



CITY OF MERCER ISLAND **REVISED 6/15**

CITY COUNCIL REGULAR VIDEO MEETING

Tuesday, June 16, 2020 at 5:00 PM

COUNCIL MEMBERS:

Mayor Benson Wong, Deputy Mayor Wendy Weiker,
Councilmembers: Lisa Anderl, Jake Jacobson,
Salim Nice, Craig Reynolds, David Rosenbaum

LOCATION & CONTACT:

Mercer Island City Hall - Council Chambers
9611 SE 36th Street | Mercer Island, WA 98040
Phone: 206.275.7793 | www.mercergov.org

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 206.275.7793.

VIRTUAL MEETING NOTICE

The virtual meeting will be broadcast live on MITV Channel 21 and live streamed on the City's YouTube Channel at <https://www.youtube.com/c/mercerislandcouncil>

A Note About Registering to Speak: Individuals wishing to speak live during Appearances and/or the Public Hearing will need to register their request with the City Clerk at 206-275-7793 or email deb.estrada@mercergov.org and leave a message before 4 p.m. on the day of the Council meeting. Please reference "Appearances" or "Public Hearing" for June 16 Council Meeting on your correspondence. The City Clerk will call on you by name or telephone number when it is your turn to speak.

Join by Telephone at 5:00PM: To listen to the meeting or speak live under Appearances and/or the Public Hearing via telephone, please call **253-215-8782** and enter Webinar ID **890 1709 7992** when prompted.

Join by Internet at 5:00PM: To watch the meeting over the internet or speak live under Appearances and/or the Public Hearing, via your computer microphone, follow these steps:

- 1) Click [this link](#)
- 2) If the Zoom app is not installed on your computer, you will be prompted to download it.
- 3) If prompted for Webinar ID, enter **890 1709 7992**
- 4) Enter Password **851646**

Submitting Written Comments: Written comments may be submitted at the Mercer Island [Lets Talk Council Connects](#) page. Written comments received by 4pm on June 16, 2020 will be forwarded to all Councilmembers and a brief summary of the comments will be included in the minutes of the meeting.

For the safety and wellbeing of the public and staff, the City strongly recommends that people attend the meeting by viewing the live feed of the video conference on the City's [YouTube Channel](#), or on [MI-TV Channel 21](#).

CALL TO ORDER & ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

SPECIAL BUSINESS

1. AB 5716: Juneteenth Community Event

Recommended Action: Endorse Friday, June 19, as Juneteenth in Mercer Island.

CITY MANAGER REPORT

APPEARANCES

CONSENT CALENDAR

2. Claims Reporting for **Electronic Funds Transfers** for the month ending May 31, 2020 in the amount of \$2,442,820.36
3. Approve **Accounts Payable Report** for the period ending June 5, 2020 in the amount of \$503,639.90
4. AB 5702: 2020 Arterial and Residential Street Overlays Bid Award
Recommended Action: Award Schedules A, B, C, and D of the 2020 Arterial and Residential Street Overlays project to Lakeside Industries in the amount of \$488,308.00. Set the total project budget to \$678,022 and direct the City Manager to execute the construction contract.
5. AB 5692: Resolution authorizing RCO grant application for pier renovation at Luther Burbank Park
Recommended Action: Approve Resolution No. 1581 authorizing the Boating Infrastructure Grant application for the Phase 2 design and construction of renovations and upgrades to the Luther Burbank Park dock.

REGULAR BUSINESS

6. AB 5707: Interim Ordinance Design and Concealment Standards for Small Cell Facilities Deployment
Recommended Action:
 - 1) Conduct **Public Hearing** and consider public testimony.
 - 2) Suspend the City Council Rules of Procedure 6.3, requiring a second reading of an ordinance.
 - 3) Adopt Ordinance No. 20-11, extending the Interim Design and Concealment Standards for Small Cell Facilities deployment established under Ordinance No. 19C-02.
7. AB 5706: Adoption of 2021-2026 Transportation Improvement Program (Public Hearing continued from May 19 Meeting)
Recommended Action:
 - 1) Conduct **Public Hearing** and consider public testimony.
 - 2) Adopt the 2021-2026 Transportation Improvement Program as reflected in Exhibit 2.
8. AB 5710 Shoreline Master Program Update 2019-2020
Recommended Action:
 - 1) Suspend the City Council Rule of Procedure 6.3, requiring a second reading for an ordinance.
 - 2) Adopt Ordinance No. 20C-13 amending MICC 19.13.050(F)(2) in Exhibit A to Ordinance No. 19C-06 as recommended by the Department of Ecology for approval of the proposed Shoreline Master Program.
9. AB 5711: Thrift Shop and Recycling Center Remodel Project
Recommended Action:
 - 1) Suspend the capital facility projects as previously described and allocate up to \$800,000 for the Thrift Shop and Recycling Center Remodel Project.
 - 2) Authorize \$50,000 for architectural services to begin design of the Thrift Shop and Recycling Center Remodel Project.
 - 3) Direct the City Manager to provide a 30% design update to the City Council including updated cost estimates, construction timelines, and project scope of work before completing further design work.
10. AB 5714: City Council Voting Delegates for the 2020 AWC Business Meeting
Recommended Action: Appoint Councilmembers as the City of Mercer Island voting delegates for the Association of Washington Cities Business Meeting on June 25, 2020.
11. Discuss actions for the city to consider, to oppose racism and encourage inclusion and diversity.
There is no agenda bill associated with this item pursuant to Section 4.2(D) of the City Council Rules of Procedure.

OTHER BUSINESS

Planning Schedule

Councilmember Absences & Reports

2 JOURNMENT



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

**AB 5716
June 16, 2020
Special Business**

AGENDA BILL INFORMATION

TITLE:	AB 5716: Juneteenth Community Celebration	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Consider endorsing Friday, June 19, 2020 as Juneteenth in Mercer Island.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	City Council		
STAFF:	Deborah Estrada, City Clerk		
COUNCIL LIAISON:	n/a	n/a	n/a
EXHIBITS:	1. Enter Exhibits Here		
CITY COUNCIL PRIORITY:	n/a		

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

SUMMARY

ONE MI is coordinating a community-wide Juneteenth event on Friday, June 19 from 5 to 8 PM. Mercer Island will join communities across the country to celebrate Juneteenth, a historic day of American liberation commemorating the final enactment of the Emancipation Proclamation. ONE MI is asking that the City Council consider endorsing Friday, June 19, as Juneteenth in Mercer Island.

BACKGROUND

Juneteenth is the oldest nationally celebrated commemoration of the ending of slavery in the United States. It commemorates African American freedom and emphasizes education and achievement. It is marked with celebrations, guest speakers, picnics and family gatherings and is a time for reflection and rejoicing. It is a time for assessment, self-improvement and for planning the future. In cities across the country, people of all races, nationalities and religions are joining hands to truthfully acknowledge a period in our history that shaped and continues to influence our society today.

COMMUNITY EVENT

ONE MI, with the support of the Mercer Island School Board of Directors, Mercer Island PTA, and the Mercer Island Community Fund, invites all Islanders to come together, even while we stay apart, and mark this historic day with (socially distanced) front yard and park cookouts, picnics, and music while building

community with your neighbors! Islanders are encouraged to share Juneteenth traditions that include drawing the Juneteenth flag, reading the Emancipation Proclamation, and serving red foods and drink, which symbolize resilience.

RECOMMENDATION

Endorse Friday, June 19, as Juneteenth in Mercer Island.

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>Date</u>	<u>Amount</u>
EFT Payments	May 2020	\$2,442,820.36

Accounts Payable EFT Report

Item 2.

Date	Type	Vendor Name/Description	Amount
May 22, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL ADP PAYROLL FEESADP - FEES ADP Payroll Services	1,742.34
May 22, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL ADP PAYROLL FEESADP - FEES ADP Payroll Services	2,733.56
May 12, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL NORTHWEST ADMINI INS Employee Insurance	166,626.65
		<i>Employee (payroll withholding)</i>	<i>\$19,636.33</i>
		<i>Employer Portion</i>	<i>\$146,990.32</i>
May 01, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding AFLAC INSURANCE - Payroll	777.39
May 08, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding NATIONWIDE PAYMENTS - Payroll	940.00
May 08, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding NATIONWIDE PAYMENTS - Payroll	19,652.86
May 22, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding NATIONWIDE PAYMENTS - Payroll	940.00
May 22, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding NATIONWIDE PAYMENTS - Payroll	19,498.38
May 07, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding NAVIA BENEFIT SOFLEXIBLE - Payroll	2,878.55
May 08, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding NAVIA BENEFIT SOFLEXIBLE - Payroll	136.95
May 14, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding NAVIA BENEFIT SOFLEXIBLE - Payroll	444.25
May 21, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding NAVIA BENEFIT SOFLEXIBLE - Payroll	1,636.25
May 28, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding NAVIA BENEFIT SOFLEXIBLE - Payroll	2,049.66
May 01, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding UNUMGROUP955 - Payroll	190.50
May 01, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding UNUMGROUP955 - Payroll	516.60
May 11, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding WASHINGTON-DSHS - Payroll	599.99
May 26, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL Employee Withholding WASHINGTON-DSHS - Payroll	599.99
May 08, 2020	Outgoing Money Transfer	IAFF Dues - Payroll	2,313.38
May 22, 2020	Outgoing Money Transfer	IAFF Dues - Payroll	2,313.38
May 08, 2020	Outgoing Money Transfer	ICMA - Payroll	33,825.70
May 22, 2020	Outgoing Money Transfer	ICMA - Payroll	31,753.07
May 08, 2020	Outgoing Money Transfer	VEBA - Payroll	5,681.21

Accounts Payable EFT Report

Item 2.

Date	Type	Vendor Name/Description	Amount
May 22, 2020	Outgoing Money Transfer	VEBA	Employee Withholding - Payroll 5,564.91
May 29, 2020	Outgoing Money Transfer	US Bank Trust	Interest-LTGO Debt 126,140.00
May 04, 2020	Preauthorized ACH Debit	BOFA MERCH SVCS FEE	Merchant Fee - Boat 131.89
May 04, 2020	Preauthorized ACH Debit	430134750159294	Launch 30.00
May 04, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Boat
May 04, 2020	Preauthorized ACH Debit	AUTHNET GATEWAY	Launch 30.00
May 04, 2020	Preauthorized ACH Debit	BOFA MERCH SVCS FEE	Merchant Fee - City
May 04, 2020	Preauthorized ACH Debit	430134260026874	Hall 22.07
May 04, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee -
May 04, 2020	Preauthorized ACH Debit	AUTHNET GATEWAY	Mybuildingpermit.com 25.00
May 04, 2020	Preauthorized ACH Debit	MERCHANT SVCS MERCH	Merchant Fee -
May 04, 2020	Preauthorized ACH Debit	FEE 000000000259217	Mybuildingpermit.com 932.21
May 05, 2020	Preauthorized ACH Debit	VANTIV_INTG_PYMTBILLNG	Merchant Fee - Parks & Recreation 450.73
May 05, 2020	Preauthorized ACH Debit	295483290884	& Recreation
May 05, 2020	Preauthorized ACH Debit	VANTIV_INTG_PYMTBILLNG	Merchant Fee - Parks & Recreation 58.85
May 05, 2020	Preauthorized ACH Debit	295483291882	& Recreation
May 05, 2020	Preauthorized ACH Debit	VANTIV_INTG_PYMTBILLNG	Merchant Fee - Parks & Recreation 31.90
May 05, 2020	Preauthorized ACH Debit	295483292880	& Recreation
May 18, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Thrift 101.59
May 18, 2020	Preauthorized ACH Debit	CAYAN HOLDINGS	Shop
May 21, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Thrift 4.95
May 21, 2020	Preauthorized ACH Debit	CAYAN LLC PROC INV	Shop
May 04, 2020	Preauthorized ACH Debit	MERCHANT SERVICEMERCH	Merchant Fee - Thrift 82.19
May 04, 2020	Preauthorized ACH Debit	FEES930553411164783	Shop
May 04, 2020	Preauthorized ACH Debit	DIRECT DEPOSIT	Merchant Fee - Utility 4,191.35
May 04, 2020	Preauthorized ACH Debit	BANKCARD	Billing
May 05, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Utility 75.00
May 05, 2020	Preauthorized ACH Debit	INVOICE CLOUD INVOICE	Billing
May 04, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Utility 10.00
May 04, 2020	Preauthorized ACH Debit	PAYA MONTH END	Billing
May 08, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Utility 15.00
May 08, 2020	Preauthorized ACH Debit	PAYA REJECT FEE	Billing
May 01, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Utility 10.45
May 01, 2020	Preauthorized ACH Debit	PAYA TRX FEES	Billing
May 04, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Utility 19.00
May 04, 2020	Preauthorized ACH Debit	PAYA TRX FEES	Billing
May 05, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Utility 9.50
May 05, 2020	Preauthorized ACH Debit	PAYA TRX FEES	Billing
May 05, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Utility 15.20
May 06, 2020	Preauthorized ACH Debit	PAYA TRX FEES	Billing
May 07, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Utility 0.95
May 07, 2020	Preauthorized ACH Debit	PAYA TRX FEES	Billing
May 07, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL	Merchant Fee - Utility 0.95
May 07, 2020	Preauthorized ACH Debit	PAYA TRX FEES	Billing 2.85

Accounts Payable EFT Report

Item 2.

Date	Type	Vendor Name/Description	Amount
May 08, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 08, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	44.65
May 11, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 11, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	3.80
May 12, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 12, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	4.75
May 12, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	9.50
May 12, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	34.20
May 14, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 14, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 14, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 15, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	0.95
May 18, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	5.70
May 18, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	6.65
May 19, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 19, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 19, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	2.85
May 19, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	7.60
May 19, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	37.05
May 21, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	2.85
May 22, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 22, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	2.85
May 22, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	5.70
May 22, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	6.65

Accounts Payable EFT Report

Item 2.

Date	Type	Vendor Name/Description	Amount
May 26, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	1.90
May 26, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	3.80
May 27, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	0.95
May 27, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	0.95
May 27, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	2.85
May 27, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	8.55
May 27, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL PAYA TRX FEES Merchant Fee - Utility Billing	37.05
May 29, 2020	Preauthorized ACH Debit	PAYA TRX FEES Billing	2.85
May 04, 2020	Preauthorized ACH Debit	430134260026884 DIRECT WITHDRAWAL Merchant Fee - VOICE	6.38
May 04, 2020	Preauthorized ACH Debit	AUTHNET GATEWAY BOFA MERCH SVCS FEE Merchant Fee - VOICE	27.83
May 04, 2020	Preauthorized ACH Debit	430134260026879 Merchant Fee - YFS LB	9.91
May 06, 2020	Outgoing Money Transfer	ADP PAYROLL Net Payroll 5-08-2020	532,665.04
May 20, 2020	Outgoing Money Transfer	ADP PAYROLL Net Payroll 5-22-2020	530,616.88
May 04, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL ADP Payroll Taxes - Tax ADP Tax Adjustment	28.48
May 07, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL ADP Payroll Taxes Tax ADP Tax <i>Employee (payroll withholding)</i> \$138,091.39 <i>Employer Portion</i> \$50,525.45	188,616.84
May 21, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL ADP Payroll Taxes Tax ADP Tax <i>Employee (payroll withholding)</i> \$134,469.56 <i>Employer Portion</i> \$49,106.74	183,576.30
May 12, 2020	Preauthorized ACH Debit	5 3 BANKCARD SYSNET SETLMT295483290884 Refunds - Parks & Recreation	2,883.00
May 19, 2020	Preauthorized ACH Debit	5 3 BANKCARD SYSNET SETLMT295483290884 Refunds - Parks & Recreation	56,509.22
May 20, 2020	Preauthorized ACH Debit	5 3 BANKCARD SYSNET SETLMT295483290884 Refunds - Parks & Recreation	116,623.34
May 21, 2020	Preauthorized ACH Debit	5 3 BANKCARD SYSNET SETLMT295483290884 Refunds - Parks & Recreation	39,849.21
May 22, 2020	Preauthorized ACH Debit	5 3 BANKCARD SYSNET SETLMT295483290884 Refunds - Parks & Recreation	7,358.68

Accounts Payable EFT Report

Item 2.

Date	Type	Vendor Name/Description	Amount
May 26, 2020	Preauthorized ACH Debit	5 3 BANKCARD SYSNET Refunds - Parks & Recreation SETLMT295483290884	23,342.02
May 27, 2020	Preauthorized ACH Debit	5 3 BANKCARD SYSNET Refunds - Parks & Recreation SETLMT295483290884	2,151.00
May 27, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL WA DEPT REVENUE TAX PYMT Remit Excise Tax	39,429.44
		<i>Water Utility</i> \$22,642.78	
		<i>Sewer Utility</i> \$14,385.14	
		<i>Stormwater Utility</i> \$2,128.90	
		<i>Thrift Shop</i> \$0.00	
		<i>Parks & Recreation</i> \$272.64	
May 15, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL WA Remit Retirement 5-08- DEPT RET SYS DRS EPAY 20 Payroll	138,120.57
		<i>Employee (payroll withholding)</i> \$62,188.58	
		<i>Employer Portion</i> \$75,931.99	
May 19, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL WA Remit Retirement DEPT RET SYS DRS EPAY Correction	57.79
		OASI 2019 (Old Age and Survivors Insurance)	96.72
May 19, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL WA DEPT RET SYS DRS EPAY	
May 29, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL WA Remit Retirement 5-22- DEPT RET SYS DRS EPAY 20 Payroll	129,137.58
		<i>Employee (payroll withholding)</i> \$59,003.91	
		<i>Employer Portion</i> \$70,133.67	
May 28, 2020	Preauthorized ACH Debit	DIRECT WITHDRAWAL STATE OF WA-ESD ESD ACH Unemployment Paid	15,685.18
Total			\$ 2,442,820.36

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	203635-203739	6/05/20	\$ 503,639.90
			\$ 503,639.90

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P0107803	00203668	ISLAND THUNDER VOLLEYBALL	Refund Rentals cancel COVID	2,982.00
P0107749	00203695	MUSIC WORKS NW	Refund due to COVID-19	2,778.00
P0107798	00203712	Seattle SCORE chapter 55	Rental refund due to COVID-19	2,712.00
P0107825	00203707	Parent Trust for WA Children	Refund Rental cancel COVID-	2,598.00
P0107799	00203715	Sirota, Andrea	Refund Rental due to COVID-	1,931.00
P0107742	00203733	WOMAN AT THE WELL	Refund Rental cancelled COVID-	1,721.00
P0107796	00203656	Extraordinary Futures	Rental refund due to COVID-19	1,524.00
P0107748	00203657	FIRST CHURCH OF CHRIST	Rental refund due to COVID-19	1,274.00
P0107741	00203713	SENIOR FOUNDATION OF MI	Refund credit on account COVID	929.00
P0107795	00203647	Compass	Refund credit on account du	668.81
P0107802	00203658	FRENCH AMERICAN SCHOOL	Refund rental cancelled due to	500.00
P0107743	00203704	ORANGETHEORY FITNESS WA	Rental refund due to COVID-19	459.00
P0107766	00203672	KC FAMILY COURT SERVICES	Refund due to COVID	450.00
P0107756	00203679	Kiriputt, Kynn	Refund due to COVI	348.00
P0107774	00203696	Nguyen, Cuong	Refund due to COVID	334.00
P0107815	00203665	Hong Bang	Refund Rental cancel COVID-	300.00
P0107773	00203710	Rowley, Fred	Refund due to COVID	216.00
P0107760	00203688	Marcuse, Edgar	Refund due to COVI	188.00
P0107759	00203650	Delimitros, Kate	Refund due to COVI	119.00
P0107770	00203680	Kitahama, Mamiko	Refund due to COVID	91.50
P0107771	00203635	Abkowitz, Janis	Refund due to COVID	90.00
P0107764	00203738	Zhao, Xuefang	Refund due to COVID	76.00
P0107786	00203637	Amunugama, Nevi	Refund due to COVID	75.00
P0107765	00203663	HARRISON, MARK	Refund due to COVID-	75.00
P0107783	00203670	Jack, Linda	Refund due to COVID	69.69
P0107767	00203664	Hobbs, Davina	Refund due to COVID	67.27
P0107772	00203706	Panabaker, Lily	Refund due to COVID	67.27
P0107761	00203722	Trowers, Teresa	Refund due to COVID	67.27
P0107810	00203732	Winblade, Laura	Refund due to COVI	67.27
P0107745	00203714	SHANKARAN, VEENA	Refund due to COVID	63.33
P0107768	00203727	Wang, Danli	Refund due to COVID	63.33
P0107782	00203644	Chuvan, Judy	Refund due to COVID	61.85
P0107754	00203724	Urata, Emiko	Refund due to COVI	56.00
P0107746	00203684	LEE, HYUNKYUNG	Refund due to COVI	50.00
P0107757	00203709	Petrie, Margaret	Refund due to COVI	46.00
P0107778	00203703	Onishi, Esther	Refund due to COVID	44.00
P0107762	00203697	Nomura, Wakana	Refund due to COVID	42.17
P0107792	00203735	Xue, Jason	Refund due to COVID	42.17
P0107753	00203683	Leahey, Michael	Rec program refund due to COVI	35.50
P0107752	00203653	Dong Dong Zhang	Refund due to COVI	34.00
P0107751	00203702	Oltman, Gary	Refund due to COVI	34.00
P0107785	00203719	Steele, Sandra	Refund due to COVID	34.00
P0107781	00203737	Yu, Slyvia	Refund due to COVID	34.00
P0107777	00203685	Li, Na	Refund due to COVID	33.20
P0107808	00203655	Eum, Misook	Refund due to COVI	30.58
P0107814	00203643	Chen, Zhisong	Refund due to COVI	30.00
P0107791	00203739	Zheng, Meng	Refund due to COVID	30.00
P0107790	00203660	Ghavami, Shirin	Refund due to COVID	28.40
P0107763	00203666	Hong, Jean	Refund due to COVID	28.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0107755	00203676	Kim, Hyewon	Refund due to COVI	28.00
P0107813	00203681	Kuo, James	Refund due to COVI	28.00
P0107779	00203682	Kusakabe, Judy	Refund due to COVID	28.00
P0107776	00203698	North, Katherine	Refund due to COVID	28.00
P0107812	00203700	Okada, James	Refund due to COVI	28.00
P0107769	00203708	Park, Susan	Refund due to COVID	28.00
P0107787	00203687	Lisez, Laurel	Refund due to COVID	23.20
P0107800	00203639	BAUMAN, TIM	Refund due to COVID	20.00
P0107807	00203649	Dean, Brigid	Refund due to COVI	20.00
P0107789	00203671	Joseph, Barbara	Refund due to COVID	20.00
P0107775	00203699	OBERG, CAROL	Refund due to COVID	19.00
P0107780	00203694	Murguia, Rosario	Refund due to COVID	17.50
P0107758	00203677	Kim, Sangroh	Refund due to COVI	15.83
P0107758	00203677	Kim, Sangroh	Refund due to COVI	15.83
P0107747	00203726	WALSH, ELIZABETH	Refund due to COVI	15.83
P0107809	00203701	Oliinyk, Maria	Refund due to COVI	15.00
P0107750	00203736	YU, BENJAMIN	Refund due to COVI	12.65
P0107794	00203730	Widmann, Joke	Refund due to COVID	11.99
P0107788	00203641	Cao, Menglin	Refund due to COVID	11.00
Org Key: 402000 - Water Fund-Admin Key				
	00203659	FROST, MARK	REFUND OVERPAY 005706825	684.64
	00203652	Demuro, Michael and Christine	REFUND OVERPAY 00887030002	474.50
	00203640	Bell, Bill	REFUND OVERPAY 00830480003	413.37
	00203717	Smith, Alice Copp	REFUND OVERPAY 009514250	256.39
	00203693	MILLS, EDWARD	REFUND OVERPAY 006255982	220.04
P0107697	00203646	COMMERCIAL LANDSC SUPPLY INC	INVENTORY PURCHASES	211.69
	00203731	William, Mason	REFUND OVERPAY 010388000	151.43
Org Key: 814073 - Deferred Comp-ICMA				
	00203725	Vantagepoint Transfer Agents	Data correction and lost earni	642.88
Org Key: 814074 - Garnishments				
	00203723	UNITED STATES TREASURY	Payroll Early Warrant	826.84
Org Key: 814075 - Mercer Island Emp Association				
	00203691	MI EMPLOYEES ASSOC	Payroll Early Warrants	270.00
Org Key: DS0000 - Development Services-Revenue				
P0107841	00203674	KC RECORDS	Prepayment of recording fees	2,443.00
Org Key: DS1100 - Administration (DS)				
P0107805	00203678	KING COUNTY TREASURY	QUARTERLY UPDATES PROJECT 20-0	608.00
Org Key: FN4501 - Utility Billing (Water)				
P0107806	00203690	METROPRESORT	MAY 2020 PRINTING & MAILING OF	90.26
P0107806	00203690	METROPRESORT	MAY 2020 PRINTING & MAILING OF	82.56
Org Key: FN4502 - Utility Billing (Sewer)				
P0107806	00203690	METROPRESORT	MAY 2020 PRINTING & MAILING OF	90.26
P0107806	00203690	METROPRESORT	MAY 2020 PRINTING & MAILING OF	82.56
Org Key: FN4503 - Utility Billing (Storm)				

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PO #	Check #	Vendor:	Transaction Description	Check Amount
P0107806	00203690	METROPRESORT	MAY 2020 PRINTING & MAILING OF	90.25
P0107806	00203690	METROPRESORT	MAY 2020 PRINTING & MAILING OF	82.55
<i>Org Key: FR1100 - Administration (FR)</i>				
P0107857	00203728	WASHINGTON FITNESS SERV INC	Service Call (from 2019 - invo	154.00
P0107731	00203645	COMCAST	Internet Charges/Fire	110.20
P0107726	00203645	COMCAST	Internet Charges/Fire	90.25
<i>Org Key: FR2100 - Fire Operations</i>				
P0107730	00203642	CASCADE FIRE EQUIPMENT	Bunker Gear (4 Sets)	5,518.00
P0107730	00203642	CASCADE FIRE EQUIPMENT	Bunker Gear (4 Sets)	2,759.00
P0107730	00203642	CASCADE FIRE EQUIPMENT	Bunker Gear (4 Sets)	2,759.00
P0107724	00203654	EASTSIDE FIRE & RESCUE	Labor - 7607	708.40
P0107727	00203638	AT&T MOBILITY	Firstnet/Fire	136.60
P0107724	00203654	EASTSIDE FIRE & RESCUE	Parts - 7607	107.83
<i>Org Key: FR2500 - Fire Emergency Medical Svcs</i>				
P0107728	00203686	LIFE ASSIST INC	2 AEDs (Reimburseable)	5,258.00
P0107728	00203686	LIFE ASSIST INC	2 AEDs (Reimburseable)	185.81
P0107725	00203720	STERICYCLE INC	On Call Charges/Pickup Charge	11.13
<i>Org Key: GGM001 - General Government-Misc</i>				
P0107729	00203689	Matrix Consulting Group	Fire Service Study Inv. #3	7,800.00
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
P0107744	00203734	XEROX CORPORATION	March print and copy charges f	485.40
P0107744	00203734	XEROX CORPORATION	April print and copy charges f	463.93
P0107744	00203734	XEROX CORPORATION	April print and copy charges f	462.45
P0107744	00203734	XEROX CORPORATION	March print and copy charges f	432.04
P0107744	00203734	XEROX CORPORATION	April print and copy charges f	154.93
<i>Org Key: GGM005 - Genera Govt-LI Retiree Costs</i>				
P0107833	00203711	RUCKER, MANORD J	LEOFF1 Retiree Medical Expense	201.17
<i>Org Key: GGM100 - Emerg Incident Response</i>				
P0107217	00203651	DELL MARKETING L.P.	Dell Laptops	15,679.95
P0107638	00203661	GRAINGER	HAND OPERATED DRUM PUMPS	237.88
<i>Org Key: IS2100 - IGS Network Administration</i>				
P0107406	00203669	ISSQUARED INC.	Cisco Firewall/VPN Annual	1,715.98
<i>Org Key: MT2100 - Roadway Maintenance</i>				
P0107804	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	97.12
P0107718	00203721	TACOMA SCREW PRODUCTS INC	5/16" X 2" GALV. LAG SCREWS (2	56.43
<i>Org Key: MT2150 - Pavement Marking</i>				
P0107717	00203636	ALPINE PRODUCTS INC	WHITE TRAFFIC PAINT (5 GAL)	724.35
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P0107804	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	524.45
<i>Org Key: MT3100 - Water Distribution</i>				
P0107804	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	1,635.73
P0107716	00203662	HACH COMPANY	FERROVER IRON REAGENT 100PK	58.94

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: MT3150 - Water Quality Event</i>				
P0107716	00203662	HACH COMPANY	FREE CHLORINE REAGENT SET	186.91
<i>Org Key: MT3400 - Sewer Collection</i>				
P0107804	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	466.14
<i>Org Key: MT3800 - Storm Drainage</i>				
P0107804	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	77.69
<i>Org Key: MT4200 - Building Services</i>				
P0107804	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	6,172.30
P0107732	00203705	PACIFIC AIR CONTROL INC	CITY HALL HVAC MAINT 4TH QTR	2,370.78
P0107827	00203705	PACIFIC AIR CONTROL INC	FS#91 HVAC REPAIR 2ND FLOOR RE	864.60
P0107734	00203667	INTERIOR FOLIAGE CO, THE	CITY HALL INTERIOR PLANT MAINT	282.70
P0107733	00203667	INTERIOR FOLIAGE CO, THE	REPLACEMENT PLANT POLICE INTER	57.20
<i>Org Key: MT4502 - Sewer Administration</i>				
P0106421	00203678	KING COUNTY TREASURY	MONTHLY SEWER JAN-DEC 2020	399,447.96
<i>Org Key: PO1350 - Police Emergency Management</i>				
P0107811	00203716	SKYLINE COMMUNICATIONS INC	EOC INTERNET SERVICE	206.55
<i>Org Key: PR4100 - Community Center</i>				
P0107804	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	3,399.14
<i>Org Key: PR6100 - Park Maintenance</i>				
P0107844	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	1,669.09
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P0107844	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	420.21
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
P0107844	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	2,789.95
<i>Org Key: PR6800 - Trails Maintenance</i>				
P0107715	00203729	WHISTLE WORKWEAR	SAFETY BOOTS & MISC. WORK CLOT	227.87
<i>Org Key: PR6900 - Aubrey Davis Park Maintenance</i>				
P0107844	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	883.53
<i>Org Key: PY4619 - Flex Spending Admin 2019</i>				
	00203718	SOLOMON, MEARA	Flexible Spending Account Reim	692.06
<i>Org Key: ST0020 - ST Long Term Parking</i>				
P0107804	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	171.37
<i>Org Key: WG130E - Equipment Rental Vehicle Repl</i>				
P0107856	00203675	KIA MOTORS FINANCE	2016 KIA LEASE APR/MAY '20	443.86
<i>Org Key: YF1200 - Thrift Shop</i>				
P0107804	00203692	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	284.36
<i>Org Key: YF2600 - Family Assistance</i>				
	00203648	CORK, TAMBIA	Food Pantry - Grocery GiftCard	2,000.00
P0106344	00203673	KC HOUSING AUTHORITY	Rental Assistance for Emergenc	291.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
			Total	<u>503,639.90</u>

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Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00203635	06/05/2020	Abkowitz, Janis Refund due to COVID	P0107771	OH013451	06/01/2020	90.00
00203636	06/05/2020	ALPINE PRODUCTS INC WHITE TRAFFIC PAINT (5 GAL)	P0107717	TM-193781	05/07/2020	724.35
00203637	06/05/2020	Amunugama, Nevi Refund due to COVID	P0107786	OH013437	06/01/2020	75.00
00203638	06/05/2020	AT&T MOBILITY Firstnet/Fire	P0107727	05132020	05/05/2020	136.60
00203639	06/05/2020	BAUMAN, TIM Refund due to COVID	P0107800	OH013425	06/01/2020	20.00
00203640	06/05/2020	Bell, Bill REFUND OVERPAY 00830480003		OH013470	05/28/2020	413.37
00203641	06/05/2020	Cao, Menglin Refund due to COVID	P0107788	OH013435	06/01/2020	11.00
00203642	06/05/2020	CASCADE FIRE EQUIPMENT Bunker Gear (4 Sets)	P0107730	107321	05/14/2020	11,036.00
00203643	06/05/2020	Chen, Zhisong Refund due to COVI	P0107814	OH013393	06/01/2020	30.00
00203644	06/05/2020	Chuvan, Judy Refund due to COVID	P0107782	OH013440	06/01/2020	61.85
00203645	06/05/2020	COMCAST Internet Charges/Fire	P0107726	0024124-0620	06/13/2020	200.45
00203646	06/05/2020	COMMERCIAL LANDSC SUPPLY INC INVENTORY PURCHASES	P0107697	209279	05/21/2020	211.69
00203647	06/05/2020	Compass Refund credit on account du	P0107795	OH013429	06/01/2020	668.81
00203648	06/05/2020	CORK, TAMBIA Food Pantry - Grocery GiftCard		OH013473	05/15/2020	2,000.00
00203649	06/05/2020	Dean, Brigid Refund due to COVI	P0107807	OH013399	06/01/2020	20.00
00203650	06/05/2020	Delimitros, Kate Refund due to COVI	P0107759	OH013404	06/01/2020	119.00
00203651	06/05/2020	DELL MARKETING L.P. Dell Laptops	P0107217	609618573	04/15/2020	15,679.95
00203652	06/05/2020	Demuro, Michael and Christine REFUND OVERPAY 00887030002		OH013469	05/27/2020	474.50
00203653	06/05/2020	Dong Dong Zhang Refund due to COVI	P0107752	OH013413	06/01/2020	34.00
00203654	06/05/2020	EASTSIDE FIRE & RESCUE Parts - 7607	P0107724	3431	05/19/2020	816.23
00203655	06/05/2020	Eum, Misook Refund due to COVI	P0107808	OH013398	06/01/2020	30.58
00203656	06/05/2020	Extraordinary Futures Rental refund due to COVID-19	P0107796	OH013428	06/01/2020	1,524.00
00203657	06/05/2020	FIRST CHURCH OF CHRIST Rental refund due to COVID-19	P0107748	OH013417	06/01/2020	1,274.00
00203658	06/05/2020	FRENCH AMERICAN SCHOOL Refund rental cancelled due to	P0107802	OH013401	06/01/2020	500.00
00203659	06/05/2020	FROST, MARK REFUND OVERPAY 005706825		OH013472	05/28/2020	684.64
00203660	06/05/2020	Ghavami, Shirin Refund due to COVID	P0107790	OH013433	06/01/2020	28.40

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Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00203661	06/05/2020	GRAINGER HAND OPERATED DRUM PUMPS	P0107638	9538361537	05/20/2020	237.88
00203662	06/05/2020	HACH COMPANY FERROVER IRON REAGENT 100PK	P0107716	11942782	05/01/2020	245.85
00203663	06/05/2020	HARRISON, MARK Refund due to COVID-	P0107765	OH013458	06/01/2020	75.00
00203664	06/05/2020	Hobbs, Davina Refund due to COVID	P0107767	OH013455	06/01/2020	67.27
00203665	06/05/2020	Hong Bang Refund Rental cancel COVID-	P0107815	OH013392	06/01/2020	300.00
00203666	06/05/2020	Hong, Jean Refund due to COVID	P0107763	OH013460	06/01/2020	28.00
00203667	06/05/2020	INTERIOR FOLIAGE CO, THE REPLACEMENT PLANT POLICE INTER	P0107734	43229	05/01/2020	339.90
00203668	06/05/2020	ISLAND THUNDER VOLLEYBALL Refund Rentals cancel COVID	P0107803	OH013400	06/01/2020	2,982.00
00203669	06/05/2020	ISSQUARED INC. Cisco Firewall/VPN Annual	P0107406	001186	04/23/2020	1,715.98
00203670	06/05/2020	Jack, Linda Refund due to COVID	P0107783	OH013439	06/01/2020	69.69
00203671	06/05/2020	Joseph, Barbara Refund due to COVID	P0107789	OH013434	06/01/2020	20.00
00203672	06/05/2020	KC FAMILY COURT SERVICES Refund due to COVID	P0107766	OH013457	06/01/2020	450.00
00203673	06/05/2020	KC HOUSING AUTHORITY Rental Assistance for Emergenc	P0106344	OH013475	06/01/2020	291.00
00203674	06/05/2020	KC RECORDS Prepayment of recording fees	P0107841	742-020320	02/04/2020	2,443.00
00203675	06/05/2020	KIA MOTORS FINANCE 2016 KIA LEASE APR/MAY '20	P0107856	OH013466	06/05/2020	443.86
00203676	06/05/2020	Kim, Hyewon Refund due to COVI	P0107755	OH013409	06/01/2020	28.00
00203677	06/05/2020	Kim, Sangroh Refund due to COVI	P0107758	OH013406	06/01/2020	31.66
00203678	06/05/2020	KING COUNTY TREASURY QUARTERLY UPDATES PROJECT 20-0	P0106421	30029372	06/01/2020	400,055.96
00203679	06/05/2020	Kiriputt, Kynn Refund due to COVI	P0107756	OH013408	06/01/2020	348.00
00203680	06/05/2020	Kitahama, Mamiko Refund due to COVID	P0107770	OH013452	06/01/2020	91.50
00203681	06/05/2020	Kuo, James Refund due to COVI	P0107813	OH013394	06/01/2020	28.00
00203682	06/05/2020	Kusakabe, Judy Refund due to COVID	P0107779	OH013443	06/01/2020	28.00
00203683	06/05/2020	Leahey, Michael Rec program refund due to COVI	P0107753	OH013412	06/01/2020	35.50
00203684	06/05/2020	LEE, HYUNKYUNG Refund due to COVI	P0107746	OH013419	06/01/2020	50.00
00203685	06/05/2020	Li, Na Refund due to COVID	P0107777	OH013445	06/01/2020	33.20
00203686	06/05/2020	LIFE ASSIST INC 2 AEDs (Reimburseable)	P0107728	1002259	05/13/2020	5,443.81

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Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00203687	06/05/2020	Lisez, Laurel Refund due to COVID	P0107787	OH013436	06/01/2020	23.20
00203688	06/05/2020	Marcuse, Edgar Refund due to COVI	P0107760	OH013403	06/01/2020	188.00
00203689	06/05/2020	Matrix Consulting Group Fire Service Study Inv. #3	P0107729	20-13#3	05/10/2020	7,800.00
00203690	06/05/2020	METROPRESORT MAY 2020 PRINTING & MAILING OF	P0107806	IN623541	05/29/2020	518.44
00203691	06/05/2020	MI EMPLOYEES ASSOC Payroll Early Warrants		OH013477	06/05/2020	270.00
00203692	06/05/2020	MI UTILITY BILLS PAYMENT OF UTILITY BILLS FOR W	P0107804	OH013463	06/01/2020	18,591.08
00203693	06/05/2020	MILLS, EDWARD REFUND OVERPAY 006255982		OH013471	05/28/2020	220.04
00203694	06/05/2020	Murguia, Rosario Refund due to COVID	P0107780	OH013442	06/01/2020	17.50
00203695	06/05/2020	MUSIC WORKS NW Refund due to COVID-19	P0107749	OH013416	06/01/2020	2,778.00
00203696	06/05/2020	Nguyen, Cuong Refund due to COVID	P0107774	OH013448	06/01/2020	334.00
00203697	06/05/2020	Nomura, Wakana Refund due to COVID	P0107762	OH013461	06/01/2020	42.17
00203698	06/05/2020	North, Katherine Refund due to COVID	P0107776	OH013446	06/01/2020	28.00
00203699	06/05/2020	OBERG, CAROL Refund due to COVID	P0107775	OH013447	06/01/2020	19.00
00203700	06/05/2020	Okada, James Refund due to COVI	P0107812	OH013395	06/01/2020	28.00
00203701	06/05/2020	Oliinyk, Maria Refund due to COVI	P0107809	OH013397	06/01/2020	15.00
00203702	06/05/2020	Oltman, Gary Refund due to COVI	P0107751	OH013414	06/01/2020	34.00
00203703	06/05/2020	Onishi, Esther Refund due to COVID	P0107778	OH013444	06/01/2020	44.00
00203704	06/05/2020	ORANGETHEORY FITNESS WA Rental refund due to COVID-19	P0107743	OH013421	06/01/2020	459.00
00203705	06/05/2020	PACIFIC AIR CONTROL INC CITY HALL HVAC MAINT 4TH QTR	P0107827	30465	05/28/2020	3,235.38
00203706	06/05/2020	Panabaker, Lily Refund due to COVID	P0107772	OH013450	06/01/2020	67.27
00203707	06/05/2020	Parent Trust for WA Children Refund Rental cancel COVID-	P0107825	OH013402	06/01/2020	2,598.00
00203708	06/05/2020	Park, Susan Refund due to COVID	P0107769	OH013453	06/01/2020	28.00
00203709	06/05/2020	Petrie, Margaret Refund due to COVI	P0107757	OH013407	06/01/2020	46.00
00203710	06/05/2020	Rowley, Fred Refund due to COVID	P0107773	OH013449	06/01/2020	216.00
00203711	06/05/2020	RUCKER, MANORD J LEOFF1 Retiree Medical Expense	P0107833	OH013464	06/02/2020	201.17
00203712	06/05/2020	Seattle SCORE chapter 55 Rental refund due to COVID-19	P0107798	OH013427	06/01/2020	2,712.00

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00203713	06/05/2020	SENIOR FOUNDATION OF MI Refund credit on account COVID	P0107741	OH013424	06/01/2020	929.00
00203714	06/05/2020	SHANKARAN, VEENA Refund due to COVID	P0107745	OH013420	06/01/2020	63.33
00203715	06/05/2020	Sirota, Andrea Refund Rental due to COVID-	P0107799	OH013426	06/01/2020	1,931.00
00203716	06/05/2020	SKYLINE COMMUNICATIONS INC EOC INTERNET SERVICE	P0107811	IN45579	06/01/2020	206.55
00203717	06/05/2020	Smith, Alice Copp REFUND OVERPAY 009514250		OH013468	05/28/2020	256.39
00203718	06/05/2020	SOLOMON, MEARA Flexible Spending Account Reim		OH013465	06/05/2020	692.06
00203719	06/05/2020	Steele, Sandra Refund due to COVID	P0107785	OH013438	06/01/2020	34.00
00203720	06/05/2020	STERICYCLE INC On Call Charges/Pickup Charge	P0107725	3005110895	05/18/2020	11.13
00203721	06/05/2020	TACOMA SCREW PRODUCTS INC 5/16" X 2" GALV. LAG SCREWS (2	P0107718	16320527	05/27/2020	56.43
00203722	06/05/2020	Trowers, Teresa Refund due to COVID	P0107761	OH013462	06/01/2020	67.27
00203723	06/05/2020	UNITED STATES TREASURY Payroll Early Warrant		OH013478	06/05/2020	826.84
00203724	06/05/2020	Urata, Emiko Refund due to COVI	P0107754	OH013410	06/01/2020	56.00
00203725	06/05/2020	Vantagepoint Transfer Agents Data correction and lost earni		OH013480	05/21/2020	642.88
00203726	06/05/2020	WALSH, ELIZABETH Refund due to COVI	P0107747	OH013418	06/01/2020	15.83
00203727	06/05/2020	Wang, Danli Refund due to COVID	P0107768	OH013454	06/01/2020	63.33
00203728	06/05/2020	WASHINGTON FITNESS SERV INC Service Call (from 2019 - invo	P0107857	W17609	01/01/2020	154.00
00203729	06/05/2020	WHISTLE WORKWEAR SAFETY BOOTS & MISC. WORK CLOT	P0107715	204054	05/14/2020	227.87
00203730	06/05/2020	Widmann, Joke Refund due to COVID	P0107794	OH013430	06/01/2020	11.99
00203731	06/05/2020	William, Mason REFUND OVERPAY 010388000		OH013467	05/28/2020	151.43
00203732	06/05/2020	Winblade, Laura Refund due to COVI	P0107810	OH013396	06/01/2020	67.27
00203733	06/05/2020	WOMAN AT THE WELL Refund Rental cancelled COVID-	P0107742	OH013422	06/01/2020	1,721.00
00203734	06/05/2020	XEROX CORPORATION March print and copy charges f	P0107744	010237827	05/01/2020	1,998.75
00203735	06/05/2020	Xue, Jason Refund due to COVID	P0107792	OH013431	06/01/2020	42.17
00203736	06/05/2020	YU, BENJAMIN Refund due to COVI	P0107750	OH013415	06/01/2020	12.65
00203737	06/05/2020	Yu, Slyvia Refund due to COVID	P0107781	OH013441	06/01/2020	34.00
00203738	06/05/2020	Zhao, Xuefang Refund due to COVID	P0107764	OH013459	06/01/2020	76.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00203739	06/05/2020	Zheng, Meng Refund due to COVID	P0107791	OH013432	06/01/2020	30.00
Total						<u>503,639.90</u>



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5702
June 16, 2020
Consent Calendar

AGENDA BILL INFORMATION

TITLE:	AB 5702: 2020 Arterial and Residential Street Overlays Bid Award	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Award the project.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Public Works
STAFF:	Clint Morris, Street Engineer
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Project Location Map 2. Construction Bid Summary
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ 678,022
AMOUNT BUDGETED	\$ 781,000
APPROPRIATION REQUIRED	\$ 0

SUMMARY

BACKGROUND

The 2020 Arterial and Residential Street Overlays is the combination of arterial and residential street paving locations into one contract for hot mix asphalt (HMA) paving in summer of 2020. The project includes asphalt paving of a two-block section of SE 40th Street, residential street repaving in two different neighborhoods, and a lane repair on North Mercer Way (see Exhibit 1). Public Works staff typically combine the asphalt paving locations for a given year into one contract to create a larger project that is more attractive to bidders and reduces the City's costs to administer and manage the work.

Project design began in January of this year, with an original scope that also included repaving the SE 68th Street/SE 70th Place arterial from Island Crest Way to East Mercer Way and residential streets abutting SE 70th Place. The work slowdown brought about by the COVID-19 Pandemic, combined with the unknown date by which "normal" work would resume in Washington State, led staff to a decision in late March to reduce and simplify the scope of this project. Paving work along SE 68th Street/SE 70th Place and the abutting residential streets was postponed into the 2021-2022 biennium, as presented in the draft Transportation Improvement Program ([AB5691](#)). The result was a smaller and simpler paving project for 2020 that staff felt could be completed within a potentially limited construction season.

Final plans, specifications, and cost estimates were completed in late April and the project was advertised for bids in May. Seven contractor bids were received and opened on May 27, 2020. As currently designed, this project will resurface 0.5 miles of the City's 83.5 miles of publicly maintained roadways.

PROJECT DESCRIPTION

The project has been divided into four schedules, as described below. Locations are shown on Exhibit 1.

Schedule A is the repair and resurfacing of SE 40th Street between 76th and 78th Avenues. This stretch of arterial roadway was last paved in 1979 and had previously been scheduled for repaving in 2015; however, the project was postponed until several home reconstruction projects (that began in 2015) on the street could be completed. Pavement Condition Index (PCI) ratings for this portion of SE 40th Street have fallen from "Poor" in 2013 to "Very Poor" in 2016 and 2019.

This piece of SE 40th Street has the lowest pavement condition index (PCI) rating (PCI = 33) in the City's 26-mile arterial street network. The PCI rating of a pavement ranges from 100 to 0, with a new pavement having a maximum theoretical score of 100. The rating is then reduced based on calculated deductions for various visual distress characteristics. The numbered ranges have descriptive names: Good, Satisfactory, Fair, Poor, Very Poor, and Failed.

The scope of work for SE 40th Street includes removal of most of the existing pavement due to fatigue cracking and insufficient aggregate base, reconstruction of the base, repaving with a 6" total thickness of new HMA, removal and replacement of settled and damaged curbs and concrete sidewalk sections, ADA curb ramp installation, and adjustment of utility castings to the grade of the new pavement. The engineer's estimated construction cost for this work was \$239,355.

Schedule B is the resurfacing of SE 41st Street between 97th Ave and SE 40th Street, and SE 40th Street from SE 41st to East Mercer Way. These two residential roadways were last repaved in 1990 and were impacted by new watermain construction completed in 2016. PCI scores from 2019 are in the "Fair" range. Existing pavements on these streets have significant areas of alligator cracking, utility patching, and settlement. The scope of work for both streets involves patching, full width milling to remove 2" of pavement, placement of a 2" HMA overlay, and adjustment of utility castings to grade. The engineer's estimated construction cost was \$172,180.

Schedule C is the repaving of a portion of SE 78th Street from 84th to 85th Avenues. This short section of roadway has significant deterioration and is a main bus route for Lakeridge Elementary school, as well as an entrance to the Mercer Island Estates neighborhood. This road was originally built in the late 1960's, was chip sealed in 1985, received a sidewalk improvement in 2009, and has been patched several times over the last ten years. Its 2019 PCI is in the "Poor" range. The scope of work for this road involves pavement removal, repaving with a 6" total thickness of new HMA, upgrade of ADA curb ramps to meet current standards, utility adjustments, and pavement markings. The engineer's estimated construction cost was \$169,830.

Schedule D is patching work as part of the City's Arterial Preservation program. This program was established over 10 years ago to preserve pavement conditions on arterial streets (that do not yet need full repaving) through crack sealing and patching of localized pavement failure areas. Arterial Preservation for 2020 involves a 300-foot long lane repair on North Mercer Way in the 7500 block with a "grind and overlay" process, where the pavement is removed to a uniform depth with a milling machine and then repaved with HMA to match the surrounding pavement. This work was estimated to cost \$17,125.

At completion of design work, the total estimated construction cost for all four work schedules was \$598,490.

BID RESULTS AND AWARD RECOMMENDATION

Seven construction bids were received for the project. The lowest bid was received from Lakeside Industries in Issaquah, in the amount of \$488,308, for Schedules A, B, C, and D. This bid price was \$110,000 (22%) lower than the engineer's estimate. The second and third bidder amounts were \$503,282 and \$509,217. The lower than expected contractor bids may be attributed to the global drop in crude oil prices (which in turn reduces asphalt prices) coupled with a reduced amount of road construction projects currently bidding in King County, all brought about by the COVID-19 pandemic.

Lakeside Industries has successfully completed numerous paving projects for the nearby cities of Bellevue, Kirkland, Issaquah, and Sammamish in recent years. In addition, Lakeside Industries has constructed several street projects for the City of Mercer Island, namely the 2019 Arterial and Residential Street Overlays (which included East Mercer Way repaving), the 2015 SE 40th Street Improvements project, and the 2013 Arterial and Residential Street Overlays. A review of the Labor and Industries website confirms that Lakeside Industries is a contractor in good standing with no license violations, outstanding lawsuits, or L&I tax debt. Staff recommends awarding all four schedules of the 2020 Arterial and Residential Street Overlays project to Lakeside Industries. The bid results for the project are shown in Exhibit 2.

Adding amounts to each schedule for 10% construction contingency, project design, inspection services, contract administration, and 1% for the Arts brings the project's total estimated cost to \$678,022. There is sufficient funding available for this project within the 2019-2020 Budget. The following table summarizes project costs and available budget amounts.

2020 ARTERIAL AND RESIDENTIAL STREET OVERLAYS PROJECT BUDGET			
Description	Arterial Overlay	Residential Overlays	TOTAL Award to Lakeside Industries
Construction Contract			
Schedule A - SE 40th Street	\$ 194,044		\$ 194,044
Schedule B - SE 40th / SE 41st Streets		\$ 128,851	\$ 128,851
Schedule C - SE 78th Street		\$ 147,242	\$ 147,242
Schedule D - NMW Patching	\$ 18,171		\$ 18,171
Total Construction Contract	\$ 212,215	\$ 276,093	\$ 488,308
Construction Contingency @ 10%	\$ 21,222	\$ 27,609	\$ 48,831
Project Design	\$ 35,000	\$ 33,000	\$ 68,000
Inspection Services	\$ 16,000	\$ 16,000	\$ 32,000
Contract Administration / Project Management	\$ 18,000	\$ 18,000	\$ 36,000
1% for the Arts	\$ 2,122	\$ 2,761	\$ 4,883
Total Project Cost	\$ 304,559	\$ 373,463	\$ 678,022
2019-2020 Budget - SE 40th Street	\$ 328,000		\$ 328,000
2019-2020 Budget - Residential Streets		\$ 386,000	\$ 386,000
2019-2020 Budget - Arterial Preservation (Schedule D)	\$ 67,000		\$ 67,000
Total Budget Available for Project	\$ 395,000	\$ 386,000	\$ 781,000
Budget Remaining	\$ 90,441	\$ 12,537	\$ 102,978

Construction activities on the project are tentatively scheduled to begin in July. Work on the SE 40th Street arterial overlay and on SE 78th Street is planned to be completed by Labor Day, to not affect school bus routes and walking zones in those areas. The entire project is required to be completed by early October.

RECOMMENDATION

Award Schedules A, B, C, and D of the 2020 Arterial and Residential Street Overlays project to Lakeside Industries in the amount of \$488,308.00. Set the total project budget to \$678,022 and direct the City Manager to execute the construction contract.

CITY OF MERCER ISLAND KING COUNTY WASHINGTON



2020 ARTERIAL AND RESIDENTIAL STREET OVERLAYS

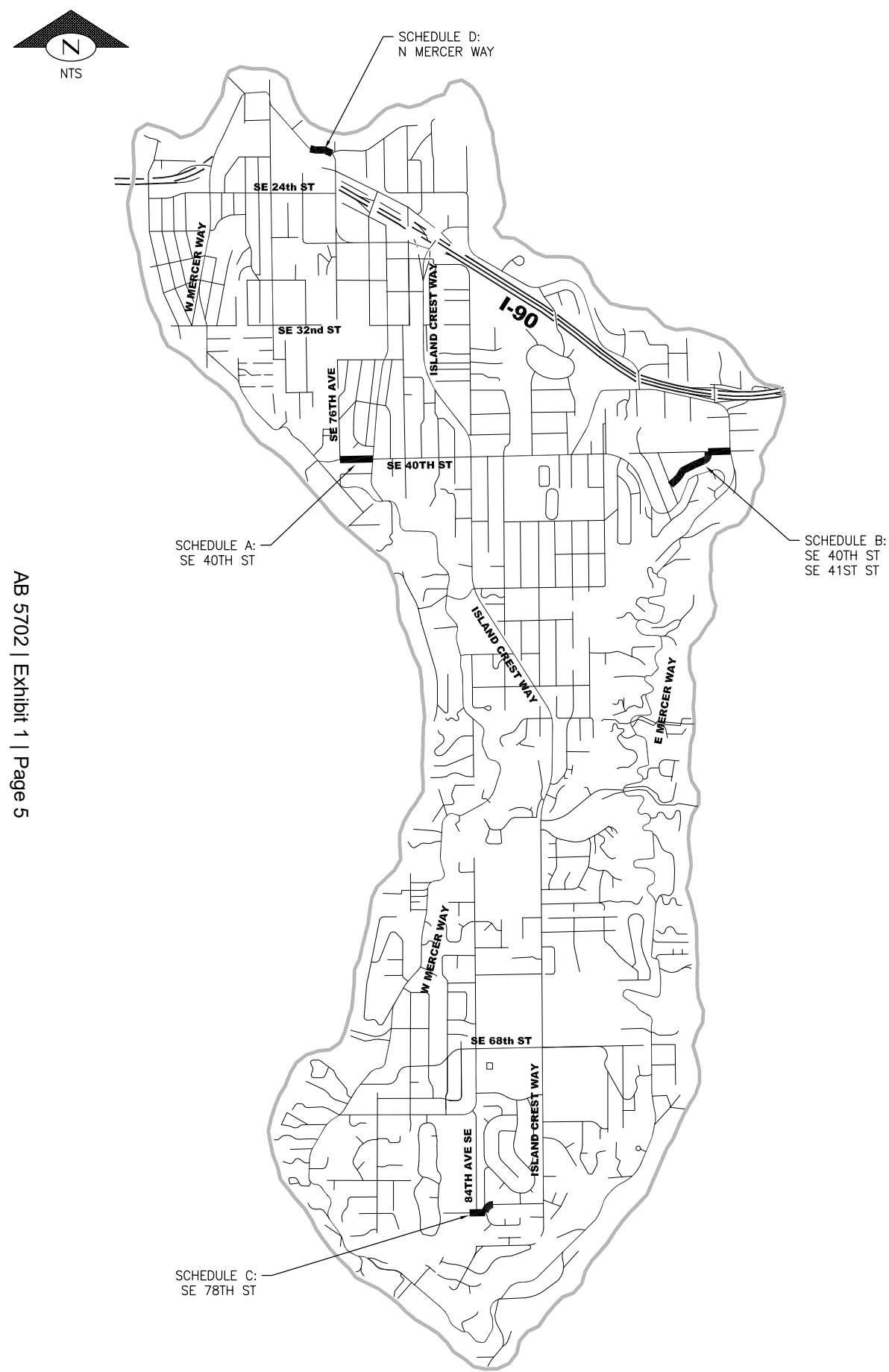
PROJECT NUMBERS: WR918R (ARTERIAL STREETS)
WR101R (RESIDENTIAL STREETS)
WR110R (PAVEMENT REPAIRS)

MAY 2020

BID DOCUMENT

SHEET INDEX

1	COVER
2	NOTES, LEGENDS AND QUANTITIES
3	TYPICAL SECTIONS
4-5	SCHEDULE A - SE 40TH ST ARTERIAL OVERLAY
6-7	SCHEDULE B - SE 40TH ST/SE 41ST ST RESIDENTIAL OVERLAY
8-10	SCHEDULE C - SE 78TH ST RESIDENTIAL OVERLAY
11	SCHEDULE D - N MERCER WAY PAVEMENT REPAIR
12-15	DETAILS



AB 5702 | Exhibit 1 | Page 5

c:\msdserver\Data\2019 Projects\19018 MI 2020 Overlays\Plans\19018_P-COVER.dwg ID: john Date: 06-May-20 4:25:37pm

CITY OF MERCER ISLAND
2020 Arterial and Residential Street Overlays
Bid Summary

Bid Opening: May 27, 2020 at 10:00 AM (online submittal)

	Engineer's Estimate	Schedule A	Schedule B	Schedule C	Schedule D	Total Bid Amount
Lowest	Lakeside Industries	\$194,044.00	\$128,851.00	\$147,242.00	\$18,171.00	\$488,308.00
2nd	Lakeridge Paving Company LLC	\$198,183.50	\$143,332.00	\$140,358.00	\$21,409.00	\$503,282.50
3rd	Cadman Materials, Inc	\$217,922.00	\$126,012.50	\$135,401.10	\$29,880.95	\$509,216.55
4th	Watson Asphalt Paving Co, Inc.	\$236,518.00	\$126,669.50	\$150,919.00	\$17,839.00	\$531,945.50
5th	Oceanside Construction, Inc	\$244,034.00	\$182,656.00	\$148,245.00	\$22,810.12	\$597,745.12
6th	Apcon Tech	\$302,487.70	\$185,502.50	\$186,283.00	\$32,318.50	\$706,591.70
7th	Gary Merlino Construction Co, Inc.	\$354,558.00	\$185,280.00	\$222,435.00	\$28,190.00	\$790,463.00



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

**AB 5692
June 16, 2020
Consent Calendar**

AGENDA BILL INFORMATION

TITLE:	AB 5692: Resolution authorizing RCO grant application for pier renovation at Luther Burbank Park	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution
RECOMMENDED ACTION:	Adopt Resolution No. 1581 authorizing a Boating Infrastructure Grant application for the design and construction of renovations and upgrades to the Luther Burbank Park dock.	

DEPARTMENT:	Parks and Recreation
STAFF:	Paul West, Parks Capital Projects and Planning Manager
COUNCIL LIAISON:	n/a
EXHIBITS:	<ol style="list-style-type: none"> 1. Luther Burbank Docks Project Strategy Map 2. AB 5486: Resolution to Support an RCO Grant Application for Planning and Design of the Future Configuration of the Docks at Luther Burbank Park 3. Luther Burbank Docks Project Strategy Map 4. Excerpt from Luther Burbank Park Master Plan (2006) 5. Images of Subject Pier 6. Resolution 1581
CITY COUNCIL PRIORITY:	2. Articulate, confirm, and communicate a vision for effective and efficient city services. Stabilize the organization, optimize resources, and develop a long-term plan for fiscal sustainability.

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

SUMMARY

This resolution supports an application to the Washington State Recreation and Conservation Office (“RCO”) for a Boating Infrastructure Grant. If the grant application is successful, the grant funds will be used to design and construct renovations and make improvements to a portion of the Luther Burbank docks. This grant, specific to renovate or develop boating facilities, does not require an approved Comprehensive Parks, Recreation and Open Space (“PROS”) Plan to be eligible.

Given the size and scale of the Luther Burbank Docks, this dock repair and replacement strategy is being pursued in multiple phases over several years. This grant application supports **Phase 2**, which includes

funding to repair the north pier, (see Exhibit 1, **RED** outline). If the grant application is successful, staff anticipates design and permitting will be completed in 2021-2022 with construction following, likely in 2023.

Luther Burbank Park serves a large and diverse population and is a regional draw. For this reason, this dock facility is a good candidate for state and federal grant funding.

LUTHER BURBANK DOCKS – BACKGROUND & PHASING PLAN

The docks at Luther Burbank Park were constructed in 1974. The docks are a fixed-pier design, with multiple finger piers and a concrete deck supported by wood pilings. The overall height of the dock varies, with finger pier heights ranging from about 2' to 3' above the water, depending on the seasonal variability of lake height levels.

[Agenda Bill 5486](#) (see Exhibit 2), which included the grant application for **Phase 1** of the project, provided extensive background on the need for the design, repair and replacement of the Luther Burbank docks. The 2018 RCO grant application was successful, and the City was awarded a \$173,000 grant for the design of new floating docks to replace a portion of the existing docks, (see Exhibit 1, **BLUE** outline). Design and permitting for **Phase 1** is anticipated to be completed in 2021. Staff anticipates applying for future grant funding in 2022 for construction.

Although this is dependent on several successful grant applications, staff will endeavor to combine the Phase 1 and Phase 2 construction projects. Due to the type of work and the regulatory requirements related to dock repair and construction, it is anticipated that these facilities will require significant time for permit review. There will be efficiencies in permitting both phases at the same time and bidding them together.

If the Phase 2 grant application is not successful, staff will continue the work on Phase 1 and resubmit an RCO grant application for Phase 2 in 2022.

Overall, this project strategy conforms to the vision for repair and replacement of the Luther Burbank Docks as outlined in the 2006 Luther Burbank Park Master Plan (see Exhibit 3 – Excerpt from Luther Burbank Park Master Plan).

PHASE 2 - PROPOSED PROJECT SCOPE

The typical existing dock construction at Luther Burbank Park is a concrete panel resting on a cap beam that spans between two pilings (see Exhibit 4: Images of Subject Pier). The Phase 2 project scope includes renovating the structural elements of the north pier, which entails replacing cap beams, tightening and adding bracing, and repairing the concrete panels.

The scope of work also includes minor improvements to the north pier for large (greater than 26') recreational power boats. The thin concrete dock edge combined with infrequent tie-offs does not provide adequate day-use moorage. The installation of a rub rail and additional cleats on the north pier will greatly improve functionality of the space. A self-rescue ladder and signage will also be installed.

FINANCING

The preliminary proposed budget for the Phase 2 project is \$445,000. The grant's 25% match requirement will obligate the City to contribute \$111,250. The proposed City match is from the Parks Operation and Maintenance

Levy for Luther Burbank Park. This funding source provides \$110,000 in dedicated annual funding to support capital maintenance projects in Luther Burbank Park through 2023. **No new budget allocation is needed for the Phase 2 project.**

If the grant application is supported by the City Council, staff will submit a grant application to RCO by the July 1, 2020 deadline. If the project is selected, funding will likely be awarded in July 2021.

As noted previously, if the grant is not awarded, staff will evaluate options, including reapplying to the Boating Infrastructure Grant program in 2022.

RESOLUTION

RCO requires City Council authorization by resolution (see Exhibit 5) to accompany each grant application. The language in the resolution is prescribed by RCO and includes the following provisions:

- Authorize the City Manager and the Parks Capital Projects and Planning Manager to serve in specific roles on behalf of the City for this grant application.
- Acknowledge the conditions included in a future grant agreement between the City of Mercer Island and RCO.
- Acknowledge the timing for certifying the availability of matching funds.
- Acknowledge that property not owned by the City but developed as part of the grant award must be dedicated for the purposes of the grant. (Note: This project is located on leased Washington State Department of Natural Resources shorelands. The City's current aquatic lands lease expires in 2046. That is likely to be sufficient "control and tenure" for the anticipated lifespan of the renovated facility.)

Approval of this resolution does not obligate the City to accept the grant award, which is important considering the grant application precedes adoption of the 2021-22 CIP budget.

RECOMMENDATION

Approve Resolution No. 1581 authorizing the Boating Infrastructure Grant application for the Phase 2 design and construction of renovations and upgrades to the Luther Burbank Park dock.





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

**AB 5486
October 16, 2018
Consent Calendar**

RESOLUTION TO SUPPORT A RCO GRANT APPLICATION FOR PLANNING AND DESIGN OF THE FUTURE CONFIGURATION OF THE DOCKS AT LUTHER BURBANK PARK	Action: Adopt Resolution No. 1547 authorizing the grant application.	<input type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
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DEPARTMENT OF	Parks and Recreation (Jessi Bon and Paul West)
COUNCIL LIAISON	n/a
EXHIBITS	<ol style="list-style-type: none"> 1. Aerial Map of Luther Burbank Docks 2. Overwater Structures Report (excerpt) 3. User Survey Results 4. Resolution No. 1547
2018-2019 CITY COUNCIL GOAL	n/a
APPROVED BY CITY MANAGER	

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

SUMMARY

This is a resolution supporting an application to the Washington State Recreation and Conservation Office (RCO) for a Boating Facilities Grant. If the grant application is successful, the grant funds will be used to complete a further assessment of the Luther Burbank docks and to develop a preferred dock design. See Exhibit 1 – aerial map of the docks at Luther Burbank Park. Because of the regional draw of Luther Burbank Park and the diverse population it serves, this project is a good candidate for state and regional grant funding.

The RCO Boating Facilities Grant operates on a two-year cycle and is available for both planning and construction projects. Completing the Luther Burbank dock design work by early 2020, will position the City to apply for a subsequent dock construction grant at the end of 2020.

The Luther Burbank Park Dock planning and design project is currently included in the City’s proposed 2019-20 Capital Improvement Program, scheduled for consideration at the November 5, 2018 City Council meeting. The deadline for the grant application is November 1, 2018, which admittedly is out of sequence with council budget deliberations.

Given the maintenance concerns with the docks, and the long planning and permitting lead time for a project of this nature, staff are recommending submittal of the grant application. Approval of this resolution

does not, however, obligate the City to accept the grant funds and the application may be withdrawn prior to May 2019.

Background

The docks at Luther Burbank Park were constructed in 1974. The docks are a fixed-pier design, with multiple fingers and a concrete deck supported by wood pilings. The overall height of the dock varies, with finger pier heights ranging from about 2' to 3' above the water, depending on the seasonal variability of lake height levels.

In 2014, the City completed an Overwater Structures Assessment, which included an evaluation of the docks at Luther Burbank Park. The findings identified extensive rot in the cap beams (see highlights in Exhibit 2) and a recommendation to perform repairs by 2017. Staff developed construction specifications in 2016 for the repairs and obtained permits for what was anticipated to be a \$350k project. Given that the cap beams were not the only repairs needed, the project was suspended pending a discussion about the future of the docks.

Planning Process and Design/Repair Alternatives

This planning and design work is the first step in what will likely be a multi-year project. The project scope is anticipated to include the following:

- **Updated structural assessment:** Updating the findings and analysis of the 2014 Overwater Structures Assessment. Engineering information from this phase of work will be used to inform repair/replacement design scenarios.
- **Coastal engineering analysis:** This is a critical engineering component of the project and will determine what opportunities exist for dock re-design and reconfiguration. In particular, the consulting team will evaluate the feasibility of installing floating docks.
- **Additional public engagement:** Ongoing community engagement is a top priority as repairs and modifications to dock facilities are considered. This is especially important considering the volume of local and regional visitors to Luther Burbank Park and the many desired uses for the dock facilities.
- **Design alternatives:** The structural assessment and ongoing community engagement process will be used to inform a number of design alternatives for consideration by the City Council. These alternatives will include planning level cost estimates and anticipated project timelines.
- **Final design and permit readiness:** The final deliverable will include a recommended dock design, with sufficient detail to initiate a permitting process should capital funds become available.

The planning and design process described previously is intended to be iterative, with opportunities to be scheduled for City Council input and direction as the planning work progresses.

Project Timing and Permitting Nuances

This planning analysis will also consider the permitting timeline and subsequent challenges related to dock repair and construction. The permitting process is complex, and depending on the type of work, the timeline is lengthy, with permits for a new or differently configured dock typically requiring a full year (or more) before final issuance. There are also multiple agencies involved in dock permitting – the City of Mercer Island, the Department of Fish & Wildlife, and the Army Corps of Engineers. Given the long lead time for a project of this nature, it is important to complete the planning and design work now to inform the development of the long-term project schedule and identify potential fiscal implications.

The “do nothing” approach creates additional long-term permitting and replacement challenges. In the absence of any repair work, the docks will continue to be monitored for safety. When conditions warrant (likely failure of the dock substructure), the docks will be closed to the public. Removal would eventually be necessary to address safety and risk management concerns, but the removal itself will be costly considering there is over 675 lineal feet of concrete deck.

Recent changes to shoreline regulations restrict both the size and location of new dock construction, therefore it is generally preferred to repair or replace existing dock structures. In the event the Luther Burbank docks are closed, the City would have twelve months from the time of closure to repair/replace the structures to remain “vested” as an existing structure. Beyond the 12-month window, dock repairs/replacement would be considered “new” construction and permitted as such under current, more restrictive regulations.

The challenges associated with dock repair/replacement scenarios are best explained by way of an example. The deck surface of the Luther Burbank dock structure is over 6,000 square feet. If repairs/replacement are made under the guise of an existing structure, the City would likely be able to retain a significant portion of that square footage. If, however, the dock permit fell into the category of “new” construction, the City would likely be limited to construction of a dock with a reduced surface area. The loss of deck square footage may result in a facility that is under-sized and not able to meet use demands at Luther Burbank Park.

Public Outreach and Engagement

Public engagement regarding the future of the shoreline and the docks at Luther Burbank Park dates back to 2006, when the Luther Burbank Park Master Plan was adopted. The Master Plan calls for a reconfiguration of the docks at the waterfront plaza “with a lower floating dock with improved finger piers for small motor craft, ‘human powered’ boats and a motorized launch boat storage.” Staff analysis since the adoption of the Master Plan indicates that a floating dock would in fact expand access and improve usability of the Luther Burbank docks.

In the summer of 2017, a time-lapse video assessment was performed, providing insight into how the docks are currently used. The vast majority of the boats utilizing the docks were small power boats, typically under 25’ in length. These boaters most often tied up to the lower finger piers, which have wide wood edges. On occasion, larger boats tied up to the main piers, which sit much higher above the water and have abrasive concrete edges. There is also a scarcity of cleats along the dock perimeter, making tie-ups difficult. Kayaks, paddle boards, and other “human-powered” water craft were not regularly observed using the docks, which is unfortunate considering the demand and popularity of these types of water activities. The piers simply sit too high above the water to make this type of use practical.

In 2018, Parks and Recreation staff conducted a survey of dock users (Exhibit 3). Small power boat users were the primary respondents, although there was certainly interest in better access for “human-powered” watercraft. Survey results indicate a desire for dock improvements, and likely the installation of floating docks to accommodate a wider variety of year-round uses.

Financing

This preliminary planning and design project is currently included in the City’s proposed 2019-20 Capital Improvement Program for consideration at the November 5, 2018 City Council meeting. The proposed budget for this project is \$130,000, which includes \$28,000 from REET 1, \$12,000 from Impact Fees and \$90,000 from the RCO Boating Facilities Grant. This grant program requires a 25% match and staff believes this is an effective approach to leveraging the City’s limited resources.

If the grant application is approved by the City Council, staff will submit a grant application by the November 1, 2018 deadline. If the project is selected, funding would likely be awarded in June 2019, allowing the planning and design work to commence shortly thereafter. A final design recommendation will be available for City Council review and consideration in early 2020, with progress reports scheduled throughout the process.

If the planning and design grant is not awarded, staff will discuss alternative planning options with the City Manager and the City Council, including a significantly scaled back scope of work.

Resolution

RCO requires a City Council approved resolution (Exhibit 4) to accompany each grant application. The language in the resolution is prescribed by RCO and includes the following provisions:

- Authorizing the City Manager to serve as the representative of the City on behalf of this grant application.
- Acknowledgement of the conditions included in a future grant agreement between the City of Mercer Island and RCO.
- Acknowledgement that property not owned by the City but developed as part of the grant award must be dedicated for the purposes of the grant. (Note: This condition does not apply to this preliminary planning project, but this condition would apply to future construction grant applications. This project is located on leased Washington State Department of Natural Resources (DNR) shorelands. The City's current aquatic lands lease expires in 2046. For future construction grants, the City will need to renew this agreement with a new termination date to provide the 25-year tenure required by the grant program. DNR has expressed willingness to do this.)

Approval of this resolution does not obligate the City to accept the grant award or encumber funds for this project in advance of the grant award, which is especially important considering the grant application will precede adoption of the 2019-20 budget.

RECOMMENDATION

Parks & Recreation Director and Parks Superintendent

MOVE TO: Adopt Resolution No. 1547 authorizing application for planning and designing the future configuration of the docks at Luther Burbank Park.



0 25 50 100 150 200
Feet

AB 5486 Exhibit 1: Aerial Map of Luther Burbank Docks (2017 image)

MERCER ISLAND PARKS OVERWATER STRUCTURES ASSESSMENT



DRAFT REPORT

May 30, 2014

OAC No. 2014-001

Prepared for

City of Mercer Island

Parks and Recreation Department

Prepared by

OAC Services, Inc.

701 Dexter Avenue North, Suite 301

Seattle, Washington 98109

May 30, 2014

Jason Kintner
Parks Superintendent
Mercer Island Parks and Recreation
2040 84th Avenue SE
Mercer Island, Washington 98040

Re: **Mercer Island Parks – Overwater Structures Assessment**

Mr. Kintner:

Please find enclosed our draft report “Mercer Island Parks – Overwater Structures Assessment”, dated May 30, 2014. The purpose of this report is to summarize our review of specific overwater and shoreline structures at Luther Burbank Park, Clarke Beach Park, and Groveland Park.

Please call with any questions or concerns relative to the contents of the report.

Sincerely,



Lee Dunham, PE SE
Principal
Forensic Architecture and Engineering Group
OAC Services, Inc.

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 - 2.1.1 Shoreline Structures
 - 2.1.2 Overwater Structures
 - 2.2 Clarke Beach Park
 - 2.2.1 Shoreline Structures
 - 2.2.2 Overwater Structures
 - 2.3 Groveland Park
 - 2.3.1 Shoreline Structures
 - 2.3.2 Overwater Structures

- 3 PRIORITIZED REMEDIATION
 - 3.1 Short-Term Remediation
 - 3.2 Mid-Range Remediation
 - 3.3 Long-Term Remediation

- APPENDICES
 - A Luther Burbank Park
 - B Clark Beach Park
 - C Groveland Park

1 INTRODUCTION

1.1 Purpose of Report

The purpose of this report is to provide a condition assessment of specific overwater and shoreline (on-grade) structures at three Mercer Island waterfront parks: Luther Burbank Park, Clarke Beach Park, and Groveland Park. The general scope of assessment was directed by Mercer Island Parks.

1.2 Scope of Services

The scope of services for this project included detailed engineering field observations, underwater inspection of piers, bulkheads and other structures by a dive team, preliminary cost analyses and the writing of this summary report.

1.2.1 Consultant Team, Field Work

The consultant team for this assessment was led by OAC Services Inc. (OAC) who provided project management for the assessment under the direction of the Mercer Island Parks Department, as well as all structural engineering review and assessment. Review and assessment of shoreline structures was provided by Associated Earth Sciences, Inc. (AESI). Underwater inspections were carried out by Waterfront Construction, Inc. (Waterfront).

Visual review of overwater and shoreline structures was carried out by the consultant team on the following dates: March 13, 2014 (OAC recon at all three parks with Parks Department); March 18, 2014 (engineering observations and dive inspections at Luther Burbank); March 19 and April 3, 2014 (engineering observations and dive inspections at Clarke Beach and Groveland).

1.2.2 Preliminary Cost Analysis

Based on the data obtained from the fieldwork, preliminary cost estimates were generated and provided to Mercer Island Parks for budgeting purposes on April 22, 2014. These cost estimates are included (and where appropriate expanded upon) in this report.

1.2.3 Report

Findings from engineering field assessments and dive inspections are summarized in this report. Reference Section 2 for general park summaries, Section 3 for a general ranking of remediation priority, and the appendices at the end of the report for detailed observations, structure ratings, short and long term remediation options and associated preliminary cost estimates.

General Note on Overwater Structures

For the purpose of this report, the assessed overwater structures are broken down into two categories: *the superstructure*, which includes the decking and all elements above (decking, concrete slabs, fascia, rails, cleats, etc.) and the *substructure*, which includes all elements below the deck (timber stringers, pile caps / beams, timber piles, bracing, etc.). All wood elements discussed are understood to be pressure-treated, unless otherwise noted. The terms “pier” and “dock” are

typically used interchangeably, however the term “pier” was selected as the predominant default to describe structures extending from the shoreline over the water.

2 PARK SUMMARIES

2.1 Luther Burbank Park

Located at 2040 84th Avenue SE, Luther Burbank Park encompasses approximately 75 acres at the north side of Mercer Island. The assessment did not include review of park structures north of the concrete bulkhead adjacent to the large pier.

2.1.1 Shoreline Structures

From north to south, shoreline structures present at Luther Burbank Park include approximately 200 feet of concrete bulkhead, approximately 975 feet of natural shoreline, and approximately 85 feet of shoreline located along a swimming beach. The concrete bulkhead is in generally good condition with no significant undermining observed. Brick work observed on the ground surface directly behind the bulkhead exhibited some chipped, missing, or uneven brick surfaces, particularly toward the south end of the bulkhead. This presents a tripping hazard as well as an aesthetic problem. The south end of the bulkhead is located near the toe of a hill traversed by a gravel-surfaced maintenance road. The maintenance road is steeply inclined and its surface is subject to erosion by runoff flowing down its length. This has resulted in rilling of the road surface and accumulation of mud and ponded water behind the bulkhead at its south end. The accumulation of mud and standing water presents a problem for area pedestrian traffic and access to the adjacent dock. At least a portion of the runoff flowing down the maintenance road appears to originate as emergent seepage (springs) within the road and adjacent area. Control of the runoff is recommended to mitigate the erosion problem in this area.

Beginning near the south end of the bulkhead, a pedestrian path extends south along the natural shoreline between the south end of the bulkhead and the swimming beach at the south end of the park. A portion of the trail was very muddy at the time of our visit. Placement of filter fabric overlain by cedar chips or crushed rock is recommended in the wet portions of the trail to provide a relatively dry, mud-free surface for pedestrian traffic. The swim beach at the south end of the park appears to be constructed of imported sand. The surface of the beach is rilled due to erosion by runoff. We observed runoff flowing across the beach even though our site visit coincided with a period of dry weather. This suggests that a portion of the runoff originates as spring flow. Control of this runoff is recommended to mitigate beach erosion in this area.

2.1.2 Overwater Structures

From north to south, overwater structures at Luther Burbank Park include a large multi-fingered pier, a small pier, and timber mooring piles (not ‘overwater’ per se but included here). Both the piers are of similar construction, which consists of precast concrete “double T” deck slabs spanning along the main axis of the pier supported by timber cap beams and timber piles. The piles are braced with diagonal timbers and battered piles. The large pier has various finger slips consisting of diagonal wood decking on treated timber beams and piles. Overall, the concrete slabs are in relatively good condition with only minor spalling and cracking. The timber piles supporting the piers appear to be treated with creosote and are in

good overall condition. Structural concerns at these piers relate to the timber cap beams, some of which are exhibiting decay at the exposed beam end. As well, the cap beams are shimmed at the piles with what appears to be untreated plywood, and these shims are exhibiting decay. Wood decking at the smaller fingers is weathered but not generally decayed. The series of mooring piles located south of the small pier have advanced decay at the waterline and require repair if they are to be used in the future.

Detailed descriptions of our observations, recommended mitigation, figures, and photographs showing key features are included in Appendix A.

2.2 Clarke Beach Park

Clarke Beach Park encompasses roughly 8 acres on the south east side of Mercer Island between E. Mercer Way and Lake Washington.

2.2.1 Shoreline Structures

Beginning at the north end of the park, shoreline structures at Clarke Beach include approximately 60 feet of asphalt paved path. The edges of the path adjacent to the water are supported by sheetpiles with a concrete pile cap. A portion of the asphalt pavement along the edge of the path has settled. The area south of this path consists of an enclosed swimming area (“Kids’ Swim Area”). The shoreline within the swimming area consists of concrete stairs that extend down into the water. The stairs appear to be in good condition with no damage observed. The kids’ swimming area is enclosed by a sheetpile wave break that extends out into the lake. The sheetpiles appear to be in generally good condition, but they have exposed sharp edges that could be hazardous to swimmers. They are also constructed with “fish windows”. In addition to potentially sharp edges, the fish windows could present a potential trapping hazard to swimmers. The sheetpile wave break is constructed with a wooden cap that is heavily weathered. South of the swim area is approximately 150 feet of shoreline with a rock bulkhead. This bulkhead, like the other rock bulkheads at this park, is constructed as a riprap rock revetment rather than the more typical stacked rock bulkhead. Large voids are present between the rocks indicating that some shifting has occurred. Some rocks have also toppled into the lake. Asphalt pavement has been placed over a portion of the riprap bulkhead near its south end. This appears to have been placed in an attempt to stabilize the rock.

Another section of concrete stairs extends down into the water along the portion of shoreline south of the rock bulkhead. These stairs have been severely undermined by wave action. This has resulted in some cracking of the concrete. Beginning approximately 85 feet south of the bulkhead, a sheetpile wall has been installed at the toe of the concrete stairs. The sheetpile wall extends south approximately 65 feet to the south end of the stairs. A concrete cap has been placed along the top of the sheetpile wall. The cap is connected to the toe of the concrete stairs by bolts extending through the face of the cap and by steel plates that span between the tread of the lower step and the top of the concrete cap. Most of the bolt holes extending through the face of the pile cap are missing bolts. These open holes provide a conduit for wave action behind the sheetpile wall. In some areas gaps were observed between individual sheetpiles and between the tops of the sheetpile wall and pile cap. These gaps also provide conduits for wave action that could potentially undermine the toe of the adjacent stairs. In some areas, lateral deflection of the sheetpile wall occurred under hand pressure. This suggests poor embedment of the sheetpiles. The portion of the concrete

stairs behind the sheetpile wall exhibited moderately severe cracking. South of the shoreline concrete stairs is approximately 285 feet of additional rock bulkhead/riprap similar to that present north of the stairs. The condition of the rock bulkhead/riprap in this area is similar to that of the bulkhead/riprap north of the stairs.

2.2.2 Overwater Structures

From north to south, overwater structures at Clark Beach Park include a large pier and a small pier. Both the piers are of similar construction, which consists of wood decking, fascia and stringers supported by timber cap beams and piles. With the exception of one pile, the treated timber piles supporting these piers are in good condition. The superstructure of the large pier is in good condition, with the exception of deterioration of the painted wood rail. The wood decking is weathered but in general not decayed. The small pier to the south has sustained fire damage from arson. One of the main stringers has substantial section loss at the abutment and adjacent decking has been removed.

Detailed descriptions of our observations, recommended mitigation, figures, and photographs showing key features are included in Appendix B.

2.3 Groveland Park

Groveland Park encompasses roughly 3 acres at the west side of Mercer Island between W. Mercer Way and Lake Washington, directly opposite Seward Park to the west.

2.3.1 Shoreline Structures

Shoreline structures present at Groveland Park include approximately 250 feet of concrete bulkhead. Vertical cracks extending completely through the bulkhead are present at several locations. Although no widespread undermining of the bulkhead was observed, several large cracks or holes were observed near its toe (below lake level). In addition, what appear to be weep holes were observed near the toe of the bulkhead at approximately 10 foot intervals along its entire length. The area directly behind the bulkhead consists of a beach. Widespread settlement of the beach sand directly behind the bulkhead was observed. More pronounced areas of localized settlement (potholes) were observed in places along the back of the bulkhead. The locations of these potholes coincided with the locations of the larger cracks and voids in the bulkhead. The settlement behind the bulkhead is interpreted to be the result of washout of sediment from behind the wall by wave action. The beach behind the bulkhead appears to be constructed of imported sand. The sand exhibits rilling. This appears to be the result of erosion by runoff from the adjoining upslope area. North of the bulkhead, at the north end of the park, is a small pocket beach. Logs placed at the head of the beach provide grade separation between the beach and the adjacent, higher-lying lawn. The logs have been undermined by wave action and appear at risk of rolling. As this would result in collapse of the edge of the lawn and presents a potential hazard. Anchoring of the logs is recommended.

2.3.2 Overwater Structures

From north to south, overwater structures at Groveland Park include a small pier and a large pier. Typical construction at the large pier consists of precast concrete slab sections supported by treated timber stringers on timber piles; the small pier consists of wood decking

on a similar substructure. Timber piles supporting both structures appear to be untreated and are in poor condition. Advanced decay was documented at the waterline at a good portion of the piles; some have lost bearing at the superstructure interface. Some piles at the large pier have been “canned” (a concrete-infilled steel splice at the waterline). The wood railing and skirt wall / wave break at the large pier is weathered with isolated decay. The relatively thin precast slab elements forming the large pier deck are weathered, have substantial paste erosion, and are cracked; the screws connecting the slabs to the underlying substructure have compromised holding capacity and are loose at some locations. The south return of the large pier is topped with asphalt (unknown substrate). At the north end of the pier, the slabs/stringers are noticeably sagging; this end sways noticeably in the east-west direction. Underwater wood bracing elements at the large pier are loose and some dowel type connectors (bolts / threaded rods) were observed to be substantially corroded. The wood decking at the smaller pier is weathered and decayed in some areas. Various planks have been replaced in the past.

Detailed descriptions of our observations, recommended mitigation, figures, and photographs showing key features are included in Appendix C.

3 PRIORITIZED REMEDIATION

3.1 Short Term Remediation (1 – 2 years)

The decayed piles supporting the two piers at Groveland Park result in diminished load carrying capacity of the structures. These piers should be repaired or replaced in the short-term.

If the area bounded by the sheet pile wave break at Clarke Beach Park is desired to remain in use as a swim area for children, additional work is recommended to improve safety, including covering of any exposed sheet piling edges and limiting swimmer access to fish windows.

3.2 Mid-Range Remediation (3 – 5 years)

The two piers at Luther Burbank Park should be repaired relatively soon (recommended before 2017), and reserves for long-term maintenance should be budgeted for. If they are to be used in the future, the mooring piles at Luther Burbank Park should be spliced at the waterline. In addition to these items, the log bulkhead at Groveland’s pocket beach should be re-anchored.

3.2 Long-Term Remediation (10 + years)

In general, the remaining work contemplated in the summary tables in the appendices should be addressed in the next 10 – 15 years. However, in some cases (such as with the concrete bulkhead at Groveland Park), detrimental effects of continued undermining are expected to increase over time if left unmitigated.

Limitations of Report

This report is based on limited visual observations at specific shoreline and overwater structures at Luther Burbank, Clarke Beach, and Groveland Parks on Mercer Island. The report is for the sole use of the City of Mercer Island. Review and commentary on structures not addressed herein is beyond the scope of this study.

Appendix A

Luther Burbank Park

Summary Tables

- A.1 – Shoreline Structures
- A.2 – Overwater Structures

Figures

- A1 – Park Map
- A2 – Large Pier, Plan and Section
- A3 – Large Pier, Sections
- A4 – Small Pier, Plan and Sections

Representative Photos

- 1A – 26A

Table A.1: Luther Burbank Park - Shoreline Structures

DRAFT 5/30/14

Loc	OBSERVATION			RATING					MITIGATION			
	Shoreline Structure	Condition	Cause	Rating for Structure (1-10 = poor-good)				Unmitigated Life Expect. (years)	Interim Mitigation Options	Est. Costs	Long-Term Mitigation Options	Est. Costs
				Condition	Function	Aesthetic	Safety					
1	Concrete Bulkhead [approx 200 ft of shoreline]	Generally good; minor undermining of toe observed where a drain pipe extends out into lake from under the bulkhead (near the center of the bulkhead); minimal sedimentation observed at base of joints in bulkhead.	Minor washout of sediment around drain pipe by wave action.	10	10	10	10	20+	None recommended at this time.	N/A	None recommended at this time.	N/A
1A	Brick work [behind bulkhead]	Some uneven, chipped, or missing bricks behind bulkhead, mainly near S. end	Likely due to settlement of fill behind bulkhead; chipped or missing bricks likely due to wear/vandalism.	9	9	7	9	Exceeded where damaged	None recommended at this time.	N/A	Removal and replacement of existing bricks.	\$2,000 - \$4,000
1B	Gravel maintenance road/trail	Heavily rilled; erosion of soil from inclined road has resulted in deposition of mud and accumulation of standing water on brick surface behind S. end of bulkhead.	Uncontrolled runoff on inclined surface of maintenance road; a portion of the runoff appears to be due to emergent seepage (springs) in the road.	4	4	2	7	Exceeded	Periodic regrading of the road and frequent removal of the mud from behind the bulkhead.	\$1,000 per event	Construction of check dams/water bars on road; installation of a trench drain at the toe of the slope.	\$10,000 - \$15,000
2	Natural shoreline [approx 975 ft. of shoreline]	Generally good; trail paralleling shoreline very muddy.	Muddy condition of trail due to accumulation of runoff, possibly with some emergent seepage.	7	7	7	9	20+	Build up surface of trail with cedar chips underlain by filter fabric.	\$5,000 - \$10,000	Build up surface of trail with crushed rock underlain by filter fabric.	\$10,000 - \$15,000
3	Swim beach [approx 85 ft. of shoreline]	Beach appears to be constructed of imported sand placed on till. Heavy rilling of surface of beach. Concrete steps/retaining walls at head of beach in good condition.	Rilling on beach due to erosion from runoff. The source of much of the runoff appears to be emergent seepage (springs).	6	6	6	10	N/A	Regrade surface of beach/import additional sand.	\$5,000	Installation of interceptor/finger drains to control seepage.	\$10,000 - \$15,000

Table A.2: Luther Burbank Park - Overwater Structures

Loc	OBSERVATION		RATING				MITIGATION					
	Overwater Structure	Condition	Cause	Rating for Structure (1-10 = poor-good)			Unmitigated Life Expect. (years)	Short-Term Mitigation		Long-Term Mitigation		
				Condition	Function	Aesthetic		Safety	Options	Est. Costs	Options	Est. Costs
4	Large Pier Superstructure	Superstructure consists of precast conc decking units and wood bull rails at main pier; diagonal wood decking at fingers; newer steel gangway and marine grating at floating swim platform. Concrete slabs exhibit minor cracking / spalling but are otherwise in relatively good condition. Wood decking / rails weathered but with exception of some detached bull rail, these are in relatively good condition.	age weathering	7	7	7	8	15+	Allowance for repair of deteriorated concrete and wood rails.	\$15,000 - \$20,000	Provide allowance in budget for additional similar mitigation procedures in 10 - 15 years.	\$20,000
	Large Pier Substructure	Substructure consists of treated timber cap beams (with non-treated wood shims); creosote treated timber piles and timber bracing. Diver reports the following: With exception of one location, piles are in good condition. Problems exist with decayed wood shims between caps and piles, and decayed cap ends. Bracing is loose and connection hardware loose corroded at some locations.	age weathering wood decay steel corrosion wave action	5	5	N/A	7	2 - 4	Pile splice allowance + allowance to repair decayed cap beams, shims and bracing in-place.	\$65,000 - \$85,000	Provide allowance in budget for additional similar mitigation procedures in 10 - 15 years.	\$50,000
5	Small Pier Superstructure	Construction and condition same as large pier - see notes above							Allowance for repair of deteriorated concrete and wood rails.	5,000 - \$10,000	Provide allowance in budget for additional similar mitigation procedures in 10 - 15 years.	\$10,000
	Small Pier Substructure	Construction and condition same as large pier - see notes above							Allowance for repair of deteriorated concrete and wood rails.	\$20,000 - \$25,000	Provide allowance in budget for additional similar mitigation procedures in 10 - 15 years.	\$20,000
6	Mooring Piles	Timber mooring piles south of small dock are deteriorated	age wood decay	3	3	3	7	Exceeded	Splice timber piles	\$12,000 - \$16,000	None recommended at this time.	N/A



REFERENCE: GIS - KING CO. / USGS

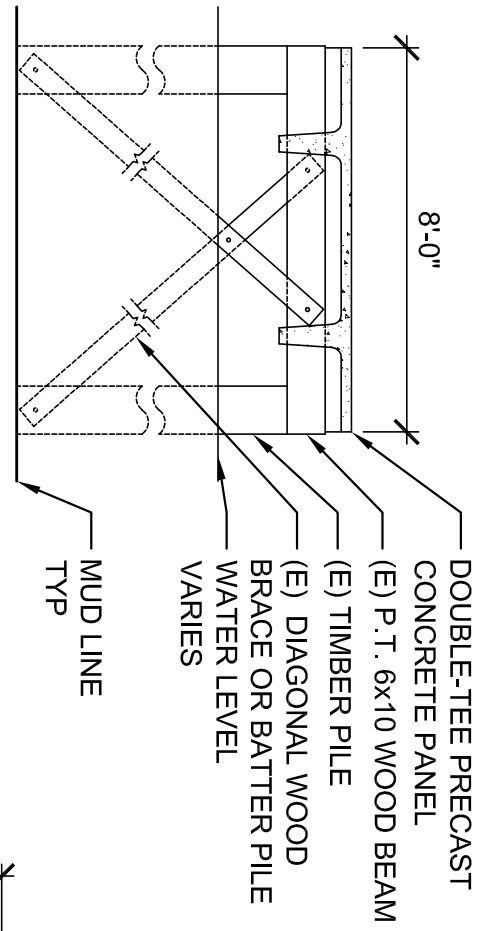
NOTE: BLACK AND WHITE REPRODUCTION OF THIS COLOR ORIGINAL MAY REDUCE ITS EFFECTIVENESS AND LEAD TO INCORRECT INTERPRETATION.

SITE PLAN - LUTHER BURBANK PARK
 MERCER ISLAND PARKS - WATERFRONT STRUCTURES ASSESSMENT
 MERCER ISLAND, WASHINGTON

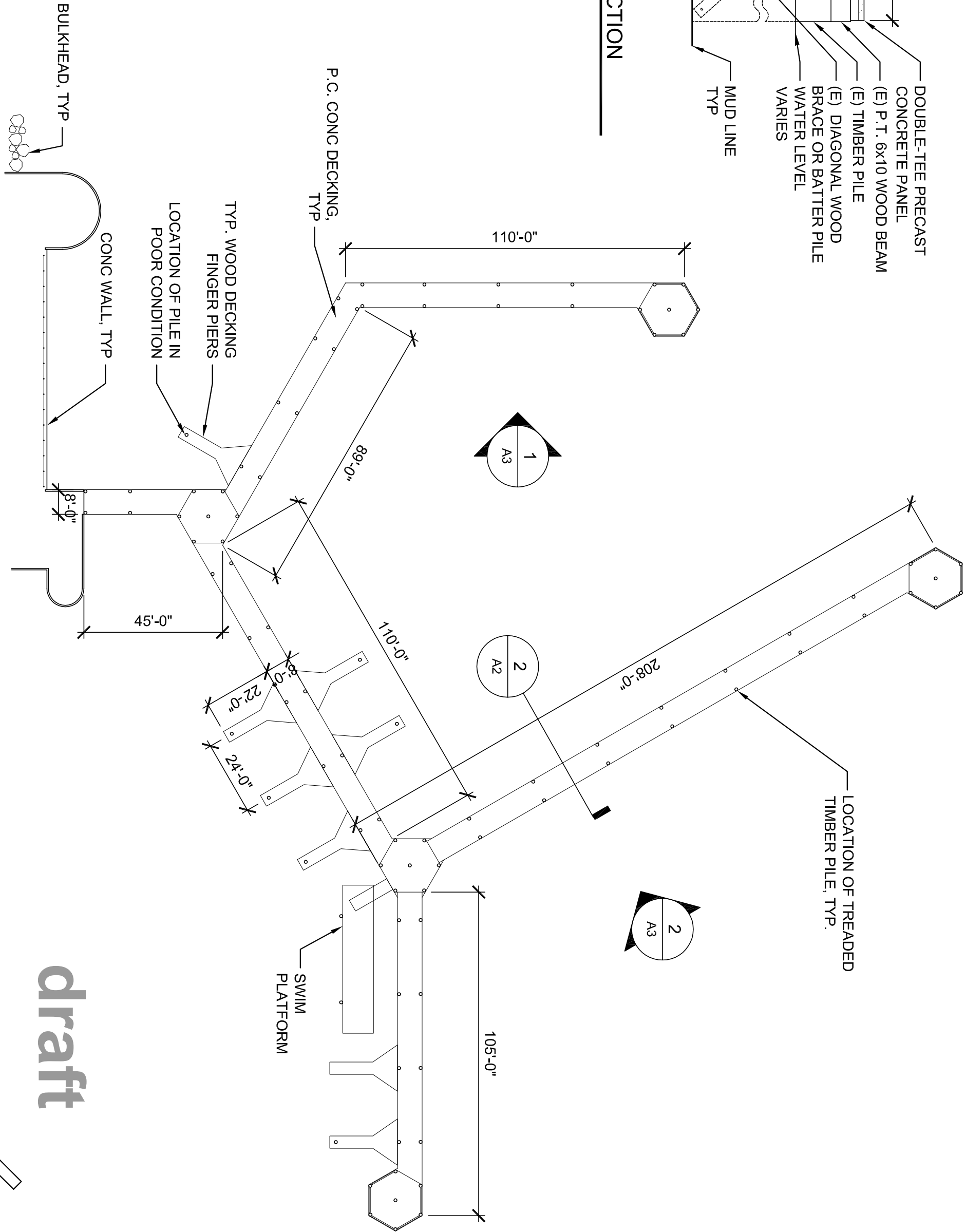
FIGURE A1

DATE 4/14

PROJ. NO. KE140078A



2 TYPICAL PIER SECTION
SCALE: 1/4" = 1'-0"



1 PIER PLAN
SCALE: approx. 1/32" = 1'-0"

49

draft

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DATE	4/2014
DRAWN	PK / MD
CHECK	LD
JOB	2014001

LARGE PIER - PLAN
LUTHER BURBANK PARK
CITY OF MERCER ISLAND
SCALE : NTS [AB 5486]

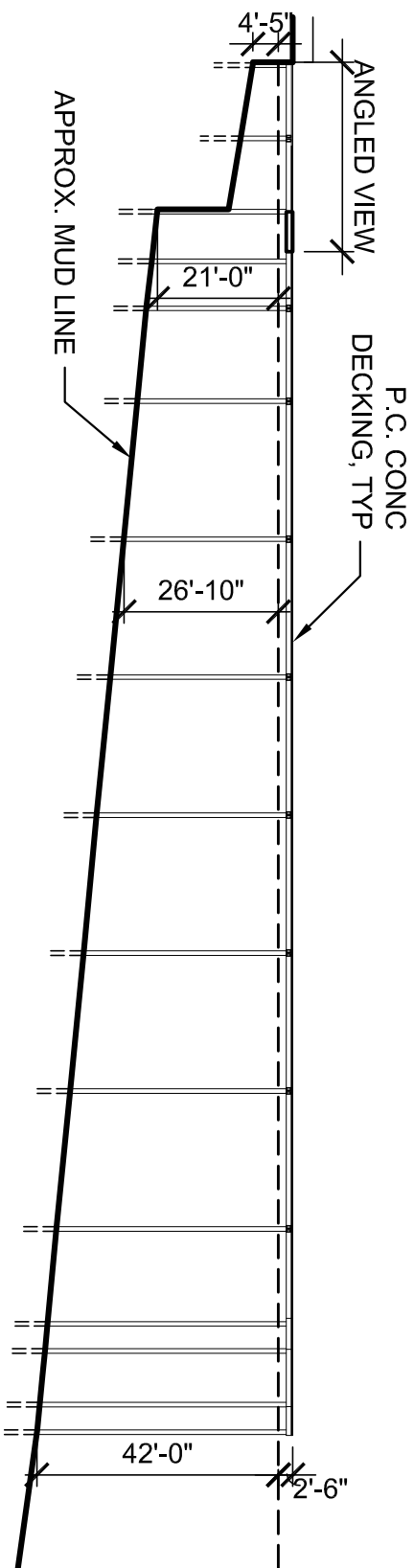
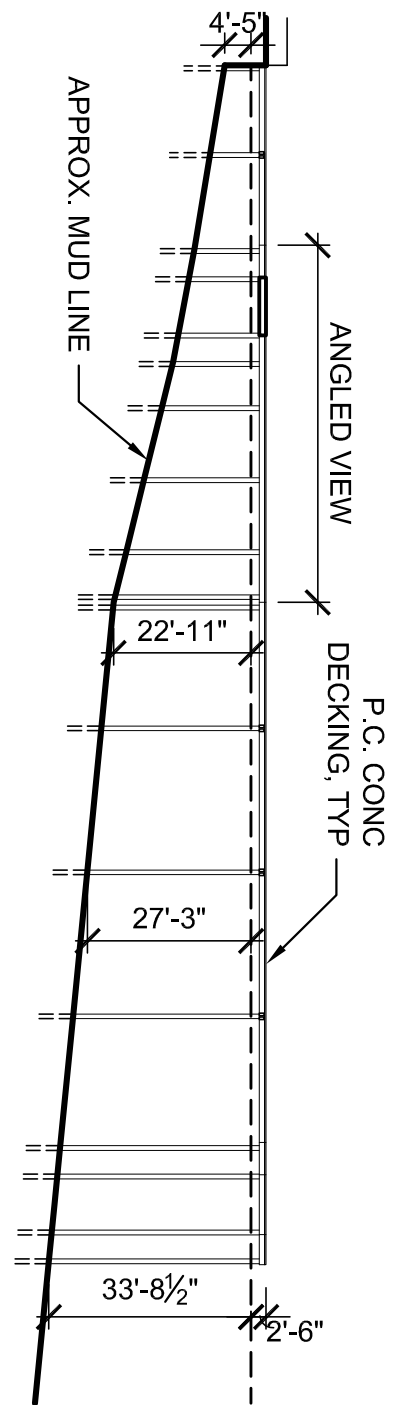
FIGURE
A2

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1

PIER SECTION

SCALE: approx. 1/32" = 1'-0"



draft

2

PIER SECTION

SCALE: approx. 1/32" = 1'-0"

50

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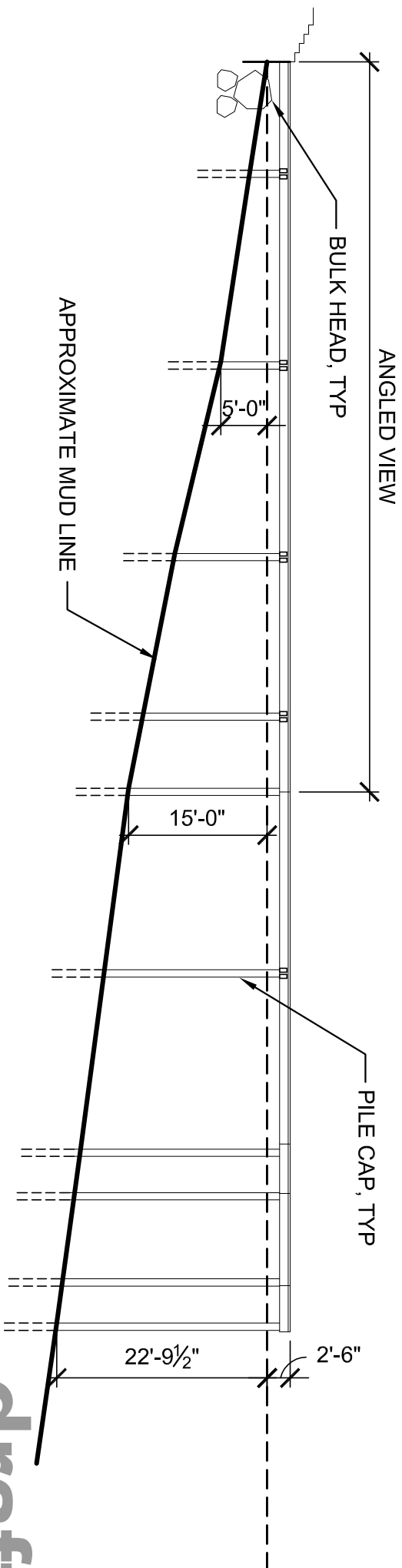
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LARGE PIER - SECTION
LUTHER BURBANK PARK
 CITY OF MERCER ISLAND
 SCALE : NTS [AB 5486]

FIGURE
A3

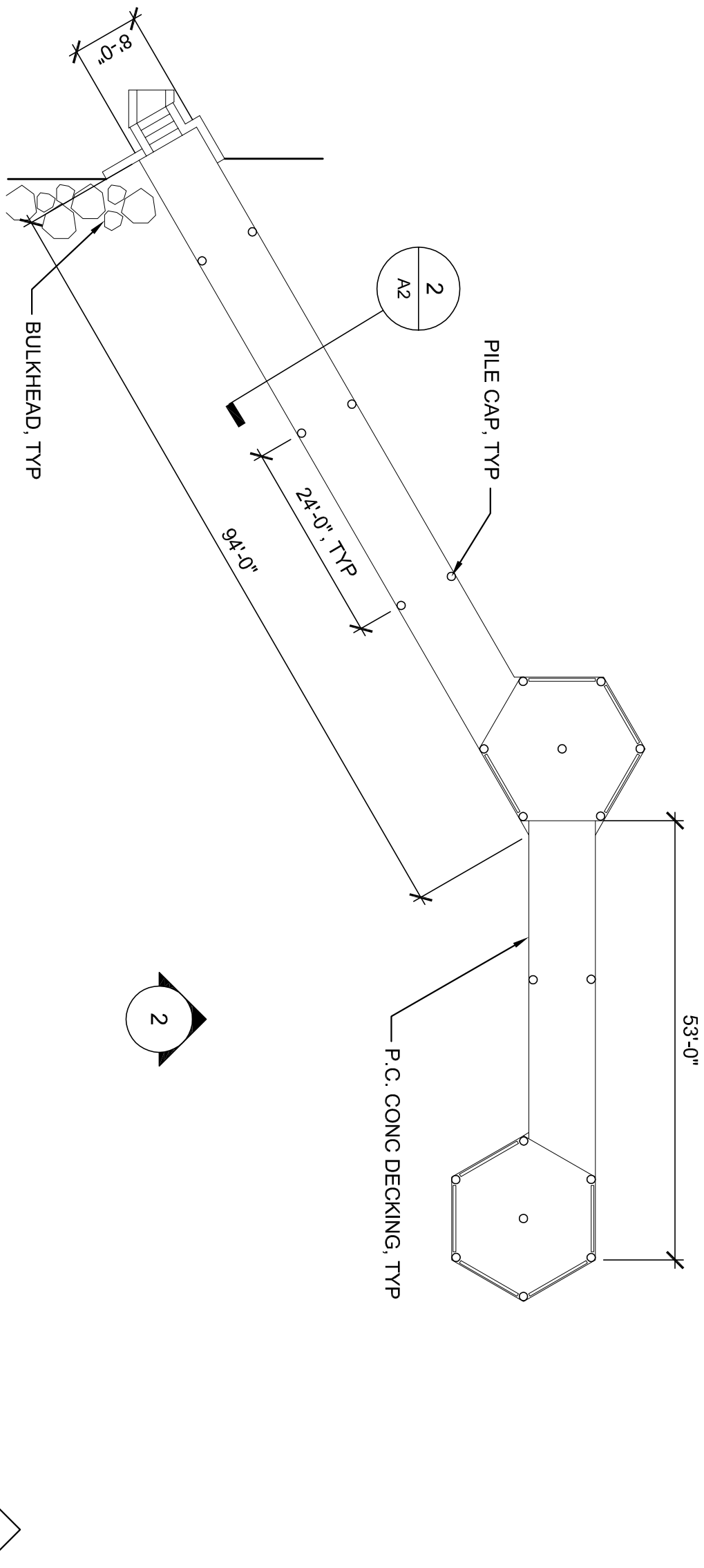
2

PIER SECTION
SCALE: approx. 1/16" = 1'-0"



1

PIER PLAN
SCALE: approx. 1/16" = 1'-0"



51

draft



DATE	4/2014
DRAWN	PK
CHECK	LD
JOB	2014001

SMALL PIER - PLAN AND SECTION
LUTHER BURBANK PARK
 CITY OF MERCER ISLAND
 SCALE : NTS [AB 5486]

FIGURE
A4

Luther Burbank Park – Representative Photos



Photo 1A – Concrete bulkhead



Photo 2A – Brickwork adjacent to bulkhead



Photo 3A – Gravel maintenance road



Photo 4A – Trail along shoreline



Photo 5A – Swim beach



Photo 6A – Large pier

Luther Burbank Park – Representative Photos



Photo 7A – Pier finger and gangway



Photo 8A – Typical pier construction



Photo 9A – Deteriorated pier slab



Photo 10A – Pier slab over support



Photo 11A – Moss / vegetation at pier edge



Photo 12A – Deteriorated / loose bull rail

Luther Burbank Park – Representative Photos



Photo 13A – Treated cap beam at pile



Photo 14A – Deteriorated cap beam



Photo 15A – Deteriorated cap beam end



Photo 16A – Spalling at underside of precast "T"



Photo 17A – Precast "T" and timber cap beam



Photo 18A – Plywood shims between cap and pile

Luther Burbank Park – Representative Photos



Photo 19A – Diagonal bracing



Photo 20A – Loose connector at substructure



Photo 21A – Stripped / corroded connector



Photo 22A – Small pier



Photo 23A – Platform at end of small pier



Photo 24A – Pile cap to pile connection (small pier)



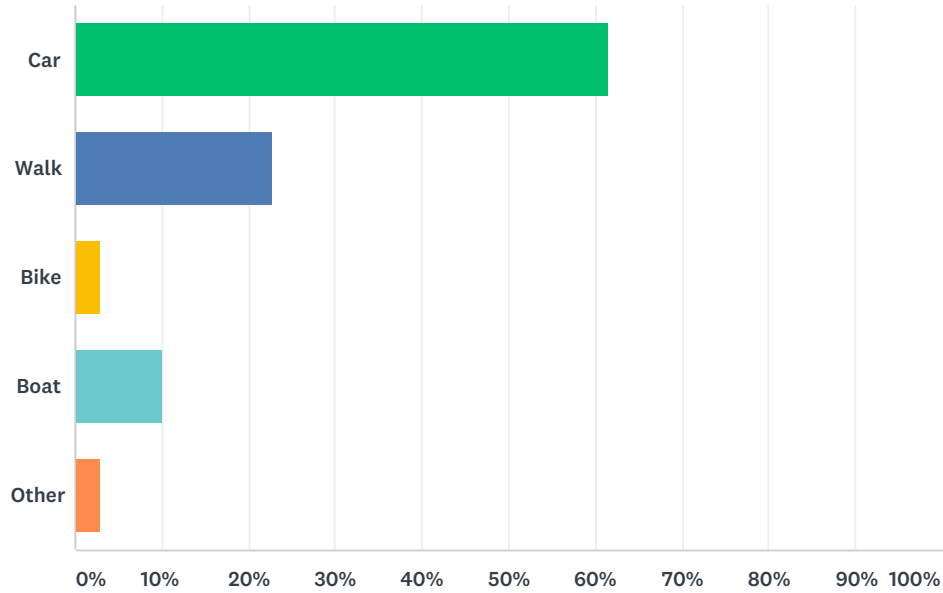
Photo 25A – Deteriorated cap beam (small pier)



Photo 26A – Deteriorated mooring pile

Q1 How did you get to Luther Burbank Park today?

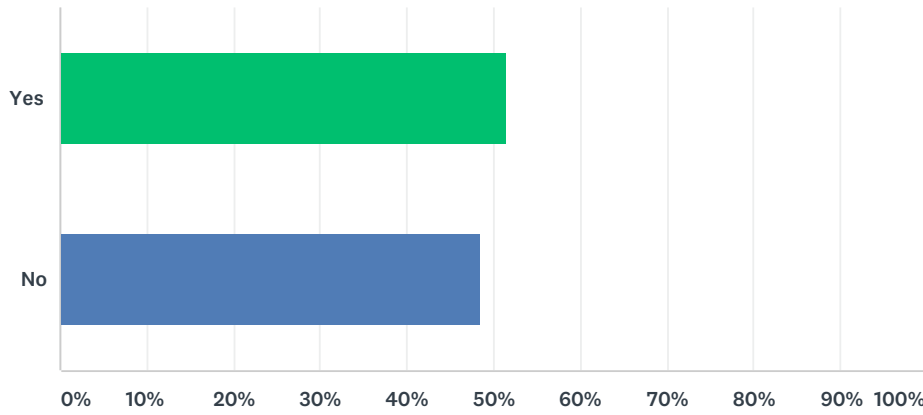
Answered: 70 Skipped: 0



ANSWER CHOICES	RESPONSES	
Car	61.43%	43
Walk	22.86%	16
Bike	2.86%	2
Boat	10.00%	7
Other	2.86%	2
TOTAL		70

Q2 Have you ever accessed Luther Burbank Park by boat?

Answered: 70 Skipped: 0



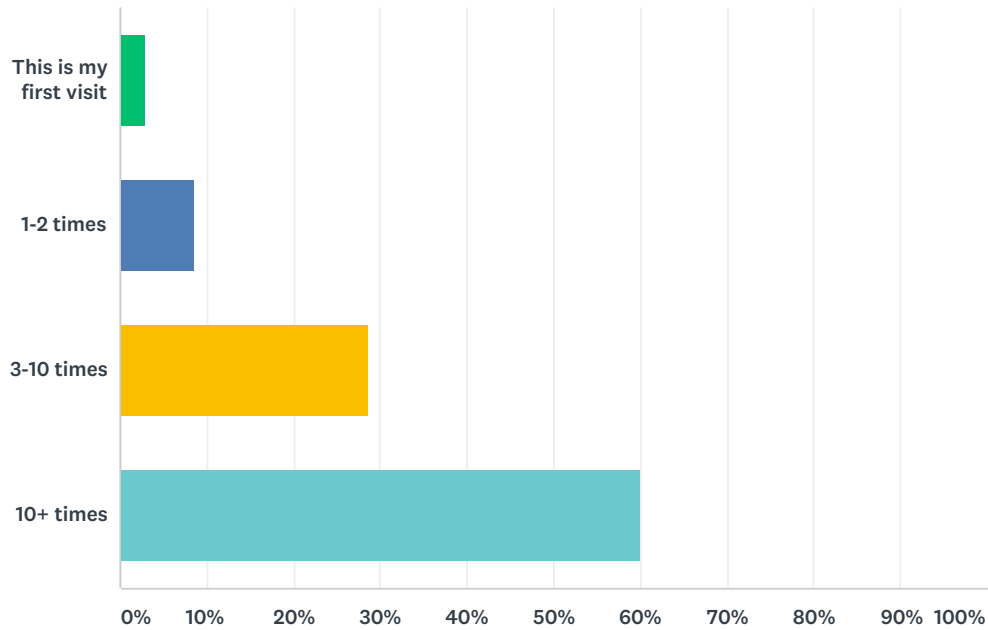
ANSWER CHOICES	RESPONSES	
Yes	51.43%	36
No	48.57%	34
TOTAL		70

Q3 If you answered 'yes' to the previous question, please specify the type/size of boat used.

Answered: 37 Skipped: 33

Q4 On average, how often do you visit Luther Burbank Park in a year?

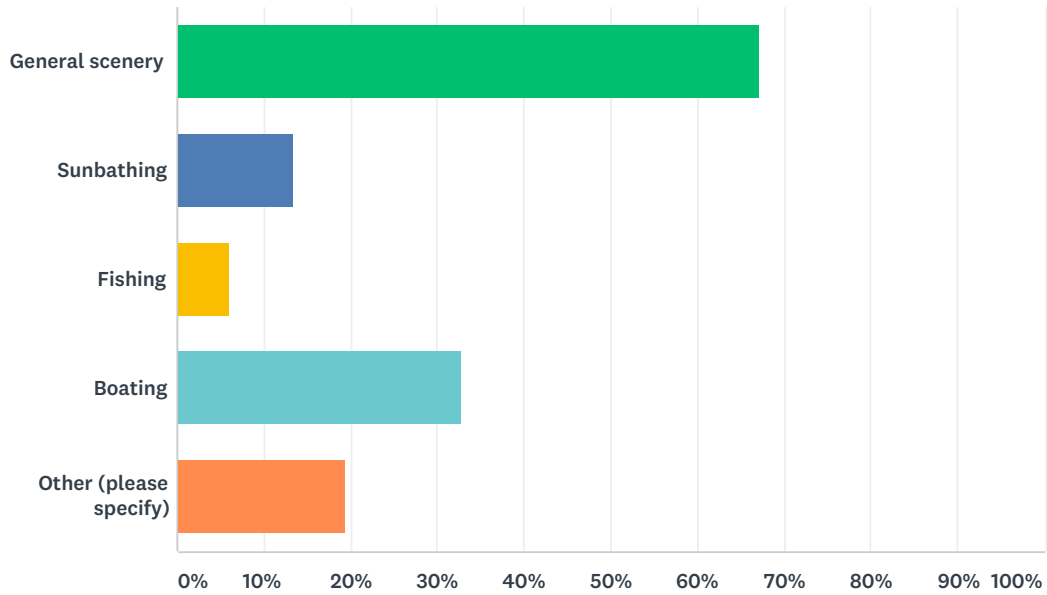
Answered: 70 Skipped: 0



ANSWER CHOICES	RESPONSES
This is my first visit	2.86% 2
1-2 times	8.57% 6
3-10 times	28.57% 20
10+ times	60.00% 42
TOTAL	70

Q5 What are you using the waterfront docks for today (check all that apply)?

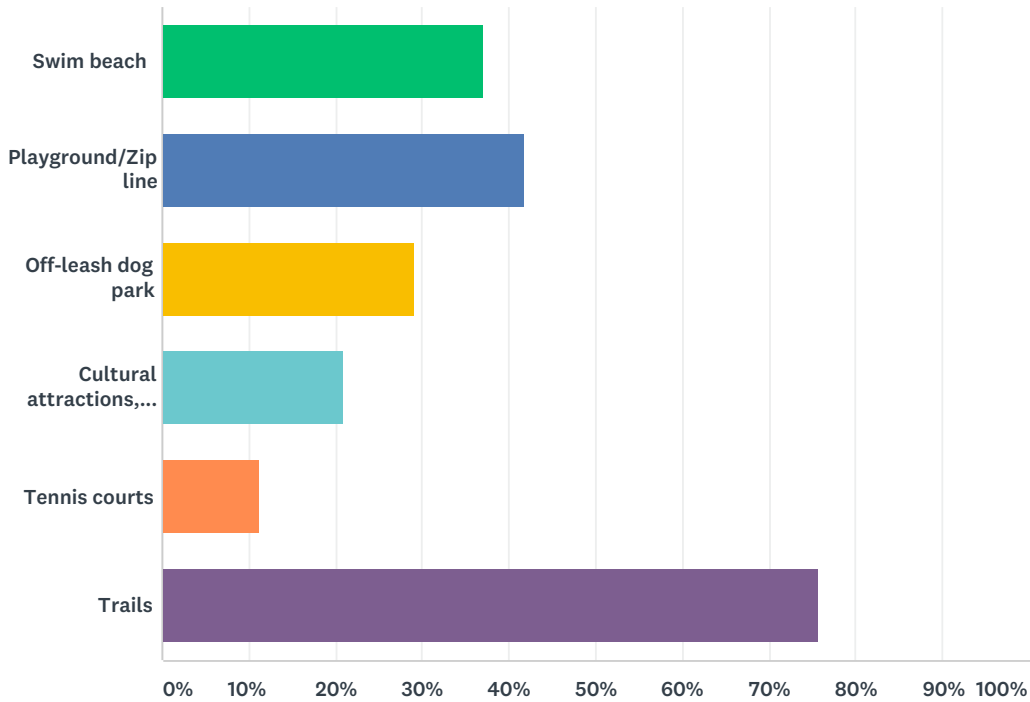
Answered: 67 Skipped: 3



ANSWER CHOICES	RESPONSES
General scenery	67.16% 45
Sunbathing	13.43% 9
Fishing	5.97% 4
Boating	32.84% 22
Other (please specify)	19.40% 13
Total Respondents: 67	

Q6 On my visit today I also visited the following park attractions (check all that apply):

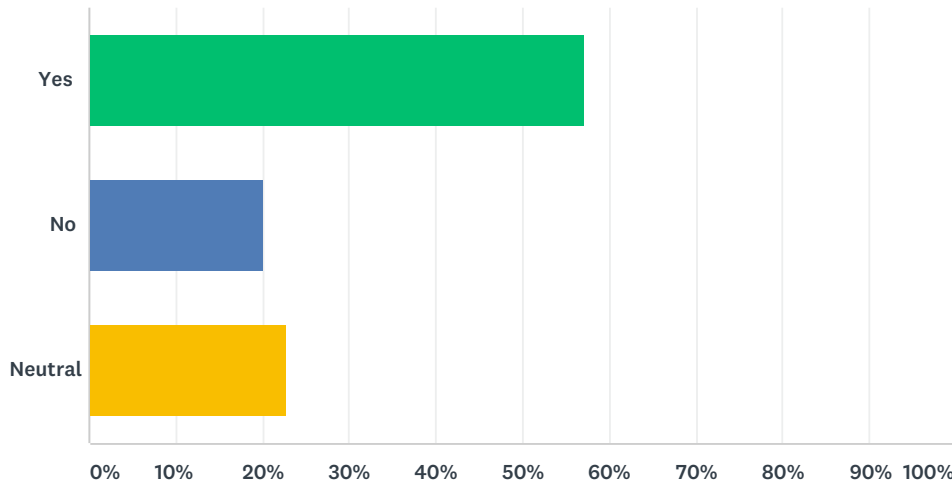
Answered: 62 Skipped: 8



ANSWER CHOICES	RESPONSES	
Swim beach	37.10%	23
Playground/Zip line	41.94%	26
Off-leash dog park	29.03%	18
Cultural attractions, i.e. Shakespeare in the Park, Art Sculptures, Summer Celebration	20.97%	13
Tennis courts	11.29%	7
Trails	75.81%	47
Total Respondents: 62		

Q7 Mercer Island Parks and Recreation is considering replacing one of the three fixed-height docks with a floating dock to provide better access for small boats and improve fish habitat. Would this change benefit you?

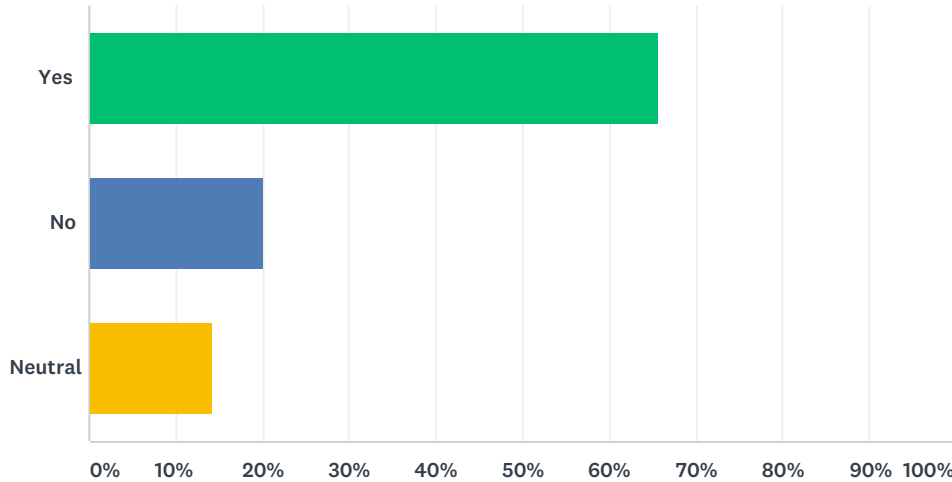
Answered: 70 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	57.14%	40
No	20.00%	14
Neutral	22.86%	16
TOTAL		70

Q8 Would you use the dock facility if it better accommodated small watercraft such as: Stand-up Paddle Boards, Kayaks, Canoes and smaller engine boats?

Answered: 70 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	65.71%	46
No	20.00%	14
Neutral	14.29%	10
TOTAL		70

Q9 What would be your highest priority improvement to the docks and waterfront area?

Answered: 55 Skipped: 15

Q10 Please share any other thoughts you have regarding the Luther Burbank docks and waterfront plaza.

Answered: 42 Skipped: 28

2018 Luther Burbank Dock Repair and Reconfiguration Community Survey Open Ended Responses sorted

If you answered 'yes' to the previous question, please specify the type/size of boat used.	
Open-Ended Response	Classification
Pleasure boat	
No, I've never been here by boat.	
Kayak, canoe, paddleboard	human power
Little inflatable kayak	human power
Kayak	human power
63' 75'	large power
54' motor yacht	large power
28 foot Bayliner	large power
28foot Searay (cabin cruiser style boat)	large power
It was a 30+ foot pontoon boat	large power
On an Argosy boat	large power
21 foot sailboat	sail
Sailing dinghy	sail
40' sailboat	sail
25' Bayliner XR7	small power
17 foot power boat Laser sailboat Kayak 8 ft sailing pram	small power
17 foot motorboat	small power
22' Pacific Skiff Aluminum Walk Around	small power
Sportsboat	small power
19' runabout	small power
19 ft open bow	small power
26' cobalt (motorboat, inboard motor)	small power
20 ft open now Bayliner	small power
24'	small power
21' power boat.	small power
Waterski size boat. We did not park, just picked people up from the dock.	small power
23 foot Searay	small power
18ft speedboat	small power
32 foot sailboat 17 foot fishing motorboat	small power
Cobalt 252. ~25' powerboat.	small power
- 22 foot electric Duffy boat. - Canoe - Kayaks	small power
18 foot run about, kayak, paddleboard	small power
17' ski boat	small power
19 foot ski boat	small power
Power 20ft	small power
Personal Watercraft/29 foot fishing boat/ Malibu 21 VLX, 19.5 ft GlasPly	small power
Regular motorboat	small power

What would be your highest priority improvement to the docks and waterfront area?	
Open-Ended Response	Activity/Concern
None, they look fine to me.	
It would be nice if the new floating dock was a little wider and if the approach had railings. I love the concrete docks but they are quite narrow and I'm always careful not to accidentally walk of the edge. In addition to a large floating dock, it would be nice if each of the piers was fitted with a small floating platform like the one behind the main walkway. A few benches for older folks attached to the docks (and perhaps part of a railing system) would be nice as well.	Accessibility
Love the idea of improving the docks and making them accessible to majority of citizens. However, we would support and prioritize allowing a business to run a kayak/paddle board rental in the season. We live on an island, yet not a single place where one could rent anything pertaining to water sports, incl fishing.	Accessibility
Fix handsome bollards. More places to sit.	Art
Create a larger and more appealing beach closer to the park entrances (more sand, less rocks).	Beach
Do not remove any sq. footage of dock space. There is not a single private property owner on mercer Island that would purposely reduce dock space. Why would the city do it? Mercer Island should utilize the docks at Luther Burbank to support day use of boats, a permanent sailing and kayak camps and storage and a permanent crew training area for rowing shells.	Boating
More docks	Boating
Expanded docks for day moorage.	Boating
The dock# often serve off island patrons so feel they should have to help pay for any dock repairs or replacements.	Finance
none - taxes too high right now	Financial
Access for fishing	Fishing
I'd like to see a cafe/restaurant, so that people can enjoy the lake. I enjoy boating around Lake Washington and stopping to eat at restaurants by the water; having such a restaurant on Mercer Island would be fantastic. For example, the historic building in the middle of the park would make a beautiful restaurant; it would be readily accessible to people from the parking lot or from the dock. As far as a small-craft floating dock, I have a paddleboard but launching it from Luther Burbank would not be convenient; there are better alternatives on the island that don't require carrying it so far from the parking lot. But generally, I do think a floating dock to support launching of kayaks, paddleboards, small sailboats, and rowing shells would be beneficial IF there was a public boathouse / club where such watercraft could be stored or rented. But it's too far (and steep!) from the parking lot if such watercraft can't be stored on site.	Food
Create easier access for boats and lease the boiler building out to a restaurant like at Coulan park (sp) and to revitalize the waterfront for use by citizens and visitors.	Food

Please create a daytime marina where people could walk to dinner and then come back to their boat?	Food
Need food restaurant concession	Food
Help the fish	Habitat
Fish & Wildlife friendly	Habitat
fish protection, of course, but utility for kyaks, canoes and small boats would be most useful	Habitat
Better fish habitat and limiting artificial structures and artificial shorelines	Habitat
Kayak access	Human
Accessible to kayaks	Human
Accessible to kayaks	Human
Easier beach access, small boat ramp, paddling concession with boats on dock.	Human
Accommodating canoo, kayak and stand up paddle board	Human
dock to accommodate kayaks and, eventually rentals of kayaks, canoes, and SUP like Enatai Beach park.	Human
Rowing and crew!!!	Human
More accessibility to the water and use by paddle boards and kayaks	Human
Overnight Moorage, power, water. Charge nightly fees like Kirkland. Rent half the dock in the winter on a monthly basis. This revenue will pay for the upgrades needed. Dock can remain fixed height if walls are added so any height boat can run against it, no need to replace the piers(unless deemed unsafe), just upgrade them!	Large Power
To finish the repair to the brick and railing.	Maintenance
more access for pedestrians	Passive
Trail along the waterfront	Passive
I'm here mainly for the water view	Passive
They are very unsafe, falling apart, loose cleats, fallen trees in the water by the protected boat slips make it dangerous for props.	Safety
Repair/replace boards, broken concrete	Safety
Repair/replace boards, broken concrete	Safety
Safety has to be the highest priority. I would use it with my boat much more often if the docs were lower and somewhat safer.	Safety
Safety	Safety
Improve docks with newer/safer infrastructure. Nails stick out, too old, doesn't match the rest of the updated park.	Safety
Bringing back the small boat rental program with small sailboats. I like the idea of docks that are easier to tie boats up to.	Sailing
Removal of the concrete docks while bringing the height down to 12-18" above the waterline.	Small Power
Lower docks and something to stop the huge waves	Small Power
I would want to ensure there is still ample motorboat parking at the new docks as the Luther Burbank dock is the only real public dock on mercer island and we use it frequently to drop off and pick up friends in our boat.	Small Power
Floating docks that have capacity for 20ft motorboat	Small Power
Floating moorage.	Small Power
Lowering them for easier moorage	Small Power

In my opinion the docks are too high and poorly designed for adequate fender protection. In the winter I don't feel safe tying up.	Small Power
Making them an easily accessible pickup options for friends who wish to join me boating, making some short-term (less than 2 hour) moorage so I could visit the park with my kids via boat!	Small Power
A new, lower (floating), dock could be nice.	Small Power
Lower dock height for small boats.	Small Power
Low floating docks for small boats to tie up. The docks were set up that way in the 1980s and it was very popular. It would be fabulous to have some kind of food service. Either a private restaurant or something where the city could make some money	Small Power
Break wall. It is too rough with lake traffic to tie up a small boat	Small Power
Make it into a swim area!!!!	Swimming
Love to be able to jump from the docks to the lake and have a ladder to climb up again - and use our paddleboards there. Btw - the frame in the shallow kiddy beach at Clark Beach needs fixing.	Swimming
Swim off the docks and be able to climb out easily	Swimming
Allowing swimming	Swimming

Please share any other thoughts you have regarding the Luther Burbank docks and waterfront plaza.	
Open-Ended Response	Activity/Concern

See previous answer	
See above	
None other than previously mentioned	
:)	
Address parking access first before dock replacement.	Accessibility
Needs more art	Art
Need more updated bathrooms. Cleats on docks are loose and falling off.	Bathrooms
More cleats on each dock.	
Bathrooms are a life saver. Closer boat tie offs near the swim Beach would be fun	Bathrooms
Bathroom essential	Bathrooms
The docks are a bad way to invest \$350k. This municipality has significant financial problems; we have many better ways to spend money than this.	Financial
really need to control taxes if I am going to be able to stay on MI. Monthly mortgage payment went up \$500 for new taxes	Financial
Do boat owners pay to dock there? If not, given the city's current financial difficulties, improvements to the docks should be financed by those who use them. At a time when the city is looking to increase taxes dramatically, \$350,000 for something relatively few residents use is a lot of money.	Financial
Allow for a fishing dock	Fishing
A cafe would be great! Coffee cart? Taco cart? Cocktails?	Food
A cafe would be great! Coffee cart? Taco cart? Cocktails?	Food

I know it's controversial and I'm one who is almost ALWAYS skeptical of public private partnerships, but I continue to believe the old powerhouse would make a very nice and extremely popular restaurant/snack bar that could help fund the Parks department. I also wouldn't be adverse to a new kayak, Canoe/shell house with new restrooms built adjacent into the hill side	Food
Would love to see a restaurant option open up in the old building at the water.	Food
I remember hearing of this possibility years ago and I still love the idea.	
The plaza is wonderful. I wish it had food, and maybe with more boats it would work. A kayak rental place there would be great.	Food
I love that we have docks for water visitors. I wish on summer weekends we allowed food carts to setup either near the water or up in the parking lot.	Food
There's not a lot of places to go by water to get a quick bite to eat. I like that we have easy to access restrooms so people don't use the lake as one.	
Assuming lower docks bring more human powered visitors, short term out of water storage for kayaks and paddle board would be nice.	
I'd like to see food concessions (in the summer); perhaps like food trucks.	Food
Restrooms need improvement. Also, the steam plant is a beautiful old building that needs to be USED! LBP docks are woefully underutilized!	
Concessions stand and make the boiler room a destination area.	Food
Have a summer snack stand to generate revenue. Charge a small parking fee to non island residents to use park facilities.	Food
We have 30 or so kids travel 3-5 days a week to Mt. Baker to train in crew.	Human
This activity could be supported an Luther Burbank in the form of a permanent crew house. Similar for sailing and kayak camps.	
Would be great to have kayak and SUP rentals and space for an MI crew team!	Human
I would love to be able to rent kayaks or SUPs from the waterfront. Like you can on the Bellevue side. I've really enjoy the waterfront!	Human
More benches - table and bbq - if you could use the water for some sort of splash park, or fountains for the kids that would be highly appreciated. We love this park and walk there at least 2-3 times a week.	Kids
Would be good to fix the the part of the waterfront that is currently off-limits. It's an eye-sore with the area roped off.	Maintenance
This is the biggest gem on the island and very poorly maintained. Converting the bathroom to better boat services (food shack during the summer maybe) could really generate some revenue.	Maintenance
They look fine to me. There are some weeds that are growing out of the asphalt which need pulling, but nothing looks bad.	Maintenance
Thanks for taking good care of our parks!	Maintenance
Keep it pretty! And quiet!	Passive
not all of us have boats	Passive
Preserve waterfront trail.	Passive
Expand the plaza.	Passive
Rentals like Bellevue has at Enatai Beach Park ??	Rental
Concrete and benches outside the restrooms needs to be updated. Repave concrete. Restrooms need to be refurbished as well (least of priorities but something that should happen in the future)	Restrooms

These docks have caused damage to my vessel. They are unsafe for most boat tie ups.	Small Power
More boats, better access, lower docks.	Small Power
It would be great if you could make Luther useful for boats. I don't understand why it isn't.	Small Power
It's unfortunate how little use (by boat) those beautiful docks are - would LOVE to have them all at moorage friendly heights!	Small Power
Make it easier to dock a small boat	Small Power
It's rare I see boats docking here. Mostly swimmers, so y not make it a swim area, which would be much cheaper	Swimming

**CITY OF MERCER ISLAND
RESOLUTION NO. 1547**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON
AUTHORIZING APPLICATION FOR PLANNING AND DESIGNING THE
FUTURE CONFIGURATION OF THE DOCKS AT LUTHER BURBANK
PARK**

This resolution authorizes the person identified below (in section 2) to act as the authorized representative/agent on behalf of our organization and to legally bind our organization with respect to the above Project(s) for which we seek grant funding assistance managed through the Recreation and Conservation Office (Office).

WHEREAS, this is a resolution that authorizes submitting application(s) for grant funding assistance for a Boating Facilities Program grant to the Recreation and Conservation Office and subsequent Legislative action.

WHEREAS, under the provisions of the Boating Facilities Program, state grant assistance is requested to aid in financing the cost of planning and design; and

WHEREAS, the City of Mercer Island considers it in the best public interest to complete the project described in the application;

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

1. Our organization has applied for or intends to apply for funding assistance managed by the Office for the above "Project(s)."
2. Julie Underwood, City Manager, is authorized to act as a representative/agent for our organization with full authority to bind the organization regarding all matters related to the Project(s), including but not limited to, full authority to: (1) approve submittal of a grant application to the Office, (2) enter into a project agreement(s) on behalf of our organization, (3) sign any amendments thereto on behalf of our organization, (4) make any decisions and submissions required with respect to the Project(s), and (5) designate a project contact(s) to implement the day-to-day management of the grant(s).
3. Our organization has reviewed the sample project agreement on the Recreation and Conservation Office's WEBSITE at: <https://rco.wa.gov/documents/manuals&forms/SampleProjAgreement.pdf>. We understand and acknowledge that if offered a project agreement to sign in the future, it will contain an indemnification and legal venue stipulation (applicable to any sponsor) and a waiver of sovereign immunity (applicable to Tribes) and other terms and conditions substantially in the form contained in the sample project agreement and that such terms and conditions of any signed project agreement shall be legally binding on the sponsor if our representative/agent enters into a project agreement on our behalf. The Office reserves the right to revise the project agreement prior to execution and shall communicate any such revisions with the above authorized representative/agent before execution.

4. Our organization acknowledges and warrants, after conferring with its legal counsel, that its authorized representative/agent has full legal authority to enter into a project agreement(s) on its behalf, that includes indemnification, waiver of sovereign immunity (as may apply to Tribes), and stipulated legal venue for lawsuits and other terms substantially in the form contained in the sample project agreement or as may be revised prior to execution.
5. Grant assistance is contingent on a signed project agreement. Entering into any project agreement with the Office is purely voluntary on our part.
6. Our organization understands that grant policies and requirements vary depending on the grant program applied to, the grant program and source of funding in the project agreement, the characteristics of the project, and the characteristics of our organization.
7. Our organization further understands that *prior to* our authorized representative/agent executing the project agreement(s), the RCO may make revisions to its sample project agreement and that such revisions could include the indemnification, the waiver of sovereign immunity, and the legal venue stipulation. Our organization accepts the legal obligation that we shall, prior to execution of the project agreement(s), confer with our authorized representative/agent as to any revisions to the project agreement from that of the sample project agreement. We also acknowledge and accept that if our authorized representative/agent executes the project agreement(s) with any such revisions, all terms and conditions of the executed project agreement (including but not limited to the indemnification, the waiver of sovereign immunity, and the legal venue stipulation) shall be conclusively deemed to be executed with our authorization.
8. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project(s) referenced above.
9. Our organization acknowledges and warrants, after conferring with its legal counsel, that no additional legal authorization beyond this authorization is required to make the indemnification, the waiver of sovereign immunity (as may apply to Tribes), and the legal venue stipulation substantially in form shown on the sample project agreement or as may be revised prior to execution legally binding on our organization upon execution by our representative/agent.
10. Our organization acknowledges that if it receives grant funds managed by the Office, the Office will pay us on only a reimbursement basis. We understand reimbursement basis means that we will only request payment from the Office after we incur grant eligible and allowable costs and pay them. The Office may also determine an amount of retainage and hold that amount until the Project is complete.
11. Our organization acknowledges that any property not owned by our organization that is developed, renovated, enhanced, or restored with grant assistance must be dedicated for the purpose of the grant as required by grant program policies unless otherwise provided for per the project agreement or an amendment thereto.
12. This resolution/authorization is deemed to be part of the formal grant application to the Office.
13. Our organization warrants and certifies, after conferring with its legal counsel, that this resolution/authorization was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that our organization has full legal

authority to commit our organization to the warranties, certifications, promises and obligations set forth herein.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND,
WASHINGTON AT ITS REGULAR MEETING ON THE 16TH DAY OF OCTOBER 2018

CITY OF MERCER ISLAND

Debbie Bertlin, Mayor

ATTEST:

Deborah Estrada, City Clerk

Excerpt from Luther Burbank Park Master Plan(2006)



Dock/Boiler building area

- More accessible ramp (ADA access will be required)
- North Dock to remain as passive use (fishing, sunbathing, etc., no swimming) and addition of ladders
- South dock replaced and straightened with lower floating dock with improved finger piers for small motor craft, "human powered" boats and motorized launch boat storage
- Shell house with Public access restrooms and amenities (Showers? Vending?) at top of access trail
- Existing restroom with plumbing and security upgrades
- Boiler building program prioritized for maritime use including rental/ storage of "human powered" kayaks, canoes, and small sailboats
- Opportunity for mobile concessionaire
- Aggregate beach for boat to water access
- Homeowner demonstration garden abutting bulkhead with interpretive signage

Luther Burbank Pier Renovation and Upgrade Grant



Figure 1: Profile view of pier showing concrete panel and wood cap beam construction



Figure 2: Detail of cap beam illustrating typical rot condition

CITY OF MERCER ISLAND
RESOLUTION NO. 1581

A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON
AUTHORIZING A WASHINGTON STATE RECREATION AND CONSERVATION
OFFICE BOATING INFRASTRUCTURE GRANT APPLICATION FOR PROJECT
NUMBER 20-1714D: LUTHER BURBANK PIER RENOVATION AND UPGRADE

Location of Resolution or Document: <http://www.mercergov.org/Page.asp?NavID=2811>

This resolution authorizes the persons identified below (in Section 2) to act as the authorized representative/agent on behalf of our organization and to legally bind our organization with respect to the above Project for which we seek grant funding assistance managed through the Recreation and Conservation Office (Office).

WHEREAS, grant assistance is requested by the City of Mercer Island to aid in financing the cost of the Project referenced above;

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

1. Our organization has applied for or intends to apply for funding assistance managed by the Office for the above "Project."
2. Our organization authorizes the following persons or persons holding specified titles/positions (and subsequent holders of those titles/positions) to execute the following documents binding our organization on the above projects:

Grant Document	Name of Signatory or Title of Person Authorized to Sign
Grant application (submission thereof)	Parks Capital Project and Planning Manager
Project contact (day-to-day administering of the grant and communicating with the RCO)	Parks Capital Project and Planning Manager
RCO Grant Agreement (Agreement)	City Manager
Agreement amendments	City Manager
Authorizing property and real estate documents (Notice of Grant, Deed of Right or Assignment of Rights if applicable). These are items that are typical recorded on the property with the county.	City Manager

The above persons are considered an "authorized representative(s)/agent(s)" for purposes of the documents indicated. Our organization shall comply with a request from the RCO to provide documentation of persons who may be authorized to execute documents related to the grant.

3. Our organization has reviewed the sample RCO Grant Agreement on the Recreation and Conservation Office's WEB SITE at: <https://rco.wa.gov/wp-content/uploads/2019/06/SampleProjAgreement.pdf>. We understand and acknowledge that if offered an agreement to sign in the future, it will contain an indemnification and legal venue stipulation and other terms and conditions substantially in the form contained in the sample Agreement and that such terms and conditions of any signed Agreement shall be legally binding on the sponsor if our representative/agent enters into an

Agreement on our behalf. The Office reserves the right to revise the Agreement prior to execution.

4. Our organization acknowledges and warrants, after conferring with its legal counsel, that its authorized representative(s)/agent(s) have full legal authority to act and sign on behalf of the organization for their assigned role/document.
5. Grant assistance is contingent on a signed Agreement. Entering into any Agreement with the Office is purely voluntary on our part.
6. Our organization understands that grant policies and requirements vary depending on the grant program applied to, the grant program and source of funding in the Agreement, the characteristics of the project, and the characteristics of our organization.
7. Our organization further understands that prior to our authorized representative(s)/agent(s) executing any of the documents listed above, the RCO may make revisions to its sample Agreement and that such revisions could include the indemnification and the legal venue stipulation. Our organization accepts the legal obligation that we shall, prior to execution of the Agreement(s), confer with our authorized representative(s)/agent(s) as to any revisions to the project Agreement from that of the sample Agreement. We also acknowledge and accept that if our authorized representative(s)/agent(s) executes the Agreement(s) with any such revisions, all terms and conditions of the executed Agreement shall be conclusively deemed to be executed with our authorization.
8. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project(s) referenced above.
9. If match is required for the grant, we understand our organization must certify the availability of match by the application deadline. In addition, our organization understands it is responsible for supporting all non-cash matching share commitments to this project should they not materialize.
10. Our organization acknowledges that if it receives grant funds managed by the Office, the Office will pay us on only a reimbursement basis. We understand reimbursement basis means that we will only request payment from the Office after we incur grant eligible and allowable costs and pay them. The Office may also determine an amount of retainage and hold that amount until all project deliverables, grant reports, or other responsibilities are complete.
11. Our organization acknowledges that any property not owned by our organization that is developed, renovated, enhanced, or restored with grant assistance must be dedicated for the purpose of the grant as required by grant program policies unless otherwise provided for per the Agreement or an amendment thereto.
12. This resolution/authorization is deemed to be part of the formal grant application to the Office.
13. Our organization warrants and certifies that this resolution/authorization was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that our organization has full legal authority to commit our organization to the warranties, certifications, promises and obligations set forth herein.

This resolution/authorization is signed and approved on behalf of the resolving body of our organization by the following authorized member(s):

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON THE 16TH DAY OF JUNE 2020

CITY OF MERCER ISLAND

Benson Wong, Mayor

ATTEST:

Deborah A. Estrada, City Clerk

Washington State Attorney General's Office

Approved as to form *Brian Staller* 2/13/2020
Assistant Attorney General *Date*



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

**AB 5707
June 16, 2020
Public Hearing**

AGENDA BILL INFORMATION

TITLE:	AB 5707: Interim Ordinance Design and Concealment Standards for Small Cell Facilities Deployment	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Conduct public hearing and adopt Ordinance No. 20-11 extending the Interim Design and Concealment Standards for Small Cell Facilities deployment established under Ordinance No. 19C-02.	

DEPARTMENT:	Community Planning and Development
STAFF:	Evan Maxim, Director of Community Planning and Development
COUNCIL LIAISON:	n/a
EXHIBITS:	<ol style="list-style-type: none"> 1. Ordinance No. 19C-02 2. Ordinance No. 20-11
CITY COUNCIL PRIORITY:	3. Support the Leadership Team's Work Plan

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

SUMMARY

Ordinance No. 20-11 will extend the Interim Design and Concealment Standards for Small Cell Facilities deployment established under Ordinance No. 19C-02, which expires on July 13, 2020, unless extended by the City Council following a public hearing.

BACKGROUND

On January 15, 2019, the City Council unanimously passed Emergency Ordinance No. 19C-02 (see Exhibit 1), establishing Interim Design and Concealment Standards for Small Cell Facilities deployments. The emergency ordinance was adopted in response to the Federal Communications Commission’s (FCC) issuance of a “Declaratory Ruling and Third Report and Order” (“New Rules”) related to the deployment of small cell facilities, which became effective January 14, 2019. The New Rules resulted in significant changes to the approach the City must use to regulate small cell deployment, which were described in [AB 5526](#).

On March 5, 2019, the City Council (see [AB 5538](#)) conducted a public hearing in compliance with RCW 35A.63.220 and 36.70A.390. Public testimony included verbal comments from representatives of Crown Castle and Verizon, and written comment from members of the Mercer Island community.

Interim regulations expire 6 months after adoption, unless extended by the City Council following an additional public hearing. On June 18, 2019, the City Council (see [AB 5565](#)) held a public hearing and passed Ordinance 19-10, which extended Ordinance No. 19C-02 through January 14, 2020. On December 3, 2019, the City Council (see [AB 5637](#)) held a public hearing and passed Ordinance 19-22, which extended Ordinance No. 19C-02 through July 13, 2020.

Ordinance No. 19C-02 will expire on July 13, 2020, unless extended by the City Council, following a public hearing.

On November 20, 2019, the Planning Commission developed a recommended scope for the proposed update, which was reviewed and approved by the City Council on January 21, 2020 (see [AB 5652](#)). The Planning Commission was scheduled to begin review of permanent small cell facilities development regulations in March 2020; this work was suspended in response to the COVID-19 pandemic. Staff does not anticipate that the Planning Commission can complete their work in 2020.

Until permanent design and concealment standards are adopted, staff recommends that the effective period of the Interim Design and Concealment Standards for Deployment of Small Cell Facilities adopted by Ordinance No. 19C-02 be renewed for another six-month period.

RECOMMENDATION

1. Conduct public hearing and consider public testimony.
2. Suspend the City Council Rules of Procedure 6.3, requiring a second reading of an ordinance.
3. Adopt Ordinance No. 20-11, extending the Interim Design and Concealment Standards for Small Cell Facilities deployment established under Ordinance No. 19C-02.

**CITY OF MERCER ISLAND
ORDINANCE NO. 19C-02**

AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, DECLARING AN EMERGENCY; ADOPTING INTERIM DESIGN AND CONCEALMENT STANDARDS FOR SMALL CELL FACILITIES DEPLOYMENT; PROVIDING FOR A PUBLIC HEARING; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Federal Communications Commission issued a Declaratory Ruling and Third Report and Order (“New Rules”) relating to small cell facilities, which became effective January 14, 2019; and

WHEREAS, the New Rules significantly preempt the City’s ability to regulate the installation of small cell facilities on City-owned public rights-of-way; and

WHEREAS, aesthetic requirements imposed by the City under the New Rules on installation of small cell facilities must be published in advance and must also be reasonable, no more burdensome than those applied to other types of infrastructure deployments, and objective; and

WHEREAS, the City does not have design and concealment standards adopted for deployment of small cell facilities currently; and

WHEREAS, without adopted standards, the City may not impose design and concealment standards on applications for the deployment of small cell facilities under the New Rules; and

WHEREAS, the City Council finds that deployment of small cell facilities with unregulated design and concealment standards may result in uncoordinated installations, visual blight, interference with public facilities and equipment, and traffic dangers that pose harm to public health, safety, property, and welfare; and

WHEREAS, to prevent the potential harm to public health, safety, property, and welfare, the City Council concludes that the City immediately needs interim design and concealment standards for deployment of small cell facilities until permanent standards can be adopted following the process and procedures for adopting development regulations; and

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

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

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

- Section 1. Whereas Clauses Adopted.** The “Whereas Clauses” set forth in the recital of this Ordinance are hereby adopted as the preliminary findings and conclusions of the City Council for passing this Ordinance.
- Section 2. Declaration of Emergency.** As set forth in the “Whereas Clauses” adopted in Section 1 of this Ordinance, the City Council hereby declares that an emergency exists necessitating that this Ordinance take effect immediately upon unanimous passage by the whole membership of the City Council, and that the same is not subject to a referendum (RCW 35A.11.090(2)) and is exempt from SEPA review (WAC 197-11-880 and MICC 19.07.120(D)).
- Section 3. Interim Standards Adopted.** Interim Design and Concealment Standards for Deployment of Small Cell Facilities are hereby adopted as set forth in Exhibit A to this Ordinance.
- Section 4. Public Hearing.** Pursuant to RCW 35A.63.220 and RCW 36.70A.390, a public hearing shall be scheduled for 7:00 p.m. on March 5, 2019, which is within 60 days of this Ordinance passage, at Mercer Island City Hall, 9611 SE 36th Street, during the City Council’s regular meeting, or as soon thereafter as the business of the City Council shall permit, in order to hear and consider the comments and testimony of those wishing to speak at such public hearing regarding the interim standards imposed by this Ordinance and to consider adopting further findings of fact if needed.
- Section 5. Duration of Interim Standards.** The Interim Design and Concealment Standards for Deployment of Small Cell Facilities approved by this Ordinance shall become effective immediately, on the date hereof, and shall continue in effect for an initial period of six months, unless repealed, extended or modified by the City Council after subsequent public hearing(s), entry of appropriate findings of fact, and or development of a work plan for related studies pursuant to RCW 35A.63.220 and RCW 36.70A.390.
- Section 6. 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 7. Effective Date.** This Ordinance, as a public emergency ordinance necessary for the protection of the public health, safety, property, and welfare, shall take effect and be in full force and effect immediately upon its unanimous passage by the entire membership of the City Council as required by RCW 35A.11.090(2) and 35A.13.190.

Passed unanimously by the City Council of the City of Mercer Island, Washington, at its regular meeting on the 15th day of January 2019 and signed in authentication of its passage.

CITY OF MERCER ISLAND



Debbie Bertlin, Mayor

Approved as to Form:



Kari L. Sand, City Attorney

ATTEST:



Deborah A. Estrada, City Clerk

Date of Publication: 1/23/2019

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DRAFT
Code Amendments
Small Cell Facilities Design and Concealment Interim Standards

GENERAL REGULATIONS
19.06.070 Small Cell Deployment.
19.06.075 Small Cell Deployments – Design and Concealment Standards.

DEFINITIONS
19.15.030 Land Use Review Types.

DEFINITIONS
19.16.010 Definitions.

“Normal Text” is existing code language
“~~Strikethrough Text~~” is existing code language that will be deleted
“Underline Text” is new code language that will be added
“...” represents that existing code language is omitted and will not be amended

1 **19.06.070 ~~Bonding and insurance~~ Small cell facilities deployment.**

2 The following provisions establish standards for small cell facilities deployments; provided, however,
 3 that any small cell or small cell network component which is not exempt from SEPA review shall also
 4 comply with chapter 19.07 MICC:

5 (1) Small Cell Facility Approval Required. Small cell facilities are permitted in all zoning
 6 designations subject to a Type II land use review process pursuant to chapter 19.15 MICC. In
 7 addition to the small cell approval, one or more right-of-way use permits may also be required
 8 for small cell deployment.

9 (2) Previously Approved Small Cells on Existing or Replacement Utility Poles. Eligible small cell
 10 facilities permitted under the provisions of a franchise approval prior to the adoption of these
 11 standards shall be considered to have satisfied the design and concealment standards when
 12 installed and maintained in accordance with the franchise agreement.

13 (3) Replacement Utility Pole – Street Lighting. With the express permission of the City, a
 14 replacement utility pole or a new utility pole may be permitted in the form of a new street light
 15 standard. The design of the street light standard shall be in accordance with the City lighting
 16 requirements in effect at the time of application. Wherever technologically feasible, all
 17 equipment and cabling shall be internal to the replacement street lighting standard, or
 18 concealed through the design and implementation of a concealment plan.

19 (4) Undergrounded Utility Areas. A service provider or infrastructure company desiring to locate
 20 any aboveground infrastructure in an undergrounded utility area shall provide a separate,
 21 standalone pole. Pole design to be approved by the City pursuant to MICC 19.06.075(6)(d).

22
 23 **19.06.075 Small Cell Deployments – Design and concealment standards.**

24 Small cell deployments, whether permitted on the right-of-way pursuant to a franchise or in accordance
 25 with this chapter, shall conform to the design standards set forth in this section.

26 (1) Small Cell Deployment Design Standards - General Requirements. All small cell deployments
 27 shall comply with the following provisions:

28 (a) Ground-mounted equipment in the rights-of-way is prohibited unless such facilities
 29 are placed underground or the applicant can demonstrate that pole-mounted or
 30 undergrounded equipment is technically infeasible. If ground-mounted equipment is
 31 necessary, then the applicant shall submit a concealment plan pursuant to subsection
 32 (7). Generators located in the rights-of-way are prohibited.

33 (b) No equipment shall be operated so as to produce noise in violation of chapter 8.24
 34 MICC.

35 (c) Small cell facilities are not permitted on traffic signal poles.

1 (d) Replacement poles and new poles shall comply with the Americans with Disabilities
 2 Act (ADA), City construction and sidewalk clearance standards, and state and federal
 3 regulations in order to provide a clear and safe passage within the rights-of-way.

4 (e) Replacement poles shall be located as near as possible subject to approval by the
 5 City Engineer to the existing pole with the requirement to remove the abandoned pole.

6 (f) No signage, message or identification other than the manufacturer's identification or
 7 identification required by governing law is allowed to be portrayed on any antenna, and
 8 any such signage on equipment enclosures shall be of the minimum amount possible to
 9 achieve the intended purpose; provided, that signs are permitted as concealment
 10 element techniques where appropriate.

11 (g) Antennas and related equipment shall not be illuminated except for security reasons,
 12 required by a federal or state authority, or unless approved as part of a concealment
 13 plan.

14 (h) Side arm mounts for antennas or equipment are prohibited.

15 (i) The preferred location of a small cell facility on a pole is the location with the least
 16 visible impact.

17 (j) Antennas, equipment enclosures, and ancillary equipment, conduit and cable shall be
 18 located within the building or pole to the maximum extent feasible.

19 (k) Antennas, equipment enclosures and ancillary equipment, conduit and cable shall
 20 not adversely affect the aesthetic appearance or visual character of the building or pole
 21 upon which they are attached.

22 (l) The City may consider the cumulative visual effects of small cells mounted on poles,
 23 together with existing utility equipment, within the rights-of-way when assessing
 24 proposed siting locations so as to not adversely affect the visual character of the City.
 25 This provision shall not be applied to limit the number of permits issued when no
 26 alternative sites are reasonably available nor to impose a technological requirement on
 27 the service provider.

28 (m) The design criteria as applicable to small cell facilities described herein shall be
 29 considered concealment elements and such small cell facilities may only be expanded
 30 upon an eligible facilities request described in chapter 19.06 MICCC, when the
 31 modification does not defeat the concealment elements of the facility.

32 (2) Small Cell Facilities Attached to Nonwooden Poles. Small cell facilities attached to existing or
 33 replacement nonwooden light poles and other nonwooden poles in the right-of-way or poles
 34 outside of the right-of-way shall conform to the following design criteria in addition to the
 35 General Requirements set forth in subsection (1) above:

36 (a) Antennas and the associated equipment enclosures shall be sited and installed in a
 37 manner which minimizes the visual impact on the streetscape either by either:

1 i. Fully concealing the antennas and associated equipment fully within the pole;
2 or,

3 ii. Through a concealment plan which provides an equivalent or greater impact
4 reduction pursuant to subsection (7), below.

5 (b) All conduit, cables, wires and fiber must be routed internally in the light pole.
6 Conduit, cables, wires and fiber extending outside the pole to connect with externally
7 mounted antennas or equipment shall be located within shrouds, canisters, or sleeves.

8 (c) An antenna on top of an existing pole may not extend more than six feet above the
9 height of the existing pole and the diameter may not exceed 16 inches, measured at the
10 top of the pole, unless the applicant can demonstrate that more space is needed. The
11 antennas shall be integrated into the pole design so that they appear as a continuation
12 of the original pole, including colored, powder coated, or other permanent coloration,
13 to match the pole, and shall be shrouded or screened to blend with the pole. All cabling
14 and mounting hardware/brackets from the bottom of the antenna to the top of the pole
15 shall be fully concealed and integrated with the pole.

16 (d) In addition to the increased antenna height allowed in subsection (c) above, the
17 height of any replacement pole may not extend more than 10 feet above the height of
18 the existing pole or the minimum additional height necessary for adequate clearance
19 from electrical wires, whichever is greater.

20 (e) Any replacement nonwooden pole shall substantially conform to the design of the
21 pole it is replacing, or the applicable City pole design standards.

22 (f) The diameter of a replacement pole shall comply with applicable setback and
23 sidewalk clearance requirements, ADA requirements, and if a replacement light
24 standard then with the City's lighting requirements.

25 (g) The use of the pole for the siting of a small cell facility shall be considered secondary
26 to the primary function of the pole. If the primary function of a pole serving as the host
27 site for a small cell facility becomes unnecessary, the pole shall not be retained for the
28 sole purpose of accommodating the small cell facility and the small cell facility and all
29 associated equipment shall be removed.

30 (3) Wooden Pole Design Standards. Small cell facilities located on wooden poles shall conform to
31 the following design criteria in addition to the General Requirements set forth in subsection (1)
32 above:

33 (a) The wooden pole at the proposed location may be replaced with a taller pole for the
34 purpose of accommodating a small cell facility; provided, that the replacement pole
35 shall not exceed a height that is a maximum of 10 feet taller than the existing pole,
36 unless a further height increase is required and confirmed in writing by the pole owner
37 and that such height extension is the minimum extension possible to provide sufficient
38 separation and/or clearance from electrical and wireline facilities.

1 (b) A pole extender may be used instead of replacing an existing pole but may not
2 increase the height of the existing pole by more than 10 feet unless a further height
3 increase is required and confirmed in writing by the pole owner and such height
4 increase is the minimum extension possible to provide sufficient separation and/or
5 clearance from electrical and wireline facilities. The pole extender shall be painted to
6 approximately match the color of the pole and shall substantially match the diameter of
7 the pole measured at the top of the pole.

8 (c) Replacement wooden poles may either match the approximate color and materials
9 of the replaced pole or shall be the standard new wooden pole used by the pole owner
10 in the City.

11 (d) Antennas, equipment enclosures, and all ancillary equipment, boxes and conduit
12 shall be colored, powder coated, or other permanent coloration, to match the
13 approximate color of the surface of the wooden pole on which they are attached.

14 (e) Panel antennas shall not be mounted on the side of a pole more than 12 inches from
15 the surface of the wooden pole, measured from the exterior surface of the pole to the
16 furthest extent of the panel antenna.

17 (f) Antennas should be placed in an effort to minimize visual clutter and obtrusiveness.
18 Multiple antennas are permitted on a wooden pole; provided, that each antenna
19 enclosure shall not be more than three cubic feet in volume, with a cumulative total
20 antenna volume not to exceed 12 cubic feet.

21 (g) In addition to the increased antenna height allowed in subsection (b) above, a
22 canister antenna may be mounted on top of an existing wooden pole, which may not
23 exceed the height requirements described in subsection (3)(a) of this section. A canister
24 antenna mounted on the top of a wooden pole shall not exceed 16 inches, measured at
25 the top of the pole, and shall be colored or painted to match the pole. The canister
26 antenna must be placed to look as if it is an extension of the pole. In the alternative, the
27 applicant may propose a side-mounted canister antenna, so long as the inside edge of
28 the antenna is no more than 12 inches from the surface of the wooden pole. All cables
29 shall be concealed either within the canister antenna or within a sleeve between the
30 antenna and the wooden pole.

31 (h) In addition to the increased antenna height allowed in subsection (b) above, an
32 omni-directional antenna may be mounted on the top of an existing wooden pole,
33 provided such antenna is no more than four feet in height and is mounted directly on
34 the top of a pole or attached to a sleeve made to look like the exterior of the pole as
35 close to the top of the pole as technically feasible. All cables shall be concealed within
36 the sleeve between the bottom of the antenna and the mounting bracket.

37 (i) All related equipment including but not limited to ancillary equipment, radios, cables,
38 associated shrouding, microwaves, and conduit which are mounted on wooden poles
39 shall not be mounted more than six inches from the surface of the pole, unless a further
40 distance is technically required, and is confirmed in writing by the pole owner.

1 (j) Equipment for small cell facilities must be attached to the wooden pole, unless
 2 otherwise permitted to be ground-mounted pursuant to subsection (1) of this section.
 3 The equipment must be placed in the smallest enclosure possible for the intended
 4 purpose. The equipment enclosure may not exceed 17 cubic feet. Multiple equipment
 5 enclosures may be acceptable if designed to more closely integrate with the pole design
 6 and do not cumulatively exceed 17 cubic feet. The applicant is encouraged to place the
 7 equipment enclosure behind any banners or road signs that may be on the pole if such
 8 banners or road signs are allowed by the pole owner.

9 (k) The visual effect of the small cell facility on all other aspects of the appearance of the
 10 wooden pole shall be minimized to the greatest extent reasonably possible.

11 (l) The use of the wooden pole for the siting of a small cell facility shall be considered
 12 secondary to the primary function of the pole. If the primary function of a pole serving
 13 as the host site for a small cell facility becomes unnecessary, the pole shall not be
 14 retained for the sole purpose of accommodating the small cell facility and the small cell
 15 facility and all associated equipment shall be removed.

16 (m) All cables and wires shall be routed through conduit along the outside of the pole.
 17 The outside conduit shall be colored, powder coated, or other permanent coloration, to
 18 match the pole. The number and size of conduits shall be minimized to the number
 19 technically necessary to accommodate the small cell.

20 (4) Small Cell Facilities Attached to Existing Buildings. Small cell facilities attached to existing
 21 buildings shall conform to the following design criteria:

22 (a) Small cell facilities may be mounted to the sides of a building if the antennas do not
 23 interrupt the building's architectural theme.

24 (b) The interruption of architectural lines or horizontal or vertical reveals is discouraged.

25 (c) New architectural features such as columns, pilasters, corbels, or other
 26 ornamentation that conceal antennas may be used if they complement the architecture
 27 of the existing building.

28 (d) Small cells shall utilize the smallest mounting brackets necessary in order to provide
 29 the smallest offset from the building.

30 (e) Skirts or shrouds shall be utilized on the sides and bottoms of antennas in order to
 31 conceal mounting hardware, create a cleaner appearance, and minimize the visual
 32 impact of the antennas. Exposed cabling/wiring is prohibited.

33 (f) Small cell facilities shall be painted and textured to match the adjacent building
 34 surfaces.

35 (5) Small cell facilities mounted on cables strung between utility poles shall conform to the
 36 following standards:

37 (a) Each strand-mounted facility shall not exceed three cubic feet in volume;

1 (b) Only one strand-mounted facility is permitted per cable between any two existing
2 poles;

3 (c) The strand-mounted devices shall be placed as close as possible to the nearest utility
4 pole, in no event more than six feet from the pole unless a greater distance is technically
5 necessary or required by the pole owner for safety clearance;

6 (d) No strand-mounted device shall be located in or above the portion of the roadway
7 open to vehicular traffic;

8 (e) Ground-mounted equipment to accommodate such strand-mounted facilities is not
9 permitted, except when placed in preexisting equipment cabinets;

10 (f) Pole-mounted equipment for strand-mounted facilities shall meet the requirements
11 for pole-mounted small cells; and

12 (g) Such strand-mounted devices must be installed to cause the least visual impact and
13 with the minimum exterior cabling or wires (other than the original strand) necessary to
14 meet the technological needs of the facility.

15 (6) New Poles in the Rights-of-Way for Small Cell Facilities.

16 (a) New poles within the rights-of-way are only permitted if the applicant can establish
17 that:

18 (i) The proposed small cell facility cannot be located on an existing utility pole or
19 light pole, electrical transmission tower or on a site outside of the public rights-
20 of-way such as a public park, public property, building, transmission tower or in
21 or on a nonresidential use in a Residential Zone whether by roof or panel-mount
22 or separate structure;

23 (ii) The proposed wireless communications facility receives approval for a
24 concealment plan, as described in subsection (7) of this section;

25 (iii) The proposed wireless communications facility also complies with the
26 Shoreline Master Program and SEPA, if applicable; and

27 (iv) No new poles shall be located in a critical area or associated buffer required
28 by the City's critical areas ordinance, except when determined to be exempt
29 pursuant to said ordinance.

30 (7) The concealment plan shall include the design of the screening, fencing or other
31 concealment technology for a pole or equipment structure, and all related transmission
32 equipment or facilities associated with the proposed wireless communications facility, including
33 but not limited to fiber and power connections.

34 (a) The concealment plan shall seek to minimize the visual obtrusiveness of wireless
35 communications facility installations. The proposed pole or structure shall have similar
36 designs to existing neighboring poles in the rights-of-way, including to the extent
37 technically feasible similar height. Other concealment methods include, but are not

1 limited to, integrating the installation with architectural features or building design
 2 components, utilization of coverings or concealment devices of similar material, color
 3 and texture – or the appearance thereof – as the surface against which the installation
 4 will be seen or on which it will be installed, landscape design, or other camouflage
 5 strategies appropriate for the type of installation. Applicants are required to utilize
 6 designs in which all conduit and wirelines are installed internally in the structure or
 7 otherwise integrated into the design of the structure. Use of a unified enclosure equal
 8 to or less than four cubic feet in volume may be permitted in meeting these criteria. This
 9 requirement shall be applied in a manner which does not dictate the technology
 10 employed by the service provider nor unreasonably impair the technological
 11 performance of the equipment chosen by the service provider.

12 (b) If the code official has already approved a concealment plan either for the applicant
 13 or another wireless communications facility along the same public right-of-way or for
 14 the same pole type, then the applicant shall utilize a substantially similar concealment
 15 plan, unless it can show that such concealment plan is not physically or technologically
 16 feasible, or that such deployment would undermine the generally applicable design
 17 standards.

18 (8) These design standards are intended to be used solely for the purpose of concealment and
 19 siting. Nothing herein shall be interpreted or applied in a manner which dictates the use of a
 20 particular technology. When strict application of these requirements would unreasonably impair
 21 the function of the technology chosen by the applicant, alternative forms of concealment or
 22 deployment may be permitted which provide similar or greater protections from negative visual
 23 impacts to the streetscape.

24 ...

25

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2 **19.15.030 Land use review types.**

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

4 A. *Type I.* Type I reviews are based on clear, objective and nondiscretionary standards or standards that
5 require the application of professional expertise on technical issues.

6 B. *Type II.* Type II reviews are based on clear, objective and nondiscretionary standards or standards
7 that require the application of professional expertise on technical issues. The difference between Type I
8 and Type II review is that public notification shall be issued for Type II decisions.

9 C. *Type III.* Type III reviews require the exercise of discretion about nontechnical issues.

10 D. *Type IV.* Type IV reviews require discretion and may be actions of broad public interest. Decisions on
11 Type IV reviews are only taken after an open record hearing.

12 E. The types of land use approvals are listed in Table A of this section. The required public process for
13 each type of land use approval are listed in Table B of this section.

14 ...

15 **Table A. Land Use Review Type**

Type I	Type II	Type III	Type IV
<ul style="list-style-type: none"> • Home business • Seasonal development limitation waiver • Nonmajor single-family dwelling building permits • Tree removal permit • Right-of-way permit • Special needs group housing safety determination 	<ul style="list-style-type: none"> • Modified wireless communication facilities (6409 per <u>47 CFR 1.40001</u>) • Lot line revision • Setback deviations • Final plat^{2, 3} • Code official design review • Accessory dwelling unit 	<ul style="list-style-type: none"> • New and modified wireless (non-6409) eligible facility • SEPA threshold determination • Critical areas determination (wetland/watercourse buffer averaging/reduction) • Temporary encampment⁴ 	<ul style="list-style-type: none"> • Preliminary long plat approval • Conditional use permit • Variance • Critical areas reasonable use exception • Long plat alteration and vacations • Parking variances (reviewed by design commission)

Type I	Type II	Type III	Type IV
<ul style="list-style-type: none"> • Tenant improvement/change of use • Shoreline exemption¹ • Critical areas determination (steep slope alteration) • Final short plat • Temporary commerce on public property • Site development permits • Transportation concurrency certificate 	<ul style="list-style-type: none"> • Parking variances (reviewed by city engineer) • <u>Small cell deployment</u> 	<ul style="list-style-type: none"> • Short plat alteration and vacations • Preliminary short plat • Development code interpretations • Major single-family dwelling building permit • Shoreline substantial development permit¹ • Shoreline revision (substantial development)¹ 	<ul style="list-style-type: none"> • Variance from short plat acreage limitation • Wireless communication facility height variance • Planned unit development • Design commission design review • Permanent commerce on public property • Shoreline conditional use permit (SCUP)⁵ • Shoreline variance⁵ • Shoreline revision (variance and SCUP)

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1 **19.16.010 Definitions.**

2 Words used in the singular include the plural and the plural the singular.

3 ...

4 Pole Extender: An object affixed between a utility pole and pole top mounted equipment (e.g. a small
5 cell antenna) for the purpose of increasing the height of the pole top mounted equipment above the
6 pole.

7 ...

8 Regulated Improvements: Any development of any property within the city, except:

9 1. Property owned or controlled by the city; or

10 2. Single-family dwellings and the buildings, structures and uses accessory thereto; or

11 3. Wireless communications structures, including associated support structures and equipment
12 cabinets; or

13 4. Small cell facilities or small cell networks.

14 ...

15 Small cell deployment: The construction and installation of either small cell facilities, small cell networks,
16 or both small cell facilities and small cell networks, together with the installation of the fiber network
17 supporting the small cell facility and small cell network.

18 ...

19 "Small cell facility" and "small cell network" are defined in accordance with RCW 80.36.375.

20 ...

21 "Small cell" shall mean "small cell facility".

22 ...

23 Undergrounded Utility Areas: A geographic area where utilities that are commonly located aboveground
24 (e.g. electrical power, cable and telephone lines, etc.) have been placed entirely underground, and
25 associated support structures (e.g. wooden utility poles or guy poles) have been removed.

26 ...

1 Utilities: Facilities providing infrastructure services by a public utility or private utility regulated by the
2 state through fixed wires, pipes, or lines. Such facilities may include water, sewer, storm water facilities
3 (lines, ditches, swales and outfalls) and private utilities such as natural gas lines, telecommunication
4 lines, cable communication lines, electrical lines and other appurtenances associated with these utilities.
5 "Utilities" does not include wireless communication facilities, but do include small cell facilities.

6 ...

7 **Wireless Communications:**

- 8 1. Attached Wireless Communications Facility (Attached WCF): An antenna array that is attached
9 to an existing building or structure, including utility poles, with any accompanying attachment
10 structure, transmission cables, and an equipment cabinet which may be located either inside or
11 outside of the attachment building or structure.
- 12 2. Wireless Communications Antenna Array (Antenna Array): One or more rods, panels, discs or
13 similar devices used for the transmission or reception of radio frequency signals, which may include
14 omni-directional antenna (whip), directional antenna (panel), and parabolic antenna (dish).
- 15 3. Wireless Communications Facility (WCF): Any unstaffed facility for the transmission and/or
16 reception of radio frequency signals usually consisting of antennas, an equipment cabinet,
17 transmission cables, and a support structure to achieve the necessary elevation.
- 18 4. Wireless Communications Support Structure (Support Structure): A structure designed and
19 constructed specifically to support an antenna array, and may include a monopole tower, lattice
20 tower, guy-wire support tower or other similar structures. Any structure which is used to attach an
21 attached WCF to an existing building or structure (hereinafter "attachment structure") shall be
22 excluded from the definition of and regulations applicable to support structures.
- 23 5. Wireless Communications do not include small cells for the purposes of Title 19 MICC.

**CITY OF MERCER ISLAND
ORDINANCE NO. 20-11**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
RENEWING FOR SIX MONTHS INTERIM DESIGN AND CONCEALMENT
STANDARDS FOR DEPLOYMENT OF SMALL CELL FACILITIES ADOPTED IN
ORDINANCE 19C-02; PROVIDING FOR SEVERABILITY AND ESTABLISHING
AN EFFECTIVE DATE.**

WHEREAS, the City Council unanimously passed Emergency Ordinance 19C-02 (“Ord. 19C-02”) on January 15, 2019, and held a public hearing on March 5, 2019, in response to the Federal Communications Commission’s Declaratory Ruling and Third Report and Order (“New Rules”) relating to small cell facilities, which became effective January 15, 2019; and

WHEREAS, the New Rules significantly preempt the City’s ability to regulate the installation of small cell facilities on City-owned public rights-of-way; and

WHEREAS, aesthetic requirements imposed by the City under the New Rules on installation of small cell facilities must be published in advance and must also be reasonable, no more burdensome than those applied to other types of infrastructure deployments, and objective; and

WHEREAS, Ord. 19C-02 adopted interim design and concealment standards for deployment of small cell facilities; and

WHEREAS, the design and concealment standards for small cell facilities in Ord. 19C-02 are effective for an initial period of six months, unless repealed, extended or modified by the City Council after subsequent public hearing(s) and entry of appropriate findings of fact; and

WHEREAS, the City Council extended the effective period of Ord. 19C-02 several times following additional public hearings; and

WHEREAS, the City Council considered and approved a recommended scope of work on January 21, 2020 and directed the Planning Commission to proceed in developing permanent design and concealment standards for deployment of small cell facilities; and

WHEREAS, the City Council finds that the onset of the COVID-19 pandemic has contributed significantly to the delay in the Planning Commission’s review of permanent design and concealment standards for deployment of small cell facilities; and

WHEREAS, the City has not yet adopted permanent design and concealment standards for deployment of small cell facilities; and

WHEREAS, the interim design and concealment standards adopted under Ord. 19C-02 will expire on or about July 13, 2020, unless further extended following a public hearing; and

WHEREAS, the conditions that existed when Ord. 19C-02 was adopted requiring the need for the City to have interim design and concealment standards for deployment of small cell facilities continue to exist today; and

WHEREAS, the City Council finds that deployment of small cell facilities with unregulated design and concealment standards may result in uncoordinated installations, visual blight, interference with public facilities and equipment, and traffic dangers that pose harm to public health, safety, property, and welfare; and

WHEREAS, to prevent the potential harm to public health, safety, property, and welfare, the City Council concludes that the City needs to extend the interim design and concealment standards for deployment of small cell facilities until permanent standards can be adopted following the process and procedures for adopting development regulations; and

WHEREAS, the City is authorized under RCW 35A.63.220, 36.70A.390 to renew an interim zoning and official control ordinance for one or more six-month periods, provided it holds a public hearing on the same prior to each renewal; and

WHEREAS, consistent with the provisions of RCW 35A.63.220 and RCW 36.70A.390, the City Council held a public hearing prior to passing this Ordinance;

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

- Section 1. Whereas Clauses Adopted.** The “Whereas Clauses” set forth in the recital of this Ordinance are hereby adopted as the findings and conclusions of the City Council for passing this Ordinance. Furthermore, the “Whereas Clauses” set forth in the recital of Ord. 19C-02 are hereby adopted by reference as additional findings and conclusions of the City Council for passing this Ordinance.
- Section 2. Interim Standards Renewed.** On July 12, 2020 prior to the expiration of the current effective period, the effective period of Ord. 19C-02 and the Interim Design and Concealment Standards for Deployment of Small Cell Facilities, as set forth in Exhibit A of Ord. 19C-02 and adopted thereunder, shall be renewed under RCW 35A.63.220 and RCW 36.70A.390 for another six-months until January 12, 2021, unless repealed, extended or modified by the City Council.
- Section 3. 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 4. Publication and Effective Date.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full force five days after the date of publication.

Passed by the City Council of the City of Mercer Island, Washington, at its regular meeting on the 16th day of June 2020 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Benson Wong, Mayor

APPROVED AS TO FORM:

ATTEST:

Bio Park, City Attorney

Deborah A. Estrada, City Clerk

Date of Publication: _____

Public Hearing



AB 5707: Interim Small Cell Ordinance: Extension

City Council
June 16, 2020

Tonight

- Background
- Permanent solution
- Recommended Motion

Background

- City Council adopted an interim small cell ordinance (Ord. 19C-02) on January 15, 2019

- City Council extensions of the interim small cell ordinance
 - June 18, 2019
 - December 3, 2019

- City Council approval of scope of work on January 21, 2020

- Tonight – City Council “third” extension of interim small cell ordinance

Permanent Solution: Scope of Work

- Definitions for new terms, reflecting emerging wireless technology;
- Comprehensive review of existing City wireless communication facility standards to resolve potential conflicts with FCC rules;
- Reviewing interim design standards;
- Limited provisions related to wireless communication facility location;
- Explore and identify the maximum level of permissible level of local control in the siting and design of small cell facilities.

Permanent Solution: Status

- Planning Commission initiated their work and provided preliminary direction to staff on February 5, 2020
- Staff and Planning Commission temporarily suspended work following the onset of the COVID-19 pandemic
- Council direction regarding the resumption of temporarily suspended work is anticipated in July

Recommended Motion

- Suspend the City Council Rules of Procedure 6.3, requiring a second reading of an ordinance

- Adopt Ordinance No. 20-11, extending the Interim Design and Concealment Standards for Small Cell Facilities deployment established under Ordinance No. 19C-02.



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5706
June 16, 2020
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 5706: Adoption of 2021-2026 Transportation Improvement Program (Public Hearing continued from May 19 Meeting)	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Continue public hearing and adopt 2021-2026 Transportation Improvement Program	<input checked="" type="checkbox"/> Action Needed:
		<input checked="" type="checkbox"/> Motion
		<input type="checkbox"/> Ordinance
		<input type="checkbox"/> Resolution

DEPARTMENT:	Public Works
STAFF:	Patrick Yamashita, City Engineer
COUNCIL LIAISON:	n/a
EXHIBITS:	<ol style="list-style-type: none"> 1. Six-Year Transportation Program (Detail of Proposed Expenditures (changes & notes shown) 2. Six-Year Transportation Program (Detail of Proposed Expenditures (clean version) 3. Six-Year Transportation Program (Street Fund Balance) 4. TIP Public Comments 5. AB 5692: 2021-2026 Transportation Improvement Program (First Review)
CITY COUNCIL PRIORITY:	1. Prepare for the impacts of growth and change with a continued consideration on environmental sustainability.

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

SUMMARY

The Six-Year Transportation Improvement Program (“TIP”) is a planning tool used to identify specific projects that work together to maintain, preserve, and maximize use of the existing roadway and trail systems in Mercer Island. RCW 35.77.010 requires cities to formally adopt a TIP annually by July 1. Failure to adopt the TIP by July 1 could jeopardize grant applications, grant funding, and Public Works Trust Fund loans.

On May 19, 2020, the City Council opened a public hearing for the TIP (see Exhibit 5), received a presentation from staff, reviewed the draft TIP and provided staff with direction on specific projects. The public hearing was extended to June 16, 2020 to allow more time for public comment. Since May 19, nine comments were received following the start of the hearing through June 9 when this agenda bill was prepared. Comments were related to the North-South Bike Route (SP119), 77th Ave. SE Channelization (SP126), NMW – MI Park & Ride Frontage Improvements (SP123), street standards, and speeding. All comments received since March

are reflected in Exhibit 4 with the most recent comments at the end. The draft TIP presented in Agenda Bill 5691 on May 19 is provided as a reference (see [Exhibit 5](#)).

The following table provides a summary of the Council’s directions to staff during the May 19, 2020 TIP discussion and staff’s responses. The draft TIP has been updated accordingly with changes noted in red text in Exhibit 1. Exhibit 2 is a clean version of the TIP with the changes incorporated.

Council Directions to Staff at TIP Preview and Staff Responses			
Project No.	Project	Council Direction	Staff Response
SP113	EMW Roadside Shoulders - Ph. 11 (Clarke Beach to Avalon Dr.)	Consider swapping with the final phase at south tip of the island planned for 2027.	Staff supports this change. Both segments are comparable in size, scope and have low traffic volume. The south tip has a roadway curvature/visibility issue with lack of shoulders that merits proceeding with this segment first.
SP116	SE 40th St. Sidewalk Improvement (Gallagher Hill - 93rd Ave. SE)	Why is project cost so high? Does it include roadway overlay?	It includes the roadway overlay. Shift \$200K from SP116 to SP107 arterial overlay (SE 40th - 88th to GHR) and extend limits to 93 rd Ave. SE. This will account for the roadway overlay costs under "preservation".
SP118	ADA Compliance Plan Implementation	Utilize the 2022 funds for SP121 (76th Ave. SE midblock crosswalk) since it's similar work.	Staff recommends leaving the funds in SP118 to clearly show that City has funds earmarked specifically for ADA compliance.
SP119	North-South Bike Route ICW - 90th Ave. SE to SE 63rd St. Ph. 1 & 2	Try to get a start on project by end of 2022, at least consultant selection. Find out if Island Park Elementary is going to be renovated and whether it might impact the project.	Shift \$50K from 2023 to 2022. Proceeding in 2022 is contingent on ability to hire needed staff and consultants. Island Park is 5 to 10 years out. Staff will re-engage with District’s planning team when they reconvene (~Fall 2020).
SP121	Mid-block crosswalk 76th Ave. SE - SE 24th to SE 27th	Stressed the importance of starting this project by the end of 2021 instead of 2022.	Move \$50K from 2022 to 2021 to start consultant design. Project moved to East Link Traffic Safety/Mitigation category to fund project through mitigation funds.
SP123	North Mercer Way MI P&R Frontage Improvements	Is this project eligible for East Link mitigation funds?	Staff recommends moving this project to East Link Traffic Safety/Mitigation category to fund project through mitigation funds. Project aligns with adopted Council Goals and Criteria for use of the Sound Transit Settlement Funds (AB5576).

When staff drafted a revised work plan for the 2020 TIP, transportation-related capital work scheduled in 2020 is based on available staff and financial resources. Projects were delayed to future years because of impacts from the Pandemic and lack of staff resources, and less so due to lack of financial resources as outlined in the Street Fund financial forecast (refer to Exhibit 3). Staff is working to complete 2020 transportation-related capital project work while also filling vacant positions to complete the important work outlined in the TIP’s six-year program.

Street Fund

The Street Fund receives most of its revenues from Real Estate Excise Tax (90% of REET-2 collections) and the motor vehicle fuel tax. Motor vehicle fuel taxes are expected to decline because of the Pandemic. On May 19, 2020, staff presented a Street Fund forecast in [Exhibit 2](#) of Agenda Bill 5691 (see [Exhibit 5](#)) that assumed a 38 percent reduction to motor vehicle fuel tax revenues (\$99,210) from June to December, based on the State’s approximate loss of average monthly state revenue collections from fuel tax, tolls, ferry fares and other, smaller sources. This forecast also assumed a 20 percent, or \$420,000, reduction to REET revenues beginning in June through December as compared to the 2020 Adopted Budget.

Mercer Island's Transportation Benefit District was previously funded by a \$20 vehicle fee on all vehicles registered within the city, generating about \$375,000 annually. This revenue stream, along with the State shared multimodal transportation fee (roughly \$34,000 annually), are deferred and assumed to no longer exist pending resolution of the State Supreme Court case regarding Initiative-976.

Real Estate Excise Tax

The Street Fund revenue forecast staff presented to the City Council at the May 19, 2020 meeting was somewhat precautionary as the City, metropolitan region, and global community face an economic contraction with no historical precedent.

Within the Seattle market, the number of homes sold has dropped 25 percent in April this year compared to 2019 sales. Pending sales dropped 22 percent in April this year compared to the same period in 2019. Despite the real estate market's recent slowing within the region, on Mercer Island home sales appear to remain strong, although inventory is lower than prior years. Sale of the former Farmers Insurance property to Ryan Companies posted this April, generating \$230,000 of REET revenues, a significant one-time bump in REET revenue from the sale of a commercial property.

Staff is closely monitoring the Street Fund and REET revenues. Once second quarter data from 2020 is available, staff will review revenue actuals, investigate activity within the local housing market, and adjust forecast assumptions accordingly.

RECOMMENDATION

- 1) Conduct public hearing and consider public testimony
- 2) Adopt the 2021-2026 Transportation Improvement Program as reflected in Exhibit 2.

SIX-YEAR TRANSPORTATION PROGRAM (changes/notes shown in red)

Detail of Expenditures for 2021 - 2026

Proj. No.	Status	Project Manager	Project	Summary Description	2021	2022	2023	2024	2025	2026	Total
SECTION A - PRESERVATION & MAINTENANCE PROJECTS											
RESIDENTIAL STREET RESURFACING											
SP100		Street Engr.	Residential Street Resurfacing	Annual program to resurface residential streets.	920,700	941,400	962,100	981,900	1,001,700	1,021,500	5,829,300
Sub-total Residential Street Resurfacing					920,700	941,400	962,100	981,900	1,001,700	1,021,500	5,829,300
ARTERIAL STREET IMPROVEMENTS											
SP101		Street Engr.	Arterial Preservation Program	Annual program to extend life of arterial streets through repair and patching of isolated pavement failure areas.	76,725	78,450	80,175	81,825	83,475	85,125	485,775
SP102		Street Engr.	East Mercer Way (SE 53rd - SE 68th)	Resurface pavement with HMA overlay	1,212,255						1,212,255
SP103		Street Engr.	SE 68th Street and SE 70th Place (ICW - EMW) (from 2020)	Resurface pavement with HMA overlay		711,280					711,280
SP104		Street Engr.	North Mercer Way (7500 to Roanoke)	Resurface pavement with HMA overlay			595,433				595,433
SP105		Street Engr.	West Mercer Way (SE 56th - EMW)	Restore pavement with chip seal			582,605				582,605
SP106		Street Engr.	Gallagher Hill Road (SE 36th - SE 40th)	Resurface pavement with HMA overlay.					594,342		594,342
SP107		Street Engr.	SE 40th (Gallagher Hill Rd - 93rd Ave SE)	Resurface pavement with HMA overlay. [Increased by \$200K to cover SP116 overlay]				418,200			418,200
SP108		Street Engr.	SE 36th St (Gallagher Hill Rd - EMW)	Resurface pavement with HMA overlay. Minor sidewalk repairs included.					609,924		609,924
SP109		Street Engr.	North Mercer Way (8400 - SE 35th)	Resurface pavement with HMA overlay.						880,760	880,760
SP110		Street Engr.	SE 27th St (76th Ave SE - 80th Ave SE)	Resurface pavement with HMA overlay (Town Center)				597,868			597,868
Sub-total Arterial Street Improvements					1,288,980	789,730	1,258,213	1,097,893	1,287,741	965,885	6,688,442
SUB-TOTAL PRESERVATION & MAINTENANCE PROJECTS					2,209,680	1,731,130	2,220,313	2,079,793	2,289,441	1,987,385	12,517,742
SECTION B - NEW CONSTRUCTION PROJECTS											
PEDESTRIAN & BICYCLE FACILITIES - NEW											
SP111	delayed	vacant	80th Ave SE Sidewalk (SE 28th - SE 32nd)	Replace existing curb, sidewalk & ADA ramps. Replace street trees and street lighting. Moved to 2023, lack of staff.			1,104,840				1,104,840
SP112	delayed	vacant	78th Ave SE Sidewalk (SE 32nd - SE 34th)	Replace existing curb, sidewalk & ADA ramps. Replace street trees and street lighting. Moved to learn from SP111 before proceeding.					761,128		761,128
SP113		Street Engr.	EMW Roadside Shoulders - Ph 11 (Clarke Beach to Avalon Drive) EMW/WMW Roadside Shoulder - 8000 block WMW to 85th Ave. on EMW	Pave new shoulder.				518,225			518,225
SP114		Street Engr.	WMW Roadside Shoulders - Ph 3 (SE 70th - SE 65th)	Pave shoulder along northbound side, gap completion		507,310					507,310
SP115		vacant	Gallagher Hill Sidewalk Impr (SE 36th - SE 40th)	New sidewalk, gap completion. In conjunction with resurfacing project. May be TIB grant eligible					527,562		527,562
SP116		vacant	SE 40th Sidewalk Impr (Gallagher Hill - 93rd Ave SE)	Replace existing sidewalk, construct bike lanes. Gap completion supporting SRTS. May be TIB or SRTS grant eligible. [\$200K for roadway repaving is in SP107. SP116 reduced by \$200K]				803,720			803,720
SP117		vacant	92nd Ave SE Sidewalk Impr (SE 40th - SE 41st)	Gap completion supporting SRTS. May be SRTS grant eligible						612,900	612,900
SP118		vacant	ADA Compliance Plan Implementation	Design and construct spot improvements to pedestrian facilities to meet compliance standards established by the Americans with Disabilities Act (ADA).		104,600		109,100		113,500	327,200
SP121	new	vacant	Mid-block crosswalk 76th Ave SE between SE 24th and SE 27th	New mid-block crosswalk with center island and RRFB. May be grant eligible. Coordinate construction with adjacent TC redevelopment project. [Project moved to East Link Traffic/Safety Mitigation section]							
SP123	new	vacant	North Mercer Way - MI P&R Frontage Improvements	Remove bus bay on north side of NMW, widen trail to meet current std for multi-use facility, provide mixing zone at 80th Ave SE crossing, improve sight lines at western driveway access. Relocate street lighting, add landscape area. [Project moved to East Link Traffic/Safety Mitigation section]							

Proj. No.	Status	Project Manager	Project	Summary Description	2021	2022	2023	2024	2025	2026	Total
SECTION B - NEW CONSTRUCTION PROJECTS PEDESTRIAN & BICYCLE FACILITIES - NEW											0
SP125	modified	vacant	PBF Plan Implementation	Annual program to identify, prioritize, design and construct small spot improvements and gap completion projects to pedestrian and bicycle facilities citywide, as identified in the PBF Plan. Work removed from 2021, lack of staff.		52,300	53,450	54,550	55,650	56,750	272,700
SP126	new	vacant	77th Ave SE channelization (SE 32nd - North Mercer Way)	Modify channelization to on-street parking (SE 32nd - SE 27th), shared bike (sharrows) facility to be consistent with Town Center Development and Design Standards (MICC 19.11), connect to MTS/I-90 trail.						57,875	57,875
Sub-total Pedestrian & Bicycle Facilities - New					0	664,210	1,158,290	1,485,595	1,344,340	841,025	5,493,460
EAST LINK TRAFFIC SAFETY/MITIGATION PROJECTS											
SP###		Street Engr.	I-90 Trail Crossing at West Mercer Way	Construction of improvements to this heavily used crosswalk. This project is within WSDOT ROW and requires WSDOT review and approval prior to construction. Extra project assigned to Street Engineer.	500,000						500,000
SP119	modified	vacant	N-S Bike Route Completion ICW (90th Ave SE - SE 63rd) Ph. 1 & 2	Gap completion, phased project. Ph 1 Alternative Identification and Ph 2 Public Involvement will use ST funds. Future phases Ph 3 preliminary design, Ph 4 Final design and Ph 5 Construction are unfunded. [\$50K moved from 2023 to 2022 to begin consultant selection by end of 2022. Project contingent on hiring key staff and consultant resources.]		50,000	52,300	209,200			311,500
SP120		Street Engr.	Sunset Hwy/77th Ave SE Improvements	Intersection improvements to facilitate ped/bike/vehicle thru the intersection near light rail station. The intersection is in WSDOT ROW and requires WSDOT review and approval prior to construction. Extra project assigned to Street Engineer.	102,300	627,600					729,900
SP121	new	vacant	Mid-block crosswalk 76th Ave SE between SE 24th and SE 27th	New mid block crosswalk with center island and RRFB. Coordinate construction with adjacent TC redevelopment project. [50,000 moved to 2021 to start consultant design. Project moved to East Link Traffic Safety/Mitigation Projects category.]	50,000	203,704					253,704
SP123	new	vacant	North Mercer Way - MI P&R Frontage Improvements	Remove bus bay on north side of NMW, widen trail to meet current std for multi-use facility, provide mixing zone at 80th Ave SE crossing, improve sight lines at western driveway access. Relocate street lighting, add landscape area. [Project moved to East Link Traffic Safety/Mitigation Projects category.]				1,284,107			1,284,107
Sub-total East Link Traffic/Safety Mitigation Projects					652,300	881,304	52,300	1,493,307	0	0	3,079,211
OTHER											
SP122	new	ROW Mgr./TBD	Minor Capital - Traffic Operations Improvements	Minor capital transportation improvements throughout the City to address traffic operation issues and concerns. Typical projects include upgrading signs to new mandated standards, channelization modifications or improvements, roadway safety improvements, upgrading traffic signals for increased efficiency and safety, and new or revised street lighting.	102,300		106,900		111,300		320,500
Sub-total Other Projects					102,300	0	106,900	0	111,300	0	320,500
SUB-TOTAL NEW CONSTRUCTION PROJECTS					754,600	1,545,514	1,317,490	2,978,902	1,455,640	841,025	8,893,171
GRAND TOTAL PROJECT COSTS					2,964,280	3,276,644	3,537,803	5,058,695	3,745,081	2,828,410	21,410,913

SIX-YEAR TRANSPORTATION PROGRAM (clean version)

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			Sub-total East Link Traffic/Safety Mitigation Projects		652,300	881,304	52,300	1,493,307	0	0	3,079,211
			OTHER								
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			Sub-total Other Projects		102,300	0	106,900	0	111,300	0	320,500
			SUB-TOTAL NEW CONSTRUCTION PROJECTS		754,600	1,545,514	1,317,490	2,978,902	1,455,640	841,025	8,893,171
			GRAND TOTAL PROJECT COSTS		2,964,280	3,276,644	3,537,803	5,058,695	3,745,081	2,828,410	21,410,913

SIX-YEAR TRANSPORTATION PROGRAM

Street Fund Balance - as of June 2020

2021 - 2026

RESOURCES	COMMENTS	2020	2021	2022	2023	2024	2025	2026
Beginning Fund Balance		\$ 3,628,546	\$ 4,997,860	\$ 4,835,800	\$ 4,640,120	\$ 3,406,907	\$ 2,151,319	\$ 807,283
Revenues								
Real Estate Excise Tax	RCW 82.46.010	1,536,598	1,645,120	1,705,260	1,767,340	1,833,300	1,933,470	2,010,809
Fuel Tax	RCW 47.24.040	376,790	440,800	429,400	418,950	408,500	397,575	389,624
MI Transportation Benefit District (TBD)	MI Ordinance 14C-11 (Oct 2014)	375,000	-	-	-	-	-	-
Transportation Impact Fees	MI Ordinance 16C-01 (Jan 2016)	40,926	64,000	65,000	66,000	68,000	70,000	71,100
City of Seattle	630 Shuttle Service	20,000	-	-	-	-	-	-
State Shared - Multimodal Transportation	ESSB 5987 (July 2015)	34,000	-	-	-	-	-	-
Mitigation - Sound Transit	Up to \$5.1M. Complete by 12/31/25	525,000	652,300	881,304	52,300	1,493,307	-	-
Per I-976 - MI TBD		(375,000)	-	-	-	-	-	-
Per I-976 - State Shared Multimodal Transportation		(34,000)	-	-	-	-	-	-
Total Revenues		\$ 2,499,314	\$ 2,802,220	\$ 3,080,964	\$ 2,304,590	\$ 3,803,107	\$ 2,401,045	\$ 2,471,532
Total Street Fund Resources		\$ 6,127,860	\$ 7,800,080	\$ 7,916,764	\$ 6,944,710	\$ 7,210,014	\$ 4,552,364	\$ 3,278,815

EXPENDITURES	COMMENTS	2020	2021	2022	2023	2024	2025	2026
A. Residential Streets Preservation Program		292,000	920,700	941,400	962,100	981,900	1,001,700	1,021,500
B. Arterial Street Improvements		388,000	1,288,980	789,730	1,258,213	1,097,893	1,287,741	965,885
C. Pedestrian & Bicycle Facilities - New		375,000	-	664,210	1,158,290	1,485,595	1,344,340	841,025
D. East Link Traffic/Safety Mitigation Projects		75,000	652,300	881,304	52,300	1,493,307	-	-
E. Other		-	102,300	-	106,900	-	111,300	-
Total Expenditures		\$ 1,130,000	\$ 2,964,280	\$ 3,276,644	\$ 3,537,803	\$ 5,058,695	\$ 3,745,081	\$ 2,828,410
Ending Fund Balance (including reserves)		\$ 4,997,860	\$ 4,835,800	\$ 4,640,120	\$ 3,406,907	\$ 2,151,319	\$ 807,283	\$ 450,405

FUND RESERVES AND DESIGNATIONS	COMMENTS	2020	2021	2022	2023	2024	2025	2026
Working Capital Reserve	Restricted ending fund balance	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Impact Fees Collected	Will be applied to eligible projects	324,188	388,188	453,188	519,188	587,188	657,188	728,288
Ending Fund Balance (available after reserves)		\$ 4,373,988	\$ 4,147,928	\$ 3,986,932	\$ 2,687,719	\$ 1,364,131	\$ (49,905)	\$ (477,883)

*Pending further analysis

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TIP Public Comments Via Let's Talk and Public Works

No.	Category	Location	Comment/Suggestion	Date
1	Pedestrian and Bicycle Project	ICW- North of SE 72nd PI	Create a pedestrian crosswalk (across ICW) just north of SE 72nd Place. Provides a safe connection between two trail systems.	3/18/20
2	Pedestrian and Bicycle Project	WMW	While I appreciate the bike lane around the Island in one direction, some of us use bikes to commute and need to be able to travel safely in both directions. Downtown, the speed limit is low enough and there are enough stops to mitigate bike travel in the road on the rare occasion there's not a bike lane. But the major thoroughfares (e.g. WMW) are unsafe without bike lanes so those need to be added in the other direction. Please add that to the planning. Thanks.	3/19/20
3	Pedestrian and Bicycle Project	City Wide	I believe the most important suggestions I have is to keep as much open green spaces as possible. Do not increase the widths of pedestrian walkways to accommodate the addition of bicycles. Use impervious surfaces as much as possible for the walkways. Planners must be aware of the dangers of bicycles to pedestrians, especially the small children using the park who may not be as observant of dangers from those on bicycles. If at all possible, keep pedestrians & bikers completely separate.	3/21/20
4	Non TIP	City Wide	Protect all our parks by putting them in a Trust to protect them forever from being sold or leased by the City of Mercer island for any revenue purpose as was attempted previously several times, the last being to lease a portion of Mercerdale Parker to establish a performing arts theater.	3/21/20
5	Non TIP	Former Recycling Center	The former recycling center should be repurposed as another educational effort that will honor the legacy of the late Harry Leavitt, Mercer Island native & much respected Mercer Island environmental educator under whose enthusiastic leadership the recycling center was built by his students & received WA State awards. The Concerned Citizens for Mercer Island Parks should head up any & all decision-making for the repurposing purposes.	3/21/20
6	Non TIP	Parks	No glysohate products should be used in any park or open spaces in order to control weeds. Use only products that will not harm humans, pets, wildlife, or ornaments trees or plants.	3/21/20
7	Arterial Street	EMW and SE 36th	Needs Improvement: This intersection (east mercer way and SE 36th Street) has been a problem for more than a decade, and has failed a number of traffic studies (LOS "F") that are public record.	3/25/20

No.	Category	Location	Comment/Suggestion	Date
8	Non TIP	5712 WMW	<p>I would like to request some type of safety measure such as a convex safety mirror to assist persons crossing West Mercer Way from a very fancy paved public trail head that leads onto West Mercer Way, to then be able access the Groveland Beach Park. Crossing the street from the neighborhood with the public park to the trail head is much easier as visibility is open both left and right directions. However crossing from the trail head to the park is very difficult and dangerous as the corner is completely blind to the left.</p> <p>One has to stand in the multi use "lane" that bikers walkers etc use and listen for any traffic before running across WMW.</p> <p>I think the safety is best achieved if the pedestrians could "see" around that corner. Perhaps with the use of the convex mirror or another device known the public works?</p>	3/27/20
9	Non TIP	Mercer Island Loop	<p>Like many of the thousands of silent residents who live on or near the loop, I have noticed a significant degradation in the quality of our lives due to the influx of off-Island motorcycles (often traveling in groups) and race cars speeding around the Island. Are we really waiting for someone to die? I didn't imagine living on a race track where 100+ decibels of rumbling serenade our community from morning til late night. Something must be done to change this besides relying on our already overtaxed Police patrols. I posted on ND "Mercer Loop Recreational Speedway" to see if I was the only one who - I'm not! The Council should find solutions to this in TIPS because the silent residents will eventually discover their voices. Thank you</p>	5/18/20
10	Non TIP	Mercer Island Loop	<p>Our household has noticed a sharp uptick in noisy motorcycles and excessively fast cars racing on EMW at all hours of the day and night and on every day and night of the week. Not conducive to sleep at night, not safe in the day.</p> <p>Please consider traffic calming solutions for the Mercer Loop. Speed bumps, stop signs placed at certain intersections, or traffic enforcement cameras would all be a step in the right direction. We're not a racetrack and some solutions are needed.</p>	5/18/20

No.	Category	Location	Comment/Suggestion	Date
11	Non TIP	Mercer Island Loop	I live on EMW, and while the 'Speedway' has always been bad, it's a massive liability and nuisance now. I'm proactive versus waiting until car/motorcycle racers kill someone, and we need to act. I've almost been hit head-on twice by speedy passers on blind curves. Post cameras, drones, whatever we can do to heavily fine offenders. It will pay for itself, and we might be safe on our roads and not be woken at night by loud motors, screeches, revving and honking.	5/18/20
12	Non TIP	Mercer Island Loop	I sometime go for a walk along West Mercer Way. I also have noticed speeding bicycle teams, roaring motorcycles and fast cars being driven. I am wondering if putting some 4-way or 3-way stop signs at some intersections on the West and East Mercer Way would be helpful in slowing down the racing motorcycles, cars and also bicycles. Also speed cameras might help. Thanks.	5/18/20
13	Non TIP	EMW	What is being done about the street racing that happens late at night? I am often awakened by cars racing by on East Mercer Way at midnight. Often the exhaust noise is over 100 decibels inside my bedroom which is close to 200 feet above and away from the road.	5/18/20
14	Non TIP	WMW	Resident of WMW here! I'm also a resident physician at the Harborview ER. Motorcycle crashes continue to cause horrific accidents with significant morbidity and mortality with all ages affected. I feel that anecdotally these are increased so far this summer (probably due to everyone feeling cooped up in quarantine). Every time I hear a motorcycle (especially late at night) I worry that they will end up at Harborview. I would be in favor of any actions that attempt to limit speeding/reckless driving on the island from motorcycles and cars alike.	5/18/20
15	Pedestrian and Bicycle Project	EMW	My home on Mercer Island backs up to East Mercer Way and my property value has been negatively affected by loud motorcycles and cars racing on East Mercer Way, especially during nice weather. I hope the City can do something about that. Another concern I have is the bicycles on East Mercer Way and West Mercer Way. We need bike lanes in both directions. The bicycle riders do not pull over for cars. As a result, they back up traffic and create a dangerous situation for everyone.	5/18/20
16	Non TIP	EMW	I concur with previous commenters. The racing on E Mercer Way is a serious problem and I would like to understand what options we as a community have to mitigate it	5/18/20

No.	Category	Location	Comment/Suggestion	Date
17	Non TIP	EMW	I live on E. Mercer and walk along that road almost daily. I am appalled at the level of traffic and noise from the motorcycles and high speed sports cars. It is only a matter of time until someone gets killed or seriously hurt. The noise is ridiculous and my neighbors who live along E. Mercer talk nightly about what can be done. It is worse this year than I recall. I want to know what the MI police can do as summer is almost here and if we do nothing it is going to get worse. The little kids, moms with strollers, dog walkers, runners and cyclists are already working to share the road. This new element is not welcomed and not safe. What will be done to ensure that the loop around the island does not become a dangerous race track?	5/18/20
18	Non TIP	Mercer Island Loop	Please take a hard look at the problem we have with motorcycle cruising at high speeds around our Island. Especially in the middle of the night. The times I have been jolted awake between 1-3 in the morning from a continuous roar of loud sounding engines racing down or up West Mercer has drastically increased. I miss the days off island folks feared the speed limit on MI at any hour of the day. Come on! This should be an easy fix!	5/18/20
19	Non TIP	Mercer Island Loop	I am a motorcycle enthusiast but I don't ride the Mercer Island loop and support speed controls! Mercer Island has something extremely unique & wonderful with the continuous "ring road" and it should be "tuned" for slow speed enjoyment!! Europeans often use one-way street sections for cars/motorcycles or small "slalom traps" or roundabouts to slow traffic without speed bumps and allowing pedestrians/bicyclists flow by. But slowing the ring road would also require enhancing access and traffic flow of Island Crest Way for those who live on the ring road. It's a great & relatively easy opportunity for MI to shine :)	5/18/20
20	Non TIP	Mercer Island Loop	I've lived on WMW since 1995 and the racing cars and packs of motorcycle traffic has never been worse. In recent years, I rarely, if ever, see patrol officers from Holly Lane south to 63rd and only occasionally see an officer north from Marimount to 40th. In years past this stretch was frequently targeted and it had a noticeable positive effect on traffic conditions. With the increase of pedestrian & bike traffic along WMW during the lockdown it will only be a matter of time before there is a tragic accident if something isn't done to address the speeding and reckless passing of cars along the winding road.	5/18/20

No.	Category	Location	Comment/Suggestion	Date
21	Non TIP	Mercer Island Loop	I am a resident of Mercer Island, living mid Island. I have noticed two issues with traffic here:1. There is a lot of speeding/racing on the loop around the island. I would like to see more police doing stops or something to curb this. The noise and the potential for serious accident make me very concerned. Additionally I believe we need a dedicated bike lane on the Mercer Island loop so bikes can ride more safely.2. There are several crossing places on Island Crest that need to have those cross walks where lights flash when someone pushes a button. The flags are not enough. There was an accident this year with two pedestrians being hit. There needs to be more done to make crossing safer.	5/18/20
22	Non TIP	EMW	We have lived here for 16 years and we have never seen anything like the racing going on now on East Mercer Way. Sometimes motorcycles, sometimes race cars--but somebody is going to get killed unless we can stop it. Our house is on the straight stretch of East Mercer way in the 5900 block,, and when these racers come around the corner they floor it. 60 miles an hour is not unusual, sometimes 10 or 12 motorcycles or cars at a time. It is almost always on Friday, Saturday and Sunday between 5 and 7pm.Please help us so we can walk with our children, walk dogs and bike without threatening our lives.Thank you,Don Jensen	5/19/20
23	Pedestrian and Bicycle Project		Finish the missing link in a North Sound Bike/Ped route to link schools and island with Town Center	5/19/20
Comments Received Following the May 19 Opening of the Public Hearing				
24	Non TIP	EMW	I have lived on E Mercer Way since 1980 and can confirm the problem with street racing, whether it's cars or motorcycles, has been steadily escalating. For years it's been a nightly occurrence and lately daytime racing has also become a thing- scary! Our home sits directly above E Mercer (4900 block) and there have been numerous racing related accidents on the road directly below us. Our mail boxes have been demolished and my kids have sat in our yard more than once, watching tow trucks trying to retrieve cars stuck half-way down a ravine because they didn't make the curve. The speeds are terrifying and inclement weather does not deter. It's a matter of time before a pedestrian or an innocent driver dies. There has to be a solution. Help!	#####

No.	Category	Location	Comment/Suggestion	Date
25	Pedestrian and Bicycle Project	WMW	The public sidewalk/bike path parallel to I-90 leading in and out of West Mercer Way is a real choke point. It's often very crowded with no way to socially distance. Could it be widened? Perhaps directional signage added? Or at least a polite sign asking users to "Please use masks in this crowded area" ? Thank you,	#####

Additional TIP Comments Received By Email Following the May 19 Opening of the Public Hearing

I took time to listen to this week's council meeting as well as public input. The public input really bothered me related to creating public parking on 77th Avenue to assist retail owners recover from the pandemic. My reason is that it showed residents with more concern of self than community.

Let me explain.

We know that no one could be against assisting local retail to recover because of bicycle safety because every like community to us (Kirkland, Bothell, Edmonds, Bainbridge Island, Langley, Issaquah,...), all blend their bicycle and vehicular traffic in their retail cores and have experienced no adverse effects. I not only have taught bicycle safety for almost 30 years but am well enough known for doing this that a decade ago the P-I wrote a three page spread on my work. I know of no one else that has gained this much notoriety as a leader on this singular topic.

We know that no one could be against adding public parking to Town Center because of sustainability or clean air concerns because not doing so pushes residents off island for dining out, entertainment and shopping needs. This means more pollution to our atmosphere than an entire year of saving by having a solar panel on someone's house. Jeff Speck, the most noted urban planner on this topic (as well as others), has highlighted this fact in his books and speeches. If you want a green suburban community you have to provide for your residents to shop local so they don't have to drive elsewhere.

We know that no one that promotes our parks should be against adding public parking to Town Center because doing so gives local residents access to our parks. Currently Mercerdale as well as Sculpture Park do not have park parking so residents outside of Town Center can easily enjoy them. Adding public parking to Town Center that can be used for visiting our parks as well as shopping ensures that all residents will have access to our parks to enjoy them.

We know that no one concerned about costs should be against adding public parking to Town Center because we have seen our Farmers Market do this on 77th Avenue all last year at no cost by just using a few traffic cones to designate where parking begins and ends. Not only does this work but it is the recommended way to start with your retail core public street parking by Jeff Speck and other noted Urban Planners. The reason is that it is the least expensive and gives you the opportunity to see exactly what works before you commit large sums of money to the project. They recommend to start with just a few planter boxes and cones like we currently see in downtown Seattle to designate their cycle tracks so Seattle isn't wasting money till the cycle tracks prove out.

We know that no one concerned with traffic flow should be against adding public parking to Town Center on 77th Avenue because the only traffic concerns on this artery are at SE 27th Street where cars line up in the morning and evening waiting for an available parking spot to come available. At the Mercerdale Park end of the avenue there is so little traffic that this is the most closed off street in Town Center for other activities.

What we also know is if Mercer Island residents can not now solve our public parking concerns and begin to work together instead of against each other during these trying times, then our community will never come together. This is where we need city leadership that can get residents to speak to each other, to listen to each other and to come together to solve our challenges so everyone's concerns are recognized. Our city will not survive if our leadership does not speak out firmly against personal displays of ego over community. Retail owners are ready to work with other residents to save our retail core and at the same time address other

concerns. Will our leadership step up at this critical time so all residents put our community first over personal gains of pride?

Dear Council,

Watching the meeting last night I was struck by City Manager Bon’s comment regarding updating street standards. It is critical the city do this as soon as possible or else we risk major investments in bad infrastructure, like the bike lanes on 40th Street by Northwood Elementary (and as proposed on 77th and completely absent on 80th Ave). The city is designing facilities that do not meet protection standards for the volumes of vehicles present. We don’t need to reinvent the standards, just copy. Seattle has a great guide (<https://streetsillustrated.seattle.gov/>) and NACTO (<https://nacto.org/>) exists to produce better standards. Given these facilities connect directly to the Light Rail Station, I expect settlement money could be used in adopting updated standards.

Also, I noticed in the road design cross section for 77th St it show 11’ travel lanes. This is too wide for an urban street, to prevent speeding 10’ is much safer and can carry equal volumes. Counterintuitively, smaller lanes are safer since they increase driver alertness and slow traffic down. Again our standards are outdated and inappropriate for our context. Our standards are both inefficient and increase risks for all users.

For reference this is the type of facility that should have been done on 40th given the volumes and presence of children.



(Cambridge, Massachusetts)

This is the type that should be done on 80th



(Seattle, Washington)

Public Comment to the Mercer Island City Council
Public Hearing on the 2021-2026 TIP
May 20, 2020

Please consider the following comments on the 2021 – 2026 Transportation Improvement Program (“TIP”) as outlined in AB5691 and discussed in public session by the City Council and City staff on May 19, 2020.

Extending the Public Hearing until June 16, 2020

I concur with the Council’s actions to allow the community to provide comments after they have been able to hear testimony by City experts, e.g., City Engineer, etc. as this provided material information and context that was not brought forth in the written AB5691.

Moreover, I strongly suggest this timeline of extending public comment after the Council study session/discussion needs to be implemented for all public hearings of a technical nature. For example, I believe the upcoming Capital Improvement Program (“CIP”) where there will be a long list of projects for discussion would benefit from an amended timetable. For example, once the City agenda bill is published for a first reading, allow for public comment immediately, then the discussion by City Council/staff in public session, continue the public comment period until there is a second reading, and a final decision.

Staffing for Infrastructure Projects

Exhibit 1 listed all of the individual projects in the TIP. Many projects in the next biennium do not have a designated project manager. Infrastructure is one of the essential functions of local government (along with public safety and public education). I encourage the City to ensure that for those essential projects either internal or external resources are made available in a prudent manner to keep these projects on track.

Project SP126 – 77th Ave. SE Channelization

I understand (now) the necessity of a “placeholder” project to preserve certain rights with developers, etc. However, and my sense was the Council was leaning this way, that whether or not City code needs to be changed, it needs to be done in a thoughtful manner. It’s unclear at this juncture what the “new normal” will be in terms of preferred transportation modes – bicycles, private cars, public transit, etc. I know many believe that the “work from home” and online shopping trends are being accelerated due to the current circumstances. Since the project is not slated until 2026 there will be plenty of time to assess what is the right solution for 77th Ave. SE, and by extension how it complements the overall Town Center and greater community. Let’s not get ahead of ourselves!

Project SP119 – N/S Bike Lanes on ICW

As was discussed, this project is multi-faceted, and will require a tremendous amount of effort. There were a number of qualitative comments made on usage by the various constituencies – pedestrians, bicyclists, autos, commercial vehicles, kids, schools, etc. However, as part of the research and groundwork there will need to be hard data on usage patterns – volumes, time of day, etc. Such information can go a longways to inform the Council and community on how best to meet safely the objectives of SP119.

**Opposition to Transportation Improvement Plan SP123
“North Mercer Way Park and Ride Frontage Improvements”**

The 6 year Transportation Improvement Plan (TIP) includes SP123, “North Mercer Way Park and Ride Frontage Improvements” and is presented to the City Council in AB 5691 for approval. The justification for this plan is:

“...widening the I-90 to Sound trail to meet current standards for a multi-use facility, provide a mixing zone at 80th Ave SE crossing, improving sight lines at the western driveway access, relocating street lighting, and a new landscape area to match existing landscape. This project is planned for construction after the East Link Station is open and bus drop off/pick up is no longer needed at the north side of the road.”

I strongly oppose SP123 for the following reasons:

1. **It is too expensive.** It is the largest TIP at \$1,284,107, which is 70% of all REET projected for 2024 (\$1,833,300).
2. **It is very low priority.** It cannot be considered either mandatory or necessary. REET can alternately be used for the General Fund (up to 25% per RCW 82.46.015(1) and RCW 82.46.037, permanent provisions passed in 2015), or to accelerate more important Capital Improvement Plans, such as replacement of about 200 undersized and deteriorated water main projects, important tasks for improved drinking water quality.
3. **It is a detriment to pedestrian safety.** Mixing bicycle traffic with pedestrians and wheel chairs is adverse to pedestrian safety. Bicyclists should be required to dismount south of the parking garage.
4. **It is redundant, with no significant benefits.** The Mercer Island in Motion map provided by King County Metro shows a nearby bike trail that traverses westerly along North Mercer Way, then north on 84th Ave SE, then west on SE 24th St. (beside MICEC and the north side of the parking garage, then westerly along North Mercer Way, a trail that has significantly less pedestrian conflicts.
5. **It precludes better solutions for Mercer Islanders and bus riders from the east and southeast.** Mercer Islanders and eastside bus commuters are better served when busses arriving from the east continue on to Seattle, either without stopping on Mercer Island, or by using the existing bus bay without forced transfer to light rail. The roundabout is certain to cause major traffic jams on North Mercer Way and trip delays. The bus bay on the north side of NMW should at least be retained for local transportation, such as private car drop offs, Uber, Lyft, taxis and local buses. Layovers/idling should be prohibited.
6. **Forced bus transfers are not customer friendly.** The thought of driving to a P&R lot, taking a grueling bus ride, taking 5-10 minutes to transfer in the rain, followed by standing up in a packed light rail for the final leg to Seattle will be an incentive to drive to Mercer Island and try to park there, or to not use public transportation at all. Businesses that do not operate in the best interests of their customers are doomed to fail.
7. **It causes increased indirect costs.** The large number of pedestrians from enabled forced bus-light rail transfers will result in increased police, fire/aide and park/cleanup personnel, construction of restrooms, and other TIPs for traffic signals, signal coordination, signage, crosswalks, pavement markings, and traffic calming. Any agreement or building permit should contain full impact fees.
8. **It is ill defined.** Physical layouts either do not exist or are inconsistent. Cost breakdown data are not provided. The environmental impact statement is badly out of date/incomplete.

It should not be assumed that the bus turnaround and transfer is a done deal. They can easily undo any construction performed to thwart Sound Transit/Metro without strong legal protection. The best solution is a strong legal agreement that prohibits forced transfers, turnarounds, and layovers/idling.

It is quite possible that SP123 is just a placeholder, but it still conveys acceptance of the forced bus-light rail transfer and turnaround. Sound Transit will be emboldened to push for bus layovers in exchange for some token payment. This proposal should be turned down and another placeholder should be developed.

Counting the Buses: Opposition to SP123

There are 5 regularly scheduled Metro/Sound Transit bus routes that currently stop at the Mercer Island P&R on the north side of North Mercer Way (NMW). The number (before coronavirus reduction) of westbound morning stops:

#204 local Mercer Island only, embark/disembark on N. or S. side NMW	
#216 from Redmond, Sammamish, Issaquah to Seattle	6
#550 from Bellevue P&R	39
#554 from Eastgate P&R	15
#630 joint Metro & Mercer Island	<u>25</u> (likely all pickup at P&R)
Total	85

There are at least 4 regularly scheduled bus routes from the Eastside to Seattle via I-90 that don't stop on Mercer Island. The number of morning buses:

#114 Newcastle to Seattle	8
#212 Eastgate P&R to Seattle	27
#218 Issaquah via Eastgate P&R to Seattle	19
#219 Redmond via Eastgate P&R to Seattle	<u>6</u>
Total	60

It is understood that upon activation of Eastside light rail, #550 will be eliminated as redundant and #554 will be routed to Bellevue P&R, as it is generating traffic from Bellevue; the a.m. Mercer Island westbound bus stops would be reduced to 45, most of which originates from Mercer Island. This quantity is manageable for north side bus stops and is less than current level. It would be a disservice to Islanders to preclude #630 stops on the north side of NMW. Metro #216 services all passengers for Mercer Island from Eastgate P&R, though not exclusively.

Metro would like to force all buses currently not stopping on Mercer Island to disembark on Mercer Island and transfer to light rail raising the number of westbound morning stops to 105, far beyond the current level. The issue is really the number of passengers transferring. This is a disservice to the passengers on those buses, as well as to Mercer Island, and the benefit to Metro is small if at all. There are alternatives for the routes from Eastgate P&R:

1. Reroute some or all of these buses to Redmond to catch light rail there and don't go to Eastgate P&R—eliminates need for roundabout.
2. Let these buses continue on to Seattle, as they currently do—eliminates need for roundabout.

3. Have the passengers transfer to Metro #216 at the Eastgate P&R, let #216 continue to Seattle—eliminates need for roundabout
4. Reroute these buses to Bellevue P&R to catch light rail. The time to fight through the backups caused by these buses and the roundabout likely exceeds the time saving from not going to Bellevue P&R. The time saved for the passengers is even greater, considering the extra time to walk to the light rail and wait for the next train—eliminates need for roundabout.

From: [Dan Thompson](#)
To: [Council](#)
Cc: [Jessi Bon](#); [Jason Kintner](#); [Appelman Ira](#); aql1@cornell.edu; [Tom Acker](#); [Ray Akers](#); [Matthew Goldbach](#); [Lloyd Gilman](#); ["Elizabeth Buckley"](#); [Carv Zwingle](#); [Mark Coen](#); [Mike Cero](#); [Gary Robinson](#); david@surecritic.com; [Dwight Schaeffer](#); [Jon Hanlon](#); [Patrick Daugherty](#); [Jackie Dunbar](#); [Jim Eanes](#); [Elaine Kavalok](#); fletchsa1@gmail.com; [Fran Call](#); [Max Goldbach](#); heatherjordancartwright@gmail.com; ["John M Hall"](#); [Mark Hirayama](#); [Bob Harper](#); [Morrene Jacobson](#); ["Sarah Smith"](#); [Susan Lund](#); [Meg Lippert](#); obergcd@comcast.net; olivia@lippens.com; [Ashley Hay](#); [Peter Struck](#); [Robin Russell](#); [Ryan Rahlfs](#); [Robinson, Lori](#); [Susan Lund](#); [Carv Zwingle](#); traci.granbois@gmail.com; [Victor Raisys](#); [Evan Maxim](#); [Ryan Daly](#)
Subject: Transportation Improvement Program/Public Comments Open Until March 31/Lack Of Public Notice/Public Comments on Projects
Date: Thursday, March 12, 2020 2:54:16 PM

Hello, although the city and council are essentially closed due to the coronavirus the city just announced on Let's Talk that public comments are open from March 16 to March 31. Since the city has not publicized the comment period and there are some important issues I am submitting this email as my public comments. Quite frankly I object to the city beginning a 14 day public notice period on something as important as TIP when the council and city are shut down, and so far I haven't seen any effort at a public outreach to the citizens for their comments (which was the problem with the TIP in the past).

The TIP Let's Talk page can be found at <https://letstalk.mercergov.org/TIP2020>

The specific projects can be found at <http://www.mercergov.org/SIB/files/DescriptionofTIPProjects.pdf>

1 **Town Center Improvements 80th St. Sidewalk (page 2, Sec. B).**

The city is proposing to remove the mature trees along 80th from 32nd to 34th in order to redo the sidewalk, presumably for the ADA based on earlier discussions. Anyone familiar with the this sidewalk will know few if any disabled individuals would use it as it is steep, while 78th is flat. Further the east side of 80th where the mature trees are to be removed is a very steep bank. I have a hard time the ADA requires this kind of compliance, which won't benefit disabled individuals.

My problem is some on our council do not distinguish between a tall tree and a tiny sapling. The trees planted along NMW are a good example. The only distinction between a blade of grass and a tree are height and canopy. The Mud Bay project alone will remove dozens of mature trees and replace them with saplings. The 80th St. project will do the same. The north side of NMW looks like a joke. Our TC is not visually attractive, and about the only appealing element are the mature trees.

Maintaining the mature trees was a main concern last year when this idea was addressed by the council. I submitted a method used in the lid park that allows mature trees to be preserved, even with invasive roots, by using grids under the surface, while repaving the path. Jason indicated this is a method that could work on 80th. Most of the council members including Bruce Bassett were committed to doing everything possible to save the mature

trees, and Jason said he would commit himself to exploring a method to save the mature trees, although surprisingly Salim was not (one of the few issues I disagree with Salim on).

Trees take decades to become mature. We need to work harder to preserve our mature trees, or our TC will have almost no visual appeal. This project and the Mud Bay approval for the removal of mature trees is returning our TC into a strip mall with saplings.

2 North-South Bike Route (Missing Gap) from 90th Ave. SE to SE 63rd St) Page 4. Sec. E

This is the famous "missing gap" I have written to you about many times before. For over a decade Dan Grausz sought a remedy and failed, and now Salim has taken on this Holy Grail on behalf of NIM's (which is noted in the description section as the prime requester), and recently the planning commission buried a few comp. plan amendments prioritizing bike paths in front of schools. The city is now proposing to spend \$200,000 just for scoping and design (despite the passage of I-976 and lost of \$375,000 annually by the city). **The problem is this solution removes all the mature trees along the west side of ICW and still will not be effective or safe.** Here is the description:

• North-South Bike Route - Island Crest Way (90th Avenue SE – SE 63rd Street) will allocate funding for the design of the missing link in the North-South Bike Route. This section of the North-South Bike routes is a high priority for Neighbor's in Motion (NIM) and will complete the missing section of bicycle route along the southern portion of Island Crest Way (between Island Park Elementary and Pioneer Park). Staff is proposing project scoping and design in 2019-2020 at a budget of \$200,000. All realistic design concepts will have some impact on trees in the ICW corridor so a public engagement process will be included during the preliminary design phase. City Council will receive a staff presentation of design alternatives and a summary of public

Here are the problems:

1 Island Crest Elementary School does not want a bike path crossing in front or behind the school, for the safety of the children and because this is the most congested residential intersection on the Island. Parents will not give up driving their elementary kids to school to solve global warming or so a few bicyclists can ride at high speed along ICW.

2 In the past Scott Greenberg held a public meeting to ask the citizens if they opposed removing the trees on one side of ICW for a bike path. Scott testified he was lucky to get out alive.

3 The west side of ICW (actually both) have many different streets and driveways accessing ICW, and most residents have large hedges or vegetation screening ICW. This means a motorist has to pull out into the intersection to see the speeding traffic on ICW in order to enter, and exiting off ICW is at high speeds. Meanwhile bikes will be riding at a fast pace along this edge of ICW where cars will be pulling out blind, including Island Park field which means 16-18 year old drivers. This will make a very dangerous (or very slow) bike path.

4 The only alternative is to route the bicycles west behind Island Park Elementary (but not over or along the school property since adults and children in the back part of the property raises a risk for the children). Although this alternative was explored ad nauseum street parking and cost made it impractical.

5 Bicyclists hate riding along ICW at all, and generally use the Mercers. Plus it is too dangerous for kids riding to school (if there are kids who ride to school, most kids I know drive if they can).

This would be a multi-million dollar project, remove beautiful old trees (which seems to be a theme these days with the city and council), and not solve the problem. The only solution, as noted many times before, is to route the bikes west behind the school and field, and that would require removing parking from the streets and restriping them at a very significant cost.

3 Pedestrian and Bicycle Facilities Plan Page 5, Unfunded Projects

The TIP proposes rewriting the Pedestrian and Bicycle Facilities Plan. There are some important things to consider:

1 TC street parking competes directly with bike paths, so a choice will have to be made, especially on 77th. Not many shoppers I know ride bikes.

2 The bus turn around will likely eliminate the only east -- west bike path through the TC.

3 The city lost an annual \$36,000 grant for intermodal transportation due to the passage of I-976.

4 Despite a \$5.5 billion price tag East Link provides no covered, secured bike lockers at either station, and most residents won't risk leaving their expensive bikes outside in an open rack (which is even a risk at the middle school). The PC recommended recently requiring new development to provide covered bike storage (no doubt the Tully's project) because apparently ST can't afford covered storage. No storage equals no last mile access by bikes.

5 The bus intercept depending on the intensify of the configuration could move so much car

traffic from NMW to 76th and 27th the TC is not safe to ride a bike in, like now, which is amazing considering we have a fairly small and flat TC.

4 I-90 Trail Crossing At WMW, Page 5

This proposal will address the crossing at WMW between the two parts of the lid park. My hope is we can find a better use of the \$500,000 grant from WSDOT than traffic calming at the bathroom for this project, although it will likely cost several million dollars. As you know my suggestion is to address the issue at the bathroom in the lid park with signage on the path warning of pedestrians ahead at the bathroom and a lighted speed sign to gather data before spending the entire grant on a round about at the bathroom, which still may be necessary.

Conclusion

I ask that mature trees and fiscal responsibility be part of these discussions, which in the past have tended to serve special interests (NIM's) and failed to see issues comprehensively, like bike paths and street parking. Since the TIP is a rolling 6 year plan many of these ideas come from a council and city manager who are long gone, and don't reflect our current fiscal situation and the views of the majority of citizens who don't know how to follow this discussion, and based on notice so far are not given any notice or opportunity to be heard.

I understand and appreciate the city and citizens are consumed with the coronavirus right now, which is why I object to such stealthy public notice for a TIP that can't be reviewed by this council for probably several months.

Thank you.

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

**AB 5691
May 19, 2020
Public Hearing**

AGENDA BILL INFORMATION

TITLE:	AB 5691: 2021-2026 Transportation Improvement Program (TIP) Public Hearing & Review	<input checked="" type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Receive comments from public hearing and provide feedback to staff.	<input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Public Works
STAFF:	Patrick Yamashita, City Engineer
COUNCIL LIAISON:	n/a
EXHIBITS:	<ol style="list-style-type: none"> 1. Detail of Proposed Expenditures 2. Street Fund Balance 3. Project Descriptions 4. Map of Proposed Six-Year TIP Roadway and PBF Improvements 5. Map of PBF on the Mercer Ways
CITY COUNCIL PRIORITY:	<ol style="list-style-type: none"> 1. Prepare for the impacts of growth and change with a continued consideration on environmental sustainability.

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

SUMMARY

BACKGROUND

The Six-Year Transportation Improvement Program (“TIP”) is a planning tool used to identify specific projects that serve to maintain, preserve, and maximize use of the existing roadway and trail systems. The TIP balances revenues and expenditures within the Street Fund through programming and phasing construction of projects.

RCW 35.77.010 requires cities to formally adopt a TIP annually and submit it to WSDOT and the Puget Sound Regional Council (“PSRC”) by July 1. A public hearing on the draft TIP is a requirement of State law and is incorporated as part of the City Council meeting. Once the TIP is adopted, projects are budgeted and funded through the City’s Capital Improvement Program (“CIP”) during the biennial budget process.

The TIP is also used to coordinate future transportation projects with needed underground utility improvements so that utility work is budgeted and programmed to occur prior to roadway projects. All arterial street and pedestrian and bicycle facility (“PBF”) projects must be included in the TIP to be eligible for State and federal funding.

The draft TIP is an update of the [2020-2025 version](#) adopted by the City Council in 2019. Individual projects/programs are combined, where feasible, to create economies of scale for construction.

The draft 2021-2026 TIP includes transportation improvement projects and programs in the following categories:

1. Residential Street Resurfacing
2. Arterial Street Improvements
3. Pedestrian and Bicycle Facilities (PBF) – New
4. East link Traffic/Safety Mitigation projects
5. Other

At the May 19, 2020 meeting, the City Council will conduct a public hearing on the draft 2021-2026 TIP and provide feedback to staff to inform development of the final TIP. A final version of the 2021-2026 TIP will be presented for review and adoption at the June 16, 2020 City Council meeting.

PUBLIC COMMENTS

The formal public comment period for the TIP, originally scheduled for March 16 thru March 31, 2020 was extended to May 19th (public hearing date) due to the coronavirus Pandemic (“Pandemic”). Notices advertising the opportunity for public comment were posted on the City’s website, in the Mercer Island Weekly, in the Mercer Island Reporter (March 13 and March 18), and on [Let’s Talk](#). Additional information was available on the City’s TIP webpage (www.mercergov.org/TIP). Both Let’s Talk and the City’s TIP webpage provides users with access to TIP maps, FAQ’s, and related information to learn more about the TIP process and to submit comments online.

Prior to the public hearing, a total of eight public comments were received.

- Non-transportation related remarks (5 comments),
- Transportation related but non-TIP project requests (2 comments), and
- Request for bike lanes in both directions on the Mercer Ways to accommodate residents who commute by bike and the ability to travel safely in both directions (1 comment).

Public comment will also be taken during the public hearing for the TIP at the May 19, 2020 City Council meeting. Legal notice for the public hearing was published in the Mercer Island Reporter on March 11 and March 18, 2020 and again on May 13, 2020.

STREET FUNDING

The TIP is funded by a combination of revenues which includes:

- Real Estate Excise Tax (REET),
- Motor Vehicle Fuel Tax (MVFT),
- Vehicle License Fees from the Mercer Island Transportation Benefit District (TBD),
- Transportation Impact Fees (approved by Council in January 2016),
- Multimodal Transportation (approved by the State as part of ESSB 5987 in July 2015), and

- Grants (when they are available).

With the exception of REET funding, all other revenues are dedicated solely to the Street Fund.

In 2018, and as part of the 2019-2020 budget process, the City Council approved a reallocation of REET funding. To maintain reasonable levels of reinvestment across all types of City infrastructure (streets, parks, and buildings), 45% of total REET funds are allocated to Street projects and 55% of REET funds are allocated to CIP projects (park and building).

Council adopted Ordinance 14C-11 directs vehicle license fees collected under the Transportation Benefit District (TBD) to the operation, preservation, and maintenance of principal arterials of regional significance, high capacity transportation, and/or public transportation. The following programs were funded with vehicle license fees: Metro Transit Shuttle Service, Street Right of Way Maintenance and Operations, and portions of arterial street improvements.

On November 5, 2019, ballot measure Initiative 976 passed with a statewide majority. [AB 5607](#) outlined in detail the pending impacts of the passage of I-976. An injunction that stopped the initiative from taking effect after it was approved by voters in the fall has remained in place. The Washington State Supreme Court issued an order on April 29, 2020 agreeing to hear the case challenging I-976 this spring.

Should the State Supreme Court rule I-976 constitutional, the City will lose roughly \$410,000 annually, 13% of the Street Fund's annual revenues. This amount includes an estimated \$375,000 in vehicle license fees through the Mercer Island TBD, and \$34,000 in fees each year from the State's Multimodal Transportation Account, which is dedicated to pedestrian and bicycle facilities.

If upheld, I-976 will reduce State and local transportation revenue by repealing the authority of City and Transportation Benefit Districts to use vehicle license fees as a revenue source. This will significantly impact the City's ability to fund future transportation improvement projects.

The State Department of Licensing has committed to collecting vehicle fees and taxes until directed otherwise by the courts. City staff are tracking vehicle licensing fees received as of December 2019 and those revenues are deferred, pending the court ruling. As a result, several projects were delayed or reprogrammed to address the revenue loss impacts.

STAFF RESOURCES

The 2021-2026 TIP takes into account staff capacity and other resources needed to successfully implement the proposed infrastructure work. Due to a key staff retirement in May 2020 and other workforce impacts related to the Pandemic, the number of projects included in the draft 2021-2026 TIP was reduced as compared to prior years. A number of the currently funded TIP projects are also delayed due to the impacts of the Pandemic.

PROGRAM ELEMENTS

The following describes the TIP categories and follows the same order as the Detail of Expenditures in Exhibit 1. The proposed TIP projects fall under two main categories – "Preservation & Maintenance Projects and "New Construction Projects." The Capital Improvement Program includes a budget policy that prioritizes capital reinvestment projects (preservation & maintenance) over capital facilities projects (new facilities).

Staff utilizes this policy as a guideline when prioritizing projects in the TIP to maintain a positive Street Fund balance. For specific project descriptions, refer to Exhibit 3. For a map of these projects, refer to Exhibit 4.

Section A - Preservation & Maintenance Projects

Residential Street Resurfacing

This program restores and resurfaces the City's 58 miles of public residential streets on an approximate 35-year cycle. Over the last ten years, approximately 12.4 miles of residential streets have been resurfaced with a Hot Mix Asphalt (HMA) overlay and 2.8 miles have been resurfaced with a chip seal. This combined mileage accounts for almost 26% of the residential street network. HMA overlay construction for residential streets currently costs between \$350,000 and \$450,000 per road mile. Chip sealing, which was added to the program in 2012, currently costs approximately \$150,000 per road mile. The residential program also improves substandard streets in public right-of-way at the rate of roughly one per biennium, as the need arises. Selection and timing of residential resurfacing work is based upon Pavement Condition Index (PCI) ratings performed every three years as well as planned water, sewer, and storm drainage utility work.

Arterial Street Improvements

This category provides preservation and improvement of the City's 26 miles of arterial streets on an approximate 25-year life cycle. Project priorities are based on PCI, the need for underground utility improvements, condition of pedestrian and bicycle facilities, and timing of other large projects. These projects incorporate reinvestment in existing pedestrian and bicycle facilities. Residential street overlays are linked when feasible to arterial street projects to create an economy of scale. In the next six years, resurfacing projects are planned on portions of all three Mercer Ways, SE 68th Street, SE 70th Place, Gallagher Hill Road, and SE 36th Street. In previous TIP's, the 2.6 miles of Town Center arterial streets had been a separate category. For this TIP, staff has merged Town Center Streets into the Arterial category.

Section B - New Construction Projects

Pedestrian and Bicycle Facilities ("PBF") – New

This category improves and adds to the pedestrian and bicycle facilities' network. Specific projects are based primarily on those identified in the 2010 PBF Plan, with input from the community and the School District. PBF "reinvestment" projects, such as asphalt overlays of existing pedestrian paths adjacent to arterial street improvements, are not included in this category. Rather, they are included in the scopes of their associated arterial street improvement projects. This category also includes ongoing program funding to implement smaller scale Americans with Disabilities Act (ADA) compliance improvements and PBF improvements.

The Roadside Shoulder Development Program was established in 2002 to create new paved shoulders suitable for pedestrian and bicycle use on the Mercer Ways. Since that time, numerous phases of work have been completed. While most of these have been on East Mercer Way, improvements have also been made on North and West Mercer Ways. Exhibit 5 shows the current status of the Roadside Shoulder Development Program. Since 2003, the City has constructed at least one shoulder project per biennium, for a total investment in the Mercer Ways roadside shoulders of over \$3.2 million.

East Link Traffic/Safety Mitigation Projects

This category was added in the 2019-2024 TIP (adopted June 2018) to reflect projects identified to mitigate traffic/safety concerns due to the I-90 center roadway closure and the opening of the East Link Light Rail station. Staff developed these projects based on the community's feedback, analysis of traffic patterns and anticipated needs for pedestrian/bicycle safety improvements on routes to the light rail station. The projects are funded through the Sound Transit settlement funds.

NEW PROJECTS AND CHANGES TO CONSIDER FROM THE PREVIOUS TIP

The following is a summary of the noteworthy changes made to the 2020-2025 TIP adopted in June 2019 to develop the draft 2021-2026 TIP. Refer to Exhibit 3 for a description of all the projects in the draft TIP.

The Town Center Street Improvement Projects category was eliminated and the projects were moved to other categories. An asphalt overlay of SE 27th Street previously planned for 2022 was moved to the Arterial Street Improvements and scheduled for 2024. The 80th Avenue and 78th Avenue Sidewalk Improvement projects were moved to the Pedestrian and Bicycle Facilities category.

1. Arterial Street Improvements

Arterial projects can vary in scope from substantial reconstruction (as seen on SE 40th Street in 2018), to hot mix asphalt overlays (East Mercer Way in 2019), to chip seals (East Mercer Way in 2018). Staff utilizes PCI data to help determine the scope, resurfacing method, and timing of arterial street projects. Arterial work for the next six years continues to focus on preserving existing facilities through HMA overlays and chip sealing.

The primary change to the projects this year involves timing. Several existing projects were delayed by one or two years.

2. Pedestrian and Bicycle Facilities (PBF) - New

- 80th Avenue and 78th Avenue Sidewalk Improvement projects – These projects were rescheduled for 2023 and 2025. Project timing was delayed due to staffing limitations and increased construction scope and cost. The scope was increased to include replacing insufficient and outdated street lighting at both locations.
- Mercer Ways Roadside Shoulders – The timing of the East Mercer Way Phase 11 and West Mercer Phase 3 projects was reversed, with West Mercer planned for construction in 2022 and East Mercer moving to 2024.
- Mid-block Crosswalk on 76th Ave SE between SE 24th and SE 27th – This new project will construct a mid-block crosswalk in the 2400 block of 76th Ave SE and was an ongoing request from the community. The project may include a pedestrian activated rectangular rapid flashing beacon (RRFB) signal, center median, ADA curb ramps and crosswalk markings. Construction may be in partnership with a future adjacent redevelopment project.
- 77th Ave SE Channelization Upgrades (SE 32nd to North Mercer Way) – This new project will modify existing channelization to provide on-street parking to support economic development in the Town Center, and provide a bike facility (sharrows) to connect to the I-90 Mountains to Sound trail in accordance with Town Center Development standards.
- PBF Plan Implementation – This project skips one year (2021) due to lack of staff resources available to manage this project.
- North Mercer Way Park and Ride Frontage Improvements – This new project will modify the frontage of the North Mercer Way Park and Ride and is planned for construction after the East Link Station is open and bus drop off/pick up is no longer needed adjacent to the Park and Ride. The project includes removal of the bus bay on the north side of the roadway, relocating streetlights, widening Mountains to Sound trail and other pedestrian/bicycle improvements to facilitate multiple users in the area.

3. East Link Traffic/Safety Mitigation Projects

- North–South Bike Route, Island Crest Way – This modified project reschedules Phase 1 and 2, originally scheduled for completion in the 2019-2020 biennium to the 2023-2024 biennium. This is due to lack of staffing resources available to manage the project.

4. Other

- Minor Capital – Traffic Operations Improvements – This small project is proposed as a biennial program to provide minor capital transportation improvements city wide to address traffic operations issues and concerns.

LOOKING AHEAD – UNFUNDED PEDESTRIAN AND BICYCLE FACILITIES (“PBF”) PROJECTS BEYOND 2026

Several PBF projects are unfunded pending further evaluation of scope, confirmation of need, and availability of funding. They include:

- North-South Bike Route, Island Crest Way (90th Ave SE – SE 63rd Street) – Complete gap in N-S Bike route. Phase 3 Feasibility, Phase 4 Preliminary Design, Phase 5 Final Design and Phase 6 Construction will be proposed for funding in future years, pending outcome of Phases 1 & 2.
- 84th Ave SE Sidewalk Improvement (SE 33rd to 36th Streets) – Enhance existing gravel path with curb, gutter, and sidewalk to provide a “safe walk route” for Northwood Elementary and the High School.
- 86th Ave SE Sidewalk Improvement (SE 42nd Street to Island Crest Way) – Install curb, gutter, and sidewalk along east side of 86th Avenue where no walkway currently exists. This project would fill in a gap in the PBF network.
- Merrimount Drive (Island Crest Way to West Mercer Way) – Sidewalk improvements on both sides of roadway, requested by the community. Supports Safe Routes to School.
- 78th Ave SE (SE 40th-SE 41st Streets) – Install curb, gutter, and sidewalk on west side of roadway where no walkway currently exists. Project is a gap completion in the PBF network.
- Mercer Ways Roadside Shoulders Final Phase – Project will complete the Roadside Shoulder Development Program by constructing new paved shoulder from 8000 block of West Mercer Way around to 85th Avenue on East Mercer Way.

MOBILE ASSET DATA COLLECTION & PAVEMENT CONDITION RATINGS

As part of the ongoing effort to cost-effectively maintain the City’s street network, staff contracted for pavement condition assessment of City roadways at regular intervals (completed in 2009, 2013, 2016, and 2019). The data collected produces a Pavement Condition Index (PCI) value for each of the over 700 segments of pavement within the City’s 83.5-mile public road network. This rating process is based on collecting visual pavement distress information and computing it into numerical deduction values which are subtracted from a highest possible score of 100, resulting in a PCI score between 0 and 100. These numerical scores are bracketed into six condition ranges: Good (PCI 100-86), Satisfactory (85-71), Fair (70-56), Poor (55-41), Very Poor (40-26), and Failed (25-0).

The overall health of Mercer Island’s road network can be determined by three general indicators: the average network PCI, the amount of network backlog (defined as a PCI below 40), and the amount of network in Good condition (PCI of 100-86).

Data in 2013 gave the City’s road network an average PCI of 77. This was considered an above-average grade in the pavement rating industry. The backlog of 7.8% was considered low (below 15% is desirable) and the amount of Good condition streets at 32% was considered high (should be at least 15%). In 2016, the City’s

road network condition dropped slightly, to an average PCI score of 75. The backlog dropped to 4.0% and the amount of Good condition streets dropped to 25%.

For 2019, the City's road network condition is relatively unchanged. The average PCI score dropped one point, to 74. Backlog remained steady at 4.0%, and the amount of Good condition streets dropped one point, to 24%. Over the last six years, City road projects have repaved numerous streets in the Poor and Failed categories, which has significantly lowered the backlog. While pavement data appears to show a slight downward trend in the "Good condition" value, staff does not anticipate a large change in these three indicators in the next PCI data set.

Staff uses PCI information as the primary basis for prioritizing street resurfacing projects within the TIP. Other factors that are considered when scheduling roads for repaving are pending utility projects (storm drainage, water mains, natural gas work) and coupling with PBF improvements. Because pavement conditions change over time, data collection needs to be an ongoing process. Staff plans to collect PCI data again in the summer of 2022.

SUMMARY

Staff is seeking general feedback on the draft 2021-2026 TIP, in addition to conducting the public hearing.

RECOMMENDATION

Receive comments from the public hearing and provide feedback to staff.

SIX-YEAR TRANSPORTATION PROGRAM

Detail of Expenditures for 2021 - 2026

Proj. No.	Status	Project Manager	Project	Summary Description	2021	2022	2023	2024	2025	2026	Total
SECTION A - PRESERVATION & MAINTENANCE PROJECTS											
RESIDENTIAL STREET RESURFACING											
SP100		Street Engr.	Residential Street Resurfacing	Annual program to resurface residential streets.	920,700	941,400	962,100	981,900	1,001,700	1,021,500	5,829,300
Sub-total Residential Street Resurfacing					920,700	941,400	962,100	981,900	1,001,700	1,021,500	5,829,300
ARTERIAL STREET IMPROVEMENTS											
SP101		Street Engr.	Arterial Preservation Program	Annual program to extend life of arterial streets through repair and patching of isolated pavement failure areas.	76,725	78,450	80,175	81,825	83,475	85,125	485,775
SP102		Street Engr.	East Mercer Way (SE 53rd - SE 68th)	Resurface pavement with HMA overlay	1,212,255						1,212,255
SP103		Street Engr.	SE 68th Street and SE 70th Place (ICW - EMW) (from 2020)	Resurface pavement with HMA overlay		711,280					711,280
SP104		Street Engr.	North Mercer Way (7500 to Roanoke)	Resurface pavement with HMA overlay			595,433				595,433
SP105		Street Engr.	West Mercer Way (SE 56th - EMW)	Restore pavement with chip seal			582,605				582,605
SP106		Street Engr.	Gallagher Hill Road (SE 36th - SE 40th)	Resurface pavement with HMA overlay.					594,342		594,342
SP107		Street Engr.	SE 40th (88th Ave SE - Gallagher Hill Rd)	Resurface pavement with HMA overlay				218,200			218,200
SP108		Street Engr.	SE 36th St (Gallagher Hill Rd - EMW)	Resurface pavement with HMA overlay. Minor sidewalk repairs included.					609,924		609,924
SP109		Street Engr.	North Mercer Way (8400 - SE 35th)	Resurface pavement with HMA overlay.						880,760	880,760
SP110		Street Engr.	SE 27th St (76th Ave SE - 80th Ave SE)	Resurface pavement with HMA overlay (Town Center)				597,868			597,868
Sub-total Arterial Street Improvements					1,288,980	789,730	1,258,213	897,893	1,287,741	965,885	6,488,442
SUB-TOTAL PRESERVATION & MAINTENANCE PROJECTS					2,209,680	1,731,130	2,220,313	1,879,793	2,289,441	1,987,385	12,317,742
SECTION B - NEW CONSTRUCTION PROJECTS											
PEDESTRIAN & BICYCLE FACILITIES - NEW											
SP111	delayed	vacant	80th Ave SE Sidewalk (SE 28th - SE 32nd)	Replace existing curb, sidewalk & ADA ramps. Replace street trees and street lighting. Moved to 2023, lack of staff.			1,104,840				1,104,840
SP112	delayed	vacant	78th Ave SE Sidewalk (SE 32nd - SE 34th)	Replace existing curb, sidewalk & ADA ramps. Replace street trees and street lighting. Moved to learn from SP111 before proceeding.					761,128		761,128
SP113		Street Engr.	EMW Roadside Shoulders - Ph 11 (Clarke Beach to Avalon Drive)	Pave shoulder along southbound side, gap completion				518,225			518,225
SP114		Street Engr.	WMW Roadside Shoulders - Ph 3 (SE 70th - SE 65th)	Pave shoulder along northbound side, gap completion		507,310					507,310
SP115		vacant	Gallagher Hill Sidewalk Impr (SE 36th - SE 40th)	New sidewalk, gap completion. In conjunction with resurfacing project. May be TIB grant eligible					527,562		527,562
SP116		vacant	SE 40th Sidewalk Impr (Gallagher Hill - 93rd Ave SE)	Replace existing sidewalk, construct bike lanes. Gap completion supporting SRTS. May be TIB or SRTS grant eligible				1,003,720			1,003,720
SP117		vacant	92nd Ave SE Sidewalk Impr (SE 40th - SE 41st)	Gap completion supporting SRTS. May be SRTS grant eligible						612,900	612,900
SP118		vacant	ADA Compliance Plan Implementation	Design and construct spot improvements to pedestrian facilities to meet compliance standards established by the Americans with Disabilities Act (ADA)		104,600		109,100		113,500	327,200
SP121	new	vacant	Mid-block crosswalk 76th Ave SE between SE 24th and SE 27th	New mid block crosswalk with center island and RRFB. May be grant eligible. Coordinate construction with adjacent TC redevelopment project.		253,704					253,704
SP123	new	vacant	North Mercer Way - MI P&R Frontage Improvements	Remove bus bay on north side of NMW, widen trail to meet current std for multi-use facility, provide mixing zone at 80th Ave SE crossing, improve sight lines at western driveway access. Relocate street lighting, add landscape area.				1,284,107			1,284,107
SP125	modified	vacant	PBF Plan Implementation	Annual program to identify, prioritize, design and construct small spot improvements and gap completion projects to pedestrian and bicycle facilities citywide, as identified in the PBF Plan. Work removed from 2021, lack of staff.		52,300	53,450	54,550	55,650	56,750	272,700
SP126	new	vacant	77th Ave SE channelization (SE 32nd - North Mercer Way)	Modify channelization to on-street parking (SE 32nd - SE 27th), shared bike (sharrows) facility to be consistent with Town Center Development and Design Standards (MICC 19.11), connect to MTS/I-90 trail.						57,875	57,875
Sub-total Pedestrian & Bicycle Facilities - New					0	917,914	1,158,290	2,969,702	1,344,340	841,025	7,231,271

Proj. No.	Status	Project Manager	Project	Summary Description	2021	2022	2023	2024	2025	2026	Total		
			EAST LINK TRAFFIC SAFETY/MITIGATION PROJECTS										
SP###		Street Engr.	I-90 Trail Crossing at West Mercer Way	Construction of improvements to this heavily used crosswalk. This project is within WSDOT ROW and requires WSDOT review and approval prior to construction. Extra project assigned to Street Engineer.	500,000						500,000		
SP119	modified	vacant	N-S Bike Route Completion ICW (90th Ave SE - SE 63rd) Ph. 1 & 2	Gap completion, phased project. Ph 1 Alternative Identification and Ph 2 Public Involvement will use ST funds. Future phases Ph 3 preliminary design, Ph 4 Final design and Ph 5 Construction are unfunded. Moved to 2023, lack of staff and req'rs significant effort required to be successful.			102,300	209,200			311,500		
SP120		Street Engr.	Sunset Hwy/77th Ave SE Improvements	Intersection improvements to facilitate ped/bike/vehicle thru the intersection near light rail station. The intersection is in WSDOT ROW and requires WSDOT review and approval prior to construction. Extra project assigned to Street Engineer.	102,300	627,600					729,900		
			Sub-total East Link Traffic/Safety Mitigation Projects				602,300	627,600	102,300	209,200	0	0	1,541,400
			OTHER										
SP122	new	ROW Mgr./TBD	Minor Capital - Traffic Operations Improvements	Minor capital transportation improvements throughout the City to address traffic operation issues and concerns. Typical projects include upgrading signs to new mandated standards, channelization modifications or improvements, roadway safety improvements, upgrading traffic signals for increased efficiency and safety, and new or revised street lighting.	102,300		106,900		111,300		320,500		
			Sub-total Other Projects				102,300	0	106,900	0	111,300	0	320,500
			SUB-TOTAL NEW CONSTRUCTION PROJECTS				704,600	1,545,514	1,367,490	3,178,902	1,455,640	841,025	9,093,171
			GRAND TOTAL PROJECT COSTS				2,914,280	3,276,644	3,587,803	5,058,695	3,745,081	2,828,410	21,410,913

SIX-YEAR TRANSPORTATION PROGRAM

Street Fund Balance - as of May 2020

2021 - 2026

RESOURCES	COMMENTS	2020	2021	2022	2023	2024	2025	2026
Beginning Fund Balance		\$ 3,628,546	\$ 4,997,860	\$ 4,833,500	\$ 4,356,516	\$ 3,021,003	\$ 272,108	\$ (1,071,928)
Revenues								
Real Estate Excise Tax	RCW 82.46.010	1,536,598	1,645,120	1,705,260	1,767,340	1,833,300	1,933,470	2,010,809
Fuel Tax	RCW 47.24.040	376,790	440,800	429,400	418,950	408,500	397,575	389,624
MI Transportation Benefit District (TBD)	MI Ordinance 14C-11 (Oct 2014)	375,000	-	-	-	-	-	-
Transportation Impact Fees	MI Ordinance 16C-01 (Jan 2016)	40,926	64,000	65,000	66,000	68,000	70,000	71,100
City of Seattle	630 Shuttle Service	20,000	-	-	-	-	-	-
State Shared - Multimodal Transportation	ESSB 5987 (July 2015)	34,000	-	-	-	-	-	-
Mitigation - Sound Transit	Up to \$5.1M. Complete by 12/31/25	525,000	600,000	600,000	-	-	-	-
Per I-976 - MI TBD		(375,000)	-	-	-	-	-	-
Per I-976 - State Shared Multimodal Transportation		(34,000)	-	-	-	-	-	-
Total Revenues		\$ 2,499,314	\$ 2,749,920	\$ 2,799,660	\$ 2,252,290	\$ 2,309,800	\$ 2,401,045	\$ 2,471,532
Total Street Fund Resources		\$ 6,127,860	\$ 7,747,780	\$ 7,633,160	\$ 6,608,806	\$ 5,330,803	\$ 2,673,153	\$ 1,399,604

EXPENDITURES	COMMENTS	2020	2021	2022	2023	2024	2025	2026
A. Residential Streets Preservation Program		292,000	920,700	941,400	962,100	981,900	1,001,700	1,021,500
B. Arterial Street Improvements		388,000	1,288,980	789,730	1,258,213	897,893	1,287,741	965,885
C. Pedestrian & Bicycle Facilities - New		375,000	-	917,914	1,158,290	2,969,702	1,344,340	841,025
D. East Link Traffic/Safety Mitigation Projects		75,000	602,300	627,600	102,300	209,200	-	-
E. Other		-	102,300	-	106,900	-	111,300	-
Total Expenditures		\$ 1,130,000	\$ 2,914,280	\$ 3,276,644	\$ 3,587,803	\$ 5,058,695	\$ 3,745,081	\$ 2,828,410
Ending Fund Balance (including reserves)		\$ 4,997,860	\$ 4,833,500	\$ 4,356,516	\$ 3,021,003	\$ 272,108	\$ (1,071,928)	\$ (1,428,806)

FUND RESERVES AND DESIGNATIONS	COMMENTS	2020	2021	2022	2023	2024	2025	2026
Working Capital Reserve	Restricted ending fund balance	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Impact Fees Collected	Will be applied to eligible projects	324,188	388,188	453,188	519,188	587,188	657,188	728,288
Ending Fund Balance (available after reserves)		\$ 4,373,988	\$ 4,145,628	\$ 3,703,328	\$ 2,301,815	\$ (515,080)	\$ (1,929,116)	\$ (2,357,094)

*Pending further analysis

SIX-YEAR TRANSPORTATION PROGRAM

Project Descriptions

(2021-2026)

Residential Street Resurfacing

Historically, this program has consisted of hot mix asphalt (HMA) overlays on an average of 1.0 to 1.5 miles of residential streets annually. Several years ago, the City added chip sealing as another tool for street pavement preservation. To date, chip seal projects have been performed in 2011, 2013, and 2018. The Residential Street Preservation Program also improves about one substandard street per biennium, as the need arises.

The City's pavement condition data is an integral part of determining the locations and schedule of future residential street asphalt overlays and chip seal work. Pavement Condition Index (PCI) data was collected in 2013, 2016, and 2019. When PCI falls below a score of 70, staff considers a roadway for resurfacing. For roadways with resurfacing needs that also have pending utility work (storm drainage, new water main, etc.), these roadways are typically scheduled for paving in the years following completion of that major utility work. The timing and limits of residential street resurfacing work in future TIPs may change, as determined by updated pavement condition information.

Some of the residential roadways planned for future HMA repaving are listed below. Other roadways may be added or the timing of these streets below may change based on when and where water main construction, storm drainage construction, franchise utility work, and major housing projects occur.

- In 2021 the neighborhood plat of Parkwest (bounded by 82nd Avenue, 83rd Place, SE 62nd Street and SE 70th Street) is planned for repaving. These roadways have PCI's in the Fair, Poor, and Very Poor ranges.
- For 2022, SE 68th Street and 93rd and 94th Avenues are planned for repaving (in conjunction with the arterial repaving of SE 68th Street and SE 70th Place). These roads have PCI's in the Fair, Poor, and Very Poor ranges. In addition, the Madrona Crest West neighborhood (SE 36th, SE 37th, and SE 39th Streets, 86th Avenue) will be repaved. These roadways have PCI ratings of Satisfactory; but they have not been repaved since a City watermain project in 2016.
- In 2023, roadways in the south end neighborhood of Island Point (84th Avenue, SE 80th and SE 82nd Streets) will be resurfaced, as well as SE 78th Street in front of Lakeridge Elementary School. These roadways have PCI's ranging from Fair to Very Poor to Failed.
- For 2024, the Madrona Crest East neighborhood (bounded by 88th and 90th Avenues, and SE 36th and SE 40th Streets) will be repaved following a large watermain replacement project in that same neighborhood scheduled for construction in 2022. Current PCI's for this area range from Fair to Very Poor to Failed.

- In 2025, the neighborhood streets comprised of SE 60th and SE 61st Streets and 90th, 92nd, 93rd, and 94th Avenues (east of Island Crest Way) are planned for repaving. Current PCI's of these roads are in the Fair, Poor, and Very Poor ranges. Additionally, portions of SE 47th Street, 84th Avenue, and 86th Avenue, lying west of Island Crest Way will be repaved. These roadway PCI ratings range from Fair to Very Poor to Failed.
- Potential roadways to resurface in 2026 include SE 58th and SE 59th Streets and 91st Avenue (lying east of Island Crest Way) and several isolated streets in the First Hill neighborhood.

Arterial Street Improvements

- **Arterial Preservation Program** work continues annually. The purpose of this program is to extend the life of arterial streets proactively, by repairing isolated pavement failure areas through crack sealing, square cut patching, and grinding and repaving of full-lane-width segments. Crack sealing extends the life of existing pavements by sealing out water intrusion.
- **East Mercer Way (SE 53rd Place to SE 68th Street).** Last repaved in 1992, East Mercer Way is showing pavement fatigue and advanced wear. Pavement segments within these limits range from low Satisfactory to Fair. Patching and crack sealing have both been performed in recent years. The general scope of this 1.3-mile project is an HMA overlay of the roadway and the adjacent southbound pedestrian shoulder, scheduled for 2021. The City repaved East Mercer Way from the 4400 block to SE 53rd Place with an HMA overlay in 2019.
- **SE 68th Street and SE 70th Place (Island Crest Way to East Mercer Way)** was added to the TIP in 2013 as an HMA resurfacing project. The pavement on SE 68th Street dates to about 1985 and SE 70th Place was last resurfaced in 2001. Pavement conditions are in the low Satisfactory and Fair ranges. SE 70th Place was crack sealed in 2011 and again in 2016. This project had been budgeted for construction in 2020; but is being rescheduled to 2022. This overlay will be coupled with hot mix asphalt repaving of the nearby residential streets, also planned for 2022.
- **North Mercer Way (7500 block to Roanoke Way).** This project will resurface North Mercer Way with an HMA overlay in 2023. The roadway was last repaved in 1994 and its current PCI ratings are in the low Satisfactory and Fair ranges. Work scope will include repaving the roadway and the adjacent eastbound pedestrian shoulder.
- **West Mercer Way (SE 56th Street to East Mercer Way)** is planned for resurfacing in 2023 with a chip seal. This roadway was last repaved in 1995 with an HMA overlay. Its current PCI's are in the low Satisfactory range and its condition will continue to slowly decline. Patching and crack sealing have both been performed in recent years. Chip seal resurfacing is a cost-effective way improve the condition of this 2.3-mile long segment of West Mercer.
- **SE 27th Street (76th Ave SE to 80th Ave SE)** will resurface SE 27th Street from 76th Avenue to 80th Avenue in the Town Center with a grind and HMA overlay of the existing roadway in 2024. This roadway was last resurfaced in 1994 and its current PCI is in the Fair range.

- **SE 40th Street (88th Avenue to Gallagher Hill Road).** This project will resurface a short portion of SE 40th Street with a grind and HMA overlay process. It is planned for 2024, after completion of a large water main construction project in the Madrona Crest East neighborhood (to the north). This overlay will be coupled with hot mix asphalt repaving of the residential streets in Madrona Crest East, also planned for 2024. Sidewalks and bike lanes on this portion of SE 40th were constructed in 2018.
- **Gallagher Hill Road (SE 36th Street to SE 40th Street)** is proposed for resurfacing with an HMA overlay in 2025. Last repaved in 1988, Gallagher Hill Road's current PCI rating is in the Fair range and staff believes that by 2025 its rating could decline to Poor.
- **SE 36th Street (Gallagher Hill Road to East Mercer Way).** This project will resurface SE 36th Street with an HMA overlay in 2025. This roadway was rebuilt in the mid 1980's by WSDOT as part of the I-90 freeway improvements. Its current PCI rating is Fair; but is expected to decline further in the coming years. This pavement has performed well, but will be nearly 40 years old in 2025, and will need resurfacing. Project elements will also include sidewalk repairs for ADA compliance.
- **North Mercer Way (8400 to SE 35th Street).** This project will resurface North Mercer Way with an HMA overlay in 2026. Work may also include sidewalk repairs for ADA compliance and resurfacing of nearby SE 26th Street, from Island Crest Way to 84th Avenue. This portion of North Mercer was last repaved in 1994 by WSDOT at the end of the I-90 freeway construction. While its PCI ratings are in the Satisfactory and Fair ranges, staff believes PCI's will drop into the Poor range by 2025, after completion of the upcoming King County North Mercer Interceptor Sewer pipe project.

Pedestrian and Bicycle Facilities – New

- **80th Avenue SE Sidewalk Improvements (SE 28th Street to SE 32nd Street).** This project will reconstruct curbs, sidewalks, and ADA ramps along the east side of 80th Avenue and replace street trees with a new design that will allow space for trees to mature without sidewalk damage. Work along 80th Avenue will also include replacement of the outdated street lighting fixtures. This section of 80th Avenue was not rebuilt during the 1994-1996 Town Center Streets reconstruction effort and suffers from significant sidewalk damage from tree roots, poor ADA accessibility, and poor sidewalk lighting. Design work on this project began in 2019, with construction originally anticipated in 2020; however, work scope has increased significantly and construction is now reprogrammed for 2023.
- **78th Avenue SE Sidewalk Improvements (SE 32nd Street to SE 34th Street).** This project proposes to replace curbs, sidewalks, and street trees along the east side of the roadway with a new design that will allow space for new street trees to mature without sidewalk damage. In addition, ADA accessibility and street lighting would be improved on both sides of the roadway. This section of 78th Avenue was not rebuilt during the 1994-1996 Town Center Streets reconstruction effort and suffers from significant sidewalk damage from tree roots. Construction is planned to occur in 2025.
- **East Mercer Way Roadside Shoulders – Phase 11.** The Roadside Shoulder Development Program was established in 2002 to construct new paved shoulders along the Mercer Ways for pedestrian and bicycle use (constructed independently from roadway improvement

projects). Shoulders have been under construction in phases since 2004. The City Council has continued to approve and fund additional shoulder projects along East Mercer Way, which to date cover over 80% of its 4.8 mile length. The East Mercer Way Roadside Shoulders Phase 11 project will construct a new paved shoulder along the southbound side of East Mercer from SE 79th Street to Avalon Drive in 2024. The Phase 10 project was constructed in 2018.

- **West Mercer Way Roadside Shoulders - Phase 3.** This project, planned for construction in 2022, will complete a gap in paved shoulders along the northbound side of West Mercer Way between SE 65th and SE 70th Streets. Phase 1 constructed new paved shoulder from the 8100 block north to the 7400 block in 2017. Phase 2 constructed new paved shoulder from the 7400 block north to SE 70th Street in 2020. Currently, paved shoulder exists along 77% of West Mercer Way's 6.0 mile length.
- **Gallagher Hill Road Sidewalk Improvement (SE 36th Street to 40th Street).** This project will complete the gap in the sidewalk infrastructure on Gallagher Hill Road connecting SE 40th Street to the SE 36th Street/North Mercer Way intersection at the bottom of Gallagher Hill. The project, proposed for design and construction in 2025, will build concrete curb, gutter, and sidewalk along the east side of the roadway. It will be constructed in conjunction with the resurfacing of Gallagher Hill Road.
- **SE 40th Street Sidewalk Improvements (Gallagher Hill Road to 93rd Avenue SE).** Proposed for construction in 2024, this project will build concrete curb, gutter, sidewalk, and bike lane along the south side of SE 40th from Gallagher Hill Road to 93rd Avenue SE, and along the north side from Gallagher Hill Road to Greenbrier Lane. This project will complete the PBF infrastructure along SE 40th Street between Island Crest Way and Mercerwood Drive by providing continuous, uniform sidewalk and bike routing along both sides of the street. This project is a high priority request of the School District staff and supports "Safe Routes to School" principles for the schools and facilities within the School District campus and a bus stop location for Islander Middle School.
- **92nd Avenue SE Sidewalk Improvements (SE 40th Street to SE 41st Street).** Proposed for construction in 2026, the project will build concrete curb, gutter, and sidewalk along the west side of 92nd Avenue to provide a "safe walk route" for Northwood Elementary and the High School, as well as a bus stop location for Islander Middle School. This project will complete a missing link on 92nd Avenue by connecting with sidewalks the School District constructed in 2015 along the High School frontage, creating a continuous sidewalk from SE 40th to SE 42nd Streets. This project may be eligible for TIB or SRTS Grant funding.
- **ADA Compliance Plan Implementation** is a biennial program to identify, inventory, prioritize, design, and construct spot improvements to pedestrian facilities citywide to meet compliance standards established by the Americans with Disabilities Act (ADA).
- **PBF Plan Implementation** is an annual program to identify, prioritize, design and construct small spot improvements and gap completion projects to pedestrian and bicycle facilities citywide as identified in the PBF Plan. Specific projects for this program have not yet been identified or prioritized for construction. Proposed focus is on implementation of signage and pavement markings to support sharing of the road by all users and completion of missing links in sidewalk or trails to fill gaps in the PBF system.

- **Mid-block Crosswalk on 76th Avenue (between SE 24 and SE 27th Streets).** This project will construct a mid-block crosswalk in the 2400 block of 76th Ave SE to include a pedestrian activated rectangular rapid flashing beacon (RRFB) signal, center median, ADA curb ramps, and crosswalk markings. Construction may be in partnership with future adjacent property redevelopment.
- **North Mercer Way Park and Ride Frontage Improvements.** This project will modify the frontage of the North Mercer Way Park and Ride by removing the bus bay on the north side of the roadway, widening the I-90 Mountains to Sound trail to meet current standard for a multi-use facility, providing a mixing zone at 80th Ave SE crossing, improving sight lines at the western driveway access, relocating street lighting, and providing a new landscape area to match existing landscape. This project is planned for construction after the East Link Station is open and bus drop off/pick up is no longer needed on the north side of the road.
- **77th Ave SE Channelization Upgrades (SE 32nd to North Mercer Way).** This project will modify existing channelization to provide on-street parking from SE 32nd to SE 27th Streets to support economic development in the Town Center, and provide a bike facility (sharrows) to connect to the I-90 Mountains to Sound trail in accordance with Town Center Development standards.

East Link Traffic/Safety Mitigation Projects

- **I-90 Trail Crossing at West Mercer Way.** This trail crossing is adjacent to the I-90 ramps to Seattle and has experienced an increase in traffic due to the center roadway closure. This location is heavily used by pedestrians and bicyclists due to the proximity to Aubrey Davis Park fields and the Mountains to Sound Greenway (I-90) trail. Improvements to the crosswalk for the trail crossing, new signage, street lighting, curb ramps to meet ADA requirements and improve access for bicyclists, and channelization are being evaluated. Construction is proposed for 2021. The project location is within WSDOT limited access and will require WSDOT review and approvals.
- **North – South Bike Route, Island Crest Way (90th Avenue SE to SE 63rd Street).** This allocates funding for the design of the missing link in the North-South Bike Route. Its goal is to complete the missing section of bicycle route along Island Crest Way between 90th Ave SE and SE 63rd St. Recognizing the complexity and challenges in this corridor, the proposed project will be phased over several years, with Phase 1 – Alternative Identification/Analysis and Phase 2 – Public Engagement programmed in the 2023-2024 biennium. These phases will be funded with Sound Transit Mitigation funds. Phase 3 – Feasibility, Phase 4 – Preliminary Design, Phase 5 – Final Design, and Phase 6 Construction are unfunded, and will be programmed and funded in future years, pending the outcome of Phases 1 & 2 and available funding.
- **Sunset Highway/77th Avenue SE Intersection Improvement.** This intersection is directly adjacent to the East Link station access and is expected to experience an increase in pedestrian and bicycle traffic, as well as vehicle traffic once the station opens. A long-term solution could be to install a rectangular rapid flashing beacon (RRFB) system or other urban design type intersection to improve pedestrian and bicycle crossings and vehicular circulation. Further evaluation and design are needed. The project will be funded with Sound Transit Mitigation funds. The project location is within WSDOT limited access and will require WSDOT review and approvals.

Other

- **Minor Capital – Traffic Operations Improvements** is a biennial program to provide minor capital transportation improvements city wide to address traffic operations issues and concerns. Typical projects include upgrading signs to new mandated standards, channelization modifications or improvements, roadway safety improvements, upgrading traffic signals for increased efficiency and safety, and new or revised street lighting.

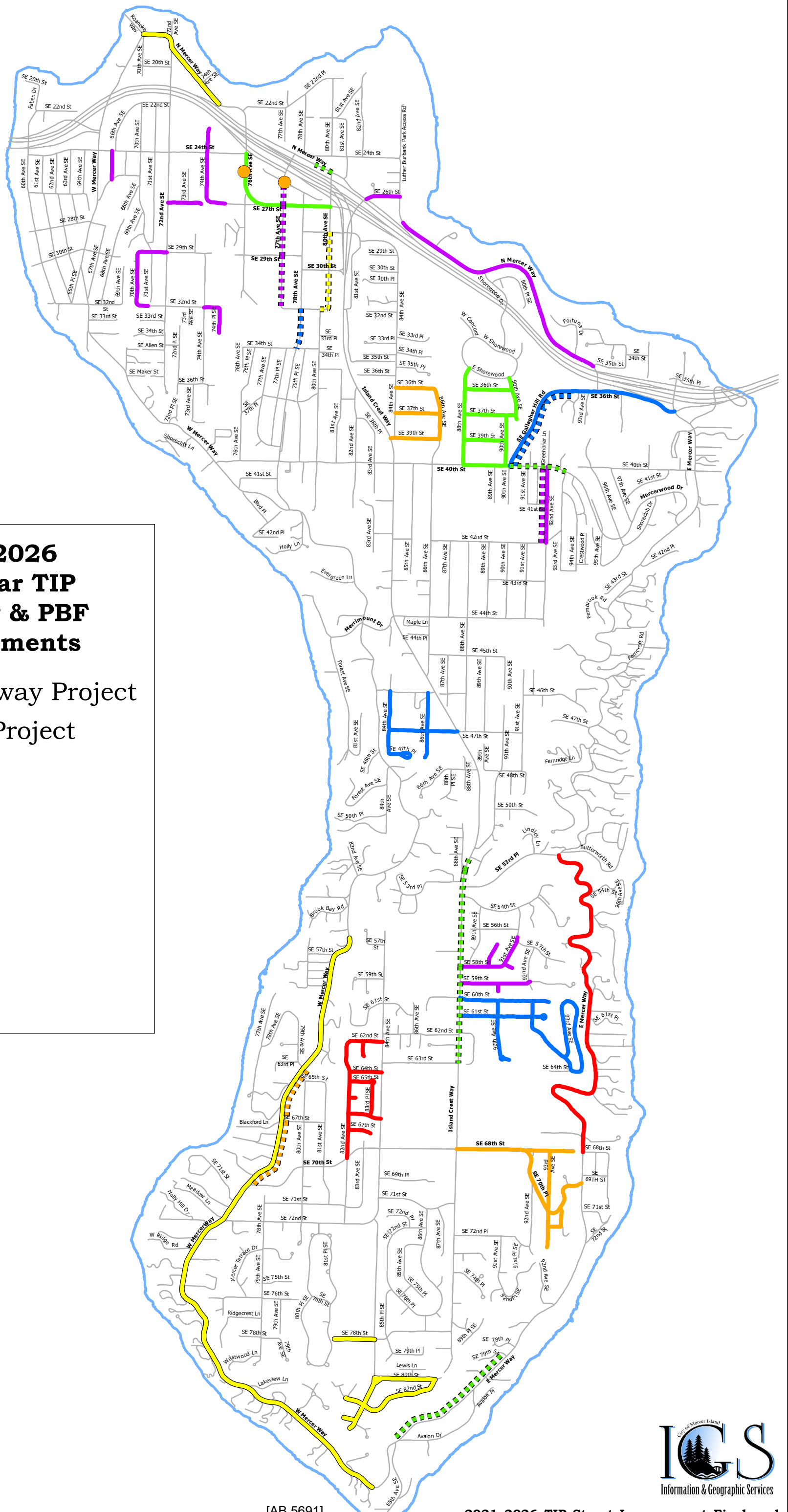
Unfunded PBF Projects – Beyond 2026

- **North – South Bike Route, Island Crest Way (90th Avenue SE to SE 63rd Street).** This project will complete the missing link in the North-South Bike Route. The remaining phases of this project, Phase 3 – Feasibility, Phase 4 – Preliminary Design, Phase 5 – Final Design, and Phase 6 Construction will be programmed and funded in future years. The scope of work will be determined during Phase 1 – Alternative Identification/Analysis and Phase 2 – Public Engagement and proposed for funding in future years.
- **84th Avenue SE Sidewalk Improvements (SE 33rd Place to SE 36th Street).** This project proposes to install concrete curb, gutter, and sidewalk along the east side of 84th Avenue SE to provide a ‘safe walk route’ for Northwood Elementary and the High School. It is a medium priority request of the School District.
- **86th Avenue SE Sidewalk Improvements (SE 42nd Street to Island Crest Way).** This project proposes to install concrete curb, gutter, and sidewalk along the east side of 86th Ave SE to provide a walking facility where none currently exists. The project will complete a missing link in the sidewalk network and connect Island Crest Way and adjacent neighborhoods to the High School, Northwood Elementary School, the Mary Wayte Pool, and PEAK. Drainage work will be required, and road widening to provide shared space for bicycles is a potential element.
- **Merrimount Drive Sidewalk Improvements (Island Crest Way to West Mercer Way).** The project proposes to install concrete curb, gutter, and sidewalk along both sides of Merrimount Drive. The project improves walkability by providing a defined route and place for school kids to walk and wait for the school bus or walk to West Mercer Elementary. The project was requested by several property owners living adjacent to Merrimount Drive.
- **78th Ave SE Sidewalk Improvements (SE 40th – SE 41st).** This project proposes to install concrete curb, gutter and sidewalk along the west side of 78th Ave SE to provide a walking facility where none currently exists. The project will create a connection from the adjacent neighborhood to SE 40th Street, providing access to the Town Center and West Mercer Elementary School.
- **Mercer Ways Roadside Shoulders – Final Phase.** This project proposes to complete the Roadside Shoulder Development Program by constructing a new paved shoulder from the 8000 block of West Mercer Way around the south tip of the Island to 85th Ave on East Mercer Way.

2021-2026 Six - Year TIP Roadway & PBF Improvements

- Roadway Project
- - - PBF Project
- 2021
- 2022
- 2023
- 2024
- 2025
- 2026

150



Current Pedestrian & Bicycle Facilities (PBF) on the Mercer Ways

- Paved Roadside Shoulder
- Sidewalks or Paths
- No Facility

May 2020

151

WMW Phase 3
Proposed for 2022

WMW Phase 2
Completed March 2020

EMW Phase 11
Proposed for 2024

Final Phase of
WMW/EMW AB 5691
proposed Exhibit 5 | Page 44



2021-2026 Transportation Improvement Program



Continuation of public hearing and adoption

AB 5706 | June 16, 2020

Purpose

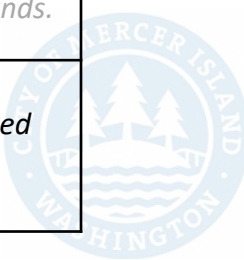
- ❑ Review Council direction (May 19), changes made to TIP
- ❑ Provide Street Fund/REET Update



Council Direction – May 19

Council Directions to Staff at TIP Preview and Staff Responses

Project No.	Project	Council Direction	Staff Response
SP113	EMW Roadside Shoulders - Ph. 11 (Clarke Beach to Avalon Dr.)	Consider swapping with the final phase at south tip of the island planned for 2027.	Staff supports this change. Both segments are comparable in size, scope and have low traffic volume. The south tip has a roadway curvature/visibility issue with lack of shoulders that merits proceeding with this segment first.
SP116	SE 40th St. Sidewalk Improvement (Gallagher Hill - 93rd Ave. SE)	Why is project cost so high? Does it include roadway overlay?	It includes the roadway overlay. Shift \$200K from SP116 to SP107 arterial overlay (SE 40th - 88th to GHR) and extend limits to 93rd Ave. SE. This will account for the roadway overlay costs under "preservation".
SP118	<i>ADA Compliance Plan Implementation</i>	<i>Utilize the 2022 funds for SP121 (76th Ave. SE midblock crosswalk) since it's similar work.</i>	<i>Staff recommends leaving the funds in SP118 to clearly show that City has funds earmarked specifically for ADA compliance.</i>
SP119	North-South Bike Route ICW - 90th Ave. SE to SE 63rd St. Ph. 1 & 2	Try to get a start on project by end of 2022, at least consultant selection. Find out if Island Park Elementary is going to be renovated and whether it might impact the project.	Shift \$50K from 2023 to 2022. Proceeding in 2022 is contingent on ability to hire needed staff and consultants. Island Park Elementary renovation is 5 to 10 years out. Staff will re-engage with District's planning team when they reconvene (~Fall 2020).
SP121	<i>Mid-block crosswalk 76th Ave. SE - SE 24th to SE 27th</i>	<i>Stressed the importance of starting this project by the end of 2021 instead of 2022.</i>	<i>Move \$50K from 2022 to 2021 to start consultant design. Project moved to East Link Traffic Safety/Mitigation category to fund project through mitigation funds.</i>
SP123	<i>North Mercer Way MI P&R Frontage Improvements</i>	<i>Is this project eligible for East Link mitigation funds?</i>	<i>Staff recommends <u>moving this project to East Link Traffic Safety/Mitigation category</u> to fund project through mitigation funds. Project aligns with adopted Council Goals and Criteria for use of the Sound Transit Settlement Funds (AB5576).</i>



Council Direction – May 19



Project No.	Project	Council Direction	Staff Response
SP118	ADA Compliance Plan Implementation	Utilize the 2022 funds for SP121 (76th Ave. SE midblock crosswalk) since it's similar work.	Staff recommends leaving the funds in SP118 to clearly show that City has funds earmarked specifically for ADA compliance.



Council Direction – May 19

\$

Project No.	Project	Council Direction	Staff Response
SP121	Mid-block crosswalk 76th Ave. SE - SE 24th to SE 27th	Stressed the importance of starting this project by the end of 2021 instead of 2022.	Move \$50K from 2022 to 2021 to start consultant design. Project moved to East Link Traffic Safety/Mitigation category to fund project through mitigation funds.



Street Fund Forecast

- ❑ Street Fund revenues projected to decrease over prior years
 - ❑ Drop in motor vehicle fuel taxes, impact fees, and REET due to the Pandemic
 - ❑ I-976 eliminates TBD revenues and multimodal transportation fees
- ❑ TIP projects are funded, and Fund remains solvent through 2026
- ❑ Closely monitoring the Street Fund and REET revenues
 - ❑ Staff will review Q2 2020 actuals, housing market activity, and adjust forecast assumptions accordingly.



Staff Recommendation

1. Move to adopt the 6 Year TIP as reflected in Exhibit 2.



Questions





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

**AB 5710
June 16, 2020
Regular Business**

AGENDA BILL INFORMATION

TITLE:	AB 5710 Shoreline Master Program Update 2019-2020	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Adopt Ord. No. 20C-13 amending MICC 19.13.050(F)(2) as recommended by the Department of Ecology for approval of the proposed Shoreline Master Program.	<input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Community Planning and Development
STAFF:	Robin Proebsting, Senior Planner
COUNCIL LIAISON:	n/a
EXHIBITS:	<ol style="list-style-type: none"> 1. Conditional Approval from Dept. of Ecology, dated May 26, 2020 with Attachments A and B 2. Ordinance No. 20C-13 3. Cumulative Impact Analysis 4. Public Comment
CITY COUNCIL PRIORITY:	n/a

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

SUMMARY

The City received Conditional Approval of its Shoreline Master Program (SMP) update from the Department of Ecology (see Exhibit 1 with Attachments A and B), a key step toward final adoption of the updated SMP originally approved by the City Council in June 2019 ([AB 5580](#)). The SMP will take full effect once the City Council and Department of Ecology approve the same version of the SMP. Now that the City has received Conditional Approval from the Department of Ecology, the City Council may now choose to either: 1) accept the conditions from the Department of Ecology and adopt the updated SMP by ordinance, or 2) make further changes to the SMP and resubmit this draft to the Department of Ecology for review.

BACKGROUND

The City Council originally reviewed the Planning Commission’s recommended update to the SMP in June 2019. In response to public comment, the City Council incorporated amended language to reduce the requirements triggered when only decking repair (and no structural repairs) of piers is proposed, into Ord. 19C-06 (see Exhibit 2).

The proposed amendments to the SMP required the City to engage with its consultant to develop a supporting Cumulative Impact Analysis (Exhibit 3), which evaluated the expected environmental impact of the proposed code changes. City staff, Department of Ecology staff, and the City's consultant spent a significant amount of time over the past year preparing and reviewing the Cumulative Impact Analysis to ensure it sufficiently supported the amended SMP language adopted by the City Council.

As part of this review process, City staff drafted non-substantive amendments to the SMP language to improve clarity. These changes include:

- Using the term "framing elements" instead of "structural elements;"
- Clarifying that when more than 50% of exterior surface areas are proposed to be repaired or replaced, 100% of decking must be replaced with materials that allow for 40% light-transmittance; and,
- Clarifying that any decking removed as part of a repair must be replaced with decking materials that allow 40% light transmittance.

These draft amendments were shared with the Department of Ecology and are reflected in the Department of Ecology conditional approval. A copy of these draft amendments were also shared with the members of the public who originally commented in June 2019; two emails were sent to the City Council expressing support for the amendment (Exhibits 3a and 3b).

Staff recommends that the City Council take action to concur with the Department of Ecology's Conditional Approval by adopting Ordinance No. 20C-13.

RECOMMENDATION

1. Suspend the City Council Rule of Procedure 6.3, requiring a second reading for an ordinance.
2. Adopt Ordinance No. 20C-13 amending MICC 19.13.050(F)(2) in Exhibit A to Ordinance No. 19C-06 as recommended by the Department of Ecology for approval of the proposed Shoreline Master Program.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

May 26, 2020

The Honorable Benson Wong
City of Mercer Island
9611 Southeast 36th Street
Mercer Island, WA 98040

Re: City of Mercer Island Shoreline Master Program Periodic Review Amendment – Conditional Approval

Dear Mayor Wong:

I commend the City of Mercer Island (City) for its efforts in developing proposed Shoreline Master Program (SMP) amendments. As we have discussed with your staff, the Department of Ecology (Ecology) has identified changes necessary to make the proposal approvable. These changes are detailed in Attachment B. The findings and conclusions that support Ecology’s decision are contained in Attachment A.

Pursuant to RCW 90.58.090(2)(e), at this point, the City may:

- Agree to the proposed changes, or
- Submit an alternative proposal. Ecology will then review the alternative(s) submitted for consistency with the purpose and intent of the changes originally developed by Ecology and with the Shoreline Management Act.

Final Ecology approval will occur when the City and Ecology agree on language that meets statutory and Guideline requirements.

Please provide your response within 30 days to the Director at laura.watson@ecy.wa.gov.

Ecology appreciates the dedicated work that the City Council, City staff, the Planning Commission and the community have put into the Shoreline Master Program periodic review. We look forward to concluding this periodic review process in the near future. If you have any questions, please contact our regional planner, Maria Sandercock, at maria.sandercock@ecy.wa.gov or 425-649-7106.

Sincerely,

Laura Watson
Director

Enclosure

cc: Robin Proebstring, City of Mercer Island
Evan Maxim, City of Mercer Island
Maria Sandercock, Ecology

ATTACHMENT A: FINDINGS AND CONCLUSIONS FOR PROPOSED PERIODIC REVIEW OF MERCER ISLAND SHORELINE MASTER PROGRAM

SMP Submittal accepted July 12, 2019, Ordinance No. 19C-06
Prepared by Department of Ecology on April 16, 2020

Brief Description of Proposed Amendment

The City of Mercer Island (City) has submitted Shoreline Master Program (SMP) amendments to Ecology for approval to comply with periodic review requirements.

FINDINGS OF FACT

Need for amendment

The City's comprehensive update of their SMP went into effect in 2015. The proposed amendments are needed to comply with the statutory deadline for a periodic review of the City Shoreline Master Program pursuant to RCW 90.58.080(4).

SMP provisions to be changed by the amendment as proposed

The City prepared a checklist and an analysis that documents proposed amendments. The amendments bring the SMP into compliance with requirements of the Act or state rules that have been added or changed since the last SMP amendment, ensure the SMP remains consistent with amended comprehensive plans and regulations, and incorporate amendments deemed necessary to reflect changed circumstances, new information, or improved data.

The City currently has split the SMP policies and the regulations: the SMP policies are located in the shoreline element of the City's comprehensive plan and the SMP regulations are codified into Chapter 19.07.110 of the Mercer Island Municipal Code (MICC). Shoreline permitting procedures are located in Chapter 19.15.010 – 020, and definitions are located in Chapter 19.16.010. Critical areas regulations from the City's Critical Areas Ordinance (Chapter 19.07.010 – 090 as in effect on January 1, 2011) are incorporated by reference.

The City is proposing some reorganization of the municipal code that will result in renumbering of sections of the SMP regulations. The City proposes to renumber the regulations to Chapter 19.13.010 – 19.13.050.

The following sections of the City's SMP are proposed to be amended:

1. Changes from Ecology's Periodic Review Checklist:
 - a. Add a section clarifying activities that are not required to obtain shoreline permits or local reviews.
 - b. Amend text regarding date of filing of shoreline permits with Ecology.
 - c. 19.07.190 Wetlands. Update wetland delineation requirements. Update approved wetland rating system to Ecology's 2014 Rating Systems for Western Washington, or

most current update. Increase required buffers on wetlands to be consistent with Ecology guidance.

2. Changes to remain consistent with updated development regulations:
 - a. Update Critical Areas Ordinance (CAO) incorporation to incorporate 2019 CAO. The 2019 CAO includes new and amended provisions for Geologically Hazardous Areas, Fish and Wildlife Habitat Conservation Areas, Watercourses, and Wetlands.
3. Changes to reflect changed circumstances, new information, and improved data:
 - a. 19.13.050(A) Table C: amend structure setback requirements to allow shore access structures less than 30 inches in height within shoreline setbacks.
 - b. 19.13.050(F), Moorage Facilities standards. Amend text to exclude public access piers and boardwalks from these provisions.
 - c. 19.13.050(F)(2)(i). Amend text regarding the threshold for when repair and replacement activities trigger the need to conform to certain dock standards. See Table 1 for specific changes.
 - d. 19.13.050(H). Amend text to add section with standards for public access piers, docks and boardwalks.
 - e. 19.16.010 Definitions.
 - i. Amend text to add definitions for the following terms: Biodiversity Areas; Critical Area Review; Critical Area; Dock; Landslide Hazard Area, Shallow; Landslide Hazard Area, Deep-seated; Pier; Public Access Pier or Boardwalk; Setback
 - ii. Amend text of existing definitions for the follow terms: Alteration; Buffer; Clearing; Fish and Wildlife Habitat Conservation Areas; Geologically Hazardous Areas; Noxious Weed; Qualified Professional; Watercourses; Wetland Classification System; Wetland Manual
 - iii. Amend text to remove the following terms: Fish Use or Used by Fish
 - f. The following additional edits were made throughout the SMP:
 - i. References to “moorage facilities” are changed to “docks.” “Lift stations” are changed to “boatlifts.” “Impervious surface” is changes to “hardscape and lot coverage.”
 - ii. References to code sections are updated to reflect reorganization of SMP and other code chapters.
 - iii. Text regarding adjoining lots is updated for clarification.

Table 1 - Proposed changes to MICC 19.07.110.E.6.b

2015 SMP	2019 Amendment – Initial Submittal	2019 Amendment – Final Submittal
<p>ix. If more than 50 percent of the structure’s exterior surface (including decking) or structural elements (including pilings) are replaced or reconstructed during the five years immediately prior to any demolition for the replacement or reconstruction, the replaced or reconstructed area of the structure must also comply with the following standards: (A) Piers, docks, and platform lifts must be fully grated with materials that allow a minimum of 40 percent light transmittance; (B) The height above the OHWM for moorage facilities, except floats, shall be a minimum of one and one-half feet and a maximum of five feet; and (C) An existing moorage facility that is five feet wide or more within 30 feet waterward from the OHWM shall be replaced or repaired with a moorage facility that complies with the width of moorage facilities standards specified in subsection (E)(4) of this section (Table D).</p>	<p>i) ix. <u>If The repair, replacement, or reconstruction of moorage facilities that results in the repair, replacement, or reconstruction of more than 50 percent of either the structure’s exterior surface (including decking), or the structure’s structural elements (including pilings) within a five year period shall comply with the following standards: are replaced or reconstructed during the five years immediately prior to any demolition for the replacement or reconstruction, the replaced or reconstructed area of the structure must also comply with the following standards:</u> (1) (A) Piers, docks, and platform lifts must be fully grated with materials that allow a minimum of 40 percent light transmittance; (2) (B) The height above the OHWM for moorage facilities, except floats, shall be a minimum of one and one-half feet and a maximum of five feet; and (3) (C) An existing moorage facility that is five feet wide or more within 30 feet waterward from the OHWM shall be replaced or repaired with a moorage facility that complies with the width of moorage facilities standards specified in subsection (E)(4) of this section (Table D).</p>	<p>i) ix. <u>If The repair, replacement, or reconstruction of moorage facilities that results in the repair, replacement, or reconstruction of more than 50 percent of the structure’s exterior surface (including decking) or the structure’s structural elements (including pilings) within a five year period shall comply with the following standards: are replaced or reconstructed during the five years immediately prior to any demolition for the replacement or reconstruction, the replaced or reconstructed area of the structure must also comply with the following standards:</u> (1) (A) Piers, docks, and platform lifts must be fully grated with materials that allow a minimum of 40 percent light transmittance; (2) (B) The height above the OHWM for moorage facilities, except floats, shall be a minimum of one and one-half feet and a maximum of five feet; and (3) (C) An existing moorage facility that is five feet wide or more within 30 feet waterward from the OHWM shall be replaced or repaired with a moorage facility that complies with the width of moorage facilities standards specified in subsection (E)(4) of this section (Table D) of section 19.13.050.</p> <p>j) <u>The repair, replacement, or reconstruction of moorage facilities that results in the</u></p>

2015 SMP	2019 Amendment – Initial Submittal	2019 Amendment – Final Submittal
		<u>repair, replacement, or reconstruction of more than 50 percent of the structure’s exterior surface (including decking) within a five year period shall be required to utilize fully grated piers, docks, and platform lifts with materials that allow a minimum of 40 percent light transmittance.</u>

Amendment History, Review Process

The City prepared a public participation program in accordance with WAC 173-26-090(3)(a) to inform, involve and encourage participation of interested persons and private entities, tribes, and applicable agencies having interests and responsibilities relating to shorelines.

The City used Ecology’s checklist of legislative and rule amendments to review amendments to Chapter 90.58 RCW and department guidelines that have occurred since the master program was last amended, and determine if local amendments were needed to maintain compliance in accordance with WAC 173-26-090(3)(b)(i).

The City reviewed changes to the comprehensive plan and development regulations to determine if the shoreline master program policies and regulations remain consistent with them in accordance with WAC 173-26-090(3)(b)(ii).

The City considered whether to incorporate any amendments needed to reflect changed circumstances, new information or improved data in accordance with WAC 173-26-090(3)(b)(iii).

The City consulted with Ecology and solicited comments throughout the review process.

The City held a joint local/state comment period on the proposed amendment following procedures outlined in WAC 173-26-104. The comment period began on February 4, 2019 and continued through March 6, 2019. A public hearing before the Planning Commission was held on March 6, 2019

The City provided notice to local parties, including a statement that the hearings were intended to address the periodic review in accordance with WAC 173-26-090(3)(c)(ii). Affidavits of publication provided by the City indicate notice of the hearing was published on January 20, 2019. Ecology distributed notice of the joint comment period to state interested parties on February 1, 2019.

Sixteen (16) individuals or organizations submitted comments on the proposed amendments. Several citizen comments requested that the City reconsider dock standards; however the City has opted not to make substantive changes to these standards. The Snoqualmie Indian Tribe submitted comments recommending that the City undertake a new effort to map streams and stream types and that the City update the definition of “fish use or used by fish” and “fish habitat.” The City amended these definitions

City of Mercer Island – Periodic Review Findings and Conclusions

and has initiated a new project to update mapped wetlands and watercourses. The Muckleshoot Indian Tribe submitted comments recommending that the City include culvert data from the Washington Department of Fish and Wildlife in its Best Available Science Report (ESA 2018). The City plans to utilize culvert data from WDFW, consistent with this suggestion. A group, the Citizens for Reasonable Shoreline Policies, commented that the City should consider revising requirements that applicants bring docks into compliance with dock standards when greater than 50 percent of decking or structural elements are replaced. The City opted not to change this requirement. The King County Noxious Weed Control Program commented with recommendations for text amendments related to noxious weed sections of the critical areas regulations. The City incorporated the recommended amendments.

Ecology commented on the critical areas regulations with several recommendations for amendments to wetland regulations based on Ecology's review of the most current, accurate, and complete scientific and technical information available. Ecology's comments included: (1) expansions of legally established structures within a wetland or watercourse buffer be on the upland side of the existing structure; (2) clarification between wetland delineations and ratings be added; (3) wetland buffers for wetlands with high habitat scores should be listed; (4) wetland averaging should be limited to situations where the wetland has significant differences in characteristics that affect its habitat functions; (5) allowing wetland buffer reductions is inconsistent with the most current, accurate, and complete scientific and technical information available; (6) provisions allowing alterations in certain wetlands are inconsistent with Ecology's latest guidance; (7) the measures to minimize impacts to wetlands must be implemented to protect wetlands when using the wetland buffers the City is proposing and if these are not implemented, wetland buffers should be 33 percent larger; (8) proposed mitigation ratios are inconsistent with Ecology's wetland mitigation guidance; and (9) temporary wetland mitigation ratios are reasonable. The City amended text to incorporate Ecology comments (1), (2), (6), and (8). The City submitted to Ecology its responses to issues raised during the comment period on April 12, 2019.

The proposed SMP amendment was received by Ecology on April 12, 2019 for initial state review and verified as complete on April 18, 2019. Ecology concluded that portions of the proposal were not consistent with applicable laws and rules, and provided a written statement describing the specific areas of concern and changes necessary. Ecology identified two (2) required changes necessary for consistency with the SMA and the implementing guidelines. Issues were related to incorporation of the critical areas ordinance and allowances in the 25-foot shoreline setback. Ecology also identified two recommended changes. The City incorporated the changes Ecology identified into their SMP amendment.

When the SMP Amendment was presented to the City Council, the City Council opted to make additional changes to the amendment in response to comments received during the comment period (See Table 1). For the initial submittal to Ecology, the City proposed to codify an interpretation made in 2018. This requires nonconforming overwater structures to come into compliance with certain dock standards when more than 50 percent of either the surface or structural elements are replaced or reconstructed. When the amendment came before the City Council, a citizen group commented on this section, stating that this requirement should only apply when more than 50 percent of the structural elements are replaced or reconstructed, and not apply to surface elements. They argued that the requirement to reduce a dock's width when an applicant is just replacing surface elements (i.e. decking) is causing property owners to put off repair/replacement of decking. They further argued that this is delaying the conversion of opaque decking to light transmitting decking. The City Council directed City

City of Mercer Island – Periodic Review Findings and Conclusions

staff to study this. The City conducted a supplemental cumulative impacts analysis on new proposed language and found that the new proposed provisions would not result in a net loss of shoreline ecological function. The SMP amendment was changed to include this new provision.

With passage of Ordinance #19C-006, on June 26, 2019, the City authorized staff to forward the proposed amendments to Ecology for formal approval.

Consistency with Chapter 90.58 RCW

The proposed amendment has been reviewed for consistency with the policy of RCW 90.58.020 and the approval criteria of RCW 90.58.090(3), (4) and (5). The City has also provided evidence of its compliance with SMA procedural requirements for amending their SMP contained in RCW 90.58.090(1) and (2).

Consistency with applicable guidelines (Chapter 173-26 WAC, Part III)

The proposed amendment has been reviewed for compliance with the requirements of the applicable Shoreline Master Program Guidelines (WAC 173-26-171 through 251 and 173-26-020 definitions). This includes review for compliance with the SMP amendment criteria found in WAC 173-26-201(2)(c) along with review of the SMP Periodic Review Checklist completed by the City.

Consistency with SEPA Requirements

The City submitted evidence of SEPA compliance in the form of a SEPA checklist and issued a Determination of Non-Significance (DNS) for the proposed SMP amendments. Ecology did not comment on the DNS.

Other Studies or Analyses supporting the SMP amendment

Ecology also reviewed supporting documents prepared for the City in support of the SMP amendment. These documents include a public participation plan, a periodic review checklist, a gap analysis, and a supplemental cumulative impacts analysis.

Summary of Issues Identified by Ecology as Relevant to Its Decision

As discussed above, the City made changes to the amendment after Ecology issued its initial determination. These changes are specifically related to the threshold for when repair/replacement activities on existing docks trigger the need to conform to certain dock standards (specifically, dock width, dock height, and grated surfacing). The current SMP sets this threshold at 50 percent of either the surface materials or the structural materials (MICC 19.07.110.E.6.b.ix). The proposed amendment that was submitted to Ecology for initial determination contained changes to the wording of this section to provide clarity, but did not change the substantive requirements. The subsequent changes made by the City Council change the threshold to only 50 percent of structural elements (MICC 19.13.050.F.2.i). Repair or replacement of a structure's exterior surface would only trigger a requirement to use grated materials that allow light transmittance (MICC 19.13.050.F.2.j). It is unclear if only the replaced portions must use light transmitting surfaces, or if the entire dock surface must conform to this requirement.

After the final submittal of the amendment to Ecology, Ecology found that the supplemental cumulative impacts analysis did not provide enough information to support the proposed changes to the dock replacement standards. Specific concerns were that existing docks would not come into compliance with width standards as fast as was anticipated when Ecology approved the comprehensive update of the

City of Mercer Island – Periodic Review Findings and Conclusions

SMP in 2015. Because most shoreline lots in the City already have docks, ecological function was expected to improve through repairs and replacements causing docks to come into conformance with new dock standards. Ecology requested additional analysis of the effects on these previous assumptions as a result of the proposed amendment. The City submitted a revised supplemental cumulative impacts analysis (CIA), dated March 11, 2020.

The revised supplemental CIA studied shoreline permits and exemptions involving docks that have been issued since the comprehensive update went into effect in 2015. The analysis found that dock repair and replacement activity has been occurring at a much lower level than anticipated. The original 2012 Cumulative Impacts Analysis anticipated an average of 25 docks being redeveloped each year. Since the 2015 SMP went into effect, there have been 8 to 13 docks a year undergoing redevelopment of some form. Only one project involved just decking replacement, which triggered the reduction of the width of a dock's walkway. The revised supplemental CIA also compared dock replacement thresholds used by other jurisdictions along Lake Washington. The analysis found that the City's proposed changes were in line with and in some cases stricter than other jurisdictions. With regard to ecological impacts, the revised supplemental CIA found that "it is anticipated that the proposed less burdensome standards for exterior surface replacement may result in a faster conversion of light impenetrable to light-penetrable grating over time. While existing docks with replaced decking would not be required to increase height to a minimum of 1.5 feet or be required to shrink the width to 4 feet, the benefits of light penetrability alone would result in incremental benefits to aquatic habitats over time." The analysis concluded that no net loss of shoreline ecological function is expected to result from the proposed changes to the amendment.

Finding. Ecology finds that the City's revised supplemental Cumulative Impacts Analysis provides an adequate examination of the potential effects to shoreline ecological functions per WAC 173-26-201(3)(d)(iii).

Ecology has still identified issues with the proposed changes. As proposed, sections MICC 19.13.050.F.2.i and F.2.j confuse repair and replacement and lack clarity on how to determine when an applicant has exceeded the 50 percent threshold and what exactly an applicant is required to do if their project does exceed the threshold. For consistency with WAC 173-26-191(2)(a)(ii)(A), which requires master program regulations to be sufficient in scope and detail to ensure implementation of the SMA and SMP policies, a change to the amendment is needed. The City has proposed alternative language to address this inconsistency (Attachment B, Item 1).

Finding. Ecology finds that MICC 19.13.050.F.2.i and F.2.j contain provisions that are insufficient in scope and detail to ensure implementation of the policies of the SMA and the SMP. A change is necessary for consistency with WAC 173-26-191(2)(a)(ii)(A). Ecology has identified one required change (Attachment B, Item 1).

CONCLUSIONS OF LAW

After review of the complete record submitted and all comments received, Ecology concludes that the City proposed amendments with incorporation of required and requested changes in Attachment B, can be considered consistent with the policy and standards of RCW 90.58.020 and RCW 90.58.090 and the applicable SMP guidelines (WAC 173-26-171 through 251 and .020 definitions).

City of Mercer Island – Periodic Review Findings and Conclusions

Ecology concludes that the proposed amendment and acceptance of Ecology's required changes satisfies the criteria for approval of amendments found in WAC 173-26-201(1)(c). This includes the conclusion that approval of the SMP amendment will not foster uncoordinated and piecemeal development of the state's shorelines (WAC 173-26-201(2)(c)(i) and will assure no net loss of shoreline ecological functions will result from implementation of the amended master program (WAC 173-26-201(2)(c)(iv)).

Ecology concludes that the City has complied with the requirements of RCW 90.58.130 and WAC 173-26-090 and WAC 173-26-104 regarding public and agency involvement in the SMP review and amendment process, including conducting open houses and public hearings, notice, consultation with parties of interest and solicitation of comments from tribes, government agencies and Ecology.

Ecology concludes that the City has complied with requirements of Chapter 43.21C RCW, the State Environmental Policy Act.

Ecology concludes that the City SMP submittal to Ecology was complete pursuant to the requirements of WAC 173-26-090, WAC 173-26-104, and WAC 173-26-110.

Ecology concludes that it has complied with the procedural requirements for review and approval of shoreline master program amendments as set forth in RCW 90.58.090 and WAC 173-26-104, WAC 173-26-110, and WAC 173-26-120.

Ecology concludes that with this action the City has completed the required process for periodic review in accordance with RCW 90.58.080(4) and applicable state guidelines (WAC 173-26).

DECISION AND EFFECTIVE DATE

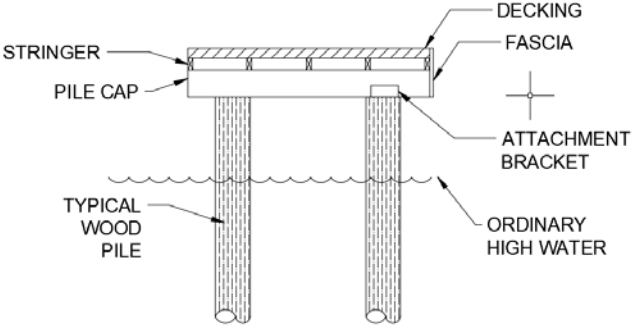
Based on the preceding, Ecology has determined the proposed amendments will be consistent with the policy of the Shoreline Management Act, the applicable guidelines and implementing rules once changes set forth in Attachment B are accepted by the City.

As provided in RCW 90.58.090(2)(e)(ii) the City may choose to submit an alternative to the changes required by Ecology. If Ecology determines that the alternative proposal is consistent with the purpose and intent of Ecology's original changes and with RCW 90.58, then the department shall approve the alternative proposal.

Ecology approval of the proposed amendments, with required changes or approved alternative language, will be effective 14 days from Ecology's final action approving the amendment. Ecology's final action will be a letter verifying the receipt of written notice that the City has agreed to the required changes in Attachment B.

Attachment B: Ecology Required Changes

The following changes are required to comply with the SMA (RCW 90.58) and the SMP Guidelines (WAC 173-26, Part III):

ITEM	SMP Provision	TOPIC	BILL FORMAT CHANGES	ECOLOGY RATIONALE
1	19.13.050.F.2	Development Standards for Replacement, Repair and Maintenance of Overwater Structures, Including Moorage Facilities	<p>i) Structural repair. The repair, replacement, or reconstruction <u>structural repair, which may include replacement of framing elements, of moorage facilities</u> that results in the repair, replacement, or reconstruction of more than 50 percent of the structure's structural framing elements (including pilings) within a five year period shall comply with the following standards <u>standards (1) through (3) below. For this section, framing elements include, but are not limited to, stringers, piles, pile caps, and attachment brackets, as shown in Figure D:</u></p> <p>(1) Piers, docks, and platform lifts <u>100 percent of the decking area of the pier, dock, and any platform lifts</u> must be fully grated with materials that allow a minimum of 40 percent light transmittance;</p> <p>(2) The height above the OHWM for moorage facilities, except floats, shall be a minimum of one and one-half feet and a maximum of five feet; and</p> <p>(3) An existing moorage facility that is five feet wide or more within 30 feet waterward from the OHWM shall be replaced or repaired with a moorage facility that complies with the width of moorage facilities standards specified in Table D of section 19.13.050.</p>  <p>Figure D: Example of Overwater Structure</p>	<p>Required change: Add clarity to regulations. These regulations do not provide enough clarity and detail for implementation. As proposed, it's not clear how to distinguish between repair and replacement. It's also not clear if repair of exterior surfacing that is less than 50 percent is required to use light transmitting materials. For consistency with WAC 173-26-191(2)(a)(ii)(A), which requires SMP regulations to be sufficient in scope and detail, this change is necessary.</p> <p>The City has proposed language to add clarity to these provisions, which Ecology has incorporated. This change shows strikethrough/underline relative to the version adopted by Mercer Island on June 26, 2019.</p>

			<p>j) The repair, replacement, or reconstructionExterior surface repair. The exterior surface repair, which may include the replacement of exterior surface materials of moorage facilities that results in the repair, replacement, or reconstruction of more than 50 percent of the structure's exterior surface (including decking) area of the moorage facility's decking, fascia, and platform lifts within a five year period (see Figure D), shall be required to utilize fully grated piers, docks, and platform lifts with materials that allow a minimum of 40 percent light transmittance <u>over 100 percent of the dock.</u></p> <p>k) <u>Any decking that is removed in the course of repair shall be replaced with decking materials that allow a minimum of 40 percent light transmittance.</u></p>	
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CITY OF MERCER ISLAND
ORDINANCE NO. 20C-13

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
AMENDING MICC 19.13.050(F)(2) IN EXHIBIT A TO ORDINANCE NO. 19C-06
AS RECOMMENDED BY THE DEPARTMENT OF ECOLOGY FOR APPROVAL
OF THE PROPOSED SHORELINE MASTER PROGRAM.**

WHEREAS, the Mercer Island City Code (MICC) contains a Shoreline Master Program, adopted pursuant to RCW 90.58.080; and,

WHEREAS, the Mercer Island City Council passed Ordinance No. 19C-06, containing amendments to the Shoreline Master Program;

WHEREAS, a Cumulative Impact Analysis consistent with the standards in WAC 173-26-201, supporting the proposed changes to the Shoreline Master Program has been completed; and

WHEREAS, the City of Mercer Island received Conditional Approval of its proposed Shoreline Master Program on May 26, 2020 from the Department of Ecology, subject to incorporation of changes described below in Section 1; and

WHEREAS, the City of Mercer Island agrees to adopt said changes to obtain the Department of Ecology’s approval and to effectuate of its proposed Shoreline Master Program;

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

Section 1: **MICC 19.13.050(F)(2) Amended.** MICC 19.13.050(F)(2) in Exhibit A to Ordinance No. 19C-06 is hereby amended as follows:

[...]

i) Structural repair. ~~The repair, replacement, or reconstruction~~ structural repair, which may include replacement of framing elements, of moorage facilities that results in the ~~repair, replacement, or reconstruction~~ of more than 50 percent of the structure’s ~~structural-framing elements (including pilings)~~ within a five year period shall comply with ~~the following standards~~ (1) through (3) below. For this section, framing elements include, but are not limited to, stringers, piles, pile caps, and attachment brackets, as shown in Figure D:

- (1) ~~Piers, docks, and platform lifts~~ 100 percent of the decking area of the pier, dock, and any platform lifts must be fully grated with materials that allow a minimum of 40 percent light transmittance;
- (2) The height above the OHWM for moorage facilities, except floats, shall be a minimum of one and one-half feet and a maximum of five feet; and
- (3) An existing moorage facility that is five feet wide or more within 30 feet waterward from the OHWM shall be replaced or repaired with a moorage facility that complies with the width of moorage facilities standards specified in Table D of section 19.13.050.

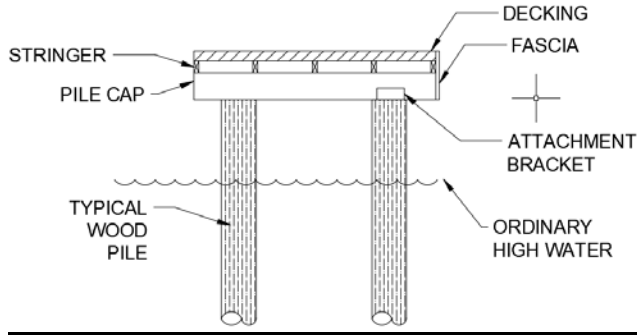


Figure D: Example of Overwater Structure

- j) The repair, replacement, or reconstruction of exterior surface materials of moorage facilities that results in the repair, replacement, or reconstruction of more than 50 percent of the structure's exterior surface (including decking) area of the moorage facility's decking, fascia, and platform lifts within a five year period (see Figure D), shall be required to utilize fully grated piers, docks, and platform lifts with materials that allow a minimum of 40 percent light transmittance over 100 percent of the dock.
- k) Any decking that is removed in the course of repair shall be replaced with decking materials that allow a minimum of 40 percent light transmittance.

Section 2: 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 3: Publication and Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five days after the date of publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on June 16, 2020 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Benson Wong, Mayor

APPROVED AS TO FORM:

ATTEST:

Bio Park, City Attorney

Deborah A. Estrada, City Clerk

Date of Publication: _____

me me

me March 11, 2020

me City of Mercer Island City Council
City of Mercer Island Community Planning and Development Department
Washington Department of Ecology | Shorelands & Environmental Assistance

me Aaron Booy, Teresa Vanderburg (formerly ESA), and Madeline Remmen

me City of Mercer Island 2019 SMP Periodic Review: Cumulative Impacts Analysis for Locally Adopted Updates to Redevelopment Standards for Private Docks

Introduction

The City of Mercer Island completed a comprehensive update of shoreline management policies and regulations between 2009 and 2015, with Shoreline Master Program (SMP) approved by the Washington State Department of Ecology (Ecology) in March 2015. As part of the comprehensive update effort, the City was required to evaluate the cumulative impacts of “reasonably foreseeable” future development to verify that the proposed policies and regulations for shoreline management are adequate to ensure *no net loss* of shoreline ecological functions. In 2012, the City completed an assessment of cumulative impacts from the SMP, and concluded that anticipated development and use occurring under the SMP would not result in cumulative impacts and would meet the no net loss standard (City of Mercer Island, 2012¹). A key component of protecting shoreline ecological functions under the adopted SMP was establishment of new standards for overwater moorage structures, including development standards for replacement, repair and maintenance of the pier, dock and platform lift structures that are commonly associated with shoreline residential lots around the City (MICC 19.07.110.E.6.b).

In June 2019, the City locally adopted updates to the SMP, consistent with Ecology’s mandated periodic review process. Along with minor updates to ensure ongoing consistency with State Shoreline Management Act (SMA) guidelines, the City updates integrate Critical Areas standards that were recently adopted (consistent with Best Available Science and State guidelines for wetlands, streams and other critical areas issued since 2014). In addition, the City locally adopted changes to development standards for repair and replacement of existing overwater piers and docks. Specifically, the City Council updates are intended to refine replacement actions, to differentiate between actions that involve replacement of piles and structural elements, and those that only involve only decking repairs. Decking replacement actions would no longer trigger required dimensional changes, including narrowing of the first 30 feet of the dock, as mandated previously by the SMP. The locally adopted

¹ The City of Mercer Island 2012 Shoreline Cumulative Impacts Analysis is available on the City website: <http://www.mercergov.org/files/Attachment%203%20-%20Cumulative%20Impacts%20Analysis.pdf>

updates do still require dimensional changes for larger replacement actions, whenever more than 50% of an existing dock's structural elements (piles, stringers, etc.) are replaced within a 5-year period.

These changes to dock repair and replacement standards were requested by City Council, with the request and development of the updated standards triggering review and focused analysis of cumulative impacts for this specific code revision. Subsequent to local adoption, proposed SMP updates and a June 10, 2019 draft of this technical memorandum were submitted to Ecology for review. The City adopted its updated CAO and SMP on June 18, 2019.

This technical memorandum provides a planning level assessment of the potential cumulative impacts that would occur based on locally adopted changes to SMP standards for repair and replacement of existing piers and docks. The analysis is an addendum to the cumulative impact analysis (CIA) that was prepared in support of the SMP in 2012 (City of Mercer Island, 2012). This addendum is limited in scope to focus only on updates to repair/replacement development standards for overwater structures, and does not consider updates to integrated critical area regulations currently being considered by the City. The locally adopted updates to integrate new critical areas standards will increase protection for shoreline ecological functions, as the updated critical areas regulations are providing additional protections, buffers and setbacks for wetlands, streams, aquifers, fish and wildlife habitats, and geological hazards. The City coordinated with the Department of Ecology to incorporate required and recommended amendments related to the protection of critical areas within the shoreline jurisdiction. Other minor updates to the locally adopted SMP as identified through the Ecology Periodic Review Checklist are also not considered in this technical memorandum, as they have no implications (or minimal beneficial implications) for shoreline ecological functions.

As with the 2012 CIA, this 2019 addendum is limited to cumulative impacts of reasonably foreseeable future development in areas subject to SMA jurisdiction. For Mercer Island, the shoreline of the state extends along approximately 14.7 linear miles of Lake Washington frontage. Lake Washington is considered a "shoreline of statewide significance," due to its total area over 1,000 acres. The lake shoreline is predominantly developed with single family residential use, and the vast majority of residential lots have existing private piers/docks/floats. The large majority of these overwater structures have been in place for 30+ years, and are part of the baseline condition established by the City's 2009 Shoreline Analysis and Inventory Report² (see summary of Current Circumstances starting on page 4 of this memo).

Former Development Standards and Locally Adopted SMP Update

Regulatory Approach for Repair and Replacement of Docks

This cumulative impacts analysis is focused on one specific section of the City's SMP - [MICC 19.07.110.E.6.b³](#). Standards in this section are directed at proposals for repair and replacement of existing piers and docks. While the City does not explicitly differentiate between 'repair' and 'replacement' or define these specifically, the SMP regulatory approach is consistent with neighboring jurisdictions (both as adopted in 2015 and with recent locally adopted updates). Similar to other Lake Washington jurisdictions, the City has standards for minor actions on existing docks (commonly defined as 'repair' activities by other jurisdictions and Ecology). For more major

² Available: <http://www.mercergov.org/files/Attachment%202.pdf>

³ This is the code citation for the SMP as adopted in 2015; as part of the locally adopted 2019 update (City Ordinance 19C-06), the SMP will be re-coded as MICC Chapter 19.13, and all subordinate headings will be updated. The key section of the locally adopted 2019 SMP is MICC 19.13.050.F.2.

actions (commonly defined as ‘replacement’ activities) the City has more rigorous standards. The City and other communities implement this approach with the intent of ensuring expectations for dock maintenance are commensurate with the proposed action, while at the same time minimizing the ecological impacts associated with docks as they are repaired and replaced over time.

Former Dock Repair and Replacement Standards

Standards for ‘major’ actions (commonly referred to as dock ‘replacement’): Under the former SMP, any proposal that would replace or reconstruct “*more than 50 percent of the structure’s exterior surface (including decking) or structural elements (including pilings)*” as measured cumulatively to include the previous 5-year period, has to comply with the following standards:

(A) Piers, docks, and platform lifts must be fully grated with materials that allow a minimum of 40 percent light transmittance;

(B) The height above the OHWM for moorage facilities, except floats, shall be a minimum of one and one-half feet and a maximum of five feet; and

(C) An existing moorage facility that is five feet wide or more within 30 feet waterward from the OHWM shall be replaced or repaired with a moorage facility that complies with the width of moorage facilities standards specified in subsection (E)(4) of this section (Table D).

These standards are intended to reduce the extent of harmful overwater coverage (i.e, shading effects) from EXISTING piers/docks as they are replaced over time. Of note, these standards treat any proposal for pier reconstruction over the 50% threshold the same, whether the applicant is intending to only replace decking and other exterior surfaces, or is implementing a larger effort to replace piles, stringers or other structural elements. For example, a dock owner that proposes replacing more than 50% of the existing decking on their dock would be required to elevate the entire dock structure and narrow the width of the dock near the shoreline in order to receive City approval.

Standards for ‘minor’ actions (commonly referred to as dock ‘repair’): Under the former SMP, any proposal for repair of an existing dock that falls below the “more than 50% threshold” is considered a ‘minor’ action. Such requests do not require implementation of dimensional changes for the existing structure; however, must still follow all applicable federal and state permits (including Washington Department of Fish Wildlife [WDFW] Habitat Program – Region 4 guidance for dock repairs on freshwater lake shorelines, dated June 2018). For any repair or replacement action, City requires that all dock materials be appropriate for the aquatic environment, and WDFW guidance – as implemented through Hydraulic Project Approvals (HPAs) – requires that 100% repaired/replaced decking be light penetrating.

New Pier and Dock Redevelopment Standards

New standards for ‘major’ actions: City-adopted standards for major dock replacement proposals were adjusted to differentiate between projects that replace 50% or more of the decking and other exterior surfaces and those that include replacement of 50% or more of the structural elements (including piles). The 50% threshold would still be applied cumulatively to include the previous 5-year period.

- **For proposals that would replace greater than 50% of exterior surfaces (clarified within City-adopted standards to include decking, fascia, and platform lifts):** the applicant would be required to fully replace the decking with materials that allow a minimum of 40 percent light transmittance. The applicant would not be required to implement dimensional changes to the docks height or width.
- **For proposals that would replace greater than 50% of the structural elements (clarified within City-adopted standards to include piles, caps, and stringers):** all of the existing standards would be maintained, including requirements to increase the dock height to at least 1.5 feet above the lake level at ordinary high water and to narrow the first 30 feet of the dock structure extending from the OHWM to 4 feet in width.

Updated standards for ‘minor’ actions: The City-approved updates do not change any of the standards for minor actions or repairs, except that clarification is provided that any dock repair that replaces existing decking must replace that decking with grated decking that provides light transmittance.

Analysis Approach

To assess potential cumulative impacts, ESA reviewed dock repair and replacement permit data from recent years (since the new SMP became effective in 2015) provided by the City. The City permit data was supplemented by details from a query of the WDFW HPA database. Review focused on assessment of how the SMP standards were applied at the project level, specifically examining for instances where proposed dock replacement activities would have exceeded the threshold for required dimensional changes on the replacement structure. The purpose of this analysis was to document changes to dock dimensions across the City’s shoreline in response to the SMP standards from 2015.

To supplement this analysis of permit records, ESA used 2017 aerial photos of the Mercer Island shoreline to measure current dock width and overall dock length from the approximate OHWM. This aerial analysis was completed for 110 residential shoreline parcels, selected at random in order to provide a representative sample of existing dock dimensional patterns across Mercer Island. While a comprehensive inventory of all docks was completed as part of the 2012 CIA, that effort did not report on the width of existing docks where they intersected the shoreline.

ESA used the permit data to estimate the number of dock/pier redevelopment proposals that are expected on an annual basis in the years ahead, and to quantify approximately how many of these activities would include replacement of exterior surfaces (including decking material) versus structural elements (e.g., pilings or supports). ESA discussed the estimates of anticipated dock/pier redevelopment with City staff to get their perspective.

Relying on the 2012 CIA and updated analysis, ESA qualitatively assessed potential detrimental and beneficial effects to shoreline ecological functions. ESA concludes with a determination, based on consideration of cumulative impacts, as to whether updated pier/dock replacement standards could change the overall determination of no net loss (NNL) of shoreline ecological functions documented in the 2012 CIA. In both the original June 2019 draft of this memo and in this updated version, ESA provides optional recommendations for future updates to dock repair and replacement standards that could be considered to increase the beneficial effects of repair and replacement actions.

Current Circumstances

In 2019, shoreline conditions within the City of Mercer Island are generally similar to those described in the 2012 CIA. The 2012 CIA documented a total of 690 pier/dock structures across the City’s Lake Washington shoreline, of which 678 (98%) occur within the Urban Residential environment associated with single family residential lots. As documented in 2012, the large majority of the City’s 713 residential lots along the shoreline have existing private piers/docks. The total overwater coverage of piers/docks associated with private residential use was calculated to be approximately 532,000 square feet, or an average of approximately 785 square feet of overwater coverage per pier/dock. The SMP allows a maximum coverage of 480 square feet for any new or reconfigured moorage facility (pier/dock/float structure) associated with a single family lot as per MICC 19.07.110(E)(6)(a). Permit approvals for private residential piers/floats prior to 2015 resulted in a proliferation of overwater structures, resulted in generally greater overwater coverage on average than what the current regulations allow.

The SMP standards adopted in 2019 redefine which future repairs and replacements will require narrowing of the first 30 feet waterward from the OHWM as part of the action. Recent aerial imagery was analyzed to understand how frequently the repair and replacement standards could come into play, based on the typical widths of existing docks. For 110 shoreline lots selected at random, we measured existing dock width within the first 30 feet waterward from the OHWM, and approximate overall dock length from the OHWM. Results are presented in Table 1, below.

Table 1. Analysis of existing private residential pier/dock widths along the Mercer Island shoreline; random sample of 110 (approximately 16% of total private residential pier/dock count) based on 2017 aerial imagery.

APPROXIMATE DOCK WIDTH WITHIN 30 FEET OF SHORELINE (FEET)	NO. OF STRUCTURES	PERCENT OF TOTAL SAMPLED	OVERALL DOCK LENGTH (AVERAGE FEET)
4	7	6%	84
5	13	12%	78
6	62	56%	79
7	12	11%	62
8	9	8%	73
9	2	2%	63
15+	5	5%	64
TOTALS	110	100%	

Based on the sample of docks measured, the new repair and replacement standards would have implications for more than 90% of existing docks (all with a width near the shoreline of 5 feet or more).

Recent Shoreline and WDFW HPA Permit History, and Reasonably Foreseeable Future Redevelopment Requests

The 2012 CIA noted that an average of 19.4 docks per year were modified or redeveloped during the period from 2000 to 2010. The CIA anticipated an increase in this rate, based on anecdotal information from property owners and City staff observations. The CIA forecasted that an average of 25 overwater structures would be redeveloped per year for a total of 500 dock redevelopments over a 20-year planning period.

City staff provided shoreline permit records for the last several years. ESA queried these records for 2015 through 2018 to determine the number of pier/dock replacement and repair activities that have occurred since the comprehensively updated SMP became effective in 2015 (Table 2). Additionally, WDFW Hydraulic Project Approval (HPA) records for the period from 2016 through 2019 were queried (Attachment A).

Table 2. Count of shoreline permits for maintenance, repair and replacement of existing overwater piers/docks since 2015

	2015	2016	2017	2018
FULL PIER/DOCK REPLACEMENT	4		2	
PARTIAL REPLACEMENT OF PILES /FRAMING STRUCTURE, AND DECKING	7	5	8	8
REPLACE DECKING ONLY	1		1	2
NEW BOAT LIFT ONLY		1		
“NORMAL REPAIR / MAINTENANCE” (UNSPECIFIED)	1	2		1
TOTALS	13	8	11	11

Based on recent shoreline permit history, it is likely that the 2012 CIA was over-predicting the annual rate of pier/dock replacement activity. Considering projections from the 2012 effort and recent permit history, we anticipate from 10 to 20 pier/dock repair and replacement requests on an annual basis in the foreseeable future.

Specific review of individual permits, and subsequent as-built conditions, reveals a pattern where most all actions proposed fell below the 50% threshold, thus avoiding the requirements to alter dock dimensional standards. This has been the case for approved permits that included replacement of piles, dock structure, and/or decking. Several example permits highlight the pattern that we have seen:

- **Permit SHL17-019** – Dock minor repair activities included framing replacement and new decking in portions of the dock; however, more than 50% of the dock was not included in the proposed action, so dimensional changes and requirement for full grating were not required as part of the permit approval. This dock is associated with a residential property along East Mercer Way.
- **Permit SHL18-005** – The approved proposal was for replacement of exactly 50% of existing decking. The minor replacement action for this dock, associated with a residential lot located off of Forest Avenue SE, was clearly intentionally designed to stay just under the ‘more than 50% threshold’, which under the current SMP (even when only associated with decking replacement) would have required dimensional changes.
- **Permit SHL18-009** – Similar to the previous example, this approved proposal and HPA issuance was for replacement of exactly 50% of existing decking, as well as splicing of five of the existing piles. The minor replacement action for this dock, associated with a residential lot located off of 77th Avenue SE,

also appeared to be intentionally designed to stay just under the ‘more than 50% threshold’, which under the current SMP would have required dimensional changes.

The analysis also revealed instances where major replacement actions resulted in implementation of the required dimensional changes, as provided in examples below:

- **Permit SHL16-026** - Recent dock replacement at a residential property off of 100th Avenue SE resulted in both grated decking and dimensional changes consistent with the SMP. This replacement action, which was constructed in 2018, included new piles, all new structural elements, and all new decking – so would have triggered all of the same standards for replacement if reviewed under the locally adopted SMP update.
- **Permit SHL17-013** - For a residential property off of 82nd Avenue SE provided approval for a full dock replacement where the new dock would be grated and the portion of the dock within 30 feet of the shoreline would be narrowed. From review of available aerial photography, it did not appear that the approved replacement had occurred as of May 2018.
- **Permit SHL17-022** - Along the City’s NE shoreline associated with a residential lot off of Roanoke Way. This major dock replacement included replacement of several existing piles, and all structural elements and grating. As a result, the replacement dock is fully grated and is 4 feet wide within 30 feet of the shoreline.
- **Permit SHL18-010** – Along the City’s NE shoreline associated with a residential lot off of SE 35th Place. This major dock replacement included replacement of existing timber piles with steel piles, and all structural elements and grating. As a result, the replacement dock (still to be constructed) will be fully grated and will be 4 feet wide within 30 feet of the shoreline.

We also identified limited instances where major dock replacement actions that appeared not to have resulted in the dimensional changes required by the SMP. For example, this appeared to be the outcome for **Permit SHL16-016**, off of Shore Lane along the western shoreline of the City. The comprehensive dock replacement included new piles, structural elements, and all new grated decking, so presumably exceeded the 50% threshold as a major action. However, the portion of the dock within 30 feet of the shoreline was not narrowed to 4 feet in width.

Of greater significance to understanding implications of the locally adopted SMP changes, review of permit records from 2015 thru 2018 revealed only one instance where decking replacement requests alone resulted in the applicant being required to implement dimensional changes for the replacement dock (associated with **Permit SHL18-029** associated with an east shore residence off of SE 61st Street). In this one instance, only the first 16 feet of the dock was narrowed from 5 feet wide to 4 feet wide. Based on the minimal occurrence of this type of ‘major’ replacement action only associated with decking, ESA supposes that residential dock owners recognize that the cost that would be associated with implementing dimensional changes to their existing structure would likely be significantly greater than the decking replacement that they are requesting. As such, in almost all instances in the 3+ year period evaluated, dock owners completed decking replacement activities so as to remain at or below the 50% threshold under MICC.

The query of the WDFW HPA permit database for the period between 2016 and 2019 verifies the same pattern of recently approved repair and replacement projects. All but one of the issued HPAs was associated with a City shoreline permit. There were, however, a number of City shoreline permits that were not associated with an HPA, suggesting a higher rate of compliance at the local level for dock repair and replacement activities. Of the thirteen WDFW HPAs issued for residential dock repair and replacement in this four-year period, three were for decking

replacement only. The remaining included replacement of both structural and decking elements, or were reconfiguration / expansion projects.

One of the three decking replacement only HPAs indicated narrowing of the first 30 feet of the dock (associated with **City Permit SHL18-029**, as also noted above). According to the approved plans, this proposal replaced 100% of an existing residential dock's worn wooden grating with grated panels, and narrowed the first 16 feet from the shoreline to 4 feet wide (from 5 feet wide on the existing dock). This City and WDFW approved proposal noted that at greater than 16 feet from the shoreline, the lake depth was great enough that narrowing was not necessary.

The 50% threshold for major actions associated with both structural and decking elements resulted in narrowing for four dock projects reviewed within the HPA database. Review of project plans, and where feasible review of recent aerial photography, showed dock narrowing for the first 30 feet of the dock (see HPA permits 2018-4-164+01, 2018-4-833+01, 2018-4-836+01, and 2018-4-845+01 as detailed in Attachment A). In all instances, it is apparent that the narrowing was triggered by the previous SMP for each of these four docks, and would continue to be triggered by the 2019 SMP (as adopted) as all three appear to have included structural replacement above the 50% threshold.

Benchmarking from Neighboring Jurisdiction Standards

ESA reviewed current regulations from other Lake Washington cities related to repair and replacement of existing docks, specifically replacement of decking. This review included standards for dock repair and replacement in the Cities of Kirkland, Bellevue, Kenmore, Lake Forest Park, Renton, Medina, Hunt's Point and others. We also reviewed standards for dock repair and replacement for communities along the Lake Sammamish shoreline, including Sammamish and Issaquah. All of these standards are summarized in the attached *Dock Repair & Replacement Summary Matrix for Lake Washington & Lake Sammamish*. The matrix is based on the summary table document provided by Ecology to the City on September 24, 2019 (Burcar, 2019).

As summarized previously, most cities on Lake Washington have standards that apply to minor actions (typically called 'repair') and more rigorous standards that apply to more major actions (typically called 'replacement'). When reviewing dock regulations in other jurisdictions, a very common threshold that is used to distinguish between minor versus major actions is "75% of piling replacement". This is the approach taken by Bellevue, Hunt's Point, Lake Forest Park, Medina, and Sammamish. Some of these jurisdictions have a piling spacing requirement that is triggered when between 25%-75% of pilings are replaced, such that new piles must be spaced a minimum of 18' apart along the length of the dock (Lake Forest Park, Medina, and Sammamish). Several other communities have set the threshold between minor and major actions at "50% of piling replacement" (Renton and Yarrow Point) or "50% of piles, structural elements and decking". For minor actions ('repairs') below these thresholds, there is generally no expectation for elevating the dock or limiting the first 30' from shoreline to 4' width.

The City of Mercer Island dock regulations maintain the threshold between minor and major actions at 50%, a trigger that is consistent with several neighboring communities, and more stringent (lower threshold) than many neighboring communities. In addition, the City will continue to apply this 50% threshold to both pilings and other structural elements (stringers, etc.) and exterior surface (decking, etc.) replacement proposals. Anything above the 50% threshold would be a major action, with replacement of piles and other structural elements requiring

implementation of the 4' width as part of the action. The update CIA Memo will clearly highlight that these more major actions (as regulated by F.2(i)) fit into the category that is commonly referred to as 'replacement' by most other Lake Washington jurisdictions.

With regards to proposals for replacement of decking only, review of neighboring jurisdictions shows adopted standards similar to or less stringent than Mercer Island's locally adopted standards. In Kirkland and Issaquah, any proposed replacement of 50 percent or more of the decking or decking substructure for overwater docks must demonstrate the following:

- Replace solid-surface decking with grated material that allows a minimum of 40 percent light transmittance through the material.
- Materials must be environmentally neutral (no wood treated with creosote, pentachlorophenol or other toxic chemicals) and meet material standards outlined by the Washington State Department of Fish and Wildlife (WDFW) for new overwater structures.

Mercer Island's locally adopted standards for 'major' decking replacement proposals is consistent with this approach, as any proposal replacing greater than 50% of exterior surfaces would be required to use fully grated decking material consistent with WDFW standards (MICC F.2(j)). Numerous other jurisdictions, including Bellevue, Lake Forest Park, Medina, Hunt's Point, and Sammamish, have no standards triggering full replacement of solid-surface decking with grated material.

In summary, Mercer Island's locally adopted approach for permitting dock repair and replacement is consistent with the approach taken by other Lake Washington and Lake Sammamish shoreline communities. In fact, Mercer Island's approach will put more proposals in the major action / 'replacement' category than many jurisdictions, including Bellevue, Lake Forest Park, Medina, Hunt's Point, Sammamish and others.

Benchmarking from WDFW Standards

The WDFW regulates in-water and over-water development activities by issuing HPAs in accordance with 77.55 RCW. WDFW's guidance for Fresh Water Residential Overwater Structures (Revised June 2018, and issued by WDFW Region 4 Habitat Program) details requirements for both repair/replacement of piers and docks, and for new/modified/expanded piers and docks. The WDFW Guidance directs any proposal for replacement decking to use grating that has a minimum of 40% open space across the entire extent of the pier (decking with 60% open space is recommended, although this is less frequently used due to additional need for supportive substructure elements that largely negate the benefit of the additional open space). Allowances are provided for solid decking around the very edges of a pier/dock, in places where substructure would block light transmittance anyway. WDFW guidance requires replacement of decking with light penetrable grating whenever decking repair or replacement is proposed (no threshold based on percentage of area replaced, or cost).

For proposals that only replace decking, and for other projects that are only repairing or replacing other structural portions of an existing pier or dock without changing the size or configuration of the structure, WDFW guidance does not require dimensional changes (either in pier/dock width within 30 feet of the shoreline, or in pier/dock elevation above the OHWM). WDFW's dimensional standards for new, modified, or expanded pier/dock structures are generally consistent with the standards within the Mercer Island SMP. It is only for new, modified,

or expanded dock/pier structures that the first 30-feet of the structure is recommended to be 4-feet wide (the guidance actually allows for this portion to be 6-feet wide, but encourages the narrower 4-foot width).

Assessment of Cumulative Impacts

Ecology guidance states that “local governments should use existing shoreline conditions as the baseline for measuring no net loss of shoreline ecological functions.” The City’s shoreline areas are nearly fully developed consistent with established land use designations – therefore, most development proposals involve redevelopment. Our review of impacts associated with future redevelopment of overwater structures is focused on those proposals that repair and update existing structures without proposing an increase in size, dimension or reconfiguration.

Consistent with the 2012 CIA, this analysis uses methods to assess the anticipated loss and/or gain in shoreline ecological functions associated with implementation of updated overwater moorage structure development standards into the future. Categories of shoreline ecological functions include habitat, water quality, and hydrology. Unlike the 2012 CIA, we do not attempt to quantify the ecological function points associated with anticipated future development; rather, a qualitative approach is used. That said, approximate evaluation of implications on the 2012 CIA ecological functions points is provided at the conclusion of this section.

Effects to shoreline ecological functions have been summarized below by general function type, specifically by fish/aquatic habitat, water quality, hydrology and riparian vegetation.

Fish/Aquatic Habitat

Habitat for fish, especially juvenile salmonids, and other aquatic species is the primary shoreline ecological function affected by docks/piers. Chapter 12 on Piers, Docks and Overwater Structures from Ecology’s SMP Handbook (Ecology Publication Number: 11-06-010, Revised June 2017) describes the environmental impacts of overwater structures, including effects on movement of juvenile salmon along a shoreline, and patterns of predation.

The 2012 CIA concluded that each dock replacement and repair action would result in “a slight improvement” above baseline habitat conditions. The 2012 CIA appears to have assumed that requirements for light penetrable grating and structural changes would be triggered for all pier/dock replacement proposals, such that slight improvement would occur for every dock repair / reconstruction request (25 times annually).

Based upon more recent permit data from the City and from the WDFW HPA permit database, it appears that the 2012 CIA overestimated the frequency by which dock replacement or reconstruction would occur. That said, we believe that any exterior surface (decking) replacement proposal that replaces solid decking with 40% light penetrable decking will serve to reduce impacts on juvenile salmon rearing and out-migrating along the Lake Washington shoreline. Further, it is anticipated that the proposed less burdensome standards for exterior surface replacement may result in a faster conversion of light impenetrable to light-penetrable grating over time. While existing docks with replaced decking would not be required to increase height to a minimum of 1.5 feet or be required to shrink the width to 4 feet, the benefits of light penetrability alone would result in incremental benefits to aquatic habitats over time.

Water Quality

The 2012 CIA did not assess implications on docks/piers on water quality functions. The current SMP limits the use of creosote and other toxic chemicals allowed in dock construction. The proposed update to the CIA does not change standards for use of WDFW and-Corps approved materials for all in-water and over-water structures. All materials required by state and federal permit authorities remain the same. For this reason, it is anticipated that the provisions for pier/dock repair and replacement will continue to incrementally improve water quality functions by decreasing the extent of previously installed structures that have negative water quality impacts.

Hydrology

The 2012 CIA indicated that shoreline hydrology functions would not be affected as a result of the new SMP standards. Based upon our review, it appears that revisions to the decking replacement requirements for docks would not have any measurable effect on hydrologic functions such as wave action, water flow or sediment transport.

Riparian Habitat

The 2012 CIA did not separately evaluate effects of the standards to riparian habitat. However, based upon the developed nature of the shoreline in Mercer Island, it is apparent that riparian habitat is lacking and a limiting factor. For any short-term impacts to existing vegetation associated with construction of proposed dock repairs or replacement, the SMP will continue to require that disturbance be minimized to the greatest extent possible and that replacement with native herbaceous and/or woody vegetation occurs following construction. The proposed code changes do not require additional riparian plantings for projects that do not alter riparian habitat. It appears that the proposed updates to pier/dock decking replacement standards would have no measurable effect on riparian habitat values and functions over time.

Cumulative Impacts

The 2012 CIA assigned ‘cumulative impact points’ for all assessed elements of the SMP. Based on these points, the standards for redevelopment of existing docks were anticipated to result in 500 beneficial points, indicating a significant anticipated cumulative benefit (25 redevelopment projects annually, each accounting for +1 point, multiplied by the 20 year planning period). Overall, the 2012 CIA identified only 32 degradation points (associated with limited potential for new residential development and new dock development on lots without structures at the time of the 2012 analysis), and assigned beneficial points to anticipated park projects (+450) and residential redevelopment actions (+140). The 2012 CIA was reviewed and approved by Ecology as part of the full comprehensive SMP update.

Based upon this limited CIA for replacement of dock decking alone, we would not anticipate changes to the conclusions of the 2012 CIA. As a result of the new proposed standards and the reduced pace of dock/pier replacement, fewer beneficial points would accrue during the replacement of dock decking projects. Assessment of recent shoreline permit history suggests that fewer than 25 dock redevelopment projects are likely to occur annually, and the reduced expectations for actions that exceed the 50% threshold for decking replacement would result in less ecological benefit for those projects. However, as detailed previously, review of City permit history from 2015 thru 2018 and WDFW HPA Permit History from 2016 through 2019, shows that this type of ‘major’ decking replacement action has very infrequently occurred.

For the ‘major’ replacement actions that have been occurring along the City’s Lake Washington shoreline (those associated with pile replacement, structural reconstruction, and decking replacement), the requirements would continue to improve conditions for aquatic habitats incrementally over time. Further, ESA anticipates that under the locally adopted SMP, a greater number of residential docks are likely to be repaired with new decking that provides 40% minimum light transmittance. This is due to the updated standards for decking replacement becoming more commensurate with the scope of such proposals, with fewer dock owners intentionally staying below the 50% threshold. ESA anticipates that the higher frequency of actions replacing solid surface decking with grating will result in a greater rate of benefit over the planning horizon.

Based on our understanding of Shoreline Management Guidelines adopted by Washington State (WAC 173-26) and associated guidance from Ecology (Shoreline Master Programs Handbook, Chapter 4 and Chapter 17; Ecology 2017), the focus of this assessment of cumulative impacts memo is the determination of no net loss of shoreline ecological functions as compared to existing conditions (as established in the City’s Inventory and Characterization Report).

Relying on the Cumulative Impacts point quantification system that was used in the 2012 CIA, it is likely that a reduction in the number of ‘beneficial’ points of dock redevelopment from +500 is warranted. It is likely that closer to 10 ‘major’ replacement proposals will occur each year than the 25 assumed in the 2012 CIA. And, with the reduced standards for those proposals that are only above the 50% threshold for exterior surfaces, conservatively the associated ‘beneficial’ points could be reduced from +1 to +0.5 for each action. These new assumptions result in a total of +100 points associated with dock redevelopment over the next 20 years (20% of the beneficial points assumed in the 2012 CIA). Even with this reduction, the overall total summation of cumulative impacts for the locally adopted SMP would remain at +608 cumulative impact points. Further, this does not consider the likely additional ecological benefits associated with integration of new critical areas standards, as adopted by the City in 2019 consistent with best available science.

Recommendations for Future SMP Updates to Maximize Gain in Ecological Function as Future Dock/Pier Resurfacing Proposals Occur

ESA completed the evaluation in this memorandum consistent with the updated dock repair and replacement standards in the locally adopted SMP. However, as part of evaluation prior to local adoption, ESA considered recommendations for the updated development standards (MICC 19.13.050.F.2.i and j. as locally adopted) to further increase gains in ecological functions as repair and replacement of pier/dock decking occurs in the foreseeable future. ESA recognizes that the City Council elected not to implement these recommendations; however, they are maintained in this CIA memo so as to inform future SMP updates in the years ahead.

Primary recommendation: For exterior surface (including decking) replacement only, eliminate the “50% of exterior surface” threshold altogether or reduce the threshold to 20%. Implementing this change would provide additional consistency with WDFW guidance, and is anticipated to increase the frequency with which existing piers/docks would be re-decked with light transmittable grating in the years ahead. This approach may also reduce challenges associated with application of this standard.

Secondary recommendation: Consider requiring additional mitigation measures for any replacement proposal under locally adopted MICC 19.13.050.F.2.i:

- Where there is existing skirting around a pier/dock structure, require that removal (or reduction in coverage) of any existing skirting be included as a standard for decking replacement.

- Where there is no skirting around the existing structure, require implementation of shoreline vegetation enhancement, with installation of a defined amount of native tree and native shrub species within 10 feet landward of OHWM to enhance and improve riparian habitat along the shoreline. Native vegetation is lacking along the Mercer Island shoreline and adding native trees and shrubs will provide shade and nutrient inputs through leaf litter. Similar to WDFW standards, we recommend planting two native trees (Douglas fir, western red cedar, western hemlock, red alder, quaking aspen, Oregon white oak, Pacific willow) and three native shrubs with the potential to achieve heights of four feet or greater. This would be in addition to any native plantings required to mitigate construction disturbance under MICC 19.07.110.E.6.b.viii (re-codified within MICC 19.13), and in addition to any native vegetation required for new development adding over 500 square feet of additional gross floor area or impervious surface per MICC 19.07.110.E.9.d (re-codified within MICC 19.13).

If one or both of these recommended additional standards were required for all overwater moorage structure ‘major’ replacement proposals, the gains in ecological functions (primarily for fish habitat) already associated with use of light penetrable grating would be extended.

Conclusion

Based upon our review and analysis, ESA does not believe that any additional measures are required to achieve beneficial gains in shoreline ecological functions as compared to existing conditions. That said, these gains could be increased in the future if the City chooses to incorporate one or more of the recommended additional standards that are suggested in the previous section.

Conclusions on the future performance of key shoreline functions as a result of the updated standards for pier/dock/float resurfacing proposals are summarized as follows:

Aquatic Habitat: No net loss of aquatic habitat function is anticipated. The replacement of existing decking with grated materials will be an incremental improvement over existing conditions within the City’s shoreline.

Water Quality: No net loss in water quality is expected. As previously installed materials are replaced (including likely removal of treated lumber that is slowly leaching contaminants into Lake Washington), the resurfacing of existing piers/docks/floats is anticipated to improve water quality.

Hydrology: No net loss in hydrological function from baseline is expected.

Riparian Habitat: No net loss in riparian habitat functions is anticipated due to this change in standards for dock repair. If in the future the City chooses to implement additional plantings as part of the dock repair and replacement, then riparian habitat functions will likely increase incrementally.

Compared to existing standards, which had required that any proposal resurfacing more than 50% of a dock’s exterior surfaces had additionally to reconfigure the dock to narrow the portion close to shore and increase the height above the ordinary high water of the lake surface to a minimum of 1.5 feet, the new approach may result in less ecological gain for each replacement proposal. However, as previously discussed, the re-decking requirement alone will likely result in incremental gains in shoreline ecological functions over time.

HPA Permit Number	HPA Project Description	Project Type	Project Type Code (1 = decking, 2 = structural+decking, 3 = reconfigure/ expand)	Nearshore Portion Narrowed?	HPA Permit Issue Date	Parcel Number	City Shoreline Permit #	City Shoreline Permit Description	Aerial review for Dock Narrowing	Discussed in Memo?
2017-4-829+01	Repair dock on Lake Washington in same footprint. Replacement stringers to be 4"x8" ACZA treated fir. Joists/pile caps to be 6"x8" ACZA treated fir. Worn wooden decking to be replaced with ThruFlow grated panels. Piles to be sleeve if/as needed. Install planting plan of at least 9 native woody shrubs within 10' of the OHWM.	Structural + Decking	2	No	11/16/2017	1410300023	SHL17-016	C-REPAIR EXISTING REIDENTIAL DOCK (approved)	no indication of dock narrowing in 2018 aerial	
2017-4-899+01	Permanently remove a 33'X 22' moorage cover and 4 associated 8" wood piles and permanently remove 16'X 2' ELL and two (2) associated 8" wood piles. Remove and replace three (3) existing 8" wood piles, drive three (3) new 8" wood piles and construct a 2' wide addition to the eastern 25' of the existing walkway. Install a boatlift and translucent canopy including two footpads and posts to support the front portion of the canopy. Install native planting plan and 10 cubic yards of nourishment gravel, remove nearshore debris. This project is a modification of a previously permitted activity authorized by HPA issued for APP ID #8662	Expansion / Reconfigure	3	No	12/20/2017	7776700050	SHL16-003	MODIFICATION AND ADDITION TO EXISTING MOORAGE FACILITY (approved)	no indication of dock narrowing in last 5+ years (even with replacement dock as constructed in 2016 per earlier City permit SHL15-021)	
2018-4-164+01	Normal maintenance of a residential dock consisting of removing the wood deck, stringers and pile caps and replace with new treated pile caps and stringers and a fully grated deck. Reduce the inshore 30-foot to 4-foot wide. Permanently remove one mooring pile. Permanently remove the solid moorage cover. Repair one pile with the pile stub method. Install one boatlift with translucent canopy, one jet ski lift, and one platform lift. Install two mooring piles.	Structural + Decking	2	Yes	3/8/2018	7355700060	SHL17-022	MAINT OF A SFR DOCK - SEE NOTE (approved)	Google Earth aerial from 2019 shows narrowing	Discussed in Memo as example of gerater than 50% (structural + decking) requiring narrowing
2018-4-287+01	Remove the existing pier and construct a new residential dock with a 150-foot long walkway consisting of 100-foot long and 4-foot wide and 50-foot long and 6-foot wide. Construct a finger pier measuring 26-foot long and 4-foot wide. The dock is supported by (22) steel piles. Install one boatlift.	Expansion / Reconfigure	3	NA	4/30/2018	4076000070	No City Permit	NA	Review of Google Earth shows that HPA approval has not yet initiated replacement dock construction	
2018-4-343+01	Remove the existing 541 square foot residential dock and construct a new 393 square foot dock supported by two (2) 8" and sixteen (16) 10" steel support piles, plus four (4) 10" steel brace piles. Also propose to construct a 36-foot long by 16-foot wide moorage cover. Relocate an existing offsite boatlift and install a non-ground contact lift on a pile mounted platform.	Expansion / Reconfigure	3	NA	5/17/2018	3623500273	SHL17-010	C-REMOVE AND REPLACE DOCK (approved)	2019 Google Earth aerial imagery shows replacement dock construction	
2018-4-821+01	Maintenance on an existing residential pier by repairing (5) wood piles with the pile stub method. Solid wood decking to be replaced with grated decking over ~50% of the entire pier. Planting plan to be implemented as part of project as well.	Structural + Decking	2	No	11/15/2018	4097100045	SHL18-009	C-REPAIR 5 WOOD PILES, REPLACE 50% OF DECKING (approved)	Review of Google Earth shows that permitted repair activities did not trigger any change in dock footprint	Discussed in Memo as example of below 50% threshold
2018-4-823+01	Sleeve up to 6 damaged piles with HDPE tubes.	Structural	2	No	11/16/2018	8000000019	SHL17-021	REPAIRS TO AN EXISITNG COMMUNITY DOCK (approved)	Pile repairs only; no apparent changes in dock configuration in 5+ years	
2018-4-833+01	Worn wooden decking to be replaced with ThruFlow grated panels on existing Lake Washington residential dock. First +/- 37 feet of the pier will be reduced from 6' to 4' wide. Stringers will be replaced and relocated/narrowed to accommodate 4 foot wide pier secton. Existing joists/pile caps (6') will remain in place.	Structural + Decking	2	Yes	11/28/2018	2948900012	SHL18-023	REPLACE WOOD DECKING W/GRATED PANELS ON DOCK (approved)	Most recent aerial (5/2018) does not show constructed project; plans included with City permit record verify narrowing proposed	Noted in Memo as example of gerater than 50% (structural + decking) requiring narrowing
2018-4-836+01	The proposed project will repair up to nine untreated timber piles using the pile splice method, replace the wooden fascia in kind, and replace the solid wood decking with molded plastic grated (minimum 40% open space) decking. This project also proposes to reduce the nearshore pier walkway width from 6 feet to 4 feet, remove four 10"-12" existing untreated timber piles and replace with two 6" steel piles, and implement a partial planting plan.	Structural + Decking	2	Yes	11/29/2018	252404-9062	SHL18-016	REPAIR 9 PILES, REPLACE WOODEN FASCIA, REPLACE WOOD DECKING (approved)	Most recent aerial (5/2018) does not show constructed project; based on HPA description, presumed that narrowing occurred	Noted in Memo as example of gerater than 50% (structural + decking) requiring narrowing

HPA Permit Number	HPA Project Description	Project Type	Project Type Code (1 = decking, 2 = structural+decking, 3 = reconfigure/ expand)	Nearshore Portion Narrowed?	HPA Permit Issue Date	Parcel Number	City Shoreline Permit #	City Shoreline Permit Description	Aerial review for Dock Narrowing	Discussed in Memo?
2018-4-845+01	Repair existing shared dock on Lake Washington. All work to be done in existing dock footprint. Pier width to be reduced from 6' to 4' for the first (waterward) +/- 36' from OHW as shown on attached plans. Replace framing in kind/same location with ACZA treated fir - stringers to be 4" x 8", joists/pile caps to be 6" x 8". Wooden decking to be replaced with Thruflow grated panels. Piles to be sleeved with HDPE tubes. No piles to be added, replaced or removed.	Structural + Decking	2	Yes	12/6/2018	736100090	SHL18-021	REPAIR EXISTING DOCK (approved)	Most recent aerial (5/2018) does not show constructed project; based on HPA description, presumed that narrowing occurred	Noted in Memo as example of greater than 50% (structural + decking) requiring narrowing
2019-4-62+01	Resurface existing dock on Lake Washington with ThruFlow grated panels (existing decking is wood). First +/- 16 feet of the pier will be reduced from 5 feet to 4 feet wide. No piles to be added, removed, or replaced.	Decking	1	Yes (initial 16 feet from shore)	1/24/2019	426000060	SHL18-029	REPLACE DECKING ON EXISTING DOCK (approved)	Most recent aerial (5/2018) does not show constructed project; review of City permit records verifies narrowing within first 30 feet	
2019-4-135+01	Repair (14) wood piles with the pile stub method and (2) with steel pile stubs. Implement a planting plan within 10 feet of the ordinary high water mark for the benefit of fish life.	Structural	2	No	3/5/2019	8106100180	SHL18-032	REPAIR 14 WOOD PILESW/PILE STUB METHOD & 2 W/STEEL PILE STUB (approved)	Most recent aerial (5/2018) does not show constructed project; based on HPA description, presumed that NO narrowing occurred	
2019-4-153+01	Project proposes to turn over up to, but no more than, 50% of existing and worn deck boards and reinstall.	Decking	1	No	3/14/2019	2424049039	SHL18-005 and SHL18-028	REPAIR 50% OF EXISTING DOCK W/UNTREATED CEDAR (approved) / CEDAR BOARDS ON DOCK FLIPPED OVER TO REPAIR DETERIORATION (approved)	Most recent aerial (5/2018) does not show constructed project; City permit records for this approval would be useful	Discussed in Memo as example of below 50% threshold

From: [Josh Knopp](#)
To: [Robin Proebsting](#)
Cc: [Council: Josh Knopp](#)
Subject: RE: Comments on draft revised SMP
Date: Thursday, April 16, 2020 10:09:03 AM

Good Morning Robin & all the members of the City Council,

Thank you Robin for sending us this draft. Though my comments are past your April 10th plan, I still wanted to share our positive feedback on this revision. If there was something we wanted to address we would have replied back a lot faster! LOL

I have reviewed the draft and been forwarding it to our CRSP members, which has been growing, and we are pleased with how it reads. As most of our members dock repairs are mostly related to decking replacements, this change will enable them to upgrade their decking to be safe and environmentally friendly without the added costs of a rebuild and design. It is great to have the surface repairs separated from the structural repairs. Many projects will proceed with this version of the SMP. And the structural changes part of the SMP are clear as well. Many won't be happy with the size reduction of their docks but they will find ways to make things work.

Thank you for all of your group efforts in taking our considerations and helping make these SMP updates help the community and environment. We, CRSP, ask that the Council adopt this version of the updated SMP and ask Staff to keep encouraging the Department of Ecology to accept these changes.

Feel free to contact me as you need and please continue to keep us updated when possible.

Stay safe & healthy,

Josh Knopp
 President of CRSP
 Citizens for Reasonable Shoreline Policies
 206-335-8227

From: Robin Proebsting [mailto:robin.proebsting@mercergov.org]
Sent: Tuesday, March 24, 2020 2:49 PM
Subject: Comments on draft revised SMP

Greetings,

You are receiving this email because you previously provided substantive comments on the City of Mercer Island's draft Shoreline Master Program. After adoption by the City Council in 2019, the draft SMP was further revised in response to comments from the Department of Ecology, whose approval is needed in order for the SMP to become effective.

The draft revised SMP has been completed (available online [here](#)) and staff are preparing to bring it

to the City Council for their review later this spring. If you have any additional comments or input, kindly send those to me via email. I would appreciate getting any comment you may have by April 10th.

Best regards,
Robin

[Robin Proebsting](#)

Senior Planner

City of Mercer Island – Community Planning and Development

206-275-7717 | mercergov.org

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW).

Due to the COVID-19 outbreak, Community Planning and Development has modified our operations. City Hall and the Permit Center are closed to the public. Most staff are telecommuting and planning and permit services will be continuing via remote operations. In-person Over-the-Counter Permit services have been suspended; for more information about how to obtain these permits electronically, click [here](#). Pre-construction and pre-application meetings will be conducted via phone or video conference. Most inspection services are continuing at this time, with many inspections conducted via video. Staff can be contacted by email or phone using their regular office number - phone lines are set up to forward calls to remote offices. For general customer support, please contact us by phone or email at 206-275-7605 or epermittech@mercergov.org.

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

From: bob.stoney@comcast.net
To: [Robin Proebsting](#); [Evan Maxim](#)
Subject: Fwd: Pier repairs - CRSP Association
Date: Thursday, April 16, 2020 6:48:40 PM
Attachments: [image001.png](#)

Re-sending to the correct address (I mis-typed Robin's email).

—bob

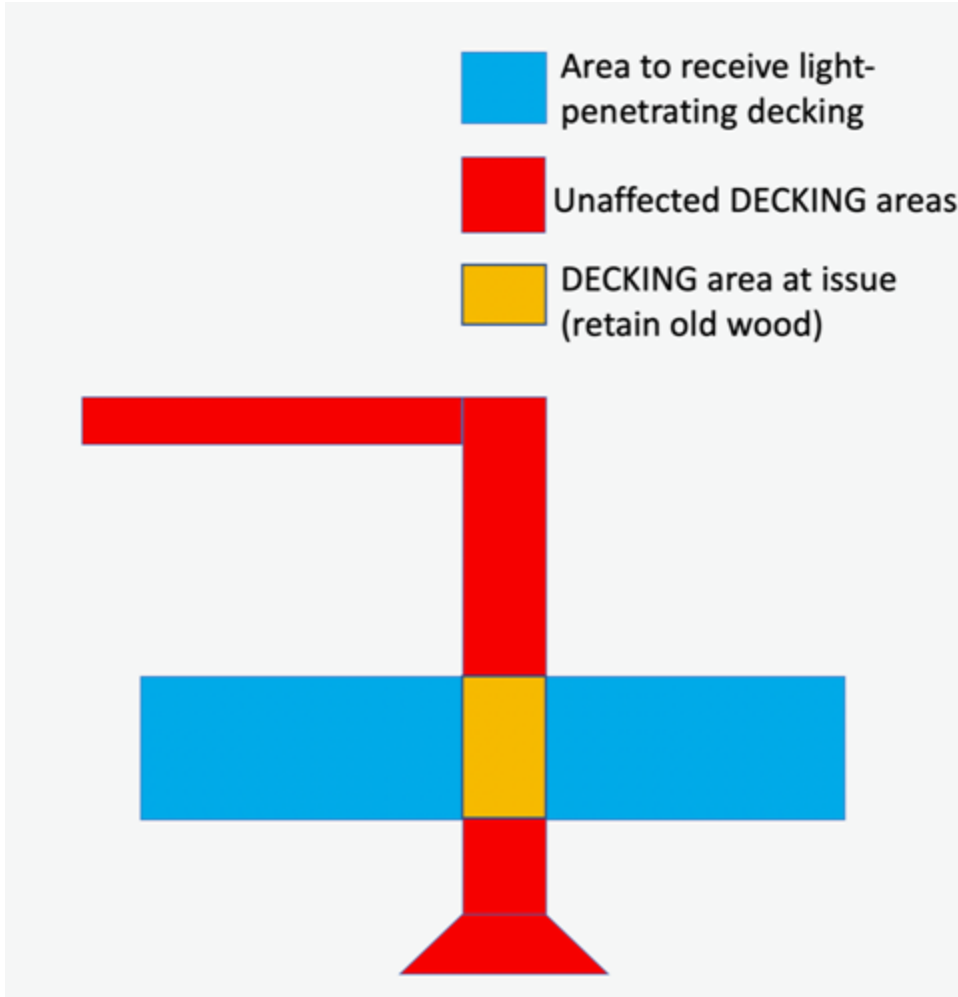
Begin forwarded message:

From: "bob.stoney@comcast.net" <bob.stoney@comcast.net>
Subject: Fwd: Pier repairs - CRSP Association
Date: April 16, 2020 at 6:44:33 PM PDT
To: proebsting@mercergov.org
Cc: Josh Knopp <josh@mianycity.com>, City of Mercer Island Public Records <prr@mercergov.org>, citymanager@mercergov.org, ePermit Tech <epermit.tech@mercergov.org>, Wendy Weiker <Wendy.Weiker@mercergov.org>, Jake Jacobson <jake.jacobson@mercergov.org>, Lisa Anderl <lisa.anderl@mercergov.org>, Salim Nice <salim.nice@mercergov.org>, Craig Reynolds <craig.reynolds@mercergov.org>, David Rosenbaum <david.rosenbaum@mercergov.org>, Benson Wong <Benson.Wong@mercergov.org>, evan.maxim@mercergov.org

Dear Robin, Evan, and City Council Members.

I would like to add my voice to the homeowners who are supportive of modifications to the Shoreline Master Plan (SMP) that provide an increase in positive environmental effect while allowing for the repair of deteriorating shoreline structures. I understand that changes are being considered which would avoid situations like the one I am currently facing.

As previously communicated to the City and others, my project—if the current SMP interpretation is upheld—will require the pier repair project at my residence to remove existing (old) decking and—in order to comply with the literal interpretation of a 50% rule--put that same (old) wood back down, alongside the new light-penetrating decking. This light penetrating decking is required because it is beneficial to the environment. See the orange area in the figure below. I'm being told that the new/draft SMP may provide for the positive environmental impact of not only allowing the orange area to have the light-penetrating decking, but also the red areas (which are structurally sound and don't require any structural modifications. Approval of an SMP that would allow for more light-penetrating decking would be a "win-win-win"...the environment will win, so will the homeowner (by allowing for environmentally-responsible repair of a deteriorating pier) and so will the city (by having succeeded as a part of responsive government committed to serving it's citizenry while protecting the environment).



Please mark me down as a citizen who strongly encourages the City Council to place the approval of the SMP on it’s agenda as soon as feasible. I would like to appear before the council when this matter comes up.

Please forward this email freely, to any interested parties, including any state agencies with whom you are interfacing with on this topic.

Thank you for your service to the citizens of Mercer Island.

—Bob Stoney
7920 E. Mercer Way, Mercer Island, WA

From: Robin Proebsting
[\[mailto:robin.proebsting@mercergov.org\]](mailto:robin.proebsting@mercergov.org)
Sent: Tuesday, March 24, 2020 2:49 PM
Subject: Comments on draft revised SMP

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The draft revised SMP has been completed (available online [here](#)) and staff are preparing to bring it to the City Council for their review later this spring. If you have any additional comments or input, kindly send those to me via email. I would appreciate getting any comment you may have by April 10th.

Best regards,
Robin

[Robin Proebsting](#)

Senior Planner

City of Mercer Island – Community Planning and
Development

206-275-7717 | mercergov.org

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AB 5710:SHORELINE MASTER PROGRAM UPDATE

JUNE 16, 2020



SHORELINE MASTER PROGRAM UPDATE

- Recap of project history
- Review of changes made to version passed by City Council
- Ordinance prepared for City Council review

BACKGROUND

- SMP Periodic Review due June 2019
- Department of Ecology must approve
- Change requested by Council



BACKGROUND, CONT.



- Change triggered need for *Cumulative Impact Analysis*
- Analysis complete, supports change
- Success! Conditional Approval rec'd from Department of Ecology

SUMMARY OF SMP CHANGES

- 1. "Structural elements" → "framing elements"

- 2. >50% of exterior surface repair → 100% light-transmitting decking

- 3. Removed decking → replaced with light-transmitting decking

→Changes reviewed by commenters



QUESTIONS?



STAFF RECOMMENDATION

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

2. Adopt Ordinance No. 20C-13 amending MICC 19.13.050(F)(2) in Exhibit A to Ordinance No. 19C-06 as recommended by the Department of Ecology for approval of the proposed Shoreline Master Program.



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

**AB 5711
June 16, 2020
Regular Business**

AGENDA BILL INFORMATION

TITLE:	AB 5711: Thrift Shop and Recycling Center Remodel Project	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Authorize funding to retain an architect for the Thrift Shop and Recycling Center project and suspend select 2019-2020 facility capital projects.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	City Manager’s Office	
STAFF:	Jessi Bon, City Manager	
COUNCIL LIAISON:	Salim Nice	Jake Jacobson
EXHIBITS:	<ol style="list-style-type: none"> 1. Thrift Shop – Current Configuration 2. Thrift Shop – Proposed Remodel 3. Former Recycling Center – Current Configuration 4. Former Recycling Center – Proposed Remodel 5. Mercer Island Thrift Shop Margin Illustration 	
CITY COUNCIL PRIORITY:	2. Articulate, confirm, and communicate a vision for effective and efficient city services. Stabilize the organization, optimize resources, and develop a long-term plan for fiscal sustainability.	

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ 50,000

SUMMARY

The purpose of this agenda bill is to consider funding for a capital project to remodel the Thrift Shop and the former Recycling Center. The proposed project includes a minor remodel of the Thrift Shop, resulting in an expanded retail floor space (≈50% increase), relocation of restrooms to the main floor, and addresses other facility needs. The project also includes a remodel and activation of the former Recycling Center (northwest corner of Mercerdale Park) to support donation processing.

The estimated project timeline is four-months including design, bidding, and construction.

The preliminary combined cost estimate for both projects is \$500,000. Additional funding may be needed as the project design is further refined and to support additional equipment needs at one or both of the facilities. A total of \$800,000 in capital project funds has been identified to support this project.

The City has identified staff resources to manage this capital project.

City Council authorization is needed to appropriate funds from the Capital Improvement Program (CIP) for this project and to retain an architect to begin design work.

BACKGROUND

The Mercer Island Thrift Shop has been operating since 1975 with proceeds supporting community services provided by the Mercer Island Youth and Family Services (YFS) Department.

In 2019, the Thrift Shop generated \$1.98 million in annual revenues, averaging \$165,000 per month. In 2020, the Thrift Shop was projected to generate nearly \$2 million in revenues, which represents 65 percent of the YFS Department's annual resources. With the onset of the COVID-19 Pandemic ("Pandemic"), the Thrift Shop closed in mid-March and has remained closed since.

In 2013, the City Council considered a potential capital project to expand the Thrift Shop. The project did not move forward. In 2018, a consultant was hired to update the scope of work and cost estimate for the expansion project, but the project was not considered any further.

Given the current Thrift Shop closure and the uncertainty about operations over the next 12 months due to the Pandemic, staff and City Council began exploring the potential to remodel the Thrift Shop and the former Recycling Center.

PRELIMINARY PROJECT SCOPE OF WORK

The preliminary project scope of work includes capital improvements at the Thrift Shop and the former Recycling Center. Current building configurations and concept drawings for both facilities are attached as Exhibits 1 thru 4.

- **Thrift Shop Remodel Project:** The overall project goal is an expansion of retail floor space. This is accomplished by decommissioning most of the existing production spaces (area where donations are processed) and opening up the walls. On the first floor, the project includes a new office area (113 SF), a new breakroom (242 SF), new bathrooms (192 SF), and a new back of house area (379 SF). The total retail space with the reconfigurations is estimated at almost 6,500 SF, which is a 50% increase over the existing space. The preliminary cost estimate is \$250,000.
- **Former Recycling Center Remodel and Expansion Project:** The overall project goal is to relocate the production spaces from the Thrift Shop to make use of the underutilized space at the former Recycling Center. The current scope of work includes enclosing a 1,600 SF space. Initial assessment by staff and a community volunteer familiar with the thrift industry indicates that additional production capacity may still be needed, which can likely be achieved at this location. The existing bathrooms located adjacent to the site will be utilized to certify occupancy. A secondary goal is to plan the facility in such a way as to facilitate wholesale sales. The preliminary cost estimate is \$250,000 and does not include modifications to ingress/egress at this location. Equipment, signage, and other improvements may also be needed.

A group of volunteers has contributed their time to completing a preliminary assessment of these two facilities on a very short timeline. Our thanks to them for the support and contributions to the Mercer Island community and the YFS Department.

As a next step, an architect will need to be retained to begin design of the proposed improvements at both facilities and to prepare updated cost estimates.

THRIFT SHOP OPERATIONS ANALYSIS

Attached as Exhibit 5 is a one-page summary intended to illustrate the net operating margin the Thrift Store could achieve with an expanded retail floor area. This includes a range of potential outcomes, from a 20% to 50% increase. Although we may not know exactly how fast the business would ramp up directly after the closure, some combination of increases in this range are reasonable outcomes.

CAPITAL RESOURCES FOR THRIFT SHOP RENOVATIONS

The Pandemic has significantly impacted staff's ability to complete capital projects this biennium. Staff has assessed the facility projects funded in the 2019-2020 capital program and identified several projects that will not be completed:

- **WG104R – Thrift Shop Repairs (\$50,000 available)**: The 2019-2020 approved project budget is \$152,000. Thrift Shop Repairs included funding the cashier counter to improve store ingress and egress and complete safety repairs on the Thrift Shop elevator. This also included replacing the outside awning and installing bollards in the parking lot to improve pedestrian safety. Project work was initiated in 2019 and has since been postponed due to the Pandemic. Remaining renovations and repairs could be integrated into a larger Thrift Shop renovation project at the City Council's discretion.
- **WG101R – City Hall Building Repairs Reduction (\$405,274 available)**: The 2019-2020 approved project budget is \$541,000. This reduction includes delaying the carpet replacements, landscaping, and painting of the City Hall facility. Some project budget remains to address essential items such as HVAC improvements, security, and parking lot resurfacing and striping.
- **WG101T – City Hall Building Improvements (\$222,000 available)**: The 2019-2020 approved project budget is \$222,000. This reduction delays renovations to the City Council Chambers, Municipal Court, and other minor improvements to the City Hall building.
- **WG105R – Community Center Building Repairs (\$80,000 available)**: The 2019-2020 approved project budget is \$419,000. The \$80,000 in available funds is related to expenditure savings from repairs already completed in 2019. The remaining funds in this category are being held to complete capital project work at MICEC during the Pandemic closure.
- **WG107R – Luther Burbank Administration Building Repairs (\$50,000 available)**: The 2019-2020 approved project budget is \$204,000. This reduction includes delaying a small building reconfiguration and other minor improvements (electrical and restroom fixtures).

Total available funding due to the suspension of the projects described above is \$807,274.

The 2019-20 suspended facility projects will be reconsidered as part of the 2021-2026 CIP process, scheduled for discussion this fall.

NEXT STEPS

If the Thrift Shop and Recycling Center capital project proceeds, the following work items will commence:

- Selection of an architect to begin project design immediately.
- Refinement of the operations analysis to include the staffing and volunteer model for both facilities. Begin planning for re-opening.
- Develop plans and an updated business model to increase donations proportionally with projected processing and sales increases.
- Consideration of a short-term operations plan (Thrift Shop clean out/sell-off of existing inventory) and whether or not a short-term thrift operation could be stood up at a temporary location.

If the Thrift Shop and Recycling Center remodel project does not proceed, the following work items will commence:

- Development of a re-opening plan for the Thrift Shop in alignment with the COVID-19 requirements. Under the current Phase 1.5 restrictions, retail operations are still significantly limited. Operations at the YFS Thrift Shop are unlikely to resume until Phase 2. Approximately three to four weeks start-up time will be required to re-hire staff and to complete onboarding and trainings.

Under both scenarios, the City Council will need to revisit funding for the YFS Department through the end of 2020. The funding discussion and the projected deficit depends on when the Thrift Shop re-opens and revised revenue assumptions. As a reminder, at the June 2, 2020 City Council meeting, \$250,000 was allocated from the Contingency Fund to sustain current YFS operations through August 31, 2020. The scenario assumed YFS Department staffing levels are maintained through the end of August and also assumed no revenues from Thrift Shop operations during this period of time.

Recommendation

1. Suspend the capital facility projects as previously described and allocate up to \$800,000 for the Thrift Shop and Recycling Center Remodel Project.
2. Authorize \$50,000 for architectural services to begin design of the Thrift Shop and Recycling Center Remodel Project.
3. Direct the City Manager to provide a 30% design update to the City Council including updated cost estimates, construction timelines, and project scope of work before completing further design work.

307 - 315, Avenue South
 Suite 2
 Mercer Island, WA
 98040
 (206) 238-1118
 (206) 238-9117 FAX

NO.	REVISION	DATE
1		4/20/11
2		5/23/11
3		10/27/11
4		10/27/11
5		1/24/12
6		1/24/12
7		1/24/12
8		1/24/12



PROJECT NO: 0906
 DRAWN BY: CMC/CAC
 CHECKED BY: CAC
 DATE: 5/11/11

PROJECT:
 MERCER ISLAND
 THERMISTOR BLDG.
 7710 S.E. 34TH ST.
 MERCER ISLAND, WA

OWNER:
 CITY OF MERCER ISLAND
 9611 SE 38TH
 MERCER ISLAND, WA
 98040

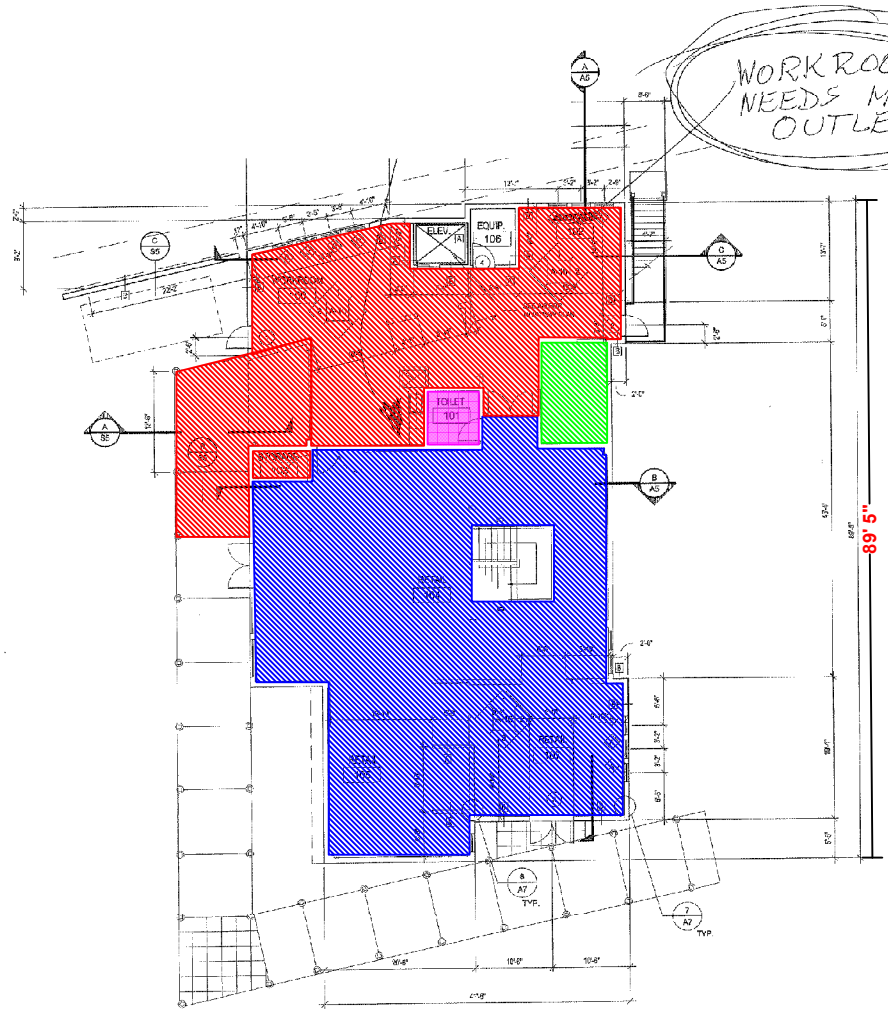
FIRST & SECOND FLOOR PLAN
 ENLARGED PLAN

LEGEND

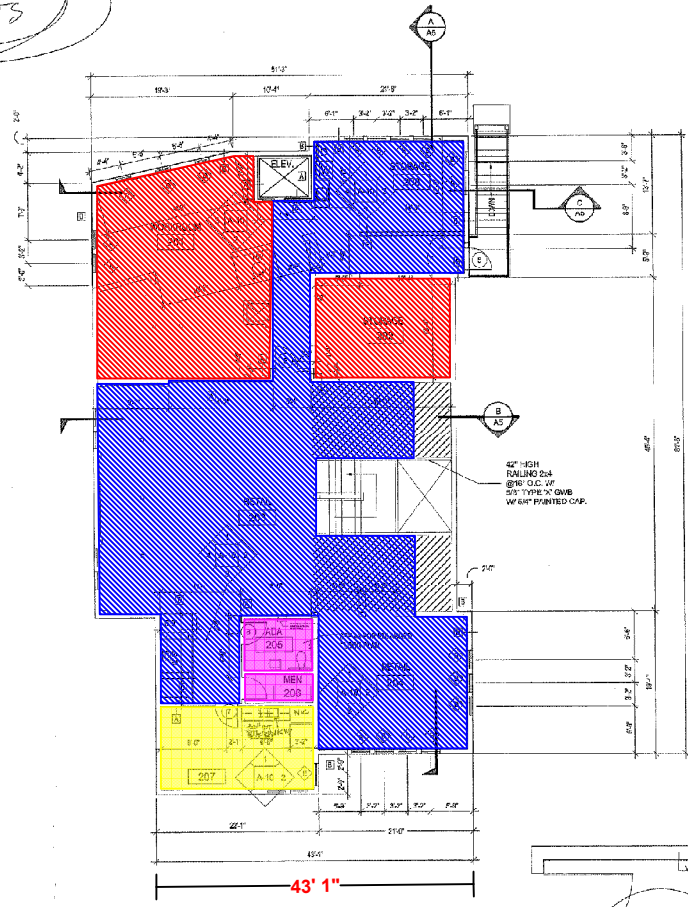
- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- ▨ CONTRADICTION OF RETAIL SPACE IN THIS AREA

WALL TYPES

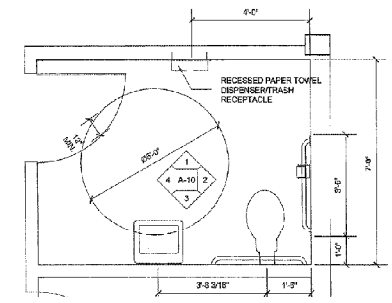
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- TYPE B: EXTERIOR NON-RATED WALL: 2x6 W/O STUDS @ 16" O.C. 10-10 INSULATION BETWEEN STUDS 5/8" TYPE 'X' GWS ON INT. 1/2" EXT. PLYWD. BLDG PAPER 1/4" RECYCLED W/O SIDING
- TYPE C: FENCE WALL: 2x6 W/O STUDS @ 16" O.C. 1/2" PLYWD SHEATHING BOTH SIDES BLDG PAPER BOTH SIDES 1/4" RECYCLED W/O SIDING ON BOTH SIDES
- TYPE D: DRESSING RM PARTITION: 1" PLYWOOD
- TYPE E: ELEVATOR: (2) 5/8" CUBS 1/2" WALLBOARD SHIM 1" LINER RULER 1/2" X 1/2" SHIM/WALL LINER
- TYPE F: INT PARTITION HALF HEIGHT: 2x4 W/O STUDS @ 16" O.C. 2x2 TYPE 'X' CUBS ON EACH SIDE



FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN
 SCALE: 1/8" = 1'-0"



- - Current Retail Space = 4,419 SF
- - Current Processing Space = 2,326 SF
- - Current Office Space = 121 SF
- - Current Bathrooms = 147 SF
- - Current Breakroom = 230 SF
- - Floor space where walls are to be removed = 167 SF

TOTAL = 7,410 SF

ABCSITCETS

Item 9.

SW7 - 316 Avenue South
Suite 2
Merced Island
(530)222-9119
(530)222-9117 FAX

No.	REVISION	DATE
1		03/01
2		03/01
3		03/01
4		03/01
5		03/01
6		03/01
7		03/01
8		03/01
9		03/01

PROJECT NO: 0006
DRAWN BY: CMC/CAC
CHECKED BY: ZC
DATE: 5/1/19

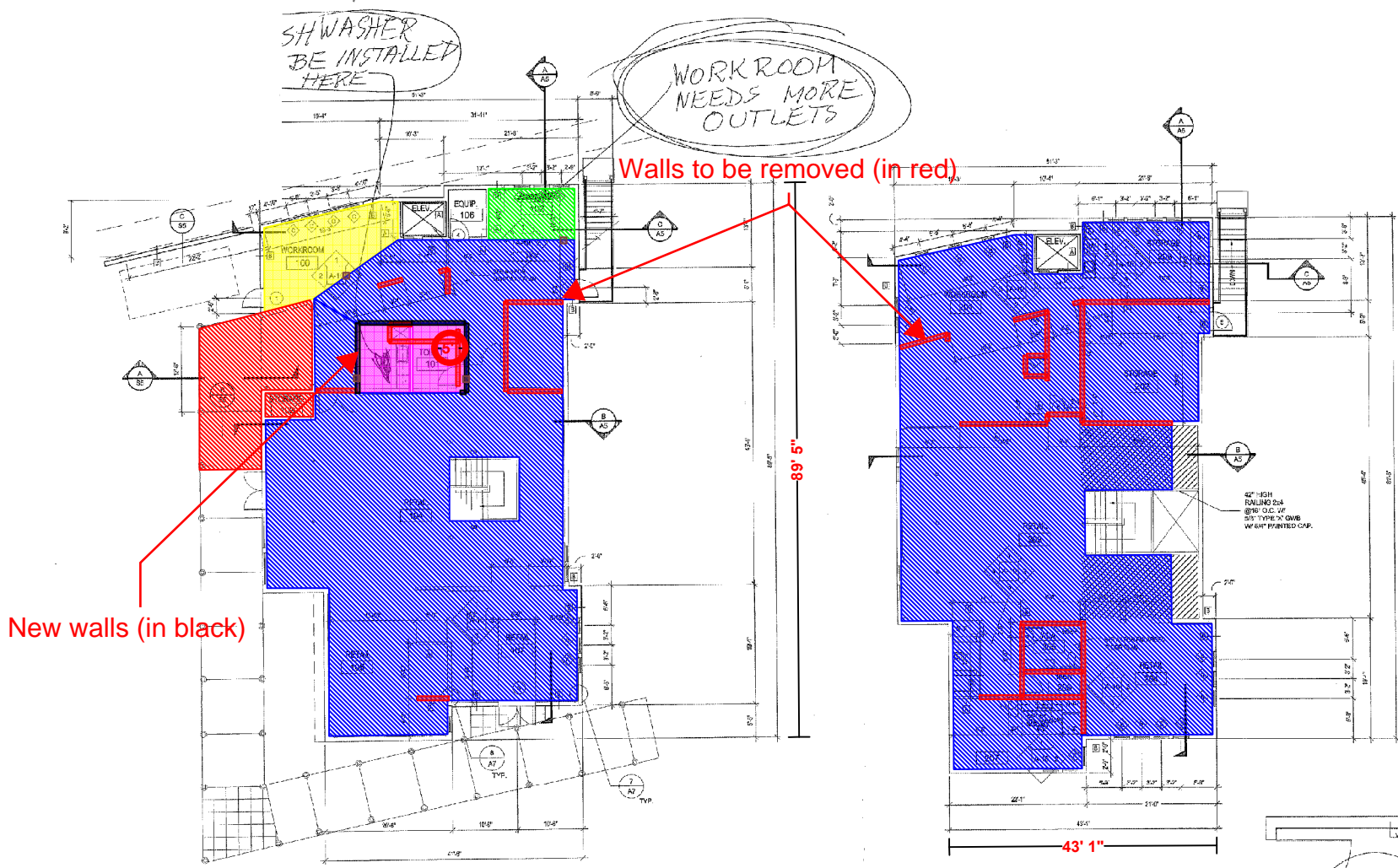
PROJECT:
MERCER ISLAND
THERMIST STOP ADD.
7710 S.E. 34TH ST.
MERCER ISLAND, WA

OWNER:
CITY OF
MERCER ISLAND
9611 SE 38TH
MERCER ISLAND, WA
98040

FIRST & SECOND
FLOOR PLAN
ENLARGED
PLAN

IF SHEET IS LESS
THAN 24" WIDE
IT IS A REDUCTION.

A-3



LEGEND

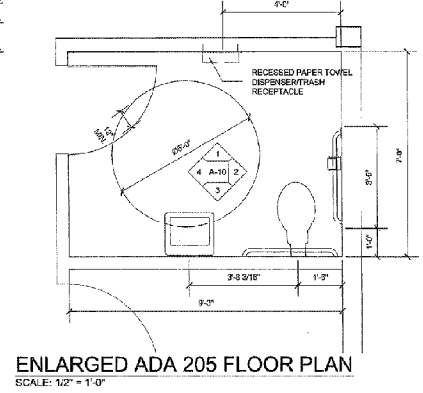
- NEW CONSTRUCTION
- EXISTING CONSTRUCTION
- CONTINUATION OF RETAIL SPACE IN THIS AREA

WALL TYPES

- TYPE A: INT PARTITION FULL HEIGHT: 2x4 W/O STUDS @ 16" O.C. 2x TYPE 'X' GWS ON EACH SIDE
- TYPE B: EXTERIOR NON-RATED WALL: 2x6 MC ST JOES @ 16" O.C. 10" INSULATION BETWEEN STUDS 5/8" TYPE 'X' GWS ON INT. 1/2" EXT. F.W.M. BLDG PAPER 1/2" RECYCLED MD SID NO BOTH SIDES
- TYPE C: FENCE WALL: 2x6 MC STUDS @ 16" O.C. 1/2" F.W.M. SHEATHING BOTH SIDES BLDG PAPER BOTH SIDES 1/2" RECYCLED MD SID NO BOTH SIDES
- TYPE D: DRESSING RM PARTITION: 1" PLYWOOD
- TYPE E: ELEVATOR: 2" GWS 1/2" WALLBOARD SHIM 1" LINER PLEK 2x4'S @ 16" O.C. SHIM/WALL LINER
- TYPE F: INT PARTITION HALF HEIGHT: 2x4 W/O STUDS @ 16" O.C. 2x TYPE 'X' GWS ON EACH SIDE

FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



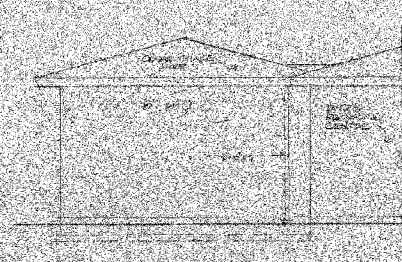
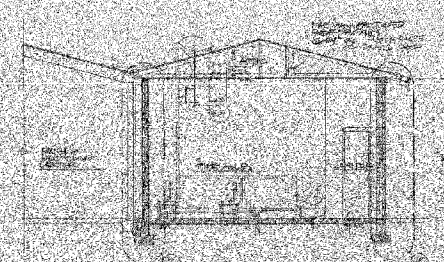
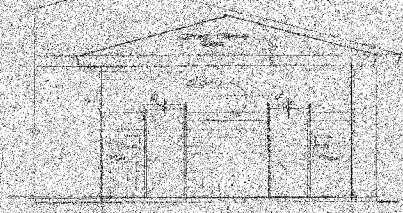
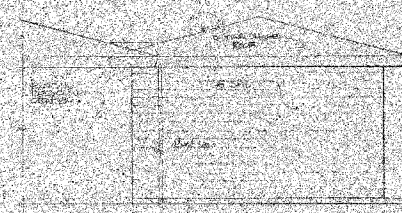
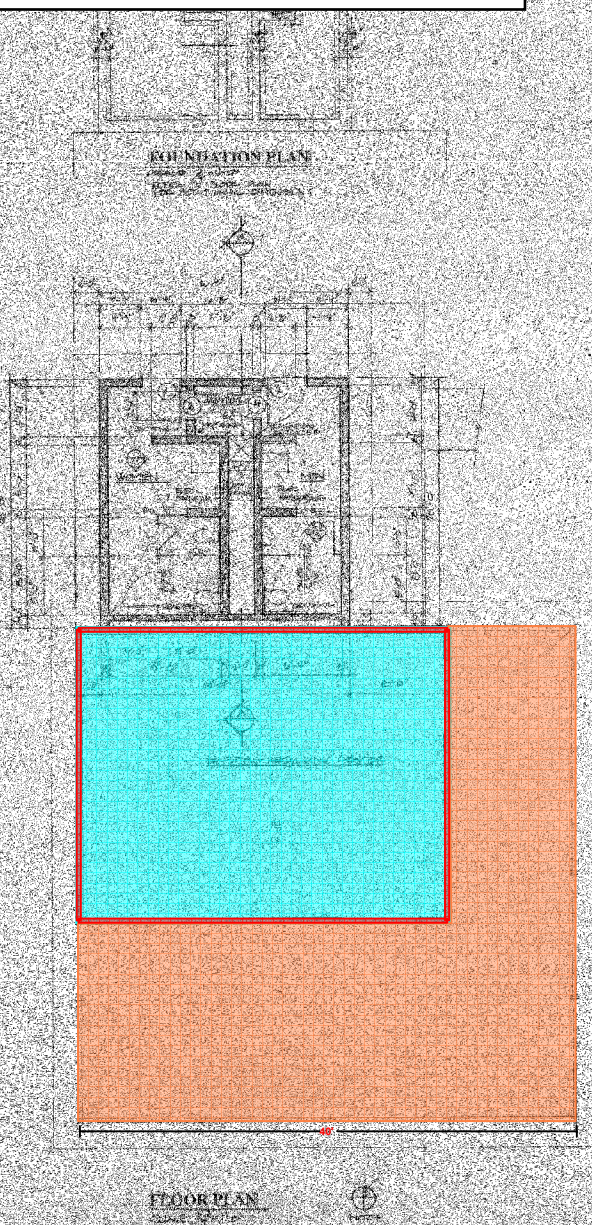
Blue	- Expanded Retail Space =	6,484 SF
Red	- Reduced Processing Space =	379 SF
Green	- New Office Space =	113 SF
Pink	- New Bathrooms =	192 SF
Yellow	- New Breakroom =	242 SF
TOTAL =		7,410 SF

■ - Existing Enclosed Space = 720 SF
■ - Existing Covered Open Space = 880 SF

TOTAL = 1,600 SF

DOOR SCHEDULE									
NO.	DESCRIPTION	TYPE	FINISH	SWING	GLASS	GLASS AREA	GLASS TYPE	GLASS COLOR	GLASS PATTERN
1	DOOR	SWING	WOOD	IN	0	0			
2	DOOR	SLIDING	WOOD	IN	0	0			
3	DOOR	SWING	WOOD	IN	0	0			
4	DOOR	SWING	WOOD	IN	0	0			
5	DOOR	SWING	WOOD	IN	0	0			
6	DOOR	SWING	WOOD	IN	0	0			
7	DOOR	SWING	WOOD	IN	0	0			
8	DOOR	SWING	WOOD	IN	0	0			
9	DOOR	SWING	WOOD	IN	0	0			
10	DOOR	SWING	WOOD	IN	0	0			
11	DOOR	SWING	WOOD	IN	0	0			
12	DOOR	SWING	WOOD	IN	0	0			
13	DOOR	SWING	WOOD	IN	0	0			
14	DOOR	SWING	WOOD	IN	0	0			
15	DOOR	SWING	WOOD	IN	0	0			
16	DOOR	SWING	WOOD	IN	0	0			
17	DOOR	SWING	WOOD	IN	0	0			
18	DOOR	SWING	WOOD	IN	0	0			
19	DOOR	SWING	WOOD	IN	0	0			
20	DOOR	SWING	WOOD	IN	0	0			

Item 9.



Date: _____
 Drawn by: _____
 Scale: _____
 Title: _____
 Project: _____
 Sheet: _____

Prepared by: _____
 Checked by: _____
 Approved by: _____
 Date: _____

**MERCERDALE PARK
PHASE 1**

CITY OF MERCER ISLAND
DEPARTMENT OF PARKS
AND RECREATION

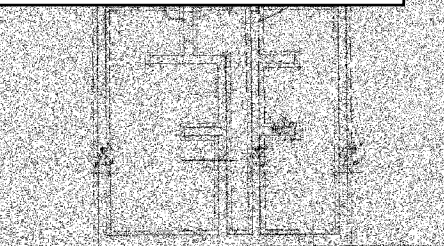
RESTROOM
BUILDING

No. 900, 1000
 A1

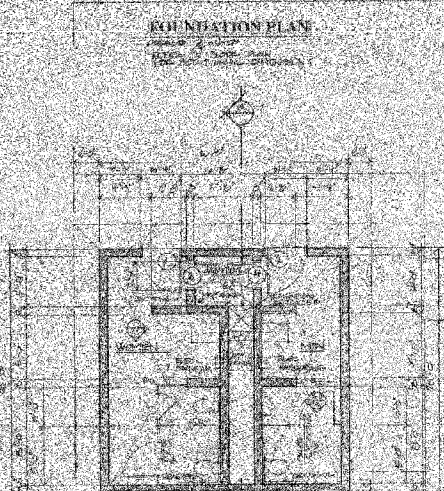
■ - New Enclosed Space = 1,600 SF

DOOR SCHEDULE									
NO.	DESCRIPTION	TYPE	FINISH	SWING	GLASS	MARKING	REMARKS	DATE	BY
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2
3
4
5
6
7
8
9
10

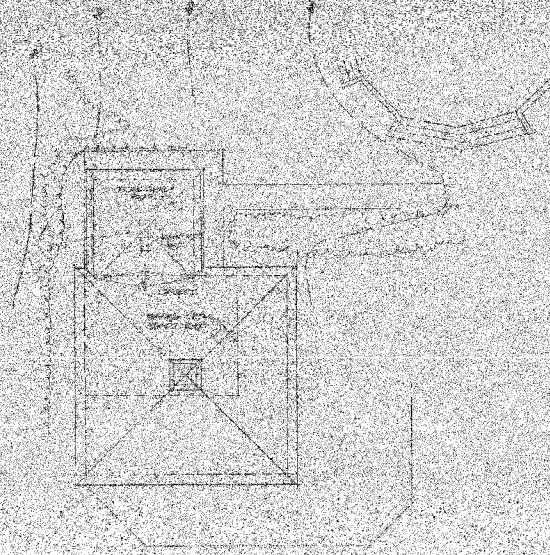
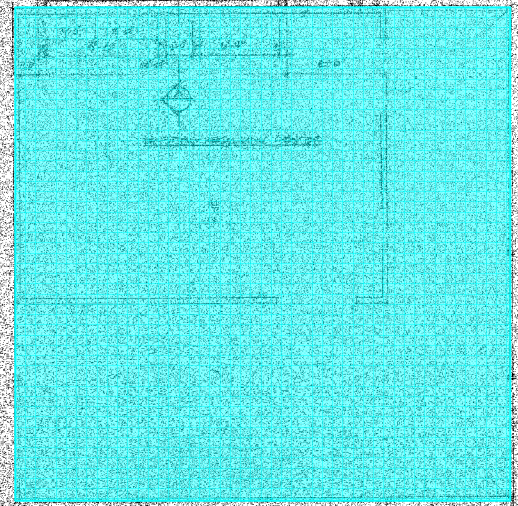
Item 9.



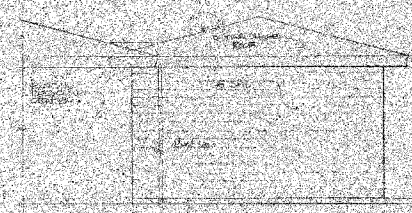
FOUNDATION PLAN



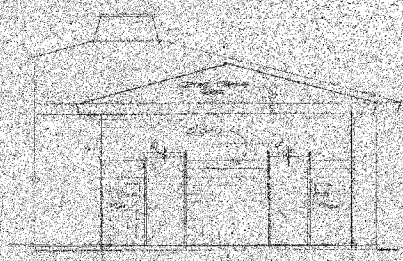
FLOOR PLAN



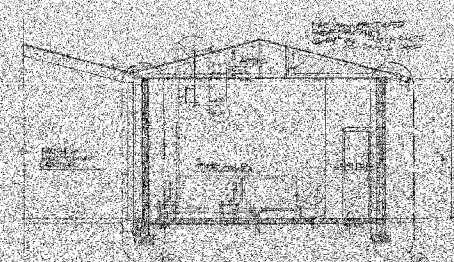
ROOF PLAN



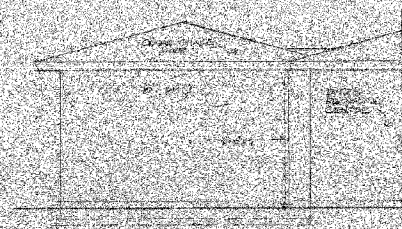
EAST ELEVATION



NORTH ELEVATION



SECTION A



WEST ELEVATION

- DATE: _____
- SCALE: _____
- BY: _____
- CHECKED: _____
- APPROVED: _____

Vanessa
 Land Services
 1000
 1000
 1000

**MERCERDALE PARK
 PHASE 1**

CITY OF MERCER ISLAND
 DEPARTMENT OF PARKS
 AND RECREATION

RESTROOM
 BUILDING

1000
 1000
 1000

Mercer Island Thrift Store margin illustration¹

The scenarios below are intended to illustrate what net operating margin the Thrift Store could achieve after a potential remodeling that would boost production efficiency and store selling space. This scenario assumes that if the store achieves higher volume after the remodeling, variable costs will increase along with volume, but fixed costs would increase at a slower pace. Please note: this model is not a forecast; it’s meant to illustrate how much bottom-line impact would occur if sales are increased as a result of increased selling space and a removal of donation processing from the current location.

Some of the positive factors that will contribute to growth include a good record of growth at the store over the past few years, the improvements in selling space and production as a result of the remodeling, and the potential to improve donations by providing a more convenient drop off place as well as less congestion in the parking lot of the store. On the other hand, when the store reopens after the current closure there are several uncertainties about future volume, including (a) restrictions on employee staffing and customer volume, based on COVID19-related factors (b) the overall health of thrift store sales given pressure on the economy. Therefore, there are a range of projections to illustrate what type of improvement could result over time as the positive impact from the remodeling are realized.

Thrift Store sales increase scenarios

	Base case	Increased volume scenarios			
	2019	20%	30%	40%	50%
Revenue (\$)	1,964,702	2,477,533	2,677,744	2,877,955	3,078,166
Net margin after all costs (\$)	1,010,910	1,299,769	1,418,531	1,537,293	1,656,055
% margin	51%	52%	53%	53%	54%
Margin increase vs base (\$)		288,859	407,621	526,383	645,145

Key assumptions in this model include:

- Unit sales increases result from a 50% increase in selling space under the remodeling under consideration and an improvement in merchandise production efficiency in a new layout.
- Personnel hours for production will increase along the volume, which will result from increased paid staffing. This model assumes that volunteer hours are already at capacity, and makes the conservative assumption that volume increases will drive more paid personnel. It may actually be the case that there will need to be a further substitution of paid staff for volunteers even at current volumes due to many volunteers being in high risk groups
- Other cost increases in this model include (1) an increase in vehicle costs (to move merchandise from the recycling center to the store) (2) an increase in occupancy costs (to include the utilities, maintenance, etc. at the new production center in the recycling center) (3) an increase in marketing costs (to help drive an increase in donations and store traffic to support the increase volumes) and (4) an increase in disposal cost for unsellable merchandise because the store may be at peak “Free” disposal capacity today (estimate needs to be confirmed).
- There are no assumptions included here for increased costs from operating in a post-COVID19 world. These costs could include (1) increased supplies, maintenance and cleaning costs (2) the cost to install and maintain protective measures, such as Plexiglas shields at the cash register and (3) decreased productivity in merchandise processing resulting from new spacing regimens for employees. It could be useful to generate a new “baseline” forecast for operations in the post-COVID19 world, and then compare the remodeled forecast against that new baseline.
- Other factors that the team may want to look at include (1) ensuring there is adequate seasonal storage once the Recycling Center is reconfigured and (2) ensuring that the parking lot at the existing store would be able to accommodate increased traffic once the donations traffic is moved to the current Recycling Center.

Thrift Shop & Recycling Center Remodel



CITY COUNCIL | AB 5711 | June 16, 2020

Presentation Overview

- ❑ Review the preliminary project scope of work, cost estimates, and project timelines.
- ❑ Review potential capital funding resources.
- ❑ Consider next steps.



Background



Thrift Shop History

- ❑ The Thrift Shop has been operating since 1975.
- ❑ Proceeds from the Thrift Shop help fund the services provided by the City of Mercer Island Youth and Family Services (YFS) Department.
- ❑ In 2019, the Thrift Shop generated \$1.98 million in annual revenues, which represents about 65% of the resources needed to support the YFS Department.
- ❑ In 2020, the Thrift Shop was projected to generate \$2 million in revenues.



COVID-19 Pandemic Impacts

- ❑ The Thrift Shop closed in mid-March due to the COVID-19 Pandemic.
- ❑ Several scenarios have been considered to resume operations under the Governor's Safe Start Plan. A few things to consider:
 - ❑ Thrift sales is a volume industry and we will not be able to meet prior volume sales under current operating restrictions.
 - ❑ Staffing and volunteer considerations.
 - ❑ Bulk sales to Goodwill/others may be limited or unavailable in the short-term.
 - ❑ Short-term profit and loss considerations.
 - ❑ The future impacts of the Pandemic remain uncertain.



Capital Project History

- ❑ In 2013, the City Council considered a Thrift Shop expansion project. The project did not move forward.
- ❑ The City revisited the Thrift Shop expansion project in 2018 – updating cost estimates and the scope. The project did not move forward.



Capital Project Exploration

- ❑ Given the uncertainty of Thrift Shore operations over the next 12 months an effort began to explore a potential capital improvement project.
- ❑ A team of community volunteers, City Councilmembers, and staff completed an initial project scoping exercise.



Preliminary Project Scope



Thrift Shop – Preliminary Project Scope

Item 9.

- ❑ **Project goal:** Expansion of retail floor space.
- ❑ Decommission most of the existing production spaces (donation processing areas) and open the walls.
- ❑ On the first floor:
 - ❑ New office area (113 sf)
 - ❑ New breakroom (242 sf)
 - ❑ New bathrooms (192 sf)
 - ❑ New back of house area (379 sf)
- ❑ Projection is 6,500 sf of retail space, which is about 50% more than what is available currently.

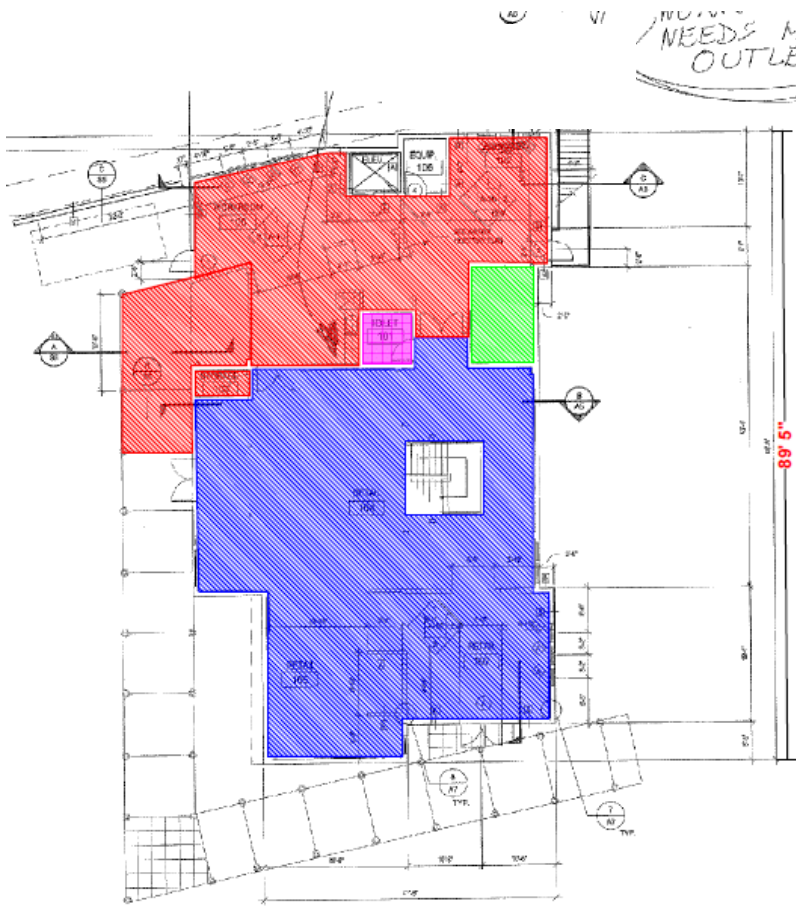


Thrift Shop – Preliminary Cost & Timeline Item 9.

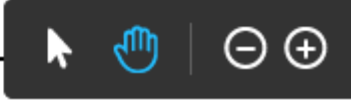
- ❑ Preliminary cost estimate is \$250,000
- ❑ Preliminary project timeline is 4 months



Thrift Shop – 1st Floor Concept



■	- Current Retail Space =	4,419 SF
■	- Current Processing Space =	2,326 SF
■	- Current Office Space =	121 SF
■	- Current Bathrooms =	147 SF
■	- Current Breakroom =	230 SF
□	- Floor space where walls are to be removed =	167 SF
		<hr/>
		TOTAL = 7,410 SF



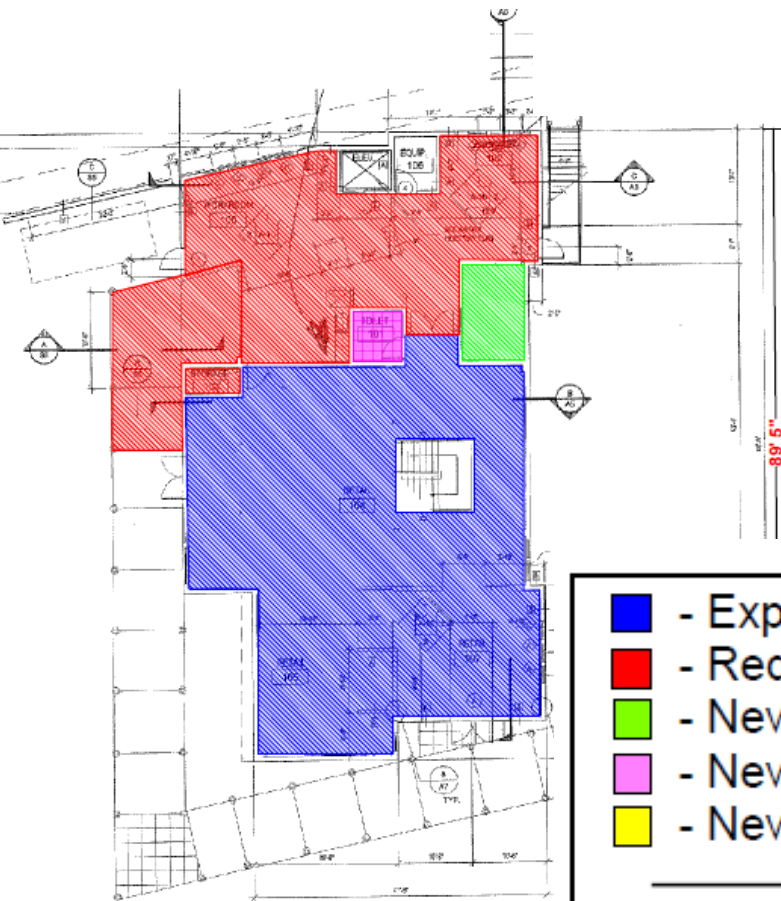
FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

CURRENT



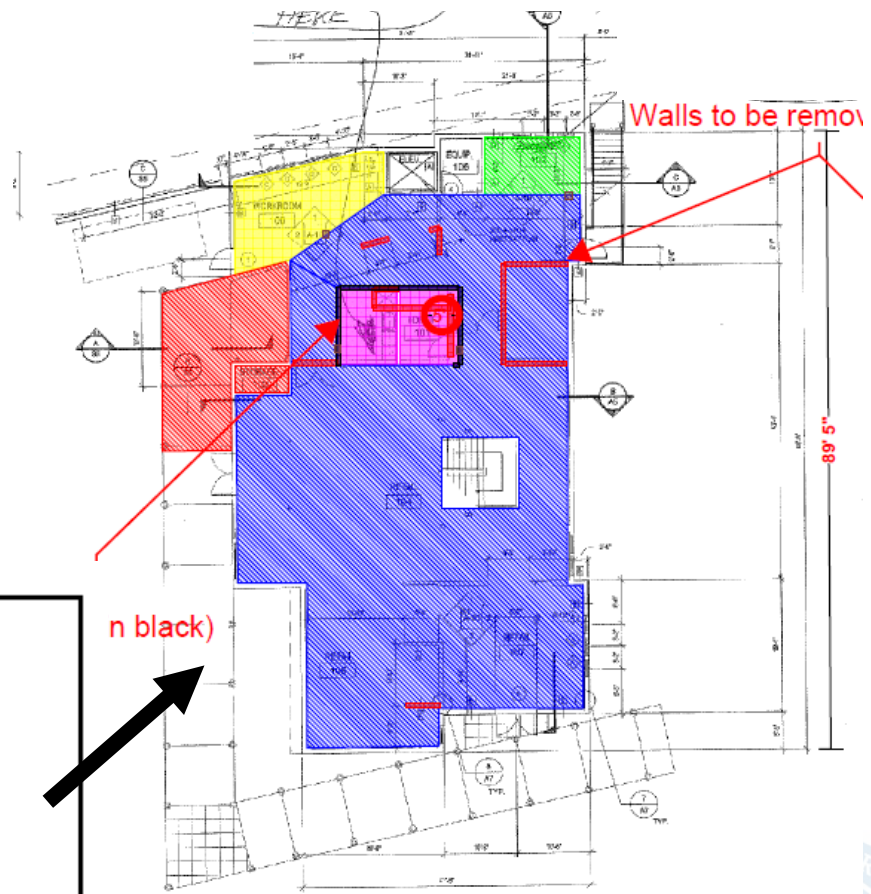
Thrift Shop – 1st Floor Concept

Item 9.



CURRENT

■	- Expanded Retail Space =	6,484 SF
■	- Reduced Processing Space =	379 SF
■	- New Office Space =	113 SF
■	- New Bathrooms =	192 SF
■	- New Breakroom =	242 SF
TOTAL =		7,410 SF



PROPOSED

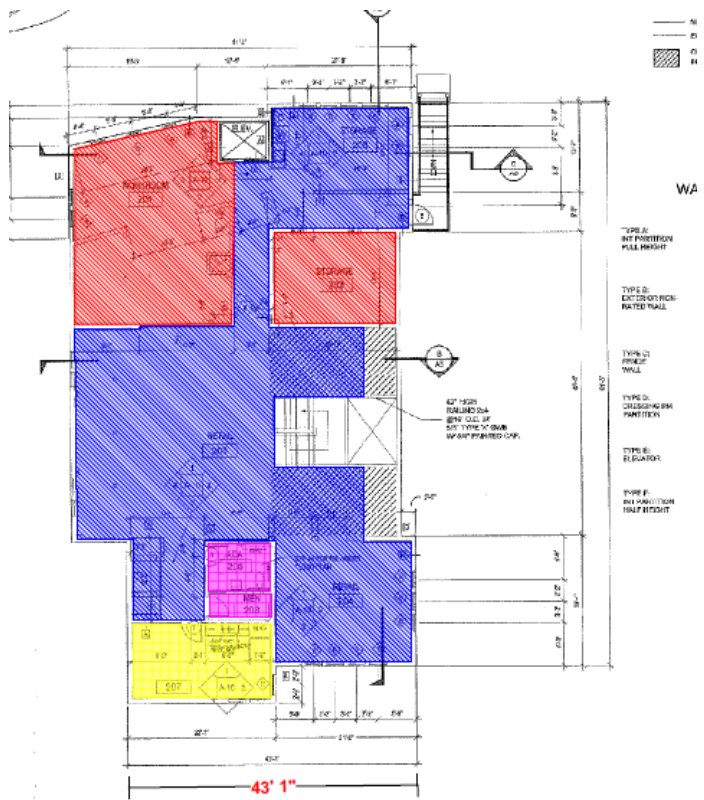
IRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



Thrift Shop – 2nd Floor Concept

Item 9.



■	- Current Retail Space =	4,419 SF
■	- Current Processing Space =	2,326 SF
■	- Current Office Space =	121 SF
■	- Current Bathrooms =	147 SF
■	- Current Breakroom =	230 SF
□	- Floor space where walls are to be removed =	167 SF
TOTAL =		7,410 SF



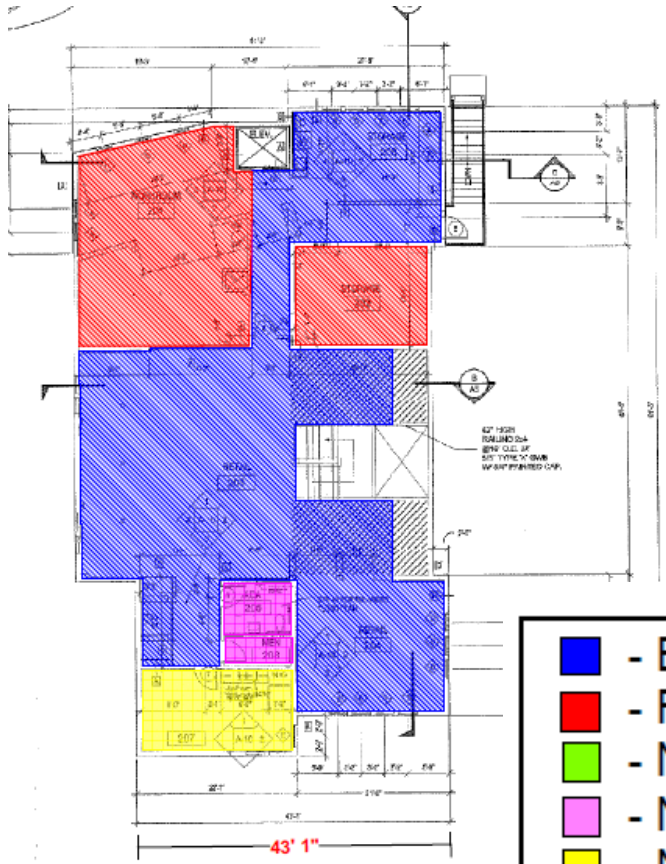
SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

CURRENT



Thrift Shop – 2nd Floor Concept

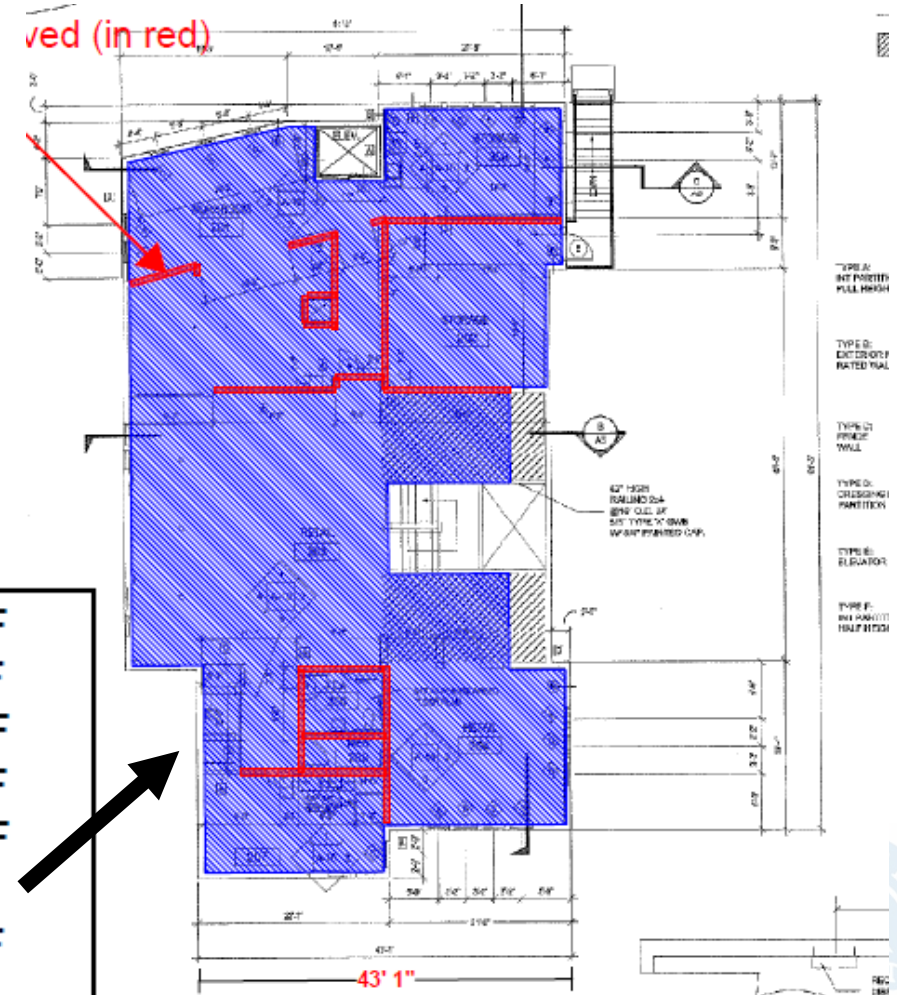
Item 9.



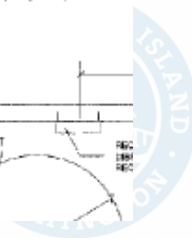
SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

CURRENT

■	- Expanded Retail Space =	6,484 SF
■	- Reduced Processing Space =	379 SF
■	- New Office Space =	113 SF
■	- New Bathrooms =	192 SF
■	- New Breakroom =	242 SF
TOTAL =		7,410 SF



PROPOSED



Thrift Shop – Images

Item 9.



Front of Thrift Shop (looking east)



Recycling Center– Preliminary Project Scope Item 9.

- ❑ **Project goal:** Relocate production spaces to the former Recycling Center. Also facilitate wholesale processing and sales.
- ❑ Enclosing a 1,600 sf space.
- ❑ Additional design work and assessment is needed:
 - ❑ Operations analysis – production drives sales.
 - ❑ Evaluate the production space.
 - ❑ Ingress/egress, signage, equipment, and other code and permitting requirements.





Recycling Center – Preliminary Cost & Timeline Item 9.

- ❑ Preliminary cost estimate is \$250,000
- ❑ Preliminary project timeline is estimated at 4 months



Recycling Center – Concept



	- Existing Enclosed Space =	720 SF
	- Existing Covered Open Space =	880 SF
		<hr/>
		TOTAL = 1,600 SF

CURRENT

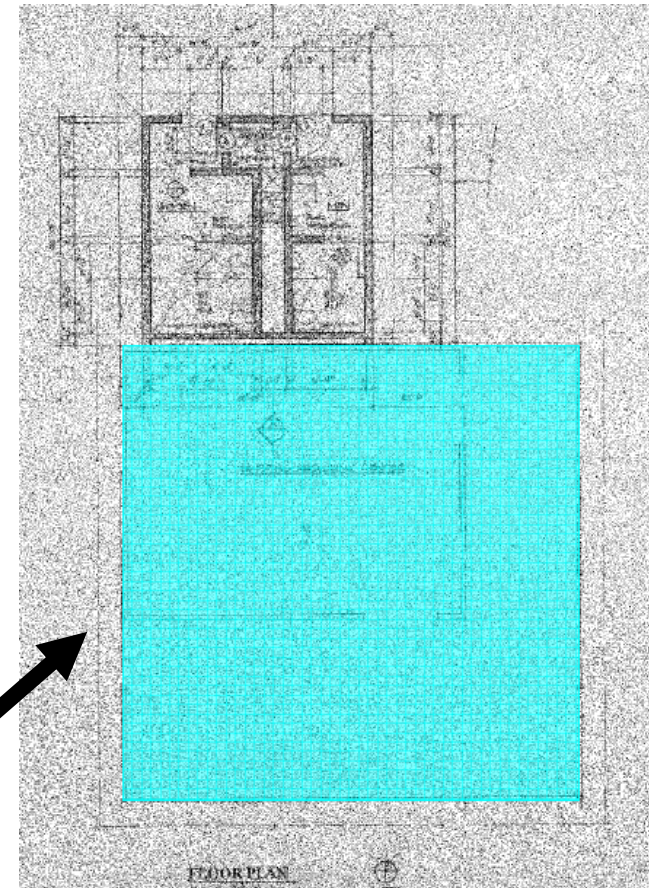


Recycling Center – Concept



CURRENT

■ - New Enclosed Space = 1,600 SF



PROPOSED



Recycling Center – Images

Item 9.



From corner of 77th Ave SE & SE 32nd St (looking southwest)



Recycling Center – Images

Item 9.



Recycling Center (looking west)



Recycling Center – Images

Item 9.



Recycling Center (looking northwest)



Recycling Center – Images

Item 9.



Recycling Center (looking south)



Operating Margin Illustration



Thrift Shop – Operating Margin Illustration

- ❑ Increased volume scenarios prepared to illustrate what could be achieved with an increase in retail floor space.
- ❑ We don't know how fast volumes would ramp up, but some combination of increases is a reasonable outcome.
- ❑ Further analysis is needed on production/Recycling Center operations.

Thrift Store sales increase scenarios

	Base case	Increased volume scenarios			
	2019	20%	30%	40%	50%
Revenue (\$)	1,964,702	2,477,533	2,677,744	2,877,955	3,078,166
Net margin after all costs (\$)	1,010,910	1,299,769	1,418,531	1,537,293	1,656,055
% margin	51%	52%	53%	53%	54%
Margin increase vs base (\$)		288,859	407,621	526,383	645,145



Project Funding



Capital Projects - Facilities

- ❑ Recommend suspending/modifying the following facilities capital projects:
 - ❑ WG104R – Thrift Shop Repairs: \$50,000 Available/\$152,000 Budget
 - ❑ WG101R – City Hall Building Repairs: \$405,274 Available/\$541,000 Budget
 - ❑ WG101T – City Hall Building Improvements: \$222,000 Available/\$222,000 Budget
 - ❑ WG105R – Community Center Repairs: \$80,000 Available/\$419,000 Budget
 - ❑ WG107R – Luther Burbank Bldg. Repairs: \$50,000 Available/\$204,000 Budget
- ❑ Total available funding due to the suspension/modification of the above projects is \$807,274.
- ❑ Projects will be reconsidered as part of 2021-2026 CIP discussion this fall.



Next Steps



Next Steps – Project Proceeds

- ❑ Select an architect and begin design work immediately. Focus on Recycling Center first to address code, permitting, and operations questions.
- ❑ Refine the operations analysis (staffing and volunteers) for both facilities.
- ❑ Develop/update plans and the business model to scale production to match Thrift Shop retail space.
- ❑ Begin planning for re-opening.
- ❑ Consider a short-term operations plan.



Next Steps – Project Does Not Proceed

Item 9.

- ❑ Resume work on the re-opening plan, aiming for Phase 2.
- ❑ Align operating requirements with COVID-19 guidelines, per the Governor's Safe Start Plan.
- ❑ Allow three to four weeks for start-up to re-hire staff, complete training, etc.
- ❑ Allocate one-time start-up costs for Thrift Shop.



Next Steps – YFS Funding through 2020 Item 9.

- ❑ Under both scenarios, the City Council will need to revisit funding for the YFS Department through the end of 2020.
- ❑ At the June 2, 2020 City Council meeting, \$250,000 was allocated from the Contingency Fund to sustain YFS operations through August 31, 2020.



Recommended Motion

- ❑ Suspend the capital facility projects as previously described and allocate up to \$800,000 for the Thrift Shop and Recycling Center Remodel Project.
- ❑ Authorize \$50,000 for architectural services to begin design of the Thrift Shop and Recycling Center Remodel Project.
- ❑ Direct the City Manager to provide a 30% design update to the City Council including updated cost estimates, construction timelines, project scope of work, and an operations analysis before completing further design work.



Questions





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

**AB 5714
June 16, 2020
Regular Business**

AGENDA BILL INFORMATION

TITLE:	AB 5714: City Council Voting Delegates for the 2020 AWC Business Meeting	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Appoint councilmembers as Mercer Island’s voting delegates for the Association of Washington Cities Business Meeting.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	City Council
STAFF:	Benson Wong, Mayor
COUNCIL LIAISON:	n/a
EXHIBITS:	1. 2020 Board Candidates
CITY COUNCIL PRIORITY:	n/a

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

SUMMARY

The City of Mercer Island is an active member of the Association of Washington’s Cities (“AWC”). AWC is a private, nonprofit, nonpartisan that represents Washington’s cities and towns before the state legislature, the state executive branch and regulatory agencies.

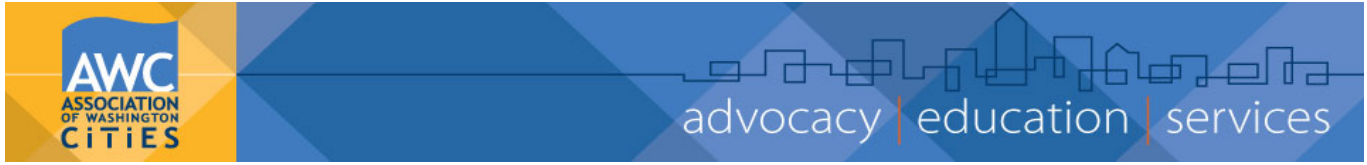
Each member city can designate up to three voting delegates for the annual AWC Business Meeting. During the AWC Business Meeting, scheduled on June 25 at 10AM, voting delegates will elect the AWC Board of Directors (see Exhibit 1) and vote on important policy documents. This year, two important AWC policy documents will be presented to the membership for adoption:

- AWC bylaws (subject to advancement by the AWC Board of Directors)
- AWC Statement of Policy (subject to advancement by the State and Federal Policy Committee)

These documents will be shared with voting delegates and the AWC membership by Friday, June 19, 2020.

RECOMMENDATION

Appoint Councilmembers 1) _____, 2) _____ and 3) _____ as the City of Mercer Island voting delegates for the Association of Washington Cities Business Meeting on June 25, 2020.



2020 Board Candidates

President	Mayor Soo Ing-Moody, Twisp, forwarded by the AWC Board of Directors
Vice President	Councilmember Kent Keel, University Place, forwarded by the AWC Board of Directors
District 2	<i>Incumbent not running</i> Councilmember Chuck Torelli, Kennewick
District 4	Mayor Jose Trevino, Granger, incumbent Councilmember Brad Hill, Yakima
District 6	Deputy Mayor Cynthia Pratt, Lacey, incumbent Deputy Mayor Justin Evans, Bonney Lake Councilmember Tod Gunther, Orting
District 8	Mayor Jon Nehring, Marysville, incumbent
District 10	Appointed by Tacoma City Council – Deputy Mayor Keith Blocker
District 12	Mayor Rob Putaansuu, Port Orchard, incumbent
District 14	<i>Incumbent not running</i> Mayor Jill Boudreau, Mount Vernon Mayor Steve Sexton, Burlington
At-Large 1 (Western, cities with population 5,000 or greater in multi-city districts)	<i>Incumbent nominated for Vice President</i> Councilmember Joe Marine, Mukilteo Mayor Amy Ockerlander, Duvall Councilmember Lindsey Schromen-Wawrin, Port Angeles
At-Large 2 (Western, cities less than 5,000 population in multi-city districts)	Mayor Jerry Phillips, Long Beach, incumbent
At-Large 4 (Eastern, cities less than 5,000 population in multi-city districts)	Mayor Dorothy Knauss, Chewelah, incumbent