Filling a Council Vacancy. If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 42.12.070. In order to fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy, the procedure by which the vacancy will be filled, and an application form. The Process to Fill a Mercer Island City Council Vacancy is outlined in Appendix C to these Rules.

SECTION 23. COUNCIL MEETINGS

3.1 General Meeting Guidelines

- (1) Open Public Meeting Act.** All Council Meetings shall comply with the requirements of the Open Meetings Act (chapter 42.30 RCW). All Regular Meetings and Special Meetings of the Council shall be open to the public.
- (2) Meeting Cancellation.** Any Council Meeting may be canceled by a majority vote or consensus of the Council. The Mayor or City Manager may cancel a Council Meeting for lack of agenda items.
- (3) Quorum.** Four members of the Council shall constitute a quorum and are necessary for the transaction of City business. In the absence of a quorum, the members present may adjourn that meeting to a later date.
- (4) Attendance and Absences.** Pursuant to RCW 35A.13.020, Councilmembers shall comply with RCW 35A.12.060, Vacancy for non-attendance, which reads as follows: "In addition a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council." Councilmembers shall contact the Mayor or City Manager's office no later than 5:00 p.m. of the day of the meeting requesting he/she be excused from the meeting and stating the reason for such absence. Failure to comply, except in cases of emergency, shall result in an unexcused absence. During Councilmember Absences (Other Business), the Mayor shall note if Councilmember's absence is excused or unexcused. The clerk will make the appropriate notation in the minutes.
- (5) Councilmember Seating.** At the dais, the Mayor shall sit in Chair #4, the center seat at the dais, the Deputy Mayor shall sit to the Mayor's right or left, in Chair #3 or #5. The Mayor will determine the seats of the remaining Councilmembers.
- (6) City Clerk and Minutes.** The City Clerk (or authorized designee) shall attend all regular and special council meetings and keep an account of all proceedings of the Council (minutes) in accordance with the statutory requirements RCW 35.23.151 and RCW 42.32.030. The minutes from previous meetings will be posted on the City website in draft format prior to Council meetings as part of the Council packet. Councilmembers are encouraged to inform the City Clerk and City Manager of any errors or proposed changes in advance of the meeting. If a Councilmember wishes to make any corrections to the minutes, they must request to have the set of minutes pulled from the Consent Calendar and make a motion to revise the minutes. Any corrections to the minutes will be so noted and the draft minutes will be revised with the corrections. Once Council has approved the minutes (as presented or revised), the final version of the minutes will be posted to the City's website and archived as the City's official record.

Commented [AS4]: New section added:

- (1) ADDED > OPMA Compliance
- (2) ADDED > Meeting Cancellation
- (3) ADDED > Quorum
- (4) MOVED AND AMENDED > from section 2.2(1)
- (5) MOVED > from section 2.3/4
- (6) MOVED AND AMENDED > from section 2.3
- (7) ADDED > Council Chambers Code of Conduct

Commented [AS5]: Committee requested language be added about amending minutes.

(7) Council Chambers Code of Conduct. The City Hall Council Chambers Code of Conduct is attached as Appendix B to these Rules.

2-13.2 Types of Meetings

(1) Regular Meetings. Council's regular meetings will be held the first and third ~~Mondays~~ ~~Tuesdays~~ of each month in the City Hall Council Chambers (9611 SE 36th Street, Mercer Island) City Hall.

Commented [AS6]: Policy Decision #1 - Council Meeting Day

Regular Council meetings will begin at the hour of 7:00 p.m., and will ~~make every effort to~~ adjourn no later than 10:00 p.m. The Council may continue past this time of adjournment by a two-thirds (2/3) vote of the Councilmembers in attendance at the meeting.

Commented [AS7]: Policy Decision #2 - Meeting Start Time

Commented [AS8]: Policy Decision #3 - Hour of Adjournment

If any ~~Monday~~ ~~Tuesday~~ on which a meeting is scheduled falls on a legal holiday, the meeting shall be held at 7:00 p.m. on the first business day following the holiday, or on another day designated by a majority vote of the Council.

(2) Special Meetings. A special meeting is any Council meeting other than a regular council meeting. Notice shall be given at least 24 hours in advance specifying the time and place of the meeting and the business to be transacted. A special council meeting may be scheduled by the Mayor, City Manager or at the request of a majority of the Councilmembers.

~~**(3) Study Sessions.** Study sessions will be held at 6:00 p.m., when needed and may be called by the Mayor, City Manager or by a majority of the Councilmembers.~~

Commented [AS9]: Moved to Section 3.3(4)

~~Study sessions will be informal meetings for the purpose of reviewing forthcoming programs, receiving progress reports on current programs or projects, or receiving other similar information.~~

~~No final decisions can be made at a study session. Decisions on those issues will be scheduled for a regular or special council meeting.~~

(43) Emergency Meetings. An emergency meeting is a special council meeting called without 24-24-hour notice. An emergency meeting may only be called as a result of an emergency involving injury or damage to persons or property or the likelihood of such injury or damage or when time requirements of a 24-24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor. The minutes will indicate the reason for the emergency.

(54) Executive (Closed) Sessions-Meetings. An executive session is a portion of a Council meeting that is closed except to the Council, City Manager, City Attorney and staff members and/or consultants authorized by the City Manager. The public is

restricted from attendance. Executive sessions may be held during regular or special council meetings and will be announced by the Mayor or the Chair of a council committee, respectively. Executive session ~~subjects are~~ may be held for limited purposes consistent with ~~pursuant to Chapter~~ RCW 42.30.110(1) and RCW 42.30.140(4)(a). RCW, Permissible topics include:ing considering real property acquisition and sale, public bid contract performance, complaints against public officers and employees, review of collective bargaining agreements, public employment applications and evaluations, and certain attorney-client discussions. Before convening an executive session, the Mayor or Chair shall announce the purpose of the meeting. Pursuant to RCW 42.23.070(4), Councilmembers must maintain the confidentiality of all written materials and verbal information provided during Executive Sessions to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered exempt from production under the Public Records Act, chapter 42.56 RCW. If a Councilmember unintentionally discloses Executive Session material with another party, that Councilmember shall promptly inform the City Manager and/or the City Council of the disclosure.

- (5) **Annual Planning Session.** Each year the Council shall attend an annual planning session (2- or 3-day retreat) during the first quarter of the year. During this planning session, the Council will agree upon City Council Goals for the next two years.
- (6) **Mini-Planning Session.** Each year the Council shall attend a mini-planning session (1-day retreat) at the end of the second quarter of the year. During this mini-planning session, Council will review the progress on the City Council Goals.

2-23.3 Order of Regular Council Meeting Agenda

- (1) Call Meeting to Order & Roll Call.** The Mayor calls the meeting to order. The City Clerk will take roll call and record names of those present and absent in the minutes. Any absent Councilmember who has called the Mayor or City Manager's Office prior to 5:00 p.m. on the day of the meeting to advise of such absence will be deemed excused. ~~The Mayor will announce the attendance of Council members and indicate any Council Member who is not in attendance and whether or not the Council Member has an excused absence.~~
- (2) Agenda Approval/Amendment.** Agenda items may be added to a regular Council meeting agenda after the meeting notice is published, if a Councilmember or City Manager explains the necessity and receives a majority vote of the Council. The Mayor may, with the concurrence of the Councilmembers, take agenda items out of order.

Commented [AS10]: Policy Decision #4 - Councilmember Absences

(3) Executive Sessions. Executive sessions made be held before, during or after the open session portion of either a regular or special meeting. See Section 2.2(5).

(4) Study Sessions. Study sessions will be held, when needed, from at 6:00-7:00 p.m. before a regular meeting, when needed and. They may be called by the Mayor, City Manager or by a majority of Councilmembers. Study sessions will be informal meetings for the purpose of reviewing forthcoming programs and projects, receiving progress reports on current programs or projects, or receiving other similar information. No final decisions can be made at a study session. Decisions on those issues will be scheduled for a regular or special council meeting.

~~(3)(5) Special Business and Proclamations and Presentations. Special Business Items may include the presentation of a proclamation or other presentation to elected officials, staff, or the public by the City or presentations to the City or any official made by someone else. A Proclamation is defined as an official announcement made by either the City Council or the Mayor on behalf of the City Council. The purpose of a Proclamation is to recognize the efforts of a particular group or increase awareness of an activity. City Council Proclamations are defined as those non-controversial events which have a major citywide impact. City Council The Mayor and City Manager shall determine approval of Proclamation requests that have a strong local advocate or a local relevance to Mercer Island or City issues and events. Proclamations shall be publicly read at a City Council meeting and presented to a representative of the event during the Council meeting. Mayor's Proclamations are defined as those non-controversial events which are requested by and for a special interest group within the City. Mayor's Proclamations are signed by the Mayor and forwarded to a representative of the event. The Mayor and City Manager shall determine if the Proclamation request is for a City Council Proclamation or a Mayor's Proclamation. Controversy is defined as a dispute, especially a lengthy and public one, between sides holding opposing views.~~

Commented [AS11]: Section amended per Committee's direction

(6) City Manager Report. In an effort to keep the Council and public informed of City business, the City Manager may provide an oral report, make comments, extend compliments, express concerns, or make announcements concerning any topic during this time.

Commented [AS12]: Policy Decision #5 - City Manager Report

~~(47) Citizen Comment/"Appearances" (Public Comment). During the Appearances section of the regular meeting agenda, Members of the audience are invited to address the Council regarding may comment on any matter, except items before the Council requiring a public hearing, any quasi-judicial matters, or campaign-related matters. Each person addressing the Council will step up to the podium, give their name and address for the record, and shall limit their Ccomments are limited to three (3) minutes, except that for a person speaking on behalf of a group, comments are limited to five (5) minutes. The Mayor will announce these time periods at the commencement of Appearances. Persons addressing the Council will be requested to step up to the podium and give their name and address for the~~

~~record.~~ No speaker may convey or donate his or her time for speaking to another speaker. The Mayor may grant additional time for citizen comments.

The Mayor may allow citizens to comment on individual agenda items at times during any regularly scheduled City Council meeting other than the regularly scheduled ~~Citizen Comment~~Appearances period.

All remarks will be addressed to the Council as a whole, and not to individual City Council members or staff members. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested by the Mayor to leave the meeting. The Council cannot accept comments on any campaign-related matters (elections for individual offices or ballot propositions) except under specific circumstances where consideration of a ballot measure is on the Council agenda. RCW 42.17A.555.

The City Clerk will ~~record~~summarize all citizen comments in the minutes. Traditionally, the Council does not respond to comments made at the meeting, but will follow up, or have staff follow up, with the speaker if appropriate. ~~At the next scheduled regular Council meeting, the City Manager will report on such citizen comments and advise the Council whether the matter was referred to City staff, a Council Committee, placed on a future City Council meeting or other City response. Citizen comments that do not request City staff action but merely are advising the City Council of the citizen's position on a policy matter will not be included in the City Manager's report.~~

~~(5) Minutes.~~ The City Clerk will keep an account of all proceedings of the Council in accordance with the statutory requirements, and proceedings will be entered into a minute book constituting the official record of the Council. The City Council will approve minutes from prior Council meetings by majority affirmative vote. Council meeting minutes will not be revised without a majority affirmative vote of the Council.

(68) Consent Calendar. Consent Calendar items have either been fully considered by a City Council ~~Committee~~Subcommittee or are considered to be routine and non-controversial and may be approved by one motion. Items on the Consent Calendar include, without limitation, payables, payroll, minutes, resolutions and ordinances discussed at a previous City Council meeting, bid awards, and previously authorized agreements. A Councilmember may remove a consent agenda item from the consent calendar for separate discussion and action. If removed, that item will become the first item of business under Regular Business of the same meeting.

(79) Public Hearings. There are two types of public hearings: legislative and quasi-judicial. The Mayor will state the public hearing procedures before each public hearing. Citizens may comment on public hearing items.

Commented [AS13]: Policy Decision #6 - Appearances Follow-Up

Commented [AS14]: Moved to Section 3.1(6)

- (i) **Legislative Public Hearings.** The purpose of a legislative public hearing is to obtain public input on legislative or policy decisions, including without limitation, review by the City Council of its comprehensive ~~land use~~ plan or biennial budget.
- (ii) **Quasi-Judicial Public Hearings.** The purpose of a quasi-judicial public hearing is to decide issues involving the rights of specific parties including, without limitation, certain land use matters such as site specific rezones ~~and~~, preliminary long plats, ~~and variances~~.

The City Council’s decision on a quasi-judicial matter must be based upon and supported by the “record” in the matter. The “record” consists of all testimony or comment presented at the hearing and all documents and exhibits that have been submitted.

In quasi-judicial hearings, Councilmembers shall comply with all applicable laws including without limitation the appearance of fairness doctrine (Chapter 42.36 RCW). The appearance of fairness doctrine prohibits ex parte (outside the hearing) communications; prohibits a Councilmember from making a determination on the matter in advance of the hearing; requires the hearing to be fair and impartial; and prohibits the participation of any Councilmember who has a conflict of interest or financial interest in the outcome of the hearing.

A Councilmember shall consult with the City Attorney to determine whether or not he or she should recuse themselves from the quasi-judicial hearing discussion and decision.

(810) Regular Business. Regular Business items are all other regular Council business, including resolutions and ordinances requiring Council action.

(911) Other Business. The Council will discuss upcoming Councilmember absences (and the Mayor will note excused or unexcused absences), the Planning Schedule, Board and/or Commission appointments and Councilmember reports. During Councilmember reports, Councilmembers may report on significant activities since the last meeting; provided, however, that Councilmembers may not enter into debate or discussion on any item raised during a Council report.

Commented [AS15]: Policy Decision #4 - Councilmember Absences

(1012) Adjournment. With no further business to come before the Council, the Mayor adjourns the meeting.

~~2.3 COUNCILMEMBER SEATING~~

Commented [AS16]: Moved to Section 3.1(5)

~~A Councilmember’s seat at the dais will be determined as follows:~~

~~(1) — The Mayor shall sit in Chair #4, the center seat at the dais, the Deputy Mayor shall sit to the Mayor's right or left, in Chair #3 or #5 and the City Manager shall sit to the Mayor's left or right, in Chair #5 or #3.~~

~~(2) — The Mayor will determine the seats of the remaining Councilmembers.~~

(Section 2.1(1) Updated June 19, 2006)

SECTION 34. AGENDA PREPARATION

34.1 The City Manager in consultation with the Mayor and Deputy Mayor will prepare an agenda for each Council meeting. ~~setting forth a brief general description of each~~ The City Clerk will prepare an agenda packet for each Council meeting specifying the time and place of the meeting. Each item shall be titled to include a brief description of the item to be considered by the Council.

34.2 An item may be placed on a Council meeting agenda by (1) the City Manager; (2) the Mayor; or (3) two or more Councilmembers. any of the following methods:

- ~~(1) — By the City Manager;~~
- ~~(2) — By two (2) or more Councilmembers; or~~
- ~~(3) — By the Mayor.~~

~~Preparation of any agenda bill and supporting documents will be limited by the one (1) hour rule set forth in Rule 7.8 herein.~~

34.3 Agenda materials will be posted to the City's website and a link to the online packet will be emailed to an established mailing list (including Council and staff) available at City Hall for the Council, City staff, media and public by 5:00 p.m. on the Thursday before the meeting. Hard copies of agenda materials will be available in the HAM radio room in the Police Department lobby, for Councilmembers requesting such to pick up.

34.4 The City Manager will prepare and keep current the Planning Schedule, the calendar of agenda items for all Council regular and special meetings. The Council may use the agenda bill "Recommendation" language for making a motion.

Commented [AS17]: Policy Decision #7 - Paper Agenda Packets Delivery

SECTION 45. COUNCIL PROTOCOLS

45.1 Roberts Rules/Council Rules. All Council discussion shall be governed by *Roberts Rules of Order, Newly Revised* or by these Rules. Examples of parliamentary rules and motions are shown in Appendix A to these Rules. In the event of a conflict, these Rules shall control. The City Attorney shall decide all questions of interpretations of these Rules and other questions of a parliamentary nature ~~which~~that may arise ~~at~~during a Council meeting.

45.2 Citizen Comment Protocols. Council agrees to adhere to the following protocols during Citizen Comment:

- (1) Council shall listen attentively to the citizen comments.
- (2) Council shall avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal, disparaging actions when citizens are speaking.
- (3) Council shall not engage in debate or discussion with any individual citizen but may be recognized by the Mayor in order to ask the citizen clarifying questions.
- ~~(4) The Mayor will summarize at the end of citizen comment that the City Manager will be responding to comments requesting staff action at the next regularly scheduled Council meeting or that Council appreciates the citizen input on the other policy matters.~~

45.3 Discussion Protocols. Council agrees to adhere to the following protocols for Council discussion and debate:

- (1) Be courteous and professional at all times.
- (2) Avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal disparaging actions when colleagues or staff are speaking.
- (3) Be recognized by the Mayor before speaking.
- (4) Be respectful of the City Manager and staff.
- (5) Speak in turn after being recognized.
- (6) Do not personally criticize other members who vote against or disagree with you.
- (7) Do not be repetitive in your arguments or discussion.
- (8) Respect ~~each other~~each other's differences, honor disagreements, vote and move on.

45.4 Council Decisions. Councilmembers recognize that they are part of a legislative or corporal body. As such, when the Council has voted to approve or pass an agenda item, the members agree not to contact staff to encourage actions inconsistent with such Council action or take other action adversely impacting staff resources. Councilmembers may not bring any approved action up for reconsideration following Council review and approval of such agenda item except by majority vote. The City Council's goal is to make final decisions and not to revisit or reconsider such decisions.

45.5 No Surprise Rule. Councilmembers should use best efforts to contact~~call each other~~ and the City Manager ~~on key issues~~ to advise of emerging issues.

Generally, Councilmembers agree not to propose substantial amendments and/or revisions to any agenda item unless they provide each other and City staff 24-hours' advance notice to review any written proposal. If this 24-24-hour rule is not met, a Councilmember may present his or her proposal at a Council meeting, ~~but the Council shall not vote, discuss, debate or take other action on such proposal until the following regular City Council meeting.~~

To provide staff the necessary preparation time, Councilmembers will use best efforts to provide staff advance notice of any questions or concerns they may have regarding an agenda item prior to a public meeting, if possible.

5.6 Possible Quorum. Any member of the Council can attend any City board, commission, ad hoc, or subcommittee meeting; however, if a quorum of the Council (4 or more Councilmembers) is present at any of these meetings, Councilmembers shall "self-police" by not sitting together and not discussing City business. For community or regional meetings where there may be 4 or more Councilmembers in attendance, the City Clerk may notice the meetings for possible quorum.

4-65.7 Councilmember In-Person Representation. If a Councilmember appears on behalf of the City before another governmental agency or, a community organization, ~~or through the media~~, for the purpose of commenting on an issue, the Councilmember must state the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position but rather those of the individual Councilmember. Councilmembers must obtain other Councilmember's concurrence before representing another Councilmember's views or positions with ~~the media~~, another governmental agency or community organization.

5.8 Use of City Letterhead. Use of City letterhead by the City Council shall be confined to conduct of official City business or communicating messages of the City. City letterhead of any kind shall only be used by the City Council at the direction of the Mayor or his or her designee. Individual Councilmembers shall not use City letterhead to communicate individual or personal messages or opinions.

5.9 Mail. Mail which Councilmembers receive during the week will be placed in their respective mailboxes at City Hall (located outside the City Manager's office) as it arrives. Councilmembers will have access to their mailboxes during regular business hours. Accumulated mail will be included with hard copy agenda packets or placed on the dais before Council meetings.

SECTION 56. ORDINANCES/CITY DOCUMENTS

56.1 Review. All ordinances, resolutions, contracts, motions, amendments and other City documents shall be reviewed by the City Attorney. An individual Councilmember may contact the City Attorney to request the preparation of motions for a Council meeting. No ordinance, resolution or contract shall be prepared for presentation to the Council, unless requested by a majority of the Council or by the City Manager.

6.2 Signing. The Mayor, City Clerk and City Attorney sign all ordinances and/or resolutions approved by the Council, immediately following the meeting. If the Mayor is unavailable, the Deputy Mayor signs the ordinances and/or resolutions.

5-26.3 Ordinances. The following rules shall apply to the introduction, adoption and/or amendment of all ordinances:

(1) **First Reading of Ordinances.** An ordinance shall be scheduled for first reading at any regular or special City Council meeting. ~~First reading of any ordinance shall be amending Title 19 of the Mercer Island City Code, shall be advertised as a public hearing consistent with MICC 19.14.010(D)(4) and shall be listed on the Council's agenda as a public hearing. All other ordinances shall be listed on the Council's agenda as regular business. The City Council will consider all public testimony and any A majority of the Council member~~ may direct the City Manager/City Attorney to prepare any amendments to the ordinance for consideration during second reading and adoption.

Commented [AS18]: Deleted to be consistent with MICC Title 19 as (most) public hearings are conducted by the Planning Commission

(2) **Second Reading/Adoption of Ordinances.** An ordinance that has previously been introduced for first reading may be scheduled for second reading and adoption at any regular or special City Council meeting ~~as either regular business or as a part of the consent calendar. Second reading and adoption of an ordinance may be advertised as a public hearing if the City Council has directed staff to continue the public hearing to second reading. If the public hearing has not been continued, the City Council may still consider public testimony prior to adoption. The ordinance shall be listed on the Council's agenda as either regular business or as a part of the consent calendar.~~

Commented [AS19]: Deleted to be consistent with MICC Title 19 as (most) public hearings are conducted by the Planning Commission

Any amendments that ~~a majority of the Council any Council member~~ has directed the City Manager/City Attorney to prepare will be included as proposed amendments in the Council packet for the Council's consideration. ~~In the event that~~ further amendments (other than clerical, punctuation or other non-substantive amendments) are requested at second reading, the ordinance ~~shall~~ may be continued to the next regular City Council meeting for adoption.

(3) **Exceptions.** This Rule shall not apply to:

- (i) any housekeeping ordinances that the City Manager recommends be adopted at first reading;
- (ii) ~~any budget amending ordinances;~~ or
- (iii) ~~(i)~~ any ordinances that Council determines require an effective date precluding a second reading, so long as Council suspends this Rule pursuant to Section 11.

This Rule shall not apply to public emergency ordinances, necessary for the protection of public health, public safety, public property or public peace consistent with RCW 35A.11.12.

(Section 5.2 Updated August 2, 2004)

~~SECTION 6. — MAYOR AND DEPUTY MAYOR~~

Commented [AS20]: Moved to Section 2.2 and 2.3

~~6.1 — The Presiding Officer at all meetings of the Council shall be the Mayor, and in the absence of the Mayor, the Deputy Mayor will act in that capacity. If both the Mayor and Deputy Mayor are absent, the Mayor will appoint another Council member as acting Mayor. If the Mayor fails to appoint an acting Mayor, the Council members present shall elect one of its members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor.~~

~~6.2 — The Presiding Officer shall:~~

- ~~(1) — Preserve order and decorum in the Council chambers;~~
- ~~(2) — Observe and enforce these Rules;~~
- ~~(3) — Recognize Council members in the order in which they request the floor. The Presiding Officer, as a Council Member, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Council members;~~
- ~~(4) — Appoint Council members to serve on City Council Committees, ad hoc committees and to serve as liaisons to advisory boards and commissions; Recommend appointment of citizens to serve on advisory boards and committees; and~~
- ~~(5) — Impose Council member sanctions for violation of these Rules consistent with Section 12 of these Rules.~~

~~6.3 — Mayor and Deputy Mayor Elections~~

- ~~(1) — Any Council Member may nominate a candidate; no second is needed.~~
- ~~(2) — Nominations are closed by a motion, second and 2/3 vote of Council.~~
- ~~(3) — If only one (1) nomination is made, it is appropriate to make a motion and obtain a second to instruct the City Clerk to cast a unanimous ballot for that nomination. Approval is by majority vote of Council members present.~~
- ~~(4) — If more than one (1) nomination is made, an open election is conducted by roll call vote.~~
- ~~(5) — To be elected, the nominee needs a majority vote of the Council.~~
- ~~(6) — Elections will continue until a Mayor and Deputy Mayor are elected by a majority vote of the Council.~~
- ~~(7) — The City Clerk shall declare the nominee receiving the majority vote as the new Mayor. The new Mayor shall declare the nominee receiving the majority vote as the new Deputy Mayor. The Clerk shall swear the individuals into office.~~

SECTION 7. COUNCIL RELATIONS/COMMUNICATIONS WITH CITY STAFF

- 7.1 Councilmembers will focus primarily on policy matters and *not* administrative issues.
- 7.2 The City Manager is the primary point of contact between the City Council and the staff.
- 7.3 There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities when, and if, expressing criticism in a public meeting.
- 7.4 City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies.
- 7.5 ~~Individual councilmembers will copy the City Manager on any written requests for information. The City Manager shall copy the entire Council on written responses to an individual Councilmember's request for information. All written informational material requested by individual Councilmembers shall be delivered by City staff, after approval by the City Manager, to all Councilmembers with a notation indicating which Council Member requested the information.~~
- 7.6 Councilmembers shall not attempt to coerce or influence City staff in the selection of personnel, the awarding of contracts, the selection of consultants, the processing of development applications, the granting of City licenses or permits, interpretation and implementation of Council policy, or in any other matter involving the administration of City business.
- 7.7 The Council shall not attempt to change or interfere with the operating rules and practices of any City department.
- 7.8 No Councilmember shall direct the City Manager or Department Directors to initiate any action or prepare any report that is significant in nature, or initiate any significant project or study without the consent of a majority of the Council. A matter shall be deemed to be "significant" if it would require more than one (1) hour of staff time. Once notified that a request for information or staff support would require more than one (1) hour, the Councilmember may seek to place the request on an upcoming Council agenda consistent with Section 3.2.
- 7.9 Individual Council requests for information can be made directly to the Department Director unless otherwise determined by the City Manager. If the request would create a change in work assignments or require the Department Director or his or her staff to work in excess of 1 hour, the request must be made through the City Manager.
- 7.10 Absent emergent situations, staff will respond to Councilmember emails or phone messages during business hours only.

SECTION 8. CITY BOARDS AND COMMISSIONS

- 8.1 Mercer Island's boards, commissions and ad hoc committees provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government.
- 8.2 These advisory bodies originate from different sources. Some are established by Title 3 of the Mercer Island City Code while others are established by motion or ordinance of the City Council. It is at the discretion of the Council as to whether or not any advisory body should be established by ordinance. ~~Title 3 of the Mercer Island City Code establishes t~~The following advisory boards and commissions ~~for 2004~~are established:
 - (1) Design Commission
 - (2) Planning Commission
 - (3) Utility Board
 - (4) ~~Youth and Family Services Board~~Community Advisory Board
 - (5) Mercer Island Arts Council
 - (6) Building Board of Appeals
 - (7) Open Space Conservancy Trust Board
- 8.3 ~~Each board and commissionThe adoption of uniform shall adopt rules of procedure (or bylaws) to guide governance of their board or commission. is necessary to assure maximum productivity for these boards and commissions.~~
- 8.4 The Council may dissolve any advisory body that, in their opinion, has completed its working function or for any other reason.
- 8.5 Members and alternate members of all advisory bodies are recommended for appointment by the Mayor, following consultation with the Council Liaison and staff, during a regularly scheduled meeting, subject to City Council approval.
- 8.6 Vacancies are advertised so that any interested citizen may submit an application. Applicants must be citizens of the City of Mercer Island if required by the Mercer Island City Code or if required by the Mayor. Councilmembers will be notified of any vacancy in any board or commission. Councilmembers are encouraged to solicit applications from qualified citizens. Applications shall be available from the Office of the City Clerk. The City Clerk will retain completed applications ~~for 2 weeks~~for City Council review.
- 8.7 Lengths of terms vary from one advisory body to another, but in all cases overlapping terms are intended. On ad hoc committees, where a specific project is the purpose, there will not be terms of office.
- 8.8 All meetings of advisory bodies are open to the public in accordance with Chapter 42.30 RCW, Open Public Meetings Act and require a minimum ~~24-24~~-hour advance notice.

Commented [AS21]: Policy Decision #8 - Boards and Commissions Appointments and Vacancies

- 8.9 The number of meetings related to business needs of the advisory group may be set by the individual body, unless set forth in a resolution or ordinance or unless the number of meetings adversely impacts City staff resources, as determined by the City Manager.
- 8.10 Members may be removed, from any advisory committee, prior to the expiration of their term of office, by a majority vote of the City Council.
- 8.11 All members of advisory bodies should be aware of the need to avoid any instance of conflict of interest. No individual should use an official position to gain a personal advantage.
- 8.12 The City Council transmits referrals for information or action through the City Manager and the City Council liaison to the advisory groups. These advisory groups transmit findings, reports, etc., to the City Council through the City Manager and City Council liaison.
- 8.13 While the City staff's role is one of assisting the boards and commissions, the City staff members are not employees of that body. Boards and commissions shall not direct City staff to perform research, gather information or otherwise engage in activities involving projects or matters that are not listed on the work plan unless approved by the City Council or City Manager. The City staff members are directly responsible to his or her Department Director and the City Manager.
- 8.14 ~~Annually, staff for the Planning Commission, Arts Council and Open Space Conservancy Trust Board shall develop a draft work plan and present the work plan to the City Council for review, possible amendments and approval. Annually, staff shall develop a draft work program for each board and commission based upon the City Council's annual work plan. Staff will present the draft work program to each board and commission for input and revision. All board and commission work programs will then be presented to the City Council for review, possible amendments and approval. Boards and commissions shall not direct City staff to perform research, gather information or otherwise engage in activities involving projects or matters that are not listed on the work plan unless approved by the City Council or City Manager. Copies of board and commission agendas will be included in City Council regular meeting packets.~~
- 8.15 **Roles & Duties for Council Liaison.** The Mayor may appoint a Council liaison for ~~any certain~~ boards or commissions. The Council liaison shall report objectively on the activities of both the City Council and the advisory group. ~~Any member of the Council is allowed to attend advisory committee meetings so long as a quorum is not present. The Council liaison shall report objectively on the activities of both the City Council and the advisory group.~~ The specific duties of a Council liaison are as follows:

- (1) Attend meetings of the board or commission on a regular basis and sit or do not sit at the table or dais, as applicable.

Commented [AS22]: Moved to Section 4 and elaborated

- (2) ~~Except in quasi judicial matters, may p~~Participate in discussion and debate of the board or commission, but ~~may not~~ vote on any matter ~~(except for the Open Space Conservancy Trust as the Council Liaison is a voting member).~~
- (3) Represent the majority City Council position, if known.
- (4) Participate in a manner that will not intimidate or inhibit the meetings and operations of the board or commission. Make comments in a positive manner ~~so as~~ to promote positive interaction between Council and the board or commission.
- (5) Be prepared to give Council regular and timely reports at every regular City Council meeting. Take the lead on discussion items before the Council which pertain to the assigned board or commission.
- (6) With the Mayor, evaluate potential candidates for appointment to the board or commission. Based upon liaison and Council input, the Mayor will recommend appointment of ~~candidate's~~ candidate's subject to City Council ~~approval~~ affirmation.
- ~~(7) Schedule with Council an annual presentation by the board or commission and staff on the annual work program, projected goals and funding requirements. These presentations should be integrated with the annual budget process.~~
- ~~(8) Schedule with Council an annual presentation by staff on the annual work program, projected goals and funding requirements. These presentations should be integrated with the annual budget process.~~

(Section 8 Updated February 21, 2006)

SECTION 9 COUNCIL SUBCOMMITTEES

- 9.1 Council subcommittees are policy review and discussion arms of the Council. Subcommittees may study issues and develop recommendations for consideration by the Council. Subcommittees may not take binding action on behalf of the City Council. Council Subcommittee structure shall be as determined by the City Council in January of each year.
- 9.2 Subcommittees shall establish regular meeting schedules as determined by the Chair of the subcommittee.
- 9.3 Each subcommittee will have staff support assigned by the City Manager. Staff will work with the subcommittee chairs to set agendas, provide support materials and prepare reports.
- 9.4 The City Manager or Mayor may send issues directly to subcommittees for their review or a matter may be referred to a subcommittee by Council vote or consensus.
- 9.5 Subcommittee appointments (chairs and members) shall be made by the Mayor. The Mayor will consider the interests and requests of individual Councilmembers in making subcommittee assignments.
- 9.6 Membership of each subcommittee will consist of three (3) Councilmembers.
- 9.7 The Mayor will make subcommittee assignments each January in which there is an election of the Mayor and Deputy Mayor. The City Clerk will maintain the list of appointments to established subcommittees.

SECTION 10 — COUNCIL WORK PROGRAM PLAN

10.1 ~~The Council shall attend an annual planning session (2- or 3-day retreat) during the first quarter of each year. During this retreat, Council will agree upon an annual work program plan.~~

10.2 ~~The Council shall attend a mini-planning session (retreat) at the end of the second quarter of each year. During this mini-planning session, Council will review the progress on the annual work plan.~~

10.3 ~~Any modifications to this work program plan will require a formal majority affirmative vote; provided, however, that this Rule will not interfere with the City Manager performing his professional administrative duties including, without limitation, implementing additional staff work to improve the operation or functioning of the City and/or Council at any time.~~

SECTION ~~44~~10 SUSPENSION AND AMENDMENT OF RULES

4410.1 Any provision of these rules not governed by state law or ordinance, may be temporarily suspended by a two-thirds (2/3) majority vote of the Council.

4410.2 These rules may be amended or new rules adopted, by a majority vote of the Council.

SECTION ~~1211~~ SANCTIONS FOR RULE VIOLATIONS

~~1211~~.1 Councilmembers may be sanctioned for violation of these Rules in any of the following ways:

- (1) **Executive Session.** Two (2) or more Councilmembers may call an executive session under RCW 42.30.110(f) to discuss complaints brought against a public officer;
- (2) **Public Censure.** Public censure if a majority of Council supports public censure. During a regular City Council meeting, the Mayor shall state in detail the Rule(s) violated and the Councilmember's conduct resulting in violation of the Rule. The Councilmember who is the subject of the sanction shall have the opportunity to rebut;
- (3) **Liaison Termination.** The Mayor may terminate subcommittee, board or liaison assignments; and/or
- (4) **Other.** Any other appropriate action decided by a majority of the City Council.

**APPENDIX A
PARLIAMENTARY RULES AND MOTIONS**

- (1) If a motion does not receive a second, it dies and will not be included in the minutes. Motions that do not need a second include: nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.
- (2) A motion that receives a tie vote is deemed to have failed.
- (3) When making motions, be clear and concise and do not include arguments for the motion within the motion.
- (4) After a motion and second, the Mayor will indicate the names of the Councilmembers making the motion and second.
- (5) No further citizen comments may be heard when there is a motion and a second on the floor and Council should attempt to ask questions of staff prior to such motion and second.
- (6) When the Council concurs or agrees to an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion. Councilmembers may object to such summary if any feel the summary does not reflect the Council consensus.
- (7) If the maker of a motion wishes to withdraw their motion, the Mayor shall ask the Council if there is any objection to the maker withdrawing their motion. If none, the motion is withdrawn. If there is objection, the Council will vote whether the motion can be withdrawn. The text of the withdrawn motion and the fact of its withdrawal will not be included in the minutes. ~~A motion may be withdrawn by the maker of the motion, at any time, without the consent of the Council.~~
- (8) A motion to table is undebatable and shall preclude all amendments or debates of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future regular or special meeting at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.
- (9) A motion to postpone to a certain time is debatable as to the reason for the postponement but not to the subject matter of the motion; is amendable; and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future regular or special City Council meeting.
- (10) A motion to postpone indefinitely is debatable as to the reason for the postponement as well as to the subject matter of the motion; is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.

- (11) A motion to call for the question shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' (2/3) vote; debate is reopened if the motion fails.
- (12) A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.
- (13) Motions that cannot be amended include: Motion to adjourn, agenda order, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order.
- (14) Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- (15) The motion maker, Mayor or City Clerk should repeat the motion prior to voting.
- (16) At the conclusion of any vote, the Mayor will announce the results of the vote.
- (17) When a question has been decided, any Council member who voted in the majority may move for reconsideration.
- (18) Roll call votes will be taken if requested by a Council member.

APPENDIX B
COUNCIL CHAMBERS CODE OF CONDUCT

The Mercer Island City Council welcomes the public to council meetings and dedicates time at these meetings to hear from the public on agenda items and other issues of concern.

It is important for all community members to feel welcome and safe during council meetings. Audience members will be expected to treat all attendees with respect and civility.

Appearances Ground Rules:

Appearances is the time set aside for members of the audience to speak to the City Council about any issue during a council meeting. The ground rules are:

- Please (1) speak audibly into the podium microphone, (2) state your name and address for the record, and (3) limit your comments to three minutes.
- Traditionally, the Council does not respond to comments made at the meeting, but will follow up, or have staff follow up, with the speaker if needed.
- Comments should be addressed to the entire Council, not to individual Councilmembers, staff members, or the audience.
- Audience members should refrain from applause or disapproval of individuals' comments.
- Any person who makes personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting.
- The Council cannot accept comments on any campaign-related matters (elections for individual offices or ballot propositions) except under specific circumstances where consideration of a ballot measure is on the Council agenda. RCW 42.17A.555.

General Rules:

- Please silence cell phones, computers, tablets, and cameras while in the Council Chambers.
- Please limit conversations in the audience seating area. You may be asked to step into the lobby to continue a conversation.

APPENDIX C
PROCESS TO FILL A MERCER ISLAND CITY COUNCIL VACANCY

PURPOSE

To provide guidance to the City Council when a Mercer Island Councilmember position becomes vacant before the expiration of the official's elected term of office.

APPOINTMENT PROCESS

A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010. Under authority of RCW 42.12.070, the remaining members of the City Council are vested with the responsibility for appointing a qualified person to fill the vacant position. Accordingly, the process should include all of the remaining Councilmembers in Council interviews, deliberations, and votes to appoint someone to fill the vacant position.

The City Council should direct staff to begin the Councilmember appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity. After the schedule is established, staff will notify applicants of the location, date and time of the interviews.

Applications received by the deadline date and time will be copied and circulated to Councilmembers.

NOTIFICATIONS AND SCHEDULING

The notice of vacancy shall be posted on the City's website and published at least two times in the Mercer Island Reporter.

Council shall determine a regular meeting or set a special meeting for interviewing candidates and possibly appointing someone to the vacant position.

Interviews and the appointment process may be continued to another day if any Councilmember is not able to attend or if the selection process is not concluded.

INTERVIEWS

Each applicant shall be given three to five minutes to introduce themselves and present their credentials and reasons for seeking appointment to the City Council. They shall also address the answers to these questions during their allotted time:

1. Why do you want to serve on the City Council?
2. What experiences, talents or skills do you bring to the Council and community that you would like to highlight?
3. Are there any regional issues or forums in which you have a particular interest or expertise? (e.g. transportation, water supply, human services, water quality, fiscal management, solid waste, parks & open space, etc.)
4. Do you want to serve on the City Council because of a particular local issue on which you want to work or are your interests more broadly distributed?

The Council reserves the right to ask additional questions of candidates during the interview.

At the close of Council questions, applicants will be afforded an opportunity to comment on any additional issues relevant to their candidacy.

The applicants' order of appearance will be determined by a random lot drawing.

DELIBERATIONS AND VOTING

Upon completion of the interviews, and as provided in the Open Public Meetings Act at RCW 42.30.110(1)(h), Councilmembers may convene into Executive Session to evaluate the qualifications of the applicants. However, all interviews and final action appointing a person to fill the vacancy shall be in a meeting open to the public.

In open session, the Mayor shall ask for nominations from the Councilmembers. No second to the motion is needed. Nominations are closed by a motion, a second and a majority vote of the council.

The Mayor may poll the Council to ascertain that Councilmembers are prepared to vote. The City Clerk shall proceed with a roll-call vote.

Nominations and voting will continue until a nominee receives a majority vote of the remaining Councilmembers.

At any time during the election process, the City Council may postpone elections until another open meeting if a majority vote has not been received, or if one of the remaining Councilmembers is not able to participate in a particular meeting.

The Mayor shall declare the nominee receiving the majority vote of all of the remaining Councilmembers as the new Councilmember who shall be sworn into office at the earliest opportunity, or no later than the next regularly scheduled City Council meeting.

Under RCW 42.12.070(4), if the City Council fails to appoint a qualified person to fill the vacancy within 90 days of the occurrence of the vacancy, the authority of the City Council to fill the vacancy ends and the King County Council is given the authority to fill the vacancy.

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CITY OF MERCER ISLAND

CITY COUNCIL

RULES OF PROCEDURE

ADOPTED

April 19, 2004

AMENDED

August 2, 2004

February 21, 2006

June 19, 2006

Month day, 2017

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SECTION 1 GOVERNANCE AND AUTHORITY

- 1.1 Council-Manager Form of Government.** The City of Mercer Island is a Council-Manager form of government. As described in the municipal code and chapter 35A.13 of the Revised Code of Washington (“RCW”), certain responsibilities are vested in the City Council and the City Manager. This form of government prescribes that a City Council’s role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is and gives direction to the City Manager to administer the affairs of the city government in a businesslike and prudent manner.
- 1.2 Rules of Procedure.** The Mercer Island City Council hereby establishes the following Rules of Procedure (“Rules”) pursuant to the authority set forth in Mercer Island City Code (“MICC”) 2.06.050(A), for the conduct of Council meetings, proceedings and business. These Rules shall be in effect upon adoption by the Council and until such time as they are amended or new Rules adopted in the manner provided by these Rules.
- 1.3 Orientation of New Councilmembers.** The City Manager will host an orientation program for newly-elected or appointed Councilmembers, including guidance on the Open Government Trainings Act enacted in 2014, which requires training in the fundamentals of the Open Public Meetings Act (OPMA), Public Records Act (PRA), and records retention requirements.
- 1.4 Mentoring of New Councilmembers.** Current Councilmembers shall seek out opportunities to mentor newly elected or appointed Councilmembers to help them gain an understanding of their role as Councilmember.

SECTION 2 COUNCIL ORGANIZATION

2.1 Swearing-In. New Councilmembers shall be sworn in by the City Clerk.

2.2 Election of Mayor and Deputy Mayor. The Council shall elect a Mayor and Deputy Mayor for a term of two years. The City Clerk shall conduct the elections for Mayor and Deputy Mayor at the first Council meeting of each even-numbered year as follows:

- (1) Any Councilmember may nominate a candidate; no second is needed.
- (2) Nominations are closed by a motion, second and 2/3 vote of Council.
- (3) If only one (1) nomination is made, it is appropriate to make a motion and obtain a second to instruct the City Clerk to cast a unanimous ballot for that nomination. Approval is by majority vote of Councilmembers present.
- (4) If more than one (1) nomination is made, an open election is conducted by roll call vote.
- (5) To be elected, the nominee needs a majority vote of the Council.
- (6) Elections will continue until a Mayor and Deputy Mayor are elected by a majority vote of the Council.
- (7) The City Clerk shall declare the nominee receiving the majority vote as the new Mayor. The new Mayor shall declare the nominee receiving the majority vote as the new Deputy Mayor. The Clerk shall swear the individuals into office.

2.3 Duties of Officers.

- (1) **Mayor.** The Mayor serves as the Presiding Officer and acts as chair at all meetings of the City Council. The Mayor may participate in all deliberations of the Council in the same manner as any other members and is expected to vote in all proceedings, unless a conflict of interest exists. The Mayor does not possess any power of veto. The Mayor may not move an action, but may second a motion. The Mayor is assigned as the Ceremonial Representative at public events and functions. The Mayor is vested with the authority to initiate and execute proclamations.
- (2) **Deputy Mayor.** The Deputy Mayor serves as the Presiding Officer in the absence of the Mayor and assumes Ceremonial Representative responsibilities when needed. If both the Mayor and Deputy Mayor are absent, the Mayor will appoint another Councilmember as acting Mayor. If the Mayor fails to appoint an acting Mayor, the Councilmembers present shall elect one of its members to serve as Presiding Officer until the return of the Mayor or Deputy Mayor.
- (3) **Presiding Officer.** The Presiding Officer shall:
 - (i) Preserve order and decorum in the Council Chambers;
 - (ii) Observe and enforce these Rules;
 - (iii) Call the meeting to order;
 - (iv) Keep the meeting to its order of business.

- (v) Recognize Councilmembers in the order in which they request the floor. The Presiding Officer, as a Councilmember, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers;
- (iv) Appoint Councilmembers to serve on City Council Committees, ad hoc committees and to serve as liaisons to advisory boards and commissions; Appointment citizens to serve on advisory boards and committees (with affirmation from the Council); and
- (v) Impose Councilmember sanctions for violation of these Rules consistent with Section 12 of these Rules.

2.4 Filling a Council Vacancy. If a vacancy occurs in the office of Councilmember, the Council will follow the procedures outlined in RCW 42.12.070. In order to fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy, the procedure by which the vacancy will be filled, and an application form. The Process to Fill a Mercer Island City Council Vacancy is outlined in Appendix C to these Rules.

SECTION 3. COUNCIL MEETINGS

3.1 General Meeting Guidelines

- (1) Open Public Meeting Act.** All Council Meetings shall comply with the requirements of the Open Meetings Act (chapter 42.30 RCW). All Regular Meetings and Special Meetings of the Council shall be open to the public.
- (2) Meeting Cancellation.** Any Council Meeting may be canceled by a majority vote or consensus of the Council. The Mayor or City Manager may cancel a Council Meeting for lack of agenda items.
- (3) Quorum.** Four members of the Council shall constitute a quorum and are necessary for the transaction of City business. In the absence of a quorum, the members present may adjourn that meeting to a later date.
- (4) Attendance and Absences.** Pursuant to RCW 35A.13.020, Councilmembers shall comply with RCW 35A.12.060, Vacancy for non-attendance, which reads as follows: "In addition a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council." Councilmembers shall contact the Mayor or City Manager's office no later than 5:00 p.m. of the day of the meeting requesting he/she be excused from the meeting and stating the reason for such absence. Failure to comply, except in cases of emergency, shall result in an unexcused absence. During Councilmember Absences (Other Business), the Mayor shall note if Councilmember's absence is excused or unexcused. The clerk will make the appropriate notation in the minutes.
- (5) Councilmember Seating.** At the dais, the Mayor shall sit in Chair #4, the center seat at the dais, the Deputy Mayor shall sit to the Mayor's right or left, in Chair #3 or #5. The Mayor will determine the seats of the remaining Councilmembers.
- (6) City Clerk and Minutes.** The City Clerk (or authorized designee) shall attend all regular and special council meetings and keep an account of all proceedings of the Council (minutes) in accordance with the statutory requirements RCW 35.23.151 and RCW 42.32.030. The minutes from previous meetings will be posted on the City website in draft format prior to Council meetings as part of the Council packet. Councilmembers are encouraged to inform the City Clerk and City Manager of any errors or proposed changes in advance of the meeting. If a Councilmember wishes to make any corrections to the minutes, they must request to have the set of minutes pulled from the Consent Calendar and make a motion to revise the minutes. Any corrections to the minutes will be so noted and the draft minutes will be revised with the corrections. Once Council has approved the minutes (as presented or revised), the final version of the minutes will be posted to the City's website and archived as the City's official record.

- (7) **Council Chambers Code of Conduct.** The City Hall Council Chambers Code of Conduct is attached as Appendix B to these Rules.

3.2 Types of Meetings

- (1) **Regular Meetings.** Council's regular meetings will be held the first and third Tuesdays of each month in the City Hall Council Chambers (9611 SE 36th Street, Mercer Island).

Regular Council meetings will begin at the hour of 7:00 p.m., and will make every effort to adjourn no later than 10:00 p.m. The Council may continue past this time of adjournment by a two-thirds (2/3) vote of the Councilmembers in attendance at the meeting.

If any Tuesday on which a meeting is scheduled falls on a legal holiday, the meeting shall be held at 7:00 p.m. on the first business day following the holiday, or on another day designated by a majority vote of the Council.

- (3) **Special Meetings.** A special meeting is any Council meeting other than a regular council meeting. Notice shall be given at least 24 hours in advance specifying the time and place of the meeting and the business to be transacted. A special council meeting may be scheduled by the Mayor, City Manager or at the request of a majority of the Council.

- (3) **Emergency Meetings.** An emergency meeting is a special council meeting called without 24-hour notice. An emergency meeting may only be called as a result of an emergency involving injury or damage to persons or property or the likelihood of such injury or damage or when time requirements of a 24-hour notice would make notice impractical and increase the likelihood of such injury or damage. Emergency meetings may be called by the City Manager or the Mayor. The minutes will indicate the reason for the emergency.

- (4) **Executive (Closed) Sessions.** An executive session is a portion of a Council meeting that is closed except to the Council, City Manager, City Attorney and staff members and/or consultants authorized by the City Manager. The public is restricted from attendance. Executive sessions may be held during regular or special council meetings and will be announced by the Mayor or the Chair of a council committee, respectively. Executive session may be held for limited purposes consistent with RCW 42.30.110(1) and RCW 42.30.140(4)(a). Permissible topics include: considering real property acquisition and sale, public bid contract performance, complaints against public officers and employees, review of collective bargaining agreements, public employment applications and evaluations, and certain attorney-client discussions. Before convening an executive session, the Mayor or Chair shall announce the purpose of the meeting. Pursuant to RCW 42.23.070(4), Councilmembers must maintain the confidentiality of all written materials and

verbal information provided during Executive Sessions to ensure that the City's position is not compromised. Confidentiality also includes information provided to Councilmembers outside of Executive Sessions when the information is considered exempt from production under the Public Records Act, chapter 42.56 RCW. If a Councilmember unintentionally discloses Executive Session material with another party, that Councilmember shall promptly inform the City Manager and/or the City Council of the disclosure.

- (5) **Annual Planning Session.** Each year the Council shall attend an annual planning session (2- or 3-day retreat) during the first quarter of the year. During this planning session, the Council will agree upon City Council Goals for the next two years.
- (6) **Mini-Planning Session.** Each year the Council shall attend a mini-planning session (1-day retreat) at the end of the second quarter of the year. During this mini-planning session, Council will review the progress on the City Council Goals.

3.3 Order of Regular Council Meeting Agenda

- (1) **Call Meeting to Order & Roll Call.** The Mayor calls the meeting to order. The City Clerk will take roll call and record names of those present and absent in the minutes. Any absent Councilmember who has called the Mayor or City Manager's Office prior to 5:00 p.m. on the day of the meeting to advise of such absence will be deemed excused.
- (2) **Agenda Approval/Amendment.** Agenda items may be added to a regular Council meeting agenda after the meeting notice is published, if a Councilmember or City Manager explains the necessity and receives a majority vote of the Council. The Mayor may, with the concurrence of the Councilmembers, take agenda items out of order.
- (3) **Executive Sessions.** Executive sessions made be held before, during or after the open session portion of either a regular or special meeting. See Section 2.2(5).
- (4) **Study Sessions.** Study sessions will be held, when needed, from 6:00-7:00 p.m. before a regular meeting. They may be called by the Mayor, City Manager or by a majority of Councilmembers. Study sessions will be informal meetings for the purpose of reviewing forthcoming programs and projects, receiving progress reports on current programs or projects, or receiving other similar information. No final decisions can be made at a study session. Decisions on those issues will be scheduled for a regular or special council meeting.
- (5) **Special Business and Proclamations.** Special Business Items may include the presentation of a proclamation or other presentation to elected officials, staff, or the public by the City or presentations to the City or any official made by someone

else. A Proclamation is defined as an official announcement made by the Mayor on behalf of the City Council. The purpose of a Proclamation is to recognize the efforts of a particular group or increase awareness of an activity. The Mayor and City Manager shall determine approval of Proclamation requests that have a strong local advocate or a local relevance to Mercer Island or City issues and events. Proclamations shall be publicly read at a City Council meeting and presented to a representative of the event during the Council meeting.

- (6) **City Manager Report.** In an effort to keep the Council and public informed of City business, the City Manager may provide an oral report, make comments, extend compliments, express concerns, or make announcements concerning any topic during this time.
- (7) **Appearances (Public Comment).** During the Appearances section of the regular meeting agenda, members of the audience are invited to address the Council regarding any matter, except items before the Council requiring a public hearing, any quasi-judicial matters, or campaign-related matters. Each person addressing the Council will step up to the podium, give their name and address for the record, and shall limit their comments to three (3) minutes. No speaker may convey or donate his or her time for speaking to another speaker. The Mayor may grant additional time for citizen comments.

The Mayor may allow citizens to comment on individual agenda items at times during any regularly scheduled City Council meeting other than the regularly scheduled Appearances period.

All remarks will be addressed to the Council as a whole, and not to individual City Councilmembers or staff members. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested by the Mayor to leave the meeting. The Council cannot accept comments on any campaign-related matters (elections for individual offices or ballot propositions) except under specific circumstances where consideration of a ballot measure is on the Council agenda. RCW 42.17A.555.

The City Clerk will summarize all citizen comments in the minutes. Traditionally, the Council does not respond to comments made at the meeting, but will follow up, or have staff follow up, with the speaker if appropriate.

- (8) **Consent Calendar.** Consent Calendar items have either been fully considered by a City Council Subcommittee or are considered to be routine and non-controversial and may be approved by one motion. Items on the Consent Calendar include, without limitation, payables, payroll, minutes, resolutions and ordinances discussed at a previous City Council meeting, bid awards, and previously authorized agreements. A Councilmember may remove a consent agenda item from the

consent calendar for separate discussion and action. If removed, that item will become the first item of business under Regular Business of the same meeting.

(9) Public Hearings. There are two types of public hearings: legislative and quasi-judicial. The Mayor will state the public hearing procedures before each public hearing. Citizens may comment on public hearing items.

(i) Legislative Public Hearings. The purpose of a legislative public hearing is to obtain public input on legislative or policy decisions, including without limitation, review by the City Council of its comprehensive plan or biennial budget.

(ii) Quasi-Judicial Public Hearings. The purpose of a quasi-judicial public hearing is to decide issues involving the rights of specific parties including, without limitation, certain land use matters such as site specific rezones and preliminary long plats.

The City Council's decision on a quasi-judicial matter must be based upon and supported by the "record" in the matter. The "record" consists of all testimony or comment presented at the hearing and all documents and exhibits that have been submitted.

In quasi-judicial hearings, Councilmembers shall comply with all applicable laws including without limitation the appearance of fairness doctrine (chapter 42.36 RCW). The appearance of fairness doctrine prohibits ex parte (outside the hearing) communications; prohibits a Councilmember from making a determination on the matter in advance of the hearing; requires the hearing to be fair and impartial; and prohibits the participation of any Councilmember who has a conflict of interest or financial interest in the outcome of the hearing.

A Councilmember shall consult with the City Attorney to determine whether or not he or she should recuse themselves from the quasi-judicial hearing discussion and decision.

(10) Regular Business. Regular Business items are all other regular Council business, including resolutions and ordinances requiring Council action.

(11) Other Business. The Council will discuss upcoming Councilmember absences (and the Mayor will note excused or unexcused absences), the Planning Schedule, Board and/or Commission appointments and Councilmember reports. During Councilmember reports, Councilmembers may report on significant activities since the last meeting; provided, however, that Councilmembers may not enter into debate or discussion on any item raised during a Council report.

(12) Adjournment. With no further business to come before the Council, the Mayor adjourns the meeting.

(Section 2.1(1) Updated June 19, 2006)

SECTION 4. AGENDA PREPARATION

- 4.1** The City Manager in consultation with the Mayor and Deputy Mayor will prepare an agenda for each Council meeting. The City Clerk will prepare an agenda packet for each Council meeting specifying the time and place of the meeting. Each item shall be titled to include a brief description of the item to be considered by the Council.
- 4.2** An item may be placed on a Council meeting agenda by (1) the City Manager; (2) the Mayor; or (3) two or more Councilmembers.
- 4.3** Agenda materials will be posted to the City's website and a link to the online packet will be emailed to an established mailing list (including Council and staff) by 5:00 p.m. on the Thursday before the meeting. Hard copies of agenda materials will be available in the HAM radio room in the Police Department lobby, for Councilmembers requesting such to pick up.
- 4.4** The City Manager will prepare and keep current the Planning Schedule, the calendar of agenda items for all Council regular and special meetings.

SECTION 5. COUNCIL PROTOCOLS

- 5.1 Roberts Rules/Council Rules.** All Council discussion shall be governed by *Roberts Rules of Order, Newly Revised* or by these Rules. Examples of parliamentary rules and motions are shown in Appendix A to these Rules. In the event of a conflict, these Rules shall control. The City Attorney shall decide all questions of interpretations of these Rules and other questions of a parliamentary nature that may arise during a Council meeting.
- 5.2 Citizen Comment Protocols.** Council agrees to adhere to the following protocols during Citizen Comment:
- (1) Council shall listen attentively to the citizen comments.
 - (2) Council shall avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal, disparaging actions when citizens are speaking.
 - (3) Council shall not engage in debate or discussion with any individual citizen but may be recognized by the Mayor in order to ask the citizen clarifying questions.
- 5.3 Discussion Protocols.** Council agrees to adhere to the following protocols for Council discussion and debate:
- (1) Be courteous and professional at all times.
 - (2) Avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal disparaging actions when colleagues or staff are speaking.
 - (3) Be recognized by the Mayor before speaking.
 - (4) Be respectful of the City Manager and staff.
 - (5) Speak in turn after being recognized.
 - (6) Do not personally criticize other members who vote against or disagree with you.
 - (7) Do not be repetitive in your arguments or discussion.
 - (8) Respect each other's differences, honor disagreements, vote and move on.
- 5.4 Council Decisions.** Councilmembers recognize that they are part of a legislative or corporal body. As such, when the Council has voted to approve or pass an agenda item, the members agree not to contact staff to encourage actions inconsistent with such Council action or take other action adversely impacting staff resources. Councilmembers may not bring any approved action up for reconsideration following Council review and approval of such agenda item except by majority vote. The City Council's goal is to make final decisions and not to revisit or reconsider such decisions.
- 5.5 No Surprise Rule.** Councilmembers should use best efforts to contact and the City Manager to advise of emerging issues.

Generally, Councilmembers agree not to propose substantial amendments and/or revisions to any agenda item unless they provide each other and City staff 24-hours' advance notice to review any written proposal. If this 24-hour rule is not met, a Councilmember may present his or her proposal at a Council meeting.

To provide staff the necessary preparation time, Councilmembers will use best efforts to provide staff advance notice of any questions or concerns they may have regarding an agenda item prior to a public meeting, if possible.

- 5.6 Possible Quorum.** Any member of the Council can attend any City board, commission, ad hoc, or subcommittee meeting; however, if a quorum of the Council (4 or more Councilmembers) is present at any of these meetings, Councilmembers shall “self-police” by not sitting together and not discussing City business. For community or regional meetings where there may be 4 or more Councilmembers in attendance, the City Clerk may notice the meetings for possible quorum.
- 5.7 Councilmember In-Person Representation.** If a Councilmember appears on behalf of the City before another governmental agency or, a community organization, for the purpose of commenting on an issue, the Councilmember must state the majority position of the Council, if known, on such issue. Personal opinions and comments which differ from the Council majority may be expressed if the Councilmember clarifies that these statements do not represent the Council's position but rather those of the individual Councilmember. Councilmembers must obtain other Councilmember's concurrence before representing another Councilmember's views or positions with another governmental agency or community organization.
- 5.8 Use of City Letterhead.** Use of City letterhead by the City Council shall be confined to conduct of official City business or communicating messages of the City. City letterhead of any kind shall only be used by the City Council at the direction of the Mayor or his or her designee. Individual Councilmembers shall not use City letterhead to communicate individual or personal messages or opinions.
- 5.9 Mail.** Mail which Councilmembers receive during the week will be placed in their respective mailboxes at City Hall (located outside the City Manager's office) as it arrives. Councilmembers will have access to their mailboxes during regular business hours. Accumulated mail will be included with hard copy agenda packets or placed on the dais before Council meetings.

SECTION 6. CITY DOCUMENTS

- 6.1 Review.** All ordinances, resolutions, contracts, motions, amendments and other City documents shall be reviewed by the City Attorney. An individual Councilmember may contact the City Attorney to request the preparation of motions for a Council meeting. No ordinance, resolution or contract shall be prepared for presentation to the Council, unless requested by a majority of the Council or by the City Manager.
- 6.2 Signing.** The Mayor, City Clerk and City Attorney sign all ordinances and/or resolutions approved by the Council, immediately following the meeting. If the Mayor is unavailable, the Deputy Mayor signs the ordinances and/or resolutions.
- 6.3 Ordinances.** The following rules shall apply to the introduction, adoption and/or amendment of all ordinances:
- (1) First Reading of Ordinances.** An ordinance shall be scheduled for first reading at any regular or special City Council meeting. A majority of the Council may direct the City Manager/City Attorney to prepare any amendments to the ordinance for consideration during second reading and adoption.
 - (2) Second Reading/Adoption of Ordinances.** An ordinance that has previously been introduced for first reading may be scheduled for second reading and adoption at any regular or special City Council meeting as either regular business or as a part of the consent calendar. Any amendments that a majority of the Council has directed the City Manager/City Attorney to prepare will be included as proposed amendments in the Council packet for the Council's consideration. If further amendments (other than clerical, punctuation or other non-substantive amendments) are requested at second reading, the ordinance may be continued to the next regular City Council meeting for adoption.
 - (3) Exceptions.** This Rule shall not apply to:
 - (i) any housekeeping ordinances that the City Manager recommends be adopted at first reading;
 - (ii) any budget amending ordinances; or
 - (iii) any ordinances that Council determines require an effective date precluding a second reading, so long as Council suspends this Rule pursuant to Section 11.

This Rule shall not apply to public emergency ordinances, necessary for the protection of public health, public safety, public property or public peace consistent with RCW 35A.11.12.

(Section 5.2 Updated August 2, 2004)

SECTION 7. COUNCIL RELATIONS/COMMUNICATIONS WITH CITY STAFF

- 7.1** Councilmembers will focus primarily on policy matters and *not* administrative issues.
- 7.2** The City Manager is the primary point of contact between the City Council and the staff.
- 7.3** There will be mutual respect from both City staff and Councilmembers of their respective roles and responsibilities when, and if, expressing criticism in a public meeting.
- 7.4** City staff will acknowledge the Council as policy makers, and the Councilmembers will acknowledge City staff as administering the Council's policies.
- 7.5** Individual councilmembers will copy the City Manager on any written requests for information. The City Manager shall copy the entire Council on written responses to an individual Councilmember's request for information.
- 7.6** Councilmembers shall not attempt to coerce or influence City staff in the selection of personnel, the awarding of contracts, the selection of consultants, the processing of development applications, the granting of City licenses or permits, interpretation and implementation of Council policy, or in any other matter involving the administration of City business.
- 7.7** The Council shall not attempt to change or interfere with the operating rules and practices of any City department.
- 7.8** No Councilmember shall direct the City Manager or Department Directors to initiate any action or prepare any report that is significant in nature, or initiate any significant project or study without the consent of a majority of the Council. A matter shall be deemed to be "significant" if it would require more than one (1) hour of staff time. Once notified that a request for information or staff support would require more than one (1) hour, the Councilmember may seek to place the request on an upcoming Council agenda consistent with Section 3.2.
- 7.9** Individual Council requests for information can be made directly to the Department Director unless otherwise determined by the City Manager. If the request would create a change in work assignments or require the Department Director or his or her staff to work in excess of 1 hour, the request must be made through the City Manager.
- 7.10** Absent emergent situations, staff will respond to Councilmember emails or phone messages during business hours only.

SECTION 8. CITY BOARDS AND COMMISSIONS

- 8.1** Mercer Island's boards, commissions and ad hoc committees provide an invaluable service to the City. Their advice on a wide variety of subjects aids the Mayor and Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government.
- 8.2** These advisory bodies originate from different sources. Some are established by Title 3 of the Mercer Island City Code while others are established by motion or ordinance of the City Council. It is at the discretion of the Council as to whether or not any advisory body should be established by ordinance. The following advisory boards and commissions are established:
- (1)** Design Commission
 - (2)** Planning Commission
 - (3)** Utility Board
 - (4)** Community Advisory Board
 - (5)** Mercer Island Arts Council
 - (6)** Building Board of Appeals
 - (7)** Open Space Conservancy Trust Board
- 8.3** Each board and commission shall adopt rules of procedure (or bylaws) to guide governance of their board or commission..
- 8.4** The Council may dissolve any advisory body that, in their opinion, has completed its working function or for any other reason.
- 8.5** Members and alternate members of all advisory bodies are recommended for appointment by the Mayor, following consultation with the Council Liaison and staff, during a regularly scheduled meeting, subject to City Council approval.
- 8.6** Vacancies are advertised so that any interested citizen may submit an application. Applicants must be citizens of the City of Mercer Island if required by the Mercer Island City Code or if required by the Mayor. Councilmembers will be notified of any vacancy in any board or commission. Councilmembers are encouraged to solicit applications from qualified citizens. Applications shall be available from the Office of the City Clerk. The City Clerk will retain completed applications for City Council review.
- 8.7** Lengths of terms vary from one advisory body to another, but in all cases overlapping terms are intended. On ad hoc committees, where a specific project is the purpose, there will not be terms of office.
- 8.8** All meetings of advisory bodies are open to the public in accordance with Chapter 42.30 RCW, Open Public Meetings Act and require a minimum 24-hour advance notice.

- 8.9** The number of meetings related to business needs of the advisory group may be set by the individual body, unless set forth in a resolution or ordinance or unless the number of meetings adversely impacts City staff resources, as determined by the City Manager.
- 8.10** Members may be removed, from any advisory committee, prior to the expiration of their term of office, by a majority vote of the City Council.
- 8.11** All members of advisory bodies should be aware of the need to avoid any instance of conflict of interest. No individual should use an official position to gain a personal advantage.
- 8.12** The City Council transmits referrals for information or action through the City Manager and the City Council liaison to the advisory groups. These advisory groups transmit findings, reports, etc., to the City Council through the City Manager and City Council liaison.
- 8.13** While the City staff's role is one of assisting the boards and commissions, the City staff members are not employees of that body. Boards and commissions shall not direct City staff to perform research, gather information or otherwise engage in activities involving projects or matters that are not listed on the work plan unless approved by the City Council or City Manager. The City staff members are directly responsible to his or her Department Director and the City Manager.
- 8.14** Annually, staff for the Planning Commission, Arts Council and Open Space Conservancy Trust Board shall develop a draft work plan and present the work plan to the City Council for review, possible amendments and approval.
- 8.15** **Roles & Duties for Council Liaison.** The Mayor may appoint a Council liaison for certain boards or commissions. The Council liaison shall report objectively on the activities of both the City Council and the advisory group. The specific duties of a Council liaison are as follows:
- (1)** Attend meetings of the board or commission on a regular basis and sit or do not sit at the table or dais, as applicable.
 - (2)** Participate in discussion and debate of the board or commission, but not vote on any matter (except for the Open Space Conservancy Trust as the Council Liaison is a voting member).
 - (3)** Represent the majority City Council position, if known.
 - (4)** Participate in a manner that will not intimidate or inhibit the meetings and operations of the board or commission. Make comments in a positive manner to promote positive interaction between Council and the board or commission.
 - (5)** Be prepared to give Council regular and timely reports at every regular City Council meeting. Take the lead on discussion items before the Council which pertain to the assigned board or commission.

- (6) With the Mayor, evaluate potential candidates for appointment to the board or commission. Based upon liaison and Council input, the Mayor will recommend appointment of candidate's subject to City Council affirmation.

(Section 8 Updated February 21, 2006)

SECTION 9 COUNCIL SUBCOMMITTEES

- 9.1** Council subcommittees are policy review and discussion arms of the Council. Subcommittees may study issues and develop recommendations for consideration by the Council. Subcommittees may not take binding action on behalf of the City Council. Council Subcommittee structure shall be as determined by the City Council in January of each year.
- 9.2** Subcommittees shall establish regular meeting schedules as determined by the Chair of the subcommittee.
- 9.3** Each subcommittee will have staff support assigned by the City Manager. Staff will work with the subcommittee chairs to set agendas, provide support materials and prepare reports.
- 9.4** The City Manager or Mayor may send issues directly to subcommittees for their review or a matter may be referred to a subcommittee by Council vote or consensus.
- 9.5** Subcommittee appointments (chairs and members) shall be made by the Mayor. The Mayor will consider the interests and requests of individual Councilmembers in making subcommittee assignments.
- 9.6** Membership of each subcommittee will consist of three (3) Councilmembers.
- 9.7** The Mayor will make subcommittee assignments each January in which there is an election of the Mayor and Deputy Mayor. The City Clerk will maintain the list of appointments to established subcommittees.

SECTION 10 SUSPENSION AND AMENDMENT OF RULES

- 10.1** Any provision of these rules not governed by state law or ordinance, may be temporarily suspended by a two-thirds (2/3) majority vote of the Council.
- 10.2** These rules may be amended or new rules adopted, by a majority vote of the Council.

SECTION 11 SANCTIONS FOR RULE VIOLATIONS

11.1 Councilmembers may be sanctioned for violation of these Rules in any of the following ways:

- (1)** Executive Session. Two (2) or more Councilmembers may call an executive session under RCW 42.30.110(f) to discuss complaints brought against a public officer;
- (2)** Public Censure. Public censure if a majority of Council supports public censure. During a regular City Council meeting, the Mayor shall state in detail the Rule(s) violated and the Councilmember's conduct resulting in violation of the Rule. The Councilmember who is the subject of the sanction shall have the opportunity to rebut;
- (3)** Liaison Termination. The Mayor may terminate subcommittee, board or liaison assignments; and/or
- (4)** Other. Any other appropriate action decided by a majority of the City Council.

APPENDIX A
PARLIAMENTARY RULES AND MOTIONS

- (1) If a motion does not receive a second, it dies and will not be included in the minutes. Motions that do not need a second include: nominations, withdrawal of motion, agenda order, request for a roll call vote, and point of order.
- (2) A motion that receives a tie vote is deemed to have failed.
- (3) When making motions, be clear and concise and do not include arguments for the motion within the motion.
- (4) After a motion and second, the Mayor will indicate the names of the Councilmembers making the motion and second.
- (5) No further citizen comments may be heard when there is a motion and a second on the floor and Council should attempt to ask questions of staff prior to such motion and second.
- (6) When the Council concurs or agrees to an item that does not require a formal motion, the Mayor will summarize the agreement at the conclusion of the discussion. Councilmembers may object to such summary if any feel the summary does not reflect the Council consensus.
- (7) If the maker of a motion wishes to withdraw their motion, the Mayor shall ask the Council if there is any objection to the maker withdrawing their motion. If none, the motion is withdrawn. If there is objection, the Council will vote whether the motion can be withdrawn. The text of the withdrawn motion and the fact of its withdrawal will not be included in the minutes.
- (8) A motion to table is undebatable and shall preclude all amendments or debates of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of a future regular or special meeting at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.
- (9) A motion to postpone to a certain time is debatable as to the reason for the postponement but not to the subject matter of the motion; is amendable; and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future regular or special City Council meeting.
- (10) A motion to postpone indefinitely is debatable as to the reason for the postponement as well as to the subject matter of the motion; is not amendable, and may be reconsidered at the same meeting only if it received an affirmative vote.

- (11) A motion to call for the question shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' (2/3) vote; debate is reopened if the motion fails.
- (12) A motion to amend is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.
- (13) Motions that cannot be amended include: Motion to adjourn, agenda order, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order.
- (14) Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
- (15) The motion maker, Mayor or City Clerk should repeat the motion prior to voting.
- (16) At the conclusion of any vote, the Mayor will announce the results of the vote.
- (17) When a question has been decided, any Council member who voted in the majority may move for reconsideration.
- (18) Roll call votes will be taken if requested by a Council member.

APPENDIX B
COUNCIL CHAMBERS CODE OF CONDUCT

The Mercer Island City Council welcomes the public to council meetings and dedicates time at these meetings to hear from the public on agenda items and other issues of concern.

It is important for all community members to feel welcome and safe during council meetings. Audience members will be expected to treat all attendees with respect and civility.

Appearances Ground Rules:

Appearances is the time set aside for members of the audience to speak to the City Council about any issue during a council meeting. The ground rules are:

- Please (1) speak audibly into the podium microphone, (2) state your name and address for the record, and (3) limit your comments to three minutes.
- Traditionally, the Council does not respond to comments made at the meeting, but will follow up, or have staff follow up, with the speaker if needed.
- Comments should be addressed to the entire Council, not to individual Councilmembers, staff members, or the audience.
- Audience members should refrain from applause or disapproval of individuals' comments.
- Any person who makes personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Council, may be requested to leave the meeting.
- The Council cannot accept comments on any campaign-related matters (elections for individual offices or ballot propositions) except under specific circumstances where consideration of a ballot measure is on the Council agenda. RCW 42.17A.555.

General Rules:

- Please silence cell phones, computers, tablets, and cameras while in the Council Chambers.
- Please limit conversations in the audience seating area. You may be asked to step into the lobby to continue a conversation.

APPENDIX C
PROCESS TO FILL A MERCER ISLAND CITY COUNCIL VACANCY

PURPOSE

To provide guidance to the City Council when a Mercer Island Councilmember position becomes vacant before the expiration of the official's elected term of office.

APPOINTMENT PROCESS

A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010. Under authority of RCW 42.12.070, the remaining members of the City Council are vested with the responsibility for appointing a qualified person to fill the vacant position. Accordingly, the process should include all of the remaining Councilmembers in Council interviews, deliberations, and votes to appoint someone to fill the vacant position.

The City Council should direct staff to begin the Councilmember appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity. After the schedule is established, staff will notify applicants of the location, date and time of the interviews.

Applications received by the deadline date and time will be copied and circulated to Councilmembers.

NOTIFICATIONS AND SCHEDULING

The notice of vacancy shall be posted on the City's website and published at least two times in the Mercer Island Reporter.

Council shall determine a regular meeting or set a special meeting for interviewing candidates and possibly appointing someone to the vacant position.

Interviews and the appointment process may be continued to another day if any Councilmember is not able to attend or if the selection process is not concluded.

INTERVIEWS

Each applicant shall be given three to five minutes to introduce themselves and present their credentials and reasons for seeking appointment to the City Council. They shall also address the answers to these questions during their allotted time:

1. Why do you want to serve on the City Council?
2. What experiences, talents or skills do you bring to the Council and community that you would like to highlight?
3. Are there any regional issues or forums in which you have a particular interest or expertise? (e.g. transportation, water supply, human services, water quality, fiscal management, solid waste, parks & open space, etc.)
4. Do you want to serve on the City Council because of a particular local issue on which you want to work or are your interests more broadly distributed?

The Council reserves the right to ask additional questions of candidates during the interview.

At the close of Council questions, applicants will be afforded an opportunity to comment on any additional issues relevant to their candidacy.

The applicants' order of appearance will be determined by a random lot drawing.

DELIBERATIONS AND VOTING

Upon completion of the interviews, and as provided in the Open Public Meetings Act at RCW 42.30.110(1)(h), Councilmembers may convene into Executive Session to evaluate the qualifications of the applicants. However, all interviews and final action appointing a person to fill the vacancy shall be in a meeting open to the public.

In open session, the Mayor shall ask for nominations from the Councilmembers. No second to the motion is needed. Nominations are closed by a motion, a second and a majority vote of the council.

The Mayor may poll the Council to ascertain that Councilmembers are prepared to vote. The City Clerk shall proceed with a roll-call vote.

Nominations and voting will continue until a nominee receives a majority vote of the remaining Councilmembers.

At any time during the election process, the City Council may postpone elections until another open meeting if a majority vote has not been received, or if one of the remaining Councilmembers is not able to participate in a particular meeting.

The Mayor shall declare the nominee receiving the majority vote of all of the remaining Councilmembers as the new Councilmember who shall be sworn into office at the earliest opportunity, or no later than the next regularly scheduled City Council meeting.

Under RCW 42.12.070(4), if the City Council fails to appoint a qualified person to fill the vacancy within 90 days of the occurrence of the vacancy, the authority of the City Council to fill the vacancy ends and the King County Council is given the authority to fill the vacancy.



The City of Mercer Island, Washington

Proclamation

WHEREAS, all people should have access to safe, healthy, and affordable homes within communities of opportunity; and

WHEREAS, studies have found that each \$100 increase in median rent results in a 15% increase in homelessness in metro areas and a 39% increase in homelessness in nearby suburbs and rural areas; and

WHEREAS, the January 2016 Point In Time Count found over 4,500 people in King County sleeping outdoors without shelter; and

WHEREAS, there were over 39,000 students identified as homeless during the 2015-16 school year in the State of Washington; and

WHEREAS, the combined cost burden of housing plus transportation can be substantially reduced by locating affordable housing opportunities in proximity to transit; and

WHEREAS, everyone benefits from affordable housing, including the people who reside in these properties, their neighbors, businesses, employers, and the community as a whole; and

WHEREAS, the Association of Washington Cities determined that enhancing efforts to increase affordable housing, decrease homelessness, and improve a strained behavioral health system was a critical priority for the 2017 Legislative Session; and

WHEREAS, the Mercer Island City Council adopted a legislative priority for 2017 to address the housing and homelessness crisis by supporting state legislation in favor of providing dedicated sources for the construction of affordable housing.

NOW, THEREFORE, I, Mayor Bruce Bassett do hereby proclaim May 15-22, 2017, as

AFFORDABLE HOUSING WEEK

and in doing so, in the City of Mercer Island recommits itself to ensuring that our community thrives with opportunity, and that all people in it live with dignity in safe, healthy, and affordable homes.

APPROVED, May 1, 2017

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.

Charles L. Corder

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

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	186473-186575	4/13/2017	\$ 184,130.47
			\$ 184,130.47

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186473	04/13/2017	ABBOTT, RICHARD LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	104.90
00186474	04/13/2017	ACCESS DATA ENTRY, BLACK BOX PICK UP	P0094732	1930493	03/31/2017	395.29
00186475	04/13/2017	ADAMS, RONALD E LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	109.00
00186476	04/13/2017	AFTERMATH Patrol car biohazard cleaning	P0094726	JC20176653	03/31/2017	105.00
00186477	04/13/2017	AIRGAS USA LLC Oxygen/Fire	P94686	9061734940	03/24/2017	272.09
00186478	04/13/2017	AM TEST INC INV 97170 WATER QUALITY TESTIN	P94697	97750/97170	02/15/2017	700.00
00186479	04/13/2017	ANDERSON, LORENTZ E Leap For Green Entertainment	P94627	OH008000	04/01/2017	250.00
00186480	04/13/2017	AUGUSTSON, THOR LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	110.00
00186481	04/13/2017	AWC APRIL 2017		OH007999	04/12/2017	335.50
00186482	04/13/2017	BARNES, WILLIAM LEOFF1 Medicare Reimb		MAY2017A	04/05/2017	1,913.15
00186483	04/13/2017	BOOTH, GLENDON D LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	104.90
00186484	04/13/2017	BUILDERS HARDWARE & SUPPLY CO. ADA RESTROOM MIRROR CITY HALL	P94454	S3548705001	03/10/2017	52.85
00186485	04/13/2017	BURKE, MIKE & LINDA OVERPAYMENT REFUND		OH007987	04/05/2017	601.58
00186486	04/13/2017	CALLAGHAN, MICHAEL LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	110.00
00186487	04/13/2017	CENTURYLINK PHONE USE APR 2017		OH007993	04/01/2017	1,208.12
00186488	04/13/2017	CHAPTER 13 TRUSTEE PAYROLL EARLY WARRANTS		OH007998	04/14/2017	1,331.00
00186489	04/13/2017	CODE PUBLISHING CO Codification March 2017	P94573	55887	03/24/2017	1,143.18
00186490	04/13/2017	COMPLETE OFFICE OFFICE SUPPLIES MAR 2017		OH007995	03/31/2017	3,229.88
00186491	04/13/2017	COOPER, ROBERT MEDICARE REIMB 4/1/17-6/30/17		MAY2017A	04/05/2017	2,114.19
00186492	04/13/2017	CORK, TAMBI A PER DIEM REIMB		OH007985	04/03/2017	854.74
00186493	04/13/2017	DEEDS, EDWARD G LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	111.00
00186494	04/13/2017	DEVENY, JAN P LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	111.00
00186495	04/13/2017	DOWD, PAUL LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	111.00
00186496	04/13/2017	ELSOE, RONALD LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	108.00
00186497	04/13/2017	EXCEL SUPPLY COMPANY INVENTORY PURCHASES	P94497	84586	03/29/2017	472.85
00186498	04/13/2017	FORESTRY SUPPLIERS INC LOPPERS	P94485	15310601	03/23/2017	43.95

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186499	04/13/2017	FORSMAN, LOWELL LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	104.90
00186500	04/13/2017	FREEWAY TRAILER SALES BIKE TEAM TRAILER		OH007980	04/11/2017	4,755.70
00186501	04/13/2017	GEMPLER'S INC INVENTORY PURCHASES	P94543	S103259542	03/24/2017	723.20
00186502	04/13/2017	GENTINO, CATHERINE L FLEX SPEND ACCT REIMB		OH008010	04/14/2017	172.92
00186503	04/13/2017	GOODMAN, J C LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	110.00
00186504	04/13/2017	GRAINGER INVENTORY PURCHASES	P94504	9401616132	03/29/2017	794.44
00186505	04/13/2017	HAGSTROM, JAMES LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	124.60
00186506	04/13/2017	HOOMAN, ELLIE FLEX SPEND ACCT REIMB		OH008008	04/14/2017	217.39
00186507	04/13/2017	JIRA, ROBERT TRAINING EXPENSES		OH007990	04/10/2017	1,825.90
00186508	04/13/2017	JOHNSON, CURTIS LEOFF1 Medicare Reimb		MAY2017A	04/05/2017	1,117.08
00186509	04/13/2017	KRAMP, ROBERT A FLEX SPEND ACCT REIMB		OH008009	04/14/2017	2,537.00
00186510	04/13/2017	KUHN, DAVID LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	110.00
00186511	04/13/2017	LEE, WALLACE LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	109.00
00186512	04/13/2017	LEOPOLD, FREDERIC LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	146.90
00186513	04/13/2017	LOISEAU, LERI M LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	107.00
00186514	04/13/2017	LYONS, STEVEN LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	135.60
00186515	04/13/2017	MALLORY SAFETY SUPPLY INVENTORY PURCHASES	P94517	4238921	03/27/2017	298.75
00186516	04/13/2017	MARTINEZ, SAUL WORK BOOTS		OH007983	03/27/2017	218.95
00186517	04/13/2017	MI EMPLOYEES ASSOC PAYROLL EARLY WARRANTS		OH007996	04/14/2017	148.75
00186518	04/13/2017	MYERS, JAMES S LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	104.90
00186519	04/13/2017	NALL, TREVOR OVERPAYMENT REFUND		OH007988	04/06/2017	335.00
00186520	04/13/2017	PACIFIC SAFETY SUPPLY INC ROLL UP SIGNS (ONE LANE ROAD A	P94524	716710	03/24/2017	306.05
00186521	04/13/2017	POTTERF, MARK PARKING FEE		OH007986	03/20/2017	32.00
00186522	04/13/2017	PROVOST, ALAN LEOFF1 Excess Benefit		MAY2017A	04/05/2017	1,599.32
00186523	04/13/2017	PUGET SOUND ENERGY ENERGY USEAGE APRIL 2017		OH007994	03/24/2017	36,747.01
00186524	04/13/2017	RAMSAY, JON LEOFF1 Medicare Reimb		MAY2017A	04/05/2017	682.58

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186525	04/13/2017	RUCKER, MANORD J LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	127.00
00186526	04/13/2017	SCHOENTRUP, WILLIAM LEOFF1 Medicare Reimb		MAY2017A	04/05/2017	1,024.63
00186527	04/13/2017	SMITH, RICHARD LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	200.80
00186528	04/13/2017	SOUND SAFETY PRODUCTS SAFETY BOOTS	P94528	214755	03/24/2017	173.56
00186529	04/13/2017	STONEWAY ELECTRIC LIMIT SWITCH 240VAC	P94474	S101942127001	03/15/2017	144.68
00186530	04/13/2017	THOMPSON, JAMES LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	123.30
00186531	04/13/2017	TOOLEY, NORMAN LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	107.00
00186532	04/13/2017	TOTAL RECLAIM INC Electronic property destructio	P94494	180904	03/23/2017	78.86
00186533	04/13/2017	TRAFFIC SAFETY SUPPLY BAND-IT, BOLT BRACKET (50)	P94542	126350	03/29/2017	241.18
00186534	04/13/2017	UNITED WAY OF KING CO PAYROLL EARLY WARRANTS		OH007997	04/14/2017	230.00
00186554	04/13/2017	US BANK CORP PAYMENT SYS PFD for Marine Patrol		2401951707452230	04/06/2017	35,819.30
00186555	04/13/2017	VERIZON WIRELESS Verizon Billing J. Underwood	P93481	9782659203	03/23/2017	2,157.76
00186556	04/13/2017	VERIZON WIRELESS IGS WIFI, IGS LOANER, IGS MDC1	P93565	9782659208	03/23/2017	1,814.36
00186557	04/13/2017	VICKERS MICHAEL L Replace Payroll check 6177 dat		OH007991	04/05/2017	230.13
00186558	04/13/2017	WA ST TREASURER'S OFFICE Remit March 2017 Court Transmi	P94718	OH008005	03/31/2017	28,847.41
00186559	04/13/2017	WA ST TREASURER'S OFFICE Remit March 2017 NC Court	P94719	OH008006	03/31/2017	3,600.12
00186560	04/13/2017	WALLACE, THOMAS LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	109.00
00186561	04/13/2017	WASHINGTON2 ADVOCATES LLC March 2017 I-90 Loss of Mobili	P94670	5779	03/31/2017	10,000.00
00186562	04/13/2017	WATCHGUARD VIDEO 2 replacement microphones for	P94452	ACCINV0010680	03/22/2017	821.25
00186563	04/13/2017	WCIA Annual Marine Patrol vessel	P94563	13943	03/29/2017	21,919.00
00186564	04/13/2017	WEGNER, KEN LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	104.90
00186565	04/13/2017	WEST MARINE Children's PFD's	P94642	8035	04/04/2017	17.04
00186566	04/13/2017	WESTERN STATE DESIGN Bunker Gear Dryer - Final Paym	P94082	E024924IN	03/31/2017	4,969.98
00186567	04/13/2017	WHEELER, DENNIS LEOFF1 Medicare Reimb		MAY2017B	04/05/2017	104.90
00186568	04/13/2017	WHITE, JOSEPH Replace Payroll check 8170 dat	P94676	OH008004	04/06/2017	14.70
00186569	04/13/2017	WHITE, NANCY Deposit refund from event rent	P94672	24219	04/05/2017	16.25

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186570	04/13/2017	WILLING, ROBERT Replace Payroll check 8545 dat	P94659	OH008003	04/05/2017	50.00
00186571	04/13/2017	WMCA WMCA 17'-18' Membership Dues(S	P94665	01883	04/04/2017	75.00
00186572	04/13/2017	WOOD, JULIE D Clinical consults for 2017	P93567	OH008002	04/05/2017	300.00
00186573	04/13/2017	WORKSAFE SERVICE INC, A CDL Pre-employment Testing S.	P94637	340427	03/31/2017	145.00
00186574	04/13/2017	XEROX CORPORATION PRINTER SUPPLIES		230048089	04/01/2017	756.77
00186575	04/13/2017	ZEE MEDICAL Quarterly Restock at City Hall	P94619	68333981	04/04/2017	238.48
					Total	<u>184,130.47</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	12,083.13
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	6,672.47
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	5,433.92
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	2,085.27
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	1,326.35
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	1,042.48
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	800.48
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	474.97
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	454.82
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	379.37
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	281.55
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	281.52
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	207.75
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	193.66
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	117.89
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	117.87
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	103.53
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	103.27
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	75.48
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	75.00
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	54.15
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	37.12
P94718	00186558	WA ST TREASURER'S OFFICE	Remit March 2017 Court Transmi	34.11
P94672	00186569	WHITE, NANCY	Deposit refund from event rent	16.25
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	7.82
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	2.18
P94719	00186559	WA ST TREASURER'S OFFICE	Remit March 2017 NC Court	1.37
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P94543	00186501	GEMPLER'S INC	INVENTORY PURCHASES	723.20
	00186485	BURKE, MIKE & LINDA	OVERPAYMENT REFUND	601.58
P94497	00186497	EXCEL SUPPLY COMPANY	INVENTORY PURCHASES	472.85
	00186519	NALL, TREVOR	OVERPAYMENT REFUND	335.00
P94475	00186504	GRAINGER	INVENTORY PURCHASES	286.93
P94517	00186515	MALLORY SAFETY SUPPLY	INVENTORY PURCHASES	298.75
P94496	00186504	GRAINGER	INVENTORY PURCHASES	45.77
<i>Org Key: 814006 - Regular Checks Re-Issued</i>				
P94661	00186557	VICKERS MICHAEL L	Replace Payroll check 6177 dat	105.13
P94659	00186570	WILLING, ROBERT	Replace Payroll check 8545 dat	50.00
P94676	00186568	WHITE, JOSEPH	Replace Payroll check 8170 dat	14.70
<i>Org Key: 814072 - United Way</i>				
	00186534	UNITED WAY OF KING CO	PAYROLL EARLY WARRANTS	230.00
<i>Org Key: 814074 - Garnishments</i>				
	00186488	CHAPTER 13 TRUSTEE	PAYROLL EARLY WARRANTS	1,331.00
<i>Org Key: 814075 - Mercer Island Emp Association</i>				
	00186517	MI EMPLOYEES ASSOC	PAYROLL EARLY WARRANTS	148.75

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 814083 - Vol Life Ins - States West Lif</i>				
	00186481	AWC	APRIL 2017	335.50
<i>Org Key: CA1100 - Administration (CA)</i>				
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	122.17
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	39.72
	00186554	US BANK CORP PAYMENT SYS	L2G*DJA-COURT E-COMMRC	27.49
<i>Org Key: CM1100 - Administration (CM)</i>				
	00186554	US BANK CORP PAYMENT SYS	STERLING S RESTAURANT	81.68
	00186554	US BANK CORP PAYMENT SYS	ISLANDER	57.76
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	41.38
P94636	00186555	VERIZON WIRELESS	Verizon Billing J. Underwood	31.72
	00186554	US BANK CORP PAYMENT SYS	ABM ONSITE BELLEVUE PARK	12.00
<i>Org Key: CM11SP - Special Projects-City Mgr</i>				
P94670	00186561	WASHINGTON2 ADVOCATES LLC	March 2017 I-90 Loss of Mobili	10,000.00
	00186554	US BANK CORP PAYMENT SYS	IPM USPG	13.43
<i>Org Key: CM1200 - City Clerk</i>				
P94573	00186489	CODE PUBLISHING CO	Codification March 2017	1,143.18
	00186554	US BANK CORP PAYMENT SYS	THECATERCO KIRKLAND	287.11
	00186554	US BANK CORP PAYMENT SYS	RESTAURANTS ON THE RUN	258.14
	00186554	US BANK CORP PAYMENT SYS	OLIVE GARDEN 00013185	149.54
P94665	00186571	WMCA	WMCA 17'-18' Membership Dues(S	75.00
<i>Org Key: CM1400 - Communications</i>				
	00186554	US BANK CORP PAYMENT SYS	POLL EVERYWHERE, INC.	79.00
<i>Org Key: CO6100 - City Council</i>				
	00186554	US BANK CORP PAYMENT SYS	RESTAURANTS ON THE RUN	227.68
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	38.50
	00186554	US BANK CORP PAYMENT SYS	QFC #5871	2.99
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	700.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	600.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	375.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	350.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	350.00
	00186554	US BANK CORP PAYMENT SYS	COSTCO WHSE #1225	325.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	300.00
	00186554	US BANK CORP PAYMENT SYS	GOURMONDO CATERING	278.66
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	250.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	150.00
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	135.00
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	135.00
P94635	00186575	ZEE MEDICAL	Quarterly Restock at City Hall	109.34
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	100.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	100.00
	00186554	US BANK CORP PAYMENT SYS	ALBERTSONS STO00004580	97.01
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	90.00

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PO #	Check #	Vendor:	Transaction Description	Check Amount
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	90.00
	00186554	US BANK CORP PAYMENT SYS	REI.COM	75.00
	00186554	US BANK CORP PAYMENT SYS	REI.COM	75.00
	00186554	US BANK CORP PAYMENT SYS	REI.COM	75.00
	00186554	US BANK CORP PAYMENT SYS	REI.COM	75.00
	00186554	US BANK CORP PAYMENT SYS	QFC #5839	52.25
	00186554	US BANK CORP PAYMENT SYS	REI.COM	50.00
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	45.00
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	45.00
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	45.00
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	45.00
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	45.00
	00186554	US BANK CORP PAYMENT SYS	CRAIGSLIST.ORG	45.00
P94636	00186555	VERIZON WIRELESS	Verizon Billing K. Segle	40.01
	00186554	US BANK CORP PAYMENT SYS	CRW EDU CENTER #32001	12.50
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	12.07
Org Key: DS1100 - Administration (DS)				
	00186554	US BANK CORP PAYMENT SYS	POMEGRANATE	450.00
	00186554	US BANK CORP PAYMENT SYS	RESTAURANTS ON THE RUN	169.99
	00186554	US BANK CORP PAYMENT SYS	CG SEATTLE	114.31
	00186554	US BANK CORP PAYMENT SYS	PAGLIACCI MERCER ISLAND	99.00
	00186554	US BANK CORP PAYMENT SYS	MBP.COM MERCHANT FEE	54.10
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	40.99
	00186554	US BANK CORP PAYMENT SYS	RUBBERSTAMPSCOM	40.97
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	28.11
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	20.00
	00186554	US BANK CORP PAYMENT SYS	ACE PARKING 3264	18.00
	00186554	US BANK CORP PAYMENT SYS	STAPLES DIRECT	16.41
	00186554	US BANK CORP PAYMENT SYS	RUBBERSTAMPSCOM	12.98
	00186554	US BANK CORP PAYMENT SYS	WSCC PFD PARKING	7.00
Org Key: DS1200 - Bldg Plan Review & Inspection				
	00186554	US BANK CORP PAYMENT SYS	INT'L CODE COUNCIL INC	317.44
	00186521	POTTERF, MARK	PARKING FEE	32.00
	00186554	US BANK CORP PAYMENT SYS	CODE ELECTRICAL CLASS	27.00
Org Key: DS1400 - Development Engineering				
	00186554	US BANK CORP PAYMENT SYS	EB 2017 ITE WASHINGTO	22.00
Org Key: FN1100 - Administration (FN)				
	00186554	US BANK CORP PAYMENT SYS	MNGMNT TRAINING A. CARTWRIGHT	595.00
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	322.55
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	32.52
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	-580.41
Org Key: FR1100 - Administration (FR)				
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	1,149.16
	00186487	CENTURYLINK	PHONE USE APR 2017	177.39
	00186554	US BANK CORP PAYMENT SYS	ROGUE FITNESS	157.95
	00186554	US BANK CORP PAYMENT SYS	WSU CONF MGMT PUYALLUP	125.00
	00186554	US BANK CORP PAYMENT SYS	WSU CONF MGMT PUYALLUP	125.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	65.90

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PO #	Check #	Vendor:	Transaction Description	Check Amount
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	52.18
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	50.72
	00186554	US BANK CORP PAYMENT SYS	ATTORNEY & NOTARY SUPPLY	36.14
	00186554	US BANK CORP PAYMENT SYS	RITE AID STORE - 5197	27.49
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	23.56
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	20.00
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	20.00
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	15.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	13.96
	00186554	US BANK CORP PAYMENT SYS	SILERS DRY CLEANERS	13.00
	00186554	US BANK CORP PAYMENT SYS	SILERS DRY CLEANERS	10.84
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	8.98
	00186554	US BANK CORP PAYMENT SYS	USPS KIOSK 5453069550	3.22
Org Key: FR2100 - Fire Operations				
P94650	00186555	VERIZON WIRELESS	MDC Charges/Fire	925.01
	00186554	US BANK CORP PAYMENT SYS	LIFETIME MUFFLER BRA	180.68
	00186554	US BANK CORP PAYMENT SYS	LIFETIME MUFFLER BRA	164.25
	00186554	US BANK CORP PAYMENT SYS	KIRKLAND BUICK GMC	95.59
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	59.04
Org Key: FR2500 - Fire Emergency Medical Svcs				
P94686	00186477	AIRGAS USA LLC	Oxygen/Fire	272.09
Org Key: FR4100 - Training				
	00186554	US BANK CORP PAYMENT SYS	WPSG. INC 800-852-6088	177.58
	00186554	US BANK CORP PAYMENT SYS	FIRE PROTECTION PUB WEB	71.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	17.56
Org Key: GGM004 - Gen Govt-Office Support				
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	756.60
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	580.41
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	100.74
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	68.51
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	65.46
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	51.05
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	-69.75
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	-106.00
Org Key: GGM005 - Genera Govt-L1 Retiree Costs				
	00186491	COOPER, ROBERT	MEDICARE REIMB 4/1/17-6/30/17	402.00
	00186527	SMITH, RICHARD	LEOFF1 Medicare Reimb	200.80
	00186482	BARNES, WILLIAM	LEOFF1 Medicare Reimb	163.70
	00186512	LEOPOLD, FREDERIC	LEOFF1 Medicare Reimb	146.90
	00186508	JOHNSON, CURTIS	LEOFF1 Medicare Reimb	143.30
	00186524	RAMSAY, JON	LEOFF1 Medicare Reimb	136.20
	00186514	LYONS, STEVEN	LEOFF1 Medicare Reimb	135.60
	00186525	RUCKER, MANORD J	LEOFF1 Medicare Reimb	127.00
	00186505	HAGSTROM, JAMES	LEOFF1 Medicare Reimb	124.60
	00186530	THOMPSON, JAMES	LEOFF1 Medicare Reimb	123.30
	00186493	DEEDS, EDWARD G	LEOFF1 Medicare Reimb	111.00
	00186494	DEVENY, JAN P	LEOFF1 Medicare Reimb	111.00

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PO #	Check #	Vendor:	Transaction Description	Check Amount
	00186495	DOWD, PAUL	LEOFF1 Medicare Reimb	111.00
	00186480	AUGUSTSON, THOR	LEOFF1 Medicare Reimb	110.00
	00186486	CALLAGHAN, MICHAEL	LEOFF1 Medicare Reimb	110.00
	00186503	GOODMAN, J C	LEOFF1 Medicare Reimb	110.00
	00186510	KUHN, DAVID	LEOFF1 Medicare Reimb	110.00
	00186475	ADAMS, RONALD E	LEOFF1 Medicare Reimb	109.00
	00186511	LEE, WALLACE	LEOFF1 Medicare Reimb	109.00
	00186560	WALLACE, THOMAS	LEOFF1 Medicare Reimb	109.00
	00186496	ELSOE, RONALD	LEOFF1 Medicare Reimb	108.00
	00186526	SCHOENTRUP, WILLIAM	LEOFF1 Medicare Reimb	108.00
	00186513	LOISEAU, LERI M	LEOFF1 Medicare Reimb	107.00
	00186531	TOOLEY, NORMAN	LEOFF1 Medicare Reimb	107.00
	00186473	ABBOTT, RICHARD	LEOFF1 Medicare Reimb	104.90
	00186483	BOOTH, GLENDON D	LEOFF1 Medicare Reimb	104.90
	00186499	FORSMAN, LOWELL	LEOFF1 Medicare Reimb	104.90
	00186518	MYERS, JAMES S	LEOFF1 Medicare Reimb	104.90
	00186564	WEGNER, KEN	LEOFF1 Medicare Reimb	104.90
	00186567	WHEELER, DENNIS	LEOFF1 Medicare Reimb	104.90
Org Key: GGM606 - Excess Retirement-Fire				
	00186482	BARNES, WILLIAM	LEOFF1 Excess Benefit	1,749.45
	00186491	COOPER, ROBERT	LEOFF1 Excess Benefit	1,712.19
	00186522	PROVOST, ALAN	LEOFF1 Excess Benefit	1,599.32
	00186508	JOHNSON, CURTIS	LEOFF1 Excess Benefit	973.78
	00186526	SCHOENTRUP, WILLIAM	LEOFF1 Excess Benefit	916.63
	00186524	RAMSAY, JON	LEOFF1 Excess Benefit	546.38
Org Key: IS2100 - IGS Network Administration				
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	722.68
	00186487	CENTURYLINK	PHONE USE APR 2017	491.29
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	415.00
	00186554	US BANK CORP PAYMENT SYS	VSN*DOTGOVREGISTRATION	400.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	399.64
P0094732	00186474	ACCESS	DATA ENTRY, BLACK BOX PICK UP	395.29
	00186554	US BANK CORP PAYMENT SYS	ALASKA AIR 0272135486513	342.40
	00186554	US BANK CORP PAYMENT SYS	ACT*ACCIS	250.00
P94612	00186556	VERIZON WIRELESS	IGS WIFI, IGS LOANER, IGS MDC1	160.04
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	155.47
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	139.59
	00186554	US BANK CORP PAYMENT SYS	MONOPRICE, INC.	97.39
	00186554	US BANK CORP PAYMENT SYS	REGISTER.COM*133B7F4EJ	96.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	85.38
	00186554	US BANK CORP PAYMENT SYS	ACT*ACCIS MEMBERSHIP	75.00
	00186554	US BANK CORP PAYMENT SYS	PHAT 12 ISLAND BROILER	66.85
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	54.72
	00186554	US BANK CORP PAYMENT SYS	TST* HOMEGROWN 1008	47.96
	00186554	US BANK CORP PAYMENT SYS	CARE.CITRIXONLINE.COM	35.51
	00186554	US BANK CORP PAYMENT SYS	REGISTER.COM*133B4D40J	28.00
	00186554	US BANK CORP PAYMENT SYS	THE UPS STORE 1081	21.87
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	12.16
	00186554	US BANK CORP PAYMENT SYS	THE UPS STORE 1081	9.60

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PO #	Check #	Vendor:	Transaction Description	Check Amount
	00186554	US BANK CORP PAYMENT SYS	EINSTEIN BROS BAGELS3410	9.49
	00186554	US BANK CORP PAYMENT SYS	AMAZON WEB SERVICES	0.56
<i>Org Key: MT2100 - Roadway Maintenance</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USEAGE APRIL 2017	3,592.93
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	322.07
	00186554	US BANK CORP PAYMENT SYS	PAYPAL *PNW-ISA	279.72
P94524	00186520	PACIFIC SAFETY SUPPLY INC	ROLL UP SIGNS (ONE LANE ROAD A	306.05
	00186554	US BANK CORP PAYMENT SYS	AMERICAN MEADOWS	246.90
P94542	00186533	TRAFFIC SAFETY SUPPLY	BAND-IT, BOLT BRACKET (50)	241.18
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	13.39
<i>Org Key: MT2500 - ROW Administration</i>				
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	144.80
<i>Org Key: MT3150 - Water Quality Event</i>				
P94697	00186478	AM TEST INC	INV 97170 WATER QUALITY TESTIN	240.00
<i>Org Key: MT3200 - Water Pumps</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	2,945.47
	00186487	CENTURYLINK	PHONE USE APR 2017	238.76
<i>Org Key: MT3300 - Water Associated Costs</i>				
	00186554	US BANK CORP PAYMENT SYS	OWPSACSTATE	441.00
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	275.35
	00186554	US BANK CORP PAYMENT SYS	OWPSACSTATE	50.00
<i>Org Key: MT3500 - Sewer Pumps</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	3,726.46
P94474	00186529	STONEMAN ELECTRIC	LIMIT SWITCH 240VAC	144.68
P94553	00186555	VERIZON WIRELESS	PS 18 & 24 WIRELESS SERVICE	78.04
<i>Org Key: MT3600 - Sewer Associated Costs</i>				
	00186554	US BANK CORP PAYMENT SYS	LIL JONS RESTAURANT	64.66
<i>Org Key: MT3800 - Storm Drainage</i>				
P94697	00186478	AM TEST INC	INV 97750 STORMWATER TESTING	460.00
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P93481	00186555	VERIZON WIRELESS	2017 PUBLIC WORKS CELLULAR SER	1,082.98
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	905.54
	00186554	US BANK CORP PAYMENT SYS	SEATTLE CC-SOUTH CASHIER	225.00
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	156.53
	00186554	US BANK CORP PAYMENT SYS	EB IAAP PACIFIC NORTH	120.00
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	106.00
	00186554	US BANK CORP PAYMENT SYS	AMERICAN PUBLIC WORKS	86.42
	00186554	US BANK CORP PAYMENT SYS	BARNES & NOBLE #2910	18.62
<i>Org Key: MT4200 - Building Services</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	6,371.26
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	5,911.85
	00186554	US BANK CORP PAYMENT SYS	ARNOLD'S APPLIANCE	765.41

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PO #	Check #	Vendor:	Transaction Description	Check Amount
	00186554	US BANK CORP PAYMENT SYS	EVERGREEN SAFETY COUNCIL	85.00
	00186554	US BANK CORP PAYMENT SYS	FAUCET DEPOT 095	62.23
P94454	00186484	BUILDERS HARDWARE & SUPPLY CO.	ADA RESTROOM MIRROR CITY HALL	52.85
	00186554	US BANK CORP PAYMENT SYS	PLUMBINGSUPPLY GROUP LLC	40.47
	00186554	US BANK CORP PAYMENT SYS	LOWES #00004*	14.45
<i>Org Key: MT4300 - Fleet Services</i>				
	00186554	US BANK CORP PAYMENT SYS	Tires for Patrol 12 trailer	843.99
	00186554	US BANK CORP PAYMENT SYS	SHELL OIL 57444032502	85.00
	00186554	US BANK CORP PAYMENT SYS	SHELL OIL 57444032502	77.64
	00186554	US BANK CORP PAYMENT SYS	SHELL OIL 57444032502	57.15
	00186554	US BANK CORP PAYMENT SYS	SHELL OIL 57444032502	40.91
	00186554	US BANK CORP PAYMENT SYS	SHELL OIL 57444032502	33.29
	00186554	US BANK CORP PAYMENT SYS	WA DOL LIC & REG 09598	24.00
	00186554	US BANK CORP PAYMENT SYS	WA DOL09598*SERVICEFEE	2.00
<i>Org Key: MT4420 - Transportation Planner Eng</i>				
	00186554	US BANK CORP PAYMENT SYS	EB 2017 ITE WASHINGTO	22.00
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	907.40
<i>Org Key: PO1100 - Administration (PO)</i>				
	00186500	FREEWAY TRAILER SALES	BIKE TEAM TRAILER	4,755.70
P94623	00186556	VERIZON WIRELESS	Cell phone bill- March	1,173.44
	00186554	US BANK CORP PAYMENT SYS	Eastside Chiefs Meeting Lunch	391.88
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	220.85
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	149.43
	00186554	US BANK CORP PAYMENT SYS	Flight to WASPC-Magnan	146.40
	00186554	US BANK CORP PAYMENT SYS	Flight to WASPC-Burns	146.40
	00186554	US BANK CORP PAYMENT SYS	DOUBLETREE CITY CENTER	112.88
	00186554	US BANK CORP PAYMENT SYS	DOUBLETREE CITY CENTER	112.88
	00186554	US BANK CORP PAYMENT SYS	NORCOM Emp Appreciation	56.72
	00186554	US BANK CORP PAYMENT SYS	Community Immigration Meeting	50.17
	00186554	US BANK CORP PAYMENT SYS	STARBUCKS STORE 13730	34.74
	00186554	US BANK CORP PAYMENT SYS	STARBUCKS STORE 13730	34.74
	00186554	US BANK CORP PAYMENT SYS	Shadow box and supplies	32.84
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	20.00
	00186554	US BANK CORP PAYMENT SYS	NORCOM Emp appreciation	19.14
	00186554	US BANK CORP PAYMENT SYS	CAPLAN'S RAINBOW PARKING	14.65
	00186554	US BANK CORP PAYMENT SYS	Shadow box	12.67
<i>Org Key: PO1350 - Police Emergency Management</i>				
	00186554	US BANK CORP PAYMENT SYS	Notebooks for Citizen's Academ	399.64
<i>Org Key: PO1700 - Records and Property</i>				
	00186554	US BANK CORP PAYMENT SYS	Chair for K Donnelly	216.80
	00186554	US BANK CORP PAYMENT SYS	WAPRO dues-Donnelly	175.00
P94619	00186575	ZEE MEDICAL	First aid supplies	129.14
P94494	00186532	TOTAL RECLAIM INC	Electronic property destructio	78.86
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	12.94
<i>Org Key: PO2100 - Patrol Division</i>				

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PO #	Check #	Vendor:	Transaction Description	Check Amount
P94452	00186562	WATCHGUARD VIDEO	2 replacement microphones for	821.25
	00186554	US BANK CORP PAYMENT SYS	Padlocks for officer's lockers	226.67
P0094726	00186476	AFTERMATH	Patrol car biohazard cleaning	105.00
<i>Org Key: PO2200 - Marine Patrol</i>				
P94563	00186563	WCIA	Annual Marine Patrol vessel	21,919.00
	00186554	US BANK CORP PAYMENT SYS	PFD for Marine Patrol	575.57
	00186557	VICKERS MICHAEL L	FCC MARINE RADIO OPR PERMIT	125.00
	00186554	US BANK CORP PAYMENT SYS	Fuel for marine patrol truck	78.63
P94642	00186565	WEST MARINE	Children's PFD's	17.04
	00186554	US BANK CORP PAYMENT SYS	PFD for Marine Patrol	-575.57
<i>Org Key: PO3100 - Investigation Division</i>				
	00186507	JIRA, ROBERT	TRAINING EXPENSES	1,067.23
	00186554	US BANK CORP PAYMENT SYS	Tuition Practical Homicide Sem	585.00
	00186507	JIRA, ROBERT	MILEAGE EXPENSE	406.67
	00186507	JIRA, ROBERT	PER DIEM REIMB	352.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	10.25
<i>Org Key: PO4100 - Firearms Training</i>				
	00186554	US BANK CORP PAYMENT SYS	Glock armorer course	250.00
	00186554	US BANK CORP PAYMENT SYS	Glock armorer course	250.00
	00186554	US BANK CORP PAYMENT SYS	WSLEFIA Registration	130.00
	00186554	US BANK CORP PAYMENT SYS	WSLEFIA registration	130.00
<i>Org Key: PO4300 - Police Training</i>				
	00186554	US BANK CORP PAYMENT SYS	IA, Leadership, Problem Emplo	677.28
	00186554	US BANK CORP PAYMENT SYS	IA, Leadership, Problem Emplo	677.28
	00186554	US BANK CORP PAYMENT SYS	FBI Conference - Magnan, Jokin	375.00
	00186554	US BANK CORP PAYMENT SYS	Fuel - vehicle 395	39.38
	00186554	US BANK CORP PAYMENT SYS	FUEL - 395	35.09
<i>Org Key: PR1100 - Administration (PR)</i>				
	00186554	US BANK CORP PAYMENT SYS	Magnetic whiteboard for careta	58.99
	00186487	CENTURYLINK	PHONE USE APR 2017	51.36
	00186554	US BANK CORP PAYMENT SYS	P&R and YFS Online Marketing	50.37
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	30.00
	00186554	US BANK CORP PAYMENT SYS	Red file folders	26.40
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	15.00
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	15.00
	00186554	US BANK CORP PAYMENT SYS	Lock replacement for kiosk box	10.40
<i>Org Key: PR1500 - Urban Forest Management</i>				
	00186554	US BANK CORP PAYMENT SYS	SOCIETY FOR ECOLOGICAL RE	65.00
	00186554	US BANK CORP PAYMENT SYS	BUSHNELL	9.99
	00186554	US BANK CORP PAYMENT SYS	WSCC PFD PARKING	7.00
	00186554	US BANK CORP PAYMENT SYS	LOWES #00004*	-158.79
<i>Org Key: PR2100 - Recreation Programs</i>				
	00186554	US BANK CORP PAYMENT SYS	Equipment for sports camps	322.03
	00186554	US BANK CORP PAYMENT SYS	Promotional sign for Egg Hunts	232.14
	00186554	US BANK CORP PAYMENT SYS	WHENTOWORK INC	200.00
	00186554	US BANK CORP PAYMENT SYS	Equipment for sports camps	185.93

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00186554	US BANK CORP PAYMENT SYS	Equipment for sports camps	185.43
	00186554	US BANK CORP PAYMENT SYS	C&C SMART FOOD52105590	124.23
	00186554	US BANK CORP PAYMENT SYS	Pizza for Parents Night Out	120.96
	00186554	US BANK CORP PAYMENT SYS	C&C SMART FOOD52105590	93.49
	00186554	US BANK CORP PAYMENT SYS	C&C SMART FOOD52105590	91.41
	00186554	US BANK CORP PAYMENT SYS	TUESDAY MORNING #1163	88.47
	00186554	US BANK CORP PAYMENT SYS	SAFEWAY STORE00005264	86.94
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	83.50
	00186554	US BANK CORP PAYMENT SYS	Supplies for Parent's Night Ou	75.19
	00186554	US BANK CORP PAYMENT SYS	SAFEWAY STORE00004903	51.41
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	45.98
	00186554	US BANK CORP PAYMENT SYS	QFC #5839	44.80
	00186554	US BANK CORP PAYMENT SYS	Crafts supplies for Parent's N	39.38
	00186554	US BANK CORP PAYMENT SYS	Crafts Supplies for Parent' Ni	33.04
	00186554	US BANK CORP PAYMENT SYS	QFC #5839	32.82
	00186554	US BANK CORP PAYMENT SYS	STAPLES 00113357	30.93
	00186554	US BANK CORP PAYMENT SYS	HARBOR FREIGHT TOOLS 279	27.36
	00186554	US BANK CORP PAYMENT SYS	PARTY CITY	27.29
	00186554	US BANK CORP PAYMENT SYS	Crafts supplies for Parent's N	26.19
	00186554	US BANK CORP PAYMENT SYS	Department Survey Site	26.00
	00186554	US BANK CORP PAYMENT SYS	SAFEWAY STORE00005264	20.19
	00186554	US BANK CORP PAYMENT SYS	Supplies for Parent's Night Ou	19.02
	00186554	US BANK CORP PAYMENT SYS	QFC #5839	14.58
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	12.00
	00186554	US BANK CORP PAYMENT SYS	TST* HOMEGROWN 1008	11.66
	00186554	US BANK CORP PAYMENT SYS	Crafts supplies for Parent's N	8.75
	00186554	US BANK CORP PAYMENT SYS	Supplies for Parent's Night Ou	8.74
	00186554	US BANK CORP PAYMENT SYS	QFC #5839	8.48
	00186554	US BANK CORP PAYMENT SYS	QFC #5839	7.77
	00186554	US BANK CORP PAYMENT SYS	TRADER JOE'S #132 QPS	6.98
	00186554	US BANK CORP PAYMENT SYS	Supplies for Parent's Night Ou	6.55
	00186554	US BANK CORP PAYMENT SYS	Supplies for Parent's Night Ou	4.38
	00186554	US BANK CORP PAYMENT SYS	Supplies for Parent's Night Ou	2.50
	00186554	US BANK CORP PAYMENT SYS	Equipment for sports camps	1.15
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	-49.99

Org Key: PR2104 - Special Events

P94627	00186479	ANDERSON, LORENTZ E	Leap For Green Entertainment	250.00
	00186554	US BANK CORP PAYMENT SYS	STU*STUMPS	54.64
	00186554	US BANK CORP PAYMENT SYS	Leap for Green - Craft Room	54.00
	00186554	US BANK CORP PAYMENT SYS	Leap for Green Crafts Supplies	35.70
	00186554	US BANK CORP PAYMENT SYS	Craft supplies for Leap 4 Gree	26.42
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	9.99
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	-67.83

Org Key: PR2108 - Health and Fitness

	00186554	US BANK CORP PAYMENT SYS	Power Flex mats	474.57
	00186554	US BANK CORP PAYMENT SYS	Signs for Stroller Strides	89.78
	00186554	US BANK CORP PAYMENT SYS	Wall-mounted Mat Rack for Powe	42.98
	00186554	US BANK CORP PAYMENT SYS	Golf Meeting Supplies	14.97

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PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: PR3500 - Senior Services</i>				
	00186554	US BANK CORP PAYMENT SYS	SQ *SHAWN'S CATERIN	365.73
	00186554	US BANK CORP PAYMENT SYS	SQ *SHAWN'S CATERIN	350.40
	00186554	US BANK CORP PAYMENT SYS	Senior Lunch Supplies	103.35
P94640	00186556	VERIZON WIRELESS	P&R monthly Verizon cell phone	50.69
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	32.87
	00186554	US BANK CORP PAYMENT SYS	SQ *SHAWN'S CATERIN	21.90
	00186554	US BANK CORP PAYMENT SYS	Senior Lunch Supplies	16.03
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	13.41
	00186554	US BANK CORP PAYMENT SYS	Senior Lunch Supplies	9.48
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	9.00
	00186554	US BANK CORP PAYMENT SYS	Sr Social - Birdfeeders	5.98
	00186554	US BANK CORP PAYMENT SYS	Sr social - QFC	4.20
	00186554	US BANK CORP PAYMENT SYS	Senior Lunch Supplies	1.89
<i>Org Key: PR4100 - Community Center</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	6,078.13
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	519.80
	00186554	US BANK CORP PAYMENT SYS	DISCOUNTMUGS.COM	357.00
	00186554	US BANK CORP PAYMENT SYS	YLP* YELP ADVERTISING	350.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	183.95
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	178.03
	00186554	US BANK CORP PAYMENT SYS	IRIS WINDOW COVERINGS	153.30
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	113.57
	00186554	US BANK CORP PAYMENT SYS	MOCTEZUMAS MEXICAN RESTAU	110.11
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	94.22
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	75.87
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	73.20
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	70.03
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	62.59
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	59.96
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	56.24
	00186554	US BANK CORP PAYMENT SYS	THE HOME DEPOT #4711	50.52
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	48.97
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	41.99
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	40.38
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	35.87
P94640	00186556	VERIZON WIRELESS	P&R monthly Verizon cell phone	32.61
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	26.94
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	22.25
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	21.89
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	21.68
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	19.32
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	18.99
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	17.08
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	15.42
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	13.51
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	13.20
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	9.54
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	7.79

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	5.45
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	-25.99
<i>Org Key: PR5400 - Gallery Program</i>				
	00186554	US BANK CORP PAYMENT SYS	Artists Reception Refreshments	27.74
	00186554	US BANK CORP PAYMENT SYS	Arts Council Retreat	16.41
	00186554	US BANK CORP PAYMENT SYS	Arts Council Retreat	13.80
	00186554	US BANK CORP PAYMENT SYS	Artists' Reception Refreshment	9.99
<i>Org Key: PR5700 - Special Programs</i>				
	00186554	US BANK CORP PAYMENT SYS	Lunches for Arts Council retre	242.10
	00186554	US BANK CORP PAYMENT SYS	Coffee for Arts Council retrea	52.40
	00186554	US BANK CORP PAYMENT SYS	Water for Arts Council retreat	5.98
<i>Org Key: PR6100 - Park Maintenance</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	3,654.67
P94504	00186504	GRAINGER	SOCKET WRENCH SET & RATCHETING	461.74
P94528	00186528	SOUND SAFETY PRODUCTS	SAFETY BOOTS	173.56
P94637	00186573	WORKSAFE SERVICE INC, A	CDL Pre-employment Testing S.	90.00
	00186554	US BANK CORP PAYMENT SYS	DAKTRONICS	77.63
P94637	00186573	WORKSAFE SERVICE INC, A	Pre-Employment Testing S. Mart	55.00
P94640	00186556	VERIZON WIRELESS	P&R monthly Verizon cell phone	47.94
P94485	00186498	FORESTRY SUPPLIERS INC	LOPPERS	43.95
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	12.35
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
	00186516	MARTINEZ, SAUL	WORK BOOTS	109.47
	00186487	CENTURYLINK	PHONE USE APR 2017	86.34
P94640	00186556	VERIZON WIRELESS	P&R monthly Verizon cell phone	66.85
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	1,644.95
P94640	00186556	VERIZON WIRELESS	P&R monthly Verizon cell phone	81.94
<i>Org Key: PR6600 - Park Maint-School Related</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	759.81
	00186516	MARTINEZ, SAUL	WORK BOOTS	109.48
P94640	00186556	VERIZON WIRELESS	P&R monthly Verizon cell phone	38.90
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	201.69
P94640	00186556	VERIZON WIRELESS	P&R monthly Verizon cell phone	81.94
<i>Org Key: PR6800 - Trails Maintenance</i>				
	00186554	US BANK CORP PAYMENT SYS	SHILO INN BEND	549.81
	00186554	US BANK CORP PAYMENT SYS	FORESTRY SUPPLIERS	196.17
P94640	00186556	VERIZON WIRELESS	P&R monthly Verizon cell phone	20.00
<i>Org Key: PY4616 - Flex Admin 2016</i>				
	00186502	GENTINO, CATHERINE L	FLEX SPEND ACCT REIMB	172.92
<i>Org Key: PY4617 - Flex Spending Admin 2017</i>				
	00186509	KRAMP, ROBERT A	FLEX SPEND ACCT REIMB	2,537.00
	00186506	HOOMAN, ELLIE	FLEX SPEND ACCT REIMB	217.39

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: WG131E - Fire Equipment</i>				
P94082	00186566	WESTERN STATE DESIGN	Bunker Gear Dryer - Final Paym	4,649.92
P94082	00186566	WESTERN STATE DESIGN	Valve Repair Kit/Labor	320.06
<i>Org Key: WP122R - Vegetation Management</i>				
	00186554	US BANK CORP PAYMENT SYS	FORESTRY SUPPLIERS	267.74
P94640	00186556	VERIZON WIRELESS	P&R monthly Verizon cell phone	20.00
<i>Org Key: YF1100 - YFS General Services</i>				
	00186554	US BANK CORP PAYMENT SYS	COMPLETE OFFICE	284.69
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	255.68
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	243.75
	00186554	US BANK CORP PAYMENT SYS	COSTCO WHSE #0110	147.04
	00186554	US BANK CORP PAYMENT SYS	PAGLIACCI MERCER ISLAND	127.12
	00186554	US BANK CORP PAYMENT SYS	COSTCO WHSE #0106	104.05
	00186554	US BANK CORP PAYMENT SYS	NORTHWEST WHOLESALE FL	102.09
	00186554	US BANK CORP PAYMENT SYS	ULINE *SHIP SUPPLIES	94.82
	00186554	US BANK CORP PAYMENT SYS	PAGLIACCI MERCER ISLAND	80.88
	00186490	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	69.75
	00186554	US BANK CORP PAYMENT SYS	USPS PO 5453060253	57.50
	00186554	US BANK CORP PAYMENT SYS	TJ MAXX #1069	55.14
	00186554	US BANK CORP PAYMENT SYS	PON PROEM	45.77
	00186554	US BANK CORP PAYMENT SYS	EINSTEIN BROS-ONLINE CAT	44.86
P93565	00186556	VERIZON WIRELESS	Mobile broadband services for	40.01
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM AMZN.COM/BILL	27.28
	00186554	US BANK CORP PAYMENT SYS	CHEVRON 0092003	24.00
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	20.00
	00186554	US BANK CORP PAYMENT SYS	SQ *MERCER ISLAND R	20.00
	00186554	US BANK CORP PAYMENT SYS	STARBUCKS STORE 03393	20.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON MKTPLACE PMTS	18.99
	00186554	US BANK CORP PAYMENT SYS	QFC #5839	17.96
	00186554	US BANK CORP PAYMENT SYS	OFFICEMAX/OFFICEDEPOT #63	15.35
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	14.10
	00186554	US BANK CORP PAYMENT SYS	TARGET 00012849	13.20
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	12.21
	00186554	US BANK CORP PAYMENT SYS	FACEBK G9NA8BWF42	1.37
<i>Org Key: YF1200 - Thrift Shop</i>				
	00186523	PUGET SOUND ENERGY	ENERGY USE MAR 2017	616.93
	00186554	US BANK CORP PAYMENT SYS	COSTCO *BUS DELIV 115	543.11
	00186554	US BANK CORP PAYMENT SYS	COSTCO WHSE #0001	219.18
	00186554	US BANK CORP PAYMENT SYS	FEDEX 154488250	193.68
	00186487	CENTURYLINK	PHONE USE APR 2017	162.98
	00186554	US BANK CORP PAYMENT SYS	SHERWIN WILLIAMS 703546	152.88
	00186554	US BANK CORP PAYMENT SYS	VOLUNTRMATCHPREMIUM	99.00
	00186574	XEROX CORPORATION	PRINTER SUPPLIES	84.75
	00186554	US BANK CORP PAYMENT SYS	COSTCO WHSE #0001	73.54
	00186554	US BANK CORP PAYMENT SYS	BULBS.COM INC	69.89
	00186554	US BANK CORP PAYMENT SYS	ULINE *SHIP SUPPLIES	64.88
	00186554	US BANK CORP PAYMENT SYS	MOOD PANDORA	29.51
	00186554	US BANK CORP PAYMENT SYS	FEDEX 154512288	24.88

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00186554	US BANK CORP PAYMENT SYS	SQUARESPACE INC.	10.00
	00186554	US BANK CORP PAYMENT SYS	SQUARESPACE INC.	10.00
	00186554	US BANK CORP PAYMENT SYS	AMAZON.COM	9.84
<i>Org Key: YF2300 - VOICE Program</i>				
	00186554	US BANK CORP PAYMENT SYS	CITY OF MERCER ISLAND	225.00
	00186554	US BANK CORP PAYMENT SYS	CITY OF MERCER ISLAND	225.00
	00186554	US BANK CORP PAYMENT SYS	IDEALIST.ORG	90.00
	00186554	US BANK CORP PAYMENT SYS	SYMPPLICITY CORP	10.00
	00186554	US BANK CORP PAYMENT SYS	WALGREENS #3604	7.98
	00186554	US BANK CORP PAYMENT SYS	CITY OF MERCER ISLAND	-225.00
	00186554	US BANK CORP PAYMENT SYS	CITY OF MERCER ISLAND	-225.00
<i>Org Key: YF2500 - Family Counseling</i>				
P93567	00186572	WOOD, JULIE D	Clinical consults for 2017	300.00
<i>Org Key: YF2600 - Family Assistance</i>				
	00186554	US BANK CORP PAYMENT SYS	PAYPAL *PLAYWELLTEK	186.00
	00186554	US BANK CORP PAYMENT SYS	SKYHAWKS SPORTS ACADEM	111.83
	00186554	US BANK CORP PAYMENT SYS	CLB MERCER ISLAND	75.00
	00186554	US BANK CORP PAYMENT SYS	SHELL OIL 57424192508	50.00
<i>Org Key: YF2800 - Fed Drug Free Communities Gran</i>				
	00186492	CORK, TAMBI A	CADCA ACADEMY EXPENSES	602.14
	00186492	CORK, TAMBI A	PER DIEM REIMB	252.60
	00186554	US BANK CORP PAYMENT SYS	ACT*WA EDUC RESEARCH A	150.00
	00186554	US BANK CORP PAYMENT SYS	P&R and YFS Online Marketing	75.56
	00186554	US BANK CORP PAYMENT SYS	EIG*HOMESTEAD	21.99
	00186554	US BANK CORP PAYMENT SYS	YFS FB Boost	14.00
Total				184,130.47

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

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	186576-186730	4/24/2017	\$ 1,018,977.65
			\$ 1,018,977.65

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186576	04/20/2017	AABCO BARRICADE COMPANY INC Rotary Run cones & barricades	P93940	254	03/31/2017	5,518.14
00186577	04/20/2017	AIRGAS USA LLC Oxygen/Fire	P0094761	9059531841/16012	01/20/2017	351.44
00186578	04/20/2017	ASPECT SOFTWARE INC Telestaff Monthly Maintenance	P94687	ASI026072	04/05/2017	165.00
00186579	04/20/2017	B&B UTILITIES & EXCAVATION LLC 3838 WMW WATER SYSTEM IMPROVEM	P94025	#1	03/31/2017	121,388.04
00186580	04/20/2017	BABB, MICHELLE Wellness Education Event 4/5/2	P94716	OH008013	04/05/2017	232.11
00186581	04/20/2017	BELLEVUE, CITY OF Quarterly ARCH Contributions Q	P0094737	31835/31825	04/04/2017	15,700.00
00186582	04/20/2017	BELLEVUE, CITY OF Quarterly MBP.COM Surcharge	P0094778	31885	04/01/2017	9,726.75
00186583	04/20/2017	BERK CONSULTING MI Park and Ride Study (Februa	P94694	101720217F	03/03/2017	1,266.00
00186584	04/20/2017	BLUELINE GROUP EMW 5400 - 6000 BLK WATER SYST	P94158	13199	04/04/2017	3,376.25
00186585	04/20/2017	BOWLES, VIVIAN Replace payroll check 92350008	P94662	OH008012	04/05/2017	72.76
00186586	04/20/2017	BRAUN NORTHWEST INC. Rig Placards	P94690	20788	03/31/2017	420.15
00186587	04/20/2017	BREWTON MD, LUKE Clinical consultations in 2017	P93569	OH008053	04/05/2017	150.00
00186588	04/20/2017	BROOKS, KENNETH Replace Payroll check 6700 dat	P94656	OH008011	04/05/2017	142.72
00186589	04/20/2017	BUILDERS HARDWARE & SUPPLY CO. CITY HALL ADA RESTROOM	P0094773	S3553082001	03/30/2017	35.02
00186590	04/20/2017	CAMDEN GARDENS Aljoya & Aubrey Davis Park Sha	P94071	62268	04/01/2017	424.88
00186591	04/20/2017	CAMP MOSHAVA MALIBU Partial campership for EA clie	P94644	OH008016	04/05/2017	150.00
00186592	04/20/2017	CARDINAL ARCHITECTURE PC Luther Burbank Park Boiler Bui	P92495	#5	03/27/2017	247.50
00186593	04/20/2017	CDW GOVERNMENT INC 2017 Network Switch Replacemen	P94541	HKK9845	04/01/2017	10,838.45
00186594	04/20/2017	CEDAR GROVE COMPOSTING INC Organic Waste Service March 20	P94671	0000327379	03/31/2017	53.40
00186595	04/20/2017	CESSCO SHARPEN DRILL BITS	P94530	6586	04/03/2017	19.47
00186596	04/20/2017	COMCAST Internet Charges/Fire	P0094764	OH008054	04/04/2017	62.40
00186597	04/20/2017	COMCAST ACCT # 8498330400010883 CABLE	P93757	OH008014	03/07/2017	283.78
00186598	04/20/2017	COMMERCIAL LANDSC SUPPLY INC INVENTORY PURCHASES	P94722	198511	03/31/2017	359.91
00186599	04/20/2017	COMPLETE OFFICE OFFICE SUPPLIES MAR 2017		OH007995	03/31/2017	113.44
00186600	04/20/2017	CONFIDENTIAL DATA DISPOSAL Shredding	P94673	91877	03/29/2017	175.00
00186601	04/20/2017	CONGREGATIONAL CHURCH OF MI 2017 Park and Ride lot lease Q	P93954	OH008017	04/05/2017	504.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186602	04/20/2017	CONSOLIDATED PRESS Looking Ahead publication -	P94647	18653	03/31/2017	1,496.17
00186603	04/20/2017	CONTRACT HARDWARE COURT PEEK HOLE DOOR VIEWER	P0094769	SPI037943	03/23/2017	22.78
00186604	04/20/2017	CRYSTAL AND SIERRA SPRINGS Monthly water service delivery	P93566	5277493040117	04/01/2017	79.27
00186605	04/20/2017	CSR MARINE INC INV 906186 PATROL 11 REPAIRS -	P94700	906186	04/05/2017	11,001.38
00186606	04/20/2017	CULLIGAN Water Service/Fire	P0094763	201704672721	03/31/2017	331.37
00186607	04/20/2017	DATAQUEST LLC Background Check B. Park	P93568	1941	03/31/2017	233.50
00186608	04/20/2017	DAY WIRELESS SYSTEMS REPLACE WARRANT #00186093		OH008060	04/10/2017	2,460.47
00186609	04/20/2017	DELL MARKETING L.P. Dell PowerEdge R530 Servers	P94349	10157440970	03/31/2017	8,332.74
00186610	04/20/2017	ELLINGTON, DAVID Replace payroll check 92350004	P94674	OH008019	04/06/2017	227.90
00186611	04/20/2017	EMMANUEL DAY SCHOOL Preschool scholarships for EA	P93576	OH008018	04/05/2017	641.90
00186612	04/20/2017	FEDEX OFFICE Laminating, cutting & other pr	P93531	OH008055	04/01/2017	114.98
00186613	04/20/2017	FERGUSON ENTERPRISES INC INVENTORY PURCHASES	P94544	0545907	03/24/2017	4,529.95
00186614	04/20/2017	FIRE PROTECTION INC COMM CNTR FIRE MONITORING	P0094767	37704	04/03/2017	169.50
00186615	04/20/2017	G&K SERVICES 2017 PW COVERALL/LAUNDRY SERVI	P93484	OH008021	03/31/2017	2,046.91
00186616	04/20/2017	GEMPLER'S INC INVENTORY PURCHASES	P94711	SI03286087	04/04/2017	246.20
00186617	04/20/2017	GETTY IMAGES INC Premium Access Essentials - on	P94628	11765913	03/28/2017	2,100.00
00186618	04/20/2017	GOODSELL POWER EQUIPMENT REPAIR & SERVICE BLOWERS, TRIM	P94514	710743	03/06/2017	973.37
00186619	04/20/2017	GOODSON, DAVID M Professional Services - Invoic	P94681	20171001	03/30/2017	500.00
00186620	04/20/2017	GRAINGER INVENTORY PURCHASES	P94667	9406904830	04/04/2017	1,375.91
00186621	04/20/2017	GRAND & BENEDICTS INC Operating supplies for Thrift	P93570	0859609IN/085982	03/31/2017	303.63
00186622	04/20/2017	GREATWORK/VILLACOM LLC I-90 Mobility Communication Pu	P94725	0165	04/06/2017	5,000.00
00186623	04/20/2017	H D FOWLER INVENTORY PURCHASES	P94703	I4461139	03/31/2017	2,482.35
00186624	04/20/2017	HACH COMPANY DPD FREE CHLORINE, 10-ML POWDE	P0094731	10396775	04/05/2017	598.43
00186625	04/20/2017	HAGSTROM, JAMES FRLEOFF1 Retiree Medical Expen	P94714	OH008026	04/10/2017	82.03
00186626	04/20/2017	HARAWAY, JOHN P Replace payroll check 8298 dat	P94657	OH008022	04/05/2017	100.00
00186627	04/20/2017	HDR ENGINEERING INC 2016 MERCER ISLAND WATER MODEL	P80918	1200019212	11/07/2016	3,266.30

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186628	04/20/2017	HOLMBERG, HANNAH Replace Payroll check 7136 dat	P94677	OH008025	04/06/2017	55.41
00186629	04/20/2017	HOME DEPOT CREDIT SERVICE REBAR & MISC. HARDWARE	P94646	0054178020825	04/05/2017	486.80
00186630	04/20/2017	HONEYWELL, MATTHEW V Professional Services - Invoice	P94683	968	04/05/2017	400.00
00186631	04/20/2017	HORIZON FERTILIZER (1 TON)	P0094728	3M224431	04/05/2017	1,759.79
00186632	04/20/2017	HORSCHMAN, BRENT Replace Payroll check 6173 dat	P94658	OH008023	04/05/2017	375.60
00186633	04/20/2017	HUGHES FIRE EQUIPMENT INC Switch, Rock	P94083	512505/510507/C0	01/24/2017	1,754.45
00186634	04/20/2017	HUTCHINSON, LISA K CART services for Planning	P0094738	3521	04/03/2017	1,016.00
00186635	04/20/2017	HYDERKHAN, SCOTT Replace Payroll check 8134 dat	P94664	OH008024	04/05/2017	200.00
00186636	04/20/2017	HYLAND SOFTWARE SIRE MAINTENANCE	P94679	338897	04/03/2017	3,267.55
00186637	04/20/2017	INTERIOR FOLIAGE CO, THE CITY HALL INTERIOR LANDSCAPING	P0094766	37362	04/01/2017	272.58
00186638	04/20/2017	INTL ASSOC OF ARSON INV 2017 Dues - Mair/Bastrom	P94649	105061/105036	03/04/2017	280.00
00186639	04/20/2017	IPMA-HR 2017 Membership K. Segle	P94713	INV27765S0P6F1	04/03/2017	109.00
00186640	04/20/2017	JEWISH COMMUNITY CENTER Preschool scholarships for EA	P93581	203567988/89	03/01/2017	640.00
00186641	04/20/2017	JONES, RANDOLPH A Replace Payroll check 6505 dat	P94653	OH008027	04/05/2017	118.97
00186642	04/20/2017	KELLEY IMAGING SYSTEMS HP SERVICE	P94668	INV245637	03/27/2017	257.33
00186643	04/20/2017	KING COUNTY FINANCE MONTHLY SEWER JAN-DEC 2017	P93436	30017640	04/01/2017	390,462.60
00186644	04/20/2017	KPG I-90 Traffic Analysis (March 2	P0094753	315417	04/11/2017	10,876.20
00186645	04/20/2017	KROESENS UNIFORM COMPANY Class A - Stalker	P94620	43255/43290	03/27/2017	743.84
00186646	04/20/2017	LEE, SUNG Replace Payroll check 6729 dat	P94654	OH008028	04/05/2017	200.00
00186647	04/20/2017	LEOFF HEALTH & WELFARE TRUST APRIL 2017		OH008061	04/17/2017	58,548.58
00186648	04/20/2017	LLOYD ENTERPRISES INC PALYFIELD SAND (32.7 TONS)	P94704	2661	03/31/2017	763.39
00186649	04/20/2017	LN CURTIS & SONS CMC Carabiners (56)	P94685	INV89172	03/21/2017	2,582.38
00186650	04/20/2017	MAGNAS LLC MONTHLY LONG DISTANCE JAN-DEC	P93438	OH008029	03/31/2017	258.22
00186651	04/20/2017	MARY LEE REAL ESTATE Rental 24070 complete. No fees	P0094777	24070	04/12/2017	150.00
00186652	04/20/2017	MAX-R 55 GALLON 2 SIDED RECYCLING BI	P94507	681401	03/28/2017	4,017.00
00186653	04/20/2017	MERCER ISLAND GUILD OF 2017 MI Directories for employ	P0094734	9918	03/15/2017	1,000.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186654	04/20/2017	METROPRESORT Printing and Mailing March 201	P94122	491253/491601/49	03/23/2017	2,205.15
00186655	04/20/2017	MI CHAMBER OF COMMERCE Monthly membership luncheons	P93533	3034	04/03/2017	15.00
00186656	04/20/2017	MI HARDWARE - BLDG MISC. HARDWARE FOR THE MONTH O	P94614	OH008030	03/31/2017	22.22
00186657	04/20/2017	MI HARDWARE - FIRE Station Supplies	P94691	OH008037	03/31/2017	40.29
00186658	04/20/2017	MI HARDWARE - MAINT MISC. HARDWARE FOR THE MONTH O	P94617	OH008033	03/31/2017	258.58
00186659	04/20/2017	MI HARDWARE - P&R Misc. Special event supplies	P94626	OH008035	03/31/2017	125.70
00186660	04/20/2017	MI HARDWARE - ROW MISC. HARDWARE FOR THE MONTH O	P94616	OH008032	03/31/2017	44.97
00186661	04/20/2017	MI HARDWARE - UTILITY MISC. HARDWARE FOR THE MONTH O	P94615	OH008031	03/31/2017	75.52
00186662	04/20/2017	MI HARDWARE - YFS Operating supplies for Tshop a	P93530	OH008034	03/31/2017	39.38
00186663	04/20/2017	MI SCHOOL DISTRICT #400 Remit Bus Stop-Paddle infracti	P93880	OH008036	04/06/2017	16,789.50
00186664	04/20/2017	MICHAEL SKAGGS ASSOCIATES CITY BLDGS C/H, PW & LB QUARTE	P0094768	17169	04/06/2017	217.16
00186665	04/20/2017	MICRO COM SYSTEMS LTD Plans and document scanning	P0094736	16884	03/31/2017	1,849.59
00186666	04/20/2017	MOBERLY AND ROBERTS Professional services - Invoic	P94710	667	04/01/2017	6,000.00
00186667	04/20/2017	MORGAN SOUND INC EOC A/V	P0094785	MSI90039	03/31/2017	1,296.62
00186668	04/20/2017	NATIONAL KIDNEY FOUNDATION Event cancelled on 2/10, insid	P94540	OH008039	03/31/2017	2,051.00
00186669	04/20/2017	NORTH LAKE MARINA- INV 1088 PATROL 11 REBUILD EXT	P94699	1088	03/28/2017	6,351.35
00186670	04/20/2017	NW ARBORICULTURE LLC Solar Camera Installation Uppe	P94709	7586	03/29/2017	284.70
00186671	04/20/2017	OLYMPIC ENVIRONMENTAL RES 2017 ANNUAL RECYCLING EVENTS	P93714	2017OER3	04/05/2017	9,493.15
00186672	04/20/2017	ON SITE FITNESS LLC Quarterly Equipment Maintenan	P94692	4057/4058	04/04/2017	539.79
00186673	04/20/2017	OSWALD REPORTING SERVICES Cart Services 02/21/17 Meeting	P94482	5093	02/21/2017	150.00
00186674	04/20/2017	OVERLAKE OIL WATER RESERVOIR FUEL	P94696	0182449IN	03/10/2017	274.34
00186675	04/20/2017	PACIFIC MODULAR CARPET CLEANING THRIFT SHOP	P0094765	3377 APRIL 2017	04/04/2017	315.00
00186676	04/20/2017	PARENTMAP Ad for March 2017 web and news	P94624	2017CI470	03/31/2017	950.00
00186677	04/20/2017	PART WORKS INC. DOWNSTAIRS ADA RESTROOM	P0094770	INV11178	03/31/2017	148.55
00186678	04/20/2017	PEBBLE @ MIPC, THE Preschool scholarships for EA	P93577	OH008040	03/10/2017	411.30
00186679	04/20/2017	PITNEY BOWES PURCHASE POWER Ink pad replacement kit for po	P0094744	OH008056	04/02/2017	20.48

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186680	04/20/2017	POT O' GOLD INC Water Cooler	P0094739	0097553/0097018	03/20/2017	534.99
00186681	04/20/2017	PREMIER CABLING LLC S91 Network Cabinet Install	P94625	1498	03/27/2017	2,699.18
00186682	04/20/2017	PROJECT A INC Intranet Annual Support & Main	P93527	17722	04/01/2017	3,900.00
00186683	04/20/2017	PUBLIC SAFETY TESTING INC Quarterly Subscription fees Q1	P0094781	20177412	04/12/2017	412.50
00186684	04/20/2017	PUGET SOUND ENERGY Utility Assistance for Emerenc	P93578	OH008057	04/14/2017	154.62
00186685	04/20/2017	PUGET SOUND ENERGY Utility Assistance for Emerenc	P93578	OH008058	04/14/2017	31.26
00186686	04/20/2017	R A BROWN BACKFLOW TESTING INV 17032801 ROW BACKFLOW	P94701	17032801	03/28/2017	306.00
00186687	04/20/2017	REGIONAL TOXICOLOGY SERVICES Lab fees for C.Hamish clients	P93532	TC20290033117	03/31/2017	45.20
00186688	04/20/2017	REID MIDDLETON INC Peer review for Shorewood Heig	P0094741	1703203	04/04/2017	2,825.00
00186689	04/20/2017	RELX INC DBA LEXISNEXIS Library Subscriptions - Invoic	P94682	3090883863	03/31/2017	163.33
00186690	04/20/2017	REPUBLIC SERVICES #172 INV 824538 STORM DEBRIS HAUL A	P94583	0172007029057	02/28/2017	11,727.63
00186691	04/20/2017	RICOH USA INC (FIRE) Copier Rental/Fire	P0094762	98592318	04/05/2017	320.87
00186692	04/20/2017	RIDDELL, SUZANNE Replace Payroll check 6900 dat	P94655	OH008041	04/05/2017	100.00
00186693	04/20/2017	ROSENSTEIN, SUSIE Personal Trainer Payment. -LC	P94717	OH008043	04/06/2017	45.00
00186694	04/20/2017	ROSTOV, HERSHEL P Replace Payroll check 6147 dat	P94660	OH008042	04/05/2017	250.00
00186695	04/20/2017	SAGACITY CUSTOM PUBLISHING Ad in the publication Jewish i	P94648	201713709	03/30/2017	1,102.00
00186696	04/20/2017	SEATTLE PUBLIC UTILITIES March 2017 SPU Retail Service	P94630	OH008045	02/28/2017	28,324.00
00186697	04/20/2017	SEATTLE, CITY OF Feb 2017 Water Purchases	P94639	OH008047	03/27/2017	163,707.72
00186698	04/20/2017	SEATTLE, CITY OF Hearing Examiner for MI Treeho	P0094742	MI201701	04/05/2017	821.40
00186699	04/20/2017	SIGNATURE LANDSCAPE SERVICES Shrub removal from retention r	P93726	22690/91/92/93/4	04/01/2017	4,881.59
00186700	04/20/2017	SITEONE LANDSCAPE SUPPLY LLC ORNAMEC HERBICIDE & GATE VALVE	P94531	79535554	03/22/2017	176.91
00186701	04/20/2017	SKYLINE COMMUNICATIONS INC EOC INTERNET	P94613	IN42831	04/01/2017	206.55
00186702	04/20/2017	SNOQUALMIE VALLEY RIFLE CLUB Range rental	P94621	2017003	03/28/2017	100.00
00186703	04/20/2017	SOLOMON, MEARA Replace payroll check 7913 dat	P94663	OH008049	04/05/2017	100.00
00186704	04/20/2017	SOUND PUBLISHING INC Advertising contract for Seatt	P93572	7751429	02/28/2017	840.26
00186705	04/20/2017	SOUND SAFETY PRODUCTS MISC. WORK CLOTHES	P94499	346914	03/31/2017	183.81

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186706	04/20/2017	SPENCER, FREDERICK E CBT Instructor	P94684	OH008051	04/07/2017	225.00
00186707	04/20/2017	STERICYCLE INC On-Call Charges/Fire	P0094760	3003799007	03/31/2017	10.36
00186708	04/20/2017	STEWART, ISAAC J Replace payroll check 90010004	P94675	OH008050	04/06/2017	129.91
00186709	04/20/2017	SUNDSTROM, ROBERT Birding Trip Facilitator Payme	P94629	OH008048	04/04/2017	974.49
00186710	04/20/2017	THOMSON REUTERS - WEST CIS intel database	P0094727	835895081	04/01/2017	302.00
00186711	04/20/2017	TOKAY SOFTWARE WEB TEST ANNUAL HOSTING FEE	P94609	96987	11/10/2016	600.00
00186712	04/20/2017	TOOLEY, NORMAN LEOFF1 Retiree Medical Expense	P94712	OH008052	04/10/2017	156.00
00186713	04/20/2017	TRAFFIC SAFETY SUPPLY 2) STREET SIGNS & HARDWARE	P0094750	126738/126419961	03/21/2017	309.21
00186714	04/20/2017	TRINITY CONTRACTORS INC ROADSIDE SHOULDER IMPROVEMENTS	P93290	#3	03/31/2017	28,334.14
00186715	04/20/2017	UNDERWATER SPORTS INC. Dive bags	P0094749	20013373	04/08/2017	3,308.04
00186716	04/20/2017	UNITED SITE SERVICES Volunteer Event Portable Restr	P93945	1145096646	03/16/2017	121.83
00186717	04/20/2017	US HEALTHWORKS MED GROUP WA Dive Physical/Petersen	P94693	0715999WA	03/17/2017	254.00
00186718	04/20/2017	UTILITIES UNDERGROUND LOCATION INV 7030165 MARCH EXCAVATION	P94702	7030165	03/31/2017	290.25
00186719	04/20/2017	VANCIL, RYAN Hearing Examiner for MI Treeho	P0094743	MI201701RV	04/05/2017	29.36
00186720	04/20/2017	VERIZON WIRELESS Mobil hot spots	P0094735	9782659204	03/23/2017	456.68
00186721	04/20/2017	WASHINGTON FIRE CHIEFS 2017 WFC Conference/Heitman	P94689	8797	03/30/2017	500.00
00186722	04/20/2017	WASHINGTON STATE PATROL CPL background checks	P0094780	I17006366/4869	02/08/2017	204.00
00186723	04/20/2017	WASPC WASPC dues-Jokinen	P0094748	201700445	03/13/2017	75.00
00186724	04/20/2017	WESTERN EQUIPMENT DISTRIBUTORS TINES & MOTOR-HYDR	P94723	802032201/2200/6	04/03/2017	1,958.08
00186725	04/20/2017	WIMACTEL INC PAY PHONE IN POLICE LOBBY	P0094786	000162677	04/01/2017	60.50
00186726	04/20/2017	WRIGHT, LINDSEY TRAINING EXPENSE		OH008059	03/10/2017	23.00
00186727	04/20/2017	XEROX CORPORATION Copy charges for CM copier	P93571	088716445	04/01/2017	4,100.00
00186728	04/20/2017	DROLL LANDSCAPE ARCH, ROBERT W Island Crest Park South Field	P93596	1504407	03/25/2017	750.00
00186729	04/20/2017	EASTSIDE EXTERMINATORS CITY HALL EXTERMINATOR SERVICE	P0094774	132826	07/28/2017	432.52
00186730	04/20/2017	TRI-TEC COMMUNICATIONS INC Reprogram EOC Phone Tree	P0094730	623359	04/03/2017	354.78
					Total	<u>1,018,977.65</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P94720	00186663	MI SCHOOL DISTRICT #400	Remit Bus Stop-Paddle infracti	5,876.00
P94540	00186668	NATIONAL KIDNEY FOUNDATION	Event cancelled on 2/10, insid	2,051.00
P0094777	00186651	MARY LEE REAL ESTATE	Rental 24070 complete. No fees	150.00
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P94630	00186696	SEATTLE PUBLIC UTILITIES	February 2017 SPU Retail Servi	17,656.00
P94631	00186696	SEATTLE PUBLIC UTILITIES	March 2017 SPU Retail Service	10,668.00
P94544	00186613	FERGUSON ENTERPRISES INC	INVENTORY PURCHASES	4,529.95
P94516	00186623	H D FOWLER	INVENTORY PURCHASES	1,972.41
P94666	00186620	GRAINGER	INVENTORY PURCHASES	558.43
P0094750	00186713	TRAFFIC SAFETY SUPPLY	INVENTORY PURCHASES	523.14
P94722	00186598	COMMERCIAL LANDSC SUPPLY INC	INVENTORY PURCHASES	359.91
P94669	00186620	GRAINGER	INVENTORY PURCHASES	280.33
P94711	00186616	GEMPLER'S INC	INVENTORY PURCHASES	246.20
<i>Org Key: 814006 - Regular Checks Re-Issued</i>				
P94658	00186632	HORSCHMAN, BRENT	Replace Payroll check 8514 dat	302.84
P94660	00186694	ROSTOV, HERSCHEL P	Replace Payroll check 6147 dat	250.00
P94674	00186610	ELLINGTON, DAVID	Replace payroll check 92350004	227.90
P94664	00186635	HYDERKHAN, SCOTT	Replace Payroll check 8134 dat	200.00
P94654	00186646	LEE, SUNG	Replace Payroll check 6729 dat	200.00
P94675	00186708	STEWART, ISAAC J	Replace payroll check 90010004	129.91
P94653	00186641	JONES, RANDOLPH A	Replace Payroll check 6505 dat	118.97
P94656	00186588	BROOKS, KENNETH	Replace Payroll check 8176 dat	100.00
P94657	00186626	HARAWAY, JOHN P	Replace payroll check 8298 dat	100.00
P94655	00186692	RIDDELL, SUZANNE	Replace Payroll check 6900 dat	100.00
P94663	00186703	SOLOMON, MEARA	Replace payroll check 7913 dat	100.00
P94662	00186585	BOWLES, VIVIAN	Replace payroll check 92350008	72.76
P94658	00186632	HORSCHMAN, BRENT	Replace Payroll check 6173 dat	72.76
P94677	00186628	HOLMBERG, HANNAH	Replace Payroll check 7136 dat	55.41
P94656	00186588	BROOKS, KENNETH	Replace Payroll check 6700 dat	25.00
P94656	00186588	BROOKS, KENNETH	Replace Payroll check 8586 dat	17.72
<i>Org Key: CA1100 - Administration (CA)</i>				
P94682	00186689	RELX INC DBA LEXISNEXIS	Library Subscriptions - Invoic	163.33
P94643	00186607	DATAQUEST LLC	Background Check B. Park	21.50
<i>Org Key: CA1200 - Prosecution & Criminal Mngmnt</i>				
P94710	00186666	MOBERLY AND ROBERTS	Professional services - Invoic	6,000.00
P94681	00186619	GOODSON, DAVID M	Professional Services - Invoic	500.00
P94683	00186630	HONEYWELL, MATTHEW V	Professional Services - Invoic	400.00
<i>Org Key: CM1100 - Administration (CM)</i>				
	00186599	COMPLETE OFFICE	OFFICE SUPPLIES MAR 2017	113.44
<i>Org Key: CM11SP - Special Projects-City Mgr</i>				
P0094753	00186644	KPG	I-90 Traffic Analysis (March 2	10,876.20
P94725	00186622	GREATWORK/VILLACOM LLC	I-90 Mobility Communication Pu	5,000.00
P94694	00186583	BERK CONSULTING	MI Park and Ride Study (Februa	1,266.00
<i>Org Key: CM1300 - Sustainability</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P94671	00186594	CEDAR GROVE COMPOSTING INC	Organic Waste Service March 20	26.70
P94671	00186594	CEDAR GROVE COMPOSTING INC	Organic Waste Service March 20	26.70
<i>Org Key: CO6100 - City Council</i>				
P94482	00186673	OSWALD REPORTING SERVICES	Cart Services 02/21/17 Meeting	150.00
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
P0094781	00186683	PUBLIC SAFETY TESTING INC	Quarterly Subscription fees Q1	412.50
P94716	00186580	BABB, MICHELLE	Wellness Education Event 4/5/2	232.11
P94713	00186639	IPMA-HR	2017 Membership K. Segle	109.00
<i>Org Key: DS0000 - Development Services-Revenue</i>				
P0094778	00186582	BELLEVUE, CITY OF	Quarterly MBP.COM Surcharge	9,726.75
<i>Org Key: DS1100 - Administration (DS)</i>				
P0094745	00186688	REID MIDDLETON INC	Peer review for Shorewood Heig	2,708.75
P0094736	00186665	MICRO COM SYSTEMS LTD	Plans and document scanning	1,849.59
P0094735	00186720	VERIZON WIRELESS	Phone and data charges	296.64
P0094735	00186720	VERIZON WIRELESS	Mobil hot spots	160.04
P0094741	00186688	REID MIDDLETON INC	Peer review of Sessler Project	116.25
<i>Org Key: DS1300 - Land Use Planning Svc</i>				
P0094738	00186634	HUTCHINSON, LISA K	CART services for Planning	1,016.00
P0094742	00186698	SEATTLE, CITY OF	Hearing Examiner for MI Treeho	821.40
P0094743	00186719	VANCIL, RYAN	Hearing Examiner for MI Treeho	29.36
<i>Org Key: FN4501 - Utility Billing (Water)</i>				
P94122	00186654	METROPRESORT	Printing and Mailing March 201	429.19
P94122	00186654	METROPRESORT	Printing and Mailing March 201	305.86
<i>Org Key: FN4502 - Utility Billing (Sewer)</i>				
P94122	00186654	METROPRESORT	Printing and Mailing March 201	429.18
P94122	00186654	METROPRESORT	Printing and Mailing March 201	305.87
<i>Org Key: FN4503 - Utility Billing (Storm)</i>				
P94122	00186654	METROPRESORT	Printing and Mailing March 201	429.17
P94122	00186654	METROPRESORT	Printing and Mailing March 201	305.88
<i>Org Key: FR1100 - Administration (FR)</i>				
P94692	00186672	ON SITE FITNESS LLC	Quarterly Equipment Maintenanc	539.79
P94689	00186721	WASHINGTON FIRE CHIEFS	2017 WFC Conference/Heitman	500.00
P0094763	00186606	CULLIGAN	Water Service/Fire	331.37
P0094762	00186691	RICOH USA INC (FIRE)	Copier Rental/Fire	320.87
P94687	00186578	ASPECT SOFTWARE INC	Telestaff Monthly Maintenance	165.00
P0094764	00186596	COMCAST	Internet Charges/Fire	62.40
P94691	00186657	MI HARDWARE - FIRE	Station Supplies	40.29
<i>Org Key: FR2100 - Fire Operations</i>				
P94688	00186645	KROESENS UNIFORM COMPANY	Class A - Stalker	587.22
P94690	00186586	BRAUN NORTHWEST INC.	Rig Placards	420.15
P94083	00186633	HUGHES FIRE EQUIPMENT INC	Mirror Head	325.76
P94083	00186633	HUGHES FIRE EQUIPMENT INC	Switch, Rock	226.26
P94083	00186633	HUGHES FIRE EQUIPMENT INC	Remote Control - 4603	123.94
P94083	00186633	HUGHES FIRE EQUIPMENT INC	Credit for Valve	-244.02

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P94083	00186633	HUGHES FIRE EQUIPMENT INC	Credit - Door Module	-524.38
<i>Org Key: FR2400 - Fire Suppression</i>				
P94420	00186649	LN CURTIS & SONS	CMC Carabiners (56)	2,501.77
<i>Org Key: FR2500 - Fire Emergency Medical Svcs</i>				
P0094761	00186577	AIRGAS USA LLC	Oxygen/Fire	234.06
P0094761	00186577	AIRGAS USA LLC	Oxygen/Fire	113.80
P0094760	00186707	STERICYCLE INC	On-Call Charges/Fire	10.36
P0094761	00186577	AIRGAS USA LLC	Late Fee (Invoice was not rece	3.58
<i>Org Key: FR4100 - Training</i>				
P94684	00186706	SPENCER, FREDERICK E	CBT Instructor	225.00
<i>Org Key: FR5100 - Community Risk Reduction</i>				
P94649	00186638	INTL ASSOC OF ARSON INV	2017 Dues - Mair/Bastrom	280.00
<i>Org Key: GGM001 - General Government-Misc</i>				
P94680	00186682	PROJECT A INC	Intranet Annual Support & Main	3,000.00
P93527	00186682	PROJECT A INC	Website Hosting 4/1-6/30	900.00
P0094739	00186680	POT O' GOLD INC	Coffee & Supplies	507.61
P0094739	00186680	POT O' GOLD INC	Water Cooler	27.38
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
P0094734	00186653	MERCER ISLAND GUILD OF	2017 MI Directories for employ	1,000.00
P0094740	00186727	XEROX CORPORATION	Copy charges for CM copier	814.04
P0094740	00186727	XEROX CORPORATION	Copy charges for Mailroom copi	554.98
P0094740	00186727	XEROX CORPORATION	Copy charges for DSG Copier	181.09
P0094744	00186679	PITNEY BOWES PURCHASE POWER	Ink pad replacement kit for po	20.48
<i>Org Key: GGM005 - Genera Govt-LI Retiree Costs</i>				
	00186647	LEOFF HEALTH & WELFARE TRUST	APRIL 2017	4,025.52
P94712	00186712	TOOLEY, NORMAN	LEOFF1 Retiree Medical Expense	156.00
P94714	00186625	HAGSTROM, JAMES	FRLEOFF1 Retiree Medical Expen	82.03
<i>Org Key: GX9997 - Employee Benefits-Fire</i>				
	00186647	LEOFF HEALTH & WELFARE TRUST	APRIL 2017	54,523.06
<i>Org Key: IGBE01 - MI Pool Operation Subsidy</i>				
P93880	00186663	MI SCHOOL DISTRICT #400	2017 Operational support for M	10,913.50
<i>Org Key: IGVO02 - ARCH</i>				
P0094737	00186581	BELLEVUE, CITY OF	Quarterly ARCH Contributions Q	7,850.00
P0094737	00186581	BELLEVUE, CITY OF	Quarter;u ARCH Contributions Q	7,850.00
<i>Org Key: IS1100 - IGS Mapping</i>				
P94668	00186642	KELLEY IMAGING SYSTEMS	HP SERVICE	257.33
<i>Org Key: IS2100 - IGS Network Administration</i>				
P94679	00186636	HYLAND SOFTWARE	SIRE MAINTENANCE	3,267.55
P94625	00186681	PREMIER CABLING LLC	S91 Network Cabinet Install	2,699.18
P93438	00186650	MAGNAS LLC	MONTHLY LONG DISTANCE JAN-DEC	258.22
P0094786	00186725	WIMACTEL INC	PAY PHONE IN POLICE LOBBY	60.50
<i>Org Key: MT2100 - Roadway Maintenance</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P94583	00186690	REPUBLIC SERVICES #172	INV 824538 STORM DEBRIS HAUL A	11,727.63
P94641	00186618	GOODSELL POWER EQUIPMENT	REPAIR & SERVICE BLOWERS, TRIM	459.94
P94525	00186713	TRAFFIC SAFETY SUPPLY	2) STREET SIGNS & HARDWARE	98.80
P94616	00186660	MI HARDWARE - ROW	MISC. HARDWARE FOR THE MONTH O	44.97
P94610	00186629	HOME DEPOT CREDIT SERVICE	REBAR & MISC. HARDWARE	44.36
P0094750	00186713	TRAFFIC SAFETY SUPPLY	CREDIT-RETURNED SIGNS	-312.73
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P94618	00186629	HOME DEPOT CREDIT SERVICE	SPRAYER, SPREADER & FERTIZER	112.67
P94708	00186629	HOME DEPOT CREDIT SERVICE	IRRIGATION FITTINGS	33.03
<i>Org Key: MT3100 - Water Distribution</i>				
P0094731	00186624	HACH COMPANY	DPD FREE CHLORINE, 10-ML POWDE	441.83
P94707	00186620	GRAINGER	RATCHET WRENCHES	232.24
P94633	00186620	GRAINGER	RATCHETING & PIPE WRENCHES	210.87
P0094731	00186624	HACH COMPANY	SPADNS2 (ARSENIC FREE) FLUORID	156.60
<i>Org Key: MT3150 - Water Quality Event</i>				
P94609	00186711	TOKAY SOFTWARE	WEB TEST ANNUAL HOSTING FEE	600.00
<i>Org Key: MT3200 - Water Pumps</i>				
P94696	00186674	OVERLAKE OIL	WATER RESERVOIR FUEL	274.34
<i>Org Key: MT3300 - Water Associated Costs</i>				
P94499	00186705	SOUND SAFETY PRODUCTS	MISC. WORK CLOTHES	183.81
<i>Org Key: MT3500 - Sewer Pumps</i>				
P94615	00186661	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	75.52
<i>Org Key: MT3800 - Storm Drainage</i>				
P94703	00186623	H D FOWLER	CATCH BASIN SEDIMENT INSERT	509.94
P94641	00186618	GOODSELL POWER EQUIPMENT	REPAIR & SERVICE BLOWERS, TRIM	459.93
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P93484	00186615	G&K SERVICES	2017 PW COVERALL/LAUNDRY SERVI	1,149.30
P93484	00186615	G&K SERVICES	2017 PW COVERALL/LAUNDRY SERVI	897.61
P94314	00186727	XEROX CORPORATION	2017 COPIER 7845 BASE /METER	349.25
P94702	00186718	UTILITIES UNDERGROUND LOCATION	INV 7030165 MARCH EXCAVATION	290.25
P94547	00186597	COMCAST	ACCT # 8498330400010883 CABLE	187.96
P93757	00186597	COMCAST	2017 ANNUAL PW WI-FI SERVICE	95.82
<i>Org Key: MT4200 - Building Services</i>				
P0094766	00186637	INTERIOR FOLIAGE CO, THE	CITY HALL INTERIOR LANDSCAPING	272.58
P0094768	00186664	MICHAEL SKAGGS ASSOCIATES	CITY BLDGS C/H, PW & LB QUARTE	217.16
P0094775	00186729	EASTSIDE EXTERMINATORS	CITY HALL EXTERMINATOR SERVICE	216.26
P0094771	00186677	PART WORKS INC.	DOWNSTAIRS ADA RESTROOM	94.63
P0094767	00186614	FIRE PROTECTION INC	COMM CNTR FIRE MONITORING	84.75
P0094770	00186677	PART WORKS INC.	CITY HALL DOWNSTAIRS ADA RESTR	53.92
P0094773	00186589	BUILDERS HARDWARE & SUPPLY CO.	CITY HALL ADA RESTROOM	35.02
P0094769	00186603	CONTRACT HARDWARE	COURT PEEK HOLE DOOR VIEWER	22.78
P94614	00186656	MI HARDWARE - BLDG	MISC. HARDWARE FOR THE MONTH O	22.22
<i>Org Key: MT4210 - Building Landscaping</i>				
P93726	00186699	SIGNATURE LANDSCAPE SERVICES	2017 City Hall, FS 91 & 92,	2,546.73

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: MT4300 - Fleet Services</i>				
P94700	00186605	CSR MARINE INC	INV 906186 PATROL 11 REPAIRS -	11,001.38
P94699	00186669	NORTH LAKE MARINA-	INV 1088 PATROL 11 REBUILD EXT	6,351.35
P94629	00186709	SUNDSTROM, ROBERT	Birding Trip Facilitator Payme	173.61
P94530	00186595	CESSCO	SHARPEN DRILL BITS	19.47
<i>Org Key: MT4501 - Water Administration</i>				
P94639	00186697	SEATTLE, CITY OF	Mar 2017 Water Purchases	82,200.72
P94638	00186697	SEATTLE, CITY OF	Feb 2017 Water Purchases	81,507.00
<i>Org Key: MT4502 - Sewer Administration</i>				
P93436	00186643	KING COUNTY FINANCE	MONTHLY SEWER JAN-DEC 2017	390,462.60
<i>Org Key: MT4900 - Solid Waste</i>				
P93714	00186671	OLYMPIC ENVIRONMENTAL RES	2017 ANNUAL RECYCLING EVENTS	9,493.15
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
P0094728	00186631	HORIZON	IRRIGATION FITTINGS & SUPPLIES	861.45
P94701	00186686	R A BROWN BACKFLOW TESTING	INV 17032801 ROW BACKFLOW	306.00
P94643	00186607	DATAQUEST LLC	Background Check N. Morales	21.50
P94643	00186607	DATAQUEST LLC	Background Check B. Schumacher	10.00
<i>Org Key: PO1100 - Administration (PO)</i>				
P0094748	00186723	WASPC	WASPC dues-Jokinen	75.00
<i>Org Key: PO1350 - Police Emergency Management</i>				
P94611	00186667	MORGAN SOUND INC	EOC A/V	1,118.26
P0094730	00186730	TRI-TEC COMMUNICATIONS INC	Reprogram EOC Phone Tree	354.78
P94613	00186701	SKYLINE COMMUNICATIONS INC	EOC INTERNET	206.55
P0094785	00186667	MORGAN SOUND INC	EOC A/V	178.36
<i>Org Key: PO1700 - Records and Property</i>				
P94715	00186727	XEROX CORPORATION	Admin copier	413.32
P94715	00186727	XEROX CORPORATION	Records copier	208.21
P94673	00186600	CONFIDENTIAL DATA DISPOSAL	Shredding	175.00
P0094747	00186722	WASHINGTON STATE PATROL	CPL background checks	132.00
<i>Org Key: PO1800 - Contract Dispatch Police</i>				
	00186608	DAY WIRELESS SYSTEMS	REPLACE WARRANT #00186093	2,460.47
<i>Org Key: PO2100 - Patrol Division</i>				
P94620	00186645	KROESENS UNIFORM COMPANY	Uniform belt-Gherke	25.24
<i>Org Key: PO2200 - Marine Patrol</i>				
P94620	00186645	KROESENS UNIFORM COMPANY	Uniform pants-Levinson	131.38
<i>Org Key: PO2201 - Dive Team</i>				
P0094746	00186715	UNDERWATER SPORTS INC.	Boots, gloves, tuition	1,731.67
P0094749	00186715	UNDERWATER SPORTS INC.	Repairs and overhauls	1,102.59
P94693	00186717	US HEALTHWORKS MED GROUP WA	Dive Physical/Petersen	254.00
P0094746	00186715	UNDERWATER SPORTS INC.	neck/wrist replacement	208.89
P94622	00186715	UNDERWATER SPORTS INC.	Dive bags	109.78
P0094746	00186715	UNDERWATER SPORTS INC.	Dive equip	89.63
P0094746	00186715	UNDERWATER SPORTS INC.	Fin strap, snorkel keeper	65.48

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: PO3100 - Investigation Division</i>				
P0094727	00186710	THOMSON REUTERS - WEST	CIS intel database	302.00
<i>Org Key: PO4100 - Firearms Training</i>				
P94621	00186702	SNOQUALMIE VALLEY RIFLE CLUB	Range rental	100.00
<i>Org Key: PR1100 - Administration (PR)</i>				
P94628	00186617	GETTY IMAGES INC	Premium Access Essentials - on	699.99
P93571	00186727	XEROX CORPORATION	Lease and print charges for NE	366.08
P93829	00186727	XEROX CORPORATION	2017 - Lease Charges for LB Ad	143.64
P93566	00186604	CRYSTAL AND SIERRA SPRINGS	Monthly water service delivery	39.64
P93829	00186727	XEROX CORPORATION	Use charge 2-21-17 to 3-21-17	13.02
<i>Org Key: PR2100 - Recreation Programs</i>				
P94648	00186695	SAGACITY CUSTOM PUBLISHING	Ad in the publication Jewish i	1,102.00
P94624	00186676	PARENTMAP	Ad for March 2017 web and news	950.00
P94629	00186709	SUNDSTROM, ROBERT	Birding Trip Facilitator Payme	800.88
<i>Org Key: PR2104 - Special Events</i>				
P94626	00186659	MI HARDWARE - P&R	Misc. Special event supplies	26.57
<i>Org Key: PR2108 - Health and Fitness</i>				
P94717	00186693	ROSENSTEIN, SUSIE	Personal Trainer Payment. -LC	45.00
<i>Org Key: PR3500 - Senior Services</i>				
P94647	00186602	CONSOLIDATED PRESS	Looking Ahead publication -	1,496.17
P94643	00186607	DATAQUEST LLC	Background Check P. Murphy	21.50
P94626	00186659	MI HARDWARE - P&R	Misc Senior Services supplies	4.72
<i>Org Key: PR4100 - Community Center</i>				
P93726	00186699	SIGNATURE LANDSCAPE SERVICES	2017 MICEC Landscape Maintenan	1,343.39
P0094751	00186699	SIGNATURE LANDSCAPE SERVICES	Shrub removal from retention r	744.60
P94628	00186617	GETTY IMAGES INC	Premium Access Essentials - on	700.00
P93831	00186727	XEROX CORPORATION	2017 Lease charges for MICEC C	265.99
P93831	00186727	XEROX CORPORATION	Use charge for 2-21-17 to 3-21	236.29
P0094774	00186729	EASTSIDE EXTERMINATORS	EXTERMINATOR SERVICE	216.26
P94626	00186659	MI HARDWARE - P&R	Misc Community Center supplies	94.41
P0094767	00186614	FIRE PROTECTION INC	COMM CNTR FIRE MONITORING	84.75
	00186726	WRIGHT, LINDSEY	TRAINING EXPENSE	23.00
<i>Org Key: PR6100 - Park Maintenance</i>				
P93940	00186576	AABCO BARRICADE COMPANY INC	Rotary Run cones & barricades	5,518.14
P94646	00186629	HOME DEPOT CREDIT SERVICE	CORDLESS DRILLS	296.74
P94617	00186658	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	204.83
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P94723	00186724	WESTERN EQUIPMENT DISTRIBUTORS	TINES & MOTOR-HYDR	665.74
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
P94667	00186620	GRAINGER	WORK TUNES HEADSET	94.04
P94514	00186618	GOODSELL POWER EQUIPMENT	CHAINSAW PARTS	53.50
P94617	00186658	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	27.15
<i>Org Key: PR6600 - Park Maint-School Related</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P94704	00186648	LLOYD ENTERPRISES INC	PALYFIELD SAND (32.7 TONS)	763.39
P94723	00186724	WESTERN EQUIPMENT DISTRIBUTORS	TINES & MOTOR-HYDR	646.17
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
P94512	00186631	HORIZON	FERTILIZER (1 TON)	898.34
P94723	00186724	WESTERN EQUIPMENT DISTRIBUTORS	TINES & MOTOR-HYDR	646.17
P94071	00186590	CAMDEN GARDENS	Aljoya & Aubrey Davis Park Sha	424.88
P94531	00186700	SITEONE LANDSCAPE SUPPLY LLC	ORNAMEC HERBICIDE & GATE VALVE	176.91
P94617	00186658	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	26.60
<i>Org Key: VCP105 - Transit Funding Placeholder</i>				
P93954	00186601	CONGREGATIONAL CHURCH OF MI	2017 Park and Ride lot lease Q	504.00
<i>Org Key: WG110T - Computer Equip Replacements</i>				
P94541	00186593	CDW GOVERNMENT INC	2017 Network Switch Replacemen	10,590.50
P94349	00186609	DELL MARKETING L.P.	Dell PowerEdge R530 Servers	8,217.76
P94541	00186593	CDW GOVERNMENT INC	Spare Switch Power Supply	247.95
P94349	00186609	DELL MARKETING L.P.	Shipping	114.98
<i>Org Key: WG131E - Fire Equipment</i>				
P94083	00186633	HUGHES FIRE EQUIPMENT INC	Hose Trays	1,846.89
P94685	00186649	LN CURTIS & SONS	Rescue Cord	80.61
<i>Org Key: WP115S - ICP South Synthetic Field</i>				
P93596	00186728	DROLL LANDSCAPE ARCH, ROBERT W	Island Crest Park South Field	750.00
<i>Org Key: WP122R - Vegetation Management</i>				
P93945	00186716	UNITED SITE SERVICES	Volunteer Event Portable Restr	121.83
<i>Org Key: WP503R - Luther Burbank Pk Minor Impvt</i>				
P94709	00186670	NW ARBORICULTURE LLC	Solar Camera Installation Uppe	284.70
<i>Org Key: WP720R - Recurring Park Projects</i>				
P94507	00186652	MAX-R	55 GALLON 2 SIDED RECYCLING BI	4,017.00
<i>Org Key: WW101P - Water System Plan</i>				
P80918	00186627	HDR ENGINEERING INC	2015 WATER SYSTEM PLAN UPDATES	1,245.98
<i>Org Key: WW102P - Water Model and Fire Flow Anal</i>				
P92697	00186627	HDR ENGINEERING INC	2016 MERCER ISLAND WATER MODEL	2,020.32
<i>Org Key: WW523R - EMW 5400-6000 Block Watermain</i>				
P91940	00186584	BLUELINE GROUP	EMW 5400 - 6000 BLK WATER SYST	2,037.00
<i>Org Key: WW527R - 3838 WMW Water Improvements</i>				
P94025	00186579	B&B UTILITIES & EXCAVATION LLC	3838 WMW WATER SYSTEM	121,388.04
P94158	00186584	BLUELINE GROUP	3838 WMW WATER SYSTEM	1,339.25
<i>Org Key: XP710R - Luther Burbank MAJOR Improvemt</i>				
P92495	00186592	CARDINAL ARCHITECTURE PC	Luther Burbank Park Boiler Bui	247.50
<i>Org Key: XR543C - WMW Shoulders (7400-8000 Blk)</i>				
P93290	00186714	TRINITY CONTRACTORS INC	ROADSIDE SHOULDER	28,334.14
<i>Org Key: YF1100 - YFS General Services</i>				
P93571	00186727	XEROX CORPORATION	Lease and print/copy charges f	377.75

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P93563	00186727	XEROX CORPORATION	Lease and overage charges for	176.34
P93568	00186607	DATAQUEST LLC	Background checks for volunteer	159.00
P93531	00186612	FEDEX OFFICE	Laminating, cutting & other pr	114.98
P93566	00186604	CRYSTAL AND SIERRA SPRINGS	Monthly water service for LB	39.63
P93530	00186662	MI HARDWARE - YFS	Operating supplies for Tshop a	39.38
P93533	00186655	MI CHAMBER OF COMMERCE	Monthly membership luncheons	15.00
P0094780	00186722	WASHINGTON STATE PATROL	Background Check on Z. Jennings	12.00
P0094780	00186722	WASHINGTON STATE PATROL	Background Check on C. McAlmon	12.00
P0094780	00186722	WASHINGTON STATE PATROL	Background Check on Y. Chang	12.00
P0094780	00186722	WASHINGTON STATE PATROL	Background Check on B. Fatheri	12.00
P0094780	00186722	WASHINGTON STATE PATROL	Background Check on K. Rauzi	12.00
P0094780	00186722	WASHINGTON STATE PATROL	Background Check on J. Richard	12.00
<i>Org Key: YF1200 - Thrift Shop</i>				
P93572	00186704	SOUND PUBLISHING INC	Advertising contract for Seatt	840.26
P0094765	00186675	PACIFIC MODULAR	CARPET CLEANING THRIFT SHOP	315.00
P93570	00186621	GRAND & BENEDICTS INC	Operating supplies for Thrift	303.63
P93726	00186699	SIGNATURE LANDSCAPE SERVICES	2017 Thrift Shop Landscape	246.87
<i>Org Key: YF2100 - School/City Partnership</i>				
P93532	00186687	REGIONAL TOXICOLOGY SERVICES	Lab fees for C.Harnish clients	45.20
<i>Org Key: YF2500 - Family Counseling</i>				
P93569	00186587	BREWTON MD, LUKE	Clinical consultations in 2017	150.00
<i>Org Key: YF2600 - Family Assistance</i>				
P93576	00186611	EMMANUEL DAY SCHOOL	Preschool scholarships for EA	641.90
P93581	00186640	JEWISH COMMUNITY CENTER	Preschool scholarships for EA	640.00
P93577	00186678	PEBBLE @ MIPC, THE	Preschool scholarships for EA	411.30
P93578	00186684	PUGET SOUND ENERGY	Utility Assistance for Emerenc	154.62
P94644	00186591	CAMP MOSHAVA MALIBU	Partial campership for EA clie	150.00
P93578	00186685	PUGET SOUND ENERGY	Utility Assistance for Emerenc	31.26
<i>Org Key: YF2800 - Fed Drug Free Communities Gran</i>				
P94628	00186617	GETTY IMAGES INC	Premium Access Essentials - on	700.01
Total				<u>1,018,977.65</u>

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.

Charles L. Corder

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

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	186731-186828	4/27/2017	\$ 183,564.61
			\$ 183,564.61

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186731	04/27/2017	PINNACLE PROPERTY MGMT RENT PAYMENT TO AVOID EVICTION		OH008073	04/26/2017	1,000.00
00186732	04/27/2017	A.M. LEONARD INC INVENTORY PURCHASES	P0094799	CI17056356	04/11/2017	386.32
00186733	04/27/2017	ALPINE PRODUCTS INC INVENTORY PURCHASES	P0094796	TM165638	04/10/2017	148.78
00186734	04/27/2017	AMICI, DOMINIC PER DIEM REIMBURSEMENT		OH008098	04/16/2017	240.80
00186735	04/27/2017	ARC DOCUMENT SOLUTIONS Copy charges - Invoice No. 127	P0094816	1279145	04/10/2017	1,866.85
00186736	04/27/2017	ARGOSY CRUISES 2017 Summer Celebration Boat R	P94026	2456371	04/19/2017	2,500.00
00186737	04/27/2017	AWCPD AWCPD Membership for Scott Gre	P0094872	OH008063	04/24/2017	100.00
00186738	04/27/2017	BARNETT, JASON MILEAGE EXPENSE		OH008091	04/14/2017	25.89
00186739	04/27/2017	BLUETARP FINANCIAL INC MISC. WORK CLOTHES	P0094792	37601479	04/06/2017	112.44
00186740	04/27/2017	BUD CLARY CHEVROLET INC FIRE FL-0386 VEHICLE REPLACEME	P93897	6448	04/14/2017	37,188.79
00186741	04/27/2017	CANTER, DAVID PER DIEM REIMBURSEMENT		OH008099	04/12/2017	240.80
00186742	04/27/2017	CEDAR GROVE COMPOSTING INC LANDSCAPE MULCH (30 YDS)	P0094797	0000328557	04/11/2017	1,173.16
00186743	04/27/2017	CENTURYLINK PHONE USE APR 2017		OH008103	04/16/2017	59.69
00186744	04/27/2017	CENTURYLINK BUSINESS SERVICES PHONE USE PAR 2017		OH008104	04/03/2017	3,550.26
00186745	04/27/2017	CENTURYLINK-ACCESS BILL PHONE USEAGE APR 2017		OH008102	04/08/2017	1,276.47
00186746	04/27/2017	CHAPTER 13 TRUSTEE PAYROLL EARLY WARRANTS		OH008090	04/28/2017	1,331.00
00186747	04/27/2017	CLIFTON, CURTIS MILEAGE EXPENSE		OH008092	04/21/2017	64.20
00186748	04/27/2017	COLLISION MASTERS LLC Alignment/7606	P0094837	32188	02/02/2017	87.55
00186749	04/27/2017	COMCAST Internet Charges/Fire	P93827	OH008065	04/11/2017	286.58
00186750	04/27/2017	CORT PARTY RENTAL Leap for Green Linen rental	P0094783	615711	04/04/2017	254.32
00186751	04/27/2017	DATAQUEST LLC Background checks for Seasonal	P0094803	1942	03/31/2017	288.50
00186752	04/27/2017	DENTZ, LISA Layout and design for new prin	P0094779	143	04/14/2017	250.00
00186753	04/27/2017	DEPT OF ENTERPRISES SERVICES PRINTING WINDOW ENVELOPES		73160734	04/06/2017	274.36
00186754	04/27/2017	DERR, TIMOTHY PER DIEM REIMBURSEMENT		OH008100	04/12/2017	368.60
00186755	04/27/2017	DROLL LANDSCAPE ARCH, ROBERT W Groveland Park Repair & Shorel	P91615	1406512	03/25/2017	3,342.50
00186756	04/27/2017	DUNBAR ARMORED April 2017 Armored car service	P0094865	3961535	04/01/2017	1,898.17

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186757	04/27/2017	EARTHCORPS INC 2017-2018 Earthcorps Volunteer	P93946	6468	03/31/2017	2,790.00
00186758	04/27/2017	FASTSIGNS ISSAQUAH CITY HALL SIGNS	P0094808	I87836	04/12/2017	638.39
00186759	04/27/2017	FIRE PROTECTION INC FINANCE PANIC BUTTON	P0094809	37633	03/30/2017	582.54
00186760	04/27/2017	FIRE SMART PROMOTIONS Sticker Badges	P94651	104418	04/12/2017	220.00
00186761	04/27/2017	GARDNER, BRENT WORK PANTS		OH008096	03/13/2017	47.60
00186762	04/27/2017	GRAINGER INVENTORY PURCHASES	P0094754	9412484223	04/10/2017	401.51
00186763	04/27/2017	GREER, J SCOTT pro tem 4.10.17	P0094830	OH008067	04/10/2017	100.00
00186764	04/27/2017	H D FOWLER SET SCREWS FOR STORZ ADAPTERS	P94705	I4462524	04/03/2017	3,059.94
00186765	04/27/2017	HAWLEY, C J PER DIEM REIMBURSEMENT		OH008097	04/10/2017	172.50
00186766	04/27/2017	HERRERA ENVIRONMENTAL CONSULT NPDES Ph. 2 permit implementat	P94214	40188/39710	01/11/2017	3,143.53
00186767	04/27/2017	HOME DEPOT CREDIT SERVICE IRRIGATION FITTINGS	P0094802	0187055021082/01	04/18/2017	170.81
00186768	04/27/2017	HONEYWELL, MATTHEW V Professional services - Invoic	P0094814	970	04/18/2017	2,050.00
00186769	04/27/2017	IBS INC INVENTORY PURCHASES	P0094755	6412621	04/07/2017	530.38
00186770	04/27/2017	INTERCOM LANGUAGE SERVICES INC interpreting services #17-80	P0094825	1759	03/10/2017	1,010.00
00186771	04/27/2017	ISSAQUAH CITY JAIL Feb jail bill	P0094729	0450008394	04/07/2017	5,941.65
00186772	04/27/2017	JOHNSON, CURTIS FRLEOFF1 Retiree Medical Expen	P0094849	OH008068	04/20/2017	268.89
00186773	04/27/2017	KC PET LICENSES KC PET LICENSE FEES COLLECTED	P93440	OH008077	03/31/2017	45.00
00186774	04/27/2017	KC RECORDS Recording fees	P0094871	OH008075	04/24/2017	758.00
00186775	04/27/2017	KC RECORDS Recording Fees	P0094870	OH008076	04/24/2017	533.00
00186776	04/27/2017	KC TREASURY 2017 KING COUNTY, WA, REAL EST	P0094905	OH008074	04/26/2017	1,342.93
00186777	04/27/2017	KCFCA 2017 Dues	P0094840	OH008072	04/20/2017	300.00
00186778	04/27/2017	KENDO-KAI, CASCADE Instructor pay for course #165	P0094789	16582/83/84	04/17/2017	2,254.42
00186779	04/27/2017	KENYON DISEND PLLC Professional services - Invoic	P0094805	185258	03/31/2017	11,564.01
00186780	04/27/2017	KIA MOTORS FINANCE DSG 2016 KIA SOUL LEASE	P94483	OH008071	04/16/2017	475.32
00186781	04/27/2017	KING CO PROSECUTING ATTORNEY COURT REMITTANCE KC CRIME VICT	P93441	OH008078	03/31/2017	390.56
00186782	04/27/2017	KING COUNTY FINANCE I-NET MONTHLY SERVICES FROM	P94044	11005699	03/31/2017	1,122.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186783	04/27/2017	KROESENS UNIFORM COMPANY Uniform Pants/Kenworthy	P0094759	43491	04/06/2017	155.10
00186784	04/27/2017	LANGUAGE LINE SERVICES language line #4021412	P0094827	4021412	02/28/2017	12.84
00186785	04/27/2017	MAKERS ARCH & URBAN DESIGN LLP RDS Graphics & Design services	P0094873	16365	04/13/2017	470.00
00186786	04/27/2017	MASS GROUP INC Training Dummy	P94206	54308	04/10/2017	1,194.59
00186787	04/27/2017	McLENDON HARDWARE INC INVENTORY PURCHASES	P0094752	4644582	04/12/2017	92.98
00186788	04/27/2017	MI EMPLOYEES ASSOC PAYROLL EARLY WARRANT		OH008087	04/28/2017	148.75
00186789	04/27/2017	MICHAEL SKAGGS ASSOCIATES JANITORIAL CITY BLDGS MARCH 20	P0094812	17123	03/31/2017	10,907.64
00186790	04/27/2017	MIRACLE ISLAND PLLC Instructor Pay for course #171	P0094787	17194/16705/04	04/17/2017	2,884.88
00186791	04/27/2017	MORGAN SOUND INC EOC A/V	P0094822	MSI89988	03/28/2017	2,013.71
00186792	04/27/2017	MUNRO, ALEC TRAINING EXPENSES		OH008093	04/12/2017	48.66
00186793	04/27/2017	OAC SERVICES INC Pier Repair Engineering Servic	P90640	132722	04/13/2017	480.00
00186794	04/27/2017	OLSON, JOHN R pro tem 3.38.17	P0094829	OH008079	03/20/2017	400.00
00186795	04/27/2017	PACIFIC MODULAR CITY HALL CARPET CLEANING	P0094810	3341	03/28/2017	536.00
00186796	04/27/2017	PART WORKS INC. CREDIT MEMO: 00539 CITY HALL	P94535	10686/10923/0053	03/21/2017	327.98
00186797	04/27/2017	PAULETTO, MAUDE Instructor pay for course #166	P0094790	16685/86/87	04/17/2017	1,519.00
00186798	04/27/2017	PERFECTMIND INC PerfectMind program - Project	P0094804	MER20170418	04/18/2017	7,600.00
00186799	04/27/2017	PLASTIC SOLUTIONS INC Sustainability Promotion Suppl	P0094820	OH008080	03/22/2017	1,224.00
00186800	04/27/2017	PLATT ELECTRIC ELECTRICAL TESTER	P0094824	L802415	04/07/2017	104.50
00186801	04/27/2017	POLICE ASSOCIATION PAYROLL EARLY WARRANTS		OH008088	04/28/2017	2,323.86
00186802	04/27/2017	REDMOND, CITY OF 1st Quarter Apparatus Maint.	P0094776	00001916	04/12/2017	10,596.83
00186803	04/27/2017	REID MIDDLETON INC PW ADDITION STRUCTURAL ENGINEE	P0094813	1703206	04/04/2017	9,948.15
00186804	04/27/2017	RESTALL, SHANA Representation of DSG Planning	P0094883	OH008082	04/24/2017	600.00
00186805	04/27/2017	RHOADES, LANCE MIAC Literary Classics on Film	P0094784	OH008081	04/10/2017	1,200.00
00186806	04/27/2017	S & S TIRE Flat Repair/8613	P0094834	170251	02/07/2017	312.20
00186807	04/27/2017	SALZETTI, ERIC Instructor pay for course #169	P0094788	16954/16960	04/17/2017	1,614.20
00186808	04/27/2017	SEA WESTERN INC Bunker Boots	P0094839	198139	04/13/2017	409.75

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00186809	04/27/2017	SEIFERT, MIKE SPECIAL OPS MAYDAY CDU EQUPT		OH008095	04/21/2017	673.22
00186810	04/27/2017	SOUND PUBLISHING INC Ntc: Ordinance No. 17-06 18164	P93572	7736402	12/31/2016	3,073.10
00186811	04/27/2017	SPARROW, JEREMY GOLF DRIVER EXPENSES		OH008094	04/20/2017	54.07
00186812	04/27/2017	STONEWAY ELECTRIC JUNCTION BOX	P0094795	S101975339001	04/04/2017	52.13
00186813	04/27/2017	STRANGER, THE Advertising for Thrift Shop -	P0094817	417BA592	04/13/2017	200.00
00186814	04/27/2017	SUNGARD PUBLIC SECTOR INC ONESOLUTION MAINTENANCE	P0094807	135578	03/31/2017	10,051.99
00186815	04/27/2017	SUPPLY SOURCE INC,THE INVENTORY PURCHASES	P0094857	1701229	04/17/2017	1,271.31
00186816	04/27/2017	T-MOBILE 2017 Services for Boat Launch	P93801	OH008083	05/01/2017	49.99
00186817	04/27/2017	TRAFFIC SAFETY SUPPLY INVENTORY PURCHASES	P94545	126403	04/11/2017	485.34
00186818	04/27/2017	UNITED SITE SERVICES 2017 Portable Toilet Rentals &	P94171	1145171341/11451	04/11/2017	583.16
00186819	04/27/2017	UNITED WAY OF KING CO PAYROLL EARLY WARRANTS		OH008089	04/28/2017	230.00
00186820	04/27/2017	VERIZON WIRELESS Cell Charges/Fire	P0094836	9783419861	04/06/2017	16.07
00186821	04/27/2017	VIBRANT PLANTS INC MISC. PLANTS	P0094806	4083802	04/12/2017	1,906.10
00186822	04/27/2017	WA ST REVENUE 1ST QTR LEASE HOLD EXCISE TAX	P93476	OH008085	03/31/2017	4,629.15
00186823	04/27/2017	WALTER E NELSON CO INVENTORY PURCHASES	P94706	591739	04/06/2017	1,457.48
00186824	04/27/2017	WASHINGTON STATE UNIVERSITY NCI Housing (Hooman)	P0094859	22976369	02/23/2017	375.00
00186825	04/27/2017	WHISTLE WORKWEAR SAFETY BOOTS & MISC. WORK CLOT	P0094798	TR344967	03/25/2017	245.67
00186826	04/27/2017	WSCCCE AFSCME AFL-CIO PAYROLL EARLY WARRANTS		OH008086	04/28/2017	2,515.07
00186827	04/27/2017	XEROX CORPORATION copier cost - March	P0094828	088716443	04/01/2017	154.42
00186828	04/27/2017	ZUMAR INDUSTRIES VIS-Z-SHIELD FOR WOOD POST	P0094818	0187900	04/10/2017	186.71
					Total	<u>183,564.61</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P93476	00186822	WA ST REVENUE	1ST QTR LEASE HOLD EXCISE TAX	2,356.98
P93441	00186781	KING CO PROSECUTING ATTORNEY	COURT REMITTANCE KC CRIME VICT	390.56
P93440	00186773	KC PET LICENSES	KC PET LICENSE FEES COLLECTED	45.00
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P94721	00186764	H D FOWLER	INVENTORY PURCHASES	2,738.90
P94706	00186823	WALTER E NELSON CO	INVENTORY PURCHASES	1,457.48
P0094857	00186815	SUPPLY SOURCE INC,THE	INVENTORY PURCHASES	1,271.31
P0094755	00186769	IBS INC	INVENTORY PURCHASES	530.38
P94545	00186817	TRAFFIC SAFETY SUPPLY	INVENTORY PURCHASES	485.34
P0094799	00186732	A.M. LEONARD INC	INVENTORY PURCHASES	386.32
P0094754	00186762	GRAINGER	INVENTORY PURCHASES	191.45
P0094800	00186762	GRAINGER	INVENTORY PURCHASES	147.97
P0094796	00186733	ALPINE PRODUCTS INC	INVENTORY PURCHASES	148.78
P0094752	00186787	McLENDON HARDWARE INC	INVENTORY PURCHASES	92.98
<i>Org Key: 814072 - United Way</i>				
	00186819	UNITED WAY OF KING CO	PAYROLL EARLY WARRANTS	230.00
<i>Org Key: 814074 - Garnishments</i>				
	00186746	CHAPTER 13 TRUSTEE	PAYROLL EARLY WARRANTS	1,331.00
<i>Org Key: 814075 - Mercer Island Emp Association</i>				
	00186788	MI EMPLOYEES ASSOC	PAYROLL EARLY WARRANT	148.75
<i>Org Key: 814076 - City & Counties Local 21M</i>				
	00186826	WSCCCE AFSCME AFL-CIO	PAYROLL EARLY WARRANTS	2,515.07
<i>Org Key: 814077 - Police Association</i>				
	00186801	POLICE ASSOCIATION	PAYROLL EARLY WARRANTS	2,323.86
<i>Org Key: CA1100 - Administration (CA)</i>				
P0094805	00186779	KENYON DISEND PLLC	Professional services - Invoice	11,564.01
<i>Org Key: CA1200 - Prosecution & Criminal Mngmnt</i>				
P0094815	00186768	HONEYWELL, MATTHEW V	Professional services - Invoice	1,400.00
P0094814	00186768	HONEYWELL, MATTHEW V	Professional services - Invoice	650.00
<i>Org Key: CM11SP - Special Projects-City Mgr</i>				
P0094816	00186735	ARC DOCUMENT SOLUTIONS	Copy charges - Invoice No. 127	1,866.85
<i>Org Key: CM1200 - City Clerk</i>				
P0094859	00186824	WASHINGTON STATE UNIVERSITY	NCI Housing (Hooman)	375.00
P0094842	00186810	SOUND PUBLISHING INC	Ntc: Moratoria 1817396 03/01	88.41
P0094842	00186810	SOUND PUBLISHING INC	Ntc: Ordinance No. 17-05 18165	65.07
P0094842	00186810	SOUND PUBLISHING INC	Ntc: Ordinance No. 17-06 18164	62.48
P0094842	00186810	SOUND PUBLISHING INC	Ntc: Ordinance No. 17C-07 1832	52.11
P0094842	00186810	SOUND PUBLISHING INC	Ntc: Ordinance No. 17C-04 1816	52.11
P0094842	00186810	SOUND PUBLISHING INC	Ntc: Ordinance No. 17C-03 1816	49.52
P0094842	00186810	SOUND PUBLISHING INC	Ntc: Ordinance No. 16-09 18321	49.52
<i>Org Key: CM1300 - Sustainability</i>				
P0094820	00186799	PLASTIC SOLUTIONS INC	Sustainability Promotion Suppl	1,224.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0094842	00186810	SOUND PUBLISHING INC	AD: Leap For Green 1814190 03/	257.25
P0094842	00186810	SOUND PUBLISHING INC	AD: Leap For Green 1814190 03/	255.00
P0094842	00186810	SOUND PUBLISHING INC	Web AD: Leap For Green 1834483	210.00
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
P0094787	00186790	MIRACLE ISLAND PLLC	Instructor Pay for course #171	546.00
<i>Org Key: CT1100 - Municipal Court</i>				
P0094826	00186770	INTERCOM LANGUAGE SERVICES INC	interpreting services #17-80	770.00
P0094825	00186770	INTERCOM LANGUAGE SERVICES INC	interpreting services #17-59	240.00
P0094829	00186794	OLSON, JOHN R	pro tem 3.38.17	200.00
P0094829	00186794	OLSON, JOHN R	pro tem 4.11.17	200.00
P0094828	00186827	XEROX CORPORATION	copier cost - March	154.42
P0094830	00186763	GREER, J SCOTT	pro tem 4.10.17	100.00
P0094827	00186784	LANGUAGE LINE SERVICES	language line #4021412	12.84
<i>Org Key: DS1100 - Administration (DS)</i>				
P0094871	00186774	KC RECORDS	Recording fees	758.00
P0094842	00186810	SOUND PUBLISHING INC	AD: PC Res Dev Code 1834454 03	650.00
P0094870	00186775	KC RECORDS	Recording Fees	533.00
P0094873	00186785	MAKERS ARCH & URBAN DESIGN LLP	RDS Graphics & Design services	470.00
P0094872	00186737	AWCPD	AWCPD Membership for Scott Gre	100.00
P0094842	00186810	SOUND PUBLISHING INC	NOA: Open Record Hearing 18304	93.59
P0094842	00186810	SOUND PUBLISHING INC	Ntc: PC Public Hearing 1834709	72.85
<i>Org Key: DS1200 - Bldg Plan Review & Inspection</i>				
	00186761	GARDNER, BRENT	WORK PANTS	47.60
<i>Org Key: DS1300 - Land Use Planning Svc</i>				
P0094883	00186804	RESTALL, SHANA	Representation of DSG Planning	600.00
	00186753	DEPT OF ENTERPRISES SERVICES	BUSINESS CARD PRINTING MAR2017	47.84
	00186753	DEPT OF ENTERPRISES SERVICES	BUSINESS CARD PRINTING MAR2017	23.93
<i>Org Key: DS1400 - Development Engineering</i>				
P0094842	00186810	SOUND PUBLISHING INC	AD: Comment Period 6 Year TIP	31.11
<i>Org Key: FN2100 - Data Processing</i>				
P0094807	00186814	SUNGARD PUBLIC SECTOR INC	ONESOLUTION MAINTENANCE	10,051.99
<i>Org Key: FN4501 - Utility Billing (Water)</i>				
P0094798	00186825	WHISTLE WORKWEAR	SAFETY BOOTS & MISC. WORK CLOT	122.84
<i>Org Key: FN4502 - Utility Billing (Sewer)</i>				
P0094798	00186825	WHISTLE WORKWEAR	SAFETY BOOTS & MISC. WORK CLOT	122.83
<i>Org Key: FR1100 - Administration (FR)</i>				
P0094840	00186777	KCFCA	2017 Dues	300.00
P0094759	00186783	KROESENS UNIFORM COMPANY	Uniform Pants/Kenworthy	155.10
P0094841	00186749	COMCAST	Internet Charges/Fire	11.48
<i>Org Key: FR2100 - Fire Operations</i>				
P0094776	00186802	REDMOND, CITY OF	1st Quarter Apparatus Maint.	10,596.83
P0094839	00186808	SEA WESTERN INC	Bunker Boots	409.75
P0094834	00186806	S & S TIRE	Flat Repair/8613	312.20

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0094837	00186748	COLLISION MASTERS LLC	Alignment/7606	87.55
P0094836	00186820	VERIZON WIRELESS	Cell Charges/Fire	16.07
<i>Org Key: FR4100 - Training</i>				
P94206	00186786	MASS GROUP INC	Training Dummy	1,194.59
	00186792	MUNRO, ALEC	TRAINING EXPENSES	48.66
<i>Org Key: FR5100 - Community Risk Reduction</i>				
P94651	00186760	FIRE SMART PROMOTIONS	Sticker Badges	220.00
<i>Org Key: GGM001 - General Government-Misc</i>				
P0094905	00186776	KC TREASURY	2017 KING COUNTY, WA, REAL EST	1,342.93
P0094865	00186756	DUNBAR ARMORED	April 2017 Armored car service	546.50
P93439	00186749	COMCAST	CITY HALL HIGH SPEED INTERNET	111.45
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
	00186753	DEPT OF ENTERPRISES SERVICES	PRINTING WINDOW ENVELOPES	178.66
<i>Org Key: GGM005 - Genera Govt-LI Retiree Costs</i>				
P0094849	00186772	JOHNSON, CURTIS	FRLEOFF1 Retiree Medical Expen	268.89
<i>Org Key: IS2100 - IGS Network Administration</i>				
P94044	00186782	KING COUNTY FINANCE	I-NET MONTHLY SERVICES FROM	1,122.00
<i>Org Key: MT2100 - Roadway Maintenance</i>				
P0094818	00186828	ZUMAR INDUSTRIES	VIS-Z-SHIELD FOR WOOD POST	186.71
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P0094856	00186767	HOME DEPOT CREDIT SERVICE	IRRIGATION FITTINGS	3.40
<i>Org Key: MT2500 - ROW Administration</i>				
	00186738	BARNETT, JASON	MILEAGE EXPENSE	25.89
<i>Org Key: MT3100 - Water Distribution</i>				
P0094791	00186764	H D FOWLER	1" X 24" BRASS NIPPLES	116.03
P0094824	00186800	PLATT ELECTRIC	ELECTRICAL TESTER	104.50
P94705	00186764	H D FOWLER	CUTTER WHEELS	99.13
	00186747	CLIFTON, CURTIS	MILEAGE EXPENSE	64.20
P0094800	00186762	GRAINGER	RATCHET WRENCH	62.09
P0094794	00186764	H D FOWLER	SET SCREWS FOR STORZ ADAPTERS	27.51
<i>Org Key: MT3150 - Water Quality Event</i>				
P94724	00186764	H D FOWLER	KUPFERLE Z94WM-93WM-CONV FOR	78.37
<i>Org Key: MT3200 - Water Pumps</i>				
	00186743	CENTURYLINK	PHONE USE APR 2017	59.69
<i>Org Key: MT3500 - Sewer Pumps</i>				
	00186744	CENTURYLINK BUSINESS SERVICES	PHONE USE PAR 2017	3,550.26
	00186745	CENTURYLINK-ACCESS BILL	PHONE USEAGE APR 2017	1,276.47
P0094795	00186812	STONEWAY ELECTRIC	JUNCTION BOX	52.13
<i>Org Key: MT3600 - Sewer Associated Costs</i>				
P0094792	00186739	BLUETARP FINANCIAL INC	MISC. WORK CLOTHES	112.44
<i>Org Key: MT3810 - NPDES Phase 2 Prog Developmt</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P94214	00186766	HERRERA ENVIRONMENTAL CONSULT	NPDES Ph. 2 permit implementat	3,143.53
<i>Org Key: MT4200 - Building Services</i>				
P0094812	00186789	MICHAEL SKAGGS ASSOCIATES	JANITORIAL CITY BLDGS MARCH 20	4,205.66
P0094808	00186758	FASTSIGNS ISSAQUAH	CITY HALL SIGNS	638.39
P0094809	00186759	FIRE PROTECTION INC	FINANCE PANIC BUTTON	582.54
P0094810	00186795	PACIFIC MODULAR	CITY HALL CARPET CLEANING	536.00
P94535	00186796	PART WORKS INC.	CREDIT MEMO: 00539 CITY HALL	-206.09
<i>Org Key: MT4300 - Fleet Services</i>				
P88915	00186780	KIA MOTORS FINANCE	DSG 2016 KIA SOUL LEASE	263.96
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
P0094802	00186767	HOME DEPOT CREDIT SERVICE	IRRIGATION FITTINGS & TOOLS	167.41
<i>Org Key: PO1100 - Administration (PO)</i>				
	00186754	DERR, TIMOTHY	PER DIEM REIMBURSEMENT	127.80
	00186753	DEPT OF ENTERPRISES SERVICES	BUSINESS CARD PRINTING MAR2017	23.93
<i>Org Key: PO1350 - Police Emergency Management</i>				
P0094822	00186791	MORGAN SOUND INC	EOC A/V	2,013.71
	00186765	HAWLEY, C J	PER DIEM REIMBURSEMENT	172.50
<i>Org Key: PO1900 - Jail/Home Monitoring</i>				
P0094729	00186771	ISSAQUAH CITY JAIL	Feb jail bill	5,941.65
<i>Org Key: PO2200 - Marine Patrol</i>				
	00186734	AMICI, DOMINIC	PER DIEM REIMBURSEMENT	240.80
	00186741	CANTER, DAVID	PER DIEM REIMBURSEMENT	240.80
	00186754	DERR, TIMOTHY	PER DIEM REIMBURSEMENT	240.80
<i>Org Key: PO4300 - Police Training</i>				
	00186809	SEIFERT, MIKE	SPECIAL OPS MAYDAY CDU EQUPT	673.22
<i>Org Key: PR0000 - Parks & Recreation-Revenue</i>				
P93476	00186822	WA ST REVENUE	1ST QTR LEASE HOLD EXCISE TAX	2,272.17
<i>Org Key: PR1100 - Administration (PR)</i>				
P0094806	00186821	VIBRANT PLANTS INC	MISC. PLANTS	520.10
<i>Org Key: PR2104 - Special Events</i>				
P0094783	00186750	CORT PARTY RENTAL	Leap for Green Linen rental	254.32
<i>Org Key: PR2108 - Health and Fitness</i>				
P0094787	00186790	MIRACLE ISLAND PLLC	Instructor pay for course #167	1,355.38
P0094789	00186778	KENDO-KAI, CASCADE	Instructor pay for course #165	1,012.45
P0094787	00186790	MIRACLE ISLAND PLLC	Instructor Pay for course #167	983.50
P0094788	00186807	SALZETTI, ERIC	Instructor pay for course #169	865.90
P0094790	00186797	PAULETTO, MAUDE	Instructor pay for course #166	796.95
P0094789	00186778	KENDO-KAI, CASCADE	Instructor pay for course #165	793.97
P0094788	00186807	SALZETTI, ERIC	Instructor pay for course #169	748.30
P0094790	00186797	PAULETTO, MAUDE	Instructor pay for course #166	452.55
P0094789	00186778	KENDO-KAI, CASCADE	Instructor pay for course #165	448.00
P0094790	00186797	PAULETTO, MAUDE	Instructor pay for course #166	269.50
	00186811	SPARROW, JEREMY	GOLF DRIVER EXPENSES	54.07

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: PR3500 - Senior Services</i>				
P0094803	00186751	DATAQUEST LLC	Background checks for Seasonal	21.50
<i>Org Key: PR4100 - Community Center</i>				
P0094811	00186789	MICHAEL SKAGGS ASSOCIATES	JANITORIAL SERVICE MARCH 2017	2,613.24
P0094865	00186756	DUNBAR ARMORED	April 2017 Armored car service	545.07
P93827	00186749	COMCAST	2017 High speed connection cha	163.65
<i>Org Key: PR5500 - Literary Program</i>				
P0094784	00186805	RHOADES, LANCE	MIAC Literary Classics on Film	1,200.00
<i>Org Key: PR5900 - Summer Celebration</i>				
P94026	00186736	ARGOSY CRUISES	2017 Summer Celebration Boat R	2,500.00
<i>Org Key: PR6100 - Park Maintenance</i>				
P0094806	00186821	VIBRANT PLANTS INC	MISC. PLANTS	1,386.00
P0094797	00186742	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (30 YDS)	586.58
P94535	00186796	PART WORKS INC.	URINAL REPAIR KITS	455.51
P0094803	00186751	DATAQUEST LLC	Background checks for Seasonal	52.50
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P0094803	00186751	DATAQUEST LLC	Background checks for Seasonal	52.50
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
P0094812	00186789	MICHAEL SKAGGS ASSOCIATES	JANITORIAL CITY BLDGS MARCH 20	2,148.09
P0094803	00186751	DATAQUEST LLC	Background checks for Seasonal	52.50
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
P0094797	00186742	CEDAR GROVE COMPOSTING INC	LANDSCAPE MULCH (30 YDS)	586.58
P94171	00186818	UNITED SITE SERVICES	2017 Portable Toilet Rentals &	356.36
P94171	00186818	UNITED SITE SERVICES	2017 Portable Toilet Rentals &	151.20
P94535	00186796	PART WORKS INC.	WATER FOUNTAIN REPAIR PARTS	78.56
P93801	00186816	T-MOBILE	2017 Services for Boat Launch	49.99
<i>Org Key: PR6800 - Trails Maintenance</i>				
P0094803	00186751	DATAQUEST LLC	Background checks for Seasonal	58.00
<i>Org Key: WD531C - Sub Basin 27a</i>				
P0094842	00186810	SOUND PUBLISHING INC	Ntc: Sub Basin 27A.9 Bids 1832	233.59
<i>Org Key: WG102R - Maintenance Building Repairs</i>				
P0094813	00186803	REID MIDDLETON INC	PW ADDITION STRUCTURAL ENGINEE	9,948.15
<i>Org Key: WG130E - Equipment Rental Vehicle Repl</i>				
P93897	00186740	BUD CLARY CHEVROLET INC	FIRE FL-0386 VEHICLE REPLACEME	37,188.79
P94483	00186780	KIA MOTORS FINANCE	DSG 2016 KIA SOUL LEASE	211.36
<i>Org Key: WG513T - Rec & Facility Booking System</i>				
P0094804	00186798	PERFECTMIND INC	PerfectMind program - Project	7,600.00
<i>Org Key: WP122P - Open Space - Pioneer/Engstrom</i>				
P93946	00186757	EARTHCORPS INC	2017-2018 Earthcorps Volunteer	1,020.00
P94171	00186818	UNITED SITE SERVICES	2017 Portable Toilet Rentals &	75.60
<i>Org Key: WP122R - Vegetation Management</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P93946	00186757	EARTHCORPS INC	2017 - 2018 EarthCorps Volunt	1,770.00
P0094803	00186751	DATAQUEST LLC	Background checks for Seasonal	51.50
<i>Org Key: WP506R - Swim Beach Repairs</i>				
P91615	00186755	DROLL LANDSCAPE ARCH, ROBERT W	Groveland Park Repair & Shorel	3,342.50
P90640	00186793	OAC SERVICES INC	Pier Repair Engineering Servic	480.00
<i>Org Key: WR544C - ICW Crosswalk at SE 32nd</i>				
P0094842	00186810	SOUND PUBLISHING INC	Ntc: Ped. Signal Isl Crest 181	179.14
<i>Org Key: YF1100 - YFS General Services</i>				
P0094865	00186756	DUNBAR ARMORED	April 2017 Armored car service	258.67
P0094842	00186810	SOUND PUBLISHING INC	AD: Successful Parenting 18310	254.35
<i>Org Key: YF1200 - Thrift Shop</i>				
P0094812	00186789	MICHAEL SKAGGS ASSOCIATES	JANITORIAL CITY BLDGS MARCH 20	1,940.65
P0094865	00186756	DUNBAR ARMORED	April 2017 Armored car service	547.93
P93572	00186810	SOUND PUBLISHING INC	Advertising contract for Seatt	417.00
P0094817	00186813	STRANGER, THE	Advertising for Thrift Shop -	200.00
<i>Org Key: YF2600 - Family Assistance</i>				
	00186731	PINNACLE PROPERTY MGMT	RENT PAYMENT TO AVOID EVICTION	1,000.00
<i>Org Key: YF2800 - Fed Drug Free Communities Gran</i>				
P0094779	00186752	DENTZ, LISA	Layout and design for new prin	250.00
Total				183,564.61



CITY OF MERCER ISLAND CERTIFICATION OF PAYROLL

PAYROLL PERIOD ENDING **4.21.17**
PAYROLL DATED **4.28.17**

Net Cash	\$	501,689.59
Net Voids/Manuals	\$	4,945.43
Net Total	\$	506,635.02
Federal Tax Deposit - Key Bank	\$	94,999.69
Social Security and Medicare Taxes	\$	45,895.10
Medicare Taxes Only (Fire Fighter Employees)	\$	2,204.01
Public Employees Retirement System 1 (PERS 1)	\$	-
Public Employees Retirement System 2 (PERS 2)	\$	22,763.38
Public Employees Retirement System 3 (PERS 3)	\$	5,934.00
Public Employees Retirement System (PERSJM)	\$	616.04
Public Safety Employees Retirement System (PSERS)	\$	179.18
Law Enforc. & Fire fighters System 2 (LEOFF 2)	\$	25,168.64
Regence & LEOFF Trust - Medical Insurance	\$	14,926.37
Domestic Partner/Overage Dependant - Insurance	\$	1,269.89
Group Health Medical Insurance	\$	1,027.99
Health Care - Flexible Spending Accounts	\$	2,573.51
Dependent Care - Flexible Spending Accounts	\$	1,974.55
United Way	\$	230.00
ICMA Deferred Compensation	\$	28,652.31
Fire 457 Nationwide	\$	13,676.62
Roth - ICMA	\$	50.00
Roth - Nationwide	\$	620.00
401K Deferred Comp	\$	1,750.00
Garnishments (Chapter 13)	\$	1,331.00
Child Support	\$	852.57
Mercer Island Employee Association	\$	148.75
Cities & Towns/AFSCME Union Dues	\$	2,515.07
Police Union Dues	\$	2,323.86
Fire Union Dues	\$	1,870.34
Fire Union - Supplemental Dues	\$	155.00
Standard - Supplemental Life Insurance	\$	335.50
Unum - Long Term Care Insurance	\$	944.30
AFLAC - Supplemental Insurance Plans	\$	810.78
Coffee Fund	\$	66.00
Transportation	\$	105.00
HRA - VEBA	\$	4,320.31
Miscellaneous	\$	-
Tax & Benefit Obligations Total	\$	280,289.76

TOTAL GROSS PAYROLL	\$ 786,924.78
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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.

Charles L. Corder

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



**CITY COUNCIL MINUTES
SPECIAL MEETING
APRIL 13, 2017**

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the Special Meeting to order at 4:30 pm in the City Hall Council Chambers, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett and Councilmember Jeff Sanderson were present. Deputy Mayor Debbie Bertlin (joined by phone at 4:40 pm), and Councilmembers Dan Grausz, Wendy Weiker, and Benson Wong participated by phone. Councilmember David Wisenteiner was absent.

SPECIAL BUSINESS

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

At 4:32 pm, Mayor Bassett convened the Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 1 hour.

At 5:30 pm, Mayor Bassett extended the Executive Session for an additional 15 minutes.

At 5:44 pm, Mayor Bassett adjourned the Executive Session.

ADJOURNMENT

The Special Meeting adjourned at 5:44 pm.

Bruce Bassett, Mayor

Attest:

Ellie Hooman, Deputy City Clerk



CITY COUNCIL MINUTES REGULAR MEETING APRIL 17, 2017

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 5:02 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett, Deputy Mayor Debbie Bertlin, and Councilmembers Wendy Weiker, Jeff Sanderson, David Wisenteiner (arrived 5:10 pm), Dan Grausz and Benson Wong were present.

AGENDA APPROVAL

It was moved by Wong; seconded by Bertlin to:

Approve the agenda as presented.

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Sanderson, 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 60 minutes

At 5:04 pm, Mayor Bassett convened an Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.

At 6:02 pm, Mayor Bassett suspended the Executive Session to allow the study session to begin.

STUDY SESSION

AB 5285 SE 40th Street Traffic Analysis - Island Crest Way to 88th Ave SE

Assistant City Engineer Anne Tonella-Howe explained the purpose and objectives of the traffic study that was conducted on SE 40th Street from Island Crest Way to 88th Ave SE, and introduced Michael Lapham from KPG who presented the study findings. He summarized staff's recommendations to delay the construction of a dedicated right-turn lane at 86th Ave SE and to continue to monitor queue lengths and operations, as well as complete phase 2 work including curb, gutter, sidewalk, and asphalt overlay on SE 40th St as adopted in the 2017-2018 CIP.

Following discussion, the Council agreed with staff recommendations, and asked staff to bring cycling improvements on the Northside of the road as part of the TIP process.

AB 5287 2017-2018 City Council Goals and Work Plan

City Manager Julie Underwood reviewed the proposed 2017-2018 City Council Goals and Work Plan that was developed from the 2017 Planning Session.

Discussion took place regarding the wording of Goal 2. Ultimately, there was consensus from the Council to accept the proposed Goals as written.

APPEARANCES

William Knedlik, I-90 Users Coalition, spoke about a written letter addressed to the Office of the Attorney General alleging Sound Transit's violations of the Open Public Meetings Act. The letter was presented to the Council.

Elizabeth Buckley, 15 Brookbay Rd, spoke about maintain mobility and transit options for I-90 petition which has 2,700 signatures from citizens of Mercer Island. Written petition provided for Council distribution.

Kurt Dammeier, 7828 SE 22nd Pl, spoke about the value of having useable baseball fields in the community.

Brooke Hamilton, 7010 82nd Ave SE, spoke about sports field improvements at Island Crest Park. Requested Council to focus on the North field and do quality renovation rather than trying to spread the funding over both the North and South fields.

Maurice Drayton, 4824 88th Ave SE, spoke about need for turf sports fields in the community. He noted that the sports fields are used for many different sports, including baseball and football and with the current state of the fields it inhibits the ability to hold practices and leaves youth at a disadvantage against their peers from other cities.

Melissa Near, 8412 85th Ave SE, supported City's effort to improve sports fields in the City. Requested Council consider organic infill and to include shock pads to help prevent injuries to players.

Tom Gallagher, 4243 Shoreclub Drive, thanked the Council for taking the time to come out to the fields to see first-hand the situation on the sports fields in Island Crest Park. Requested Council focus the renovation dollars on the North field and allow advertising on the baseball fields to help fund needed improvements.

Grant Janson, Janson Incorporated, advised his company is the apparent low bidder on Island Crest Park ballfield improvement project. Spoke about an email his company sent to the City with suggested changes that could be made to the project to help reduce cost of the project and help bring bids under the budget set forth for the project. Mayor Bassett requested staff forward this email or a summary of its content to the Council.

Becky Shaddle, 2734 West Mercer Way, spoke in support of option 4 for Island Crest Park North field.

Nate Luce, 3211 84th Ave SE, spoke in support of both option 4 and 5 for Island Crest Park ballfield improvements.

Scott Barber, 4742 90th Ave SE, spoke on behalf of Mercer Island FC about the shortage of turfed fields on Mercer Island. Asked Council to ensure that at a bare minimum improvements are made to the North Field.

Jack Smith, High School Senior, spoke about disappointment of not being able to play on a home field due to having no acceptable field available. Spoke in support of option 4.

Martha White, 4227 85th Ave SE, spoke about safety concerns with using synthetic materials on sports fields. Asked Council to choose to use organic infill and shock pad for sports field improvements.

CONSENT CALENDAR

Payables: \$372,720.52 (04/06/17)

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

Payroll: \$801,944.04 (03/31/17), \$836,659.11 (04/14/17)

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

Minutes: February 4, 2017 Planning Session Minutes, March 20, 2017 Regular Meeting Minutes, April 3, 2017 Regular Meeting Minutes, April 10, 2017 Special Meeting Minutes

Recommendation: Adopt the February 4, 2017 Planning Session Minutes, March 20, 2017 Regular Meeting Minutes, April 3, 2017 Regular Meeting Minutes, and April 10, 2017 Special Meeting Minutes as written.

AB 5268 Regional Animal Service of King County Interlocal Agreement

Recommendation: Authorize the City Manager to sign the 2018 Regional Animal Services Interlocal Agreement with King County for the period of January 1, 2018 through December 31, 2022 in substantially the form attached hereto as Attachment 1.

It was moved by Wisenteiner; seconded by Bertlin to:

Approve the Consent Calendar and recommendations therein.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

EXECUTIVE SESSION (continued)

At 6:58 pm, Mayor Bassett noted that the Regular Meeting could not continue until 7:30 pm as was posted on the agenda. Therefore, the Council resumed the Executive Session for 30 minutes.

At 7:27 pm, Mayor Bassett adjourned the Executive Session and the Regular Meeting reconvened.

REGULAR BUSINESS

It was moved by Bertlin; seconded by Wisenteiner to:

Amend the agenda to have Island Crest Park Sportsfield Improvements Bid Award as the first item of Regular Business.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

AB 5277 Island Crest Park Sportsfield Improvements Bid Award

City Manager Julie Underwood advised that all of the bids received were over the proposed budget for the project and requested feedback on Council preferences regarding how staff should move forward with field improvements.

Parks and Recreation Director Bruce Fletcher provided a brief history of the City's efforts to improve sports fields in recent years. Parks Superintendent Paul West, presented a detailed summary of the bids received for the project. He asked the Council to consider whether the City should reject all of the bids received allowing discussion of alternative options. Discussion took place on the different options presented. Council's preference was option 4.

It was moved by Wisenteiner; seconded by Bertlin to:

Reject all bids for the Island Crest Park Sportsfield Improvement project and direct the City Manager to enter into Purchasing Cooperative agreement with King County Directors' Association (KCDA) and focus on turf replacement on North field.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

AB 5282 I-90 Loss of Mobility Status Report & Funding Options for Litigation & Other Costs

City Manager Julie Underwood spoke about the three lawsuits underway regarding the East Link project. Go through agenda item and include detailed update on the suits.

Finance Director Chip Corder presented funding source options that could be used directly to fund litigation costs, or indirectly free up funds to could be redirected to fund litigation costs.

Discussion took place on what funding sources staff should move forward with. Council consensus was to have staff return with a proposal for a tax ordinance that would increase Utility taxes by 2% to fund the \$700,000 of litigation costs that exceed the initial \$400,000 appropriated by Council in the budget. They also directed staff to include a sunset clause of 24 months.

Deputy Mayor Bertlin requested staff return with an estimate of what the City's supplemental EIS is expected to cost.

It was moved by Wong; seconded by Bertlin to:

Authorize the filing of a Notice of Appeal of the trial court's decision on April 7, 2017 related to the City's shoreline permit, specifically the issue of whether State law allows the City to address adverse impacts of Sound Transit's East Link project that occur outside the City's shoreline jurisdiction, and to seek direct review of this issue by the Washington State Supreme Court.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

It was moved by Weiker; seconded by Sanderson to:

Extend the meeting beyond 10:00 pm.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

AB 5288 Adopt Interim Zoning Ordinance to Amend the I-90 Right of Way Portion of the P-zone to Allow Light Rail Facilities as a Permitted Use

City Attorney Kari Sand explained that the proposed ordinance relates to MICC Ordinance No. 17-05 establishing a moratorium on development in a portion of the Public Institution Zoning Classification, which was passed by the Council at the Special Meeting held on February 13, 2017. She noted that this Ordinance will require a super majority of the Council, meaning 5 yes votes to pass.

It was moved by Grausz; seconded by Wisenteiner to:

Adopt final version of Ordinance No. 17C-10, adopting a six-month interim zoning ordinance to allow light rail facilities within the Mercer Island I-90 Right of Way portion of the Public Institution zoning classification.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

AB 5286 Interlocal Agreement with Mercer Island School District for the Use, Maintenance, and Improvements of Certain School District Sports Fields

Parks Director Bruce Fletcher advised that the current interlocal agreement between the City of Mercer Island and the Mercer Island School District has expired. He spoke about the cost sharing and time management benefits this interlocal agreement will offer both the City and the School District.

It was moved by Bertlin; seconded by Weiker to:

Authorize the City Manager to sign and execute the Interlocal Agreement between the City of Mercer Island and the Mercer Island School District for the Use, Maintenance, and Improvement of Certain School District Sports Fields (as corrected).

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

OTHER BUSINESS

Councilmember Absences

There were no absences.

Planning Schedule

City Manager Julie Underwood noted that Joint Meeting with the School Board on Thursday, April 20 will begin at 5pm and that an Executive Session will be added after the Joint Meeting at 7pm. She also noted that there is a Special Meeting planned for May 8th from 6pm - 9pm regarding the Residential Development Standards Code Amendments.

Mayor Bassett requested to hold a 1 hour Executive Session at 5:30 pm on April 24, 2017. The Council concurred.

Board Appointments

There were no appointments.

Councilmember Reports

Councilmember Wong advised of an upcoming ARCH Trust Fund meeting scheduled for April 26.

Councilmember Weiker noted that a City Council election is approaching and requested staff continue with plans for a City Council Candidate orientation.

Councilmember Grausz advised about the Planning Commission’s upcoming meeting and their review of the Residential Development Standards. He noted that the revised draft is currently available online. He also requested a memo from Public Works Director Kintner providing an update on what happened to the street trees during the Pagliacci development.

ADJOURNMENT

The Regular Meeting adjourned at 10:12 pm

Bruce Bassett, Mayor

Attest:

Ellie Hooman, Deputy City Clerk



CITY COUNCIL MINUTES

SPECIAL JOINT MEETING WITH MISD BOARD

APRIL 20, 2017

CALL TO ORDER & ROLL CALL

School Board President David D'Souza called the Joint Meeting with the Mercer Island School District Board to order at 5:05 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett, Deputy Mayor Debbie Bertlin, and Councilmembers Benson Wong, Wendy Weiker, Jeff Sanderson, Dan Grausz, and David Wisenteiner were present.

School Board President David D'Souza, Vice-President Tracy Drinkwater and Directors Adair Dingle, Ralph Jorgenson, and Dave Myerson were present.

SPECIAL BUSINESS

Overview of Healthy Youth Survey Results - Fall 2016

MISD Executive Director of Learning Services Jennifer Wright and Assistant Superintendent Fred Rundel presented the findings of the Mercer Island School District Healthy Youth Survey. These results were compared in several quantitative charts to the results of their peers across the state of Washington. It was found that while there are areas in which Mercer Island youth are participating less in high risk activities, there were areas of concern as well. District staff reported that these findings highlight the importance of having Mercer Island Youth and Family Services programming available in the schools.

Demographic Study - 2017 Update

MISD Executive Director of Finance Tyrell Bergstrom presented the MISD 2017 Study of Demographic Trends in both Mercer Island and the region. The study took into consideration housing trends on the Island, birth rates, private school enrollment, and enrollment projections for 2017-2026. Superintendent Gary Plano advised that the largest area of concern with future capacity needs are with gym space at the High School.

2017 Legislative Updates to School Funding and McCleary Requirements

MISD Executive Director of Finance Tyrell Bergstrom provided a high-level overview of education funding currently being discussed in the state legislature. Director Bergstrom advised that there are several plans in the Senate right now that are very concerning for a District like Mercer Island which relies heavily on levy funding to operate the schools. Dr. Plano advised that the one talking point the community could focus on in their communications to the legislature is to leave local levies alone. That way communities that chose to levy taxes amongst themselves to support education funding can do so without interference by the legislature.

Interlocal Agreement - Sports Fields

The interlocal agreement was removed from the agenda for the Joint meeting because the issue had not yet been brought before the School Board.

Councilmember Grausz asked about the District's consideration for utilizing organic infill for planned sports field renovations, as well as whether the District uses the King County Director's Association purchasing cooperative which was discussed at Monday's Council meeting.

Dr. Plano confirmed that the School District has used the purchasing cooperative in the past. MISD Director of Maintenance & Operations Tony Kuhn spoke about plans that are underway to install a shock pad in the High School Stadium's sports field. He also advised that the decision of whether to use rubber or organic infill is still being researched and bid proposals for each are being solicited.

City Manager Underwood advised that she would work with Dr. Plano to bring information on the School Board's decisions regarding sports field renovations to the Council at a later time.

School Bus Cameras Update

MISD Director of Transportation David Bynum provided an update on the District's School Bus Camera program. The program began on August 31, 2016 and has since issued 33 stop arm citations. American Traffic Solutions is currently reviewing whether additional cameras would be beneficial to the success of the program.

I-90 and Mobility Update

City Manager Julie Underwood provided an update on the three lawsuits the City is currently involved in relating to the I-90 litigation. The first lawsuit initiated by the City does not have any new updates and a hearing date has not yet been set. The second lawsuit initiated by Sound Transit seeking the Court's relief from the City's suspension of Sound Transit's Shoreline permit was decided in Sound Transit's favor. The Council directed staff at Monday's Council meeting to file a notice of appeal of the trial court's decision on April 7, 2017 and seek direct review of the issue by the Washington State Supreme Court. The City Council also directed staff to bring back an appropriation proposal for conducting our own supplemental environmental impact study. The third lawsuit initiated by both Sound Transit and WSDOT seeking the Court's relief from the City moratoria is underway and a decision is expected from the court on April 21, 2017.

Additionally, City Manager Underwood noted that negotiations with Sound Transit have resumed. A small negotiating team has been assembled composed of three Sound Transit Board members and three City Councilmembers, who have tentatively planned to meet on April 24.

Possible Levies in 2018

Dr. Plano advised that 2018 would be a normal cycle year for a levy to be put forth to the public. The School Board is considering putting a levy on the ballot in February renewing a tax that funds 37% of school programs.

City Manager Underwood advised that the City will be gauging whether there is support from the community on a levy to help balance the City's budget as we approach the budget process in the next biennium.

ADJOURNMENT

Mayor Bassett adjourned the Joint Meeting at 6:54 pm.

Bruce Bassett, Mayor

Attest:

Ellie Hooman, Deputy City Clerk



**CITY COUNCIL MINUTES
SPECIAL MEETING
APRIL 20, 2017**

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the Special Meeting to order at 7:04 pm in the Emergency Operations Center, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett, Deputy Mayor Debbie Bertlin, and Councilmembers Benson Wong, Wendy Weiker, Jeff Sanderson, Dan Grausz, and David Wisenteiner were present.

EXECUTIVE SESSION

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

At 7:04 pm, Mayor Bassett convened the Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 1 hour.

At 7:59 pm, Mayor Bassett extended the Executive Session for an additional 15 minutes.

At 8:14 pm, Mayor Bassett adjourned the Executive Session

ADJOURNMENT

The Special Meeting adjourned at 8:14 pm.

Attest:

Bruce Bassett, Mayor

Ellie Hooman, Deputy City Clerk



**CITY COUNCIL MINUTES
SPECIAL MEETING
APRIL 24, 2017**

CALL TO ORDER & ROLL CALL

Deputy Mayor Debbie Bertlin called the Special Meeting to order at 8:02 am at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Deputy Mayor Debbie Bertlin was present. Mayor Bruce Bassett and Councilmembers Dan Grausz, Jeff Sanderson, Wendy Weiker, David Wisenteiner, and Benson Wong participated by phone.

EXECUTIVE SESSION

Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(I) for 15 minutes.

At 8:02 am, Deputy Mayor Bertlin convened the Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 15 minutes. She noted that the Council may take final action following the Executive Session.

At 8:17 am, Mayor Bassett adjourned the Executive Session and the Special Meeting reconvened.

It was moved by Bertlin; seconded by Wong to:

Authorize the filing of a Notice of Appeal of the trial court's decision dated April 21, 2017 related to the City's building permit, and to seek direct review of this decision by the Washington State Supreme Court.

Passed 7-0

FOR: 7 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wisenteiner, Wong)

ADJOURNMENT

The Special Meeting adjourned at 8:20 am.

Attest:

Bruce Bassett, Mayor

Ali Spietz, City Clerk



**CITY COUNCIL MINUTES
SPECIAL MEETING
APRIL 24, 2017**

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the Special Meeting to order at 5:34 pm at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett, Deputy Mayor Debbie Bertlin (Participated by phone until in person arrival at 5:40 pm), and Councilmembers Dan Grausz and Benson Wong were present. Councilmembers Jeff Sanderson (Joined at 5:35 pm) and Wendy Weiker (left at 6:10 pm) participated by phone. Councilmember David Wisenteiner was absent.

EXECUTIVE SESSION

Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(I) for one hour.

At 5:35 pm, Mayor Bassett convened the Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for one hour.

At 6:35 pm, Mayor Bassett adjourned the Executive Session.

ADJOURNMENT

The Special Meeting adjourned at 6:35 pm.

Bruce Bassett, Mayor

Attest:

Ellie Hooman, Deputy City Clerk



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 5290
May 1, 2017
Regular Business**

**ADOPTION OF 2017-2018 CITY COUNCIL
GOALS AND WORK PLAN**

Proposed Council Action:

Adopt the 2017-2018 City Council Goals and Work Plan as presented.

DEPARTMENT OF

City Manager (Julie Underwood)

COUNCIL LIAISON

n/a

EXHIBITS

1. 2017-2018 City Council Goals and Work Plan

2017-2018 CITY COUNCIL GOAL

5. City Manager Role and Council-Staff Relations

APPROVED BY CITY MANAGER

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

SUMMARY

At the Study Session on April 17, 2017 staff proposed the following 2017-2018 City Council goals:

Goal 1: Preserve I-90 Access and Mobility and Prepare for Light Rail

Goal 2: Maintain the City’s Residential Character

Goal 3: Enhance Communications and Opportunities for Community Engagement

Goal 4: Maintain Quality of Life Services by Addressing the City’s Financial Challenges

Goal 5: Strengthen and Realign City Manager Role and City Council-Staff Relations

Goal 6: Address Outdated City Code and Practices

These goals were developed after the Council’s 2017 Planning Session, where Council identified priorities and goals (“the what”) for the upcoming year and after the Leadership Team’s retreat, where staff prepared a draft work plan (“the how”) for the Council to review.

Following discussion at the April 17 Meeting, there was consensus from the Council to approve the goals and action steps as presented and have staff bring the final version back for adoption on the Consent Calendar.

RECOMMENDATION

City Manager

MOVE TO: Adopt the 2017-2018 City Council Goals and Work Plan as presented in Exhibit 1.



CITY OF MERCER ISLAND 2017-2018 CITY COUNCIL GOALS & WORK PLAN

The City's Comprehensive Plan states, "Mercer Island is not an island unto itself." While we are part of a complex regional system, we strive to maintain local control, preserve our safe, livable residential community, continuously provide and improve quality municipal services, foster fiscal responsibility, value excellence in education, act as stewards of the environment, and endeavor to be open and transparent and to balance the economic, environmental and social well-being of our entire community.

The City Council holds an annual planning session, where they discuss successes over the past year and identify priorities and goals ("the what") for the upcoming year. The Leadership Team takes that direction and creates a work plan ("the how"). Through a collaborative process, the Leadership Team develops budgets, capital improvement plans, departmental work plans, and special projects aimed at accomplishing the community's vision and Council goals.

Goal 1. Preserve I-90 Access and Mobility and Prepare for Light Rail

In 2008 Mercer Island voters supported the Sound Transit 2 funding package by 58%. While the City looks forward to the benefits of light rail, we must address the changes in the project, which directly affect residents and businesses who count on appropriate access to I-90. These project impacts have far-reaching consequences to pedestrian and cyclist safety and traffic congestion through school zones, neighborhoods, and Town Center, to sustaining our economic vitality, and preserving our exceptional quality of life.

Action Steps:

1. Initiate litigation and defend the City against litigation
2. Resume negotiations with Sound Transit and WSDOT to identify appropriate mitigation
3. Work with the State Delegation and Congressional Representatives to identify and implement state and federal remedies
4. Implement a transportation concurrency ordinance, amend the P-zone to allow light rail use of the corridor and adopt an essential public facilities code
5. Partner with the community to identify resources, strategies, and mitigation
6. Provide ongoing communication to the community and region regarding the impacts and changes
7. Pursue funding for the Aubrey Davis Park Master Plan
8. Convene a design charrette of agencies and stakeholders to design the traffic flow in the North Mercer Way Park & Ride area, and to address bicycle, pedestrian, vehicular and transit interactions on streets surrounding the light rail station.
9. Evaluate fire-life safety systems and operational impacts for the light rail system
10. Review and evaluate Sound Transit's Transit Oriented Development policies and past projects and determine if appropriate for Town Center

Goal 2. Maintain the City's Residential Character

Mercer Island is principally a low-density, single-family residential community. It is largely built out and significant new development opportunities are centered in the Town Center. However, as the region grows and Mercer Island's housing stock ages, property owners and investors are seeking opportunities to either remodel or tear-down-rebuild single-family houses, which are having impacts on the character of our neighborhoods.

Action Steps:

1. Complete the Residential Development Standards Code Update Project
2. Implement the Town Center Plan
3. Monitor activities related to establishing new growth targets

Goal 3. Enhance Communications and Opportunities for Community Engagement

The Council and staff value having an active and engaged community. Ensuring that residents and businesses are well-informed on a range of issues and projects can be a challenge in our rapidly changing "attention economy." Finding creative ways for communicating and seeking broad input is a goal worth striving for.

Action Steps:

1. Meet with key stakeholders and conduct social media poll to evaluate the City's communications program and identify areas for improvement
2. Initiate website update project by assessing websites to model and identifying vendors, costs and timeline
3. Launch a podcast, vlog, or other platform to promote the City's programs and services, highlight civic leaders and organizations, and share the talents of the community
4. Conduct the biennial citizen satisfaction survey
5. Ensure that significant initiatives include a robust community outreach component (i.e., Sound Transit, residential development code, solid waste contract, etc.)

Goal 4. Maintain Quality of Life Services by Addressing the City's Financial Challenges

The City faces projected operating budget deficits as well as aging infrastructure and other capital needs. This is largely due to the 1% annual growth limitation on property taxes and other revenues remaining flat. Having revenues keep pace with increasing operational expenses is a challenge, especially in delivering services that shape Mercer Island's quality of life.

Action Steps:

1. Convene a Citizen Advisory Committee to evaluate programs, services, and capital investments and consult on revenues and/or reductions
2. Respond to legislative changes that may adversely impact the City's revenues
3. Prepare rate studies for the City's utilities (water, sewer, storm water, and EMS)
4. Grow Thrift Shop sales 5% per year
5. Create the staffing support for the MIYFS Foundation infrastructure needed to increase revenues through fundraising over the next three biennia.

Goal 5. Strengthen and Realign City Manager Role and City Council-Staff Relations

Governance of a City relies on the cooperative efforts of elected officials, who set policy and priorities, and City staff, who analyze problems and issues, make recommendations, and implement and administer the Council's policies and priorities. Having a well-balanced distinction between policy-making and management roles fosters mutual trust and confidence and is paramount to maintaining an effective working relationship and an efficient government.

Action Steps:

1. Update and amend the City Council's Rules of Procedure (last updated 2006)
 - a) Re-evaluate Council subcommittee structure
 - b) Establish quarterly workshop (operational) meetings with Council and staff
 - c) Increase the use of study sessions and consent calendar for agenda items
2. Establish Council Candidate orientations and restructure Councilmember-Elect orientations
3. Prepare and distribute Staff-Council Communications Guidelines
4. Seek opportunities for joint Council and Commission/Board meetings and trainings

Goal 6. Address Outdated City Codes and Practices

When an organization is reactive and driven to put out the latest "fire," it means there is little energy or time left to put in place current policies and practices, redesigned processes, and technology solutions that help to prevent and avoid "fires." Addressing outdated codes and practices has now turned from a "nice to do" to a "must do," and requires the attention of Council and staff.

Action Steps:

1. Update and amend the following Mercer Island Codes and Policies:
 - a) National Pollutant Discharge Elimination System (NPDES) Code (last updated 2009)
 - b) Code Enforcement code provisions
 - c) Appeals and Processes code provisions
 - d) City's purchasing policy
 - e) Critical Areas Ordinance (last updated 2005)
2. Address obsolete systems and implement best practices throughout the organization:
 - a) Enterprise Asset Management System
 - b) Electronic document management and legislative system
 - c) Public records request tracking software
3. Initiate the Employee Handbook update (last updated 2012)
4. Implement and train staff on the newly adopted Information Security Policy
5. Update and implement the General Sewer Plan (last updated 2003)

Adopted April 2017



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 5292
May 1, 2017
Regular Business**

I-90 LOSS OF MOBILITY STATUS REPORT

Proposed Council Action:

Receive report.

DEPARTMENT OF

City Manager (Julie Underwood)

COUNCIL LIAISON

n/a

EXHIBITS

1. Superior Court Ruling, dated April 21, 2017

2017-2018 CITY COUNCIL GOAL

1. I-90 Access and Mobility/Prepare for Light Rail

APPROVED BY CITY MANAGER

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

SUMMARY

Litigation Update

On Friday, April 21, the City received a written ruling on the lawsuit initiated by Sound Transit challenging the City's ability to invoke its land use authority pursuant to Title 19 of the Mercer Island City Code as to the I-90 Right of Way and the East Link Light Rail project, including conditions of the building permit for the proposed Mercer Island light rail station in Town Center (see Exhibit 1). The trial court judge ruled in favor of Sound Transit, granting Sound Transit's motion for a preliminary injunction and application for a statutory writ and ordered that the City process the building permit for the Mercer Island Station consistent with its standard process for reviewing construction documents for projects of this size and complexity.

The City believes the ruling does not reflect fair and equitable treatment from Sound Transit and the Washington State Department of Transportation (WSDOT), and in a special meeting convened on Monday, April 24, the City Council voted unanimously to appeal the ruling by King County Superior Court Judge Beth Andrus and seek direct review by the State Supreme Court. The Judge acknowledged the City's "serious and well-founded concerns" regarding traffic and safety impacts related to the closure of the I-90 Center Roadway for rail construction, but nonetheless determined that the City's code was preempted by WSDOT's authority, as delegated to Sound Transit by lease agreement.

On-Going Negotiations

On a parallel track with litigation, the City is actively pursuing the possibility of a negotiated solution. Three Councilmembers met on April 24 with three representatives of the Sound Transit Board to explore possible terms of such an agreement, including project mitigation. The three City Councilmembers included Deputy Mayor Bertlin and Councilmembers Grausz and Sanderson. The Sound Transit Board representatives included Board Chair Dave Somers (Snohomish County Executive) and Co-Chairs John Marchione (Redmond Mayor) and Marilyn Strickland (Tacoma Mayor). The parties' first meeting focused on exploratory

discussions to learn what is important to each party. Both parties plan to meet again within the next few weeks.

Island Crest Way On-ramp Access for Single Occupant Vehicles (SOV)

The City continues to pursue SOV access for Island Crest Way. With the assistance of Representative Judy Clibborn and WSDOT Secretary Roger Millar, a formal letter is being drafted to seek support from the U.S. Department of Transportation Secretary Elaine Chao to ensure access to Island Crest Way. The City is seeking the support of the Congressional Delegation, the State Delegation, and signatories from past interlocal agreements related to I-90.

Community Outreach

On April 25, the City Manager and staff hosted a second I-90 Citizen “Advisors” meeting to inform/update and seek input on the range of strategies the City is pursuing. The meeting included the following citizens:

- | | |
|----------------------|---------------------|
| 1. Colin Brandt | 7. Jim Lovsted |
| 2. Elizabeth Buckley | 8. Subeer Manhas |
| 3. Sunny Early | 9. Melissa Neher |
| 4. Laurie Givan | 10. Roger Shanafelt |
| 5. Dan Grove | 11. Dan Syrdal |
| 6. Nancy Lee | 12. Dan Thompson |

Staff will continue to reach out to residents to seek their advice and input regarding this challenging community issue.

Between April 7-20, the City received 17 comments submitted on the City’s Light Rail Comment Form. Of these, 12 messages were from Mercer Island residents expressing concern about the State Environmental Protection Act (SEPA) Addendum and Mobility Study released by Sound Transit on April 5, 2017.

RECOMMENDATION

City Manager

No action required.

The Honorable Beth M. Andrus
Dept. 35, W-219
Hearing Date: April 13, 2017, @ 2:00 p.m.

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SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

CENTRAL PUGET SOUND REGIONAL
TRANSIT AUTHORITY, a regional transit
authority, d/b/a SOUND TRANSIT

No. 17-2-05191-8 SEA

and

**ORDER GRANTING PETITIONERS'
MOTION FOR PRELIMINARY
INJUNCTION AND WRIT OF
PROHIBITION**

WASHINGTON STATE DEPARTMENT OF
TRANSPORTATION, an agency of the State
of Washington responsible for construction and
operation of the State Highway System,

Plaintiffs/Petitioners,

v.

CITY OF MERCER ISLAND,
WASHINGTON, a code city,

Defendant/Respondent.

INTRODUCTION

Sound Transit brought this lawsuit seeking injunctive relief and writs of mandamus and/or prohibition to overturn four actions taken by the City of Mercer Island (City) relating to the East Link light rail project. The four actions are: (1) Ordinance No. 17-05 dated March 13, 2017 which imposed a six month moratorium on accepting and processing any permits for development of light rail in the I-90 right-of-way; (2) Ordinance No. 17-06 dated March 13, 2017 which imposed a six month moratorium on accepting and processing any permits relating to the siting of any essential public facility, including the East Link light rail project; (3) a March 16, 2017 decision

1 of Scott Greenberg, Development Services Director for the City, to suspend processing of Sound
2 Transit’s building permit application for a light rail transit station; and (4) a March 16, 2017
3 Development Code Interpretation #17-01, issued by Mr. Greenberg on behalf of the City.

4 The Court considered the pleadings identified in Appendix A to this order and argument
5 of counsel. Based on these materials, the Court GRANTS the motion for a preliminary injunction
6 and the application for a writ of prohibition for the reasons set out below.

7 **FACTUAL BACKGROUND**

8 I-90 is a state limited access highway consisting of eight motor vehicle lanes, including
9 three general purpose lanes in each direction and two reversible high occupancy vehicle (HOV)
10 lanes in the center. *Freeman v. State*, 178 Wn.2d 387, 390, 309 P.3d 437 (2013).

11 In 1976, the cities of Seattle, Mercer Island, and Bellevue entered into an agreement with
12 King County, Metro, and the Washington State Highway Commission (the predecessor to the
13 Washington State Department of Transportation, or WSDOT), resulting in the present I-90
14 configuration. These governmental entities agreed that any future improvements to I-90 would
15 include two lanes dedicated for transit use, designed to be convertible to a “fixed guideway” (rail)
16 system.

17 Sound Transit and WSDOT spent several years planning a light rail system for the I-90
18 right-of-way and the use of the HOV lanes in conjunction with that system. They developed a
19 plan, known as “R-8A,” to restripe and add two HOV lanes to the outer lanes, new HOV access
20 ramps on Mercer Island, and improvements to HOV access at Bellevue Way. *Id.* at 391.

21 In 2004, the parties—including the City and Sound Transit—amended the 1976 agreement
22 to document the ultimate configuration of the light rail system and HOV lane designations. They
23 agreed that I-90 would be modified to allow a light rail system to be constructed in the center two
24 lanes and to redesignate new HOV lanes in the roadway immediately adjacent to the light rail lines.
25 In 2008, voters approved taxes to construct the East Link light rail line to serve Seattle, Mercer
26 Island, Bellevue, and Redmond in the I-90 right-of-way as contemplated by the 2004 addendum.

1 In 2011, WSDOT and Sound Transit entered into an umbrella agreement for the lease of
2 the center lanes for light rail. The agreement states that the center lanes will not be “presently
3 needed” for highway use once the new HOV lanes open and that WSDOT will transfer control of
4 the leased center lanes to Sound Transit once the replacement HOV lanes are open to traffic. *Id.*
5 at 392. The validity of this lease was upheld in *Freeman v. State*.

6 After the Washington Supreme Court issued its decision in *Freeman* in 2013, the City
7 entered into a 2014 Letter Agreement with Sound Transit relating to the permitting and design
8 review of the planned light rail transit station on Mercer Island. The City agreed:

9 The footprint of the Mercer Island Station is located entirely within the I-90 right-
10 of-way under the control of the Washington State Department of Transportation
11 (WSDOT). An Umbrella Agreement and Airspace Lease executed November 3,
12 2011, were entered into between Sound Transit and WSDOT for the construction,
13 operation and maintenance of the Mercer Island Station. WSDOT believes that a
14 city’s regulatory role is limited to issuance of administrative permits such as
15 building, mechanical, and electrical permits and that cities do not have the
16 jurisdiction to regulate or exercise land use discretion over the design and
17 construction of a high-capacity transportation facilit[y] located within State right-
18 of-way. This position and approach has been and will be consistently followed in
19 Seattle, Bellevue and Redmond for review and approval of other portions of the
20 East Link Project located within WSDOT right-of-way.

21 The City of Mercer Island appointed a Mercer Island Advisory Group (MIAG),
22 with concurrence of City Council, to review the architecture and art of Mercer
23 Island Station. ... The MIAG’s role is to review and provide recommendations for
24 the design of the Light Rail facility, via the City’s approval of a building permit for
25 the station. **Thus, the permitting process for the Mercer Island Station will be
26 administrative in nature, and will not consist of a land use action through Title
19 of the Mercer Island Municipal Code (emphasis added).**

27 This agreement was signed by Don Billen, Deputy Project Director for the East Link Project with
28 Sound Transit, and Noel Treat, the Mercer Island City Manager.

29 On June 9, 2016, Sound Transit submitted its building permit application for the Mercer
30 Island Station to the City. The City did not review the application to determine if it complied with
31 the City’s land use code, located in Title 19 of the Mercer Island City Code (MICC), because
32 neither Sound Transit nor the City’s Director of Development Services, Scott Greenberg, believed

1 then that the project was subject to those laws. On September 6, 2016, the City's Planning
2 Department notified Sound Transit that it had "approved" the station plans. The City's Building
3 Department began its review for compliance with the City's Construction Code, located in MICC
4 Title 17, in August 2016. It issued plan review comments in August, September, and November
5 2016. There appears to have been a miscommunication regarding Sound Transit's responses to
6 the last set of comments. Sound Transit thought it had transmitted the requested information to
7 the City via an FTP site in December 2016. The City has no record of receiving this material until
8 April 14, 2017, when the miscommunication came to light in this lawsuit. The City has not issued
9 the transit station permit because the Building Department's construction review has not yet been
10 completed.

11 On August 5, 2016, the Federal Highway Administration (FHWA) notified WSDOT and
12 the City that single occupancy vehicle (SOV) traffic cannot, under federal law, use the new I-90
13 HOV lanes. The FHWA noted that there could be solutions to ensure that Mercer Island residents
14 can continue to access I-90, such as designating the new HOV lanes for part-time HOV usage
15 during peak periods, designating the new lanes as toll lanes rather than HOV lanes to permit SOV
16 traffic to use the lanes at the prevailing price, or developing other mitigation such as new or
17 modified access points or other traffic improvements. On February 1, 2017, WSDOT sent a letter
18 to the City outlining various long-term proposals it had analyzed with the FHWA and City to
19 ensure access to I-90, including building a new ramp connecting Island Crest Way to the right side
20 of westbound I-90; converting some portion of the HOV lanes to toll lanes (which would require
21 legislative approval); and conversion of the R-8A HOV lanes to general purpose lanes between
22 Island Crest Way and Seattle. WSDOT indicated that while these various proposals are being
23 vetted, WSDOT intends to turn over the center lanes to Sound Transit to begin construction of East
24 Link light rail in the summer of 2017.

25 The City responded in two significant ways. First, it suspended Sound Transit's Shoreline
26 Substantial Development Permit (SSDP), an action Sound Transit challenged in *Central Puget*

1 *Sound Regional Transit Authority v. City of Mercer Island*, No. 17-2-05193-4. The Court ruled in
2 favor of Sound Transit in that matter and entered a preliminary injunction prohibiting the City
3 from revoking the SSDP.

4 Second, the City enacted the two moratoria at issue in this case. Ordinance No. 17-05
5 imposed a moratorium on accepting, processing, or issuing any building permit relating to the light
6 rail project in the I-90 right-of-way based on the assertion that the Mercer Island zoning code does
7 not permit such a use. Ordinance No. 17-06, invoking the Growth Management Act (GMA) and
8 the City’s comprehensive plan, imposed a moratorium on the acceptance, processing, or approval
9 of any building permits that (a) would cause intersections to decline below acceptable service
10 standards or that (b) relate to the siting or development of any “essential public facility,” including
11 the East Link light rail. The City noted it had not developed what is called a “transportation
12 concurrency ordinance” that complied with RCW 36.70A.070(6)(b), and it wanted to suspend
13 further development until it could adopt such an ordinance.

14 On February 22, 2017, Mr. Greenberg sent a letter to Sound Transit informing it that the
15 City was unable to continue reviewing the building permit for the Mercer Island Station for four
16 reasons: first, light rail was not a permissible use of the I-90 right-of-way under MICC Title 19;
17 second, the application was incomplete in that it failed to identify how Sound Transit intended to
18 comply with Mercer Island’s parking requirements in MICC Title 19; third, the application was
19 incomplete because it did not indicate how Sound Transit would meet the GMA’s concurrency
20 requirement; and fourth, the application did not provide adequate information to allow the City to
21 conduct a State Environmental Policy Act (SEPA) review. He wrote “[b]ecause the FEIS does not
22 analyze the adverse impacts caused by Mercer Island SOV traffic being unable to use the HOV
23 lanes, Sound Transit must prepare a Supplemental EIS (SEIS) for the East Link project.”

24 On March 16, 2017, Mr. Greenberg amended this letter. He withdrew his position that the
25 building permit application was “incomplete.” However, citing a Development Code
26 Interpretation of the same date, Mr. Greenberg reaffirmed his contention that—contrary to the

1 2014 Letter Agreement—the City’s zoning code **does** apply to this project. He also stated that
2 under this code, there was no provision permitting the use of light rail in the I-90 right-of-way. He
3 noted that the City was in the process of adopting an amendment to the zoning ordinance to rectify
4 this issue. Mr. Greenberg also withdrew his demand that Sound Transit perform an SEIS. Instead,
5 he stated that Mercer Island required Sound Transit “to provide additional environmental review
6 of the action conditions of the project,” citing MICC 19.07.120(H)(3) and WAC 197-11-600(3)(b),
7 (4)(c), and (4)(d). Finally, Mr. Greenberg withdrew any assertion that the application did not meet
8 a GMA concurrency requirement.

9 The March 16, 2017 Development Code Interpretation #17-01, as summarized in Mr.
10 Greenberg’s letter, concludes that the existing Mercer Island zoning code does not permit light rail
11 in the I-90 right-of-way. He concluded “[b]ased on my interpretation of the City’s development
12 code, as guided by Ordinance No. B-57, Sound Transit’s proposed project is not a permitted use
13 within the Mercer Island I-90 Right-of-Way portion of the Public Institution Zone and is prohibited
14 by the City’s development code.”

15 This lawsuit followed shortly thereafter. The Court conducted oral argument on the motion
16 for a preliminary injunction and the merits of Sound Transit’s application for writs of mandamus
17 and/or prohibition on April 13, 2017.

18 After the hearing, the City has taken steps that change the posture of this case. First, on
19 Monday, April 17, 2017, the City lifted the moratorium set out in Ordinance No. 17-05 after
20 passing an emergency amendment to its zoning code to expressly authorize light rail as a
21 permissible use in the I-90 right-of-way. Ordinance No. 17C-10 provides:

22 **Section 1. Amendment to Section 19.05.010(B).** Section 19.05.010(B) of the
23 Mercer Island City Code is hereby amended as follows (new text underlined):

24 Mercer Island I-90 Right-of-Way Added to Public Institution Zone. The entire area
25 within the Mercer Island I-90 right-of-way, including, but not limited to, the
26 roadway, street overcrossings, lids, open space, recreation areas, linear greenbelts
and the park-and-ride lot area as approved by the city on November 14, 1983, and
incorporated in the right-of-way plan approved by WSDOT on May 1, 1987, shall

1 be part of the public institution zone. The uses of the Mercer Island I-90 right-of-
2 way shall be limited to the following. Light rail facilities shall be a permitted use
3 within the I-90 center roadway as the term center roadway is used in the August
4 2004 Amendment to the I-90 Memorandum Agreement dated December 1976. All
5 other uses within of the Mercer Island I-90 right-of-way shall be conditional uses,
6 and shall be consistent with the uses outlined ~~maintained~~ as set forth in the city-
7 approved I-90 related documents identified in Ordinance No. B-57 §1(4), adopted
8 on November 23, 1987.

9 In a supplemental filing dated April 18, 2017, the City represented to the Court that the
10 moratorium in Ordinance No. 17-05 has now been lifted, and the City has resumed the processing
11 of Sound Transit's building permit for the Mercer Island Station. Although the ordinance
12 permitting light rail is "interim" in nature, the City anticipates that the ordinance will become final
13 once it has complied with the public hearing requirements.

14 Second, Ordinance No. 17C-10 also provides that Sound Transit's building permit no.
15 1606-138 "shall be reviewed under the land use control ordinances and construction codes in effect
16 on the date the complete application for this building permit was filed," except that the emergency
17 amendment to Sections 19.05.010(B) set out in Section 1 of the ordinance will apply to the building
18 permit. During oral argument on April 13, 2017, counsel for the City represented to the Court that
19 the City considers Sound Transit's permit application to be "complete" (contrary to the February
20 22, 2017 Greenberg letter) and that, as a result, the GMA moratorium in Ordinance No. 17-06
21 does not apply to Sound Transit's pending building permit application. In the April 18, 2017
22 supplemental filing, the City confirmed this representation: "The Mercer Island Station and the
23 light rail facility Sound Transit intends to construct in the I-90 center roadway therefore are not
24 subject to the remaining moratorium (Ordinance No. 17-06) or any land use control regulations
25 adopted as a result of that moratorium."

26 With regard to the City's March 16, 2017 request for additional environmental information,
on April 5, 2017, Sound Transit issued an Addendum to the East Link FEIS. This Addendum, the
executive summary of which was provided to the Court, contains 400 pages of analysis of the 25
intersections and I-90 ramps on Mercer Island to assess the traffic impacts resulting from the

1 change in SOV ramp access at Island Crest Way. The Addendum also identifies locations
2 requiring mitigation and identifies improvements at ramps and intersections that will mitigate
3 impacts of diverted traffic. Some of the recommended improvements and mitigation will require
4 a street use permit from the City.

5 In response to the April 17, 2017 passage of Ordinance No. 17C-10, Sound Transit argues
6 that the lifting of the moratorium does not resolve whether the City has the legal authority to
7 impose zoning requirements on Sound Transit. Because the City has decided to prepare a
8 Supplemental EIS before taking action on the pending building permit, an action Sound Transit
9 contends the City has no legal authority to take, Sound Transit argues the City is unlawfully
10 interfering with its vested rights and delaying the project.

11 ANALYSIS

12 1. Mootness

13 The Court finds a number of issues raised in Sound Transit's initial motion to be moot. A
14 case or issues in a case become moot when the court can no longer provide effective relief. *4518*
15 *S. 256th, LLC v. Gibbon*, 195 Wn. App. 423, 433, 382 P.3d 1 (2016). First, Sound Transit asked
16 this Court to order the City to resume processing its building permit application for the Mercer
17 Island Station. With the lifting of the moratorium in Ordinance No. 17-05, and the City's assurance
18 that it has resumed processing the application, this request for relief is moot. Any request for
19 injunctive relief or for a writ of mandamus addressing this issue is DENIED for this reason.

20 Second, Sound Transit also asked the Court to order the City to process its building permit
21 application under the law in effect on its filing date pursuant to RCW 19.27.095(1). The City has
22 conceded this point in Ordinance No. 17C-10. Thus, this request is moot as well, and neither
23 injunctive relief nor a writ of mandamus is necessary.¹

24
25
26 ¹ The parties disagree as to what laws were in effect on the date the complete application was
filed with the City, an issue the Court addresses below.

1 Finally, Sound Transit asked the Court to rule that under the 1976 Agreement and 2004
2 Addendum to that Agreement, the 2014 Letter Agreement, and MICC 19.05.010(A)(4) and (B),
3 light rail is already a permitted use in the I-90 right-of-way. With the passage of Ordinance No.
4 17C-10, the City has now explicitly passed legislation deeming light rail to be a permitted use and
5 made this ordinance retroactive to cover the Sound Transit East Link project. Further, the Court
6 deems the issue irrelevant because, as will be explained below, the Court finds that WSDOT's
7 regulatory authority over the I-90 right-of-way preempts city zoning regulations. Thus, there is no
8 need to render an advisory ruling on whether the City's code permitted light rail use before this
9 lawsuit commenced. Injunctive relief and/or a writ of mandamus is inappropriate as to this issue
10 as well.

11 The decision to lift one moratorium, the acknowledgement that the second moratorium
12 does not apply to the light rail project, and the City's resumption of processing Sound Transit's
13 building permit narrow the issues before this Court: does the City have the legal authority to
14 impose zoning requirements on a project constructed entirely within the WSDOT limited access
15 highway right-of-way when the project is nested within an active limited access highway? The
16 City contends that it has the authority under RCW 47.12.120(2) to do so and a corresponding
17 obligation under SEPA, RCW 36.70B.030, to ensure that the project complies with the City's
18 zoning requirements. The City further argues that the extent and scope of its zoning authority is
19 subject to LUPA and, under RCW 43.21C.075, Sound Transit's sole remedy is a LUPA appeal
20 only after the City determines what conditions, if any, to attach to the transit station building
21 permit.

22 Sound Transit argues, in contrast, that allowing the City to impose any zoning regulations
23 on the light rail project violates article XI, section 11 of the Washington constitution and various
24 statutes including RCW 47.52.090 that give exclusive regulatory jurisdiction to WSDOT. Both
25 Sound Transit and WSDOT contend that the state has preempted the City's zoning authority within
26 the I-90 right-of-way. The Court addresses each of these arguments below.

1 **2. Subject Matter Jurisdiction**

2 Before this Court can reach the legal merits, the Court must ensure it has subject matter
3 jurisdiction. Under the Land Use Petition Act (LUPA), RCW 36.70C.030, a LUPA petition is the
4 exclusive means of judicial review of any “land use decision.” If a decision is reviewable under
5 LUPA, it is not properly before the Court through the statutory writ process. RCW 7.16.360.

6 A LUPA “land use decision” is “a final determination by a local jurisdiction’s body or
7 officer with the highest level of authority to make the determination, including those with authority
8 to hear appeals on: (a) [a]n application for a project permit or other governmental approval required
9 by law before real property may be improved . . . ; (b) [a]n interpretative or declaratory decision
10 regarding the application to a specific property of zoning or other ordinances or rules regulating
11 the improvement, development, modification, maintenance, or use of real property” RCW
12 36.70C.020.

13 When, however, a city takes an action that adversely affects the vested rights of a permit
14 applicant, courts have determined that injunctive relief or relief via the statutory writ process is
15 available. *See Valley View Indus. Park v. City of Redmond*, 107 Wn.2d 621, 623, 733 P.2d 182
16 (1987) (developer brought mandamus and declaratory judgment action to compel issuance of
17 building permit); *Allenbach v. City of Tukwila*, 101 Wn.2d 193, 195, 676 P.2d 473 (1984)
18 (landowner brought mandamus action to compel issuance of building permit); *State ex rel. Ogden*
19 *v. City of Bellevue*, 45 Wn.2d 492, 496, 275 P.2d 899 (1954) (same).

20 The Court concludes that the City’s decision to apply its zoning code to the light rail project
21 is not an “interpretative or declaratory decision” under RCW 36.70C.020(b). That provision
22 relates to decisions by code officials as to *how* a zoning code provision will affect a specific
23 proposed development project. It does not apply to a city’s conclusion that it has the legal authority
24 to invoke its zoning laws *after* the city has agreed its zoning laws do not apply, a permit applicant
25 relied on that agreement in preparing the application, and the applicant’s rights have vested. The
26

1 Court concludes that it has subject matter jurisdiction over the validity of the City’s actions and
2 that LUPA is not Sound Transit’s exclusive remedy as to this particular legal issue.

3 **3. Standard for Preliminary Injunction**

4 Sound Transit brought this declaratory judgment action under RCW ch. 7.24 seeking an
5 order that the City lacks the legal authority to impose zoning requirements on Sound Transit’s light
6 rail project. “[O]ne who seeks relief by temporary or permanent injunction must show (1) that he
7 has a clear legal or equitable right, (2) that he has a well-grounded fear of immediate invasion of
8 that right, and (3) that the acts complained of are either resulting in or will result in actual and
9 substantial injury to him.” *Tyler Pipe Indus., Inc. v. Dep’t of Revenue*, 96 Wn.2d 785, 792, 638
10 P.2d 1213 (1982). “Since injunctions are addressed to the equitable powers of the court, the listed
11 criteria must be examined in light of equity including balancing the relative interests of the parties
12 and, if appropriate, the interests of the public.” *Kucera v. State, Dep’t of Transp.*, 140 Wn.2d 200,
13 209-10, 995 P.2d 63 (2000).

14 “In deciding whether a party has a clear legal or equitable right, the court examines the
15 likelihood that the moving party will prevail on the merits.” *Rabon v. City of Seattle*, 135 Wn.2d
16 278, 285, 957 P.2d 621 (1998). On a preliminary injunction motion, the court adjudicates the
17 ultimate rights in the case if “essential facts are not in dispute and the only issue is the likelihood
18 that plaintiff will prevail on the merits.” *Id.*

19 In this case, the parties agree that Sound Transit’s rights in the building permit application
20 have vested and that it has the right to have its permit application processed under the laws in
21 effect at the time its application was complete in June 2016. The parties dispute whether City
22 zoning regulations—generally applicable to other such permit applications—are a part of the laws
23 that govern this application because of the unique location of the proposed building. This Court
24 concludes they are not.

25 The Court concludes that WSDOT’s authority to control and regulate zoning and
26 construction in the I-90 right-of-way preempts the field, leaving no room for the City to regulate

1 land uses in the right-of-way. Under RCW 47.04.040, all title, rights and interest in state highway
2 rights-of-way vest with the State. The legislature delegated plenary power to WSDOT to manage
3 state limited access highway facilities, including I-90. RCW 47.01.260(1); RCW 47.24.020(2);
4 RCW 47.52.090; *Seattle Bldg. & Constr. Trades Council v. City of Seattle*, 94 Wn.2d 740, 748,
5 620 P.2d 82 (1980).

6 Sound Transit will construct the light rail project and the facilities associated with that
7 project completely within the State’s right-of-way. The facilities will be completely nested within
8 an active interstate highway. Any zoning requirement the City may impose on the light rail project
9 will necessarily impact the limited access plan that WSDOT has adopted and the legislature has
10 approved for I-90. “As between state and local governments, the State has plenary control over
11 its limited access facilities, and local governments have only those rights and powers which the
12 legislature has seen fit to accord them. Those rights and powers are administrative in nature, rather
13 than legislative.” *Seattle Bldg. & Const. Trades Council*, 94 Wn.2d at 748 (city has no authority
14 to forbid continuation of WSDOT plan to construct I-90 facilities).

15 Furthermore, under RCW 47.52.090, WSDOT and governmental entities owning or
16 operating an urban public transportation system may enter into agreements to construct, maintain,
17 use, regulate, or vacate limited access facilities for the use of that facility by “streetcars, trains, or
18 other vehicles forming a part of an urban public transportation system.” It goes on to provide that
19 “[w]ithin incorporated cities and towns the title to every state limited access highway vests in the
20 state, and, notwithstanding any other provision of this section, the department shall exercise full
21 jurisdiction, responsibility, and control to and over the highway from the time it is declared to be
22 operational as a limited access facility by the department” Although the contractual
23 arrangement between WSDOT and Sound Transit is not a “cooperative agreement” under this
24 provision, the statute provides clear legislative guidance that the State has vested power in
25 WSDOT and not local jurisdictions to regulate land uses for public transportation in the highway
26 right-of-way.

1 Article XI, section 11 of the Washington constitution provides that “[a]ny county, city,
2 town or township may make and enforce within its limits all such local police, sanitary and other
3 regulations as are not in conflict with general laws.” Within this authority, a municipality may
4 enforce an ordinance touching on the same matter as a state law, provided that state law is not
5 intended to be exclusive and the ordinance does not conflict with the general law of the state. *King*
6 *County v. Taxpayers of King County*, 133 Wn.2d 584, 611, 949 P.2d 1260 (1997). The Court
7 concludes that any attempt by the City through its zoning code to prevent the light rail project from
8 proceeding is in conflict with WSDOT’s exclusive jurisdiction over the use of limited access
9 highway for public transportation systems.

10 The City argues that under RCW 42.12.120, the legislature chose **not** to preempt local
11 zoning regulations in situations such as here, where WSDOT has leased two lanes of the highway
12 not needed for vehicular traffic. In *Freeman v. State*, a group of citizens challenged the legality of
13 the WSDOT/Sound Transit lease under article II, section 40 of the Washington state constitution
14 and RCW 47.12.120. The Supreme Court rejected this legal challenge. In analyzing WSDOT’s
15 statutory authority under RCW 47.12.120, the Supreme Court made several statements relevant to
16 this dispute. First, the Supreme Court noted that “the parties do not dispute that light rail is a
17 nonhighway purpose.” *Freeman*, 178 Wn.2d at 394. Second, it found that “WSDOT plans to
18 lease the highway facility to Sound Transit, pursuant to RCW 47.12.120.” *Id.* at 397. Third, in
19 finding that WSDOT has the discretion to determine that the center two lanes are not needed for a
20 highway purpose, the Supreme Court cited to a provision of an umbrella agreement between
21 WSDOT and Sound Transit in which WSDOT agreed that “upon the completion of the R8A
22 Project and the completion of all the necessary obligations and actions identified in this Agreement
23 . . . , the Center Roadway will no longer be needed for highway purposes.” *Id.* at 400.

24 The City of Mercer Island relies on this language from *Freeman* to contend that the statute
25 that allowed WSDOT to lease the center lanes to Sound Transit also grants to the City the legal
26 authority to impose zoning requirements on Sound Transit’s use of this land, requiring this Court

1 to deny Sound Transit's motion for a preliminary injunction or statutory writ. RCW 47.12.120
2 provides in pertinent part:

3 **Lease of unused highway land or air space**

4 The department may rent or lease any lands, improvements, or air space above or
5 below any lands that are held for highway purposes but are not presently needed.

The rental or lease:

- 6 (1) Must be upon such terms and conditions as the department may determine;
7 (2) *Is subject to the provisions and requirements of zoning ordinances of political
subdivisions of government . . .* (emphasis added).

8 The legal issue is a very close call. Ultimately, the Court finds persuasive Sound Transit's
9 argument that the specific authorization given to WSDOT to regulate all aspects of urban mass
10 transportation systems within the I-90 highway rights-of-way overrides the more general zoning
11 authority granted to local jurisdictions in RCW 47.12.120. While the I-90 light rail lease may have
12 occurred under the authority of RCW 47.12.120, one cannot overlook the clear language of RCW
13 47.52.090 that grants to WSDOT the exclusive jurisdiction to determine what happens when
14 portions of a highway right-of-way are used for public transportation systems. Giving each
15 municipality along the I-90 right-of-way the authority to use local zoning laws to prevent
16 construction of light rail facilities would completely undermine the plenary authority given to
17 WSDOT to manage and regulate the use of state highways.

18 The Court's conclusion is further supported by the clear terms of the 2014 Letter
19 Agreement the City entered into with Sound Transit in which the City agreed that its zoning code,
20 MICC Title 19, does not apply to the light rail project. The Letter Agreement contained a correct
21 statement of the law. Sound Transit has the right to have its building permit application evaluated
22 based on this statement of the law as it existed when its rights vested. The City's post-vesting
23 reversal constitutes an attempt to change the laws applicable to the building permit, and thus
24 unlawfully impairs Sound Transit's vested rights.

1 The Court ultimately concludes that Sound Transit has established a likelihood of
2 prevailing on the merits of the legal claim that allowing the City to apply its zoning code to the
3 light rail project violates article XI, section 11 and interferes with Sound Transit's vested rights.

4 The Court also concludes that Sound Transit has established a well-founded fear of an
5 immediate invasion of its vested rights. The City's March 16, 2017 letter and briefing in this case
6 demonstrate that the City intends to spend several months evaluating the light rail project to
7 determine what traffic mitigation measures it can impose on Sound Transit under Title 19 of its
8 zoning code. Given the inapplicability of the zoning code to this project, such a delay in processing
9 the permit would invade Sound Transit's legal rights.

10 Sound Transit has also established actual and substantial injury. The City's actions have
11 led to significant confusion and unpredictability as to what it expects of Sound Transit, when it
12 will complete its assessment of the pending permit, and what conditions it might choose to include
13 in any permit that issues. For example, the City first claimed the application was "incomplete,"
14 which raised red flags for Sound Transit regarding its vested rights, but then rescinded that finding.
15 It claimed light rail was not a permitted use under its zoning code and indicated it needed six
16 months to determine whether to authorize it, but when that decision was challenged, it almost
17 immediately amended its zoning code on an emergency basis to authorize this use. The City
18 informed Sound Transit that it had the legal authority to require Sound Transit to perform a
19 Supplemental EIS and then withdrew that demand, claiming it would prepare one of its own
20 instead. This series of actions has caused delays in commencement of the light rail project and
21 will lead to substantial expense if the permitting issue is not resolved expeditiously.

22 Finally, the Court has weighed the equities of granting the injunction or statutory writ and
23 denying the requested relief. The Court concludes that the equities weigh in favor of Sound
24 Transit. There have been decades of effort, with the City's close involvement, to plan the design
25 and construction of this light rail project. The State, the federal government, King County, and
26 several cities in the region have worked hard to accommodate the needs of all stakeholders. There

1 has been enormous public financial investment just to get to this point. Delaying the project will
2 cost millions of dollars to the taxpayers.

3 The City has serious and well-founded concerns regarding the traffic and safety impacts
4 that the HOV lane designation will have on SOV drivers seeking to access I-90. But these
5 problems will exist whether the Court issues an injunction or not. The City has not sought to
6 enjoin WSDOT from turning over the center lanes to Sound Transit; this transfer will happen
7 within weeks. The HOV/SOV access problems will manifest itself at that time, regardless how
8 this Court rules. The City has alternative remedies for addressing its concerns, either through an
9 appeal of Sound Transit's SEPA decision or through the contract action it has separately filed
10 against Sound Transit or WSDOT.

11 For this reason, the Court will preliminarily enjoin the City of Mercer Island from invoking
12 any provision of Title 19 of the Mercer Island City Code to prevent Sound Transit from placing
13 any light rail facilities, including the Mercer Island Station, in the I-90 right-of-way.

14 **4. Standard for Writ of Mandamus or Prohibition**

15 Sound Transit has also filed an application for a statutory writ of mandamus and/or
16 prohibition under RCW 7.16.150 – 7.16.320. It seeks a court order requiring the City to process
17 its building permit application by a date certain and prohibiting the City from refusing to issue the
18 building permit until it completes its own SEIS analysis.

19 A writ of mandamus compels the performance of an act which the law requires a
20 government must perform. RCW 7.16.160. A party requesting a writ of mandamus must
21 demonstrate (1) the party subject to the writ is under a clear duty to act; (2) the applicant has no
22 plain, speedy and adequate remedy under law; and (3) the applicant is beneficially interested.
23 *Eugster v. City of Spokane*, 118 Wn. App. 383, 402, 76 P.3d 741 (2003). “Mandamus is
24 appropriate to compel a government official or entity to comply with [the] law when the claim is
25 clear and there is a duty to act.” *Id.* at 404 (quotation and citation omitted). Mandamus can direct
26

1 an officer to exercise a mandatory discretionary duty, but cannot direct the manner of exercising
2 that discretion.

3 The Court declines to mandate that the City issue the building permit by any specified date.
4 Sound Transit has not identified any clear legal duty for the City to process a complicated
5 construction permit within two weeks. While the City must make a decision on a permit
6 application, there is no regulation requiring such a decision be made within any time period. Don
7 Cole, the building official for the City, has testified that because the City did not receive Sound
8 Transit's responses to the City's November 2016 comments until April 2017, a review for
9 compliance with the construction code will take several months. He stated that the City will ensure
10 that the construction review is done expeditiously. The City is entitled to follow its standard
11 process for reviewing construction documents for projects of this size and complexity.

12 Sound Transit also requests that the Court enter a writ of prohibition stopping the City from
13 preparing an SEIS and withholding the permit until that work is done. A writ of prohibition arrests
14 proceedings of any tribunal, corporation, board or person when such proceedings are in excess of
15 the jurisdiction of that tribunal, corporation, board or person. "A writ of prohibition is a drastic
16 measure, which is to be issued only when two conditions are met: (1) absence or excess of
17 jurisdiction, and (2) absence of a plain, speedy, and adequate remedy in the course of legal
18 procedure. The absence of either one precludes the issuance of the writ." *Skagit County Pub.*
19 *Hosp. Dist. No. 304 v. Skagit County Pub. Hosp. Dist. No. 1*, 177 Wn.2d 718, 722-23, 305 P.3d
20 1079 (2013) (quotation and citation omitted).

21 Sound Transit and the City disagree as to whether the City must make its building permit
22 decision based solely on environmental assessments Sound Transit has performed or whether the
23 City may prepare its own SEIS and base building permit conditions on that analysis. The City has
24 determined that Sound Transit's Addendum to the FEIS "is insufficient for the analysis it must
25 undertake under SEPA" and that state law requires it to prepare and issue an SEIS. The City relies
26 on *Columbia Riverkeeper v. Port of Vancouver USA*, No. 92335-3, 2017 WL 1192120 (Wash.

1 March 16, 2017) for the proposition that two governmental entities may have SEPA obligations.
2 In *Columbia Riverkeeper*, the Supreme Court noted that SEPA’s primary focus is on the decision-
3 making process. *Id.* at *4. “SEPA seeks to ensure that environmental impacts are considered and
4 that decisions to proceed, even those completed with the knowledge of likely adverse
5 environmental impacts, be ‘rational and well-documented.’” *Id.* (quoting 24 Washington Practice:
6 Environmental Law & Practice § 17.1 at 192 (2d ed. 2007)). “To prevent piecemeal decision-
7 making and to ensure continuity in environmental review, SEPA regulations designate a lead
8 agency to complete each EIS.” *Columbia Riverkeeper* at *4 (citing WAC 197-11-050). The lead
9 agency is the agency with main responsibility for complying with SEPA’s procedural requirements
10 and “shall be the only agency responsible for . . . [p]reparation and content of [an EIS].” WAC
11 197-11-050(2). In the *Columbia Riverkeeper* case, the Energy Facilities Site Evaluation Council
12 (EFSEC) was designated the lead agency under SEPA for evaluating the construction of a
13 petroleum-based energy facility on the Port of Vancouver’s property. The Supreme Court held
14 that the Energy Facilities Site Location Act did not preempt or eliminate the Port’s authority to
15 approve or veto the project. Because it held that the Port had plenary authority to determine
16 whether to lease property under its control, both the Port and the lead agency were subject to
17 SEPA’s mandates.

18 The Court finds this case to be distinguishable from *Columbia Riverkeeper*. In this case,
19 Sound Transit is the designated lead agency under SEPA for evaluating the construction of the
20 light rail project in the I-90 right-of-way, and WSDOT is the only agency with jurisdiction to
21 regulate land uses within the I-90 right-of-way. Unlike the EFSEC and the Port of Vancouver,
22 there is no shared jurisdiction between WSDOT, Sound Transit, and the City. Given the Court’s
23 determination that WSDOT’s authority to control and regulate construction within the I-90 right-
24 of-way preempts the field, the City is not an “agency with jurisdiction” under WAC 197-11-602(3)
25 and has no obligation or right under SEPA to prepare an SEIS and to delay the issuance of the
26 building permit until the SEIS is completed. The Court concludes that the City’s decision to

1 prepare an SEIS and to refrain from issuing the Mercer Island Station building permit until the
2 SEIS is completed is an action in excess of its jurisdiction, warranting relief under a writ of
3 prohibition.

4 **ORDER**

5 Based on the foregoing, the Court hereby ORDERS as follows:

6 1. The City of Mercer Island is preliminarily enjoined from invoking any provision
7 of Title 19 of the Mercer Island City Code to prevent Sound Transit from placing any light rail
8 facilities, including the Mercer Island Station, in the I-90 right-of-way.

9 2. The City of Mercer Island is prohibited from delaying the issuance of the Mercer
10 Island Station building permit based on the alleged inadequacy of the Sound Transit FEIS
11 Addendum.

12 3. Sound Transit's request that the City be required to process the building permit no
13 later than May 12, 2017 is DENIED.

14 4. Pursuant to RAP 2.3(b)(4), the Court hereby certifies that the order involves a
15 controlling question of law as to which there is substantial ground for a difference of opinion and
16 that immediate review of this order may materially advance the ultimate termination of the
17 litigation.

18 Dated this 21st day of April, 2017.

19 *Electronic signature attached*

20 _____
21 The Honorable Beth M. Andrus

APPENDIX A

Sub #	Description
1	Petition for Writ of Mandamus
12	Amended Complaint
14	Sound Transit's Motion for Preliminary Injunction and Writ Application
15	Declaration of Don Billen
16	Declaration of Jeremy Eckert
17	Declaration of Sepehr Sobhani
18	Declaration of Chris Ward
19	Declaration of Randall Thomsen
20	Declaration of Randall Thomsen
21	City of Mercer Island's Opposition to Motion for Preliminary Injunction and Writ Application
22	Declaration of Steve Heitman
23	Declaration of Andrew Kwasniak
24	Declaration of Holly Mercier
25	Declaration of Linda Pineau
26	Declaration of Gary Plano
27	Declaration of Noel Treat
28	Declaration of Allison Spietz
29	Declaration of Scott Greenberg
30	Praeipce re Missing Ex. 4 to Greenberg Decl. and Ex. 6 to Speitz Decl.
31	Praeipce re Signature page to Treat Declaration
32	Defendant's Supplement to Opposition to Motion for Preliminary Injunction and Writ Application
35	Declaration of Perry Weinberg
38	Sound Transit's and WSDOT's Reply to City's Opposition to Motion for Preliminary Injunction and Writ Application
39	Declaration of Dirk Bakker
40	Declaration of Jeremy Eckert
41	Declaration of James Irish
42	Declaration of Lenea Laird
43	Declaration of Tia Raamot
45	Declaration of Shane Cramer
46	Declaration of Chris Ward
48	City of Mercer Island's Second Supplement to Opposition
49	Sound Transit's Supplemental Brief
50	Declaration of Paul Lawrence
51	Declaration of Philip Paine
52	Declaration of Chris Ward
53	Declaration of Perry Weinberg
55	City of Mercer Island's Third Supplement to Opposition

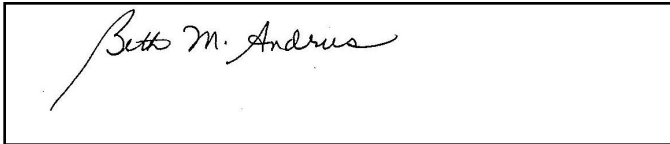
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56	Second Declaration of Scott Greenberg
57	Declaration of Don Cole
58	Declaration of Randall Thomsen

King County Superior Court
Judicial Electronic Signature Page

Case Number: 17-2-05191-8
Case Title: CENTRAL PUGET SOUND REGIONAL TRANSIT
AUTHORITY VS MERCER ISLAND CITY OF
Document Title: ORDER GRANTING PRELIM. INJ.

Signed by: Beth Andrus
Date: 4/21/2017 4:08:39 PM



Judge/Commissioner: Beth Andrus

This document is signed in accordance with the provisions in GR 30.
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Certificate effective date: 7/29/2013 12:26:48 PM
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**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 5289
May 1, 2017
Public Hearing**

**TEMPORARY INCREASE IN UTILITY TAX RATE
ON CITY'S WATER, SEWER, AND
STORMWATER UTILITIES**

Proposed Council Action:

Hold public hearing and adopt Ordinance No. 17C-11.

DEPARTMENT OF	Finance (Chip Corder)
COUNCIL LIAISON	n/a
EXHIBITS	1. Ordinance No. 17C-11 (Option 1) 2. Ordinance No. 17C-11 (Option 2)
2017-2018 CITY COUNCIL GOAL	1. I-90 Access and Mobility/Prepare for Light Rail
APPROVED BY CITY MANAGER	

AMOUNT OF EXPENDITURE	\$ 1,700,000
AMOUNT BUDGETED	\$ 1,000,000
APPROPRIATION REQUIRED	\$ 700,000

SUMMARY

At the April 17, 2017 Council meeting, staff identified additional funding sources for I-90 litigation and other related costs. The Council directed staff to prepare an ordinance to temporarily increase the utility tax rate on the City's water, sewer, and stormwater utilities to generate \$700,000 in new revenue. This amount corresponds to staff's minimum projection of the additional funding needed. Accordingly, two options, which both generate \$700,000, are presented below.

Option	Total Utility Tax Rate	\$ Impact on Typical Single Family Residence
1) 2.05% tax rate increase for 24 months	5.3% + 2.05% = 7.35%	\$78 over 24 months
2) 2.7% tax rate increase for 18 months	5.3% + 2.7% = 8.0%	\$78 over 18 months

Each option is reflected in the two different versions of the utility tax rate ordinances attached as Exhibits 1 and 2, and both include sunset language for the temporary utility tax rate increase. Note that option 1 is slightly higher than what was discussed at the April 17, 2017 Council meeting (2.05% instead of 2.0%). This is due to the state excise tax, which applies to utility rate revenues AND utility tax revenues. The deductive impact of the state excise tax on the utility tax rate increase was overlooked by staff in the April 17, 2017 agenda bill (AB 5282).

To provide adequate time to inform the City's utility customers of this temporary tax increase and to align with the City's bi-monthly utility billing cycle, the effective date of the tax increase would be July 1, 2017. As a result, option 1 would sunset on June 30, 2019, and option 2 would sunset on December 31, 2018.

Because the additional utility tax revenue is needed before it is collected, \$700,000 will need to be transferred from the Contingency Fund to the General Fund up front, with the Contingency Fund being reimbursed over a 24-month or 18-month period by the temporary increase in the utility tax rate. As of December 31, 2016, the Contingency Fund has a balance of \$2.63 million. **Staff recommends option 2, which shortens the Contingency Fund reimbursement period by six months.**

RECOMMENDATION

Finance Director

- MOVE TO:
1. Suspend the City Council Rule of Procedure 5.2, requiring a second reading for an ordinance.
 2. Adopt Ordinance No. 17C-11 (Option 1), which temporarily increases the utility tax rate on water, sewer, and stormwater utilities from 5.3 percent to 7.35 percent for a 24-month period effective July 1, 2017 through June 30, 2019.

OR

Adopt Ordinance No. 17C-11 (Option 2), which temporarily increases the utility tax rate on water, sewer, and stormwater utilities from 5.3 percent to 8.0 percent for an 18-month period effective July 1, 2017 through December 31, 2018. **(staff recommendation)**

3. Transfer \$700,000 from the Contingency Fund to the General Fund, appropriating \$700,000 for I-90 litigation and other related costs, and reimburse the Contingency Fund through the approved temporary increase in the utility tax rate on the City's water, sewer, and storm water utilities.

[OPTION 1]

CITY OF MERCER ISLAND
ORDINANCE NO. 17C-11

AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, TEMPORARILY INCREASING THE UTILITY TAX RATE IMPOSED ON AND COLLECTED FROM WATER, SEWER, AND STORMWATER UTILITIES CONDUCTING BUSINESS WITHIN THE CITY OF MERCER ISLAND PURSUANT TO THE PROVISIONS OF MICC CHAPTER 4.12, UTILITIES TAX; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Mercer Island is classified as a non-charter code city under Title 35A of the Revised Code of Washington (“RCW”);

WHEREAS, RCW 35A.82.020 authorizes the City of Mercer Island to impose excises for regulation or revenue as to all places and kinds of businesses;

WHEREAS, additional revenue is needed for I-90 litigation and related costs; and

WHEREAS, after reviewing various funding options, the Mercer Island City Council directed staff at its April 17, 2017 regular meeting to temporarily increase the utility tax rate on the City’s water, sewer, and stormwater utilities to generate additional tax revenue; and

WHEREAS, increasing the utility tax rate on the City’s water, sewer, and stormwater utilities from 5.3 percent to 7.35 percent for a 24-month period from July 1, 2017 through June 30, 2019 is estimated to generate \$700,000 in new tax revenue;

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

Section 1. Amendment to Section 4.12.030. Section 4.12.030 of the Mercer Island City Code, “Tax Levied,” is hereby amended as follows (new text shown in underline; deleted text shown in ~~striketrough~~):

A tax is levied, in such amount as shall be determined by the city council from time to time by ordinance ~~or resolution~~, said tax to be imposed upon and collected from every person, firm, corporation or other entity engaged in or carrying on the following types of businesses within or partly within the corporate limits of the city, said tax being for the privilege of being allowed to do business as defined in this section:

* * *

G. A tax equal to 7.35 percent effective July 1, 2017 through June 30, 2019, and a tax equal to 5.3 percent effective on and after July 1, 2019 of the total gross income derived from ~~on~~ the sale, delivery, distribution, furnishing or maintenance of water services for residential, commercial, or public consumption and for the privilege of carrying on said business, such tax to be based on the total gross income from such business in the city; provided, however, that there shall not be any tax levied for water service connection or installation charge;

H. A tax equal to 7.35 percent effective July 1, 2017 through June 30, 2019, and a tax equal to 5.3 percent effective on and after July 1, 2019 of the total gross income derived from ~~on~~ the furnishing, operation, or maintenance of sewer services for residential, commercial, or public consumption and for the privilege of carrying on said business, such tax to be based on the total gross income from such business in the city; provided, however, that there shall not be any tax levied for sewer service connection or installation charges;

I. A tax equal to 7.35 percent effective July 1, 2017 through June 30, 2019, and a tax equal to 5.3 percent effective on and after July 1, 2019 of the total gross income derived from ~~on~~ the furnishing, operation, or maintenance of storm-water services for residential, commercial, or public use and for the privilege of carrying on said business, such tax to be based on the total gross income from such business in the city; provided, however, that there shall not be any tax levied for storm-water service fee-in-lieu or installation charges.

Section 2. Referendum Authorized. A referendum petition to repeal this ordinance may be filed with the City Clerk within seven days of passage of this ordinance. Within ten days of such filing, the City Clerk shall confer with the petitioner concerning form and style of the petition, issue an identification number for the petition, and cause to be written a ballot title for the measure. The petitioner shall have thirty (30) days in which to secure on petition forms the signatures of not less than fifteen (15) percent of the registered voters of the City as of the last municipal general election, upon petition forms that contain the ballot title and the full text of the measure to be referred, and to file the signed petitions with the City Clerk. The City Clerk shall verify the sufficiency of the signatures on the petition and, if sufficient valid signatures are properly submitted, shall certify the referendum measure to the next election ballot within the city or at a special election ballot as provided pursuant to RCW 35.17.260(2). Except as otherwise provided herein, all provisions set forth at RCW 35.17.250 through RCW 35.17.360 that are applicable to the character and form for an initiative petition, to the examination and certification thereof, and to the submission to the vote of the people of the ordinance proposed thereby, shall apply to the referendum petition authorized herein and to this ordinance.

Section 3. Exclusive Referendum Procedure. The referendum procedure set forth in Section 2, above, shall be the exclusive referendum procedure for the utility tax rate increase imposed herein, and shall supersede the procedures, to the extent

applicable, and all other statutory provisions for initiative or referendum which might otherwise apply.

Section 4. 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 5. Effective Date and Term of Utility Tax Rate Increase. This ordinance supersedes any prior tax rate imposed on the City’s water, sewer and stormwater utilities pursuant to MICC 4.12.060 and shall take effect and be in full force on and after July 1, 2017. Nothing contained herein shall affect the amount or collection of rates, fees, and charges established prior to July 1, 2017.

Section 6. 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 adoption and publication, except that the effective date of the utility tax rate increase shall be on and after July 1, 2017.

ADOPTED by the City Council of the City of Mercer Island, Washington, at its regular meeting on the 1st day of May, 2017, and signed in authentication of its passage.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Approved as to Form:

Allison Spietz, City Clerk

Kari Sand, City Attorney

Date of Publication:

[OPTION 2]

CITY OF MERCER ISLAND
ORDINANCE NO. 17C-11

AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, TEMPORARILY INCREASING THE UTILITY TAX RATE IMPOSED ON AND COLLECTED FROM WATER, SEWER, AND STORMWATER UTILITIES CONDUCTING BUSINESS WITHIN THE CITY OF MERCER ISLAND PURSUANT TO THE PROVISIONS OF MICC CHAPTER 4.12, UTILITIES TAX; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Mercer Island is classified as a non-charter code city under Title 35A of the Revised Code of Washington (“RCW”);

WHEREAS, RCW 35A.82.020 authorizes the City of Mercer Island to impose excises for regulation or revenue as to all places and kinds of businesses;

WHEREAS, additional revenue is needed for I-90 litigation and related costs; and

WHEREAS, after reviewing various funding options, the Mercer Island City Council directed staff at its April 17, 2017 regular meeting to temporarily increase the utility tax rate on the City’s water, sewer, and stormwater utilities to generate additional tax revenue; and

WHEREAS, increasing the utility tax rate on the City’s water, sewer, and stormwater utilities from 5.3 percent to 8.00 percent for an 18-month period from July 1, 2017 through December 31, 2018 is estimated to generate \$700,000 in new tax revenue;

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

Section 1. Amendment to Section 4.12.030. Section 4.12.030 of the Mercer Island City Code, “Tax Levied,” is hereby amended as follows (new text shown in underline; deleted text shown in ~~striketrough~~):

A tax is levied, in such amount as shall be determined by the city council from time to time by ordinance ~~or resolution~~, said tax to be imposed upon and collected from every person, firm, corporation or other entity engaged in or carrying on the following types of businesses within or partly within the corporate limits of the city, said tax being for the privilege of being allowed to do business as defined in this section:

* * *

G. A tax equal to 8.0 percent effective July 1, 2017 through December 31, 2018, and a tax equal to 5.3 percent effective on and after January 1, 2019 of the total gross income derived from ~~on~~ the sale, delivery, distribution, furnishing or maintenance of water services for residential, commercial, or public consumption and for the privilege of carrying on said business, such tax to be based on the total gross income from such business in the city; provided, however, that there shall not be any tax levied for water service connection or installation charge;

H. A tax equal to 8.0 percent effective July 1, 2017 through December 31, 2018, and a tax equal to 5.3 percent effective on and after January 1, 2019 of the total gross income derived from ~~on~~ the furnishing, operation, or maintenance of sewer services for residential, commercial, or public consumption and for the privilege of carrying on said business, such tax to be based on the total gross income from such business in the city; provided, however, that there shall not be any tax levied for sewer service connection or installation charges;

I. A tax equal to 8.0 percent effective July 1, 2017 through December 31, 2018, and a tax equal to 5.3 percent effective on and after January 1, 2019 of the total gross income derived from ~~on~~ the furnishing, operation, or maintenance of storm water services for residential, commercial, or public use and for the privilege of carrying on said business, such tax to be based on the total gross income from such business in the city; provided, however, that there shall not be any tax levied for storm-water service fee-in-lieu or installation charges.

Section 2. Referendum Authorized. A referendum petition to repeal this ordinance may be filed with the City Clerk within seven days of passage of this ordinance. Within ten days of such filing, the City Clerk shall confer with the petitioner concerning form and style of the petition, issue an identification number for the petition, and cause to be written a ballot title for the measure. The petitioner shall have thirty (30) days in which to secure on petition forms the signatures of not less than fifteen (15) percent of the registered voters of the City as of the last municipal general election, upon petition forms that contain the ballot title and the full text of the measure to be referred, and to file the signed petitions with the City Clerk. The City Clerk shall verify the sufficiency of the signatures on the petition and, if sufficient valid signatures are properly submitted, shall certify the referendum measure to the next election ballot within the city or at a special election ballot as provided pursuant to RCW 35.17.260(2). Except as otherwise provided herein, all provisions set forth at RCW 35.17.250 through RCW 35.17.360 that are applicable to the character and form for an initiative petition, to the examination and certification thereof, and to the submission to the vote of the people of the ordinance proposed thereby, shall apply to the referendum petition authorized herein and to this ordinance.

Section 3. Exclusive Referendum Procedure. The referendum procedure set forth in Section 2, above, shall be the exclusive referendum procedure for the utility tax rate increase imposed herein, and shall supersede the procedures, to the extent

applicable, and all other statutory provisions for initiative or referendum which might otherwise apply.

Section 4. 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 5. Effective Date and Term of Utility Tax Rate Increase. This ordinance supersedes any prior tax rate imposed on the City’s water, sewer and stormwater utilities pursuant to MICC 4.12.060 and shall take effect and be in full force on and after July 1, 2017. Nothing contained herein shall affect the amount or collection of rates, fees, and charges established prior to July 1, 2017.

Section 6. 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 adoption and publication, except that the effective date of the utility tax rate increase shall be on and after July 1, 2017.

ADOPTED by the City Council of the City of Mercer Island, Washington, at its regular meeting on the 1st day of May, 2017, and signed in authentication of its passage.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Approved as to Form:

Allison Spietz, City Clerk

Kari Sand, City Attorney

Date of Publication:



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 5293
May 1, 2017
Regular Business**

**CODE AMENDMENTS REGARDING LAND USE
APPEALS AND ACTIONS (1ST READING)**

Proposed Council Action:

Conduct first reading of Ordinance No. 17C-02, provide staff with any requested changes, and advance Ordinance No. 17C-12 to second reading.

DEPARTMENT OF

Development Services Group (Scott Greenberg)

COUNCIL LIAISON

n/a

EXHIBITS

1. Proposed Ordinance No.17C-02
2. Staff Report to Planning Commission (ZTR17-001, 4/19/17)
3. Planning Commission Minutes of 2/15/17, 3/29/17, and 4/19/17(draft)
4. Written Public Comments

2017-2018 CITY COUNCIL GOAL

6. Address Outdated City Codes and Practices

APPROVED BY CITY MANAGER

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

SUMMARY

BACKGROUND

The Mercer Island City Code (MICC) establishes procedures for the review and appeal of various permits and approvals. As part of the City's ongoing effort to update its regulations, staff and the Planning Commission have been working on proposed amendments to move many quasi-judicial hearings, decision-making and appeals from the City Council, Planning Commission and Building Board of Appeals to the City's Hearing Examiner.

The purpose of having a Hearing Examiner conduct these hearings is to have a professionally trained individual, typically an attorney, make objective quasi-judicial decisions that are supported by an adequate record and that are free from political influences. Using a Hearing Examiner system allows local legislative and advisory bodies that might otherwise conduct these hearings to concentrate on policy-making. It can also potentially reduce local government liability exposure through what should be more consistent and legally sustainable quasi-judicial decisions (from the Municipal Research and Services Center website).

PLANNING COMMISSION REVIEW PROCESS

The Planning Commission initially discussed the proposed amendment on February 15, 2017, held a public hearing on the proposal on March 29, 2017 and unanimously recommended approval of the draft ordinance

on April 19, 2017 (see Exhibit 1). The April 19, 2017 staff report to the Planning Commission is attached as Exhibit 2. Minutes from the three Planning Commission meetings are attached as Exhibit 3. Written public comments reviewed by the Planning Commission are attached as Exhibit 4.

PROPOSED CODE TEXT AMENDMENT

The following chart summarizes the decision-making authority changes recommended by the Planning Commission:

Item (ordinance section no.)	Current Decision Authority	Proposed Decision Authority
Appeal of storm water management decision (Section 2)	City Council	Hearing Examiner
Appeal of fire code decision (Sections 3 and 4)	Building Board of Appeals	Hearing Examiner
Appeal of construction code decision (Section 4)	Building Board of Appeals	Hearing Examiner
Appeal of critical area determination (Sections 6 and 10)	Planning Commission	Hearing Examiner
Administrative SEPA appeals (Sections 6 and 10)	Planning Commission	Superior Court
Long plat alteration and vacation (Sections 7 and 10)	City Council via Planning Commission	City Council via Hearing Examiner
Preliminary Long Plat Approval (Sections 7 and 10)	City Council via Planning Commission	City Council via Hearing Examiner
Appeal of tree permits and decisions (Sections 8 and 10)	Planning Commission	Hearing Examiner
Appeal of final short plat approval (Section 10)	Planning Commission	Superior Court
Appeal of seasonal development limitation waiver (Section 10)	Building Board of Appeals	Hearing Examiner
Appeal of development code interpretation (Section 10)	Planning Commission	Hearing Examiner
Appeal of preliminary short plat (Section 10)	Planning Commission	Hearing Examiner
Appeal of deviation (Section 10)	Planning Commission	Hearing Examiner
Variance from short plat acreage limitation (Sections 7 and 10)	Planning Commission	Code Official
Appeal of variance from short plat acreage limitation (Section 10)	City Council	Hearing Examiner
Conditional Use Permit (Sections 9 and 10)	Planning Commission	Hearing Examiner

Other changes are summarized below:

- *Section 1--Chapter 3.40 MICC, Hearing Examiner*
 1. Clarifies Hearing Examiner authority and procedures.
 2. Allows Hearing Examiner to dismiss an appeal for untimeliness or lack of jurisdiction.
 3. Requires consolidated hearings as allowed by law.

4. Allows the Hearing Examiner to hold an appeal prehearing conference to identify, to the extent possible, the facts in dispute, issues, laws, parties, and witnesses in the appeal, and to establish a timeline for the presentation of the appeal.
 5. Allows Hearing Examiner to reconsider his/her decision.
- *Section 4— Chapter 17.14 MICC, Construction Administrative Code*
Defines “appellant” for the purposes of a Fire Code or Building Code appeal as “the applicant and the owner of property to which the permit decision is directed, or anyone who is substantially affected by the order, determination, or decision.” Currently, anyone can file an appeal under MICC 17.14.
 - *Section 10-- Chapter 19.15 MICC, Administration*
 1. Changes public comment period on a Notice of Application from “14 to 30 days” to just “30 days.”
 2. Clarifies that public comments can be received until the close of an open record hearing or the decision is made (if a hearing is not required).
 3. Requires 15 day minimum notice for a public hearing. Currently, the MICC has several different deadlines in various chapters (10, 14 or 15 days). This 15-day deadline will be standardized throughout the affected chapters.
 4. Defines the term “party of record.”
 5. Removes text describing the time allowed for oral argument on an appeal. This will be determined by the Hearing Examiner under his/her rules of procedure and/or prehearing conference.
 - *Section 12-- Repeal of Chapter 3.28 MICC, Building*
Eliminates the Building Board of Appeals.

Based on public comment, the Planning Commission also considered whether to create a new administrative appeals process for appeals of decisions issued by the Code Official related to the implementation of Title 19 MICC (the Unified Land Development Code, or “Zoning Code”). Staff recommended that the Planning Commission request City Council direction on a “follow up” code amendment that would allow for a broad review of decisions by the code official issued under Title 19 MICC and administrative appeal opportunities. Creating a new administrative appeal process in Title 19 for single family building permits is outside the scope of the current amendment, deserves a thorough consideration of unintended consequences and resource needs, and is better addressed through a review of all administrative procedures in Title 19 MICC.

CITY COUNCIL REVIEW PROCESS

A Development Code amendment is a legislative action set forth in MICC 19.15.010(E). Applicable procedural requirements for a legislative action are contained within MICC 19.15.020, including the provision that the Planning Commission conduct an open record public hearing for all legislative actions. As the final decision making authority for legislative actions, the City Council must consider the matter in an open public meeting prior to taking final action. This is City Council’s first reading of the code amendment. Second reading and final action on the proposal by the City Council is scheduled for May 15, 2017.

RECOMMENDATION

Planning Commission and Development Services Director

Conduct first reading and provide staff direction to finalize Ordinance No. 17C-12

MOVE TO: Set Ordinance No. 17C-12 for second reading and adoption on May 15, 2017.

**CITY OF MERCER ISLAND
ORDINANCE NO. 17C-12**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND AMENDING
MERCER ISLAND CITY CODE TITLES 3, 15, 17 AND 19 AND
REPEALING CHAPTER 3.28 MICC REGARDING LAND USE APPEALS
AND ACTIONS**

WHEREAS, the Mercer Island City Code (MICC) provides mechanisms to appeal land use actions and decisions made by various City decision makers, such as the hearing examiner, planning commission, design commission, city council, building board of appeals and superior court; and

WHEREAS, this appellate, “quasi-judicial,” role is often at odds with the city council’s and planning commission’s legislative powers and the separation of powers at the local government level; and

WHEREAS, since the 1970s, many counties and cities have moved away from the “quasi-judicial” role by utilizing a hearing examiner system to conduct public hearings on many quasi-judicial land use matters; and

WHEREAS, hearing examiners are professionally trained and have a background in land use law which enables them to avoid procedural or other errors that would undermine the legal sufficiency of the permit review and decision; and

WHEREAS, while council action is required on rezones, the law gives councils the option to assign to their hearing examiners authority to make final decisions on other types of quasi-judicial permits, such as conditional use permits, variances, design review approvals, site plan approvals, and short subdivisions; and

WHEREAS, the Washington Cities Insurance Authority, the risk pool for many cities in the state including Mercer Island, strongly encourages councils to divest themselves as much as possible of the quasi-judicial role; and

WHEREAS, quasi-judicial cases can be extremely time intensive, taking time away from the city council and planning commission to work on other issues with greater impact on the well-being of the entire community, such as matters which cannot be delegated to other bodies; and

WHEREAS, the quasi-judicial role can place city council members in an untenable position if caught between the need to be responsive to the desires of their constituents and their duty to be responsible to the clear legal criteria governing the permit decision before them; and

WHEREAS, the city council has determined the planning commission and city council’s time and attention to land use matters is best invested in adopting clear and effective policies and development regulations rather than in handling quasi-judicial matters; and

WHEREAS, the city council desires to amend development permit action and appeal procedures throughout the MICC for consistency and efficiency;

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

Section 1. Amendments to Chapter 3.40 MICC, Hearing Examiner. MICC 3.40
“HEARING EXAMINER” is hereby amended as follows:

3.40.010 Established.

There is established the office of hearing examiner. (~~Added during 1980 codification~~).

3.40.020 Purpose – Function and jurisdiction.

A. The hearing examiner will hear and decide upon all applications for variance requests from the provisions of MICC Title 19, Unified Land Development Code, and shoreline management master program (MICC 19.07.080) which are forwarded by the code official, and shall hear and decide upon all appeals as identified in MICC 19.15.010(E) applications and appeals as designated in this code.

B. The hearing examiner’s decision may be to:

1. Grant or deny the application or appeal; or
2. Grant the application or appeal with such conditions, modifications, and restrictions as the hearing examiner finds necessary to make the application or appeal compatible with the environment and carry out applicable state laws and regulations, including Chapter 43.21C RCW and the regulations, policies, objectives, and goals of the comprehensive plan, the Mercer Island City Code, and other official laws, policies and objectives of the City of Mercer Island; or
3. Remand the decision back to the decision maker for further consideration.

3.40.030 Appointment and Qualifications.

The city manager shall appoint the hearing examiner for an indefinite term. The hearing examiner shall be appointed solely with regard to qualification for the duties of such office and shall have such training or experience as will qualify the hearing examiner to conduct administrative or quasi-judicial hearings on land use regulatory matters assigned to the hearing examiner under this code. The hearing examiner shall hold no other appointive or elective public office or position in the city government except as provided in this chapter. The hearing examiner shall serve at the pleasure of the city manager. (~~Added during 1980 codification~~).

3.40.035 Pro tem hearing examiners.

The city manager may appoint qualified persons to serve as hearing examiner pro tempore, as needed, to expeditiously hear pending applications and appeals.

3.40.040 Hearing examiner – Conflict of interest and freedom from improper influence.

A. The hearing examiner shall not conduct or participate in any hearing or decision in which the hearing examiner has direct or indirect personal interest which might interfere with his or her decision making process. Any actual or potential conflict of interest shall be disclosed to the parties immediately upon discovery of such conflict. ~~The examiner shall not conduct or participate in any hearing or decision in which the examiner has a direct or substantial financial interest.~~

B. No council member, city official, or any other person shall attempt to influence or in any way interfere with the hearing examiner in the performance of his or her designated duties. (Added during 1980 codification).

3.40.050 Dismissal of untimely appeals.

On its own motion or on the motion of a party, the hearing examiner shall dismiss an appeal for untimeliness or lack of jurisdiction.

3.40.060 Consolidation of hearings for consolidated project permit process.

Whenever a project application is reviewed under a consolidated project review process that includes more than one City permit, approval, or determination for which an open, or closed, record hearing before the hearing examiner is required or for which an appeal is otherwise provided, the hearings and any such appeals shall be consolidated into a single proceeding before the hearing examiner to the extent permitted by law.

3.40.070 Prehearing conference on appeals.

A. An appeal prehearing conference may be ordered by the hearing examiner pursuant to this chapter upon motion by a party or “sua sponte” by the hearing examiner. The purpose of a prehearing conference shall be to identify, to the extent possible, the facts in dispute, issues, laws, parties, and witnesses in the appeal. In addition the prehearing conference is intended to establish a timeline for the presentation of the appeal.

B. Any party who does not attend the prehearing conference, or anyone who becomes a party of record after notice of the prehearing conference has been sent to the parties, may nevertheless present testimony and evidence to the examiner at the hearing if the examiner determines that allowing the presentation will not prejudice the rights of the other parties.

3.40.080 Hearings.

A. Before rendering a decision on any application or appeal, the hearing examiner shall hold at least one open, or closed, record hearing as applicable thereon.

B. The hearing examiner shall adopt rules of procedure for conduct of the hearing.

C. The city shall make an electronic sound recording of the hearing.

D. Notification of the time and place of the hearing shall be given as provided in the ordinance governing the application. If none is specifically set forth, such notice shall be given as follows:

1. Published and posted notice at least 15 days prior to an open record predecision hearing and 15 days prior to an open record or closed record appeal hearing; and
2. Mailed notice to all parties of record at least 15 days prior to an open record predecision hearing and 15 days prior to an open record or closed record appeal hearing.

3.40.090 Hearing examiner findings.

When the hearing examiner renders a decision, he or she shall make and enter findings of fact and conclusions from the record that support the decision. Said findings and conclusions shall set forth and demonstrate the manner in which the decision or recommendation is consistent with, carries out, and helps implement applicable state laws and regulations and the regulations, policies, objectives, and goals of the comprehensive plan, the Mercer Island City Code, and other official laws, policies, and objectives of the City of Mercer Island as applicable.

3.40.100 Written decision.

Within 14 days of the conclusion of a hearing, the hearing examiner shall render a written decision to the City. The hearing examiner's decision shall identify the applicant and/or the owner by name and address, and the project file or permit number, if applicable.

Any judicial appeal of the hearing examiner's decision shall be filed in King County superior court pursuant to Chapter 36.70C RCW, the Land Use Petition Act ("LUPA"). The land use petition must be filed within 21 days of the issuance of the hearing examiner's decision.

3.40.110 Reconsideration of final decision.

A. Any final decision by the hearing examiner may be reconsidered by the hearing examiner, provided a request for reconsideration by a party of record is received within 10 days of the date of the decision by the hearing examiner, if:

1. The decision was based in whole or in part on erroneous facts or information;
2. The decision when taken failed to comply with existing laws or regulations applicable thereto; or
3. An error of procedure occurred that prevented consideration of the interests of persons directly affected by the decision.

B. Within 14 days of receiving a request for reconsideration, the hearing examiner shall reconsider a final decision based upon the above criteria. The hearing examiner shall issue a decision on the request for reconsideration, denying the request or correcting the decision as the examiner determines necessary.

Section 2. Amendments to Chapter 15.09 MICC, Stormwater Management Program. MICC 15.09 “STORMWATER MANAGEMENT PROGRAM” is hereby amended as follows:

15.09.090 Storm Water Management Program—Appeals Process.

Any person aggrieved by the decision of the city manager or his/her designee in administering this chapter may appeal the decision to the hearing examiner~~city council of the city of Mercer Island by complying with the procedures set forth in Chapter 2.30 MICC.~~ Appeals shall follow the process described in 19.15.020(J) MICC.

Section 3. Amendments to Chapter 17.07 MICC, International Fire Code. MICC 17.07 “INTERNATIONAL FIRE CODE” is hereby amended as follows:

17.07.020 Amendments and additions.

...

H. IFC Section 108.1 Amended – Board of Appeals, Board of Appeals Established. Section 108.1 of the International Fire Code is hereby amended to read as follows:

Section 108.1 General. ~~In order to~~The hearing examiner shall hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of the International Fire Code,~~there shall be a building board of appeals as established in MICC Chapter 3.28.~~ Appeals shall follow the process described in MICC 17.14.020 and 19.15.020(J)

I. IFC Section 108.2 Amended – Board of Appeals, Limitations on Authority. Section 108.2 of the International Fire Code is hereby amended to read as follows:

Section 108.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of the International Fire Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the International Fire Code do not fully apply or an equally good or better form of construction is proposed. ~~The building board of appeals~~ hearing examiner shall have no authority relative to interpretation of the administrative provisions of the International Fire Code nor shall ~~the board be empowered~~ the hearing examiner have the authority to waive requirements of ~~the International Fire Code which are the~~ either this code or of other codes, appendices and referenced code standards adopted by ~~the jurisdiction.~~ or through this code.

...

Section 4. Amendments to Chapter 17.14 MICC, Construction Administrative Code.
MICC 17.14 “CONSTRUCTION ADMINISTRATIVE CODE” is hereby amended as follows:

17.14.010 Adoption.

...

SECTION 104

DUTIES AND POWERS OF BUILDING OFFICIAL

...

104.1.1. Liability. The building official, ~~member of the board of appeals or hearing examiner, or~~ employee charged with the enforcement of this code, while acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties while acting in good faith and without malice and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

...

SECTION 113

BOARD OF APPEALS

~~113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the construction codes or this administrative code, there shall be a building board of appeals as established in MICC Chapter [3.28](#).~~

~~113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of the construction codes or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the construction codes do not fully apply, or an equally good or better form of construction is proposed. The building board of appeals shall have no authority relative to interpretation of the administrative provisions of the construction codes nor shall the board be empowered to waive requirements of the~~

~~construction codes which are the codes, appendices and referenced code standards adopted by the jurisdiction.~~

~~113.3 Summary of action and authorities. The table below sets forth actions that the city may take under its construction codes, the criteria upon which those decisions are to be based, and which boards or city staff have authority to make the decisions and to hear appeals of those decisions.~~

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Building Permit	Building official	Chapter 17.14 MICC, Section 105	Building board of appeals
Grading and Clearing Permit	Building official	Chapter 17.14 MICC, Section 105	Building board of appeals
Construction Code Interpretations	Building official (fire code official for International Fire Code), IBC Chapter 9 – Fire Protection Systems and IRC Appendix Q related to residential fire sprinklers	Chapter 17.14 MICC, Section 104; IFC Section 108 and MICC 17.07.020(F), (G), and (H)	Building board of appeals

...

17.14.020 Appeals

A. Appeals to hearing examiner.

1. Appeals of orders, decisions and determinations of the building or fire code official issued pursuant to Title 15 MICC or Title 17 MICC that do not constitute enforcement actions shall be heard and decided by the city of Mercer Island hearing examiner pursuant to this section and Chapter 3.40 MICC.

2. To the extent the codes adopted by reference in this title refer to a “board of appeals” or a “building board of appeals,” those references shall be deemed to refer to the city of Mercer Island hearing examiner.

B. Limitations on authority.

An appeal shall be based on a claim that the true intent of this chapter or the technical codes adopted in Title 17 MICC (the “technical codes”) or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this chapter or the technical codes do not

apply or that an equally good or better form of construction, method of protection or safety is proposed. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner have the authority to waive requirements of either this code or of other codes, appendices and referenced code standards adopted by or through this code.

On its own motion or on the motion of a party, the hearing examiner shall dismiss an appeal for lack of jurisdiction or authority.

C. Who can appeal, when to appeal and appeal fee.

For the purposes of this chapter, “appellant” shall be defined as the applicant and the owner of property to which the permit decision is directed, or anyone who is substantially affected by the order, determination, or decision. An appellant shall file an appeal of the order, decision or determination of the building or fire code official with the City Clerk within 14 days of the date of the decision of the building or fire code official, using a form provided by the City. An appeal fee established by resolution shall be payable at the time an appeal is submitted. Failure to timely file the appeal or pay the appeal fee shall result in dismissal of the appeal.

D. Contents of appeal.

At a minimum, the written filing of an appeal shall contain:

1. A clear reference to the matter being appealed, including code citations for the section(s) of code subject to the appeal;
2. A statement of the specific objections to the building or fire code official’s order, decision or determination disputed by the appellant; and
3. The relief sought by the appellant.

E. Notice of the appeal hearing.

1. The building official shall prepare a notice of the appeal hearing containing the following:

(a) The file number and a brief description of the matter being appealed;

(b) A statement of the scope of the appeal including a summary of the elements of the building or fire code official’s order, decision or determination that are contested in the appeal;

(c) The time and place of the hearing on appeal before the hearing examiner;

and

(d) A statement of who may participate in the appeal.

2. At least 15 days before the hearing on the appeal, the building official shall send a copy of the notice of appeal hearing to each person who has appealed the building or fire code official’s order, decision or determination.

F. Participation in the appeal.

Only those parties who have appealed the building or fire code official’s order, decision or determination may participate in the appeal. Appellants may participate in either or both of the following ways:

1. By submitting written comments or testimony to the hearing examiner prior to the commencement of the hearing; or
2. By appearing in person, or through a representative, at the hearing. The hearing examiner may reasonably limit the extent of oral testimony or oral argument to facilitate the orderly and timely conduct of the hearing.

G. Scope of appeal.

The appeal will be an open record appeal hearing. The scope of the appeal is limited to the specific elements of the building or fire code official’s order, decision or determination disputed by the appellant and the hearing examiner shall only consider comments, testimony and arguments on these specific elements.

Section 5. Amendments to Chapter 19.06 MICC, General Regulations. MICC 19.06
“GENERAL REGULATIONS” is hereby amended as follows:

19.06.080 Siting of group housing.

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C. Rooming Houses.

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2. Appeal. Determinations made by the code official pursuant to subsection C of this section may be appealed pursuant to MICC 19.15.020(J~~F~~).

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Section 6. Amendments to Chapter 19.07 MICC, Environment. MICC 19.07
“ENVIRONMENT” is hereby amended as follows:

...

19.07.020 General provisions.

...

B. Public Notice – Critical Area Determination. A critical area determination requires public notice pursuant to MICC 19.15.020(E) ~~and this action may be appealed to the planning commission.~~ A decision on a critical area determination may be appealed to the hearing examiner following the appeals process described in 19.15.020(J) MICC.

...

19.07.040 Review and construction requirements.

...

E. Appeals. Appeals of decisions made under the provisions of this chapter shall follow the procedures outlined in MICC [19.15.010](#)(E) and described in 19.15.020(J) MICC.

...

19.07.120 Environmental procedures.

...

T. Administrative Appeals.

There is no administrative appeal for SEPA procedural and substantive decisions.

~~1. Except for SEPA procedural and substantive decisions related to permits, deviations and variances issued by the code official or hearing examiner under the shoreline management provisions or any legislative actions taken by the city council, the following shall be appealable to the planning commission under this section:~~

~~a. The decision to issue a determination of nonsignificance rather than to require an EIS;~~

~~b. Mitigation measures and conditions that are required as part of a determination of nonsignificance;~~

~~c. The adequacy of an FEIS or an SEIS;~~

~~d. Any conditions or denials of the proposed action under the authority of SEPA.~~

~~2. How to Appeal. The appeal must be consolidated with any appeal that is filed on the proposal or action, and must conform to the requirements of MICC 19.15.020(J), Permit Review Procedures. The appeal may also contain whatever supplemental information the appellant wishes to include.~~

~~3. For any appeal under this subsection, the city shall provide for a record that shall consist of the following:~~

~~a. Findings and conclusions;~~

~~b. Testimony under oath; and~~

~~c. A taped or written transcript.~~

~~4. The procedural determination by the city's responsible official shall carry substantial weight in any appeal proceeding.~~

~~5. The city shall give official notice under WAC 197-11-680(5) whenever it issues a permit or approval for which a statute or ordinance establishes a time limit for commencing judicial appeal.~~

...

Section 7. Amendments to Chapter 19.08 MICC, Subdivisions. MICC 19.08
“SUBDIVISIONS” is hereby amended as follows:

19.08.020 Application procedures and requirements.

A. Applications for short subdivisions or alteration or vacation thereof, and for lot line revisions ~~or alteration or vacation thereof~~ shall be reviewed by the code official. Applications for long subdivisions or alteration or vacation thereof ~~are reviewed by the planning commission~~ shall be before the hearing examiner who shall make recommendations to ~~and~~ the city council.

B. The ~~planning commission~~ code official may grant a variance, with restrictions if deemed necessary, from the four-acre limitation for purpose of permitting short subdivision of property containing more than four acres into four or less lots when all of the following circumstances shall be found to apply:

1. That there are special circumstances applicable to the particular lot, such type of ownership, restrictive covenants, physiographic conditions, location or surroundings, or other factors;
2. That the granting of the variance will not result in future uncoordinated development nor alter the character of the neighborhood; and
3. That granting the variance will not conflict with the general purposes and objectives of the comprehensive plan or the development code.

...

F. Vacations of long subdivisions shall be governed by RCW 58.17.212. Alterations to long subdivisions shall be governed by RCW 58.17.215. All public hearings for both vacations and alterations of long subdivisions shall be before the ~~planning commission~~ hearing examiner, which shall make recommendations as to the vacation or alteration to the city council.

Section 8. Amendments to Chapter 19.10 MICC , Trees. MICC 19.10 “TREES” is
hereby amended as follows:

19.10.100 Trees--Appeals.

Any person or persons aggrieved by any action or decision of city staff made pursuant to any section of this chapter, may appeal such action or decision to the ~~planning commission~~hearing examiner in accordance with the appeal procedure set forth in MICC 19.15.020(J).

Section 9. Amendments to Chapter 19.11 MICC Town Center Development and Design Standards. MICC 19.11 “TOWN CENTER DEVELOPMENT AND DESIGN STANDARDS” is hereby amended as follows:

19.11.150 Administration.

B. Conditional Use Permit Review.

1. General.

a. Intent. The intent of the conditional use permit review process is to evaluate the particular characteristics and location of certain uses relative to the development and design standards established in this chapter. The review shall determine if the proposal should be permitted after weighing the public benefit and the need for the use with the potential impacts that the use may cause.

b. Scope. The conditional use permit review process shall apply to all uses identified as requiring a conditional use permit in the chart of permitted uses set forth in MICC 19.11.020(A). No building permit, business license or other permits related to the use of the land shall be issued until final approval of the conditional use permit.

c. Review Authority. The ~~planning commission~~hearing examiner shall conduct the conditional use permit review process and determine whether the proposed conditional use shall be allowed.

d. Process.

i. Time Frame and Procedure. Conditional use permit review shall be conducted in accordance with the timelines and procedures set forth in MICC 19.15.020, Permit review procedures, except as the notice provisions are modified below.

ii. Notice.

(a) Public notice of any proposal in the Town Center which involves a conditional use shall be posted on the project site and mailed to all property owners within 500 feet of the proposed project site.

(b) Legal notice shall be published in the official city newspaper (Chapter 2.10 MICC).

(c) The notice shall identify the general project proposal and the date, time and location of the ~~planning commission~~ hearing examiner open record hearing, and shall be provided a minimum of ~~10~~ 15 days prior to the hearing.

iii. Written Decisions. All decisions of the ~~planning commission~~ hearing examiner shall be reduced to writing and shall include findings of fact and conclusions that support the decisions.

iv. Expiration of Approval. If the activity approved by the conditional use permit has not been exercised within two years from the date of the notice of decision setting forth the conditional use decision, or if a complete application for a building permit has not been submitted within two years from the date of the notice of the conditional use decision, or within two years from the decision on appeal from the conditional use decision, conditional use approval shall expire. The design commission or code official may grant an extension for no longer than 12 months, for good cause shown, if a written request is submitted at least 30 days prior to the expiration date. The applicant is responsible for knowledge of the expiration date.

2. Review Process.

a. Application Submittal. A complete conditional use permit application, on forms provided by the city development services group (DSG), shall be submitted at the same time as the application and materials for design review. The applicant shall provide a written narrative of the proposed conditional use and explain how the proposed use complies with the criteria for conditional use permit approval in subsection (B)(2)(e) of this section. Depending on the type of conditional use proposed, the code official may require additional information.

b. SEPA Determination. If the project is not categorically exempt pursuant to WAC 197-11-800, the city environmental official will review the SEPA environmental checklist, the proposal and other information required for a complete application to assess the project's probable environmental impacts and issue a determination pursuant to MICC 19.07.120.

c. Acceptance. DSG staff shall determine if the required materials have been provided for review of the conditional use permit, in conjunction with the applicable design review process. If so, the application will be accepted and the process for determination of completeness and review set forth in MICC 19.15.020 shall commence.

d. Review. The ~~planning commission~~hearing examiner shall conduct an open record hearing to consider a conditional use permit application. The ~~commission~~hearing examiner may approve the application, or approve it with conditions, only if all of the applicable criteria set forth below are met. The ~~planning commission~~hearing examiner shall deny the application if it finds that the applicable criteria set forth below have not been met. Conditions may be attached to assure that the use is compatible with other existing and potential uses within the same general area and that the use shall not constitute a nuisance. Conditional use permit application review shall be coordinated with design review as follows:

i. Major New Construction. If the conditional use permit application is part of a major new construction project, design review shall commence in accordance with the time frames and procedures set forth in MICC 19.15.040(F), except as follows: The ~~planning commission~~hearing examiner shall review the conditional use permit application at an open record hearing after the design commission's preliminary design review at a public meeting. If the ~~planning commission~~hearing examiner approves the conditional use permit (without or with conditions), then the ~~planning commission~~hearing examiner will forward the project to the design commission for the final design review.

ii. Change in Use and Minor Exterior Modifications. If the conditional use permit application proposes a change in use but is not part of a major new construction project, or is part of a minor exterior modification, then design review shall proceed administratively in accordance with the provisions in MICC 19.15.040(F), and the ~~planning commission~~hearing examiner shall review the conditional use permit application at an open record hearing. If the staff determines that the minor exterior modification should be reviewed by the design commission as provided for in MICC 19.15.040(F), then the design commission's review and decision shall be conducted at an open record hearing separate from the ~~planning commission's~~hearing examiner's open record hearing on the conditional use permit application.

e. Criteria for Approval of a Conditional Use Permit. Consistent with the applicable review process above, the ~~planning commission~~hearing examiner shall approve, approve with conditions or deny a conditional use permit application based on finding that all of the following criteria have been met:

i. General Criteria.

(a) The proposed use complies with all the applicable development and design provisions of this chapter.

(b) The proposed use is consistent with the comprehensive plan.

(c) The proposed use is harmonious and appropriate in design, character, and appearance with the existing or intended uses within the surrounding area.

(d) The proposed use will not generate excessive fumes, odor, dust, light, radiation, or refuse that would be injurious to surrounding uses.

(e) The proposed use will not generate levels of noise that adversely impact the health, safety, or general welfare of surrounding uses.

(f) The proposed use will be served by adequate public services, including streets, fire and public safety protection, water, sewer, and storm water control, and will not adversely impact the level of service standards for such facilities.

(g) The proposed location, size, design, and operating characteristics of the proposed use will not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

ii. Additional Criteria for Approval of a Conditional Use for Adult Entertainment.

(a) The point of entry into the structure housing the adult entertainment use shall be located at least 100 feet, measured in a straight line, from the property line of: (1) any R-zoned property; (2) any public institution zoned property; (3) any property containing one or more of the following uses: residential uses including single- or multiple-family dwellings, or residential care facilities; schools including public, private, primary or secondary, preschool, nursery school, day care; recreational uses including publicly owned park or open space, commercial or noncommercial or private recreation facility; religious institutions; public institutions; or uses which cater primarily to minors.

(b) No adult entertainment use shall be located closer than 400 feet to another adult entertainment use. Such distance shall be measured by following a straight line from the nearest point of entry into the proposed adult entertainment to the nearest point of entry into another adult entertainment use.

(c) The point of entry into adult entertainment use shall not be located along 78th Avenue SE.

(d) Signing shall be limited to words and letters only. Window or exterior displays of goods or services that depict, simulate, or are intended for use in connection with specified sexual activities as defined by Chapter 5.30 MICC are prohibited.

f. Appeal. The ~~planning commission's~~ hearing examiner's decision is final unless appealed pursuant to MICC 19.15.020(J).

g. Change After Conditional Use Permit Granted.

i. Change of Ownership. Conditional use permits granted shall continue to be valid upon change of ownership of the site.

ii. Change of Use. Modifications to the use shall require an amendment to the conditional use permit and shall be subject to the above review process.

Section 10. **Amendments to Chapter 19.15 MICC, Administration.** MICC 19.15 "ADMINISTRATION" is hereby amended as follows:

19.15.010 General Procedures

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C. Roles and Responsibilities. The roles and responsibilities for carrying out the provisions of the development code are shared by appointed boards and commissions, elected officials and city staff. The authorities of each of these bodies are set forth below.

1. City Council. The city council is responsible for establishing policy and legislation affecting land use within the city. The city council acts on recommendations of the planning commission in legislative and quasi-judicial matters, ~~and serves as the appeal authority on discretionary actions.~~

2. Planning Commission. The role of the planning commission in administering the development code is governed by Chapter 3.46 MICC. In general, the planning commission is the designated planning agency for the city (see Chapter 35A.63 RCW). ~~The planning commission is responsible for final action on a variety of discretionary permits and makes recommendations to the city council on land use legislation, comprehensive plan amendments and quasi-judicial matters. The planning commission also serves as the appeal authority for some ministerial and administrative actions.~~

3. Design Commission. The role of the design commission in administering the development code is governed by Chapter 3.34 MICC and MICC 19.15.040. In general, the design commission is responsible for maintaining the city's design standards and action on sign, commercial and multiple-family design applications.

~~4. Building Board of Appeals. The role of the building board of appeals in administering the construction codes is governed by Chapter 3.28 MICC. In general, the building board of appeals is responsible for hearing appeals of interpretations or application of the construction codes set forth in MICC Title 17.~~

45. Development Services Group. The responsible officials in the development services group act upon ministerial and administrative permits.

- a. The code official is responsible for administration, interpretation and enforcement of the development code.
- b. The building official is responsible for administration and interpretation of the building code, except for the International Fire Code.
- c. The city engineer is responsible for the administration and interpretation of engineering standards.
- d. The environmental official is responsible for the administration of the State Environmental Policy Act and shoreline master program.
- e. The fire code official is responsible for administration and interpretation of the International Fire Code.

56. Hearing Examiner. The role of the hearing examiner in administering the development code is governed by Chapter 3.40 MICC.

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E. Summary of Actions and Authorities. The following is a nonexclusive list of the actions that the city may take under the development code, the criteria upon which those decisions are to be based, and which boards, commissions, elected officials, or city staff have authority to make the decisions and to hear appeals of those decisions.

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Ministerial Actions			
Right-of-Way Permit	City engineer	Chapter 19.09 MICC	Hearing examiner
Home Business Permit	Code official	MICC 19.02.010	Hearing examiner
Special Needs Group Housing Safety Determination	Police chief	MICC 19.06.080(A)	Hearing examiner
Lot Line <u>Revision Adjustment Permit</u>	Code official	Chapter 19.08 MICC	Hearing examiner
Design Review – Minor Exterior Modification Outside Town Center	Code official	MICC 19.15.040, Chapters 19.11 and 19.12 MICC	Design commission

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Design Review – Minor Exterior Modification in Town Center with a Construction Valuation (as defined by MICC 17.14.010) Less Than \$100,000	Code official	Chapters 19.11 and 19.12 MICC, MICC 19.15.040	Design commission
Design Review – Minor Exterior Modification in Town Center with a Construction Valuation (as defined by MICC 17.14.010) \$100,000 or Greater	Design commission	Chapters 19.11 and 19.12 MICC, MICC 19.15.040	Hearing examiner
Final Short Plat Approval	Code official	Chapter 19.08 MICC	<u>Planning commission</u> <u>Superior court</u>
Seasonal Development Limitation Waiver	Building official or city arborist	MICC 19.10.030, 19.07.060(D)(4)	<u>Building board of appeals</u> <u>Hearing examiner</u>
Development Code Interpretations	Code official	MICC 19.15.020(L)	<u>Planning commission</u> <u>Hearing examiner</u>
Shoreline Exemption	Code official	MICC 19.07.110 and 19.15.020(G)(6)(c)(i)	Hearing examiner ¹
Administrative Actions			
Accessory Dwelling Unit Permit	Code official	MICC 19.02.030	Hearing examiner
Preliminary Short Plat	Code official	Chapter 19.08 MICC	<u>Planning commission</u> <u>Hearing examiner</u>
Deviation	Code official	MICC 19.15.020(G), 19.01.070, 19.02.050(F), 19.02.020(C)(4) and (D)(3)	<u>Planning commission</u> <u>Hearing examiner</u>
Critical Areas Determination	Code official	Chapter 19.07 MICC	<u>Planning Commission</u> <u>Hearing examiner</u>

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Shoreline – Substantial Development Permit	Code official	MICC 19.07.110 and 19.15.020(G)(6)	Shoreline hearings board
SEPA Threshold Determination	Code official	MICC 19.07.120	Planning commission Superior court
Short Plat Alteration and Vacations	Code official	MICC 19.08.010(G)	Hearing examiner
Long Plat Alteration and Vacations	City council via planning commission <u>hearing examiner</u>	MICC 19.08.010(F)	Superior court
Temporary Encampment	Code official	MICC 19.06.090	Superior court
Wireless Communications Facility	Code official	MICC 19.06.040	Hearing examiner
Wireless Communications Facility Height Variance	Code official	MICC 19.01.070, 19.06.040(H) and 19.15.020(G)	Hearing examiner
Minimum Parking Requirement Variances for MF, PBZ, C-O, B and P Zones	Code official via design commission and city engineer	MICC 19.01.070, 19.03.020(B)(4), 19.04.040(B)(9), 19.05.020(B)(9) and 19.15.020(G)	Hearing examiner
Discretionary Actions			
Conditional Use Permit	Planning commission <u>Hearing examiner</u>	MICC 19.11.150(B), 19.15.020(G)	Hearing examiner <u>Superior Court</u>
Reclassification (Rezone)	City council via planning commission ²	MICC 19.15.020(G)	Superior court
Design Review – Major New Construction	Design commission	MICC 19.15.040, Chapters 19.11 and 19.12 MICC	Hearing examiner
Preliminary Long Plat Approval	City council via planning commission ² <u>City council via hearing examiner</u>	Chapter 19.08 MICC	Superior court

ACTION	DECISION AUTHORITY	CRITERIA	APPEAL AUTHORITY
Final Long Plat Approval	City council via code official	Chapter 19.08 MICC	Superior court
Variance	Hearing examiner	MICC 19.15.020(G), 19.01.070	Superior court
Variance from Short Plat Acreage Limitation	Planning commission <u>Code official</u>	MICC 19.08.020	City Council <u>Hearing examiner</u>
Critical Areas Reasonable Use Exception	Hearing examiner	MICC 19.07.030(B)	Superior court
Street Vacation	City council via planning commission ²	MICC 19.09.070	Superior court
Shoreline Conditional Use Permit	Code official and Department of Ecology ³	MICC 19.15.020(G)(6)	State Shorelines Hearings Board
Shoreline Variance	Code official and Department of Ecology ³	MICC 19.15.020(G)(6)	State Shorelines Hearings Board
Impervious Surface Variance	Hearing examiner	MICC 19.02.020(D)(4)	Superior court
Legislative Actions			
Code Amendment	City council via planning commission ²	MICC 19.15.020(G)	Growth management hearings board
Comprehensive Plan Amendment	City council via planning commission ²	MICC 19.15.020(G)	Growth management hearings board
¹ Final rulings granting or denying an exemption under MICC 19.15.020(G)(6) are not appealable to the shoreline hearings board (SHB No. 98-60).			
² The original action is by the <u>planning commission</u> or <u>hearing examiner</u> which holds a public hearing and makes recommendations to the city council which holds a public meeting and makes the final decision.			
³ Must be approved by the city of Mercer Island prior to review by DOE per WAC 173-27-200 and RCW 90.58.140(10).			

19.15.020 Permit Review Procedures

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D. Notice of Application.

1. Within 14 days of the determination of completeness, the city shall issue a notice of application for all administrative, discretionary, and legislative actions listed in MICC 19.15.010(E).
2. The notice of application shall include the following information:
 - a. The dates of the application, the determination of completeness, and the notice of application;
 - b. The name of the applicant;
 - c. The location and description of the project;
 - d. The requested actions and/or required studies;
 - e. The date, time, and place of the open record hearing, if one has been scheduled;
 - f. Identification of environmental documents, if any;
 - g. A statement of the public comment period, which shall be not less than ~~14 days~~ ~~nor more than~~ 30 days following the date of notice of application; and a statement of the rights of individuals to comment on the application, receive notice and participate in any hearings, request a copy of the decision once made and any appeal rights. The city shall accept public comments at any time prior to the closing of the record of an open record predecision hearing, if any, or, if no open record predecision hearing is provided, prior to the decision on the project permit;
 - h. The city staff contact and ~~phone number~~ contact information;
 - i. The identification of other permits not included in the application to the extent known by the city;
 - j. A description of those development regulations used in determining consistency of the project with the city's comprehensive plan; and
 - k. Any other information that the city determines appropriate.

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E. Public Notice.

1. In addition to the notice of application, a public notice is required for all administrative, discretionary, and legislative actions listed in MICC 19.15.010(E).
2. Public notice shall be provided at least ~~40~~ 15 days prior to any required open record hearing. If no such hearing is required, public notice shall be provided 10 days prior to the decision on the application.
3. The public notice shall include the following:

- a. A general description of the proposed project and the action to be taken by the city;
- b. A nonlegal description of the property, vicinity map or sketch;
- c. The time, date and location of any required open record hearing;
- d. A contact name and number where additional information may be obtained;
- e. A statement that only those persons who submit written comments or testify at the open record hearing will be parties of record; and only parties of record will receive a notice of the decision and have the right to appeal; and
- f. A description of the deadline for submitting public comments.

4. Public notice shall be provided in the following manner:

- a. Administrative and Discretionary Actions. Notice shall be mailed to all property owners within 300 feet of the property and posted on the site in a location that is visible to the public right-of-way.
- b. Legislative Action. Notice shall be published in a newspaper of general circulation within the city.

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J. Administrative Appeals.

1. Any party of record on a decision that may be administratively appealed may file a letter of appeal on the decision. Administrative Appeals shall be filed with the city clerk within 14 days after the notice of decision, if a notice of decision is required, or after ~~other notice that the~~ effective date of the decision subject to appeal if no notice of decision is required has been made and is appealable. The term “party of record,” for the purposes of this chapter, shall mean any of the following:

- a. The applicant and/or property owner;
- b. Any person who testified at the open record public hearing on the application;
- c. Any person who individually submits written comments concerning the application for the open record public hearing, or to the Code Official prior to a decision on the project permit if there is no open record public hearing. Persons who have only signed petitions are not parties of record;
- d. The city of Mercer Island.

2. Appeals shall include the following information:

- a. The decision being appealed;
 - b. The name and address of the appellant and his/her interest in the matter;
 - c. The specific reasons why the appellant believes the decision to be wrong. The burden of proof is on the appellant to demonstrate that there has been substantial error, or the proceedings were materially affected by irregularities in procedure, or the decision was unsupported by evidence in the record, or that the decision is in conflict with the standards for review of the particular action;
 - d. The desired outcome or changes to the decision; and
 - e. The appeals fee, if required.
3. Authority for appeals is specified in MICC 19.15.010(E).
4. Public notice of an appeal shall be provided in the manner specified in subsection E of this section.
5. The rules of procedure for appeal hearings shall be as follows:
- a. For development proposals that have been subject to an open record hearing, the appeal hearing shall be a closed record appeal, based on the record before the decision body, and no new evidence may be presented.
 - b. For development proposals that have not been subject to an open record hearing, the appeal hearing shall be an open record appeal and new information may be presented.
 - ~~c. The total time allowed for oral argument on the appeal shall be equal for the appellants and the applicant (if not the appellants). If there are multiple parties on either side, they may allocate their time between themselves or designate a single spokesperson to represent the side. All testimony shall be given under oath.~~
 - ~~d.~~ If the hearing body finds that there has been substantial error, or the proceedings were materially affected by irregularities in procedure, or the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city's applicable decision criteria, it may:
 - i. Reverse the decision.
 - ii. Modify the decision and approve it as modified.
 - iii. Remand the decision back to the decision maker for further consideration.
 - ~~e.~~ If the hearing body finds that none of the procedural or factual bases listed above exist and that there has been no substantial error, the hearing body may adopt the findings and/or conclusions of the decision body, concur with the

decision of the decision body and approve the development proposal as originally approved, with or without modifications.

fe. Final decision on the appeal shall be made within 30 days from the last day of the appeal hearing.

gf. The city's final decision on a development proposal may be appealed by a party of record with standing to file a land use petition in King County superior court. Such petition must be filed within 21 days of the issuance of the decision.

6. When an applicant has opted for consolidated permit processing pursuant to MICC 19.15.020(I), administrative appeals of ministerial, administrative or discretionary actions listed in MICC 19.15.010(E) for a single project shall be consolidated and heard together in a single appeal by the hearing examiner

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19.15.040(F)(2)(g) –Design Commission--Design Review Procedure--Review Process for Major New Construction

g. Appeal. Only the final design commission review decision may be appealed, in a closed record appeal to the hearing examiner, pursuant to MICC 19.15.020(J).

19.15.040(F)(3)(d) –Design Commission-- Design Review Procedure--Review Process for Minor Exterior Modification

d. Appeal. The code official's or ~~design commission's~~ decision on an application for minor exterior modification is final unless appealed to the design commission pursuant to MICC 19.15.020(J). The design commission's decision on an application (not an appeal) for minor exterior modification is final unless appealed to the hearing examiner pursuant to MICC 19.15.020(J).

Section 11. Amendments to Chapter 19.16 MICC, Definitions. MICC 19.16
“DEFINITIONS” is hereby amended as follows:

19.16.010 – Definitions

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Appeal, Closed Record: An administrative appeal ~~to the city council~~ following an open record hearing on a project application. Evidence for the appeal is limited to the record of the open record hearing. (See also “Open Record Hearing”).

Appeal, Open Record: An administrative appeal ~~to the planning commission or city council~~ when there has not been an open record hearing on a project application. New evidence or

information is allowed to be submitted in review of the decision (See also “Open Record Hearing”).

...

Section 12. **Repeal of Chapter 3.28 MICC, Building.** Chapter 3.28 MICC “BUILDING” is hereby repealed.

Section 13: **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 14: **Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 15: **Effective Date.** This Ordinance shall take effect and be in force on 5 days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the _____ day of _____ 2017 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

Approved as to Form:

ATTEST:

Kari Sand, City Attorney

Allison Spietz, City Clerk

Date of Publication: _____



**CITY OF MERCER ISLAND
PLANNING COMMISSION
STAFF REPORT**

**Agenda Item: 1
April 19, 2017**

File Numbers:	ZTR17-001
Description:	The City of Mercer Island is proposing a Zoning Text Amendment modifying Mercer Island City Code (MICC) Titles 3, 15, 17 and 19 related to procedures for appealing various city decisions processing various land use applications.
Applicant:	City of Mercer Island
Location:	Applies to all land within the City of Mercer Island
Exhibits:	<ol style="list-style-type: none">1. Draft Ordinance Amending MICC Titles 3, 15, 17 and 192. Public Notice of Application and Notice of Public Meeting Issued on by the City of Mercer Island on March 13, 20173. Public Comments

I. SUMMARY

The City of Mercer Island is proposing amendments to Mercer Island City Code (MICC) Titles 3, 15, 17 and 19. The proposed amendments would modify appeal procedures and shift most administrative appeals from the Planning Commission or City Council to the Hearing Examiner. It would also change the hearing body on conditional use permits, long plats, long plat alterations and long plat vacations from the Planning Commission to the Hearing Examiner. It would also change the decision-maker on a variance from the four-acre short plat acreage limitation from the Planning Commission to Code Official.

A code amendment is designated as a legislative action, as set forth in MICC 19.15.010(E). Applicable procedural requirements for a legislative action are contained within MICC 19.15.020, including the provision that the Planning Commission conduct an open record public hearing for all legislative actions. On March 29, 2017, the Planning Commission held an open record public hearing on this matter to obtain comments from the public, deliberate on the proposed amendment and forward a recommendation to the City Council for consideration and action. As the final decision making authority for legislative actions, the City Council will consider the matter in a public meeting prior to taking final action.

The City issued a Public Notice of Application and Open Record Hearing (Exhibit 2), which was published in the City's weekly permit bulletin on March 13, 2017 and in the Mercer Island Reporter on March 8, 2017. The public comment period ran from March 8, 2017 through March 29, 2017. Through March 22, 2017, the City did not receive any written comments during the comment period concerning the proposed zoning text amendment. The open record public hearing in front of the Planning Commission was held on March 29, 2017. Public comments received at or after the hearing are included as Exhibit 3.

The application is exempt from review under the State Environmental Policy Act (SEPA), WAC 197-11-800(19).

II. STAFF FINDINGS, ANALYSIS AND CRITERIA FOR REVIEW

The proposed amendments to MICC Titles 3, 15, 17 and 19 related to procedures for appeals and for reviewing and deciding on certain land use applications are shown in Exhibit 1.

Background: The MICC allows appeals of decisions for various permits and approvals. The appellate body currently varies depending on the decision being appealed: Building Board of Appeals, Hearing Examiner, Design Commission, Planning Commission, City Council, Superior Court, Shoreline Hearings Board or Growth Management Hearings Board. The primary objective of the proposed amendments is to have most appeals and some permit decisions heard and decided by a Hearing Examiner.

The Planning Commission currently makes recommendations to City Council on long plats, long plat alterations and long plat vacations. The proposal would change that recommendation authority to the Hearing Examiner. The Planning Commission currently makes decisions on conditional use permits. The proposal would change this decision-making authority to the Hearing Examiner. It would also change the decision-maker on a variance from the four-acre short plat acreage limitation from the Planning Commission to Code Official.

The purpose of having a Hearing Examiner conduct these hearings is to have a professionally trained individual, typically an attorney, make objective quasi-judicial decisions that are supported by an adequate record and that are free from political influences. Using a Hearing Examiner system allows local legislative and advisory bodies that might otherwise conduct these hearings to concentrate on policy-making. It can also potentially reduce local government liability exposure through what should be more consistent and legally sustainable quasi-judicial decisions. (from the MRSC website)

Proposed Amendments: The following chart summarizes the proposed procedural changes.

Item	Current Decision Authority	Proposed Decision Authority
Appeal of storm water management decision (page 5)	City Council	Hearing Examiner
Appeal of fire code decision (page 5)	Building Board of Appeals	Hearing Examiner
Appeal of construction code decision (page 7)	Building Board of Appeals	Hearing Examiner
Appeal of critical area determination (pages 10 and 19)	Planning Commission	Hearing Examiner
Administrative SEPA appeals (pages 10 and 19)	Planning Commission	Superior Court
Long plat alteration and vacation (pages 11, 12 and 19)	City Council via Planning Commission	City Council via Hearing Examiner
Preliminary Long Plat Approval (page 11 and 20)	City Council via Planning Commission	City Council via Hearing Examiner

Planning Commission Meeting
Agenda Item No. 1

Page 2 of 4, April 19, 2017

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Item	Current Decision Authority	Proposed Decision Authority
Appeal of tree permits and decisions (page 12)	Planning Commission	Hearing Examiner
Appeal of final short plat approval (page 18)	Planning Commission	Superior Court
Appeal of seasonal development limitation waiver (page 18)	Building Board of Appeals	Hearing Examiner
Appeal of development code interpretation (page 18)	Planning Commission	Hearing Examiner
Appeal of preliminary short plat (page 19)	Planning Commission	Hearing Examiner
Appeal of deviation (page 19)	Planning Commission	Hearing Examiner
Variance from short plat acreage limitation (pages 11 and 20)	Planning Commission	Code Official
Appeal of variance from short plat acreage limitation (page 13 and 20)	City Council	Hearing Examiner
Conditional Use Permit (pages 13-16 and 20)	Planning Commission	Hearing Examiner

The draft regulations presented at the March 29, 2017 public hearing included a limitation that only the permit applicant or property owner could appeal “orders, decisions and determinations” of the Building Official or Fire Code Official. Based on public comment at the hearing, staff has modified this provision to allow “the applicant and the owner of property to which the permit decision is directed, or any person aggrieved or adversely affected by the order, determination, or decision” to file an appeal.

Criteria For Review

There are no specific criteria listed in the Mercer Island City Code for a code amendment. However, in accordance with RCW 36.70A.040, the proposed amendments shall be consistent with and implement the City’s Comprehensive Plan. There are no goals or policies related to appeals or processing of permits in the Comprehensive Plan.

Staff findings:

The proposed zoning code text amendments are not inconsistent with the Comprehensive Plan since the Comprehensive Plan is silent on the processing and decision-making on permits and appeal.

I. STAFF RECOMMENDATION

Based on the analysis and findings included herein, staff recommends to the Planning Commission the following:

Recommended Motion: Move to recommend that the City Council approve the request for an amendment to Mercer Island City Code (MICC) Title 19, as detailed in Exhibit 1.

First Alternative Motion: Move to recommend that the City Council approve the request for an amendment to Mercer Island City Code (MICC) Title 19, as detailed in Exhibit 1, provided that the proposal shall be modified as follows: *[describe modifications]*.

Second Alternative Motion: Move to recommend that the City Council deny the request for an amendment to Mercer Island City Code (MICC) Title 19, as detailed in Exhibit 1.

Staff Contact: Scott Greenberg, Development Services Director



PLANNING COMMISSION MEETING MINUTES FEBRUARY 15, 2017

CALL TO ORDER:

Vice Chair called the meeting to order at 6:04 PM in the Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

ROLL CALL:

Vice-Chair Richard Weinman, Commissioners Daniel Hubbell, Jennifer Mechem, Lucia Pirzio-Biroli, and Tiffin Goodman were present. City staff was represented by Julie Underwood, City Manager, Scott Greenberg, Development Services Group Director, and Evan Maxim, Planning Manager, Nicole Gaudette, Senior Planner.

Commissioner Mechem arrived at 6:13PM.

Chair Suzanne Skone and Commissioner Bryan Cairns were absent.

APPEARANCES:

Rita Latsinova - 600 University Street, Seattle, WA – Alarmed with the proposed amendments to the City Code: 1) Does not address pending appeals. 2) Administrative appeals would only be available to the developer – neighbors cannot appeal. Commission should be aware of pending appeals. Definition of appeal creates a situation where a neighbor cannot appeal a building permit.

Erin Anderson - Ellensburg, WA – Recommend that Commission remand draft amendment back to the City staff. Ordinance does not state an effective date. Appellants should also be vested to the rules in effect on the date of appeal. Do not create more than one class of appellants. May be a violation of RCW 64.40. Appeals should not be dismissed if they are currently before the City. Concerns regarding the content of the proposed amendment.

APPROVAL OF MINUTES:

The Commission reviewed the minutes from the February 1, 2017 meeting.

Commissioner Goodman requested a correction a misspelling of Chair Suzanne Skone's name.

Commissioner Goodman made a motion to adopt the minutes. The motion was seconded by Commissioner Hubbell. The minutes were approved by a vote of 5-0.

REGULAR BUSINESS:

Julie Underwood, City Manager introduced herself to the Planning Commission. The City Manager provided an overview of the Council action on February 13, 2017, and requested the Planning Commission's assistance in evaluating ordinances related to Essential Public Facilities, Traffic Concurrency, and I-90 P zone uses. Director Greenberg summarized the effect of the moratoria.

Scott Greenberg, Development Services Group Director, presented the current Planning Commission schedule through July 2017. A copy of the work plan schedule will be provided to the Planning Commission regularly and will be updated as needed. Director Greenberg reviewed the work plan

with the Planning Commission.

Director Greenberg also noted that the City will be providing an update to the City Council on February 21, 2017 regarding the proposed Residential Development Standards. Commissioner Hubbell, Pirzio-Biroli, and Vice Chair Weinman indicated they may attend the Council meeting.

The Planning Commission agreed to begin their PC meetings at 6:00PM through the end of June to aid in managing the full work plan schedule.

Vice Chair Weinman requested that the City Attorney evaluate the appropriateness of Council liaisons at the Planning Commission.

Agenda Item #1: ZTR17-001 – Proposed Appeal Code Amendment

Scott Greenberg introduced a proposed zoning code text amendment related to the process and procedures for appealing certain permit and land use decisions.

The proposed amendment will result in quasi-judicial appeals being heard by a Hearing Examiner rather than by the City Council, Building Board of Appeals, or Planning Commission. The proposed amendment will also result in amending the decision authority for quasi-judicial decisions being heard by a Hearing Examiner rather than by the Planning Commission.

The Planning Commission asked clarifying questions of Director Greenberg and discussed possible options for further review.

OTHER BUSINESS:

Evan Maxim, Planning Manager, provided and reviewed a memorandum with the Planning Commission summarizing the results of the Planning Commission's policy review of the proposed Residential Development Standards.

ANNOUNCEMENTS AND COMMUNICATIONS:

None.

NEXT MEETING:

The next Planning Commission regular meeting is scheduled for March 1, 2017 at 6:00 p.m. at Mercer Island City Hall.

ADJOURNMENT: Vice-Chair Weinman adjourned the meeting at 7:45 pm.



PLANNING COMMISSION MEETING MINUTES MARCH 29, 2017

CALL TO ORDER:

Chair Skone called the meeting to order at 6:03 PM in Room 102 at the Mercer Island Community and Event Center at 8236 SE 24th Street, Mercer Island, Washington.

ROLL CALL:

Chair Suzanne Skone, Vice-Chair Richard Weinman, Commissioners Daniel Hubbell, Lucia Pirzio-Biroli, Bryan Cairns, Jennifer Mechem and Tiffin Goodman were present. City staff was represented by Bio Park, Assistant City Attorney, Scott Greenberg, Planning Director, Alison VanGorp, Administrative Services Manager/Ombudsman, Evan Maxim, Planning Manager, Nicole Gaudette and Robin Proebsting, Senior Planners, and Lauren Anderson, Assistant Planner.

APPROVAL OF MINUTES:

The Commission reviewed the minutes from the March 15, 2017 meeting. Commissioner Pirzio-Biroli and Scott Greenberg had corrections. The Commission directed staff to revise the minutes from the March 15, 2017 meeting.

ANNOUNCEMENTS

Scott Greenberg introduced Bio Park, new Assistant City Attorney, to the Commission.

APPEARANCES (NON AGENGA):

Carolyn Boatsman, 3210 74 Ave SE, provided comments about the portion of the draft code pertaining to tree retention.

Saul Baron, 9100 SE 50th St, spoke to the importance of trees for stormwater control, and the impact the removal of trees has had on certain areas.

Tom Alexander, 9103 SE 50th St, offered comments on the draft code pertaining tree protection.

Lynn Hagerman, 3058 61st Ave SE, provided comment on the Residential Development Standards update.

Vickie Carper, 9829 SE 42nd PI, expressed concerns about new, large houses being built in Mercer Island.

Dan Grausz, 3215 74th PI SE, noted he was speaking as a council member, and shared issued he intends to raise when the code recommendation comes to the City Council.

Daniel Thompson, 7265 N Mercer Way, said he would like the code to come to the Council after a joint dialogue.

REGULAR BUSINESS:

Agenda Item #1: ZTR17-001 Appeals Code Amendment

Scott Greenberg introduced the proposed amendments, provided a brief overview of the proposed

regulations, and answered questions from the Planning Commission.

Chair Skone opened the public hearing at 7:11 p.m.

Peter Struck, 9130 54th St, said that in principle he agrees with staff's recommendation, but urged the Commission to do a thorough review of the details of the proposed changes.

Daniel Thompson, 7265 N Mercer Way, proposed a 30 day notice period, posting permits online, and lowering appeal fees.

Lynn Hagerman, 3058 61st Ave SE, expressed a desire for the public input process to be easier and more resident-friendly.

Carolyn Boatsman, 3210 74 Ave SE, noted that she agreed with Dan Thompson, and would like to obtain public records more quickly.

Tom Alexander, 9103 SE 50th St, said that appeals are the only thing that give residents leverage against developers.

Dan Grausz, 3215 74th Pl SE, spoke to changes to standing under the proposed code change, the mechanics of consolidating appeals, the ease and speed of obtaining public records, uniform comment periods, and the time allocated to parties involved in an appeal.

Chair Skone closed the public hearing at 7:26 p.m.

PC requested more time to review the code changes, and asked staff to look into making permit materials available online.

The Planning Commission took a recess at 8:15pm, and reconvened at 8:22pm.

REGULAR BUSINESS:

Agenda Item #2: ZTR16-004 Residential Design Standards

Evan Maxim reported back on the March 15th direction to consider a community poll. Alison VanGorp introduced materials in the packet, inviting questions and asking whether the Commission wanted to use the poll, and if so, what changes to make. Planning Commission consensus was to not do poll.

Evan reviewed three policy items from the Planning Commission packet: 1) Tree retention, 2) Accessory buildings, 3) and large (subdividable lots). The Planning Commission flagged items for discussion at the Tree Subcommittee. The Planning Commission also requested that a purpose statement and/or rules be captured in a document, in layman's terms, similar to the City of Seattle's Client Assistance Memos.

Evan described the upcoming review process, which will include review by subcommittees. Evan also spoke to format for April 5th hearing, which will include a summary of policy deliberations so far, then a public hearing. Material from subcommittees will be revisited on April 19th.

Agenda Item #3: ZTR17-002, 003, and 004 Introduction to Transportation Concurrency, Essential Public Facilities, and I-90 P Zone Uses

Scott Greenberg said that it was not necessary to review Agenda Item #3, given the time constraints

imposed by the availability of the meeting room, as the agenda item was simply an introduction to the topic, and no direction from the Planning Commission was needed.

OTHER BUSINESS:

Commissioner Cairns agreed to join the tree subcommittee.

ANNOUNCEMENTS AND COMMUNICATIONS:

None.

NEXT MEETING:

The next Planning Commission meeting is scheduled for April 5, 2017 at 6:00 p.m. at Mercer Island Community and Event Center.

ADJOURNMENT: Chair Skone adjourned the meeting at 9:13 pm.



PLANNING COMMISSION MEETING MINUTES APRIL 19, 2017

CALL TO ORDER:

Chair called the meeting to order at 6:00 PM in the Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

ROLL CALL:

Chair Suzanne Skone, Vice-Chair Richard Weinman, Commissioners Daniel Hubbell, Lucia Pirzio-Biroli, Jennifer Mechem and Tiffin Goodman were present. City staff was represented by Alison Van Gorp, Administrative Services Manager/Ombudsman, Evan Maxim, Planning Manager, Bio Park, Assistant City Attorney, and Nicole Gaudette, Senior Planner.

Commissioner Bryan Cairns arrived at 6:02 p.m.

APPROVAL OF MINUTES:

The Commission reviewed the minutes from the March 15, 2017 meeting. Hubbell made a motion to approve the minutes, Weinman seconded

The Commission reviewed the minutes from the March 29, 2017 meeting. Weinman made a motion to approve, Mechem seconded

APPEARANCES:

Mark Coen 3220 27th Ave SE – Commented about the previous meeting. For tree preservation but also concerned with safety. Put information about the code changes on the web site. DSG needs to change outreach to citizens regarding permits.

David Youssefnia 8241 SE 30th St – Want a safe place for kids to play in their yard. Their yard didn't drain. So they built a pervious sport court. Consider science and let a pervious hard surface be considered as soft scape. He provided a demonstration of pervious material that his court was built out of.

Carolyn Boatsman 3210 74th Ave SE – She addressed comments about property rights at the previous meeting. She favors 30 day notice for comment and appeal for building permits, that everyone has the right to appeal and that permit information be available on-line. She claims that the new code provisions would result in less green space. Justify the need for a second level or single level for the ADA exemption. Our definitions for lot coverage should match Ecology's definitions.

Dan Grausz 3215 74th Place SE - The Council adopted goals, one of which is about enhanced communication and opportunity for community engagement. Would community engagement be fostered by denying the ability of building permits to be appealed? He agrees with Carolyn in regards to the landscaping requirement for the RSD update. Before the RSD review started, he had

not heard of anyone asking for changes in impervious surfaces; they were asking for deviations to be eliminated.

Daniel Thompson 7265 N. Mercer Way – A citizen can file an appeal on anything. If there is no notice to the public, the public won't know to appeal. He is concerned with administrative interpretations and that they are binding. He is concerned with the effects of stormwater regulations on impervious surfaces. Houses should only be setback 5-feet from private access roads. If a footprint is reduced, the size will go somewhere else, so he is concerned about the 35-foot height limit. He does not think the RSD's are ready to go to Council.

Lynn Hagerman 3058 61st Ave SE – Supports Carolyn's comments. She is concerned about the soft scape requirement and thinks we will have less green. Requests the citizen comments get transferred to the Council. The Council should listen to the people who live here. Preserve the integrity of the work and the original intent.

REGULAR BUSINESS:

Evan Maxim started by providing an email that Daniel Thompson had sent to him and asked to be presented to the Commission. Evan Maxim reviewed a summary of some new language that has recently been added to the proposed residential code update.

Agenda Item #1: ZTR17-001 Appeals and Processes

Evan Maxim provided an explanation of the proposed appeal process. There was discussion regarding the proposed building permit appeal and public notice. Don Cole explained the current appeal process for building permits per the Building Code, Title 17. Entire building permits are not appealable; interpretation of the building official pertaining to specific elements of a permit are appealable.

Weinman made a motion to recommend that the City Council approve the request for an amendment to Mercer Island City Code (MICC) Title 19, as detailed in Exhibit 1, provided that the proposal shall be modified as follows:

Exclude the notice provisions on Section 105.9, Page 6 (17.14.010) and modify 17.14.020 Appeals Subsection C, who can appeal, to delete line 2, the words "*substantially or materially aggrieved*". So it would read "*anyone who is adversely affected*". Pirzio-Biroli seconded.

Goodman made an additional modification to the motion that would indicate on Page 4 that the Hearing Examiner has a deadline of 14 days to act on a reconsideration request. It was seconded by Mechem. The motion was passed.

Goodman made a motion to remove Section J, Administrative Appeals, Subsection 5, Subsubsection C, regarding the total time allowed for oral arguments. Hubbell seconded. The motion was passed.

The motion as amended was passed.

The Planning Commission at 8:07 adjourned until 8:15 pm.

The meeting was called back to order at 8:18 pm.

Agenda Item #2: ZTR16-004 Residential Development Standards

Evan Maxim asked for Commissioners thoughts and feedback regarding the April 5, 2017 public hearing on the residential development standards. The Commissioners shared their thought. Evan then briefed the Commission regarding the four subcommittee meetings that occurred during the previous week.

He discussed the schedule and next steps towards adoption.

Evan then discussed Addenda #1 – Lot Coverage, Addenda #2 – Gross Floor Area, and Addenda #3 - Variable Setbacks. The Commission discussed proposed code language.

OTHER BUSINESS:

Goodman will be absent May 8, 2017.

ANNOUNCEMENTS AND COMMUNICATIONS:

None.

NEXT MEETING:

The next Planning Commission meeting is scheduled for May 3, 2017 at 6:00 p.m. at Mercer Island City Hall.

ADJOURNMENT: Chair Skone adjourned the meeting at 10:11 pm.

Scott Greenberg

From: Scott Greenberg
Sent: Wednesday, March 29, 2017 10:52 AM
To: Scott Greenberg
Subject: FW: Planning Commission - Hearing Examiner Staff Report

Commissioners: Councilmember Grausz asked that I send you his comments prior to tonight's meeting. You also have my responses to his comments.

Thank you,
Scott

From: Scott Greenberg
Sent: Wednesday, March 29, 2017 10:51 AM
To: Dan Grausz <dan.grausz@mercergov.org>; Evan Maxim <evan.maxim@mercergov.org>
Cc: Julie Underwood <julie.underwood@mercergov.org>; Kari Sand <kari.sand@mercergov.org>
Subject: RE: Planning Commission - Hearing Examiner Staff Report

Dan: Thank you for the comments. The limitation on who can appeal a building permit is intentional, to disallow frivolous appeals of building permits by neighbors simply intending to delay a project or make it more costly. Who can appeal a building permit is a policy decision, not a legal one. The Planning Commission or City Council can change the definition of appellant to include neighbors, but that is the staff recommendation.

Mark Coen would have still been able to appeal the deviation decision, since the authority for that appeal lies in MICC 19.15, not MICC 17.14.

Regarding the single appeal in MICC 19.15.020(J)(6), this is a requirement of State law. RCW 36.70B.050(2) requires local government to adopt ordinances that: "Except for the appeal of a determination of significance as provided in RCW 43.21C.075, **provide for no more than one open record hearing and one closed record appeal.**" (emphasis added) We cannot allow for multiple appeals on the same project.

Regarding the time allotted to parties during an appeal hearing, the Planning Commission or City Council can change time allowed to parties, or make that decision subject a Hearing Examiner pre-hearing order.

As requested, I will send you comments along with my responses to the Planning Commission via email.

Scott Greenberg, AICP | Development Services Director
Development Services Group
City of Mercer Island
9611 SE 36th Street | Mercer Island, WA 98040
Direct 206.275.7706
scott.greenberg@mercergov.org

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From: Dan Grausz
Sent: Wednesday, March 29, 2017 10:09 AM
To: Scott Greenberg <Scott.Greenberg@mercergov.org>; Evan Maxim <evan.maxim@mercergov.org>

Cc: Julie Underwood <julie.underwood@mercergov.org>; Kari Sand <kari.sand@mercergov.org>

Subject: Planning Commission - Hearing Examiner Staff Report

Scott/Evan: I have just read the Staff Report for the Planning Commission meeting tonight relating to the changes in appellate procedure. While I do not have any issues with the idea of moving appellate authority from the PC or other boards to the hearing examiner, I am very concerned as to the provisions that have been added to MICC Ch. 17.14 which, on their face, seem to severely limit who can appeal non-enforcement actions of the Building or Fire Code Official without any commentary on the significance of these provisions in the Staff Report.

As now written, 17.14.020(A)(1) provides that "appeals of orders, decisions and determinations of the building or fire code official that do not constitute enforcement actions shall be heard and decided by the city of Mercer Island hearing examiner." MICC 17.14.020(C) then goes on to say that "appellant shall be defined as the permit applicant or permit property owner. Parties who do not meet the definition of "appellant" shall not appeal the permit." Read together, this means (at least to me) that no citizen can ever appeal any action by the Building or Fire Code Official unless they were the party applying for the permit or the property owner. That would have meant, for example, that Mark Coen would not have been able to challenge the impervious surface deviation and that no adjacent property owner could ever complain about a building permit or any other permit. That is huge and the fact that it is not even mentioned in the Staff Report is disappointing.

I am also concerned as to the implications of new 19.15.020(J)(6) which make it impossible to have an appeal heard as to any permit until "all decisions are issued by the city" for projects that require "more than one ministerial, administrative, or discretionary action." How does that work when the permitting process for a project can oftentimes extend months or years. Actions are taken as a consequence of every permit granted but, according to this, no appeal can be heard until the last decision is rendered. Maybe I am reading this wrong but again, I think that should have merited some comment in the Staff Report.

Finally, I would have hoped staff would use this opportunity to correct the unfair situation that became apparent during the Coen hearing as to time allotted the parties in 19.15.020(J)(5)(c).

I intend to raise these matters before the Commission this evening and hope you will take the initiative to bring these issues to the attention of the Commission in advance of public comments.

Dan Grausz
Mercer Island City Councilmember

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Scott Greenberg

From: Scott Greenberg
Sent: Wednesday, March 29, 2017 2:21 PM
To: Scott Greenberg
Subject: FW: Planning Commission - Hearing Examiner Staff Report

Forwarded to Commission as requested.

From: Dan Grausz
Sent: Wednesday, March 29, 2017 12:49 PM
To: Scott Greenberg <Scott.Greenberg@mercergov.org>; Evan Maxim <evan.maxim@mercergov.org>
Cc: Julie Underwood <julie.underwood@mercergov.org>; Kari Sand <kari.sand@mercergov.org>
Subject: Re: Planning Commission - Hearing Examiner Staff Report

Scott: 17.14.020(A) does not by its terms limit itself to Building Permits. Even if it only pertains to Ch. 17 permits, which one could imply from 17.14.020B, that includes much more than Building Permits. In any event, its language explicitly covers "orders, decisions and determinations of the building or fire code official." If your intent was to limit this to Building Permits or Ch. 17 permits, then you should say that. I obviously disagree even with that. What rights do a neighbor have who has been adversely impacted by an incorrect FAR, grading or height decision? There has to be some way they can address that.

After having seen what happened with the 2005 amendment to the Critical Areas Ordinance and how suddenly impervious surface deviations could be granted for meaningless common access roads (or even less), I would think we all want to see specificity on the intent of these provisions. I also still believe this issue under any circumstances should have been called out in the Staff Report.

I also respectfully disagree with your reliance on the RCW to justify the other provision which I still contend is entirely unworkable. The RCW states:

RCW 36.70B.050

Local government review of project permit applications required—Objectives.

Not later than March 31, 1996, each local government shall provide by ordinance or resolution for review of project permit applications to achieve the following objectives:

- (1) Combine the environmental review process, both procedural and substantive, with the procedure for review of project permits; and
- (2) Except for the appeal of a determination of significance as provided in RCW 43.21C.075, provide for no more than one open record hearing and one closed record appeal.

I think the reasonable reading of that is that as to any specific appeal, the City cannot require more than one open record hearing and one closed record appeal. This does NOT say for a project but instead talks about the specific permit/decision under appeal. The fact is Scott that what you have proposed is entirely unworkable as it means that nothing can be appealed until the final City permit has been issued.

Please also include this with what you send the Commission.

Dan Grausz
Mercer Island City Councilmember

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From: Scott Greenberg
Sent: Wednesday, March 29, 2017 10:50 AM
To: Dan Grausz; Evan Maxim
Cc: Julie Underwood; Kari Sand
Subject: RE: Planning Commission - Hearing Examiner Staff Report

Dan: Thank you for the comments. The limitation on who can appeal a building permit is intentional, to disallow frivolous appeals of building permits by neighbors simply intending to delay a project or make it more costly. Who can appeal a building permit is a policy decision, not a legal one. The Planning Commission or City Council can change the definition of appellant to include neighbors, but that is the staff recommendation.

Mark Coen would have still been able to appeal the deviation decision, since the authority for that appeal lies in MICC 19.15, not MICC 17.14.

Regarding the single appeal in MICC 19.15.020(J)(6), this is a requirement of State law. RCW 36.70B.050(2) requires local government to adopt ordinances that: "Except for the appeal of a determination of significance as provided in RCW 43.21C.075, **provide for no more than one open record hearing and one closed record appeal.**" (emphasis added) We cannot allow for multiple appeals on the same project.

Regarding the time allotted to parties during an appeal hearing, the Planning Commission or City Council can change time allowed to parties, or make that decision subject a Hearing Examiner pre-hearing order.

As requested, I will send you comments along with my responses to the Planning Commission via email.

Scott Greenberg, AICP | Development Services Director

Development Services Group

City of Mercer Island

9611 SE 36th Street | Mercer Island, WA 98040

scott.greenberg@mercergov.org

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From: Dan Grausz
Sent: Wednesday, March 29, 2017 10:09 AM
To: Scott Greenberg <Scott.Greenberg@mercergov.org>; Evan Maxim <evan.maxim@mercergov.org>
Cc: Julie Underwood <julie.underwood@mercergov.org>; Kari Sand <kari.sand@mercergov.org>
Subject: Planning Commission - Hearing Examiner Staff Report

Scott/Evan: I have just read the Staff Report for the Planning Commission meeting tonight relating to the changes in appellate procedure. While I do not have any issues with the idea of moving appellate authority from the PC or other boards to the hearing examiner, I am very concerned as to the provisions that have been added to MICC Ch. 17.14 which, on their face, seem to severely limit who can appeal non-enforcement actions of the Building or Fire Code Official without any commentary on the significance of these provisions in the Staff Report.

As now written, 17.14.020(A)(1) provides that "appeals of orders, decisions and determinations of the building or fire code official that do not constitute enforcement actions shall be heard and decided by the city of Mercer Island hearing examiner." MICC 17.14.020(C) then goes on to say that "appellant shall be defined as the permit applicant or permit property owner. Parties who do not meet the definition of "appellant" shall not appeal the permit." Read together, this means (at least to me) that no citizen can ever appeal any action by the Building or Fire Code Official unless they were the party applying for the permit or the property owner. That would have meant, for example, that Mark Coen would not have been able to challenge the impervious surface deviation and that no adjacent property owner could ever complain about a building permit or any other permit. That is huge and the fact that it is not even mentioned in the Staff Report is disappointing.

I am also concerned as to the implications of new 19.15.020(J)(6) which make it impossible to have an appeal heard as to any permit until "all decisions are issued by the city" for projects that require "more than one ministerial, administrative, or discretionary action." How does that work when the permitting process for a project can oftentimes extend months or years. Actions are taken as a consequence of every permit granted but, according to this, no appeal can be heard until the last decision is rendered. Maybe I am reading this wrong but again, I think that should have merited some comment in the Staff Report.

Finally, I would have hoped staff would use this opportunity to correct the unfair situation that became apparent during the Coen hearing as to time allotted the parties in 19.15.020(J)(5)(c).

I intend to raise these matters before the Commission this evening and hope you will take the initiative to bring these issues to the attention of the Commission in advance of public comments.

Dan Grausz
Mercer Island City Councilmember

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Scott Greenberg

From: Struckmi <struckmi@aol.com>
Sent: Wednesday, April 5, 2017 3:03 PM
To: Scott Greenberg
Subject: Modifying Appeal Procedures - Hearing Examiner

Mr. Greenberg:

At last Wednesday's Planning Commission meeting, 3/29/17, you introduced the concept of using a professional hearing examiner rather than the volunteer-staffed Planning Comm. As you may recall I testified in favor of the change, but also concurred several valid concerns were raised that needed further research and/or discussion.

Below are a few comments:

Comment: 14-day vs. 30-day window to submit appeals

As someone who has been involved with the 14-day window, it's difficult under most circumstances to prepare a cogent, well-articulated response in 14 days. (My comment assumes that the appellant is your average resident that has a full-time job and other responsibilities and not an attorney that is hired to respond.) Thus, I would strongly echo the voices of others at the meeting that a 30-day window is more reasonable, and would allow for greater citizen participation.

Comment: Who can appeal?

The issue surrounds should the potential appellant group be limited in some geographical (or other sense) manner so that "outsiders" are not unduly influencing the process. However, on the other hand, one does not want to limit the ability of the community's rights to ensure the overall character of the community is not changed, etc. This, quite frankly, is a tough one, and I'm sure your staff was wrestle with this one. My simple solution is that if the issue focuses on a single residential property w/ no obvious externalities, then the appellant group could be somewhat narrowly defined. However, as one moves to larger projects, short plats, long plats, etc. or externalities such as wetlands then a larger group needs to be defined. Commercial or non-residential projects should be at a minimum Island-wide and perhaps outside as well. Or, outside groups, if not permitted, could file "friends of the court" type briefs.

Comment: Appeal Process

I strongly believe that appellants should have a local option (e.g. Planning Comm., Hearing Examiner, or City Council before going to Superior Court (on appeal)). I know one of the Commisisoner's felt strongly that in his experience since appeals just end up in Superior Court why go through the motions of an interim step. I believe the interim step is a cost-effective way for many average citizens to exercise rights and be heard without significant cost (as you pointed out). To go directly to Superior Court will exclude many due to time & financial considerations, and essentially subrogate their rights. I understand this may make more work for the City, but this process is to serve all residents not just the permit applicant.

These are my initial comments and I'll continue to review. Do you have an estimated date when a revised draft goes back to the Planning Comm?

Thank you,

Peter Struck
Mercer Island

Scott Greenberg

From: Evan Maxim
Sent: Tuesday, April 18, 2017 1:03 PM
Cc: Andrea Larson; Scott Greenberg
Subject: FW: Appeal Process - Planning Commission

Dear Planning Commissioners,

Please see the comments below regarding the proposed appeals code amendment, which we will be discussing Wednesday (tomorrow) night.

Regards,

Evan Maxim

Planning Manager
City of Mercer Island Development Services
9611 SE 36th Street, Mercer island, WA 98040
p: 206.275.7732
f: 206.275.7726

From: Dan Grausz
Sent: Tuesday, April 18, 2017 12:41 PM
To: Evan Maxim <evan.maxim@mercergov.org>
Cc: Julie Underwood <julie.underwood@mercergov.org>; Scott Greenberg <Scott.Greenberg@mercergov.org>
Subject: Appeal Process - Planning Commission

Evan: I had several comments on the Planning Commission Agenda Item 1 (appeals process) that I would appreciate your sharing with the Commission:

1. MICC 3.40.110 – Reconsideration of Final Decision (pages 4-5): as now written, there is no deadline by which the hearing examiner needs to act on a reconsideration request. Seems odd given that in MICC 3.40.100, the examiner has to render their initial decision within 14 days. There should also be some time limit for a reconsideration request.
2. MICC 17.14.010 – Notice of Permit Application (page 6): I do not understand staff's apparent inclination to hide the ball when it comes to building permits. What are we afraid of? I could support a notice board or a letter to nearby property owners but there has to be some notice.
3. MICC 17.14.020(C) – Who Can Appeal (page 8): we need to start off with the fact that right now, anyone can appeal a building permit. Therefore, while I appreciate staff restoring some of the existing appeal

rights to citizens, the requirement that a person be “substantially or materially aggrieved” creates a new barrier that does not exist under current law. My objection is to the words “substantially or materially.”

- a. First, I am unaware of any similar standard in our Code and therefore I do not know what it means, how it will be interpreted and by whom.
- b. Second, if DSG has made a mistake, someone should be able to challenge that mistake without first having to prove that they are more than somewhat aggrieved.
- c. Third, no similar bar is proposed for the applicant or property owner who can appeal regardless of how aggrieved they are. Why is there a double standard?

4. MICC 19.15.010(E) – Development Code Interpretations (page 19): this is listed as a Ministerial Action which means that notice is not required under MICC 19.15.020(D) or (E). Staff and the Commission will recall the Coen appeal in which the City was relying heavily on the Code Interpretation. If that is going to be the case, they should be reclassified as Administrative Actions so that notice is given.

5. MICC 19.15.020(J)(5) – Time Allowed (page 24): to address the time allowance issue that came up in the Coen appeal, please add a sentence to this after the existing second sentence stating something like: “Similarly, If the city and the applicant are on the same side in the appeal, they may allocate their time between themselves or designate a single spokesperson to represent the side.”

Thank you.

Dan Grausz

Mercer Island City Councilmember

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Scott Greenberg

From: Evan Maxim
Sent: Wednesday, April 19, 2017 6:30 PM
Cc: Andrea Larson
Subject: FW: Appeal Process - Planning Commission/written comments to text amendment
Attachments: ZTR17-001 Code Text Amendment - Appeals and Process.pdf; ZTR17-001 Code Text Amendment - Appeals and Process.pdf

Dear Planning Commissioners,

These comments were received regarding the Appeals process.

Regards,

Evan Maxim

Planning Manager
City of Mercer Island Development Services
9611 SE 36th Street, Mercer island, WA 98040
p: 206.275.7732
f: 206.275.7726

From: Dan Thompson [mailto:danielphompson@hotmail.com]
Sent: Wednesday, April 19, 2017 2:41 PM
To: Dan Grausz <Dan.Grausz@mercergov.org>; Carolyn Boatsman <c.boatsman@comcast.net>; Mark Coen <mscnb@msn.com>; Evan Maxim <evan.maxim@mercergov.org>
Subject: Re: Appeal Process - Planning Commission/written comments to text amendment

Dear Evan,

Dan Grausz's email to you re: the revised appeal and permitting procedures is below. Please consider these comments re: the April 13, 2017 ZTR17-001 Code Text Amendment -- Appeals and Process, Summary of Proposed Changes as comments to the planning commission. I have attached the April 13, 2017 notice for easy review and comparison to my comments below. I agree with Dan Grausz's comments as well.

1. Various. This proposal changes public hearing notice deadline to 15 days instead of 14 days. I would suggest this should be 30 days, and 30 days should be the single period for all notices, including permit applications. Adding one day is not enough, and looks almost disingenuous. The point of a public hearing is to obtain citizen input so the hearing body makes the best decision possible. Right now the PC and SHE are months out from setting a hearing, and so increasing notice of hearing to 30 days would not prejudice applicants and would allow citizens time to review the file, join the appeal, and determine participation. The only notice for citizens not living within 300' is posting on the site, and it is too easy for a 15 day period to be posted around major holidays and missed by many citizens.

2. Page 3, MICC 3.40.070. In my opinion the biggest mistake our DSG makes is excluding citizens and neighbors from the permit process and review. It is the number one reason for citizen anger. Citizens have to be included in the process. This means a mediation or conference with citizens/neighbors and the

developer/applicant to try and 1. educate the citizens about the permit; and 2. resolve any disputes early. Right now DSG representatives won't even take the time to meet with a non-applicant. This process must be available -- if necessary for a small fee shared by the citizens and applicant -- before an appeal is filed. Furthermore, anyone who is designated a party of record by submitting written comments must be included in the communication stream between the DSG and applicant. It is a waste of money and resources to require citizens to continuously file serial public records act requests because the DSG freezes out citizen involvement.

3. Page 6, MICC 17.14.010. I think it is critical that online public notice of building permits (and all permits including "ministerial actions" like final approval of a sub plat) be given to the public. Otherwise, why have we gone through this entire exercise? What is the point of excluding citizens from commenting on a building permit including FAR? Lack of notice is basically lack of standing. Notice should be 30 days, and include an easy link to the application materials the DSG determined were complete. 14 days is insufficient for a citizen to 1. find the notice online; 2. review the technical building plans or permit; 3. obtain an outside expert's review; and 4. submit written comments or appeal. This notice would cost the city and DSG nothing. To not even post these building permits online when there is no cost to the city or DSG makes the DSG and this code rewrite appear to maintain many of the prior provisions that caused so much citizen anger and led to this rewrite.

4. Page 8, MICC 17.14.020(C). I agree with including citizens and neighbors as persons with standing to appeal a building official decision (assuming they received some kind of notice of the permit before the appeal period expired -- otherwise this provision again is meaningless and casts the DSG in a negative light at the hearing for council adoption). I was pretty shocked the DSG would even consider not including citizens as parties with standing. There should be no criteria or specific injury for a citizen to prove to appeal -- except status as a citizen. Therefore language like "substantial or materially aggrieved or adversely affected" should be stricken. Standing is determined upon appeal to the superior court. The U.S. Supreme Court has held "an identifiable trifle" constitutes sufficient injury for standing. Any citizen who is a party of record should be allowed to appeal.

5. Pages 9-10, MICC 17.14.020 (H) - (J). No comment.

6. Page 11, MICC 19.07.120(T). SEPA appeals should go first to the SHE. This provision was raised and supported by Commissioner Weinman, who represents developers in SEPA appeals. Quite frankly I think based on perception he should recuse himself from this code provision and any discussion on this issue. Contrary to Mr. Weinman's comments, as someone who regularly litigates in the superior courts the SHE has much more expertise on SEPA appeals than a busy superior court judge who has three hundred pending criminal cases and probably was appointed from the prosecutor's office. An appeal to the SHE examiner would allow a citizen or citizens to build an administrative record and complete discovery. Otherwise the record that reaches the superior court could be closed, and the product of the developer and DSG with little or no citizen involvement, not unlike the current process for MICA. Superior courts tend to give great deference to the administrative decision, so that decision has to be fair and full, something that requires the SHE.

7. Page 22, MICC 19.15.020(D). Changes written comment period from 14 to 30 days, and allows written comment at any time prior to close of the open record hearing or prior to a decision. I agree with this since it is my proposal. Which is why online notice of a building permit should also be 30 days. It should be noted a citizen always may submit new material in any open record hearing, and this includes an open record hearing appeal. Currently the DSG distinguishes between the two when there should be no distinction. It

should be clarified that any citizen who does submit written comments at any time, including at the open record hearing appeal, becomes a party of record with the right to appeal to the superior court. Righty now the city's position is that a citizen must 1. file written comments to the notice of application; 2. file his or her own admin. appeal and pay the abusive fee of \$915, even for husbands and wives; and 3. join or participate at the appeal, not just speak the maximum 3 minutes allowed. A citizen who participates at the admin. open record hearing or appeal for however much time they are allowed must have standing to appeal to the superior court. Otherwise what is the point of an open record hearing appeal if only the admin. appellant can appeal to superior court.

8. Page 23-24, MICC 19.15.020(J)(1). I agree with this change as it addresses my concern above, but it should be clarified that participation at the admin. open record hearing appeal renders a citizen a party of record with the right to appeal to superior court, whether that citizen filed written comments to the permit application or not. "Project decision" should mean admin. appeal decision if an appeal is filed.

9. Page 25, MICC 19.15.020(J)(6). Agree.

I can't tell you how frustrating it is to me to see the DSG continue to propose code provisions that freeze citizens and neighbors out of the permit and appeal process. Our DSG can't be allowed to make citizens hate their own city as that hatred permeates every other issue our city and council must deal with, some of which like levy lifts need citizen approval. We have to include citizens and neighbors who are not the applicant or property owner equally during the permit and appeal process. *The citizens* are the DSG's clients, not the developers.

I have been fighting for changes to our permitting and appeal process since 2013 because I see how it poisons the city's relationship with citizens. These changes will come before the council before the development changes and will greatly influence the council's perception whether the development changes are in good faith and really designed to address the development that is causing so much citizen anger. Right now our DSG begins with a pretty big credibility deficit, so this first motion and code revision needs to be correct and fair and show the DSG understands it represents the citizens, not just the developers.

Thank you.

Daniel Thompson

Thompson & Delay

Attorneys at Law

506 2nd Ave., Suite 2500

Seattle, WA 98104

Phone: (206) 622-0670

Fax: (206) 622-3965

From: Dan Grausz

Sent: Tuesday, April 18, 2017 12:40 PM

To: Evan Maxim

AB 5293

Exhibit 4

Page 51

Cc: Julie Underwood; Scott Greenberg

Subject: Appeal Process - Planning Commission

Evan: I had several comments on the Planning Commission Agenda Item 1 (appeals process) that I would appreciate your sharing with the Commission:

1. MICC 3.40.110 – Reconsideration of Final Decision (pages 4-5): as now written, there is no deadline by which the hearing examiner needs to act on a reconsideration request. Seems odd given that in MICC 3.40.100, the examiner has to render their initial decision within 14 days. There should also be some time limit for a reconsideration request.

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a. First, I am unaware of any similar standard in our Code and therefore I do not know what it means, how it will be interpreted and by whom.

b. Second, if DSG has made a mistake, someone should be able to challenge that mistake without first having to prove that they are more than somewhat aggrieved.

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Thank you.

Dan Grausz

Mercer Island City Councilmember

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**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 5296
May 1, 2017
Regular Business**

**2016 YEAR-END FINANCIAL STATUS REPORT
& 2017-2018 BUDGET ADJUSTMENTS**

Proposed Council Action:

Receive report and adopt Ordinance No. 17-13, amending the 2017-2018 Budget.

DEPARTMENT OF	Finance (Chip Corder)
COUNCIL LIAISON	n/a
EXHIBITS	1. 2016 Year-End Financial Status Report 2. 2015-2016 Project Management Report 3. Ordinance No. 17-13 (amends 2017-2018 Budget)
2017-2018 CITY COUNCIL GOAL	n/a
APPROVED BY CITY MANAGER	

AMOUNT OF EXPENDITURE	\$ 7,400,130
AMOUNT BUDGETED	\$
APPROPRIATION REQUIRED	\$ 7,400,130

SUMMARY

The 2016 Year-End Financial Status Report is attached as Exhibit 1. It is followed by the 2015-2016 Project Management Report, which provides a brief status update on each CIP project as of December 31, 2016 (see Exhibit 2). An ordinance amending the 2017-2018 Budget is attached as Exhibit 3. Because it constitutes "financial housekeeping," the City Manager recommends that the procedural requirement for a second reading be suspended and that the ordinance be adopted on May 1, 2017.

RECOMMENDATION

Finance Director

- MOVE TO:
1. Suspend the City Council Rules of Procedure 5.2 requiring a second reading for an ordinance.
 2. Adopt Ordinance No. 17-13, amending the 2017-2018 Budget.

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City of Mercer Island
FINANCIAL STATUS REPORT
2016 Year-End

FOREWORD

The Financial Status Report provides a summary budget to actual comparison of revenues and expenditures for the General Fund (four times a year) and all other funds (twice a year) through the end of the most recently completed fiscal quarter. Revenue and expenditure comparisons are also made to the same period in the prior year. In addition, a comprehensive progress update on the City's Capital Improvement Program (CIP) is included twice a year in the second and fourth quarter reports. A separate fund balance analysis for every fund is included annually in the fourth quarter report as well. Finally, if needed, budget adjustments are identified in a separate section of this report, along with an amending ordinance.

This report is comprised of the following five sections:

- General Fund
- Utility Funds
- All Other Funds
- Capital Improvement Program
- Budget Adjustments

It should be noted that, where significant, revenues are recognized when earned, regardless of when cash is received, and expenditures are recognized when a liability has been incurred or when resources have been transferred to another fund. Also, in the case of the General Fund, the beginning fund balance, which corresponds to the appropriated net excess resources from a prior year, is separately identified.

GENERAL FUND

The General Fund ended 2016 with an available surplus of \$1.02 million, which primarily consists of revenues received over and above what was budgeted and expenditure savings (actual expenditures + carryovers < budgeted expenditures). The disposition of the \$1.02 million surplus will be determined at the June 5, 2017 Council meeting.

Revenues

Comparing total actual to total budgeted revenues through year-end, excluding the beginning fund balance and transfers from other funds, the General Fund was 105.0 percent of budget in 2016. The \$1.39 million, or 5.0 percent, revenue surplus was primarily due to the high level of development activity on the Island, which generated significantly higher than budgeted sales tax and licenses, permits & zoning fees. Of this amount, \$1.10 million is dedicated to funding the 2017-2018 General Fund budget, \$89,815 is dedicated to the LEOFF I retiree long-term care reserve, and \$22,609 is dedicated to the DSG technology reserve, thereby reducing the “available” revenue surplus to \$174,722. The following table compares actual to budgeted revenues as of December 31, 2015 and 2016.

GENERAL FUND: Revenues
For the Year Ended December 31, 2015 and 2016

Revenue Category	Actuals			Budget		% of Budget	
	12/31/15	12/31/16	% Chg	2015	2016	2015	2016
Property Tax	11,258,047	11,460,974	1.8%	11,309,460	11,585,339	99.5%	98.9%
Utility Taxes	4,141,921	4,145,708	0.1%	4,461,100	4,632,350	92.8%	89.5%
Sales Tax	4,168,855	4,750,432	14.0%	3,587,000	3,731,000	116.2%	127.3%
Licenses, Permits & Zoning Fees	3,688,470	3,885,669	5.3%	3,003,500	3,000,500	122.8%	129.5%
Recreation Program Fees	1,549,624	1,569,239	1.3%	1,627,331	1,639,095	95.2%	95.7%
EMS Levy & Charges for Service	1,252,539	1,289,278	2.9%	1,231,735	1,302,007	101.7%	99.0%
Intergovernmental Revenues	595,460	588,000	-1.3%	566,500	509,600	105.1%	115.4%
Utility Overhead Charges	419,701	466,960	11.3%	424,977	440,193	98.8%	106.1%
Court Fines	433,172	418,724	-3.3%	400,000	400,000	108.3%	104.7%
Misc General Government	255,316	260,414	2.0%	230,360	237,960	110.8%	109.4%
CIP Administration Charges	226,694	263,668	16.3%	227,787	237,595	99.5%	111.0%
Investment Interest	3,508	10,098	187.9%	3,100	3,100	113.2%	325.7%
Total Revenues	27,993,307	29,109,164	4.0%	27,072,850	27,718,739	103.4%	105.0%
Beginning Fund Balance	716,183	1,726,226	141.0%	716,183	1,726,226	100.0%	100.0%
Transfer from Other Funds	-	95,000	N/A	-	-	N/A	N/A
Total Resources	28,709,490	30,930,390	7.7%	27,789,033	29,444,965	103.3%	105.0%

Comparing 2016 to 2015, total actual revenues were up \$1.12 million, or 4.0 percent, primarily due to sales tax, property tax, and licenses, permits & zoning fees. A more in-depth analysis is provided for the following revenues:

- **Property tax, which comprised 39 percent of total actual revenues in 2016, was up \$202,927, or 1.8 percent, compared to 2015.** This is due to the 1.0 percent optional increase and “new construction” additions to the 2016 levy.

- **Utility taxes, which comprised 14 percent of total actual revenues in 2016, were up only \$3,787, or 0.1 percent, compared to 2015.** This is primarily due to the net effect of the following:
 - 0.7 percent increase in electric/gas utility tax;
 - 4.3 percent increase in water, sewer, and storm water utility taxes; and
 - 10.3 decrease in cellular utility tax.

The table below compares utility tax revenues, which are broken down by type of utility, for 2014-2016.

2014-2016 B&O Tax Revenue

Utility Tax	Revenue (Jan-Dec)			% Change	
	2014	2015	2016	2015	2016
Electric/Gas	1,640,180	1,610,343	1,622,004	-1.8%	0.7%
Water, Sewer & Storm Water	811,197	895,283	933,363	10.4%	4.3%
Cable TV	672,488	704,218	705,370	4.7%	0.2%
Cellular	527,051	468,063	419,798	-11.2%	-10.3%
Garbage	269,054	265,385	272,551	-1.4%	2.7%
Long Distance	111,618	107,153	108,342	-4.0%	1.1%
Telephone	98,554	91,475	84,281	-7.2%	-7.9%
Total	4,130,143	4,141,921	4,145,708	0.3%	0.1%

The 4.3 percent increase in water, sewer, and storm water utility taxes is primarily due to a 5.3 percent overall increase in the City's 2016 utility rates. The 10.3 percent decrease in cellular utility tax, which represents an ongoing trend that began in 2009, is directly related to the following: 1) a highly competitive business environment, which has resulted in less expensive monthly phone plans; 2) the availability of prepaid phone plans, which limit phone usage; 3) the popularity of texting over talking, which has reduced the use of voice minutes; and 4) the exclusion of data plans from utility taxes.

- **Sales tax, which comprised 16 percent of total actual revenues in 2016, was up \$581,577, or 14.0 percent, compared to 2015.** However, there was a significant, one-time receipt from a non-classified business in 2015 (\$109,395) that should be backed out for comparison purposes. Excluding this one-time receipt, actual revenue was up 17.0 percent in 2016. The following two tables compare 2014-2016 sales tax revenue for each business sector, including and excluding significant, one-time receipts.

2014-2016 Actual Sales Tax Revenue (Including One-Time Receipts)

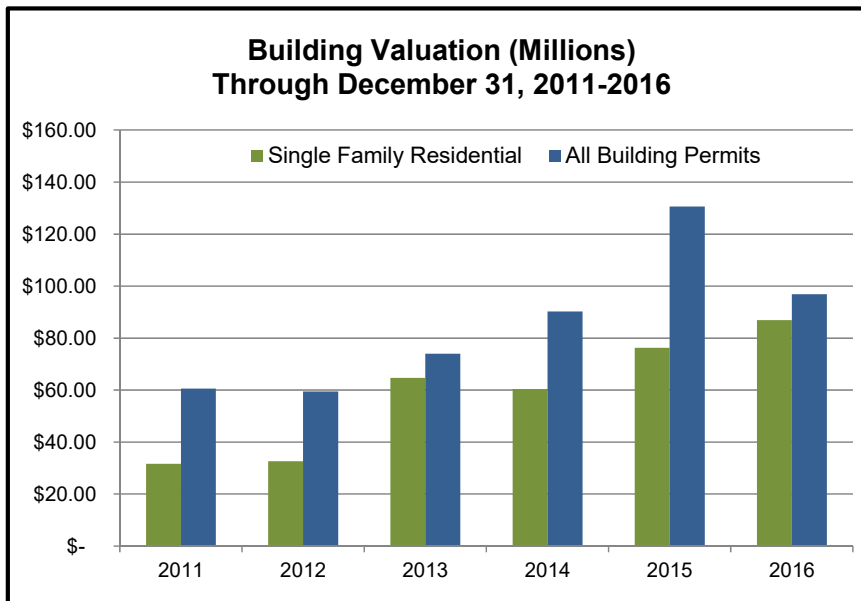
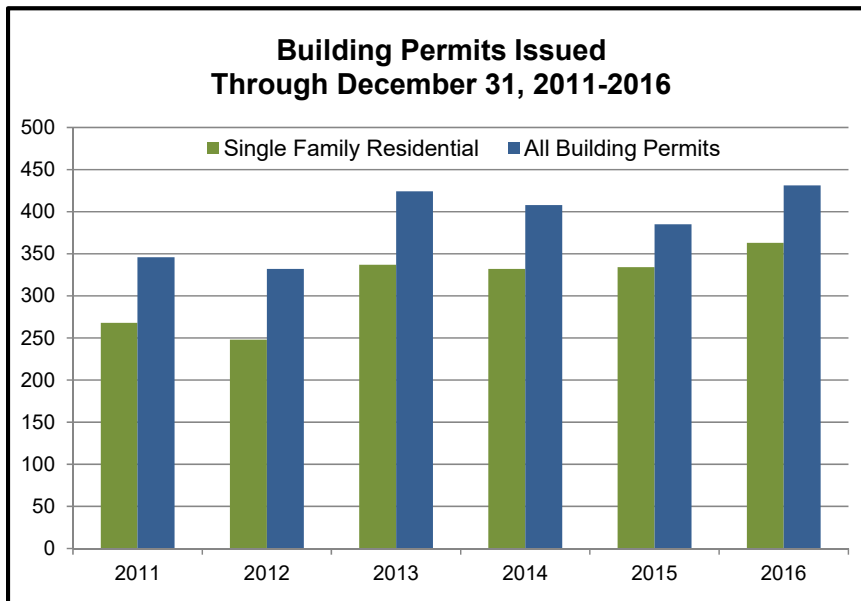
Business Sector	Revenue (Jan-Dec)			% Change		% of Total		
	2014	2015	2016	2015	2016	2014	2015	2016
Construction	1,278,564	1,998,300	2,498,181	56.3%	25.0%	39.8%	47.9%	52.6%
Retail & Wholesale Trade	933,595	989,963	1,059,064	6.0%	7.0%	29.1%	23.7%	22.3%
Food Services	194,877	210,099	216,032	7.8%	2.8%	6.1%	5.0%	4.5%
Admin & Support Services	181,074	187,678	200,096	3.6%	6.6%	5.6%	4.5%	4.2%
Telecommunications	150,774	135,558	139,908	-10.1%	3.2%	4.7%	3.3%	2.9%
Finance, Insurance & Real Estate	85,825	120,682	132,619	40.6%	9.9%	2.7%	2.9%	2.8%
Prof, Scientific & Tech Services	92,124	111,592	125,282	21.1%	12.3%	2.9%	2.7%	2.6%
All Other Sectors	296,170	414,983	379,250	40.1%	-8.6%	9.2%	10.0%	8.0%
Total	3,213,003	4,168,855	4,750,432	29.7%	14.0%	100.0%	100.0%	100.0%

2014-2016 Actual Sales Tax Revenue (Excluding One-Time Receipts)

Business Sector	Revenue (Jan-Dec)			% Change		% of Total		
	2014	2015	2016	2015	2016	2014	2015	2016
Construction	1,278,564	1,998,300	2,498,181	56.3%	25.0%	40.0%	49.2%	52.6%
Retail & Wholesale Trade	933,595	989,963	1,059,064	6.0%	7.0%	29.2%	24.4%	22.3%
Food Services	194,877	210,099	216,032	7.8%	2.8%	6.1%	5.2%	4.5%
Admin & Support Services	181,074	187,678	200,096	3.6%	6.6%	5.7%	4.6%	4.2%
Telecommunications	150,774	135,558	139,908	-10.1%	3.2%	4.7%	3.3%	2.9%
Finance, Insurance & Real Estate	85,825	120,682	132,619	40.6%	9.9%	2.7%	3.0%	2.8%
Prof, Scientific & Tech Services	92,124	111,592	125,282	21.1%	12.3%	2.9%	2.7%	2.6%
All Other Sectors	276,889	305,588	379,250	10.4%	24.1%	8.7%	7.5%	8.0%
Total	3,193,722	4,059,460	4,750,432	27.1%	17.0%	100.0%	100.0%	100.0%

The overall increase of 17.0 percent can be primarily attributed to the “construction,” “all other,” and “retail & wholesale trade” sectors, which were up 25.0 percent, 24.1 percent, and 7.0 percent respectively. Together, these three sectors comprised 82.9 percent of the City’s total sales tax receipts in 2016.

- Licenses, permits, and zoning fees, which comprised 13 percent of total actual revenues in 2016, were up \$197,199, or 5.3 percent, compared to 2015.** This revenue category consists of development fees, a cable franchise fee, and business license fees. Across all building permit types (which include single family residential, multi-family residential, commercial, mixed use, and public), the total number of building permits issued was up 11.9 percent (431 permits in 2016 vs. 385 permits in 2015), and the total building valuation was down 25.8 percent (\$96.9 million in 2016 vs. \$130.6 million in 2015). The significant decrease in the total building valuation was due to \$50.8 million in school district projects in 2015. Looking at single family residential development only, the total number of building permits issued was up 8.7 percent (363 permits in 2016 vs. 334 permits in 2015), and the total building valuation was up 13.9 percent (\$86.9 million in 2016 vs. \$76.3 million in 2015). The following two graphs show the total number of building permits issued and the total building valuation for single family residential versus all building permit types for the past 6 years (2011-2016).



Please note the following in 2015 and 2016:

- The total number of building permits issued for single family residential and all building permit types hit a record high in 2016.
- The total building valuation for single family residential and all building permit types hit record highs in 2016 and 2015 respectively.

Finally, cable franchise fees were flat in 2016 (\$503,836) relative to 2015, reflecting the growth of online streaming services as households opt to “cut the cable.”

All other revenues were either within expected norms for the year or too insignificant to highlight.

Expenditures

Comparing total actual to total budgeted expenditures through year-end, including the transfer of the prior year's surplus and expenditure carryovers, the General Fund was **97.6 percent of budget in 2016**. Most of the \$701,065, or 2.4 percent, in expenditure savings can be attributed to salaries, benefits, and contractual services, which are described below. The following two tables compare actual to budgeted expenditures, first by category and then by department, for 2015 and 2016.

GENERAL FUND: Expenditures by Category For the Year Ended December 31, 2015 and 2016

Expenditure Category	Actuals			Budget		% of Budget	
	12/31/15	12/31/16	% Chg	2015	2016	2015	2016
Salaries	14,614,815	14,862,628	1.7%	14,496,648	15,293,590	100.8%	97.2%
Benefits	5,091,947	5,340,832	4.9%	5,059,493	5,429,246	100.6%	98.4%
Contractual Services	1,707,792	2,003,598	17.3%	2,137,124	2,306,139	79.9%	86.9%
Equipment Rental	1,391,968	1,412,094	1.4%	1,391,612	1,402,573	100.0%	100.7%
Intergovernmental Services	817,681	943,998	15.4%	835,062	844,186	97.9%	111.8%
Supplies	637,066	710,182	11.5%	708,539	772,685	89.9%	91.9%
Utilities	555,135	618,241	11.4%	562,624	586,699	98.7%	105.4%
Insurance	447,782	508,011	13.5%	446,020	467,433	100.4%	108.7%
Other Services & Charges	328,008	330,443	0.7%	348,718	381,930	94.1%	86.5%
Phone, Postage & Advertising	85,039	89,629	5.4%	122,285	121,625	69.5%	73.7%
Jail	76,497	65,841	-13.9%	90,850	90,850	84.2%	72.5%
Interfund Transfers:							
To YFS Fund	400,000	400,000	0.0%	400,000	400,000	100.0%	100.0%
To Technology & Equipment Fund	342,000	342,000	0.0%	342,000	342,000	100.0%	100.0%
To Water Fund	121,448	122,451	0.8%	100,100	113,350	121.3%	108.0%
To Non-Voted Bond Fund	95,636	93,911	-1.8%	95,637	93,911	100.0%	100.0%
To Equipment Rental Fund	22,568	22,023	-2.4%	80,000	15,000	28.2%	146.8%
To Computer Equipment Fund	12,681	-	-100.0%	-	-	N/A	N/A
Total Expenditures	26,748,063	27,865,882	4.2%	27,216,712	28,661,217	98.3%	97.2%
Transfer of Prior Year's Surplus	441,498	682,011	54.5%	441,498	694,296	100.0%	98.2%
Expenditure Carryovers	159,758	106,555	-33.3%	-	-	N/A	N/A
Total Exp's, PY Xfr & Carryovers	27,349,319	28,654,448	4.8%	27,658,210	29,355,513	98.9%	97.6%

**GENERAL FUND: Expenditures by Department
For the Year Ended December 31, 2015 and 2016**

Department	Actuals			Budget		% of Budget	
	12/31/15	12/31/16	% Chg	2015	2016	2015	2016
Fire	6,094,916	6,132,081	0.6%	5,904,438	6,240,104	103.2%	98.3%
Police	5,983,148	6,150,262	2.8%	6,041,317	6,217,260	99.0%	98.9%
Parks & Recreation	4,477,628	4,652,049	3.9%	4,719,848	4,832,280	94.9%	96.3%
Non-Departmental	2,410,060	2,356,095	-2.2%	2,578,456	2,763,506	93.5%	85.3%
Development Services	2,655,739	2,938,897	10.7%	2,787,490	3,011,833	95.3%	97.6%
Public Works	1,548,084	1,627,416	5.1%	1,619,297	1,671,209	95.6%	97.4%
City Manager's Office	1,102,566	1,516,549	37.5%	1,084,862	1,410,728	101.6%	107.5%
Finance	836,672	847,726	1.3%	828,167	833,609	101.0%	101.7%
City Attorney's Office	668,546	599,220	-10.4%	635,000	624,834	105.3%	95.9%
Human Resources	556,562	607,941	9.2%	557,507	580,179	99.8%	104.8%
Municipal Court	379,608	402,125	5.9%	413,565	429,810	91.8%	93.6%
City Council	34,534	35,521	2.9%	46,765	45,865	73.8%	77.4%
Total Expenditures	26,748,063	27,865,882	4.2%	27,216,712	28,661,217	98.3%	97.2%
Transfer of Prior Year's Surplus	441,498	682,011	54.5%	441,498	694,296	100.0%	98.2%
Expenditure Carryovers	159,758	106,555	-33.3%	-	-	N/A	N/A
Total Expenditures & Carryovers	27,349,319	28,654,448	4.8%	27,658,210	29,355,513	98.9%	97.6%

In reviewing **expenditures by category**, the following are noteworthy:

- **Salaries, which comprised 53 percent of total actual expenditures in 2016, were 97.2 percent of budget in 2016** primarily due to salary savings from six retirements in 2015 and position vacancies in 2016. None of the \$430,962 in unspent budget needs to be carried over to the 2017 budget.
- **Benefits, which comprised 19 percent of total actual expenditures in 2016, were 98.4 percent of budget in 2016** primarily due to the same reasons noted above under "salaries". None of the \$88,414 in unspent budget needs to be carried over to the 2017 budget.
- **Contractual services, which comprised 7 percent of total actual expenditures in 2016, were 86.9 percent of budget in 2016.** This expenditure category includes software support, development and engineering support, recreation instructors, repairs and maintenance, and other professional services. Of the \$302,541 in unspent budget, only \$91,713 needs to be carried over to the 2017 budget for the residential code update, Public Works space reconfiguration, NPDES permit compliance, and other contracted services.
- **Transfer of prior year's surplus** represents that portion of the General Fund's revenue surplus and expenditure savings from 2015 that has been approved by the Council to be distributed to other funds for various purposes in 2016. The total available General Fund surplus in 2015 was \$1.34 million. Of this amount, \$682,011 was transferred out of the General Fund in 2016 for the following purposes:

Transfer To	Amount	Purpose
Street Fund	\$150,000	Design & survey work for Freeman Landing landslide
Beautification Fund	32,600	Town Center parking study
Technology & Equipment Fund	75,574	Council Chambers A/V equipment replacement
	10,515	Asset management system professional services
F.S. 92 Construction Fund	375,000	Additional funding needed to cover F.S. 92 construction project costs until \$330,000 settlement payment is received from Corp, Inc. in 2017
Equipment Rental Fund	38,322	Reimburse fund for soil remediation costs incurred through 12/31/15
Total	\$682,011	

In reviewing **expenditures by department**, the following are noteworthy:

- **The City Manager’s Office spent 107.5 percent of its budget in 2016** due to the I-90 loss of mobility negotiations (\$69,371 over budget) and to the additional cost of having two interim City Managers in 2016.
- **The Human Resources Department spent 104.8 percent of its budget in 2016** due to contracted payroll processing costs that were higher than expected, testing and recruiting costs related to hiring new firefighters, and advertising costs related to a new City Manager recruitment.

All other expenditures were either within expected norms for the year or too insignificant to highlight.

Fund Balance

What follows is a preliminary accounting of the General Fund's 2016 year-end balance, which amounts to \$5.80 million. It represents the working capital (i.e. current assets less current liabilities) in the fund and consists of the following restricted and unrestricted amounts.

Component of Fund Balance, 12/31/16	Amount
LEOFF I long-term care reserve	1,310,942
Compensated absences reserve	1,252,228
Budgeted fund balance (2017-2018 budget)	1,103,279
Deferred development fee revenue	312,402
Revenue stabilization reserve	300,000
Inventory of supplies	137,285
Deferred recreation fee revenue	123,747
Expenditure carryovers to 2017 budget	106,555
DSG technology fee reserve	74,494
Customer deposits	37,275
Petty cash	2,950
Subtotal (restricted)	4,761,157
Year-end accounting adjustments	14,873
2016 surplus	1,020,599
Total	5,796,629

The 2016 General Fund surplus amounts to \$1,020,599.

UTILITY FUNDS

Water Fund

Comparing 2016 to 2015, total operating revenues were up \$358,783, or 5.1 percent, and total operating expenditures were down \$26,126, or 0.6 percent. See the summary of revenues and expenditures in the table below.

WATER FUND: Revenues and Expenditures
For the Year Ended December 31, 2015 and 2016

Category	Actuals			Budget		% of Budget	
	12/31/15	12/31/16	% Chg	2015	2016	2015	2016
Operating Revenues:							
Charges for Services	6,921,791	7,293,339	5.4%	6,130,819	6,785,823	112.9%	107.5%
Water Utility Tax (General Fund Xfr)	121,448	122,451	0.8%	100,074	113,340	121.4%	108.0%
Miscellaneous	56,178	42,410	-24.5%	27,300	27,300	205.8%	155.3%
Total Operating Revenues	7,099,417	7,458,200	5.1%	6,258,193	6,926,463	113.4%	107.7%
Operating Expenditures:							
Water Purchased for Resale	2,079,865	2,010,226	-3.3%	2,091,685	2,022,770	99.4%	99.4%
Maintenance & Operations	2,484,220	2,527,733	1.8%	2,602,224	2,585,124	95.5%	97.8%
Total Operating Expenditures	4,564,085	4,537,959	-0.6%	4,693,909	4,607,894	97.2%	98.5%
Operating Income (Loss)	2,535,332	2,920,241	15.2%	1,564,284	2,318,569	162.1%	126.0%
Non-Operating Items:							
Water Connection Charges	395,314	314,114	-20.5%	148,763	153,226	265.7%	205.0%
Interest	8,676	39,674	357.3%	14,033	7,615	61.8%	521.0%
Debt Service	(105,597)	(109,072)	3.3%	(106,763)	(110,263)	98.9%	98.9%
Capital Projects	(2,411,966)	(2,049,712)	-15.0%	(4,172,107)	(3,701,006)	57.8%	55.4%
Total Non-Operating Items	(2,113,573)	(1,804,996)	-14.6%	(4,116,074)	(3,650,428)	51.3%	49.4%
Net Increase (Decrease)	421,759	1,115,245	164.4%	(2,551,790)	(1,331,859)	N/A	N/A

Of particular note are the following:

- **Charges for services (i.e. water utility customer charges) were up \$371,548, or 5.4 percent, in 2016 compared to 2015** due to the net effect of the following:
 - 10.9 percent increase in 2016 water rates (primarily driven by planned capital replacement needs in 2016-2020);
 - 2.9 percent decrease in water sales (by volume) to customers in 2016 versus 2015; and
 - 12.2 percent water loss in 2016 (water sales to customers were 12.2 percent less than water purchases from Seattle Public Utilities).
- **Water purchased for resale was down \$69,639, or 3.3 percent, in 2016 compared to 2015** due to a 3.9 percent decrease in water purchases in May-September 2016 versus May-September 2015. Peak water rates from Seattle Public Utilities are in effect from May 15 through September 15.

- **Water connection charges were down \$81,200, or 20.5 percent, in 2016 compared to 2015** due to charges that were collected in 2015 for two major School District projects (new elementary school and Islander Middle School rebuild) and an 18 unit townhome development (Trellis) near the Town Center.
- **Capital projects were 55.4 percent of budget in 2016** primarily due to the following:
 - **Hydrant Replacements** (\$29,453 actual expenditures vs. \$300,000 budget): Design work commenced in late fall 2016 and is expected to be completed in spring 2017. Construction is planned for late spring or early summer 2017.
 - **Madrona Crest West Water Improvements** (\$1,064,887 actual expenditures vs. \$1,299,019 budget): This project was combined with three other capital projects: Safe Routes to School (Madrona Crest), Sub-Basin 6 Drainage Extension, and Residential Street Improvements. It was completed in October 2016, encompassing 3,570 linear feet of 8 inch water main, 8 fire hydrants, 83 water services, and one street block of new concrete sidewalk. The total project cost was \$234,132 under budget.
 - **Meter Replacement Program** (\$0 actual expenditures vs. \$198,445 budget): This project is on hold until the meter replacement planning work is completed by the Utilities Operation Manager.
 - **Booster Chlorination Station** (\$107,999 actual expenditures vs. \$300,000 budget): Design is 30 percent complete. Final design is expected to be complete by September 2017.

See the 2015-2016 CIP Project Management Report, which is attached as Exhibit 2, for more detailed project information.

- **Fund balance**, excluding fixed assets, as of December 31, 2016 amounts to \$7.86 million, as shown below. Please note that these are preliminary figures.

Component of Fund Balance, 12/31/16	Amount
Available fund balance	5,362,919
Operating reserve	1,096,183
Expenditure carryovers to 2017 budget	669,555
Capital reserve	408,333
Budgeted fund balance (2017-2018 budget)	320,539
Total	7,857,529

Sewer Fund

Comparing 2016 to 2015, total operating revenues were up \$252,773, or 3.0 percent, and total operating expenditures were up \$175,183, or 2.9 percent. See the summary of revenues and expenditures in the table below.

SEWER FUND: Revenues and Expenditures For the Year Ended December 31, 2015 and 2016

Category	Actuals			Budget		% of Budget	
	12/31/15	12/31/16	% Chg	2015	2016	2015	2016
Operating Revenues:							
Charges for Services	8,440,997	8,693,770	3.0%	8,229,619	8,512,235	102.6%	102.1%
Total Operating Revenues	8,440,997	8,693,770	3.0%	8,229,619	8,512,235	102.6%	102.1%
Operating Expenditures:							
King County Sewage Treatment	4,455,264	4,445,555	-0.2%	4,467,742	4,463,322	99.7%	99.6%
Maintenance & Operations	1,689,882	1,874,774	10.9%	1,768,851	2,038,793	95.5%	92.0%
Total Operating Expenditures	6,145,146	6,320,329	2.9%	6,236,593	6,502,115	98.5%	97.2%
Operating Income (Loss)	2,295,851	2,373,441	3.4%	1,993,026	2,010,120	115.2%	118.1%
Non-Operating Items:							
Sewer Connection Charges	86,197	40,700	-52.8%	6,117	6,301	1409.1%	645.9%
Interest	3,838	21,565	461.9%	3,860	3,247	99.4%	664.2%
Debt Service	(1,108,598)	(1,101,909)	-0.6%	(1,103,436)	(1,102,222)	100.5%	100.0%
Capital Projects	(338,502)	(510,752)	50.9%	(1,380,276)	(2,059,424)	24.5%	24.8%
Total Non-Operating Items	(1,357,065)	(1,550,396)	14.2%	(2,473,735)	(3,152,098)	54.9%	49.2%
Net Increase (Decrease)	938,786	823,045	-12.3%	(480,709)	(1,141,978)	N/A	N/A

Of particular note are the following:

- **Charges for services (i.e. sewer utility customer charges) were up \$252,773, or 3.0 percent, in 2016 compared to 2015** due to the net effect of the following:
 - 7.0 percent increase in 2016 City sewer maintenance rate; and
 - 0.0 percent increase in 2016 King County sewage treatment rate.
 Each sewer rate component represents about half of the total bi-monthly sewer utility bill.
- **Maintenance and operations were up \$184,892, or 10.9 percent, in 2016 compared to 2015** due to water contamination event follow-up work in 2015, which had a significant impact on the sewer crew, with planned jetting and contracted repair work being postponed to 2016. In other words, actual expenditures were abnormally low in 2015. In addition, **maintenance and operations were 92.0 percent of budget in 2016**, because two new sewer crew positions, which were budgeted for the full year, were not hired until December 2016.
- **Sewer connection charges were down \$45,497, or 52.8 percent, in 2016 compared to 2015** due to charges that were collected in 2015 for an 18 unit townhome development (Trellis) near the Town Center and a preschool (Bright Horizons) located near City Hall.

- **Capital projects were 24.8 percent of budget in 2016** primarily due to the following:
 - **General Sewer System Improvements** (\$209,239 actual expenditures vs. \$547,486 budget): A pipe liner was installed in 4,457 feet of sewer main. The remaining planned pipe and manhole rehabilitation work will be completed in 2017.
 - **Sewer Special Catch Basins** (\$29,741 actual expenditures vs. \$300,000 budget): The assessment of one-third of the City's special catch basins has been completed, and a prototype has been designed and fabricated for installation at one of the special catch basins. The remaining assessment work, design refinement, and modifications to all special catch basins will be completed in 2017.
 - **Sewer Repair at Sub-Basin 27** (\$27,266 actual expenditures vs. \$275,622 budget): This project is coupled with the Sub-Basin 27a Watercourse project. A clean water permit was received from the Army Corps of Engineers in September 2016, which was after the construction "fish window." As a result, the City will solicit bids for this project in spring 2017.
 - **Backyard Sewer System Improvements** (\$16,563 actual expenditures vs. \$200,000 budget): Sewer main access points were identified for backyard sewers in the 7200 block of 81st Ave SE. The contractor was unable to complete the project in 2016 due to access issues and poor weather. Construction will be completed in 2017.

See the 2015-2016 CIP Project Management Report, which is attached as Exhibit 2, for more detailed project information.

- **Fund balance**, excluding fixed assets, as of December 31, 2016 amounts to \$4.20 million, as shown below. Please note that these are preliminary figures.

Component of Fund Balance, 12/31/16	Amount
Available fund balance	2,266,147
Sewer lake line reserve	625,000
Operating reserve	535,914
Expenditure carryovers to 2017 budget	399,010
Capital reserve	214,869
Budgeted fund balance (2017-2018 budget)	163,491
Total	4,204,431

Storm Water Fund

Comparing 2016 to 2015, total operating revenues were down \$100,800, or 5.3 percent, and total operating expenditures were down \$33,289, or 2.9 percent. See the summary of revenues and expenditures in the table below.

STORM WATER FUND: Revenues and Expenditures For the Year Ended December 31, 2015 and 2016

Category	Actuals			Budget		% of Budget	
	12/31/15	12/31/16	% Chg	2015	2016	2015	2016
Operating Revenues:							
Charges for Services	1,779,310	1,805,123	1.5%	1,769,993	1,817,782	100.5%	99.3%
Grants	126,613	-	-100.0%	99,024	75,000	127.9%	0.0%
Total Operating Revenues	1,905,923	1,805,123	-5.3%	1,869,017	1,892,782	102.0%	95.4%
Operating Expenditures:							
Maintenance & Operations	1,153,112	1,119,823	-2.9%	1,213,778	1,299,964	95.0%	86.1%
Total Operating Expenditures	1,153,112	1,119,823	-2.9%	1,213,778	1,299,964	95.0%	86.1%
Operating Income (Loss)	752,811	685,300	-9.0%	655,239	592,818	114.9%	115.6%
Non-Operating Items:							
Fee in Lieu	153,244	195,842	27.8%	110,000	110,000	139.3%	178.0%
Interest	5,231	22,768	335.3%	6,800	5,700	76.9%	399.4%
Capital Projects	(993,770)	(694,232)	-30.1%	(2,091,027)	(2,063,475)	47.5%	33.6%
Total Non-Operating Items	(835,295)	(475,622)	-43.1%	(1,974,227)	(1,947,775)	42.3%	24.4%
Net Increase (Decrease)	(82,484)	209,678	-354.2%	(1,318,988)	(1,354,957)	N/A	N/A

Of particular note are the following:

- **Charges for services (i.e. storm water utility customer charges) were up \$25,813, or 1.5 percent, in 2016 compared to 2015** due to a 1.3 percent increase in 2016 storm water rates.
- **Maintenance and operations were 86.1 percent of budget in 2016**, because staff was focused on field assessments and inspections, resulting in lower than normal repairs and maintenance costs.
- **Capital projects were 33.6 percent of budget in 2016** primarily due to the following:
 - **Sub-Basin 27a Watercourse** (\$27,108 actual expenditures vs. \$315,492 budget): This project is coupled with the Sewer Repair at Sub-Basin 27 project. A clean water permit was received from the Army Corps of Engineers in September 2016, which was after the construction “fish window.” As a result, the City will solicit bids for this project in spring 2017.
 - **Sub-Basin 49b Watercourse** (\$8,077 actual expenditures vs. \$255,355 budget): The site survey was completed in January 2017. Design and permitting are scheduled for spring 2017, with construction planned for summer 2018.

- **Sub-Basin 51a Watercourse** (\$7,922 actual expenditures vs. \$182,278 budget): The site survey was completed in January 2017. Design and permitting are scheduled for spring 2017, with construction planned for summer 2018.
- **Neighborhood Spot Drainage Improvements** (\$28,379 actual expenditures vs. \$167,504 budget): Several locations have been identified for drainage improvements, with a small amount of work performed in 2016. The remaining improvements are scheduled for 2017-2018.

See the 2015-2016 CIP Project Management Report, which is attached as Exhibit 2, for more detailed project information.

- **Fund balance**, excluding fixed assets, as of December 31, 2016 amounts to \$3.97 million, as shown below. Please note that these are preliminary figures.

Component of Fund Balance, 12/31/16	Amount
Available fund balance	2,823,064
Budgeted fund balance (2017-2018 budget)	593,787
Expenditure carryovers to 2017 budget	368,114
Operating reserve	102,080
Basin improvement reserve	84,247
Total	3,971,292

ALL OTHER FUNDS

Highly summarized revenue and expenditure (excluding carryovers) information is displayed for all other funds in the table below.

ALL OTHER FUNDS: Revenues and Expenditures For the Year Ended December 31, 2015 and 2016

Fund Name	Actuals			Budget		% of Budget	
	12/31/15	12/31/16	% Chg	2015	2016	2015	2016
Self Insurance Claim							
Revenues	5,000	-	-100.0%	10,000	10,000	50.0%	0.0%
Expenditures	-	-	N/A	10,000	10,000	0.0%	0.0%
Youth Services Endowment							
Revenues	412	1,702	313.1%	500	500	82.4%	340.4%
Expenditures	412	500	21.4%	500	500	82.4%	100.0%
Street							
Revenues	2,488,192	3,117,301	25.3%	2,312,167	2,502,500	107.6%	124.6%
Expenditures	1,990,278	2,725,954	37.0%	2,994,839	4,700,489	66.5%	58.0%
Transportation Benefit District							
Revenues	220,651	371,689	68.5%	204,167	357,845	108.1%	103.9%
Expenditures	204,167	371,214	81.8%	204,167	390,000	100.0%	95.2%
Criminal Justice							
Revenues	660,665	710,181	7.5%	635,748	671,692	103.9%	105.7%
Expenditures	493,683	586,759	18.9%	652,678	670,931	75.6%	87.5%
Beautification							
Revenues	1,167,324	1,173,477	0.5%	1,026,394	1,009,680	113.7%	116.2%
Expenditures	1,066,366	981,441	-8.0%	1,200,774	1,109,347	88.8%	88.5%
Contingency							
Revenues	23,674	116,412	391.7%	35,000	35,000	N/A	332.6%
Expenditures	-	-	N/A	-	-	N/A	N/A
1% for the Arts							
Revenues	17,167	21,300	24.1%	21,000	24,000	81.7%	88.8%
Expenditures	37,970	12,708	-66.5%	74,300	41,170	51.1%	30.9%
Youth & Family Services							
Revenues	2,458,801	2,453,240	-0.2%	2,276,280	2,581,852	108.0%	95.0%
Expenditures	2,411,721	2,562,719	6.3%	2,487,188	2,614,790	97.0%	98.0%
Bond Redemption (Voted)							
Revenues	-	-	N/A	-	-	N/A	N/A
Expenditures	-	-	N/A	-	-	N/A	N/A
Bond Redemption (Non-Voted)							
Revenues	1,007,036	1,004,311	-0.3%	1,007,036	1,004,311	100.0%	100.0%
Expenditures	1,007,036	1,004,311	-0.3%	1,007,036	1,004,311	100.0%	100.0%

ALL OTHER FUNDS: Revenues and Expenditures (cont'd)
For the Year Ended December 31, 2015 and 2016

Fund Name	Actuals			Budget		% of Budget	
	12/31/15	12/31/16	% Chg	2015	2016	2015	2016
Capital Improvement							
Revenues	2,660,489	2,562,697	-3.7%	2,393,086	2,149,166	111.2%	119.2%
Expenditures	1,981,307	2,053,359	3.6%	4,537,931	4,502,243	43.7%	45.6%
Technology & Equipment							
Revenues	401,108	537,084	33.9%	371,163	686,403	108.1%	78.2%
Expenditures	152,449	726,200	376.4%	526,000	977,702	29.0%	74.3%
Fire Station 92 Construction							
Revenues	778	556,553	>1000.0%	-	556,553	N/A	100.0%
Expenditures	851,387	780,519	-8.3%	1,110,770	815,936	76.6%	95.7%
Capital Reserve							
Revenues	181,553	-	-100.0%	-	-	N/A	N/A
Expenditures	-	181,553	N/A	-	181,553	N/A	100.0%
Equipment Rental							
Revenues	1,744,910	1,485,304	-14.9%	1,835,998	1,491,140	95.0%	99.6%
Expenditures	1,724,961	892,460	-48.3%	2,014,225	1,496,639	85.6%	59.6%
Computer Equipment							
Revenues	843,537	827,909	-1.9%	814,347	828,125	103.6%	100.0%
Expenditures	809,064	768,902	-5.0%	803,268	813,805	100.7%	94.5%
Firemen's Pension							
Revenues	58,945	61,032	3.5%	60,033	60,033	98.2%	101.7%
Expenditures	90,662	82,540	-9.0%	87,000	93,000	104.2%	88.8%

In reviewing revenues and expenditures through December 31, 2016, the following funds are noteworthy:

- **Street Fund:**
 - **Total revenues were up \$629,109, or 25.3 percent, in 2016 compared to 2015** primarily due to the following:
 - \$215,593, or 13.2 percent, increase in real estate excise tax mostly due to the sale of 77 Central in the Town Center;
 - \$169,684, or 84.2 percent, increase in vehicle license fees transferred from the Transportation Benefit District Fund (the \$20 annual license fee per vehicle was instituted effective June 1, 2015);
 - \$62,656 in payments from the City of Seattle for its share of the Mercer Island shuttle service to/from Seattle (no payments were received in 2015);
 - \$52,000 in street fees in-lieu paid by two Town Center developments;
 - \$50,466 in transportation impact fees (no payments were received in 2015); and

- \$50,000 contribution from the developer of the Coval plat for the 84th Avenue path project from SE 39th St. to Upper Luther Burbank Park (this was a condition of the plat approval).
 - **Total expenditures were 58.0 percent of budget in 2016** primarily due to the following projects:
 - **West Mercer Way Shoulders 7400-8000 Block** (\$48,079 actual expenditures vs. \$417,500 budget): The construction contract was awarded in November 2016, with construction scheduled to begin in January 2017.
 - **Safe Routes to School—New Elementary School** (\$82,112 actual expenditures vs. \$427,858 budget): Design is 95 percent complete. Construction is being delayed until summer 2017 at the request of the School District.
 - **Island Crest Way Re-surfacing Phase 2** (\$994,180 actual expenditures vs. \$1,258,063 budget): This project was completed in October 2016, encompassing four lanes from Merrimount Drive to SE 40th Street, drainage pipe and curb repairs, and asphalt sidewalk re-surfacing. The total project cost was \$263,883 under budget.
 - **Island Crest Way Crosswalk at SE 32nd** (\$25,138 actual expenditures vs. \$175,726 budget): Design for a pedestrian signal is complete. Construction, which is being funded by a Transportation Improvement Board (TIB) grant, is scheduled for 2017.

See the 2015-2016 CIP Project Management Report, which is attached as Exhibit 2, for more detailed project information.

- **Criminal Justice Fund:**

- **Total revenues were up \$49,516, or 7.5 percent, in 2016 compared to 2015** primarily due to a \$45,752, or 7.6 percent, increase in criminal justice sales tax.
- **Total expenditures were 87.5 percent of budget in 2016** primarily due to a Hire Ahead patrol officer vacancy, which was filled in late August 2016.

- **Beautification Fund:**

- **Total revenues were up \$6,153, or 0.5 percent, in 2016 compared to 2015** primarily due to the net effect of the following:
 - \$74,257, or 13.0 percent, increase in business and occupation tax; and
 - \$73,714, or 69.3 percent, decrease in one-time funding from the General Fund, which was used for the Town Center visioning and development code update work in 2015.
- **Total expenditures were 88.5 percent of budget in 2016** primarily due to the following:
 - **Interfund transfer for MICEC landscaping** (\$0 actual expenditures vs. \$45,000 budget): This capital project, which is intended to address hillside drainage issues, has been pushed to 2017.

- **Wayfinding signs** (\$289 actual expenditures vs. \$35,220 budget): This project, which is mostly funded by a Port of Seattle grant, has been pushed to 2017.
 - **MICEC master plan** (\$0 actual expenditures vs. \$25,000 budget): Following the hiring of a new Community Center Manager, it was determined that a master plan was not needed.
- **Youth & Family Services Fund:**
 - **Total revenues were down \$5,561, or 0.2 percent, in 2016 compared to 2015** primarily due to the net effect of the following:
 - \$153,578, or 11.5 percent, increase in Thrift Shop sales due to converting work study hours to two part-time positions and one full-time position for a one-year trial period;
 - \$26,000, or 16.8 percent, increase in MIYFS Foundation contributions;
 - \$11,196, or 18.6 percent, decrease in emergency assistance donations;
 - \$21,040, or 42.4 percent, decrease in King County human services grant funding;
 - \$35,448, or 27.7 percent, decrease in Communities That Care federal grant funding; and
 - \$120,184, or 23.1 percent, decrease in General Fund support (there was a one-time transfer of \$120,184 in 2015 to help keep the Youth & Family Services Fund solvent through 2016).
- **Capital Improvement Fund:**
 - **Total revenues were down \$97,792, or 3.7 percent, in 2016 compared to 2015** primarily due to the net effect of the following:
 - \$215,774, or 13.2 percent, increase in real estate excise tax mostly due to the sale of 77 Central in the Town Center;
 - \$36,957 Washington Recreation and Conservation Office grant received in 2016 (no grant was received in 2015);
 - \$21,893, or 334.1 percent, increase in King County Conservation District grant funding; and
 - \$379,641, or 88.5 percent, decrease in King County Flood Control District grant funding, which was used for the Street End Improvements (Calkins Landing) project and the Luther Burbank Shoreline Phase 2 (Calkins Point) project in 2015.
 - **Total expenditures were 45.6 percent of budget in 2016** primarily due to the following projects:
 - **Swim Beach Repairs—Groveland Beach & Clarke Beach** (\$69,845 actual expenditures vs. \$978,909 budget): This project was re-scoped at the April 4, 2016 Council meeting. Design is 60 percent complete. Due to a slow turnaround time by the architect and projected wait times for permits, staff will not be able to make the 2017 in-water construction work window. As a result, construction has been delayed until 2018.

- **Island Crest Park Ballfield Lights Replacement** (\$6,708 actual expenditures vs. \$459,052 budget): Design is 95 percent complete, and the SEPA review is complete. The City solicited bids in February 2017 and will recommend that all bids be rejected at the April 17, 2017 Council meeting, because they were all significantly higher than expected.
- **City Hall Building Repairs** (\$48,022 actual expenditures vs. \$324,330 budget): Much of the planned work was delayed, because the Facilities Project Manager had to spend significant, unplanned time on the South Fire Station construction project addressing roof issues. Most of the unspent budget was re-budgeted in the 2017-2022 CIP.

See the 2015-2016 CIP Project Management Report, which is attached as Exhibit 2, for more detailed project information.

- **Technology & Equipment Fund:**

- **Total revenues were up \$135,976, or 33.9 percent, in 2016 compared to 2015** primarily due to a \$117,634, or 34.4 percent, increase in interfund transfers from the General Fund for two one-time costs: 1) replacement of the Council Chambers A/V equipment; and 2) consultant services to assist staff in selecting an enterprise asset management system.
- **Total expenditures were 74.3 percent of budget in 2016** primarily due to the following projects:
 - **Recreation & Facility Booking System** (\$54,250 actual expenditures vs. \$186,000 budget): The selection process has been completed, and implementation is scheduled for 2017.
 - **Mobile Asset Data Collection** (\$32,226 actual expenditures vs. \$50,000 budget): A vehicle outfitted with special equipment drove all City streets collecting data on street pavement condition, street signs, and pavement markings. The total project cost was \$17,774 under budget.

See the 2015-2016 CIP Project Management Report, which is attached as Exhibit 2, for more detailed project information.

- **Equipment Rental Fund:**

- **Total expenditures were 59.6 percent of budget in 2016** primarily due to the following:
 - Fuel and oil costs were \$116,168, or 43.0 percent, below budget in 2016; and
 - A one ton boom truck, a used box truck for the Thrift Shop, and two marine patrol boat engines were ordered in 2016 but not delivered until 2017 (\$178,002 carryover requested).

All other variances were either within expected norms for the year or otherwise too insignificant to highlight.

Fund Balance

What follows is a preliminary accounting of the balance in each of these other funds as of December 31, 2016. The year-end balance for each fund effectively represents the working capital (i.e. current assets less current liabilities) in the fund and consists of restricted and unrestricted amounts.

Fund/Component of Fund Balance	Amount
Self Insurance	
Available fund balance	109,750
Youth Services Endowment	
Endowment principal reserve	285,856
Available fund balance	24,844
Total	310,700
Street	
Available fund balance	1,610,456
Budgeted fund balance (2017-2018 budget)	1,112,705
Expenditure carryovers to 2017 budget	778,146
Working capital	200,000
Town Center street (north) reserve	99,684
Transportation impact fees	50,466
84th Ave path project	22,573
Total	3,874,030
Criminal Justice	
Available fund balance	890,135
JAG property sale reserve	79,437
Working capital	50,000
Eastside Narcotics Task Force reserve	41,345
U.S. Treasury reserve	34,697
Expenditure carryovers to 2017 budget	5,000
Total	1,100,614
Beautification	
Available fund balance	998,778
Working capital	75,000
Expenditure carryovers to 2017 budget	34,930
Total	1,108,708
Contingency (1)	
Contingency reserve (2)	2,629,429
1% for the Arts	
Available fund balance	154,013
Expenditure carryovers to 2017 budget	24,914
Total	178,927

Fund/Component of Fund Balance	Amount
Youth & Family Services	
Working capital	75,000
Budgeted fund balance (2017-2018 budget)	72,804
Available fund balance	25,216
Total	173,020
Bond Redemption--Voted	
Available fund balance	18,943
Bond Redemption--Non Voted	
Debt service reserve	5,038
Capital Improvement	
Budgeted fund balance (2017-2018 budget)	1,912,204
Expenditure carryovers to 2017 budget	1,102,672
Turf field replacement sinking fund	696,546
Working capital	250,000
Available fund balance	108,453
King County Parks levy reserve	40,303
Impact fee reserve	32,864
Total	4,143,042
Technology & Equipment	
Fire SCBA replacement sinking fund	212,000
Budgeted fund balance (2017-2018 budget)	163,433
Expenditure carryovers to 2017 budget	113,690
MICEC equipment replacement sinking fund	69,767
Working capital	50,000
Police car camera replacement sinking fund	48,000
Total	656,890
Fire Station 92 Construction	
Available fund balance	36,195
Capital Reserve	
Capital reserve	169,999

Fund/Component of Fund Balance	Amount
Equipment Rental	
Vehicle replacement reserve	1,536,711
2017 vehicle replacements	856,000
800 MHz radio replacement reserve	299,113
Expenditure carryovers to 2017 budget	178,002
Fire apparatus replacement sinking fund	122,422
Operating reserve	100,000
Total	3,092,248

Fund/Component of Fund Balance	Amount
Computer Equipment	
2017 computer replacements	217,000
Computer replacement reserve	180,184
Total	397,184
Firemen's Pension	
Pension reserve	817,537
Budgeted fund balance (2017-2018 budget)	84,180
Total	901,717

Notes

(1) Contingency Fund legal limit: $(\$10,868,905,593 \text{ AV for 2016 levy year} / \$1,000) \times 0.375 = \$4,075,840$

(2) Contingency reserve target: $\$27,723,094 \text{ originally adopted 2016 General Fund budget} \times 10\% = \$2,772,309$

CAPITAL IMPROVEMENT PROGRAM

This section of the Financial Status Report includes a financial overview of the City's capital improvement program (CIP), a detailed look at real estate excise tax receipts, highlights of particularly notable projects, and a CIP Project Management Report (see Exhibit 2), which provides an update on the status of every CIP project.

Financial Overview

About \$27.7 million was budgeted for capital projects in the 2015-2016 biennium, encompassing \$11.8 million for utility improvements, \$5.7 million for park and public building improvements, \$5.3 million for street and pedestrian/bicycle facility improvements, and \$1.7 million for the replacement of Fire Station 92. **In aggregate, CIP expenditures were 64.0 percent of the adopted 2015-2016 budget as of December 31, 2016**, which breaks down as follows:

- **Capital Reinvestment Plan (CRP): 62.6 percent of 2015-2016 budget**
- **Capital Facilities Plan (CFP): 71.2 percent of 2015-2016 budget**

Of the 105 projects that were planned in 2015-2016, 55 are complete, 7 are close to completion (90% or greater), 36 are in process, and 7 were re-prioritized to start in a future year or were cancelled completely.

Real Estate Excise Tax

Real estate excise tax (REET) is the 0.5 percent tax paid by the seller in property transactions, and its use is restricted by state law for specific capital purposes. REET 1 (the 1st quarter of 1.0 percent of the sales price) may be used for streets, parks, facilities, or utilities. REET 2 (the 2nd quarter of 1.0 percent of the sales price) may be used for the same capital purposes as REET 1, except for facilities, which are specifically prohibited. Neither REET 1 nor REET 2 may be used for equipment or technology.

In May 2011, the Governor signed HB 1953, which temporarily allowed cities to use up to 35 percent of REET revenue (not to exceed \$1.0 million for either REET 1 or 2) for operations and maintenance purposes within the same categorical restrictions noted above. This temporary expansion on how REET can be spent ended on December 31, 2016. Because of the City's many capital needs, the passage of HB 1953 had no impact on how REET funds were used. It simply gave the City more flexibility.

The following table compares actual to budgeted REET in 2016 versus 2015.

**REET Revenue: Actual vs. Budget
As of December 31, 2015 and 2016**

Actual			Budget		% of Budget	
12/31/15	12/31/16	% Change	2015	2016	2015	2016
3,269,379	3,700,746	13.2%	3,004,000	3,147,000	108.8%	117.6%

In 2016, REET was 117.6 percent of budget, and actual revenue was up 13.2 percent compared to 2015. The primary drivers of REET are number of sales, average sales price,

and property sales greater than \$5.0 million. As noted in the table below, **the number of sales was down 9.0 percent in 2016, and the average sales price was up 11.5 percent in 2016, with the latter offsetting the revenue impact of the former.** The average sales price at the end of 2016 was \$1.32 million. **The 13.2 percent revenue jump in 2016 was wholly due to the sale of 77 Central in the Town Center, which generated over \$479,000 in REET.**

**Property Sales Statistics (≤\$5.0M)
As of December 31, 2015 and 2016**

Number of Sales			Average Sales Price		
12/31/15	12/31/16	% Change	12/31/15	12/31/16	% Change
499	454	-9.0%	\$1,181,895	\$1,317,587	11.5%

Please note that the average sales price encompasses all property sales—namely, land, single family residential homes, condominiums, businesses, and below market property sales from one family member to another.

In the table below, REET is broken down according to property sales (i.e. ≤\$5.0 million and >\$5.0 million) for the period 2007-2016. In addition, the average property sales price and the number of sales are identified for those properties that sold for \$5.0 million or less.

**2007-2016 REET Revenue (Dollars in Thousands)
Property Sales ≤\$5.0M and >\$5.0M**

Property Sale Breakdown	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Avg
Property Sales ≤\$5.0M:											
Average Sales Price	\$1,072	\$1,237	\$854	\$994	\$916	\$899	\$1,046	\$1,119	\$1,182	\$1,318	\$1,064
% Change in Avg Sales Price	11.4%	15.4%	-30.9%	16.3%	-7.8%	-1.9%	16.4%	7.0%	5.6%	11.5%	4.3%
Number of Property Sales	429	260	267	318	367	418	492	493	499	454	400
REET Revenue	\$2,277	\$1,592	\$1,129	\$1,565	\$1,665	\$1,860	\$2,548	\$2,742	\$2,919	\$2,955	\$2,125
Property Sales >\$5.0M:											
Number of Property Sales	14	5	3	3	5	6	2	9	10	7	6
REET Revenue	\$653	\$755	\$129	\$642	\$162	\$300	\$57	\$527	\$350	\$746	\$432
Total REET Revenue	\$2,930	\$2,347	\$1,258	\$2,207	\$1,827	\$2,160	\$2,605	\$3,269	\$3,269	\$3,701	\$2,557

During this 10 year period, the average annual sales price was \$1.06 million, and the average annual number of sales was 400 for properties that sold for \$5.0 million or less.

Project Highlights

A brief update is provided for the following projects: Island Crest Way Resurfacing Phase 2, Madrona Crest West, Emergency Operations Center, Disaster Recovery, MICEC Technology and Equipment Replacement, Carport for Patrol Vehicles, and Luther Burbank Administration Building Repairs.

Island Crest Way Resurfacing Phase 2

During summer 2016, Island Crest Way was resurfaced between SE 40th Street and Merrimount Drive. This section of Island Crest Way is the primary north-south arterial roadway on Mercer Island, and it was last repaved in 1991.



Major elements of this capital project included: repairs to the roadway's storm drainage system, repair of failed pavement areas, grinding of the entire roadway to remove the paving lift placed in 1991, resurfacing of the entire roadway with a 3" hot mix asphalt overlay, and new pavement markings. The roadway's width, lane configuration, and intersection layouts remained unchanged.

Pedestrian improvements on Island Crest Way consisted of replacing portions of asphalt sidewalks having tree root damage, uneven surfaces, poor drainage, or insufficient width. In addition, a new asphalt walkway was constructed on SE 42nd Street, just east of Island Crest Way, to complete a missing block of pedestrian facility.

The City's contractor, Lakeridge Paving Company, began construction work in mid-July 2016 and had the roadway repaving completed by early September 2016. Pavement markings, utility adjustments, and final cleanup were completed by early October 2016. The total cost of the completed project was \$995,458, which was \$263,883, or 21 percent, under budget.

The Island Crest Way Resurfacing Phase 1 project, from Merrimount Drive to SE 53rd Street, was constructed in 2012.

Madrona Crest West

The construction of the Madrona Crest West project started in late May 2016 and was completed in early November 2016. The project combined water, storm water, sidewalk, and street projects into a single consolidated project to minimize the construction impacts to the neighborhood.

The project area is between SE 36th Street and SE 40th Street (north to south) and between 84th Avenue SE and 86th Avenue SE (west to east). The water system improvements, throughout the entire project neighborhood, included the replacement and installation of approximately 3,570 linear feet of water main, 8 fire hydrants, 3 air vacuum release valve assemblies, and 83 water services. In addition to water system improvements, this project completely rebuilt one block of 86th Avenue, from SE 39th to SE 40th Streets. Work included installing a new storm drainage system, constructing new concrete curb and sidewalk along the east side of the road, and repaving the asphalt roadway. The sidewalk improvements were completed prior to the opening of the new Northwood Elementary School campus and were funded by the city's Safe Routes to School Program.



The total cost of the project was \$890,873 for water, \$98,405 for storm water, and \$331,544 for street and sidewalk improvements, which represent cost savings of 20 percent, 24 percent, and 11 percent respectively.

Emergency Operations Center

Following the City's water contamination event in 2014, staff were directed to develop a dedicated space in City Hall for an Emergency Operations Center (EOC). Historically, the City's EOC was "set up" for emergency situations and then "taken down" at the conclusion of an event. The City Council Chambers and Caucus room were used for the EOC space. Due to the duration of the water contamination event, the EOC had to be "taken down" and "set up" a number of times to accommodate other uses of the Council Chambers, such as Council meetings. This significantly impacted operational effectiveness during the event.

The project kicked off with staff touring neighboring EOCs to gather information on design and costs. In 2015, two storage rooms in the basement of City Hall were emptied and asbestos abatement was performed. Architectural design and plans were also completed. Construction began in the first quarter of 2016, with substantial completion reached at the end of the second quarter of 2016. The total cost of the project was \$158,786.

The first activation of the EOC occurred in October 2016 for a windstorm. The EOC functioned effectively during the event. During the fall, the EOC was also utilized for the Mercer Island Police Department's Citizen's Academy and Community Emergency Response Team (CERT) training classes. The EOC was activated two times in February 2017 for snow and urban flooding events. As the EOC is used, staff will continue to identify and make improvements to the facility.



Disaster Recovery

Most City services rely upon technology in some form or another. Whether it is a Police officer utilizing mobile computers in his vehicle, a resident signing up for her next jazzercise class, or City staff simply using a telephone to talk to a citizen, technology is entrenched in our service delivery. The Information and Geographic Services (IGS) Department takes the disruption of technology systems very seriously and is always looking for ways to improve disaster recovery capabilities. Whether it is a wind storm, power outage, building fire, or earthquake, Mercer Island residents expect City services to continue operating unimpeded. This is a challenge for technology and is being addressed by City IT staff in several ways.

The Disaster Recovery project equipped the Mercer Island Community and Events Center with the necessary technology to operate the City's phone system and about 80 percent of the City's server systems in the event that City Hall experiences a catastrophe. In addition, City IT staff continue to evaluate and utilize "cloud" based systems to further enable City operations to run without interruption during a disaster. This will allow IGS to recover a large percentage of vital City functions within hours should City Hall become unusable. Prior to completion of this project, downtime would have been measured in days or weeks. The total cost of this project was \$99,528.

Mercer Island Community and Event Center (MICEC) Technology and Equipment Replacement

Several equipment replacements and meeting room improvement projects were completed at the MICEC during 2015-2016, including meeting room A/V equipment; fitness room exercise equipment; and meeting room, lobby, and terrace furniture. The total cost of this project was \$230,682.

The Meeting Room A/V project included updates to projectors, screens, and new hardware for four meeting rooms that are heavily utilized for Parks & Recreation programs and facility rentals. This project was started in December 2016 and completed in January 2017.



Fitness Room Exercise Equipment was replaced following a patron survey and user input. Pacific Fitness Products was awarded the bid to replace 16 machines, as well as weights and accessories for the 1,450 square foot fitness room. Cardio and strength training machines were reorganized to better utilize existing space and improve the safety for patrons.

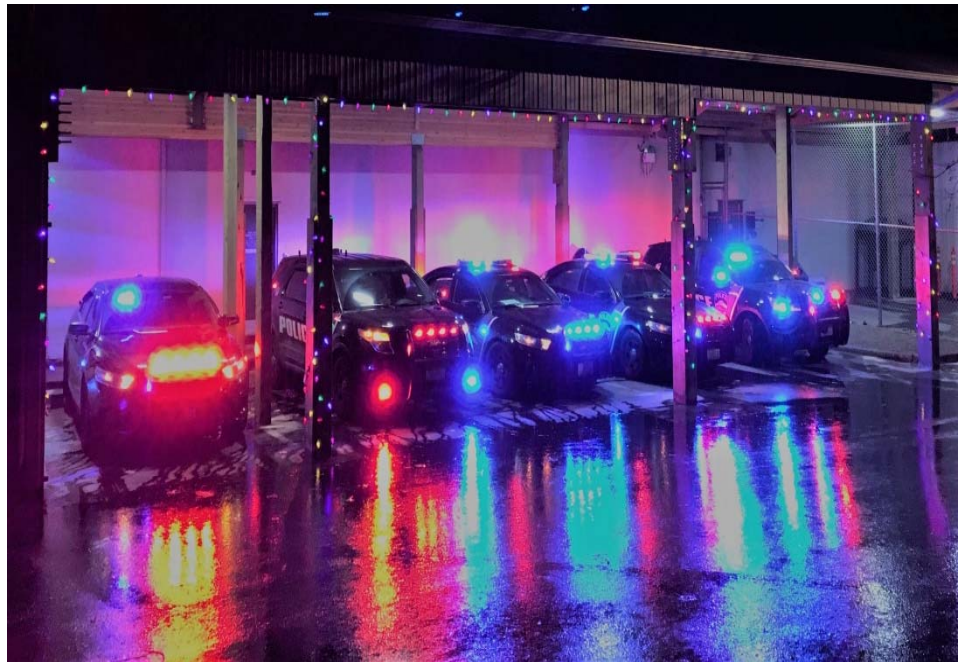
Following the end of their useful lives, all meeting room tables were replaced with brand new flip tables that are heavily utilized for both programs and rentals. Lobby furniture was purchased to provide patrons an engaging and active

environment that our community has come to enjoy. Terrace furniture was added at the end of 2016 to give weddings, rentals, events, and programs an area to socialize while looking out at the Cascade Mountains and views of Lake Washington.

Carport for Police Vehicles

In 2016, the City built a carport to protect police cars from rain, snow, and ice and to make response times faster during inclement weather, which proved to be very helpful this past winter. Officers are able to come out from the station, load their cars, check their lights, and safety equipment before going out on the roads of the Island to perform their work protecting the citizens of Mercer Island.

Staff worked with Permabilt to build a secure and functional cover for our Police vehicles. This structure was completed in August 2016. The total cost of this project was \$77,357.



Luther Burbank Administration Building Repairs

Repairs and improvements are made annually to all City buildings. The Luther Burbank Administration Building is the oldest City building, where staff has been working to improve the



energy efficiency and comfort for building users. Past projects have upgraded the heating and installed better insulation where possible. However, the building was still experiencing a lot of heat/cooling loss due to old underperforming windows.

In 2016, the windows were replaced to make the building more energy efficient. Great care was taken to maintain the appearance of the building while enhancing its performance. The project proved challenging because the old aluminum frames had to be removed entirely in order to install the new vinyl windows. This resulted in extra workmanship to keep a good seal on the

building envelope. The result was a better functioning, energy efficient building while preserving the pleasing appeal of this 1900 building. The total cost of this project was \$41,618.

BUDGET ADJUSTMENTS

In the interest of administrative ease, a budget amending ordinance is prepared and submitted to the Council quarterly, if needed, along with the Financial Status Report. Budget adjustments are divided into three groups: 1) those previously approved by the Council but not formally adopted via a budget amending ordinance; 2) new requests; and 3) carryover requests. The second category typically includes financial housekeeping items, minor requests, and unanticipated expenditures that the City had to incur and was unable to absorb within the authorized budget. The third category requires Council approval only when unspent budget is being moved from the prior biennium to the current biennium. No Council action is needed when budget is moved within the biennium and within the same fund.

Budget adjustments previously approved but not formally adopted via a budget amending ordinance by the Council are summarized in the table below.

Fund	Department	Description	Agenda Bill	Budget Year	Amount	Funding Source(s)
General	City Manager's Office	Additional funding for I-90/light rail litigation and other related costs	AB 5261, 2/21/17	2017	\$600,000	Unallocated 2015 General Fund surplus (\$302,895) + interfund transfer from F.S. 92 Construction Fund (\$297,105)
	Non-Departmental	Balance General Fund's 2018 budget (eliminate "contra" expenditure)	AB 5266, 3/20/17	2018	\$505,195	Unappropriated fund balance
		Interfund transfer to YFS Fund to balance 2018 budget	AB 5266, 3/20/17	2018	\$343,886	Unappropriated fund balance
	Police	Move Criminal Justice Fund's 2017-2018 budget to General Fund	AB 5266, 3/20/17	2017	\$599,441	2017 budgeted revenues (\$726,725)
2018				\$622,722	2018 budgeted revenues (\$761,525)	
Beautification	Parks & Recreation	2017-2018 Budget correction: Interfund transfer to Capital Improvement Fund for Aubrey Davis Park multi-use corridor plan (this should have been included in the 2017-2018 Budget)	AB 5239, 12/5/16	2017	\$150,000	Unappropriated fund balance
Youth & Family Services	Youth & Family Services	Balance YFS Fund's 2018 budget (eliminate "contra" expenditure)	AB 5266, 3/20/17	2018	\$343,886	Interfund transfer from General Fund

Fund	Department	Description	Agenda Bill	Budget Year	Amount	Funding Source(s)
Criminal Justice	Police	Close Criminal Justice Fund, moving 2017-2018 budget to General Fund and transferring 12/31/16 unreserved fund balance to General Fund, JAG reserve to General Fund, and ENTF and U.S. Treasury reserves to Technology & Equipment Fund	AB 5266, 3/20/17	2017	-\$599,441	2017 budgeted revenues (-\$726,725)
				2018	-\$622,722	2018 budgeted revenues (-\$761,525)
				2017	\$1,100,614	Unreserved fund balance (\$945,135) + JAG reserve (\$79,437) + ENTF reserve (\$41,345) + U.S. Treasury reserve (\$34,697)
F.S. 92 Construction	Non-Departmental	Appropriation needed to cover final project expenditures in 2017 (\$69,090) and to transfer remaining fund balance (\$297,105) to General Fund for I-90/light rail litigation and other related costs	AB 5261, 2/21/17 AB 5278, 4/3/17	2017	\$366,195	Settlement payment from Corp, Inc. (\$330,000) + unappropriated fund balance (\$36,195)

New requests not approved or formally adopted by the Council are summarized in the table below.

Fund	Department	Description	Budget Year	Amount	Funding Source(s)
General	Information & Geographic Services	Upgrade Comcast internet backup to commercial grade service	2017	\$5,400	2016 expenditure savings
			2018	\$7,200	
Capital Improvement	Parks & Recreation	WCIA grant for bollard removal	2017	\$12,500	WCIA grant
Technology & Equipment	Police	City's share of negative balance in Eastside Narcotics Task Force's (ENTF) State Forfeiture Account	2017	\$15,446	ENTF reserve
Equipment Rental	Public Works	Consulting services to evaluate and provide technical support to determine best path forward on soil remediation and cleanup	2017	\$20,000	Operating reserve

Carryover requests related to purchases, services, and capital projects that were budgeted but not completed in 2016 are summarized in the following two tables: 1) 2016 Operating Budget Carryovers, and 2) 2016 CIP Budget Carryovers. All operating budget carryovers, with two exceptions, are funded by unspent resources in the General Fund, Criminal Justice Fund, Beautification Fund, Water Fund, Sewer Fund, and Storm Water Fund. A portion of the

Beautification Fund carryover is funded by a Port of Seattle grant, and a portion of the Storm Water Fund carryover is funded by a Department of Ecology grant.

2016 Operating Budget Carryovers

Fund	Description	Cost Center	Amount
General	Moving expenses for new City Manager	CM1100	\$20,000
	Holiday lighting settlement	GGM001	\$24,242
	Residential code update	DS1100	\$23,813
	EOC restroom	MT4200	\$6,000
	Consulting services for storm water regulations update	DS1400	\$15,000
	Exercise room equipment	CR1100	\$5,000
	Public Works space re-configuration	MT2100	\$12,500
	Non-lethal weapons for Police patrol (budgeted in Criminal Justice Fund in 2016)	PO1100	\$5,000
Beautification	Way finding signs (funded by \$23,480 Port of Seattle grant + \$11,450 unappropriated fund balance)	MTBE04	\$34,930
Water	Public Works space re-configuration	MT3100	\$12,500
	Water contamination event follow-up work	MT3150	\$76,185
Sewer	Public Works space re-configuration	MT3400	\$12,500
Storm Water	Public Works space re-configuration	MT3800	\$12,500
	NPDES phase 2 permit implementation (funded by \$25,000 Department of Ecology grant)	MT3810	\$25,000

Total 2016 Operating Budget Carryovers \$285,170

All CIP carryovers are funded by unspent resources from each fund's 2016 budget or from interfund transfers from the Beautification Fund, Youth & Family Services Fund, Water Fund, Sewer Fund, and Storm Water Fund that were budgeted but not completed in 2016.

2016 CIP Budget Carryovers

Fund	Project Title	Project #	Amount	Description
Street	Safe Routes to School	XR320R	\$345,746	Design is 95% complete for sidewalk improvements on SE 40 th (88 th Ave to Gallagher Hill Road); construction delayed until summer 2017 at request of MISD
	WMW Shoulders (7400-8000 Block)	XR543C	\$324,000	Construction contract awarded Nov 2016; construction completed 1 st quarter 2017
	Freeman Landing	WR103F	\$108,400	Repair options are being developed
Beautification	Interfund transfer to Capital Improvement Fund	IFT117	\$45,000	Funding for MICEC hillside drainage repair
1% for Arts	Mural at I-90 and WMW Onramp	XG501A	\$24,914	Delayed due to staff turnover; WSDOT review in 2 nd quarter 2017 with construction planned for summer 2017

Fund	Project Title	Project #	Amount	Description
Youth & Family Services	Interfund transfer to Capital Improvement Fund	IFT160	\$6,000	Funding for Thrift Shop building repair
Capital Improvement	Island Crest Park – Ballfield Lights and South Field Design	WP107R WP115S	\$85,160	Design is 100% complete and the project was bid during 1 st quarter 2017
	Open Space Vegetation Management	WP122P WP122R	\$86,893	Complete work in Pioneer Park and SE 53 rd open spaces
	Groveland Swim Beach Repair	WP506R	\$430,155	Pier decay requires repairs by 2018 to avoid beach closure; 3-6 months needed to process permits and complete design
	King County Levy Projects	XP520R	\$23,372	Completing bollard removal and asphalt patching on City owned portion of I-90 trail
	Luther Burbank Minor Capital	XP710R	\$45,584	Completing boiler building study and developing lake water rights for irrigation
	City Hall Building Repairs	WG101R	\$77,907	City Hall boiler replacement
	Emergency Operations Center	WG101S	\$4,214	ADA improvements; Fire code compliance
	Maintenance Building Repairs	WG102R	\$123,027	Windows and locks completed Mar 2017 (\$30K); Maintenance Center design (\$93K)
	Thrift Shop Building Repairs	WG104R	\$6,000	Exterior signs installed Jan 2017
	Community Center Building Repairs	WG105R	\$128,665	Hillside drainage and parking lot repair delayed due to staff turnover (\$79K); storage addition (\$50K) going through plan review
	North Fire Station Building Repairs	WG106R	\$10,000	Shop storage and lighting
	Luther Burbank Administration Building Repairs	WG107R	\$81,695	Window replacement and office build out completed Feb 2017 after weather delays
Technology & Equipment	Recreation and Facility Booking System	WG513T	\$105,750	Procurement was delayed to the end of 2016 due to staff turnover; implementation will occur in 2017
	Enterprise Asset Management System	XG118T	\$7,940	Completion of procurement process for new system
Water	Hydrant Replacements	WW520C	\$265,000	Replacement of 26 sub-standard fire hydrants was bid at the end of Feb 2017; construction is planned in May/June 2017
	Water Components Replacement	WW521C	\$59,470	Work was completed in conjunction with WMW Shoulders (XR543C) in 1 st quarter 2017
	Interfund transfers to Capital Improvement Fund and Technology & Equipment Fund	IFT402	\$32,740	Funding for Maintenance Building repairs (\$30,755) and enterprise asset management project (\$1,985)

Fund	Project Title	Project #	Amount	Description
Water (cont'd)	Booster Chlorination Station	WW535D	\$156,400	Final design of Booster Chlorination Station
	Reservoir Generator	WW522R	\$100,000	Generator size will be impacted by Booster Chlorination Station
Sewer	General Sewer Plan	WS103P	\$21,454	Completion of plan, which was delayed by water contamination event
	Sub-Basin 27a Sewer Repair	WS512R	\$248,356	Replace exposed sewer line in ravine which is at risk; permit approvals were delayed by Army Corps of Engineers (project also includes a Storm Water component – WD531C)
	Sewer Generator Replacement	WS901G	\$116,700	Generator replacement at Sewer Station 18 due to a major failure
	Interfund transfers to Capital Improvement Fund and Technology & Equipment Fund	IFT426	\$32,740	Funding for Maintenance Building repairs (\$30,755) and enterprise asset management project (\$1,985)
Storm Water	Drainage System Video Inspection	WD321R	\$42,230	Contracted for work in Dec 2016; work completed in Jan 2017
	Sub-Basin 27a Watercourse Repair	WD531C	\$288,384	Permit approvals were delayed by Army Corps of Engineers (project also includes a Sewer component – WS512R)
	Interfund transfers to Capital Improvement Fund and Technology & Equipment Fund	IFT432	\$32,740	Funding for Maintenance Building repairs (\$30,755) and enterprise asset management project (\$1,985)
Equipment Rental	Fleet Replacements	WG130E	\$178,002	Replacement of vehicles/engines ordered in 2016 but not delivered until 2017 (2 Marine Patrol boat engines, box truck for Thrift Shop, and boom truck)

Total 2016 CIP Budget Carryovers \$3,644,638

A budget amending ordinance is attached as Exhibit 3. Two summary listings of the originally adopted 2015-2016 Budget (expenditures only), broken down by year, and all subsequent adjustments, including those noted above, are presented below.

**2017 Budget Adjustment Summary
Expenditures by Fund**

Fund Type / Fund Name	Original 2017 Budget	2017 Budget Adjustments				Amended 2017 Budget
		Q4 2016 FSR, 5/1/2017				
General Purpose Funds:						
General	29,436,000	1,316,396				30,752,396
Self-Insurance	10,000					10,000
Youth Services Endowment	500					500
Special Revenue Funds:						
Street*	2,728,368	778,146				3,506,514
Transportation Benefit District	350,000					350,000
Criminal Justice	599,441	501,173				1,100,614
Beautification	966,829	229,930				1,196,759
Contingency	-					-
1% for the Arts	15,000	24,914				39,914
Youth & Family Services	2,748,719	6,000				2,754,719
Debt Service Funds:						
Bond Redemption (Voted)	-					-
Bond Redemption (Non-Voted)	1,011,099					1,011,099
Capital Projects Funds:						
Capital Improvement*	4,706,243	1,115,172				5,821,415
Technology & Equipment*	731,000	129,136				860,136
Fire Station 92 Construction*	-	366,195				366,195
Capital Reserve*	-					-
Enterprise Funds:						
Water*	7,317,818	702,295				8,020,113
Sewer*	9,271,431	431,750				9,703,181
Storm Water*	2,574,312	400,854				2,975,166
Internal Service Funds:						
Equipment Rental*	1,658,766	198,002				1,856,768
Computer Equipment*	975,926					975,926
Trust Funds:						
Firemen's Pension	97,000					97,000
Total	65,198,452	6,199,963	-	-	-	71,398,415

* Capital Improvement Program (CIP) projects are budgeted and accounted for in these funds.

**2018 Budget Adjustment Summary
Expenditures by Fund**

Fund Type / Fund Name	Original 2018 Budget	2018 Budget Adjustments				Amended 2018 Budget
		Q4 2016 FSR, 5/1/2017				
General Purpose Funds:						
General	29,413,162	1,479,003				30,892,165
Self-Insurance	10,000					10,000
Youth Services Endowment	500					500
Special Revenue Funds:						
Street*	3,455,837					3,455,837
Transportation Benefit District	350,000					350,000
Criminal Justice	622,722	(622,722)				-
Beautification	939,900					939,900
Contingency	-					-
1% for the Arts	15,000					15,000
Youth & Family Services	2,444,250	343,886				2,788,136
Debt Service Funds:						
Bond Redemption (Voted)	-					-
Bond Redemption (Non-Voted)	847,159					847,159
Capital Projects Funds:						
Capital Improvement*	3,459,461					3,459,461
Technology & Equipment*	732,000					732,000
Fire Station 92 Construction*	-					-
Capital Reserve*	-					-
Enterprise Funds:						
Water*	7,246,078					7,246,078
Sewer*	9,079,675					9,079,675
Storm Water*	1,934,956					1,934,956
Internal Service Funds:						
Equipment Rental*	2,139,515					2,139,515
Computer Equipment*	1,063,193					1,063,193
Trust Funds:						
Firemen's Pension	103,000					103,000
Total	63,856,408	1,200,167	-	-	-	65,056,575

* Capital Improvement Program (CIP) projects are budgeted and accounted for in these funds.

2015-2016 CIP - PROJECT MANAGEMENT REPORT (Biennium) --- Project Expenditures Reported as of 12/31/2016

PROJECT NUMBER	PROJECT NAME	PROJECT MANAGER	APPROVED BUDGET (2015-2016)	TOTAL EXPENDED (as of Dec 31, 2016)	% EXPEND TO DATE	EST. COMPLTN DATE	% WORK COMPLET E	PROJECT STATUS & COMMENTS
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**CAPITAL REINVESTMENT PLAN
PARKS, RECREATION AND OPEN SPACE**

WP107R	ICP Ballfield Lights Replacement	P. West	\$407,742	\$47,655	12%	12/16	10%	95% design complete; SEPA review complete; Design Commission review complete; scheduled to go to bid 1st Quarter of 2017.
WP113R	South Mercer Playfields Improvements	P. West	\$100,000	\$2,383	2%	12/15	2%	Engineering of backstop improvements completed; Project cancelled - Little League declined to contribute match for grant funding
WP115S	ICP South Field Improvements	P. West	\$92,258	\$51,396	56%	12/16	5%	95% design complete; SEPA review complete; Design Commission review complete; scheduled to go to bid 1st Quarter of 2017.
WP122P WP122R	Open Space - Vegetation Management	A. Sommargren	\$934,000	\$847,107	91%	12/16	90%	113 contracted restoration projects were completed in 20 parks, covering 105.7 acres. 92 volunteer events held with 10,100 hours of volunteer service. Boundary tree risk assessment system established, 6.6 miles of boundaries surveyed, trees removed as warranted.
XP710R	Luther Burbank Minor Improvements	P. West	\$248,250	\$202,666	82%	12/16	82%	Completed asbestos abatement at caretakers house, 84th Ave Trail, Amphitheater driveway skirt, asphalt path patching, tree removals. Boiler Building feasibility study 50% complete. 84th Ave Slope revegetation 70% complete. Playground repairs 90% complete. Lake water rights development 20% complete.
WP303R	Luther Burbank Shoreline Phase II - Calkins Point	A. Sommargren	\$325,040	\$318,783	98%	2/16	100%	Construction completed by contractor in May 2016. Interpretive signs installed in July 2016. Contract and grant closeouts are complete. Ribbon cutting ceremony held July 2016.
WP310D	Street End Improvements - Calkins Landing	A. Sommargren	\$322,860	\$320,314	99%	2/16	98%	Construction completed by contractor in January 2016. Plantings and mulch were installed in February 2016. Interpretive signs installed in July 2016. Retainage on contract released late June 2016. Grant closeout completed.
WP506R	Swim Beach Repairs (Groveland Beach-\$935K and Clarke Beach-\$55K)	P. West	\$990,000	\$80,936	8%	12/16	10%	Project was rescoped at 4/4/16 Council meeting; repairs to dock and shoreline in 60% design; construction delayed to 2018 due to delays in design by architect; projected wait times for permits; and the sort in-water construction window (to protect salmon).
WP720R	Recurring Park Projects	P. West	\$284,444	\$262,231	92%	12/16	92%	Projects completed: LED Light replacement in all bathrooms; sign repair and replacment; asphalt path patching; IMS turf renovation; fence repairs; ash cans at BBQ sites; playground equipment repairs.
WP505P	MICEC Master Plan	Z. Houvener	\$25,000	\$0	0%	12/15	N/A	The MICEC Master Plan has been re-prioritized. This project has been cancelled.

STREETS, PEDESTRIAN AND BICYCLE FACILITIES

WR101R WR101S	Residential Street Improvements	C. Morris	\$934,990	\$840,431	90%	11/16	100%	2015 Overlays included several streets on First Hill and in Merhaven plat (4800 ICW). 2016 work included repaving a section of 86th Ave with Madrona Crest West Water System project (WV526R) and rebuilding part of 73rd Ave on First Hill after Sub Basin 18C drainage work (WD537E).
WR103F	Emergency Repair - Freeman Landing	J. Kintner	\$150,000	\$41,599	28%	TBD	N/A	Geotech survey and HDR design work ongoing.
WR110R	Arterial Preservation Program	C. Morris	\$185,000	\$104,191	56%	12/16	100%	In June 2016, over 80,000 linear feet of cracks were sealed on East Mercer Way, SE 68th and 70th Place, and SE 24th Street (\$75,000). In November 2016, damaged concrete panels in SE 40th Street near West Mercer Way were replaced (\$25,000).
WR111R	Pavement Marking Replacement	B. Hartvigson	\$136,000	\$118,003	87%	12/16	100%	New 4" lane channelization paint was applied to 311,459 linear feet of pavement. Thermoplastic stop bars and crosswalks were repaired and installed with a total of 3351 square feet of new Thermoplastic applied. Project complete as of December 2016.
WR120S	Island Crest Way Resurfacing - Phase 2	C. Morris	\$1,259,341	\$995,458	79%	11/16	100%	Project design and bidding occurred in spring 2016. Construction began in mid-July to repair drainage pipes and curbs, resurface portions of asphalt sidewalks, and resurface the four lane roadway. Project was completed in October 2016 for significantly less than budgeted amount.
WR322R	PBF Town Center Crosswalks	A. Tonella-Howe	\$41,905	\$41,864	100%	12/15	100%	Guidelines for crosswalk and RRFB installation, assessment of curb ramps and driveway's for ADA compliance in the Town Center and the Town Center Crosswalk analysis complete. Guidelines applied to requests resulting in NMW Crosswalk near Covenant Shores project (XR544R)
WR514R	SE 40th Street (76th to ICW)	C. Morris	\$740,567	\$748,971	101%	11/15	100%	Construction began in July 2015 and was completed in October 2015. Improvements included repair and repaving of asphalt walkways, a one block section of new concrete sidewalk, new ADA ramps, an uphill bike lane, and asphalt overlay of the roadway.
WR517T	SE 40th Street & 86th Ave Intersection	A. Tonella-Howe	\$100,000	\$64,019	64%	12/16	100%	Per discussion during 2016 TIP, this project designed and implemented a protected left-turn lane at the SE 40th/86th Ave intersection for westbound to southbound traffic. Work included restriping, adding new signal heads, and adjusting the timing of the existing traffic signal.
WR544C	PBF ICW Crossing at SE 32nd	A. Tonella-Howe	\$195,000	\$44,412	23%	9/17	25%	Design for a pedestrian signal at this location is complete. Construction is scheduled for 2017. This project received Transportation Improvement Board (TIB) grant funding of \$257,338 for the construction of the project.

2015-2016 CIP - PROJECT MANAGEMENT REPORT (Biennium) --- Project Expenditures Reported as of 12/31/2016

PROJECT NUMBER	PROJECT NAME	PROJECT MANAGER	APPROVED BUDGET (2015-2016)	TOTAL EXPENDED (as of Dec 31, 2016)	% EXPEND TO DATE	EST. COMPLTN DATE	% WORK COMPLETE	PROJECT STATUS & COMMENTS
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GENERAL GOVERNMENT - BUILDING REINVESTMENT

WG101R	City Hall Building Repairs	M. Olson	\$356,306	\$79,999	22%	12/16	30%	Landscaping modifications & updating plan for the biennium complete. Some HVAC upgrades performed. Work in progress on ADA restroom downstairs. Awnings removed & replaced for Patrol and Sally Port entrances. Lights and outlets added to Police Carport. Cooling tower repair work completed.
WG101S	EOC Dedicated Space	D. Jokinen	\$163,000	\$158,786	97%	12/15	100%	Construction of the EOC is complete. The facility is fully functional and has been used for exercises and actual emergency events.
WG102R	Maintenance Building Repairs	M. Olson	\$119,924	\$16,592	14%	12/16	20%	Security locks ordered, installed after 1/1/17. Window replacement bid but bids came in higher than projected. Security upgraded for server room. Lower yard bin improvements completed.
WG104R	Thrift Shop Building Repairs	M. Olson	\$125,008	\$56,188	45%	12/16	75%	Upstairs carpet replaced. Donation area screening completed. Updated exterior directional signs in progress. Electrical improvements in donation area complete.
WG105R	Community Center Building Repairs	M. Olson	\$467,968	\$324,303	69%	12/16	80%	Interior painting completed. Floor resurfacing in gym and dance room completed. Gym light relamp complete. HVAC & software upgrades completed. Adding A/C to gym and kitchen complete. Ext lighting upgrades completed. Annex HVAC upgrades completed. Drainage issues for parking lot in design.
WG106R	North Fire Station Building Repairs	M. Olson	\$110,000	\$37,304	34%	12/16	50%	App bay shop area upgraded. Roof repairs completed. HVAC replacements for meeting room completed. Electrical improvements made. Security fence built. Office furniture for the Chief replaced.
WG107R	Luther Burbank Admin Building Repairs	M. Olson	\$210,000	\$68,305	33%	12/16	45%	Downstairs office configuration substantially complete. Window upgrade and replacement in progress. Conference tables and chairs replaced. Carpet replaced in basement. Outside brick repair performed. Stair lighting improvements complete.

GENERAL GOVERNMENT - TECHNOLOGY

WG110T	Computer Equipment Replacements	M. Kaser	\$217,000	\$203,044	94%	12/16	100%	Computer equipment replacements of 50 units for 2015 and 36 units for 2016 were purchased and deployed.
WG513T	Recreation & Facility Booking System	M. Kaser	\$186,000	\$54,250	29%	12/16	44%	A selection process has been completed, contract signed with Perfect Mind, Inc. and project implementation is underway. Go Live is tentatively scheduled for September 2017
WG515T	Telemetry Communications Replacement	M. Kaser	\$47,000	\$47,618	101%	12/15	87%	A new router and communications circuit was installed at all pump station telemetry locations, replacing "Frame Relay" technology as required by Centurylink. Centurylink reimbursed the City over \$15K in credits due to issues with the project.
WG516T	Disaster Recovery	M. Kaser	\$123,000	\$99,528	81%	12/16	82%	Developed ability to set up MICEC as a backup datacenter where City technology operations can be recovered within hours in the event the City's datacenter at City Hall became unavailable due to earthquake, fire, or other disaster.
WG517T	Public Infrastructure Data	M. Kaser	\$135,000	\$104,777	78%	12/16	100%	Preparation of Public Works data for migration to a new enterprise asset management system is complete. Several additional data projects including geotechnical information, parks assets, and traffic data were also completed.
WG532T	Council Chambers AV Equip Replacement	M. Kaser	\$107,962	\$107,962	100%	12/16	100%	New cameras and projection equipment has been installed in the Council Chambers. The equipment located in the "broadcast room" (where production of the meetings occur) has also been replaced.
WG920T	High Accuracy Orthophotos	M. Kaser	\$30,000	\$16,088	54%	12/15	100%	Mercer Island participated in a regional orthophotography project involving over 100 governmental agencies. Photo deliveries were significantly delayed due to the complexity, scope, and number of participants. This imagery and associated data was made available to staff in August 2016.
WG922T	Mobile Asset Data Collection	M. Kaser	\$84,000	\$32,226	38%	12/16	100%	The City utilized a technology firm and a vehicle outfitted with special equipment to drive all public streets and automatically collect information including: pavement condition, street signs, pavement markings, and more. This data is now available for use within the City's GIS.

GENERAL GOVERNMENT - VEHICLES AND EQUIPMENT

WG130E	Fleet (Vehicle) Replacements	J. Kintner	\$1,349,801	\$1,082,755	80%	12/16	85%	12 of 14 vehicles/equipment scheduled for 2016 replacement were purchased. One replacement delayed until 2018 by modified fleet replacement policy. Delivery of a Boom Truck delayed by contract solicitation. The purchase of a YFS Box Truck will be carried over to 2017.
WG550R	Fuel Clean Up / Soil Remediation	J. Kintner	\$60,000	\$62,273	104%	12/16	100%	system and provide administrative support to complete the King County Metro discharge authorization permit and the DOE monitoring reports required by state law.
XG710F	Fire Apparatus (Pumper) Replacement	S. Heitman	\$338,000	\$333,286	99%	10/16	100%	The new Midi pumper was received in October, after a significant delay at the factory due to a chassis issue, and has been placed into service at station 92. All crews have been trained in the pump operation of this vehicle and have completed the driving course to ensure safe operation by all personnel.
WG131E	Firefighting Equipment	S. Heitman	\$71,000	\$71,545	101%	12/16	100%	A new thermal imaging camera, stokes basket, hose trays for each pumper, and the completion of the second set of bunker gear project (to meet NFPA compliance) have been completed. In addition, pocket masks were purchased to be distributed with CPR courses.
WG141E	MICEC Technology & Equip Replacement	Z. Houvener	\$233,000	\$230,682	99%	12/16	100%	Mercer & Meeting Room A/V completed. Fitness Room Equipment Replacement completed. Lobby and Meeting Room Furniture purchased and installed. Custodial equipment and small sports equipment have been purchased.

2015-2016 CIP - PROJECT MANAGEMENT REPORT (Biennium) --- Project Expenditures Reported as of 12/31/2016

PROJECT NUMBER	PROJECT NAME	PROJECT MANAGER	APPROVED BUDGET (2015-2016)	TOTAL EXPENDED (as of Dec 31, 2016)	% EXPEND TO DATE	EST. COMPLTN DATE	% WORK COMPLETE	PROJECT STATUS & COMMENTS
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WATER UTILITY

WW101P	Water System Plan	R. Lin	\$60,000	\$38,489	64%	11/16	100%	After submitting the final revised Plans to DOH at the end of June, the City received preliminary approval from DOH in July. City Council adopted the final 2015 Water System Plan at their regular meeting on October 4, 2016.
WW102P	Water Model and Fire Flow Analysis	R. Lin	\$42,650	\$15,808	37%	12/16	25%	Water model updates began in late October 2016 and continued to end of December. Fire flow analysis will take place between January and March 2017.
WW117R	Street Related Water CIP Projects	R. Lin	\$350,000	\$230,520	66%	12/16	100%	No Street-Related water system improvements were anticipated in 2016. In 2015 16 fire hydrant replacements, 11 water service replacement/installations, 140 LF of water main, and 1 blow-off assembly were completed in advance of street overlay projects.
WW120S	Meter Replacement Program	B. McDaniel	\$200,000	\$1,556	1%	12/16	0%	Project delayed again pending outcome of meter replacment planning effort. SCADA and booster chlorination project may impact the type of meter and technology used for the repacment program.
WW125R	Pump Replacement at Reservoir	B. McDaniel	\$70,000	\$69,494	99%	12/15	100%	Emergency replacement of a 100 horsepower booster pump at the Reservoir. This is one of five pumps (which were purchased at approximately the same time) which provide boosted water pressure to the 492 zone.
WW312R	ICW and 85th Ave Water Improvements	R. Lin	\$1,714,771	\$1,163,178	68%	9/15	100%	Combined with 93rd, 89th, 90th Water project (WW524R). A total of 3,372 LF of water mains, 66 water services, 10 fire hydrants, and other water system components were replaced/installed on ICW and 85th Ave SE by early September 2015. Council accepted completed project in September 2016.
WW520C	Hydrant Replacements	R. Lin	\$300,000	\$29,453	10%	12/16	10%	Design of this project started in late fall. Design is anticipated to be completed in early spring 2017 with construction planned for late spring or early summer 2017.
WW521C	Water System Components	B. McDaniel	\$70,000	\$5,465	8%	12/16	54%	Replaced a pressure reducing station vault lid at 4600 E. Mercer Way. Ugraded steel lid with stronger LW Products with an aluminum access cover.
WW522R	Reservoir Generator Replacement	B. McDaniel	\$100,000	\$0	0%	12/16	0%	Project is on hold. The size of the generator will be determined in conjunction with design of the booster chlorination station. Requested to carry over unspent funds to 2017.
WW523R	EMW 5400-6000 Block Watermain (Design)	R. Lin	\$219,000	\$109,982	50%	12/16	20%	Design began in August and is 60% complete. In November the project design was put on hold to give staff opportunity to work through two issues with residents (pavement restoration and easement acquisition). The discussions will continue into 2017.
WW524R	93rd, 89th & 90th Water Improvements	R. Lin	\$683,264	\$479,610	70%	9/15	100%	Combined with Island Crest Way and 85th Ave Water project (WW312R). A total of 1,775 LF of water mains, 36 water services and 6 fire hydrants were replaced/installed on 89th, 90th, & 93rd Ave SE by August 2015. Council accepted completed project in September 2016.
WW526R	Madrona Crest West Water System	R. Lin	\$1,392,034	\$1,157,902	83%	10/16	100%	The Madrona Crest project installed approx. 3,500 LF of 8-in water main, 8 fire hydrants, 82 water services, one street block of new concrete sidewalk and full-width street overlay. The construction completed at the end of October. The project close anticipated in 2017.
WW527R	3838 WMW Water Improvements (Design)	R. Lin	\$65,000	\$56,232	87%	12/16	90%	Design work for this project began in Sept 2016 and was nearly complete at the end of December. Project will be bid in January with construction expected in spring of 2017.
WW528R	9700 Block SE 41st Watermain	R. Lin	\$541,000	\$467,055	86%	8/16	100%	Construction started in late January and completed in early April 2016. A total of 1,361 LF water mains, 33 water services, 2 fire hydrants and 2 air vacuum release valve assemblies were replaced/installed on SE 41st St, SE 40th St and 96th Ave SE.
WW535A WW535B	PRV Air Vac Replacements	R. Lin	\$350,000	\$328,676	94%	8/16	100%	Construction started in late January and completed in early April 2016. A total of 1,361 LF water mains, 33 water services, 2 fire hydrants and 2 air vacuum release valve assemblies were replaced/installed on SE 41st St, SE 40th St and 96th Ave SE.
WW535D	Booster Chlorination Station	A. Tonella-Howe	\$300,000	\$107,999	36%	12/17	30%	Feasibility and determination of need for permanent booster CI2 station is complete. Based on recommendations from the feasibility analysis, preliminary design (30%) for the station has begun. Final design, to meet Post Boil Water Advisory action item is underway.

SEWER UTILITY

WS101U	Backyard Sewer System Improvements	A. Tonella-Howe	\$200,000	\$16,563	8%	12/16	8%	Project identified installation access points in backyards sewers of 7200 Block of 81st Ave SE. Contractor unable to complete project due to access and weather. Scheduled to continue 2017.
WS103P	General Sewer Plan Update	A. Tonella-Howe	\$144,936	\$123,482	85%	8/17	50%	Work continuing on GSP update. Sewer flow data collected and modeling of the Town Center complete. Capital planning tool being developed.
WS160R	Street Related Sewer CIP Projects	C. Morris	\$60,000	\$12,075	20%	12/16	100%	This project replaced sewer manhole castings and lids in conjunction with the various street paving projects constructed in the biennium.
WS320R	Pump Station 14 Modernization	A. Tonella-Howe	\$105,862	\$6,914	7%	6/15	100%	Replacement of pumping system and controls at pump station #14 is complete. Waiting on contractor to respond to final progress payment and extra costs request.
WS330T	Sewer System Telemetry Improvements	B. McDaniel	\$125,745	\$54,153	43%	6/16	100%	Final sewer station telemetry upgrades completed at sewer pump stations 14 (in conjunction with the PS 14 Modernization project), 18, and 24.

2015-2016 CIP - PROJECT MANAGEMENT REPORT (Biennium) --- Project Expenditures Reported as of 12/31/2016

PROJECT NUMBER	PROJECT NAME	PROJECT MANAGER	APPROVED BUDGET (2015-2016)	TOTAL EXPENDED (as of Dec 31, 2016)	% EXPEND TO DATE	EST. COMPLTN DATE	% WORK COMPLETE	PROJECT STATUS & COMMENTS
WS511R	Sewer Special Catch Basins	A. Tonella-Howe	\$300,000	\$29,741	10%	12/17	25%	Assessment of 1/3 special catch basins complete. Prototype designed and fabricated for installation at one SCB. Design refinement, assessment completion and modifications to all SCB planned for 2017.
WS512R	Sewer Repair at Sub-Basin 27	F. Gu	\$315,000	\$66,644	21%	10/17	21%	This project combines with storm system repair at same site (WD531C). The project had finally received the belated Section 404 approval from the USACE at the end of September therefore missing the construction "fish window". Project will be publicly bided in early Spring of 2017.
WS710R	General Sewer System Improvements	B. McDaniel	\$650,000	\$313,504	48%	12/16	48%	Project rehabilitated 4457 feet of sewer main by the installation of a pipe liner at several locations. Pipe and manhole rehabilitation will continue in 2017.
WS901D	Sewer System - Pump Station Improvements	B. McDaniel	\$130,000	\$73,674	57%	12/16	57%	Purchased three chopper pumps for Pump Station 18. Scheduled for installation 2018.
WS901E	Sewer System - Emergency Repairs	B. McDaniel	\$75,000	\$0	0%	12/16	0%	No emergency repair projects were needed in 2015-2016.
WS901G	Sewer System - Generator Replacement	B. McDaniel	\$160,000	\$43,300	27%	12/16	42%	Purchased 40 KW diesel Genset generator for Pump Station 18, purchased 30 KW diesel Genset generator for Pump Station 17, and purchased a 25 KW diesel Genset generator for Pump Station 24. Scheduled to be installed in 2018.

STORM WATER UTILITY

WD104D	Watercourse Condition Assessments	P. Yamashita	\$40,000	\$152	0%	12/16	2%	The assessment did not occur due to time sensitive staff focus on active litigation and higher priority work. The assessment is performed every biennium and is programmed next for 2017-2018 with a new budget.
WD105R	Watercourse Minor Repairs/Maintenance	F. Gu	\$48,000	\$46,915	98%	10/16	100%	Nearly 30 tons of quarry spalls and large stream rocks were placed at a heavily washed-out section within a sub basin 29 watercourse off at around 6250 block of WMW.
WD106R	Minor Watercourse Improvements	F. Gu	\$115,000	\$53,474	46%	10/15	100%	A 220' storm pipe was installed between East Mercer Way and the Sandy Cove neighborhood. Construction began in dry summer months. Final replanting work was completed in October 2015.
WD120V	East Seattle Storm Improvements	P. Yamashita	\$75,000	\$33,235	44%	12/16	100%	This project extended the drainage system on SE 28th St. (62nd to 63rd Ave. SE) and 63rd Ave. SE north approx. 150' and repaired catch basins throughout the east seattle neighborhood. The project was complete as of December 2016.
WD301S	Neighborhood Spot Drainage Improvements	C. Morris	\$170,000	\$30,874	18%	12/16	100%	Staff has identified several project locations for drainage improvements. A small amount of work was performed in 2016. Remaining sites have been postponed until 2017-2018 biennium.
WD311C	Sub Basin 27 Watercourse	F. Gu	\$137,210	\$104,853	76%	10/15	100%	This project repaired a 10' high headcut and stabilized approximately 325 LF of watercourse downstream. Construction began in dry summer months, project completed in October 2015 with replanting work.
WD312C	Sub Basin 6 Watercourse - Phase 2	F. Gu	\$482,444	\$481,810	100%	11/15	100%	This project included two separate contracts. The first portion stabilized approx. 1700 LF of main watercourse with bio-engineering methods, ie logs and stream rock with extremely difficult access via steep slopes. The second portion by-passed a highly eroded tributary with 500 LF of HDPE storm drainage pipe.
WD320R	Drainage System Emergency Repairs	B. Hartvigson	\$40,000	\$30,001	75%	12/16	100%	Existing concrete stormwater pipe was slip lined using fiberglass CIPP to repair separated joints at 3431 WMW (70 linear feet) and at 3887 WMW (115 linear feet). Project complete as of December 2016.
WD321R	Drainage System Video Inspection	C. Morris	\$60,000	\$14,569	24%	1/17	90%	Drainage pipe cleaning and inspections were performed in several neighborhoods prior to street resurfacing projects. Some inspection work still underway at end of December and will be completed in January 2017.
WD531C	Sub Basin 27a Watercourse	F. Gu	\$341,250	\$52,866	15%	12/16	15%	This project combines with sewer repair at same site (WS512R). The project had finally received the belated Section 404 approval from the USACE at the end of September therefore missing the construction "fish window". Project will be publicly bided in early Spring of 2017.
WD532C	Sub Basin 27a Culvert	F. Gu	\$142,000	\$92,156	65%	12/16	100%	Approximately 230LF 24" CMP was trenchless replaced with 18" HDPE pipe by way of slip-lining. Contractor initially did the work in August but the last 30 LF of the new pipe was damaged during installation. All corrective work was completed in December 2016 with no additional cost to the City.
WD533C	Sub Basin 49b Watercourse	F. Gu	\$256,150	\$8,872	3%	9/18	5%	Field assessment completed. Site survey to take place in January 2017. Design and permitting to begin in Spring 2017. Expecting construction to take place in Summer 2018.
WD534C	Sub Basin 51a Watercourse	F. Gu	\$183,120	\$8,764	5%	9/18	5%	Field assessment completed. Site survey to take place in January 2017. Design and permitting to begin in Spring 2017. Expecting construction to take place in Summer 2018.
WD535E	Sub Basin 6 Drainage Extension	C. Morris	\$160,492	\$124,796	78%	10/16	100%	This project was combined with Madrona Crest Water System Improvements (WV526R). It extended the drainage system in the 3900 block of 86th Ave. Construction began in May 2016 and was completed by the end of August 2016.
WD536E	Sub Basin 14 Drainage Extension	P. Yamashita	\$115,000	\$67	0%	12/17	1%	This project will extend the drainage system from the end of a drainage system extension performed by a private developer and is contingent on that work. The private development has been delayed, necessitating carry-over of the project funds to complete the project after the private development work.
WD537E	Sub Basin 18c Drainage System	P. Yamashita	\$175,000	\$172,546	99%	12/16	100%	Project extended drainage system on SE 32nd St. (72nd Ave. SE to 73rd Ave. SE) and 73rd Ave. SE (SE 32nd St., south 280). Construction was completed in October 2016.

2015-2016 CIP - PROJECT MANAGEMENT REPORT (Biennium) --- Project Expenditures Reported as of 12/31/2016

PROJECT NUMBER	PROJECT NAME	PROJECT MANAGER	APPROVED BUDGET (2015-2016)	TOTAL EXPENDED (as of Dec 31, 2016)	% EXPEND TO DATE	EST. COMPLTN DATE	% WORK COMPLETE	PROJECT STATUS & COMMENTS
	CAPITAL REINVESTMENT PLAN TOTAL		\$23,271,294	\$14,577,351	62.6%			

CAPITAL FACILITIES PLAN

PARKS, RECREATION AND OPEN SPACE

XP520R	Regional Trail Connections (KC Levy)	P. West	\$220,355	\$196,927	89%	12/16	90%	Hollerbach trail geotech completed; Island Glen Bridge completed; Mercedale Stair rebuild completed; Bollard study complete; half of City-owned bollards were removed; WSDOT notified of need to act on bollards, Fleury Trail retaining wall anchoring
WP503R	Luther Burbank Park Major Improvements	P. West	\$85,000	\$67,898	80%	12/16	20%	Luther Burbank dock repairs design completed: construction budget estimate is \$300k. Need to rescope and/or identify additional CIP funding. Caretakers home improvements completed.
XG500A	Mosaic at LB Playground	A. Britton	\$26,000	\$29,543	114%	7/16	100%	1st phase was completed in June 2106 when the children's mosaics were installed. The second phase of the mosaic art was installed and project was completed in August 2016.
XG501A	Mural at I-90 and WMW Onramp	A. Britton	\$25,000	\$86	0%	7/16	0%	Project on hold for staff transitions. Budget will be carried over to 2017-2018.
XG502A	Twin Fox Sculptures	A. Britton	\$3,300	\$4,897	148%	10/15	100%	Sculpture plaque was ordered, boulders were selected and prepped, the installation site was prepped and weeds removed. In February 2016 the artwork was attached to boulder. Artwork installed 2/26/16. Art unveiling held 3/5/16.

STREETS, PEDESTRIAN AND BICYCLE FACILITIES

XR310R	EMW Shoulders - Phase 9	C. Morris	\$358,000	\$263,932	74%	6/16	100%	Project advertised for construction bids in January 2016. Work began in March and all improvements were completed by early May 2016. Work included piping drainage ditches and paving a new asphalt shoulder from 6600 block to SE 71st Street.
XR320R	Safe Routes to School - New Elementary Sch	A. Tonella-Howe	\$439,000	\$93,254	21%	10/17	50%	Project design is 95% complete. At request of school district advertisement and construction postponed until summer 2017 when school is out for summer break to minimize conflict with walking to school.
XR541C	Safe Routes to School - Madrona Crest	A. Tonella-Howe	\$255,605	\$238,413	93%	10/16	100%	This project was combined with Madrona Crest West Water System Improvement (WW526R). Construction of new curbs and concrete sidewalk along the east side of 86th Ave between SE 40th and SE 39th was completed by end of August 2016.
XR542C	84th Avenue Path (to Upper Luther BB Park)	C. Morris	\$26,000	\$27,427	105%	12/15	100%	Construction of this gravel trail and shoulder improvement was performed in-house by Parks Maintenance staff. Most work was completed in May 2015 with minor punch list work finished in December 2015.
XR543C	WMW Roadside Shoulders (7400-8000 Block)	C. Morris	\$417,500	\$48,264	12%	5/17	30%	Design work began in August 2016. Bids were opened and a contract awarded in November. Construction scheduled to begin in January 2017. Project will construct a new paved shoulder along east side of roadway.
XR544R	NMW Crossing at Covenant Shores	A. Tonella-Howe	\$14,000	\$13,399	96%	10/15	100%	A marked crosswalk including signing and ADA ramps were installed in September/October 2015 on North Mercer Way making a connection near Covenant Shores to the I-90 trail.
XR545R	PBF - WMW and 80th Stairs	C. Morris	\$22,000	\$15,207	69%	12/16	100%	Project built new stairs on the trail from West Mercer Way and 78th Avenue up to 80th Avenue near W. Mercer Elementary. Construction occurred in fall 2016 using Parks Maintenance staff.
XR546R	SE 42nd Street Raised Crosswalk	A. Tonella-Howe	\$25,500	\$24,550	96%	12/16	100%	A raised crosswalk was installed on SE 42nd at 88th Ave SE to enhance the walking route to the Northwood Elementary School. All work completed prior to the first day of school.

GENERAL GOVERNMENT

XG118T	Maintenance Management System	M. Kaser	\$50,000	\$42,059	84%	12/18	98%	A software selection process involving City staff was conducted in 2016. Contracts with City Works have been completed. Implementation is set to begin in late March to early April 2017.
XG150T	Small Technology and Equipment	C. Corder	\$50,000	\$10,913	22%	12/16	100%	Purchases include a computer (and related software), equipment for MITV channel 21, and professional services for MITV channel 21.
XG152C	Sustainability Projects	R. Freeman	\$50,000	\$16,598	33%	12/16	100%	The MICEC relamping project converted 42 lamps posts in the parking lot from metal halide to LED. The LED bulbs use 70% less energy and last eight times as long. A rebate of \$4,481 was received from PSE. The project also corrected several wiring issues which contributed to premature bulb failure.
XG701R	Car Port for Patrol Vehicles	D. Jokinen	\$76,000	\$77,357	102%	8/16	100%	Construction of the carport is complete. The facility is in use and has effectively been keeping the patrol vehicles protected from foul weather.
XG300R	South Fire Station 92 Replacement	F. Gu	\$1,667,323	\$1,631,906	98%	12/16	100%	Damaged roof materials and installation nonconformities were remedied during the roof overlay work. A new roofing membrane was installed in August, 2016. A claim was filed against Corp Inc Construction's (Contractor) insurance company for reimbursement.

2015-2016 CIP - PROJECT MANAGEMENT REPORT (Biennium) --- Project Expenditures Reported as of 12/31/2016

PROJECT NUMBER	PROJECT NAME	PROJECT MANAGER	APPROVED BUDGET (2015-2016)	TOTAL EXPENDED (as of Dec 31, 2016)	% EXPEND TO DATE	EST. COMPLTN DATE	% WORK COMPLETE	PROJECT STATUS & COMMENTS
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WATER UTILITY

XW540R	Water Advisory Action Plan Follow-Up	A. Tonella-Howe	\$192,500	\$25,212	13%	12/15	85%	Continued with surveillance monitoring system-wide; completed development of the CCCP plan; completed feasibility analysis for the Booster Chlorination; hired a water quality tech.
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STORM WATER UTILITY

XD310C	Basin 10 & 32b Dissolved Metals	P. Yamashita	\$80,000	\$75,527	94%	12/16	100%	Field work and analysis complete. Grant application completed and submitted for future pilot project analysis.
XD311C	Water Quality Treatment	B. Hartvigson	\$75,000	\$56,598	75%	6/15	100%	New sediment catchment structures were installed to improve levels of containment and streamline maintenance requirements over previously existing stormwater sediment ponds at 5665 EMW and 5700 WMW. Project is complete as of December 2016.
XD312C	Street Related Drainage Improvements	C. Morris	\$190,000	\$138,655	73%	12/16	100%	This project repaired drainage pipes and constructed pipe extensions in advance of 2015 and 2016 street paving projects.
XD313C	Decant Facility (75% Grant Funded)	B. Hartvigson	\$40,083	\$26,829	67%	6/15	100%	Construction of a new decant facility at the Maintenance shop was completed and the collection basin was connected to the King County wastewater system. The discharge permit was received and the facility is operational as of July 2015

	CAPITAL FACILITIES PLAN TOTAL		\$4,388,166	\$3,125,452	71.2%			
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	GRAND TOTAL (CRP + CFP)		\$27,659,460	\$17,702,803	64.0%			
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**CITY OF MERCER ISLAND
ORDINANCE NO. 17-13**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
INCORPORATING CERTAIN BUDGET REVISIONS TO THE 2017-2018
BIENNIAL BUDGET AND AMENDING ORDINANCE NO. 16-17.**

WHEREAS, the City Council adopted the 2017-2018 Budget by Ordinance No. 16-17 on December 5, 2016, representing the total for the biennium of estimated resources and expenditures for each of the separate funds of the City; and

WHEREAS, budget adjustments have been approved by the City Council in 2017 in an open public meeting but have not been formally adopted via ordinance, as noted in the following table; and

Fund	Department	Description	Agenda Bill	Budget Year	Amount	Funding Source(s)
General	City Manager's Office	Additional funding for I-90/light rail litigation and other related costs	AB 5261, 2/21/17	2017	\$600,000	Unallocated 2015 General Fund surplus (\$302,895) + interfund transfer from F.S. 92 Construction Fund (\$297,105)
	Non-Departmental	Balance General Fund's 2018 budget (eliminate "contra" expenditure)	AB 5266, 3/20/17	2018	\$505,195	Unappropriated fund balance
		Interfund transfer to YFS Fund to balance 2018 budget	AB 5266, 3/20/17	2018	\$343,886	Unappropriated fund balance
	Police	Move Criminal Justice Fund's 2017-2018 budget to General Fund	AB 5266, 3/20/17	2017	\$599,441	2017 budgeted revenues (\$726,725)
			2018	\$622,722	2018 budgeted revenues (\$761,525)	
Beautification	Parks & Recreation	2017-2018 Budget correction: Interfund transfer to Capital Improvement Fund for Aubrey Davis Park multi-use corridor plan (this should have been included in the 2017-2018 Budget)	AB 5239, 12/5/16	2017	\$150,000	Unappropriated fund balance
Youth & Family Services	Youth & Family Services	Balance YFS Fund's 2018 budget (eliminate "contra" expenditure)	AB 5266, 3/20/17	2018	\$343,886	Interfund transfer from General Fund

Fund	Department	Description	Agenda Bill	Budget Year	Amount	Funding Source(s)
Criminal Justice	Police	Close Criminal Justice Fund, moving 2017-2018 budget to General Fund and transferring 12/31/16 unreserved fund balance to General Fund, JAG reserve to General Fund, and ENTF and U.S. Treasury reserves to Technology & Equipment Fund	AB 5266, 3/20/17	2017	-\$599,441	2017 budgeted revenues (-\$726,725)
				2018	-\$622,722	2018 budgeted revenues (-\$761,525)
				2017	\$1,100,614	Unreserved fund balance (\$945,135) + JAG reserve (\$79,437) + ENTF reserve (\$41,345) + U.S. Treasury reserve (\$34,697)
F.S. 92 Construction	Non-Departmental	Appropriation needed to cover final project expenditures in 2017 (\$69,090) and to transfer remaining fund balance (\$297,105) to General Fund for I-90/light rail litigation and other related costs	AB 5261, 2/21/17 AB 5278, 4/3/17	2017	\$366,195	Settlement payment from Corp, Inc. (\$330,000) + unappropriated fund balance (\$36,195)

WHEREAS, budget adjustments are needed that have not been previously approved by the City Council, as noted in the following table; and

Fund	Department	Description	Budget Year	Amount	Funding Source(s)
General	Information & Geographic Services	Upgrade Comcast internet backup to commercial grade service	2017	\$5,400	2016 expenditure savings
			2018	\$7,200	
Capital Improvement	Parks & Recreation	WCIA grant for bollard removal	2017	\$12,500	WCIA grant
Technology & Equipment	Police	City's share of negative balance in Eastside Narcotics Task Force's (ENTF) State Forfeiture Account	2017	\$15,446	ENTF reserve
Equipment Rental	Public Works	Consulting services to evaluate and provide technical support to determine best path forward on soil remediation and cleanup	2017	\$20,000	Operating reserve

WHEREAS, changes need to be made to the 2017-2018 Budget to increase expenditures in various funds for items, services, and projects that were included in the 2015-2016 Budget but not purchased or completed by the end of 2016, as noted in the following two tables; and

WHEREAS, fund balances or grant revenues in the funds noted in the following two tables are sufficient to cover these expenditure carryovers from the 2015-2016 Budget;

2016 Operating Budget Carryovers

Fund	Description	Cost Center	Amount
General	Moving expenses for new City Manager	CM1100	\$20,000
	Holiday lighting settlement	GGM001	\$24,242
	Residential code update	DS1100	\$23,813
	EOC restroom	MT4200	\$6,000
	Consulting services for storm water regulations update	DS1400	\$15,000
	Exercise room equipment	CR1100	\$5,000
	Public Works space re-configuration	MT2100	\$12,500
	Non-lethal weapons for Police patrol (budgeted in Criminal Justice Fund in 2016)	PO1100	\$5,000
Beautification	Way finding signs (funded by \$23,480 Port of Seattle grant + \$11,450 unappropriated fund balance)	MTBE04	\$34,930
Water	Public Works space re-configuration	MT3100	\$12,500
	Water contamination event follow-up work	MT3150	\$76,185
Sewer	Public Works space re-configuration	MT3400	\$12,500
Storm Water	Public Works space re-configuration	MT3800	\$12,500
	NPDES phase 2 permit implementation (funded by \$25,000 Department of Ecology grant)	MT3810	\$25,000

Total 2016 Operating Budget Carryovers \$285,170

2016 CIP Budget Carryovers

Fund	Project Title	Project #	Amount	Description
Street	Safe Routes to School	XR320R	\$345,746	Design is 95% complete for sidewalk improvements on SE 40 th (88 th Ave to Gallagher Hill Road); construction delayed until summer 2017 at request of MISD
	WMW Shoulders (7400-8000 Block)	XR543C	\$324,000	Construction contract awarded Nov 2016; construction completed 1 st quarter 2017
	Freeman Landing	WR103F	\$108,400	Repair options are being developed
Beautification	Interfund transfer to Capital Improvement Fund	IFT117	\$45,000	Funding for MICEC hillside drainage repair
1% for Arts	Mural at I-90 and WMW Onramp	XG501A	\$24,914	Delayed due to staff turnover; WSDOT review in 2 nd quarter 2017 with construction planned for summer 2017
Youth & Family Services	Interfund transfer to Capital Improvement Fund	IFT160	\$6,000	Funding for Thrift Shop building repair
Capital Improvement	Island Crest Park – Ballfield Lights and South Field Design	WP107R WP115S	\$85,160	Design is 100% complete and the project was bid during 1 st quarter 2017
	Open Space Vegetation Management	WP122P WP122R	\$86,893	Complete work in Pioneer Park and SE 53 rd open spaces

Fund	Project Title	Project #	Amount	Description
Capital Improvement (cont'd)	Groveland Swim Beach Repair	WP506R	\$430,155	Pier decay requires repairs by 2018 to avoid beach closure; 3-6 months needed to process permits and complete design
	King County Levy Projects	XP520R	\$23,372	Completing bollard removal and asphalt patching on City-owned portion of I-90 trail
	Luther Burbank Minor Capital	XP710R	\$45,584	Completing boiler building study and developing lake water rights for irrigation
	City Hall Building Repairs	WG101R	\$77,907	City Hall boiler replacement
	Emergency Operations Center	WG101S	\$4,214	ADA improvements; Fire code compliance
	Maintenance Building Repairs	WG102R	\$123,027	Windows and locks completed Mar 2017 (\$30K); Maintenance Center design (\$93K)
	Thrift Shop Building Repairs	WG104R	\$6,000	Exterior signs installed Jan 2017
	Community Center Building Repairs	WG105R	\$128,665	Hillside drainage and parking lot repair delayed due to staff turnover (\$79K); storage addition (\$50K) going through plan review
	North Fire Station Building Repairs	WG106R	\$10,000	Shop storage and lighting
	Luther Burbank Administration Building Repairs	WG107R	\$81,695	Window replacement and office build out completed Feb 2017 after weather delays
Technology & Equipment	Recreation and Facility Booking System	WG513T	\$105,750	Procurement was delayed to the end of 2016 due to staff turnover; implementation will occur in 2017
	Enterprise Asset Management System	XG118T	\$7,940	Completion of procurement process for new system
Water	Hydrant Replacements	WW520C	\$265,000	Replacement of 26 sub-standard fire hydrants was bid at the end of Feb 2017; construction is planned in May/June 2017
	Water Components Replacement	WW521C	\$59,470	Work was completed in conjunction with WMW Shoulders (XR543C) in 1 st quarter 2017
	Interfund transfers to Capital Improvement Fund and Technology & Equipment Fund	IFT402	\$32,740	Funding for Maintenance Building repairs (\$30,755) and enterprise asset management project (\$1,985)
	Booster Chlorination Station	WW535D	\$156,400	Final design of Booster Chlorination Station
	Reservoir Generator	WW522R	\$100,000	Generator size will be impacted by Booster Chlorination Station
Sewer	General Sewer Plan	WS103P	\$21,454	Completion of plan, which was delayed by water contamination event
	Sub-Basin 27a Sewer Repair	WS512R	\$248,356	Replace exposed sewer line in ravine which is at risk; permit approvals were delayed by Army Corps of Engineers (project also includes a Storm Water component – WD531C)

Fund	Project Title	Project #	Amount	Description
Sewer (cont'd)	Sewer Generator Replacement	WS901G	\$116,700	Generator replacement at Sewer Station 18 due to a major failure
	Interfund transfers to Capital Improvement Fund and Technology & Equipment Fund	IFT426	\$32,740	Funding for Maintenance Building repairs (\$30,755) and enterprise asset management project (\$1,985)
Storm Water	Drainage System Video Inspection	WD321R	\$42,230	Contracted for work in Dec 2016; work competed in Jan 2017
	Sub-Basin 27a Watercourse Repair	WD531C	\$288,384	Permit approvals were delayed by Army Corps of Engineers (project also includes a Sewer component – WS512R)
	Interfund transfers to Capital Improvement Fund and Technology & Equipment Fund	IFT432	\$32,740	Funding for Maintenance Building repairs (\$30,755) and enterprise asset management project (\$1,985)
Equipment Rental	Fleet Replacements	WG130E	\$178,002	Replacement of vehicles/engines ordered in 2016 but not delivered until 2017 (2 Marine Patrol boat engines, box truck for Thrift Shop, and boom truck)

Total 2016 CIP Budget Carryovers \$3,644,638

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

Section 1. Amending the 2017-2018 Budget

The 2017-2018 Budget for the City of Mercer Island, as adopted in Ordinance No. 16-17, is hereby amended to incorporate increases in resources and expenditures in the following funds for the 2017-2018 biennium:

Fund No.	Fund Name	Resources	Expenditures
001	General Fund	\$3,061,486	\$2,795,399
104	Street Fund	778,146	778,146
112	Criminal Justice	-387,636	-121,549
117	Beautification Fund	229,930	229,930
140	1% for the Arts	24,914	24,914
160	Youth & Family Services	349,886	349,886
343	Capital Improvement Fund	1,115,172	1,115,172
345	Technology & Equipment Fund	129,136	129,136
347	Fire Station 92 Construction Fund	366,195	366,195
402	Water Fund	702,295	702,295
426	Sewer Fund	431,750	431,750
432	Storm Water Fund	400,854	400,854
503	Equipment Rental Fund	198,002	198,002

Totals \$7,400,130 \$7,400,130

Section 2. Amending Previously Adopted Budget Ordinances

City Ordinance No. 16-17, as previously adopted and as hereby amended, is hereby ratified, confirmed, and continued in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect and be in force 5 days after passage and publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON THE 1ST DAY OF MAY, 2017.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk

APPROVED AS TO FORM:

Kari Sand, City Attorney

Date of Publication: _____



CITY COUNCIL PLANNING SCHEDULE

All meetings are held in the City Hall Council Chambers unless otherwise noted.
 Special Meetings and Study Sessions begin at 6:00 pm. Regular Meetings begin at 7:00 pm.
 Items listed for each meeting are not in any particular order.

MAY 1 – 5:00 PM		
Item Type	Topic/Presenter	Time
<i>Executive Session (5:00-6:00 pm)</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60
<i>Study Session (6:00-7:00 pm)</i>	City Council Rules of Procedures Amendments – K. Taylor	60
<i>Special Business (7:00 pm)</i>	Affordable Housing Week Proclamation	5
<i>Consent Calendar</i>	Adoption of 2017-2018 City Council Goals and Work Plan – J. Underwood	--
<i>Regular Business</i>	I-90 Loss of Mobility Status Report – J. Underwood	30
<i>Public Hearing</i>	Public Hearing: Temporary Increase in Utility Tax Rate on Water, Sewer, and Storm Water Utilities – C. Corder	30
<i>Regular Business</i>	Code Amendments Regarding Development Permit Appeals and Actions (1 st Reading) – S. Greenberg	60
<i>Regular Business</i>	Fourth Quarter 2016 Financial Status Report & Budget Adjustments – C. Corder	30

MAY 8 – 6:00-9:00 PM (SPECIAL MEETING)		
Item Type	Topic/Presenter	Time
<i>Study Session</i>	Joint Council-Planning Commission Study Session on Planning Commission/s Preliminary Recommendation for Residential Development Standards Code Amendments – E. Maxim	180

MAY 15 – 5:00 PM		
Item Type	Topic/Presenter	Time
<i>Executive Session (5:00-6:00 pm)</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60
<i>Special Business (6:00 pm)</i>	Safe Boating and Paddling Week Proclamation	10
<i>Consent Calendar</i>	Island Crest Way Resurfacing Phase 2 Project Close Out – C. Morris	--
<i>Public Hearing</i>	Public Hearing and Preview of the 6-Year Transportation Improvement Program – P. Yamashita	90
<i>Public Hearing</i>	Public Hearing and Approval of a Public Benefit Rating System Application for Pioneer Park Youth Club – R. Proebsting	30
<i>Public Hearing</i>	Public Hearing on Public Institution Zoning Amendment to Allow Light Rail Facilities in the I-90 Center Roadway – K. Sand	30
<i>Regular Business</i>	I-90 Loss of Mobility Status Report – J. Underwood	30
<i>Regular Business</i>	Appeals and Review Processes Code Amendments (2 nd Reading & Adoption) – S. Greenberg	30
<i>Regular Business</i>	First Quarter 2017 Financial Status Report & Budget Adjustments – C. Corder	15

JUNE 5 – 5:00 PM		
Item Type	Topic/Presenter	Time
<i>Executive Session (5:00-6:00 pm)</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60
<i>Study Session (6:00-7:00 pm)</i>	CenturyLink Cable Franchise – K. Sand	60
<i>Regular Business (7:00 pm)</i>	NPDES Stormwater Code Update (2 nd Reading & Adoption) – P. Yamashita	60
<i>Regular Business</i>	CenturyLink Cable Franchise (1 st Reading) – K. Sand	60
<i>Regular Business</i>	I-90 Loss of Mobility Status Report – J. Underwood	30
<i>Regular Business</i>	Island Crest Park Sportsfields Improvements Bid Award – B. Fletcher	30
<i>Regular Business</i>	Planning Commission’s Recommendation for Residential Development Standards Code Amendments (1 st Reading) – E. Maxim	90
<i>Regular Business</i>	2016 General Fund & REET Year-End Surplus Disposition – C. Corder	30

JUNE 12 – 6:00-8:00 PM (SPECIAL MEETING)		
Item Type	Topic/Presenter	Time
<i>Public Hearing</i>	Public Hearing on Residential Development Standards Code Amendments – E. Maxim	120

JUNE 17 (SATURDAY) - 8:30 AM-5:00 PM (SPECIAL MEETING)		
	MINI-PLANNING SESSION (MICEC)	

JUNE 19 – 5:00 PM		
Item Type	Topic/Presenter	Time
<i>Study Session (5:00-7:00 pm)</i>	Residential Development Standards Code Amendments - E. Maxim	120
<i>Regular Business</i>	I-90 Loss of Mobility Status Report – J. Underwood	30
<i>Regular Business</i>	Adoption of the 6 Year Transportation Improvement Program – P. Yamashita	45
<i>Regular Business</i>	CenturyLink Cable Franchise (2 nd Reading & Adoption) – K. Sand	30

JULY 3		
	CANCELED	

JULY 10 – 6:00 PM (SPECIAL MEETING)		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	P Zone Amendment-Light Rail Use (1 st Reading) —S. Greenberg	60
<i>Regular Business</i>	Essential Public Facilities Code Amendment (1 st Reading) — S. Greenberg	60
<i>Regular Business</i>	Transportation Concurrency Code Amendment (1 st Reading) –S. Greenberg	60
<i>Regular Business</i>	Residential Development Standards Code Amendments (2 nd Reading & Adoption) – E. Maxim	60

JULY 17		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	P Zone Amendment-Light Rail Use (2 nd Reading & Adoption) — S. Greenberg	30
<i>Regular Business</i>	Essential Public Facilities Code Amendment (2 nd Reading & Adoption) — S. Greenberg	30
<i>Regular Business</i>	Transportation Concurrency Code Amendment (2 nd Reading & Adoption) —S. Greenberg	30

AUGUST 7		
Item Type	Topic/Presenter	Time
<i>Public Hearing</i>	<i>(if needed)</i> Public Hearing to Extend Moratorium Regarding Development of Construction Activity within the I-90 Right of Way Portion of the Public Institution Zone – K. Sand	60
<i>Public Hearing</i>	<i>(if needed)</i> Public Hearing for Extend Moratorium Regarding Transportation Concurrency and Siting of Essential Public Facilities – K. Sand	60

AUGUST 21		
	<i>Potentially Canceled</i>	

SEPTEMBER 5 (TUESDAY)		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	Second Quarter 2017 Financial Status Report & Budget Adjustments – C. Corder	30

SEPTEMBER 18		
Item Type	Topic/Presenter	Time

OTHER ITEMS TO BE SCHEDULED:

- Code Enforcement Ordinance Update – A. Van Gorp (Q1 2017)
- Light Rail Station Design Oversight – K. Taylor
- Mercer Island Center for the Arts (MICA) Lease – K. Sand
- PSE Electric Franchise – K. Sand
- Zayo Telecom Franchise – K. Sand
- Six Year Sustainability Plan – R. Freeman

COUNCILMEMBER ABSENCES:

- Sanderson: May 8
- Bertlin: July 10 (possibly July 17)