



CITY OF MERCER ISLAND **AMENDED** CITY COUNCIL REGULAR VIDEO MEETING

Tuesday, June 02, 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 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 for June 2 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 6:30PM: To listen to the meeting or speak live under Appearances via telephone, please call **253-215-8782** and enter Webinar ID **885 8830 0430** when prompted.

Join by Internet at 6:30PM: To watch the meeting over the internet or speak live under Appearances 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 **885 8830 0430**
- 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 2, 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](#).

EXECUTIVE SESSION, 5PM

[Executive](#) Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 90 minutes. Action may be taken in open session under Regular Business.

CALL TO ORDER & ROLL CALL, 6:30PM

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

SPECIAL BUSINESS

1. ~~AB 5703: Commitment to Diversity, Equity, and Inclusion in the time of COVID-19 Proclamation No. 252.~~
Proclamation postponed to June 9 Meeting

CITY MANAGER REPORT

APPEARANCES

CONSENT CALENDAR

2. Approve **Accounts Payable** Reports:
 - A. Report for the period ending May 15, 2020 in the amount of \$620,734.18, and
 - B. Report for the period ending May 22, 2020 in the amount of \$184,366.73
3. Approve **Certification of Payroll** dated May 22, 2020 in the amount of \$808,458.61
4. Approve **Minutes** of the May 19, 2020 Special Video Meeting.
5. AB 5695: 2020 Watercourse Stabilization Project Bid Award
Recommended Action: Award the 2020 Watercourse Stabilization Project to Green Earthworks Const. Inc. in the amount of \$160,864.79, appropriate \$19,594.00 from the Stormwater Fund, set the total project budget at \$309,594.00, and direct the City Manager to execute the construction contract.
6. AB 5708: Ratification of Action Taken During Special Meeting on May 27, 2020.
Recommended Action: Ratify action taken during City Council Special Meeting on May 27, 2020 authorizing publication of Council's Letter to Community Re: Sound Transit's Non-Compliant Bus/Rail Interchange 60% Design.
7. AB 5709: Ratification of Civil Emergency Orders Issued by the Mayor*
Recommended Action: Ratify and confirm the civil emergency orders issued by the Mayor on June 1, 2020 and June 2, 2020, as set forth in Exhibits 1 and 2 to AB 5709.

REGULAR BUSINESS

8. AB 5699: Boards & Commissions Annual Appointments
Recommended Action:
 - 1) Approve the Mayor's recommendations for appointment to the Open Space Conservancy Trust for the positions expiring May 31, 2020 and 2022.
 - 2) Approve Resolution No. 1582 appointing members to fill the vacancies on the City's advisory boards and commissions.
9. AB 5704: Temporary Change to City Council Regular Meeting Start Time
Recommended Action: Adopt Ordinance No. 20C-10 amending section 2.06.010 of the Mercer Island City Code to temporarily change the start time of Regular Meetings of the City Council.
10. AB 5694: COVID-19 Response: 2020 Budget Adjustments
Recommended Action: Adopt Ordinance No. 20-08 amending the 2019-2020 budget to:
 - 1) Memorialize the Phase 1 and Phase 2 cost saving measures totaling \$2,785,600 in General Fund reductions.
 - 2) Appropriate \$496,000 in Contingency Funds to support ongoing emergency operations through August 31, 2020.
 - 3) Authorize use of up to \$300,000 in Contingency Funds to establish an Unemployment Reserve.
 - 4) Authorize use of the Compensated Absences Reserve for one-time accrued benefit cash-outs in an amount not-to-exceed \$300,000.
11. AB 5700: COVID-19 Response: YFS Fund 2020 Contingency Funds Request (Ord. No. 20-09)
Recommended Action: Adopt Ordinance No. 20-09 amending the 2019-2020 budget to:
 - 1) Appropriate \$329,425 of unrestricted YFS Fund Balance.
 - 2) Authorize up to \$250,000 to be used from the Contingency Fund to sustain a positive cash balance and ensure sufficient availability of working capital in the YFS Fund through August 31, 2020.
12. MultiFamily Tax Exemption/MICC 4.50 Discussion
There is no agenda bill associated with this item pursuant to Section 4.2(D) of the City Council Rules of Procedure.

13. ALPR Purchase and Budget Allocation Discussion

There is no agenda bill associated with this item pursuant to Section 4.2(D) of the City Council Rules of Procedure.

14. Consideration of a Moratorium (No AB; Agenda amended to add item)

Recommended Action: Consider adopting Ordinance No. 20-12, adopting a moratorium on the acceptance of certain building permit applications in the Mercer island Town Center Zone, scheduling a public hearing, declaring an emergency, providing for severability, and establishing an immediate effective date.

OTHER BUSINESS

15. Planning Schedule

16. Councilmember Absences & Reports

ADJOURNMENT

Community members who observe or are experiencing incidents of discrimination, harassment, or hate crimes are encouraged to call 911 in emergency circumstances, and/or to report the incident to the Washington State Human Rights Commission (Toll-free 1-800-233-3247) or the King County Office of Civil Rights at (206) 684-4500. The City joins SCA in urging all residents of member cities to treat each other with respect and work together to overcome all expressions of hate and bigotry.

RECOMMENDATION

Proclaim the City Council's commitment to an inclusive community that rejects stigma and bias related to COVID-19 and urge all residents of our community to treat each other with respect and work together to overcome all expressions of hate and bigotry.



The City of Mercer Island, Washington

Proclamation

COMMITMENT TO DIVERSITY, EQUITY AND INCLUSION IN THE TIME OF COVID-19

WHEREAS, the City of Mercer Island has declared a commitment to diversity, equity and inclusion as a community priority by Proclamation No. 201 on November 21, 2016; and

WHEREAS, since the outbreak of COVID-19, immigrant and refugee community leaders and civil rights organizations have reported a regional and national increase in bias, harassment, and hate crimes, particularly against Asian American and Pacific Islander, Black and African American, Hispanic and Latino, and other marginalized communities; and

WHEREAS, misinformation about coronavirus propagates fear that hurts people and impairs the ability of our first responders and other city services to provide necessary response to COVID-19; and

WHEREAS, each of us can and should promote inclusiveness, celebrate diversity, support all fellow community members, prevent the spread of misinformation, and reject hate and bias in all forms; and

WHEREAS, the City of Mercer Island rejects racially-based bias, harassment, and hate crimes due to COVID-19, will not tolerate discrimination of any kind, and denounces all COVID-19-related misnaming, blaming and harassment based on race, ethnicity, place of origin, physical ability, socio-economic status, gender identity, sexual orientation, age or religion; and

WHEREAS, we ask community members who observe or are experiencing incidents of discrimination, harassment, or hate crimes to call 911 in emergency circumstances, and/or to report the incident to the Washington State Human Rights Commission (Toll-free 1-800-233-3247) or the King County Office of Civil Rights at (206) 684-4500;

NOW, THEREFORE, I, Benson Wong, Mayor of the City of Mercer Island, Washington, and on behalf of its City Council, do hereby proclaim:

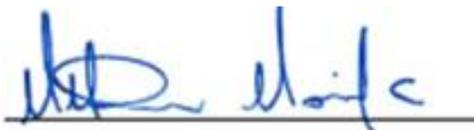
The City Council's commitment to an inclusive community that rejects stigma and bias related to COVID-19, and urge all residents of our community to treat each other with respect and work together to overcome all expressions of hate and bigotry.

APPROVED, this 2nd day of June 2020

Benson Wong, Mayor

CERTIFICATION OF CLAIMS

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



Finance Director

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

Mayor

Date

Report	Warrants	Date	Amount
Check Register	203459-203500	5/15/2020	\$ 620,734.18 \$ 620,734.18

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P0107534	00203481	KC FAMILY COURT SERVICES	Refund Rental due to COVID-	717.00
P0107533	00203461	AMERICAN PARKINSON DISEASE	Refund Rentals due to COVID	428.00
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
	00203488	ON THE ROCK 98040 LLC	REFUND OVERPAYMENT 00440287000	639.11
	00203465	BREEN, MARGARET	REFUND OVERPAYMENT 00640146001	542.21
	00203476	HEGLAR, JAY	REFUND OVERPAYMENT 00886140003	499.73
	00203480	KAMOLZ, PHIL	REFUND Overpayment 010813200	416.46
	00203478	HUBBARD, NORMAN	REFUND OVERPAYMENT 00774677201	367.52
	00203479	JAQUELYN JINHONG	REFUND OVERPAYMENT 00743240003	367.15
	00203500	WANG, WEI-CHUN	REFUND OVERPAYMENT 01084032501	343.66
	00203499	WANG, SHUAI	REFUND OVERPAYMENT 007465919	273.96
P0107532	00203477	HOME DEPOT CREDIT SERVICE	INVENTORY PURCHASES	248.16
	00203460	ALICE COPP SMITH	REFUND OVERPAYMENT 009514250	211.80
	00203488	ON THE ROCK 98040 LLC	REFUND OVERPAYMENT 0044026350	150.71
	00203464	BAUMGARTNER, CYRIL	REFUND OVERPAYMENT 006250300	150.30
P0107540	00203474	GRAINGER	INVENTORY PURCHASES	90.83
	00203498	WANG, JASON	REFUND OVERPAYMENT 00112852501	50.70
<i>Org Key: CA1100 - Administration (CA)</i>				
P0107351	00203482	KEATING BUCKLIN & MCCORMACK	Professional Services INV 1396	2,644.80
P0107529	00203482	KEATING BUCKLIN & MCCORMACK	Professional Services INV 1411	1,763.20
P0107364	00203475	HARRIGAN LEYH FARMER &	Professional Services - Invoice	80.00
<i>Org Key: CM1300 - Sustainability</i>				
P0107337	00203466	CEDAR GROVE COMPOSTING INC	Organic Waste 3/2020 City Hall	59.70
P0107337	00203466	CEDAR GROVE COMPOSTING INC	Organic Waste 3/2020 LB	29.85
P0107544	00203466	CEDAR GROVE COMPOSTING INC	Organic Waste Service 4/2020 C	11.94
<i>Org Key: DS1300 - Land Use Planning Svc</i>				
P0107532	00203477	HOME DEPOT CREDIT SERVICE	4' WOODEN STAKES	50.99
<i>Org Key: FN2100 - Data Processing</i>				
P0107538	00203484	METROPRESORT	APRIL 2020 MONTHLY E-SERVICE	50.00
<i>Org Key: FN4501 - Utility Billing (Water)</i>				
P0107538	00203484	METROPRESORT	APRIL 2020 PRINTING & MAILING	65.20
P0107538	00203484	METROPRESORT	APRIL 2020 PRINTING & MAILING	61.01
<i>Org Key: FN4502 - Utility Billing (Sewer)</i>				
P0107538	00203484	METROPRESORT	APRIL 2020 PRINTING & MAILING	65.20
P0107538	00203484	METROPRESORT	APRIL 2020 PRINTING & MAILING	61.01
<i>Org Key: FN4503 - Utility Billing (Storm)</i>				
P0107538	00203484	METROPRESORT	APRIL 2020 PRINTING & MAILING	65.20
P0107538	00203484	METROPRESORT	APRIL 2020 PRINTING & MAILING	61.00
<i>Org Key: FR1100 - Administration (FR)</i>				
P0107551	00203492	RICOH USA INC (FIRE)	Copier Rental 04 and 05/Fire	557.04
P0107552	00203468	CULLIGAN SEATTLE WA	Water Service/Fire	221.24
P0107550	00203462	ASPECT SOFTWARE INC	05/20 Telestaff Maintenance/Fi	165.00
P0107554	00203467	COMCAST	Internet Charges/Fire	62.39

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: FR2100 - Fire Operations</i>				
P0107556	00203485	MUNICIPAL EMERGENCY SERVICES	SCBA Flow Testing	2,491.06
P0107559	00203473	EASTSIDE FIRE & RESCUE	Labor - 4603, 8613, 8614	1,808.95
P0107559	00203473	EASTSIDE FIRE & RESCUE	Parts - 4603, 8613, 8614	445.43
P0107558	00203483	KROESENS UNIFORM COMPANY	Duty Boots	388.84
P0107548	00203463	AT&T MOBILITY	FirstNet Billing/Fire	69.65
P0107558	00203483	KROESENS UNIFORM COMPANY	Duty Boots Returned	-373.99
<i>Org Key: FR2500 - Fire Emergency Medical Svcs</i>				
P0107553	00203459	AIRGAS USA LLC	Oxygen/Fire	21.43
P0107555	00203494	STERICYCLE INC	On-Call Charges/Fire	10.36
<i>Org Key: GDI503 - Interest-Equip Rental</i>				
P0107535	00203495	SUNTRUST EQUIPMENT FINANCE	Annual Lease Interest 2012 Fir	5,010.67
<i>Org Key: GDP503 - Principal - Equip Rental</i>				
P0107535	00203495	SUNTRUST EQUIPMENT FINANCE	Annual Lease Principal 2012 Fi	65,704.81
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
P0107546	00203472	DEVENY, JAN P	LEOFF1 Retiree Medical Expense	153.30
P0107545	00203486	MYERS, JAMES S	LEOFF1 Retiree Medical Expense	62.55
<i>Org Key: GGM100 - Emerg Incident Response</i>				
P0107557	00203497	WALTER E NELSON CO	COVID-19 Gloves/Fire	267.96
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P0104993	00203490	PLANTSCAPES INC	2019 ROW HEDGE TRIMMING	1,980.00
<i>Org Key: MT3600 - Sewer Associated Costs</i>				
P0107539	00203491	RED WING BUSINESS	SAFETY BOOTS	252.44
<i>Org Key: MT4200 - Building Services</i>				
P0107563	00203489	PACIFIC AIR CONTROL INC	FS92 HVAC MAINT 4TH QTR	783.48
<i>Org Key: MT4501 - Water Administration</i>				
P0107564	00203493	SEATTLE PUBLIC UTILITIES	APRIL 2020 WATER PURCHASE	99,237.81
<i>Org Key: MT4502 - Sewer Administration</i>				
P0107536	00203471	DEPT OF COMMERCE	Annual Principal PWTF Loan	402,757.36
P0107536	00203471	DEPT OF COMMERCE	PW06962024 Annual Interest PWT	14,096.51
<i>Org Key: PO1350 - Police Emergency Management</i>				
P0107528	00203487	NETWORK WIRING SERVICES	Data Cable Installation	180.40
<i>Org Key: PO2201 - Dive Team</i>				
P0107549	00203496	UNDERWATER SPORTS INC	Dive Team Equipment	482.18
<i>Org Key: WD140R - Drainage System Pipe Replacemt</i>				
P0107542	00203469	DAILY JOURNAL OF COMMERCE	WATER SYSTEM IMPROVEMENTS	42.30
<i>Org Key: WD724R - Sub Basin 29.2 Watercourse</i>				
P0107542	00203469	DAILY JOURNAL OF COMMERCE	WATERCOURSE STABILIZATION	323.40
<i>Org Key: WG934E - City Hall Security Cameras</i>				
P0107454	00203470	DELL MARKETING L.P.	Dell Storage MD1400	10,515.65

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0107454	00203470	DELL MARKETING L.P.	Dell PERC H840 Card	1,054.15
P0107528	00203487	NETWORK WIRING SERVICES	Data Cable Installation	992.20
P0107528	00203487	NETWORK WIRING SERVICES	Network cable and supplies	92.13
P0107454	00203470	DELL MARKETING L.P.	Shipping	0.58
<i>Org Key: WW718R - Main 87th and 88th Ave SE</i>				
P0107542	00203469	DAILY JOURNAL OF COMMERCE	WATER SYSTEM IMPROVEMENTS	247.00
<i>Org Key: WW914R - 96th 97th Ave and SE 34th Main</i>				
P0107542	00203469	DAILY JOURNAL OF COMMERCE	WATER SYSTEM IMPROVEMENTS	63.50
Total				620,734.18

Accounts Payable Report by Check Number

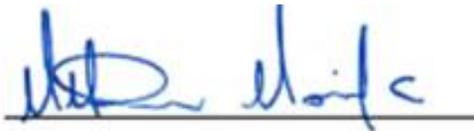
Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00203459	05/15/2020	AIRGAS USA LLC Oxygen/Fire	P0107553	9970714807/057/2	04/30/2020	21.43
00203460	05/15/2020	ALICE COPP SMITH REFUND OVERPAYMENT 009514250		OH013339	05/05/2020	211.80
00203461	05/15/2020	AMERICAN PARKINSON DISEASE Refund Rentals due to COVID	P0107533	OH013333	05/08/2020	428.00
00203462	05/15/2020	ASPECT SOFTWARE INC 05/20 Telestaff Maintenance/Fi	P0107550	AS1059047	05/05/2020	165.00
00203463	05/15/2020	AT&T MOBILITY FirstNet Billing/Fire	P0107548	04132020	04/05/2020	69.65
00203464	05/15/2020	BAUMGARTNER, CYRIL REFUND OVERPAYMENT 006250300		OH013344	05/05/2020	150.30
00203465	05/15/2020	BREEN, MARGARET REFUND OVERPAYMENT 00640146001		OH013345	05/05/2020	542.21
00203466	05/15/2020	CEDAR GROVE COMPOSTING INC Organic Waste Service 4/2020 C	P0107337	000514200.01	04/15/2020	101.49
00203467	05/15/2020	COMCAST Internet Charges/Fire	P0107554	0005511-0620	05/01/2020	62.39
00203468	05/15/2020	CULLIGAN SEATTLE WA Water Service/Fire	P0107552	202005672721	04/30/2020	221.24
00203469	05/15/2020	DAILY JOURNAL OF COMMERCE WATER SYSTEM IMPROVEMENTS	P0107542	3357204	03/30/2020	676.20
00203470	05/15/2020	DELL MARKETING L.P. Dell Storage MD1400	P0107454	10391357485	05/06/2020	11,570.38
00203471	05/15/2020	DEPT OF COMMERCE Annual Principal PWTF Loan	P0107536	PWTF-257762	05/01/2020	416,853.87
00203472	05/15/2020	DEVENY, JAN P LEOFF1 Retiree Medical Expense	P0107546	OH013334	05/12/2020	153.30
00203473	05/15/2020	EASTSIDE FIRE & RESCUE Parts - 4603, 8613, 8614	P0107559	3421/3420	05/07/2020	2,254.38
00203474	05/15/2020	GRAINGER INVENTORY PURCHASES	P0107540	9525043338	05/06/2020	90.83
00203475	05/15/2020	HARRIGAN LEYH FARMER & Professional Services - Invoic	P0107364	18	04/09/2020	80.00
00203476	05/15/2020	HEGLAR, JAY REFUND OVERPAYMENT 00886140003		OH013338	05/05/2020	499.73
00203477	05/15/2020	HOME DEPOT CREDIT SERVICE INVENTORY PURCHASES	P0107532	9263657	05/08/2020	299.15
00203478	05/15/2020	HUBBARD, NORMAN REFUND OVERPAYMENT 00774677201		OH013348	05/13/2020	367.52
00203479	05/15/2020	JAQUELYN JINHONG REFUND OVERPAYMENT 00743240003		OH013346	05/05/2020	367.15
00203480	05/15/2020	KAMOLZ, PHIL REFUND Overpayment 010813200		OH013347	05/11/2020	416.46
00203481	05/15/2020	KC FAMILY COURT SERVICES Refund Rental due to COVID-	P0107534	OH013332	05/13/2020	717.00
00203482	05/15/2020	KEATING BUCKLIN & MCCORMACK Professional Services INV 1396	P0107529	14112	05/06/2020	4,408.00
00203483	05/15/2020	KROESENS UNIFORM COMPANY Duty Boots	P0107558	60139/60042CM	04/23/2020	14.85
00203484	05/15/2020	METROPRESORT APRIL 2020 MONTHLY E-SERVICE	P0107538	IN622987	05/07/2020	428.62

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00203485	05/15/2020	MUNICIPAL EMERGENCY SERVICES SCBA Flow Testing	P0107556	IN1453441	04/30/2020	2,491.06
00203486	05/15/2020	MYERS, JAMES S LEOFF1 Retiree Medical Expense	P0107545	OH013335	05/12/2020	62.55
00203487	05/15/2020	NETWORK WIRING SERVICES Data Cable Installation	P0107528	6864	03/16/2020	1,264.73
00203488	05/15/2020	ON THE ROCK 98040 LLC REFUND OVERPAYMENT 00440287000		OH013343	05/05/2020	789.82
00203489	05/15/2020	PACIFIC AIR CONTROL INC FS92 HVAC MAINT 4TH QTR	P0107563	29948	05/13/2020	783.48
00203490	05/15/2020	PLANTSCAPES INC 2019 ROW HEDGE TRIMMING	P0104993	49796E	01/01/2020	1,980.00
00203491	05/15/2020	RED WING BUSINESS SAFETY BOOTS	P0107539	0021394	05/10/2020	252.44
00203492	05/15/2020	RICOH USA INC (FIRE) Copier Rental 04 and 05/Fire	P0107551	103575077	04/21/2020	557.04
00203493	05/15/2020	SEATTLE PUBLIC UTILITIES APRIL 2020 WATER PURCHASE	P0107564	OH013336	04/01/2020	99,237.81
00203494	05/15/2020	STERICYCLE INC On-Call Charges/Fire	P0107555	3005092415	04/30/2020	10.36
00203495	05/15/2020	SUNTRUST EQUIPMENT FINANCE Annual Lease Interest 2012 Fir	P0107535	1721298	04/17/2020	70,715.48
00203496	05/15/2020	UNDERWATER SPORTS INC Dive Team Equipment	P0107549	285382	04/29/2020	482.18
00203497	05/15/2020	WALTER E NELSON CO COVID-19 Gloves/Fire	P0107557	758441	05/13/2020	267.96
00203498	05/15/2020	WANG, JASON REFUND OVERPAYMENT 00112852501		OH013341	05/05/2020	50.70
00203499	05/15/2020	WANG, SHUAI REFUND OVERPAYMENT 007465919		OH013337	05/05/2020	273.96
00203500	05/15/2020	WANG, WEI-CHUN REFUND OVERPAYMENT 01084032501		OH013340	05/05/2020	343.66
					Total	<u>620,734.18</u>

CERTIFICATION OF CLAIMS

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



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	203501-203571	5/22/20	\$ 184,366.73
			\$ 184,366.73

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
Org Key: 001000 - General Fund-Admin Key				
P0107573	00203505	Bellevue Rotary	Rental cancelled due to COVID-	2,138.00
P0107574	00203555	Rungruangkonkit, Sangjan	Rental cancelled due to COVID-	1,776.00
Org Key: 402000 - Water Fund-Admin Key				
P0107566	00203512	CESSCO INC	INVENTORY PURCHASES	400.24
P0107565	00203531	GEMPLER'S INC	INVENTORY PURCHASES	231.58
P0107585	00203532	GRAINGER	INVENTORY PURCHASES	219.67
P0107586	00203532	GRAINGER	INVENTORY PURCHASES	73.00
Org Key: 814074 - Garnishments				
	00203563	UNITED STATES TREASURY	EARLY PAYROLL WARRANT	826.84
Org Key: 814075 - Mercer Island Emp Association				
	00203543	MI EMPLOYEES ASSOC	PAYROLL EARLY WARRANT	277.50
Org Key: 814076 - City & Counties Local 21M				
	00203569	WSCCCE AFSCME AFL-CIO	PAYROLL EARLY WARRANT	2,659.12
Org Key: 814077 - Police Association				
	00203550	POLICE ASSOCIATION	EARLY PAYROLL WARRANT	2,428.67
Org Key: CA1100 - Administration (CA)				
P0107587	00203536	K&L GATES LLP	Professional Services - Invoice	5,221.92
P0107515	00203554	RELX INC DBA LEXISNEXIS	Library Subscriptions - Invoice	348.70
P0107561	00203564	VERIZON WIRELESS	2020 VERIZON WIRELESS	43.15
Org Key: CM1100 - Administration (CM)				
P0107560	00203564	VERIZON WIRELESS	2020 VERIZON WIRELESS	138.07
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	69.41
Org Key: CM1200 - City Clerk				
P0107598	00203558	SOUND PUBLISHING INC	Ntc. 4/15 2491806 Boards &	212.25
P0107598	00203558	SOUND PUBLISHING INC	Ntc. 4/29 2491806 Boards &	212.25
P0107598	00203558	SOUND PUBLISHING INC	Ntc. 4/1 2494787 4/7 Council M	70.26
P0107598	00203558	SOUND PUBLISHING INC	Ntc. 4/15 2494994 4/21 Council	62.48
P0107598	00203558	SOUND PUBLISHING INC	Ntc. 4/15 2494995 Ord. 20-06	57.30
P0107598	00203558	SOUND PUBLISHING INC	Ntc. 4/15 2494996 Ord. 20C-05	57.30
Org Key: CT1100 - Municipal Court				
P0107634	00203523	DEPT OF ENTERPRISE SERVICES	MIMC window env - invoice 7319	163.62
P0107583	00203571	XEROX CORPORATION	Xerox invoice #010273463	157.02
P0107633	00203523	DEPT OF ENTERPRISE SERVICES	MIMC plain envelope-invoice 73	60.82
Org Key: FN1100 - Administration (FN)				
P0107624	00203559	STATE AUDITOR'S OFFICE	APRIL 2020 ACCOUNTABILITY AUDI	452.00
P0107561	00203564	VERIZON WIRELESS	2020 VERIZON WIRELESS	43.15
Org Key: FN4501 - Utility Billing (Water)				
P0107575	00203542	METROPRESORT	APRIL 2020 PRINTING AND MAILIN	68.43
P0107575	00203542	METROPRESORT	APRIL 2020 PRINTING AND MAILIN	63.82
Org Key: FN4502 - Utility Billing (Sewer)				
P0107575	00203542	METROPRESORT	APRIL 2020 PRINTING AND MAILIN	68.43

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0107575	00203542	METROPRESORT	APRIL 2020 PRINTING AND MAILIN	63.82
<i>Org Key: FN4503 - Utility Billing (Storm)</i>				
P0107575	00203542	METROPRESORT	APRIL 2020 PRINTING AND MAILIN	68.44
P0107575	00203542	METROPRESORT	APRIL 2020 PRINTING AND MAILIN	63.82
<i>Org Key: FR1100 - Administration (FR)</i>				
	00203511	CENTURYLINK	CENTURY LINK MAY '20	967.42
P0107579	00203560	SYSTEMS DESIGN WEST LLC	April 2020 Transport Fees	871.57
P0107578	00203515	COMCAST	Internet Charges/Fire	11.37
<i>Org Key: FR2100 - Fire Operations</i>				
P0106709	00203527	EPSCA	MONTHLY RADIO ACCESS FEES 49 R	1,111.00
P0107580	00203525	EASTSIDE FIRE & RESCUE	Labor 6603	531.30
P0107580	00203525	EASTSIDE FIRE & RESCUE	Parts 6603	321.92
P0107601	00203564	VERIZON WIRELESS	CELL CHARGES/FIRE	30.26
P0106709	00203527	EPSCA	QTLY ACCESS FEE REBATE FIRE	-194.04
<i>Org Key: GGM001 - General Government-Misc</i>				
P0107584	00203530	For The Record	Court/Council Room FTR Annual	1,537.80
P0106836	00203516	COMCAST	CITY HALL BACKUP INTERNET	1,268.22
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
	00203517	COMPLETE OFFICE	OFFICE SUPPLIES - APR '20	635.03
<i>Org Key: GGM005 - Genera Govt-LI Retiree Costs</i>				
P0107626	00203524	DEVENY, JAN P	LEOFF1 LTC Expenses	31,809.00
P0107627	00203524	DEVENY, JAN P	LEOFF1 Retiree Medical Expense	291.89
P0107629	00203556	SCHOENTRUP, WILLIAM	LEOFF1 Retiree Medical Expense	124.96
P0107628	00203526	ELSOE, RONALD	LEOFF1 Retiree Medical Expense	123.72
P0107625	00203524	DEVENY, JAN P	LEOFF1 Retiree Medical Expense	115.95
<i>Org Key: GGM100 - Emerg Incident Response</i>				
P0107591	00203529	Flow International Corporation	COVID - Face Shields	559.98
P0107581	00203566	WAXIE SANITARY SUPPLY	COVID - Disinfectant for Santi	228.45
<i>Org Key: IS2100 - IGS Network Administration</i>				
	00203511	CENTURYLINK	CENTURY LINK MAY '20	2,794.17
P0107116	00203538	KING COUNTY FINANCE	I-NET MONTLY SERVICES FROM	1,122.00
P0107455	00203510	CDW GOVERNMENT INC	5 Additional licenses Meraki M	132.99
P0107561	00203564	VERIZON WIRELESS	2020 VERIZON WIRELESS	43.15
<i>Org Key: MT2100 - Roadway Maintenance</i>				
	00203551	PUGET SOUND ENERGY	Puget Sound Energy May 2020	3,981.77
P0102613	00203552	RAINIER ASPHALT & CONCRETE	RETAINAGE	1,615.00
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P0104993	00203549	PLANTSCAPES INC	RETAINAGE	450.00
<i>Org Key: MT3000 - Water Service Upsizes and New</i>				
P0102613	00203552	RAINIER ASPHALT & CONCRETE	RETAINAGE LINE 1	692.42
<i>Org Key: MT3100 - Water Distribution</i>				
P0107605	00203533	H D FOWLER	3" GATE VALVE & FITTINGS	572.70
P0102613	00203552	RAINIER ASPHALT & CONCRETE	RETAINAGE	230.80

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PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: MT3150 - Water Quality Event</i>				
P0107245	00203561	LINKO TECHNOLOGY INC	2020 CROSS CONNECTION WEB TEST	1,014.00
P0107500	00203502	AM TEST INC	2020 WATER QUALITY SAMPLES	300.00
P0107319	00203545	NETWORK WIRING SERVICES	Cyberlock Network Wiring	248.82
<i>Org Key: MT3200 - Water Pumps</i>				
	00203511	CENTURYLINK	CENTURY LINK MAY '20	238.76
P0107319	00203545	NETWORK WIRING SERVICES	Cyberlock Network Wiring	248.82
<i>Org Key: MT3300 - Water Associated Costs</i>				
P0107577	00203568	WHISTLE WORKWEAR	MISC. WORK CLOTHES	183.06
<i>Org Key: MT3400 - Sewer Collection</i>				
P0107319	00203545	NETWORK WIRING SERVICES	Cyberlock Network Wiring	248.82
P0107319	00203545	NETWORK WIRING SERVICES	Cyberlock Network Wiring	248.82
<i>Org Key: MT3500 - Sewer Pumps</i>				
P0107569	00203535	HOME DEPOT CREDIT SERVICE	SHELVING FOR OFF SITE WORK ARE	873.03
	00203511	CENTURYLINK	CENTURY LINK MAY '20	629.33
P0106461	00203504	AT&T MOBILITY	2020 TELEMETRY	331.68
	00203551	PUGET SOUND ENERGY	Puget Sound Energy May 2020	238.44
P0107604	00203533	H D FOWLER	1-1/2" SCH 40 PVC MALE ADAPTER	4.85
<i>Org Key: MT3800 - Storm Drainage</i>				
P0107570	00203539	KING COUNTY WASTEWATER	INDUSTRIAL WASTE DECANT DISCHA	2,250.00
P0102613	00203552	RAINIER ASPHALT & CONCRETE	RETAINAGE	1,232.76
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P0106497	00203514	COMCAST	2020 PW WIFI SERVICE	86.39
P0106709	00203527	EPSCA	MONTHLY RADIO ACCESS FEES 1 RA	25.25
P0106709	00203527	EPSCA	QTLY ACCESS FEE REBATE PUBLIC	-4.41
<i>Org Key: MT4200 - Building Services</i>				
P0107537	00203553	RAINIER BUILDING SERVICES	APRIL 2020 JANITORIAL SERVICE	5,126.11
P0107623	00203547	PACIFIC AIR CONTROL INC	MAY 2020 CITY HALL HVAC REPAIR	1,108.53
P0107614	00203519	CUMMINS SALES & SERVICE	2020 GENERATOR INSPECTION PW	423.51
P0107619	00203519	CUMMINS SALES & SERVICE	2020 GENERATOR INSPECTION CITY	370.71
P0107620	00203519	CUMMINS SALES & SERVICE	2020 GENERATOR INSPECTION SOUT	317.91
P0107618	00203519	CUMMINS SALES & SERVICE	2020 GENERATOR INSPECTION NORT	317.91
P0107617	00203519	CUMMINS SALES & SERVICE	2020 GENERATOR INSPECTION NORT	317.91
P0107616	00203519	CUMMINS SALES & SERVICE	2020 GENERATOR INSPECTION PW S	317.91
P0107547	00203544	MI HARDWARE - BLDG	MISC. HARDWARE FOR THE MONTH O	18.80
<i>Org Key: MT4300 - Fleet Services</i>				
P0107572	00203557	SME SOLUTIONS LLC	FIRE STATION TANK SERVICE CALL	964.76
P0106772	00203503	AMERIGAS-1400	2020 PROPANE DELIVERY	198.28
P0107603	00203548	PACIFIC RUBBER	FL-0388 REPAIR PARTS	13.85
<i>Org Key: MT4420 - Transportation Planner Eng</i>				
P0102334	00203540	KPG	2019 ON CALL TRANPORATION	1,654.65
<i>Org Key: MT4501 - Water Administration</i>				
	00203511	CENTURYLINK	CENTURY LINK MAY '20	58.05

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PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: PO1100 - Administration (PO)</i>				
P0107523	00203564	VERIZON WIRELESS	2020 CELL & DATA VERIZON	750.35
<i>Org Key: PO1350 - Police Emergency Management</i>				
P0106709	00203527	EPSCA	MONTHLY RADIO ACCESS FEES 13 R	328.25
P0106709	00203527	EPSCA	QTLY ACCESS FEE REBATE EMAC	-57.33
<i>Org Key: PO1650 - Regional Radio Operations</i>				
P0106709	00203527	EPSCA	MONTHLY RADIO ACCESS FEES 59 R	1,515.00
P0106709	00203527	EPSCA	QTLY ACCESS FEE REFUND POLICE	-264.60
<i>Org Key: PO2201 - Dive Team</i>				
P0107568	00203546	Overlake Medical Center	Dive Team Specialist Physical	169.17
<i>Org Key: PR1100 - Administration (PR)</i>				
P0107576	00203518	CONSOLIDATED PRESS	Spring/Summer 2020 Recreation	9,821.56
P0104694	00203521	DEMARCHE CONSULTING GROUP INC	Parks Maintenance Organization	9,600.00
P0106604	00203506	BELLEVUE, CITY OF	Specialized Recreation Service	836.00
P0107596	00203571	XEROX CORPORATION	Monthly lease charges for colo	157.66
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	87.37
<i>Org Key: PR1500 - Urban Forest Management</i>				
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	59.41
<i>Org Key: PR3500 - Senior Services</i>				
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	-15.35
<i>Org Key: PR4100 - Community Center</i>				
P0107537	00203553	RAINIER BUILDING SERVICES	APRIL 2020 JANITORIAL SERVICE	2,496.77
	00203551	PUGET SOUND ENERGY	Puget Sound Energy May 2020	2,411.78
P0107524	00203528	FIRE PROTECTION INC	CCMV FIRE ALARM & SMOKE DETECT	451.00
P0107615	00203519	CUMMINS SALES & SERVICE	2020 GENERATOR INSPECTION CCMV	423.51
P0107588	00203570	XEROX CORPORATION	Monthly lease charges for colo	328.56
	00203511	CENTURYLINK	CENTURY LINK MAY '20	55.63
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	-16.93
<i>Org Key: PR6100 - Park Maintenance</i>				
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	683.89
P0107600	00203533	H D FOWLER	0794014 CHECK KIT FOR WATTS 70	682.00
P0107600	00203533	H D FOWLER	0794019 SEAT KIT FOR WATTS 709	280.32
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P0106957	00203567	WESTERN EQUIPMENT	Aerating Tines	250.00
	00203511	CENTURYLINK	CENTURY LINK MAY '20	174.48
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	114.74
P0107590	00203567	WESTERN EQUIPMENT	Aerating tine brackets	43.25
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
	00203551	PUGET SOUND ENERGY	Puget Sound Energy May 2020	667.78
	00203511	CENTURYLINK	CENTURY LINK MAY '20	175.44
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	70.64
<i>Org Key: PR6600 - Park Maint-School Related</i>				
P0106957	00203567	WESTERN EQUIPMENT	Aerating Tines	267.43

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PO #	Check #	Vendor:	Transaction Description	Check Amount
P0107590	00203567	WESTERN EQUIPMENT	Aerating tine brackets	43.26
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	15.32
<i>Org Key: PR6800 - Trails Maintenance</i>				
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	59.40
<i>Org Key: PR6900 - Aubrey Davis Park Maintenance</i>				
P0106552	00203562	UNITED SITE SERVICES	Aubrey Davis & Lid Parking Are	529.18
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	130.05
P0106552	00203562	UNITED SITE SERVICES	Lid Parking Boat Launch - 2020	106.11
<i>Org Key: ST0001 - ST Traffic Safety Enhancements</i>				
P0102334	00203540	KPG	2019 ON CALL TRANPORATION	2,479.52
P0103076	00203540	KPG	W MERCER WAY ELEMENTRY SPEED	1,906.83
<i>Org Key: ST0020 - ST Long Term Parking</i>				
P0107599	00203541	LIGHTHOUSE LAW GROUP PLLC	Professional Services - Invoice	2,070.00
<i>Org Key: WD140R - Drainage System Pipe Replacemnt</i>				
P0105308	00203507	BLUELINE GROUP	9600 WMW WATER S;YSTEM IMPROVE	350.00
P0107602	00203509	BUILDERS EXCHANGE OF WA	2020 WATER SYSTEM IMPROVEMENTS	17.00
<i>Org Key: WG101R - City Hall Building Repairs</i>				
P0107405	00203537	KBA INC	CITY FACILITY WASHER/DRYER	11,419.16
<i>Org Key: WG106R - North Fire Station Repairs</i>				
P0107592	00203501	A & C Glass	Pass Through Window/Station 91	2,420.00
<i>Org Key: WG110T - Computer Equip Replacements</i>				
P0107478	00203510	CDW GOVERNMENT INC	SFP Transciever for J9538A	379.50
<i>Org Key: WP122P - Open Space - Pioneer/Engstrom</i>				
P0106552	00203562	UNITED SITE SERVICES	Pioneer Park - 2020 Portable T	106.11
<i>Org Key: WP122R - Vegetation Management</i>				
P0107589	00203565	VERIZON WIRELESS	Monthly Cell phone bill for CM	59.41
<i>Org Key: WP720R - Recurring Park Projects</i>				
P0107239	00203520	DCW Cost Management	Luther Burbank Boiler Building	2,640.00
<i>Org Key: WR101R - Residential Street Improvement</i>				
P0106568	00203513	CM DESIGN GROUP	2020 ARTERIAL & RESIDENTIAL	12,888.04
<i>Org Key: WR916R - SE 68th and 70th Place ICW EMW</i>				
P0106568	00203513	CM DESIGN GROUP	2020 ARTERIAL & RESIDENTIAL	6,444.03
<i>Org Key: WR918R - SE 40th St 76th to 78th</i>				
P0106568	00203513	CM DESIGN GROUP	2020 ARTERIAL & RESIDENTIAL	12,888.04
<i>Org Key: WW120S - Meter Replacement Residential</i>				
P0102980	00203534	HDR ENGINEERING INC	WATER METER REPLACEMENT	1,416.40
<i>Org Key: WW718R - Main 87th and 88th Ave SE</i>				
P0105308	00203507	BLUELINE GROUP	9600 WMW WATER SYSTEM	400.00
P0107602	00203509	BUILDERS EXCHANGE OF WA	2020 WATER SYSTEM IMPROVMENTS	17.00

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PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: WW914R - 96th 97th Ave and SE 34th Main</i>				
P0105308	00203507	BLUELINE GROUP	9600 WMW WATER S;YSTEM IMPROVE	428.75
P0107602	00203509	BUILDERS EXCHANGE OF WA	2020 WATER SYSTEM IMPROVEMENTS	17.00
<i>Org Key: XP710R - Luther BB Minor Capital LEVY</i>				
P0107443	00203508	BrN ENGINEERING INC	Luther Burbank Lighting Upgrad	1,615.00
<i>Org Key: YF1100 - YFS General Services</i>				
P0107596	00203571	XEROX CORPORATION	Monthly lease charges for colo	157.66
P0106332	00203565	VERIZON WIRELESS	Mobile hotspot device for when	49.86
P0107531	00203522	DEPT OF ENTERPRISE SERVICES	2020 PRINTING SERVICES YFS	48.40
<i>Org Key: YF1200 - Thrift Shop</i>				
	00203511	CENTURYLINK	CENTURY LINK MAY '20	184.23
P0107525	00203528	FIRE PROTECTION INC	THRIFT SHOP FIRE ALARM MAINT A	148.50
Total				184,366.73

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Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00203501	05/22/2020	A & C Glass Pass Through Window/Station 91	P0107592	15422	05/18/2020	2,420.00
00203502	05/22/2020	AM TEST INC 2020 WATER QUALITY SAMPLES	P0107500	115664	05/15/2020	300.00
00203503	05/22/2020	AMERIGAS-1400 2020 PROPANE DELIVERY	P0106772	3106363137	05/06/2020	198.28
00203504	05/22/2020	AT&T MOBILITY 2020 TELEMETRY	P0106461	X05132020	05/05/2020	331.68
00203505	05/22/2020	Bellevue Rotary Rental cancelled due to COVID-	P0107573	31967	05/08/2020	2,138.00
00203506	05/22/2020	BELLEVUE, CITY OF Specialized Recreation Service	P0106604	0172020	05/12/2020	836.00
00203507	05/22/2020	BLUELINE GROUP 9600 WMW WATER S;YSTEM IMPROVE	P0105308	18853	05/01/2020	1,178.75
00203508	05/22/2020	BrN ENGINEERING INC Luther Burbank Lighting Upgrad	P0107443	20012.1	05/19/2020	1,615.00
00203509	05/22/2020	BUILDERS EXCHANGE OF WA 2020 WATER SYSTEM IMPROVEMENTS	P0107602	1065532	04/07/2020	51.00
00203510	05/22/2020	CDW GOVERNMENT INC 5 Additional licenses Meraki M	P0107478	XSJ8936	05/05/2020	512.49
00203511	05/22/2020	CENTURYLINK CENTURY LINK MAY '20		OH013362	05/15/2020	5,277.51
00203512	05/22/2020	CESSCO INC INVENTORY PURCHASES	P0107566	13011	05/13/2020	400.24
00203513	05/22/2020	CM DESIGN GROUP 2020 ARTERIAL & RESIDENTIAL	P0106568	20018	05/15/2020	32,220.11
00203514	05/22/2020	COMCAST 2020 PW WIFI SERVICE	P0106497	0365550-0620	05/07/2020	86.39
00203515	05/22/2020	COMCAST Internet Charges/Fire	P0107578	0081371-520	05/11/2020	11.37
00203516	05/22/2020	COMCAST CITY HALL BACKUP INTERNET	P0106836	100641777	05/01/2020	1,268.22
00203517	05/22/2020	COMPLETE OFFICE OFFICE SUPPLIES - APR '20		OH013351	05/01/2020	635.03
00203518	05/22/2020	CONSOLIDATED PRESS Spring/Summer 2020 Recreation	P0107576	25387	02/29/2020	9,821.56
00203519	05/22/2020	CUMMINS SALES & SERVICE 2020 GENERATOR INSPECTION CITY	P0107615	01-75568	05/14/2020	2,489.37
00203520	05/22/2020	DCW Cost Management Luther Burbank Boiler Building	P0107239	1804	05/07/2020	2,640.00
00203521	05/22/2020	DEMARCHE CONSULTING GROUP INC Parks Maintenance Organization	P0104694	20MER09	02/03/2020	9,600.00
00203522	05/22/2020	DEPT OF ENTERPRISE SERVICES 2020 PRINTING SERVICES YFS	P0107531	73197946	04/07/2020	48.40
00203523	05/22/2020	DEPT OF ENTERPRISE SERVICES MIMC window env - invoice 7319	P0107633	73198640	05/08/2020	224.44
00203524	05/22/2020	DEVENY, JAN P LEOFF1 LTC Expenses	P0107627	OH013358	05/20/2020	32,216.84
00203525	05/22/2020	EASTSIDE FIRE & RESCUE Parts 6603	P0107580	3426	05/12/2020	853.22
00203526	05/22/2020	ELSOE, RONALD LEOFF1 Retiree Medical Expense	P0107628	OH013359	05/20/2020	123.72

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Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00203527	05/22/2020	EPSCA MONTHLY RADIO ACCESS FEES 49 R	P0106709	10047	05/04/2020	2,459.12
00203528	05/22/2020	FIRE PROTECTION INC CCMV FIRE ALARM & SMOKE DETECT	P0107525	56215	04/28/2020	599.50
00203529	05/22/2020	Flow International Corporation COVID - Face Shields	P0107591	P1407490/P140753	04/30/2020	559.98
00203530	05/22/2020	For The Record Court/Council Room FTR Annual	P0107584	14496/01	05/20/2020	1,537.80
00203531	05/22/2020	GEMPLER'S INC INVENTORY PURCHASES	P0107565	INV0004436698	05/07/2020	231.58
00203532	05/22/2020	GRAINGER INVENTORY PURCHASES	P0107586	9534300885	05/15/2020	292.67
00203533	05/22/2020	H D FOWLER 3" GATE VALVE & FITTINGS	P0107600	I5460874	05/12/2020	1,539.87
00203534	05/22/2020	HDR ENGINEERING INC WATER METER REPLACEMENT PROGRA	P0102980	1200266286	05/07/2020	1,416.40
00203535	05/22/2020	HOME DEPOT CREDIT SERVICE SHELVING FOR OFF SITE WORK ARE	P0107569	4020775	05/13/2020	873.03
00203536	05/22/2020	K&L GATES LLP Professional Services - Invoic	P0107587	3777345	04/22/2020	5,221.92
00203537	05/22/2020	KBA INC CITY FACILITY WASHER/DRYER	P0107405	3005269	05/15/2020	11,419.16
00203538	05/22/2020	KING COUNTY FINANCE I-NET MONTLY SERVICES FROM	P0107116	11009070	04/30/2020	1,122.00
00203539	05/22/2020	KING COUNTY WASTEWATER INDUSTRIAL WASTE DECANT DISCHA	P0107570	30029660	05/13/2020	2,250.00
00203540	05/22/2020	KPG 2019 ON CALL TRANPORATION	P0103076	4-0620	05/11/2020	6,041.00
00203541	05/22/2020	LIGHTHOUSE LAW GROUP PLLC Professional Services - Invoic	P0107599	20455	05/08/2020	2,070.00
00203542	05/22/2020	METROPRESORT APRIL 2020 PRINTING AND MAILIN	P0107575	IN623172	05/14/2020	396.76
00203543	05/22/2020	MI EMPLOYEES ASSOC PAYROLL EARLY WARRANT		OH013353	05/22/2020	277.50
00203544	05/22/2020	MI HARDWARE - BLDG MISC. HARDWARE FOR THE MONTH O	P0107547	OH013349	04/30/2020	18.80
00203545	05/22/2020	NETWORK WIRING SERVICES Cyberlock Network Wiring	P0107319	6893	04/23/2020	995.28
00203546	05/22/2020	Overlake Medical Center Dive Team Specialist Physical	P0107568	10013584	04/25/2020	169.17
00203547	05/22/2020	PACIFIC AIR CONTROL INC MAY 2020 CITY HALL HVAC REPAIR	P0107623	29989	05/14/2020	1,108.53
00203548	05/22/2020	PACIFIC RUBBER FL-0388 REPAIR PARTS	P0107603	R038473	05/07/2020	13.85
00203549	05/22/2020	PLANTSCAPES INC RETAINAGE	P0104993	49416E/49551E	01/01/2020	450.00
00203550	05/22/2020	POLICE ASSOCIATION EARLY PAYROLL WARRANT		OH013354	05/22/2020	2,428.67
00203551	05/22/2020	PUGET SOUND ENERGY Puget Sound Energy May 2020		OH013361	05/15/2020	7,299.77
00203552	05/22/2020	RAINIER ASPHALT & CONCRETE RETAINAGE	P0102613	10885-JE001835	05/01/2020	3,770.98

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00203553	05/22/2020	RAINIER BUILDING SERVICES APRIL 2020 JANITORIAL SERVICE	P0107537	18-1256	04/30/2020	7,622.88
00203554	05/22/2020	RELX INC DBA LEXISNEXIS Library Subscriptions - Invoic	P0107515	3092612755	04/30/2020	348.70
00203555	05/22/2020	Rungruangkonkit, Sangjan Rental cancelled due to COVID-	P0107574	31964	05/08/2020	1,776.00
00203556	05/22/2020	SCHOENTRUP, WILLIAM LEOFF1 Retiree Medical Expense	P0107629	OH013360	05/20/2020	124.96
00203557	05/22/2020	SME SOLUTIONS LLC FIRE STATION TANK SERVICE CALL	P0107572	292282	01/21/2020	964.76
00203558	05/22/2020	SOUND PUBLISHING INC Ntc. 4/1 2494787 4/7 Council M	P0107598	7982460	04/30/2020	671.84
00203559	05/22/2020	STATE AUDITOR'S OFFICE APRIL 2020 ACCOUNTABILITY AUDI	P0107624	L136404	05/12/2020	452.00
00203560	05/22/2020	SYSTEMS DESIGN WEST LLC April 2020 Transport Fees	P0107579	20200957	05/15/2020	871.57
00203561	05/22/2020	LINKO TECHNOLOGY INC 2020 CROSS CONNECTION WEB TEST	P0107245	7066	04/30/2020	1,014.00
00203562	05/22/2020	UNITED SITE SERVICES Lid Parking Boat Launch - 2020	P0106552	114-10279046	04/30/2020	741.40
00203563	05/22/2020	UNITED STATES TREASURY EARLY PAYROLL WARRANT		OH013355	05/22/2020	826.84
00203564	05/22/2020	VERIZON WIRELESS 2020 VERIZON WIRELESS	P0107523	9853158490	05/15/2020	1,048.13
00203565	05/22/2020	VERIZON WIRELESS Monthly Cell phone bill for CM	P0106332	9853158496	05/15/2020	1,367.22
00203566	05/22/2020	WAXIE SANITARY SUPPLY COVID - Disinfectant for Santi	P0107581	79165386	05/14/2020	228.45
00203567	05/22/2020	WESTERN EQUIPMENT Aerating Tines	P0107590	7110621-00	03/23/2020	603.94
00203568	05/22/2020	WHISTLE WORKWEAR MISC. WORK CLOTHES	P0107577	TR-514486	04/30/2020	183.06
00203569	05/22/2020	WSCCCE AFSCME AFL-CIO PAYROLL EARLY WARRANT		OH013352	05/22/2020	2,659.12
00203570	05/22/2020	XEROX CORPORATION Monthly lease charges for colo	P0107588	010237824	05/01/2020	328.56
00203571	05/22/2020	XEROX CORPORATION Xerox invoice #010273463	P0107596	010237823	05/01/2020	472.34
					Total	184,366.73



CITY OF MERCER ISLAND CERTIFICATION OF PAYROLL

PAYROLL PERIOD ENDING **5.15.2020**
PAYROLL DATED **5.22.2020**

Net Cash	\$ 530,616.88
Net Voids/Manuals	\$ -
Net Total	\$ 530,616.88
Federal Tax Deposit - Key Bank	\$ 85,142.52
Social Security and Medicare Taxes	\$ 46,969.56
Medicare Taxes Only (Fire Fighter Employees)	\$ 2,357.48
State Tax (Massachusetts)	\$ -
Public Employees Retirement System 2 (PERS 2)	\$ 27,171.62
Public Employees Retirement System 3 (PERS 3)	\$ 5,251.97
Public Employees Retirement System (PERSJM)	\$ 870.75
Public Safety Employees Retirement System (PSERS)	\$ 214.08
Law Enforc. & Fire fighters System 2 (LEOFF 2)	\$ 25,495.49
Regence & LEOFF Trust - Medical Insurance	\$ 11,705.76
Domestic Partner/Overage Dependand - Insurance	\$ 589.99
Group Health Medical Insurance	\$ 1,062.34
Health Care - Flexible Spending Accounts	\$ 1,862.80
Dependent Care - Flexible Spending Accounts	\$ 959.62
ICMA Deferred Compensation	\$ 31,278.07
Fire 457 Nationwide	\$ 17,998.38
Roth - ICMA	\$ 475.00
Roth - Nationwide	\$ 940.00
Tax Levy	\$ 826.84
Child Support	\$ 599.99
Mercer Island Employee Association	\$ 277.50
Cities & Towns/AFSCME Union Dues	\$ 2,659.12
Police Union Dues	\$ 2,428.67
Fire Union Dues	\$ 2,153.38
Fire Union - Supplemental Dues	\$ 160.00
Standard - Supplemental Life Insurance	\$ 344.60
Unum - Long Term Care Insurance	\$ 310.35
AFLAC - Supplemental Insurance Plans	\$ 388.71
Coffee Fund	\$ 144.00
Transportation	\$ 136.67
HRA - VEBA	\$ 5,566.47
Nationwide Extra	\$ 1,500.00
Oregon Transit Tax and Oregon Benefit Tax	\$ -
Tax & Benefit Obligations Total	\$ 277,841.73

TOTAL GROSS PAYROLL	\$ 808,458.61
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I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.



 Finance Director

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

 Mayor Date



CITY COUNCIL MINUTES SPECIAL VIDEO MEETING MAY 19, 2020

CALL TO ORDER & ROLL CALL

Mayor Benson Wong called the meeting to order at 5:01 pm from a remote location.

Mayor Benson Wong, Deputy Mayor Wendy Weiker and Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds, and David Rosenbaum participated remotely using a video teleconferencing platform by Zoom.

The Mercer Island City Leadership Team participated from remote locations.

City Manager Jessi Bon, and Acting City Clerk Mary Swan participated remotely from separate rooms at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

PLEDGE OF ALLEGIANCE

Councilmember Dave Rosenbaum led the Council in the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Nice; seconded by Jacobson to:

Approve the agenda as presented.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

SPECIAL BUSINESS

WeLoveMI COVID-19 Relief Day Proclamation No. 251

Mayor Wong read Proclamation No. 251 and proclaimed May 22, 2020, the WeLoveMI COVID-19 Relief Day and encouraged the community to show their support for Mercer Island business on May 22, 2020.

Mayor Wong welcomed Erin Krawiec, President of the Mercer Island Community Fund Board of Directors, and Rory Shanks, MIHS Senior and member of Mercer Trade, Inc. Erin Krawiec and Rory Shanks gave thanks to the community, the City, and the WeLoveMI organization and urged community members to each consider giving \$22 on May 22, 2020 to Mercer Island businesses in support of WeLoveMi COVID-19 Relief Day.

CITY MANAGER REPORT

City Manager Bon reported on the following:

- King County's Face Covering Directive in response to COVID-19.
- State of Washington's Contact Tracing program for person's who test positive for COVID-19.
- King County Public Health's Updated Recommendations on COVID-19 Testing.
- Citizen Concerns regarding speeding vehicles, particularly around the Mercer Ways. The City Manager reported that police have increased patrols. Message boards are also deployed to remind drivers to slow down and share the road.
- MIPD's virtual Block Watch program launched earlier this month which helps neighborhoods with crime prevention strategies.
- Community Center closure through August 31; Facility rentals and summer recreation and camp programs cancelled through August 31, including VOICE/SVP community service programs for students. Staff are evaluating limited operations scenarios of the Community Center for fall and winter.
- Private outdoor event rentals canceled through August 31; athletic field rentals canceled through June 30.
- It is anticipated that that Picnic areas will reopen during Phase 2 and athletic leagues will resume during Phase 3.

- Food Pantry Update and special thanks to MIHS Band for raising almost \$3,000 for the Mercer Island Food Pantry. The Food pantry had a 50% increase in requests for Food Assistance since March 1. The City Manager urged the community to consider donating grocery gift cards or donating to the YFS Food Pantry.
- Thrift Shop update on donations and when the Thrift Shop will be able to begin accepting donations
- The City Council Meeting Schedule, the need for a Special Meeting on June 9, and that virtual meetings are anticipated for the foreseeable future.
- YFS and other service reductions
- The open Mercer Island Youth Art Contest to promote mental health awareness.
- The Mercer Island Farmer's Market set to open Sunday, June 7.
- Letter of thanks received by the Police Department commending Marine Patrol Sergeant Brian Noel and Officer Scott Schroeder for their response to a boat fire on Lake Washington.
- Special thank you to Officer John Haraway who retired on May 15 after serving the MI community for over 18 years.
- Emergency Volunteers distributed almost 200 handmade face coverings over the course of three Friday mornings during Senior Hours at Mercerdale Park.
- The City Manager reminded the community that the Mercer Island COVID-19 call center is operating M-F from 8-5 and is available to help answer any questions.

APPEARANCES

Ira Appelman, Mercer Island – Mr. Appelman appeared using the Zoom platform and spoke to the Council by audio. Mr. Appelman spoke about the need to downsize CPD because it is morphed into long range and comprehensive planning that no one has asked for and wastes taxpayers funds. He also is concerned that CPD remains active during the COVID-19 crisis and Islanders need to remain involved.

Marc Clausen, Mercer Island – Marc Clausen appeared using the Zoom platform and spoke to the Council by audio. Mr. Clausen relayed his concern that the rechannelization project on 77th in Town Center will remove bike lanes and impact cyclists.

CONSENT CALENDAR

Claims Reporting for **Electronic Funds Transfers** for the month ending April 30, 2020 in the amount of \$2,398,187.20

Approve **Accounts Payable** Reports:

- Report for the period ending May 1, 2020 in the amount of \$435,609.08, and
- Report for the period ending May 8, 2020 in the amount of \$581,103.24

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

Approve **Certification of Payroll** dated May 8, 2020 in the amount of \$820,659.12

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

Approve **Minutes:**

- April 21, 2020 Special Video Meeting
- May 5, 2020 Special Video Meeting
- May 12, 2020 Special Video Meeting

AB 5690: 2020 Human Resources Support Allocation

Recommended Action: Approve use of the \$170,000 from the HR Department salary and benefits savings to support temporary Human Resources staff and a consultant to complete the outstanding work items in 2020.

[AB 5693: Port of Seattle Economic Development Partnership Grant Acceptance, was moved from the Consent Calendar to the First Item of Regular Business by staff request prior to the meeting.]

It was moved by Reynolds; seconded by Rosenbaum to:

Approve the Consent Calendar as presented.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

REGULAR BUSINESS

AB 5693 Port of Seattle Economic Development Partnership Grant Acceptance

Sarah Bluvas, Small Business Liaison, spoke about Port of Seattle Economic Development Partnership Grant Acceptance and explained that there was a slight discrepancy in the match amounts listed in the project budget in the agreement from the Port of Seattle. The City is required to match the Port grant funds at 50%. Half of the match can be from in-kind support like staff time, and the other half must come as a cash match.

The agreement was updated to reflect an even split across the in-kind support and cash match. Sarah noted the total funds including the match amount is the same as the expenditure amount of \$36,705 originally listed in the Agenda Bill. The amount is now correct in the agreement and ready to be executed upon Council's approval.

It was moved by Rosenbaum; seconded by Reynolds to:

Authorize the City Manager to accept the 2020 Port of Seattle Economic Development Partnership Program grant and:

1. Appropriate \$24,470 in grant funds for 2020.
2. Authorize use of \$6,117.50 in General Government funds as a cash match; and
3. Support the in-kind staff match, which is to be provided by the Small Business Liaison (a temporary position authorized via the City's Emergency Operations Center).

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

PUBLIC HEARING

Agenda Bill 5691: 2021-2026 Transportation Improvement Program (TIP) Public Hearing and Review

Patrick Yamashita, City Engineer introduced the item and the Mayor opened the public hearing at 6:15 pm.

The City received and included a brief summary of Public Comments in the agenda bill. In addition, the following individuals made public comment during the public hearing using the Zoom platform:

Jim Stanton, Mercer Island – Mr. Stanton spoke to the Council about Neighbors in Motion and emphasized the need to make roads safer for cyclists and drivers and is concerned about the removal of bike lanes along 77th Avenue. Mr. Stanton further commented on the need for the north/south bike route.

Robert Olson, Mercer Island – Mr. Olson spoke about his opposition to TIP Project SP126 to convert bike lanes to parking stalls and is concerned this will direct bikes into car traffic.

Ira Appelman, Mercer Island – Mr. Appelman commented that he does not like the north/south bike route. He also commented on TIP Project SP126 on 77th Avenue. Mr. Appelman said parking at this location was previously rejected; that a bicycle facility plan was already agreed on. He urged the Council to reject SP126 on 77th Avenue.

Jonathan Harrington, Mercer Island – Mr. Harrington spoke about his concern that the TIP would roll back bicycle improvements and that the need for bicycle mobility in Town Center will only increase after the light rail station opens. Mr. Harrington also raised his concern about the delay of the Mercer Way shoulder improvement project, especially in the area south of Avalon Drive, and that the shoulder improvements are necessary for safety.

After public comment, the Mayor entertained a motion to continue the public hearing for the TIP to June 16, 2020.

It was moved by Nice; seconded by Anderl to:

CONTINUE THE PUBLIC HEARING FOR THE TIP TO JUNE 16, 2020.

The councilmembers discussed the continuance of the public hearing and the Mayor emphasized that those wishing to submit additional public comments would have an opportunity to do so before the June 16, 2020 public hearing.

A roll call vote was conducted, and the results were as follows:

Passed 7-0

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

City Engineer Patrick Yamashita presented the Transportation Improvement Program. He provided background and gave an overview of the TIP. He summarized noteworthy changes to the TIP and provided an overview of the TIP process. Matt Mornick, Interim Finance Director presented information about the Street Fund and the funding of the TIP.

Next, the City Engineer went through a list of individual projects by project number. The Council asked questions and provided feedback to staff, specific to each listed project. Council provided staff direction to come back before Council on June 16, 2020.

OTHER BUSINESS

Planning Schedule

City Manager Jessi Bon reviewed the upcoming meetings. Bon anticipates that virtual meetings will continue through 2020. She asked that a special meeting be added on June 9, which Council supported. City Manager Bon further requested that Council pass an Ordinance to temporarily change the start time of Council Meetings to 5 pm during the virtual meeting period. Council consensus supported this request.

Councilmember Absences

There were no absences reported.

Councilmember Reports

Reynolds reported on a K4C meeting and requested an item regarding climate change be placed on the Agenda later this year, if possible.

Mayor Wong reported on the PIC meeting on May 14 and asked for council feedback to support a resolution to adopt AWC's legislative priorities. A Council majority approved.

Deputy Mayor Weiker spoke about the Sound Cities Association.

Mayor Wong requested feedback on his plan to schedule a meeting with the 41st Legislative District to discuss legislative priorities for the upcoming Special Session.

Mayor Wong also requested a Proclamation of the City's commitment to be an inclusive community be added to the Planning Schedule.

ADJOURNMENT

There being no additional business to come before City Council, the Special Video Meeting adjourned at 10:18 PM

Benson Wong, Mayor

Attest:

Mary Swan, Acting City Clerk



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

**AB 5695
June 2, 2020
Consent Calendar**

AGENDA BILL INFORMATION

TITLE:	AB 5695: 2020 Watercourse Stabilization Project Bid Award	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed:
RECOMMENDED ACTION:	Award the 2020 Watercourse Stabilization Project to Green Earthworks Const. Inc. in the amount of \$160,864.79. Appropriate \$19,594.00 to the budgeted amount and set the total project budget at \$309,594.00. Direct the City Manager to execute the construction contract.	<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Public Works
STAFF:	Fred Gu, CIP Project Manager
COUNCIL LIAISON:	Lisa Anderl
EXHIBITS:	1. Vicinity map
CITY COUNCIL PRIORITY:	1. Prepare for the impacts of growth and change with a continued consideration on environmental sustainability.

AMOUNT OF EXPENDITURE	\$ 309,594.00
AMOUNT BUDGETED	\$ 290,000.00
APPROPRIATION REQUIRED	\$ 19,594.00

SUMMARY

BACKGROUND

The 2020 Watercourse Stabilization Project combined two separate capital improvement projects into a single contract for construction. The two construction projects were advertised together to increase opportunities in the current bidding climate, minimize duplicate efforts in project management, and achieve economies of scale. The two individual projects (see Vicinity Map attached as Exhibit 1), as adopted in the 2017-2018 Capital Budget for initial design, and in the 2019-2020 Capital Budget for permitting, design development and construction are:

- Sub Basin 29.2 Watercourse Stabilization Project (as Schedule “A” of the combined project)
- Sub Basin 3b.4 Watercourse Stabilization Project (as Schedule “B” of the combined project)

Initial design began in late 2018. Due to anticipated in-water work, the project is required to obtain permit approvals from the United States Army Corps of Engineers (“USACE”) and Washington State Department of Fish and Wildlife (“WDFW”).

Due to the topography of the sites (especially for Schedule "A" which is located on a steep slope and has sustained vertical erosions) and regulatory requirements for permits, additional design efforts were needed. After a lengthy permitting process with USACE, Nationwide Permits ("NWPs") for both sites were obtained in November 2019. WDFW's Hydraulic Project Approvals ("HPAs") for both sites were also obtained. A condition of the HPA is that in-water construction can only occur between June 16 and September 30 (also known as the approved fish-window).

A brief description of the work is outlined below:

- 1) Schedule "A" – Stabilize and control bank and severe channel erosion at downstream end of a broken culvert off West Mercer Way, for approximately 100 LF with streambed materials, logs, and native vegetation. The broken culvert section will be repaired and reconnected.
- 2) Schedule "B" - Stabilize and control bank and channel erosion at downstream end of the existing storm pipe outfall for approximately 80 LF with streambed materials, logs, ecology blocks, and native vegetation.

The project was advertised for bid in April 2020. Three bids were received on May 7, 2020.

2020 Watercourse Stabilization Project Bid Results			
Bidder:	Schedule "A"	Schedule "B"	Grand Total
Green Earthworks Const. Inc.	\$103,451.54	\$57,413.26	\$160,864.79
Accord Contractors, LLC	\$68,041.60	\$96,844.00	\$164,885.60
Earthwork Enterprises Inc.	\$88,251.90	\$134,299.00	\$222,550.90
Engineer's Estimates	\$74,118.00	\$74,965.00	\$149,083.00

The apparent low bid was submitted by the contractor, Green Earthworks Const. Inc. for \$160,864.79.

Green Earthworks Const. Inc. has completed a handful of similar watercourse stabilization projects for the City of Mercer Island, including the Sub Basin 27a.9 phase I and II projects recently completed in 2017. Some of the contractor's recent clients include Washington Department of Fish and Wildlife, Washington Department of Ecology, City of Tacoma, and Pierce County. Review of the Labor and Industries (L&I) website confirms the company is in good-standing with the State, with no license violations, outstanding lawsuits, nor L&I debt. Based on staff's review of the bid submittals and successful past performance for the City, Green Earthworks Construction is the low responsive and responsible bidder for the project.

PROJECT BUDGET

2020 Watercourse Stabilization Project Budget			
2020 Watercourse Stabilization Project	Schedule "A"	Schedule "B"	Total
Construction Contract	\$103,451.54	\$57,413.26	\$160,864.80
Construction Contingency 5%	\$5,172.58	\$2,870.66	\$8,043.24
Survey, Design and Construction Support Services	\$49,814.05	\$26,822.95	\$76,637.00
Project Management/ Permitting	\$30,245.35	\$29,303.61	\$59,548.96
Inspection Service	\$2,500.00	\$2,000.00	\$4,500.00
Total Project Budget	\$191,183.52	\$118,410.48	\$309,594.00
2017-2018 Budget (Initial Design)	\$25,000.00	\$15,000.00	\$40,000.00
2019-2020 Budget (Permit, Design, Construction)	\$139,000.00	\$111,000.00	\$250,000.00
Total Approved Budget	\$164,000.00	\$126,000.00	\$290,000.00

As shown in Table-2 on page 1, additional funding appropriation is needed to complete the project. The amount requested is \$19,594.00 from the Stormwater Fund.

The increase in the total project cost is likely due to the changes in the design per the Washington State Department of Fish and Wildlife's direction. Fortunately, the design team has a good working relationship with the permitting agencies and kept them aware of the project in the early design stage, which may have avoided additional changes during the final design stage.

There is available funding in the Stormwater Fund to cover the appropriation request. A recent stormwater project, Sub Basin 51a was completed in 2019 and had expenditure savings to cover the additional appropriation needs.

Due to the permit requirement, construction is anticipated to begin in early July 2020 and be completed before the fish-window closes.

RECOMMENDATION

Award the 2020 Watercourse Stabilization Project to Green Earthworks Const. Inc. in the amount of \$160,864.79, appropriate \$19,594.00 from the Stormwater Fund, set the total project budget at \$309,594.00, and direct the City Manager to execute the construction contract.

City of Mercer Island 2020 Watercourse Stabilization Project Vicinity Map

AB 5695 | Exhibit 1 | Page 4



SCHEDULE "A" (AT SUB BASIN 29)
SITE LOCATION MAP (N.T.S.)




VICINITY MAP
 N.T.S.



SCHEDULE "B" (AT SUB BASIN 3b)
SITE LOCATION MAP (N.T.S.)



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

**AB 5708
June 2, 2020
Consent Calendar**

AGENDA BILL INFORMATION

TITLE:	AB 5708: Ratification of Action Taken During Special Meeting on May 27, 2020.	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Ratify action taken during City Council Special Meeting on May 27, 2020 authorizing publication of Council's Letter to Community Re: Sound Transit's Non-Compliant Bus/Rail Interchange 60% Design.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	City Attorney
STAFF:	Bio Park, City Attorney
COUNCIL LIAISON:	n/a
EXHIBITS:	1. City Council's Letter to Community Approved at the May 27, 2020 Special Meeting Re: Sound Transit's Non-Compliant Bus/Rail Interchange 60% Design.
CITY COUNCIL PRIORITY:	n/a

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

SUMMARY

At the Special Meeting on May 27, 2020, the City Council authorized the publication of its Letter to the Mercer Island Community Re: Sound Transit's Non-Compliant Bus/Rail Interchange 60% Design. A copy of this letter is attached as Exhibit 1. The meeting was held remotely using Zoom, and the notice of the meeting included instructions for the public to view and listen to the meeting by joining as an attendee in Zoom.

Following the meeting, City staff became aware that several members of the public who were trying to join the meeting experienced problems and were unable to view or listen to it. Although a recording of the meeting was uploaded promptly to the City's YouTube channel, the City may not have met all the requirements under chapter 42.30 RCW for a fully open meeting, because of problems experienced by the public viewing the meeting live.

To ensure that the action taken by the Council during the meeting on May 27, 2020 is valid, Council is asked to ratify its authorization for the City Manager to cause the publication of the Council's Letter to the Mercer Island Community Re: Sound Transit's Non-Compliant Bus/Rail Interchange 60% Design.

RECOMMENDATION

Ratify Council's action taken during the Special Meeting on May 27, 2020, authorizing the City Manager to cause the publication of the Council's letter to the Mercer Island community on the subject of Sound Transit's Non-Compliant Bus/Rail Interchange 60% Design, substantially in the form attached as Exhibit 1 to AB5708.

May 27, 2020 - Sound Transit's Non-Compliant Bus/Rail Interchange 60% Design Does Not Address City Concerns

A Letter to the Mercer Island Community,

The East Link light rail station on Mercer Island is nearing completion, yet there still is much work to do to ensure the community's interests are being met with the final design of the Sound Transit Bus/Rail Interchange that will deliver bus riders to the train.

The City Council understands that the Bus/Rail Interchange is a topic of great interest to the Mercer Island community. Depending on design, the Bus/Rail Interchange has the potential to adversely impact traffic patterns and public safety on the Island. The time for public comment is nearing, and this will be your opportunity to let Sound Transit know what you think of their design.

Earlier this spring, Sound Transit submitted their 60% design plans for the roundabout at 77th and North Mercer Way ([download here](#)) to the City for technical review. These documents identify the construction methods, materials to be used, necessary excavation, landscaping, and other details for the roundabout, as well as plans for the unbuilt 80th Avenue station entry plaza, and sidewalk and curb cut adjustments along North Mercer Way.

To meet the City's governmental obligation as the agency responsible for construction oversight, the City's engineering and building staff reviewed the 60% design and provided comments solely on the technical aspects of construction, which [can be viewed here](#).

We also notified Sound Transit that the 60% design for their Bus/Rail Interchange fails to meet the terms of our [2017 Settlement Agreement](#). The Settlement Agreement between the City and Sound Transit limits how Sound Transit can operate their Bus/Rail Interchange. The 60% design includes curb cuts along the north side of North Mercer Way that are not contemplated under the Settlement Agreement.

While there are many benefits that the completion of light rail provides to the community and region, the City has several significant unresolved concerns about the high volume of bicycles and pedestrians that are expected to mix with cars and buses adjacent to the busy Park & Ride location once East Link light rail is operational. Last October, [we reiterated our concerns](#) to Sound Transit over pedestrian safety, bus layovers, and a proposal to use the north curb frontage of North Mercer Way to drop off bus riders bound for light rail.

Unfortunately, Sound Transit's response to our concerns was met this April by a [letter](#) repeating their unwillingness to accept the limitations imposed by the Settlement Agreement on their Bus/Rail Interchange. Despite this response, the City remains committed to engaging Sound Transit proactively to urge them to comply with the terms of the Settlement Agreement during design, construction, and operation of their Bus/Rail Interchange. The City has also tried to engage King County Metro in a constructive dialog; to date King County Metro has shown little interest in engaging in this dialog.

On May 19, 2020, during the City's presentation on the draft Transportation Improvement Plan ([AB5691](#)), City staff proposed for our consideration and adoption a new project that begins to address public safety concerns. We were also provided with a [conceptual design](#) for this project. This project and conceptual design are consistent with the Settlement Agreement. The City's conceptual drawing

excludes bus drop-off and layover locations on the north side of North Mercer Way, improves sightlines, widens pedestrian paths and crossings, and enhances lighting.

Now is the time for all Islanders to engage in this final stage of light rail planning to ensure the best outcome for the Mercer Island community. Sound Transit has communicated plans to hold an online open house, currently expected to occur in June, on the 60% design depicting the roundabout and related features of their Bus/Rail Interchange. Sound Transit needs to hear from our community. The City Council strongly encourages all interested residents to view and comment on these 60% design plans, and to share any other concerns you may have (open house details will be posted on the City's [Let's Talk page](#) when available).

-Mercer Island City Council

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



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5709
June 2, 2020
Consent Calendar

AGENDA BILL INFORMATION

TITLE:	AB 5709: Ratification of Civil Emergency Orders Issued by the Mayor	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed:
RECOMMENDED ACTION:	Ratify and confirm the civil emergency orders issued by the Mayor on June 1, 2020 and June 2, 2020.	<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	City Attorney
STAFF:	Bio Park, City Attorney
COUNCIL LIAISON:	Benson Wong
EXHIBITS:	1. Proclamation No. 253 2. Civil Emergency Order dated June 2, 2020
CITY COUNCIL PRIORITY:	n/a

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

SUMMARY

In response to unlawful assemblies and riots resulting in looting and destruction of private and public properties in neighboring communities, and concerned that those rioting and looting in nearby cities may consider coming to Mercer Island to do the same, Mayor Benson Wong issued a Proclamation of Civil Emergency, and ordered a curfew and business closures on June 1, 2020 (See Exhibit 1). The Proclamation and orders were issued to protect the public peace, safety and welfare in Mercer Island pursuant to MICC 9.40.010 and .020, respectively.

City Manager Jessi Bon briefly summarized the proclamation at the Special Live Video Briefing on June 1, 2020, and the proclamation was delivered to all local media outlets, published on the City website, and cross-posted to social media platforms as required under MICC 9.40.030.

On June 2, 2020, the Mayor issued a Civil Emergency Order extending and adjusting the curfew and business closures to include the evenings of June 2nd through June 4th (See Exhibit 2).

Under MICC 9.40.020, orders issued by the Mayor pursuant to a Proclamation of Civil Emergency must be presented to the City Council for ratification and confirmation. If they are not ratified and confirmed by the City Council, they are voided.

RECOMMENDATION

Ratify and confirm the civil emergency orders issued by the Mayor on June 1, 2020 and June 2, 2020, as set forth in Exhibits 1 and 2 to AB 5709.



PROCLAMATION OF CIVIL EMERGENCY BY THE MAYOR OF THE CITY OF MERCER ISLAND

WHEREAS, during the past several days, unlawful assemblies and riots resulting in looting and destruction of private and public properties have occurred during the evening in the cities of Seattle, Bellevue, Tukwila, and Renton, causing these cities to impose curfews and/or take other actions to protect the public peace, safety, and welfare; and

WHEREAS, the city of Mercer Island (City) is concerned that those rioting and looting in nearby cities may consider coming to Mercer Island to do the same; and

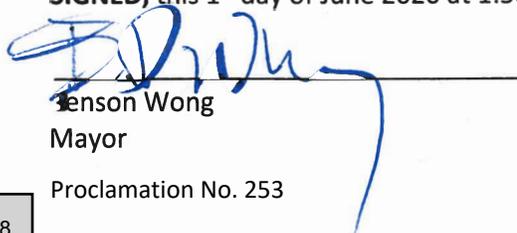
WHEREAS, the Mercer Island Police Department has put extra officers on duty, and Washington State Patrol and other partner agencies are on standby, in case rioters and looters come to Mercer Island; and

WHEREAS, there exists a potential threat of riot and unlawful assembly on Mercer Island that may result in serious injury of persons or the destruction of property to such extent as to require, in the judgment of the Mayor, extraordinary measures to protect the public peace, safety and welfare, especially during the current COVID-19 pandemic in King County;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED AS FOLLOWS:

1. **Civil Emergency.** A civil emergency, as described in MICC 9.40.010, exists on Mercer Island.
2. **Emergency Powers.** All emergency powers and authority set forth in MICC 9.40.020 are hereby invoked, including without limitation the power to issue orders imposing curfews and requiring business establishments to close to combat the civil emergency.
3. **Curfew Imposed.** A general curfew applicable to Mercer Island as a whole is imposed from **7:00 pm on Monday, June 1, 2020 to 5:00 am on Tuesday, June 2, 2020**. Except for essential critical infrastructure workers under the Governor's Proclamation 20-25, no persons shall enter or remain in the public right-of-way, or in any public parks, or at any other public place during such time.
4. **Business Closures.** All "brick and mortar" storefront business establishments on Mercer Island shall close and remain closed during the following days/times: **7:00 pm on Monday, June 1, 2020 to 5:00 am on Tuesday, June 2, 2020**.
5. **Delivery to Mercer Island community.** A copy of this Proclamation of Civil Emergency shall be delivered to the Mercer Island community via the City's website and social media channels and the City shall utilize such other reasonably available means to give notice of this Proclamation to the public.
6. **Violation – Penalty.** It is a misdemeanor for anyone to fail or refuse to obey any order proclaimed by the Mayor, pursuant to MICC 9.40.040.

SIGNED, this 1st day of June 2020 at 1:50 pm.



 Jensen Wong
 Mayor

Proclamation No. 253



CIVIL EMERGENCY ORDERS BY THE MAYOR OF THE CITY OF MERCER ISLAND

WHEREAS, during the last several days, unlawful assemblies and riots resulting in looting and destruction of private and public properties have occurred during the evening in the cities of Seattle, Bellevue, Tukwila, and Renton, causing these cities to impose curfews and/or take other actions to protect the public peace, safety, and welfare; and

WHEREAS, the city of Mercer Island (City) is concerned that those rioting and looting in nearby cities may consider coming to Mercer Island to do the same; and

WHEREAS, the Mercer Island Police Department has put extra officers on duty, and Washington State Patrol and other partner agencies are on standby, in case rioters and looters come to Mercer Island; and

WHEREAS, the Mayor, on June 1, 2020, issued a proclamation of civil emergency pursuant to MICC 9.40.010, and issued orders pursuant to MICC 9.40.020, imposing a curfew restricting persons from being in a public place, as well as requiring business establishments to close, between 7:00 pm on Monday, June 1, 2020 to 5:00 am on Tuesday, June 2, 2020 in order to protect the public peace, safety and welfare; and

WHEREAS, the conditions that required the proclamation of civil emergency and orders to be issued on June 1, 2020 still remain;

NOW, THEREFORE, IT IS HEREBY FURTHER ORDERED AS FOLLOWS:

1. **Curfew Imposed.** A general curfew applicable to Mercer Island as a whole is imposed during the following days/times:
 - a. From 8:00 pm on Tuesday, June 2, 2020 to 5:00 am on Wednesday, June 3, 2020; and
 - b. From 8:00 pm on Wednesday, June 3, 2020 to 5:00 am on Thursday, June 4, 2020; and
 - c. From 8:00 pm on Thursday, June 4, 2020 to 5:00 am on Friday, June 5, 2020.

No persons shall enter or remain in the public right-of-way, or in any public parks, or at any other public place during such time.

This general curfew shall not apply to law enforcement, emergency, City and other government personnel who are actively engaged in carrying out their duties; military personnel who are actively engaged in providing assistance to the City pursuant to a proclamation of civil emergency or orders then in effect; other City and government officials with valid identification; and accredited media representatives actively engaged in reporting news. For purposes of this order, the phrase "actively engaged in [...]" includes traveling to and from the location of those duties to begin or end a work shift.

2. **Business Closures.** All "brick and mortar" storefront business establishments on Mercer Island shall close and remain closed during the following days/times:
 - a. From 8:00 pm on Tuesday, June 2, 2020 to 5:00 am on Wednesday, June 3, 2020; and
 - b. From 8:00 pm on Wednesday, June 3, 2020 to 5:00 am on Thursday, June 4, 2020; and
 - c. From 8:00 pm on Thursday, June 4, 2020 to 5:00 am on Friday, June 5, 2020.

3. **Violation – Penalty.** It is unlawful for anyone to fail or refuse to obey any order proclaimed by the Mayor. Pursuant to MICC 9.40.040, anyone so convicted shall be guilty of a misdemeanor.

SIGNED, this 2nd day of June 2020 at 12:35 PM.



Benson Wong
Mayor

Proclamation No. 254



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5699
June 2, 2020
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 5699: 2020 Boards and Commissions Appointments	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Appoint members to vacant and expiring board and commission positions.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution

DEPARTMENT:	City Council
STAFF:	Deborah Estrada, City Clerk
COUNCIL LIAISON:	n/a
EXHIBITS:	<ol style="list-style-type: none"> 2020-2021 Board & Commission Vacancies Ordinance No. 96-002 City Council Rules of Procedure, Section 8 Resolution No. 1582
CITY COUNCIL PRIORITY:	n/a

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

SUMMARY

BACKGROUND

Historically, the City’s annual recruitment for board and commission positions begins in April, with appointments made in early June. An attempt was made earlier this year to fill three vacant positions that occurred at the end of 2019. The COVID-19 Pandemic impacted the regularly scheduled City Council meetings in March and those appointments did not occur.

The recruitment to fill the vacancies that occurred at the end of 2019 and the recruitment to fill the vacancies occurring at the end of May 2020 were combined. The following board and commission positions were advertised in April and May:

- [Arts Council](#) (2 open positions) *(Note – Only 1 application was received)*
- [Design Commission](#) (2 open positions)
- [Open Space Conservancy Trust](#) (3 open positions)
- [Parks & Recreation Commission](#) (1 open position)
- [Planning Commission](#) (3 open positions)
- [Utility Board](#) (2 open positions)

RECRUITMENT PROCESS

Position vacancies were advertised across several platforms, including:

- City Website News Release
- City Manager Report
- Mercer Island Reporter Ad
- MI Weekly
- Social Media
- Weekly COVID-19 Briefings

Emails were also sent to current board and commission members and individuals that had applied in the last two years, inviting them to submit an application. In response to outreach efforts, 22 new applications and 8 requests for reappointment were received by the May 19, 2020 deadline. All applications were forwarded to the City Council for review on Friday, May 22, 2020.

Attached as Exhibit 1 is a list of the 2020-2021 Board & Commission Vacancies that identifies vacant positions and the corresponding term. This list also identifies new applicants, those requesting to be reappointed, and the board or commission for which they have applied.

APPOINTMENT PROCESS

Open Space Conservancy Trust (“OSCT”) members are appointed by the Mayor and approved by a majority of the City Council as outlined in Article III of Ordinance No. 96-002 (see Exhibit 2).

At its February 18, 2020 Regular Meeting, the City Council changed the board and commission appointment process (see Exhibit 3, [City Council Rules of Procedure](#), specifically Section 8.12) providing that all appointments (with the exception of the OSCT) are made by a vote of the City Council during a regularly scheduled meeting. Each City Councilmember will complete a written ballot, casting a vote equal to the total number of open seats on the board or commission. Given that the City Council meetings are occurring virtually due to the COVID-19 Pandemic, ballots will need to be submitted to the City Clerk via email to comply with the Rules of Procedure.

The applicants that receive the most votes, provided they have received a minimum of four votes, will be appointed to the open seats on the board or commission. The names of the applicants selected will be added to a resolution (see draft Resolution No. 1582 attached as Exhibit 4), with final approval required by a vote of the City Council.

Please note, there was one request for reappointment and no new applications for appointment to the Arts Council. Staff will await the outcome of the appointment process and then advertise to fill the remaining vacancy.

RECOMMENDATION

- 1) Approve the Mayor’s recommendations for appointment to the Open Space Conservancy Trust for the positions expiring May 31, 2020 and 2022.
- 2) Approve Resolution No. 1582 appointing members to fill the vacancies on the City’s advisory boards and commissions.

2020-2021 Board & Commission Vacancies

BOARD OR COMMISSION	POS #	TERM EXP	APPOINTMENT	NEW TERM
Arts Council	5	2020		2024
	6	2020		2024
Design Commission	3	2020		2024
	4	2020		2024
Open Space Conservancy Trust	1	2020		2024
	4	2022		2022
	6	2020		2024
Parks & Recreation Commission	7	2020		2024
Planning Commission	2	2023		2023
	3	2020		2024
	4	2020		2024
Utility Board	1	2020		2024
	2	2020		2024

2020 Board & Commission Applicant List

	LAST	FIRST	BOARD/COMMISSION	NEW/REAPPT
1	Barnes	Amy	Arts Council	Reappointment
2	Beerman	Jeanne	Design Commission	New
3	Cargill	Doug	Design Commission	New
4	Hubbell	Daniel	Design Commission	New
5	McPherson	Claire	Design Commission	Reappointment
6	Perez	Anthony	Design Commission	Reappointment
7	Pokorny	William	Design Commission (1st Choice)	New
8	Ethe	Hillary	OSCT	New
9	Glasser	Michele	OSCT	New
10	Mattison	Susan	OSCT	New
11	Robinson	Lorelei	OSCT	New
12	Weir-Weyna	Nancy	OSCT	New
13	Weissman	Robert	OSCT	New
14	Young	Ze'ev	OSCT	New
15	Hildebrandt	Thomas	OSCT	Reappointment
16	Olson	Craig	OSCT	Reappointment
17	Gilman	Lloyd	Parks & Recreation	New
18	Griffin	Kirk	Parks & Recreation	New
19	Harrington	Jonathan	Parks & Recreation	New
20	Struck	Peter	Parks & Recreation	New
21	Weissman	Robert	Parks & Recreation	New
22	Akers	Ray	Planning Commission	New
23	Cargill	Doug	Planning Commission	New
24	Granbois	Traci	Planning Commission	New
25	Harrington	Jonathan	Planning Commission	New
26	Murphy	Michael	Planning Commission	New
27	Hubbell	Daniel	Planning Commission	Reappointment
28	Pirzio-Biroli	Lucia	Planning Commission	Reappointment
29	Majewski	Stephen	Utility Board	New
30	Pokorny	William	Utility Board (2nd Choice)	Reappointment

**CITY OF MERCER ISLAND
ORDINANCE NO. 96-002**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND
AMENDING ORDINANCE NO. B-93, MERCER ISLAND
OPEN SPACE CONSERVANCY TRUST REPLACING
PARK AND COMMUNITY ACTIVITIES BOARD MEMBERS
AS TRUSTEES WITH CITIZEN AT LARGE TRUSTEES
AND SETTING FORTH TERM LIMITS**

WHEREAS, The City Council on February 10, 1992 passed Ordinance B-93; and

WHEREAS, the Trust provided for three (3) trustees to be appointed from the Park and Community Activity Board, three (3) citizens at large and one (1) City Councilmember; and

WHEREAS, the Parks and Community Activity Board is no longer in existence; now, therefore,

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

SECTION 1. Ordinance No. B-93 is hereby amended as follows:

There is hereby established a trust to be known as the MERCER ISLAND OPEN SPACE CONSERVANCY TRUST (hereinafter "the Trust") subject to the following terms and conditions:

TRUST TERMS AND CONDITIONS

ARTICLE I

Purposes of the Trust

This Trust is established for the purposes of:

- (a) Receiving and holding all Open Space Properties transferred to the Trust by the City Council, or by other governmental or private land owners with approval of the City Council, in perpetuity, or until such time as this Trust is terminated or any such Open Space Property is removed from this

ORIGINAL

Trust by the occurrence of one or more of the conditions set forth in this Trust;

- (b) Protecting, maintaining and preserving the Open Space Properties; and
- (c) Insuring that the development and use of the Open Space Properties are both consistent and compatible with the intent and purposes of this Trust and the guidelines and policies enacted pursuant to this Trust.

For the purposes of this Trust, "Open Space Property" means any undeveloped parcel of real property, although not necessarily completely natural and undisturbed, whose existing openness, natural conditions or present state of use, if retained, would maintain or enhance the present or potential conservation of natural or scenic resources of Mercer Island and which has been declared to be Open Space Property by the City Council with the intent that any future use of the property be limited to passive and low impact forms of use such as walking, jogging, or picnicking. All improvements to and uses of the Open Space Property shall not change its character or impair any of its ecological, scenic, aesthetic or natural attributes. All improvements shall be limited to those actions which are both consistent and compatible with passive and low impact uses of the property.

ARTICLE II

Duration of the Trust

The period of duration of the Trust shall be perpetual, except as hereinafter provided.

ARTICLE III

The Board of Trustees

The Board of Trustees shall consist of seven (7) members (hereinafter referred to as "the Trustees"). Each of the Trustees shall be appointed by the Mayor and approved by a majority of the City Council. ~~The Park and Community Activities Board, or its successor, ("the PACAB") may recommend potential Trustees to the Mayor.~~

The Trustees shall consist of one (1) City Council member, ~~three (3) PACAB members~~ and ~~three (3)~~ six (6) citizens at large who must be residents of the City to qualify for appointment and must remain residents in order to continue to serve as Trustees. Citizen Trustees may not be members of the City Council. ~~or the PACAB.~~ The Trustees shall receive no compensation for their services.

The Trustees shall serve for the following terms: the City Council member shall serve a two-year term; ~~the PACAB members shall serve three year terms;~~ and the citizens at large shall serve ~~six year~~ four year terms; provided, however, for the initial appointed term, ~~one PACAB member shall serve a one year term, one shall serve a two year term, and one shall serve a three year term;~~ one citizen shall serve a four-year term, one shall serve a five-year term and one shall serve a six-year term. Thereafter ~~the PACAB member shall serve three year terms and the citizens at large shall serve six year~~ four year terms.

In the event of a vacancy on the Board of Trustees for any cause, a new Trustee shall be appointed for the duration of the un-expired term. If a Trustee fails to attend two (2) consecutive meetings of the Board of Trustees, of which he/she has had proper advance notice in writing, without having been excused by the Chairperson of the Board of Trustees, the Trustee will be deemed to have forfeited his/her position and there shall be a vacancy in the position.

The Trustees shall meet at least semi-annually in January and July of each year, or more often at a special meeting at the request of either the Trust Chairperson, a majority of the Trustees, ~~or the PACAB Chairman~~ or the Mayor. Notice of a special meeting shall be provided in writing to each Trustee at least ten (10) calendar days in advance of the meeting. All meetings of the Trustees where a quorum of the Trustees are present shall be public meetings, open to the public, properly noticed, and governed by the Open Public Meeting Act, as amended from time to time.

At their first meeting the Trustees shall elect from their membership a Chairperson, a Vice-Chairperson and a Secretary and elect or re-elect a Chairperson, a Vice-Chairperson and a Secretary annually thereafter at the January Trustee meeting. At least five of the Trustees must be present at any regular or special meeting to comprise a quorum for the transaction of business. The act of a majority of the Trustees present at a meeting at which a quorum is present shall be the act of the Board of Trustees, except as otherwise provided herein under Article VIII.

ARTICLE IV

Powers and Duties of the Trustees

The Trustees shall have the powers and duties to:

1. Receive and hold title to real property, or interests in real property (such as conservation easements), transferred to the Trust for preservation as Open Space Properties (collectively "Trust properties");
2. Ensure preservation of Trust properties as Open Space Properties;

3. Prepare and recommend written policies to the PACAB City Council that are necessary to preserve Trust properties as open space properties, including, but not limited to, policies regarding public use of, maintenance of, and improvements to such properties. The City Council shall adopt written policies after receipt of recommendations from the PACAB Trust;
4. At least annually, review the status of the Trust and each of the Trust properties and report to the PACAB City Council on the condition of the various properties, with any recommendations concerning how the Trust properties may be managed to preserve them as Open Space Properties and any other recommendations on how the purposes of the Trust could be better accomplished. It is the intent of the City Council that this annual report be aligned with the City Council's annual review of City policy during the budget process;
5. Exercise such other powers as may be necessary for carrying out the purposes of this Trust.

ARTICLE V

Trust Corpus

The Trust corpus shall consist of real property, or interests in real property (such as conservation easements), which have been acquired by the City of Mercer Island and subsequently transferred by the City to the Trust, or real property, or interests in real property, which are received by the Trustees from other governmental or private land owners after review by the PACAB and approval by the City Council.

The City Council shall be responsible for authorizing all expenditures for the maintenance of, use of, and improvements to Trust properties. The PACAB Trustees shall be responsible for overseeing the management of the Trust properties. Such oversight shall be consistent with the purposes of this Trust and any written policies concerning the Trust properties. All maintenance shall be performed by or at the direction of the City and shall at all times be both consistent and compatible with the intent and purposes of this Trust and the guidelines and policies enacted pursuant to this Trust.

Notwithstanding anything to the contrary in this Trust, after consultation with the Trustees (except in emergency situations), the City may do whatever is necessary to protect the public's health, safety and welfare, including, without limitation, maintaining storm water drainage basins; stabilizing steep slopes and other critical or sensitive areas; protecting wetlands; controlling erosion; installing, repairing and replacing utility lines; and removing potentially hazardous conditions.

ARTICLE VI

Insurance-Indemnification

The City shall be responsible for insuring Trust properties, and for naming the Trustees as additional insureds under the City's insurance authority. The City shall indemnify, defend and hold harmless any current or former Trustee and his or her successor, spouse and marital community against costs, expenses, judgments, and liabilities, including attorney's fees, reasonably incurred by or imposed upon him or her in connection with or resulting from any claim, action or proceeding, civil or criminal, in which he or she is or may be a party by reason of being or having been a Trustee, or by reason of any action taken or omitted by him or her as such Trustee; provided that he or she was acting in good faith on behalf of the Trust and within the scope of the powers and duties imposed or authorized by this Trust or by law.

ARTICLE VII

Amendment of Trust

The provisions of this Trust may be amended by an affirmative vote of at least five (5) members of the City Council; provided, that any such amendment is consistent and compatible with the original intent and purposes of this Trust and does not affect the perpetual duration of the Trust. Prior to actions on the proposed amendment the City Council shall: (1) request recommendations and comments from the Trustees regarding the proposed amendment; and (2) hold a public hearing for the purpose of considering the Trustees' recommendations and comments, if any, as well as to consider any recommendations and comments from the public about the proposed amendment.

ARTICLE VIII

Termination/Dissolution of the Trust

This Trust shall continue in perpetuity, but, if for any reason, the Trust, or any portion of the Trust, becomes illegal, or impossible to enforce, or any of the Trust properties no longer qualify for inclusion in the Trust, this Trust may be terminated in whole, or in part, or any of the Trust properties reconveyed to the City, by a vote in favor of termination or reconveyance by at least five (5) of the Trustees and a vote in favor of termination or reconveyance by at least five (5) members of the City Council. Thereupon the Trust properties affected shall be reconveyed to the City. Upon final distribution of all Trust properties the powers, duties, and authority of the Trustees shall cease.

If the Trustees and Council do not effect termination by dissolution as provided above in the event of impossibility or illegality of enforcement in whole or in part, the Trustees shall take appropriate action to maintain the Trust in as similar a form as possible. The Trustees shall make a proper and timely application, petition, or action at equity to a court of competent jurisdiction for the application of the doctrine of Cy Pres. The application, petition, or action shall seek to appropriately modify the purposes and terms of this Trust so as to continue management of the open space properties then held by the Trust in as similar a manner as stated herein as possible without offending the law. If the court fails to so suitably modify the Trust, the Trust shall terminate and the Trust corpus affected will be distributed to the City of Mercer Island.

ARTICLE IX

Incorporation of Recitals

All recitals are incorporated into this Trust by this reference as if they were more fully stated herein.

SECTION 2. Ordinance No. B-93 as adopted and as hereby amended is hereby ratified and confirmed and continued in full force and effect.

SECTION 3. The provisions of this ordinance are severable, and if any provision of this ordinance, or the application of this ordinance to any circumstance, is held to be invalid, the application of such provision to other circumstances and the remainder of the provisions of this ordinance, shall not be affected thereby.

SECTION 4. This ordinance shall take effect and be in force five (5) days from the date of its passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON THE 6th DAY OF May, 1996.



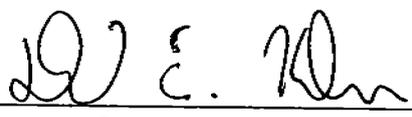
Judy Clibborn, Mayor

ATTEST:



Christine Eggers, City Clerk
Jamie Kuhnhausen, Acting City Clerk

APPROVED AS TO FORM:



~~H. Wayne Stewart, Assistant City Attorney~~

David Kahn,

SECTION 8. CITY ADVISORY BOARDS AND COMMISSIONS

- 8.1** Mercer Island's advisory boards and commissions provide an invaluable service to the City. Their advice on a wide variety of subjects aids the City Council in the decision-making process. Effective citizen participation is an invaluable tool for local government.
- 8.2** These advisory bodies originate from different sources. Some are established by Title 3 of the Mercer Island City Code while others are established by motion or ordinance of the City Council. It is at the discretion of the City Council as to whether any advisory body should be established by ordinance. The following advisory boards and commissions are established:
- A.** Design Commission
 - B.** Planning Commission
 - C.** Utility Board
 - D.** Mercer Island Arts Council
 - E.** Open Space Conservancy Trust Board
 - F.** Parks & Recreation Commission
- 8.3** Each board and commission shall adopt rules of procedure (or bylaws) to guide governance of their board or commission, including the number of meetings unless set forth in a resolution or ordinance or unless the number of meetings adversely impacts City staff resources, as determined by the City Manager.
- 8.4** The City Council may dissolve any advisory body that, in their opinion, has completed its working function or for any other reason.
- 8.5** Lengths of terms vary from one advisory body to another, but in all cases overlapping terms are intended.
- 8.6** All meetings of advisory bodies are open to the public in accordance with Chapter 42.30 RCW, [Open Public Meetings Act](#), and require a minimum 24-hour advance notice.
- 8.7** Members may be removed, from any advisory board or commission, prior to the expiration of their term of office, in accordance with the provisions of the ordinance or resolution establishing such advisory board or commission.
- 8.8** All members of advisory boards and commissions shall sign the Code of Ethics Statement acknowledging and understanding the ethical principles which shall govern their conduct.
- 8.9** The City Council transmits referrals for information or action through the City Manager and the City Council liaison to the advisory boards and commissions. These advisory boards and commissions transmit findings, reports, etc., to the City Council through the City Manager and the City Council liaison.

- 8.10** The City Manager shall appoint City staff to assist advisory boards and commissions. City staff are not employees of that body and take direction only from his or her Department Director or the City Manager. Boards and commissions shall not direct City staff to perform research, gather information or otherwise engage in activities involving projects or matters that are not listed on the work plan unless approved by the City Council or City Manager.
- 8.11** Annually, staff for the Parks and Recreation Commission, Planning Commission and Open Space Conservancy Trust Board shall develop a draft work plan and present the work plan to the City Council for review, possible amendments, and approval.
- 8.12 Appointment Process.** Annually, the City Clerk will advertise for applicants to fill expiring positions on the boards and commissions as follows, unless otherwise provided by law:
- A.** Available positions are advertised.
 - B.** Once the application deadline has passed, all applications will be forwarded to the City Council for review.
 - C.** The City Clerk will include the appointment process on the agenda for the next regularly scheduled City Council meeting.
 - D.** The City Clerk will prepare a ballot for each board or commission, listing applicants alphabetically by last name.
 - E.** The voting process for appointment to each board and commission shall be as follows:
 1. Each City Councilmember completes a written ballot, casting a vote equal to the total number of open seats on the board or commission. For example, if there are two open seats, then each Councilmember has two votes, one for each seat.
 2. The City Clerk will collect the ballots and tally the votes and read aloud the outcome of the voting process.
 3. The applicants that received the most votes, provided they have received a minimum of four votes, will be appointed to the open seat(s) on the board or commission. In the event of a tie that must be resolved to determine who is seated among the majority vote getters, ties will be broken following the procedures of 8.12.E.5.
 4. If an insufficient number of applicants receive a minimum of four votes, a second round of voting will take place utilizing the following process:
 - a. Applicants that are not part of the tied block in the first round will be dropped from the ballot and Councilmembers will re-vote on the remaining applicants.
 - b. Voting will continue until an applicant(s) receives the four-vote minimum.
 5. If a tie exists after the first vote or in a subsequent round of voting, and a tiebreaker is necessary to make an appointment, a tiebreaker vote will be conducted utilizing the following process:
 - a. Councilmembers will vote on the applicants that are tied and all other applicants will be eliminated from the voting process.

- b. If after three successive votes a tie still exists, the names of all of the applicants that are tied will be put into a hat and the City Clerk will draw out one of the names. The name that is drawn will be appointed to the open seat on the board or commission sought by such applicant.
- 6. The Mayor may call for a recess at any time during the voting process to allow Councilmembers to caucus. Caution should be exercised during a caucus to avoid “serial meetings” as these types of discussions are not allowed under the Open Public Meetings Act.
- 7. The names of the applicant(s) selected will be added to a Resolution, with final approval required by a vote of the City Council.
- F. Letters will be sent to all applicants informing them of their appointment or thanking them for applying. Staff liaisons will contact new appointees in advance of the first board or commission meeting.

8.13 Vacancies.

- A. When vacancies occur, they are filled for the unexpired terms in the same manner as described in Section 8.12. The City Council will be notified of vacancies so they may encourage residents to apply.
- B. In the event a vacancy occurs mid-term, the City Council shall appoint a person to fill the unexpired term within 60 days.
- C. If the mid-term vacancy occurs for a position with six months or less remaining in the term, the City Council may elect to fill the unexpired term and the next four-year term concurrently.

8.14 Open Government Training Requirement.

Within 90 days of the appointment to a board or commission, all new members must complete the Open Public Meetings Act training required by the Open Government Trainings Act and provide proof of completion of such training to the City Clerk.

8.15 City Council Liaison Roles & Duties.

The Mayor (in consultation with the Deputy Mayor) may appoint a City Council liaison for certain boards or commissions. The City Council liaison shall report objectively on the activities of both the City Council and the advisory group. The specific duties of a City Council liaison are as follows:

- A. Attend meetings of the board or commission on a regular basis and sit at the table or dais, as applicable.
- B. Participate in discussion and debate of the board or commission, but not vote on any matter (except for the Open Space Conservancy Trust as the City Council Liaison is a voting member).
- C. Represent the majority City Council position, if known.
- D. Participate in a manner that will not intimidate or inhibit the meetings and operations of the board or commission. Make comments in a positive manner to promote positive interaction between the City Council and the board or commission.

- E.** Be prepared to give the City Council regular and timely reports at regular City Council meetings. Take the lead on discussion items before the City Council which pertain to the assigned board or commission.
- F.** With the Mayor and Deputy Mayor, provide input regarding potential candidates for appointment to the board or commission.

**CITY OF MERCER ISLAND, WASHINGTON
RESOLUTION NO. 1582**

**A RESOLUTION OF THE CITY OF MERCER ISLAND WASHINGTON APPOINTING
MEMBERS TO THE MERCER ISLAND BOARDS AND COMMISSIONS**

WHEREAS, Mercer Island's advisory boards and commissions provide an invaluable service to the City and their advice on a wide variety of subjects aids the City Council in the decision-making process; and

WHEREAS, there are currently ten vacancies on the City Council Boards and Commissions; and

WHEREAS, the City Clerk solicited applications for said positions; and

WHEREAS, the appointment for each board and commission is established by ordinance and is to be made by a vote of the City Council during a regularly scheduled meeting.

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

Section 1. Appointment of Arts Council. Pursuant to MICC 3.55.030(C), the City Council hereby appoints the following individual to the Mercer Island Arts Council for the designated term hereafter set forth:

_____ Position #5 Term Expires May 31, 2024

Staff will continue to recruit to fill open Position #6.

Section 2. Appointment of Design Commission. Pursuant to MICC 3.34.030(C), the City Council hereby appoints the following individual to the Mercer Island Design Commission for the designated terms hereafter set forth:

_____ Position #3 Term Expires May 31, 2024

_____ Position #4 Term Expires May 31, 2024

Section 3. Appointment of Parks & Recreation Commission. Pursuant to MICC 3.53.030(C), the City Council hereby appoints the following individual to the Mercer Island Parks & Recreation Commission for the designated term hereafter set forth:

_____ Position #7 Term Expires May 31, 2024

Section 4. Appointment of Planning Commission. Pursuant to MICC 3.46.030(C), the City Council hereby appoints the following individual to the Mercer Island Planning Commission for the designated terms hereafter set forth:

_____ Position #2 Term Expires May 31, 2023

_____ Position #3 Term Expires May 31, 2024

_____ Position #4 Term Expires May 31, 2024

Section 5. Appointment of Utility Board. Pursuant to MICC 3.52.030(C), the City Council hereby appoints the following individual to the Mercer Island Utility Board for the designated terms hereafter set forth:

_____ Position #1 Term Expires May 31, 2024

_____ Position #2 Term Expires May 31, 2024

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this Resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Resolution be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Resolution or its application to other persons or circumstances.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS REGULAR MEETING ON JUNE 2, 2020.

CITY OF MERCER ISLAND

Benson Wong, Mayor

ATTEST:

Deborah A. Estrada, City Clerk

**CITY OF MERCER ISLAND, WASHINGTON
RESOLUTION NO. 1582**

**A RESOLUTION OF THE CITY OF MERCER ISLAND WASHINGTON APPOINTING
MEMBERS TO THE MERCER ISLAND BOARDS AND COMMISSIONS**

WHEREAS, Mercer Island's advisory boards and commissions provide an invaluable service to the City and their advice on a wide variety of subjects aids the City Council in the decision-making process; and

WHEREAS, there are currently ten vacancies on the City Council Boards and Commissions; and

WHEREAS, the City Clerk solicited applications for said positions; and

WHEREAS, the appointment for each board and commission is established by ordinance and is to be made by a vote of the City Council during a regularly scheduled meeting.

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

Section 1. Appointment of Arts Council. Pursuant to MICC 3.55.030(C), the City Council hereby appoints the following individual to the Mercer Island Arts Council for the designated term hereafter set forth:

AMY BARNES Position #5 Term Expires May 31, 2024

Staff will continue to recruit to fill open Position #6.

Section 2. Appointment of Design Commission. Pursuant to MICC 3.34.030(C), the City Council hereby appoints the following individual to the Mercer Island Design Commission for the designated terms hereafter set forth:

CLAIRE MCPHERSON Position #3 Term Expires May 31, 2024

ANTHONY PEREZ Position #4 Term Expires May 31, 2024

Section 3. Appointment of Parks & Recreation Commission. Pursuant to MICC 3.53.030(C), the City Council hereby appoints the following individual to the Mercer Island Parks & Recreation Commission for the designated term hereafter set forth:

PETER STRUCK Position #7 Term Expires May 31, 2024

Section 4. Appointment of Planning Commission. Pursuant to MICC 3.46.030(C), the City Council hereby appoints the following individual to the Mercer Island Planning Commission for the designated terms hereafter set forth:

- MICHAEL MURPHY** Position #2 Term Expires May 31, 2023
- LUCIA PIRZIO-BIROLI** Position #3 Term Expires May 31, 2024
- DANIEL HUBBEL** Position #4 Term Expires May 31, 2024

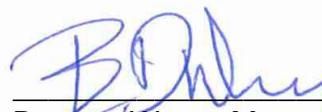
Section 5. Appointment of Utility Board. Pursuant to MICC 3.52.030(C), the City Council hereby appoints the following individual to the Mercer Island Utility Board for the designated terms hereafter set forth:

- STEPHEN MAJEWSKI** Position #1 Term Expires May 31, 2024
- WILLIAM POKORNY** Position #2 Term Expires May 31, 2024

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this Resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Resolution be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Resolution or its application to other persons or circumstances.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS REGULAR MEETING ON JUNE 2, 2020.

CITY OF MERCER ISLAND



Benson Wong, Mayor

ATTEST:



Deborah A. Estrada, City Clerk



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

**AB 5704
June 2, 2020
Regular Business**

AGENDA BILL INFORMATION

TITLE:	AB 5704: Temporary Change to City Council Regular Meeting Start Time	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed:
RECOMMENDED ACTION:	Adopt Ordinance No. 20C-10 temporarily changing until December 31, 2020 the start time of Regular Meetings of the City Council from 6:30 pm to 5:00 pm.	<input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	City Attorney
STAFF:	Bio Park, City Attorney
COUNCIL LIAISON:	Benson Wong
EXHIBITS:	1. Ordinance No. 20C-10
CITY COUNCIL PRIORITY:	n/a

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

SUMMARY

Since the various declarations of emergency and orders to stay home were issued as a result of the COVID-19 Pandemic, the City Council has been conducting its meetings remotely. The public can call and listen to the remote meetings, or watch them live through Zoom, YouTube, and MI-TV Channel 21. In addition to being conducted remotely, the meetings have started earlier at 5:00 pm, because conducting meetings remotely generally takes longer to complete, and councilmembers' work schedules have become more flexible as a result of working remotely.

The start time of Regular Meetings of the City Council is 6:30 pm, per MICC 2.06.010. When the meeting time is changed, a Special Meeting has to be called and noticed and these steps are required for every Special Meeting.

At the City Council meeting on May 19, 2020, the City Council asked staff to bring back an ordinance temporarily amending the start time of Regular Meetings to 5:00 pm. Ordinance No. 20C-10, temporarily changing the start time of Regular Meetings to 5:00 pm until December 31, 2020, is attached as Exhibit 1.

If the City Council chooses to suspend the City Council Rules of Procedure 6.3 and adopt Ordinance No. 20C-10 at its first reading, the ordinance will be scheduled for publication on June 10, 2020, and take effect in time for the scheduled meeting on June 16, 2020 to be a Regular Meeting.

RECOMMENDATION

1. Suspend City Council Rules of Procedure 6.3, requiring a second reading for an ordinance.
2. Adopt Ordinance No. 20C-10 amending section 2.06.010 of the Mercer Island City Code to temporarily change the start time of Regular Meetings of the City Council.

**CITY OF MERCER ISLAND
ORDINANCE NO. 20C-10**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AMENDING SECTION 2.06.010 OF THE MERCER ISLAND CITY CODE TO TEMPORARILY CHANGE THE START TIME OF REGULAR MEETINGS OF THE CITY COUNCIL, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Mercer Island has previously adopted ordinances codified at chapter 2.06 of the Mercer Island City Code establishing the date and time of regular Council meetings pursuant to the Open Public Meetings Act; and

WHEREAS, the City Council has been meeting remotely during the current COVID-19 emergency in compliance with various orders to stay home, restricting public gatherings and amending the OPMA; and

WHEREAS, the public can call and listen to the City Council's remote meetings, or watch them live through Zoom, YouTube, and MI-TV Channel 21; and

WHEREAS, the City Council finds and determines that, in order to provide open and efficient operations of City Council meetings, and to promote administration of the affairs of the city, it is necessary and appropriate to amend Section 2.06.010 of the Mercer Island City Code to temporarily change the start time of regular meetings during the aforementioned emergency when the City Council is meeting remotely;

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

Section 1. **Amended.** Section 2.06.010 of the Mercer Island City Code is hereby amended to read as follows:

Regular meetings of the city council will be held on the first and third Tuesday of each month at the hour of 6:30 pm; except that the regular meeting start time between the effective date of City of Mercer Island Ordinance No. 20C-10 and December 31, 2020 shall be 5:00 pm. When a meeting day falls on a legal holiday, such meeting shall be held on the first business day following.

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 special meeting on the 2nd 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: _____



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

**AB 5694
June 2, 2020
Regular Business**

AGENDA BILL INFORMATION

TITLE:	AB 5694: COVID-19 Response: 2020 Budget Adjustments	<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:	Review and adopt Ordinance No. 20-08 amending the 2020 General Fund adopted budget to: <ol style="list-style-type: none"> 1. Memorialize Phase 1 and Phase 2 cost saving measures 2. Appropriate Contingency Funds to support ongoing emergency operations thru August 31, 2020 3. Authorize use of Contingency Funds to establish an Unemployment Reserve 4. Authorize use of the Compensated Absences Reserve for one-time accrued benefit cash-outs 	

DEPARTMENT:	Finance
STAFF:	Matthew Mornick, Interim Finance Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 20-08
COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ 796,000
AMOUNT BUDGETED	\$ 0
CONTINGENCY FUND APPROPRIATION REQUEST	\$ 796,000

SUMMARY

EXECUTIVE SUMMARY

This budget amendment provides adjustments for revenue and expenditures that were not anticipated when the City Council adopted the original 2019-2020 budget (Ordinance No. 18-18). This amendment specifically memorializes the Phase 1 and Phase 2 cost saving measures totaling \$2,785,600 in General Fund reductions. Furthermore, the budget amendment appropriates \$496,000 in Contingency Funds to support ongoing emergency operations through August 31, 2020, authorizes up to \$300,000 in Contingency Funds to establish an Unemployment Reserve, and authorizes use of the Compensated Absences Reserve for one-time accrued benefit cash-outs up to \$300,000.

Budget amendments are required when expenditures of a Fund are forecasted to exceed the adopted budget, when transfers between funds are required, or when budget changes need to be memorialized, establishing a new baseline budget.

These requested actions are further detailed below.

BACKGROUND

Staff presented [AB 5687](#) at the May 5, 2020 City Council meeting. The agenda bill included an updated 2020 General Fund forecast resulting from the economic contraction created by the COVID-19 Pandemic ("Pandemic"), closure of City facilities, and cost savings measures implemented in March and April.

The presentation also included estimated costs associated with the ongoing emergency response. Staff committed to returning to the City Council with a budget amendment to memorialize these changes.

Also discussed at the May 5, 2020 City Council meeting was the use of the Compensated Absences Reserve to cover accrued benefit cash-outs (per City policy or Collective Bargaining Agreements) as a result of recent employee layoffs or separations.

PROPOSED 2020 BUDGET ORDINANCE

As of May 5, 2020, the projected revenue shortfall in the General Fund is \$4.7 million. A number of cost-saving measures were implemented to address the projected shortfall in March and April. Phase 1 included reductions in the Park and Recreation Department. Phase 2 included cost saving measures across the General Fund. Taken together, Phase 1 and Phase 2 generated \$2.8 million in savings due to reduced expenditures.

Ordinance 20-08 (Exhibit 1) memorializes these cost saving measures by incorporating these budget adjustments into the 2020 Adopted budget, in effect reducing the budget and establishing a new baseline.

Budget Adjustments

As part of the Phase 1 COVID-19 cost saving measures, casual, contract, and seasonal labor employees in the Parks and Recreation Department were laid off. In addition, a hiring freeze was implemented and included four vacant positions in the Parks and Recreation Department and one vacant position in the Community Planning and Development Department. The Phase 1 cost saving measures resulted in \$1,150,000 in savings in the General Fund.

As part of the Phase 2 COVID-19 cost saving measures, 11 full-time equivalent positions were laid off in the Parks and Recreation Department and two regular full-time employees were laid off in the Facilities Division. The operating budget was also scaled down in the Parks and Recreation Department, the Public Works Department (General Fund only), and the Facilities Division to reflect the ongoing closure of City buildings and the cancelation of programs. Resources for staff travel and training were also significantly reduced across the General Fund. The Phase 2 cost saving measures resulted in \$1,757,000 in savings in the General Fund.

With these workforce reductions, the park maintenance function and the parks capital planning function were intended to be combined with and managed by the Public Works Department. Since the May 5, 2020 presentation to the City Council, two senior-level managers in the Public Works Department announced they are separating from the City (a retirement and a resignation). With this unexpected staffing change, the Public Works Department is unable to sustain the additional parks management duties. As a result, the City will

retain the Parks Operations Manager position and the Natural Resource Specialist position. Both positions were previously included on the list of layoffs and reflected in the Phase 2 Parks and Recreation Department projected savings. The budget amendment estimate has been reduced by \$121,400 to reflect the retention of these two Parks and Recreation Department positions.

A summary of the Phase 1 and Phase 2 reductions is provided in the table below.

General Fund Budget Amendments	
Phase 1 Cost Saving Measures	(1,150,000)
Phase 2 Cost Saving Measures	(1,757,000)
Staffing Adjustment - Park Maintenance/Capital	121,400
Total Budget Reduction	\$ (2,785,600)

EMERGENCY OPERATIONS

Background

During an emergency, the City prioritizes essential public service delivery and the provision of critical emergency response services to the Mercer Island community. The City works in coordination with King County and the State of Washington as part of a comprehensive emergency response network.

On March 5, 2020, the City activated the Emergency Operations Center (EOC) to Level Three status in response to the Pandemic. Level Three is the lowest level of activation in which a smaller group of City staff lead the response. By the end of March, the activation was elevated to Level One status – the highest-level activation within the emergency command system. Some City staff transitioned to working in EOC roles full-time. Other staff split time between the EOC and their other essential duties. During the Level One response, which extended to the end of April, nearly 40 staff were supporting the EOC in some capacity.

On May 1, the City transitioned EOC operations to Level Two. This structure allows for a sustained emergency response to address shifting community needs and implement the phased rollout of Washington’s Safe Start Recovery plan.

Purchases and staff time related to the emergency response have been tracked since the EOC was activated. This ensures eligibility for reimbursement from the State and the Federal government when funding becomes available.

Budget Amendment for Emergency Response

The budget amendment includes an authorization to use Contingency Funds to support emergency response expenses through August 31, 2020 as summarized in the table below.

Unbudgeted EOC Costs					
	<i>Prior to May 1</i>	May	June	July	August
<i>Level 1 EOC supplies and services</i>	<i>150,000</i>				
Level 2 EOC staff costs		74,000	74,000	74,000	74,000
Level 2 EOC supplies and services		12,500	12,500	12,500	12,500
Monthly Totals	<i>\$150,000</i>	\$86,500	\$86,500	\$86,500	\$86,500
Budget Appropriation					\$ 496,000

Supplies and Equipment

Through May 1, 2020, the City has incurred \$150,000 in unbudgeted emergency-related expenditures in supply costs. In May, staff acquired and prepared to install equipment to facilitate the eventual re-opening of key public facilities. This includes personal protective equipment, sneeze guards at public counters, stanchions, and floor markings to protect staff and the public as well as encourage appropriate social distancing.

Going forward, unbudgeted costs for supplies and equipment related to the Pandemic and the new operating requirements associated with the Governor's Safe Start Plan is estimated at \$12,500 monthly. This includes items such as personal protective equipment, auxiliary restroom facilities, cleaning supplies, and equipment to further modify interior public spaces.

EOC Staff Support

As previously described, the EOC is currently operating at Level Two and City staff are expecting to sustain this operating level through the end of 2020. Currently, there are about 20 staff positions that, on any given day, provide support to the EOC. Of these positions, eight are temporary positions fully dedicated to the EOC and authorized through the first week of June.

The other positions are staff that support the EOC and also perform regular duties for the City. The budget amendment includes funding to sustain these temporary EOC positions through the end of August and to address specific tasks associated with EOC operations including:

- Timekeeping and emergency response cost tracking
- Grant management, including preparing reimbursement requests
- Recovery planning
- Interagency communications
- Centralized customer service (Call Center)

The Level Two EOC operation also includes staff resources to manage/oversee specific business lines that are fully or partially suspended because of the Pandemic:

- Recreation programs and services
- Facility rentals
- Facility management

Unbudgeted staff resources needed to sustain the emergency response are estimated at \$74,000 per month. Use of Contingency Funds is requested to maintain current EOC operation levels through the end of August 2020. These expenses, along with the emergency-related supply costs, are eligible for reimbursement through the CARES Act (\$734,000 to be passed through from the State) or future potential Federal reimbursements.

Unemployment Reserve

As the City implements furloughs, layoffs, or reduced hours, depending on the circumstances, employees may be eligible for unemployment benefits. Rather than paying unemployment claims directly from department budgets via vacancy savings, this budget amendment authorizes the use of up to \$300,000 from the Contingency Fund to establish an Unemployment Reserve to cover unemployment costs.

The City of Mercer Island, like most cities, uses the reimbursable method to cover unemployment costs. The City in effect “self-insures” by paying for the unemployment costs of former employees. This is standard practice for local governments given that unemployment costs are typically low, except for rare circumstances such as the current Pandemic.

Unemployment costs are currently estimated at \$275,000 for 2020. This fully burdened estimate, however, is highly unpredictable – former employees who qualify for unemployment may not apply, may find other employment opportunities, or may not utilize the full extent of their benefits. Furthermore, the City is required to cover a portion of unemployment costs for former employees working elsewhere in 2020, who were laid off, and applied for and received unemployment benefits.

The federal government has agreed to reimburse 50 percent of unemployment benefit payments made by political subdivisions and most nonprofit organizations from March 13 through December 31, 2020 through the CARES Act. The reimbursement mechanism is still being worked out by the State Employment Security Department and in the meantime the City must pay the full cost of unemployment. Once federal reimbursements are confirmed and received, staff will return to Council in 2021 (or sooner) to close out the Unemployment Reserve and seek City Council direction to rebalance the Contingency Fund.

Compensated Absences Reserve

The Compensated Absences Reserve was established to cover accrued benefit cash-outs when employees separate from the organization. This includes earned vacation and comp time benefits accrued during employment. When employment ends, employees are entitled to the value of these accrued benefits provided in a one-time cash payment, per City policy or their respective collective bargaining agreement.

The current balance in the Compensated Absences Reserve is \$1,051,055. For financial reporting purposes, the City calculates the liability resulting from accrued benefit policies each year. The general liability at 2019 year-end was approximately \$1.3 million, however, the City is not required to fully fund the liability as a reserve. The existing reserve has remained unused for many years, largely because the savings realized from position vacancies was sufficient to cover the costs of the accrued benefit cash-outs and was absorbed within department budgets.

The cost of the accrued benefit cash-outs associated with the Phase 1 and Phase 2 workforce reductions is currently estimated at \$131,000. Additional one-time cash-out costs are anticipated in 2020 as a result of additional workforce reductions and employee separations (retirements and resignations).

The budget amendment authorizes use of the Compensated Absences Reserve for its intended purpose – to pay accrued benefit cash-outs in 2020, not to exceed \$300,000. Doing so ensures accurate tracking of accrued benefit cash-outs, particularly during the Pandemic. It also provides a clean accounting of post-employment costs.

Next Steps

Staff will return to the City Council on June 9, 2020 with an updated Financial Status report and recommendations to further address the remaining \$1.9 million General Fund projected revenue shortfall in 2020. Recommended cost saving measures will include a review of all departments and funds receiving General Fund support along with operating strategies to maintain essential service delivery.

RECOMMENDATION

MOVE TO:

1. Suspend the City Council Rules of Procedure 6.3, requiring a second reading for an ordinance.
2. Adopt Ordinance No. 20-08 amending the 2019-2020 budget to:
 - a. Memorialize the Phase 1 and Phase 2 cost saving measures totaling \$2,785,600 in General Fund reductions.
 - b. Appropriate \$496,000 in Contingency Funds to support ongoing emergency operations through August 31, 2020.
 - c. Authorize use of up to \$300,000 in Contingency Funds to establish an Unemployment Reserve.
 - d. Authorize use of the Compensated Absences Reserve for one-time accrued benefit cash-outs in an amount not-to-exceed \$300,000.

**CITY OF MERCER ISLAND
ORDINANCE NO. 20-08**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
INCORPORATING CERTAIN BUDGET REVISIONS
TO THE 2019-2020 BIENNIAL BUDGET AND
AMENDING ORDINANCE NOS. 18-18, 19-08, 19-09, 19-12, 19-17 AND 20-06**

WHEREAS, the City Council adopted the 2019-2020 Budget by Ordinance No. 18-18 on December 4, 2018, representing the total for the biennium of estimated resources and expenditures for each of the separate funds of the City; and

WHEREAS, budget adjustments are needed that have been previously approved by the City Council, as noted in the following table;

Fund	Department	Description	Agenda Bill	Budget Year	Expenditure Adjustment	Revenue Adj / Funding Source
General Fund	Parks & Recreation	Phase 1 Expenditure Reductions	AB5687 5/05/2020	2020	\$ (1,150,000)	
General Fund	Parks & Recreation	Phase 2 Expenditure Reductions	AB5687 5/05/2020	2020	\$ (1,635,600)	
General Fund	Parks & Recreation	Reduce Recreation & Facility Rental Revenue	AB5687 5/05/2020	2020		\$ (1,384,000)
General Fund	Non-Departmental	Reduce General Fund revenue estimates	AB5687 5/05/2020			\$ (1,401,600)
General Fund	Non-Departmental	Cash out of leave accrual balances at separation	AB5687 5/05/2020	2020	\$ 300,000	Appropriate use of Compensated Absence Reserve
General Fund	Non-Departmental	Emergency Operations COVID 19 Response (May 2, 2020 through August 31, 2020)	AB5687 5/05/2020	2020	\$ 496,000	Transfer from Contingency Fund
Contingency Fund	Non-Departmental	Transfer to General Fund to support emergency operations COVID 19 response (May 2, 2020 through August 31, 2020)	AB5687 5/05/2020	2020	\$ 496,000	Contingency Reserve

WHEREAS, budget adjustments are needed that have not been previously approved by the City Council, as noted in the following table;

Fund	Department	Description	Budget Year	Amount	Funding Source
General Fund	Non-Departmental	2020 Unemployment costs resulting from workforce reductions.	2020	\$300,000	Transfer from Contingency Fund
Contingency Fund	Non-Departmental	Transfer to General Fund creating an unemployment funding reserve	2020	\$300,000	Contingency Reserve

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

Section 1. Amending the 2019-2020 Budget

The 2019-2020 Budget for the City of Mercer Island, as adopted in Ordinance No. 18-18 and amended by Ordinance Nos. 19-08, 19-09, 19-12, 19-17 and 20-06, is hereby amended to incorporate increases and decreases in resources and expenditures in the following funds for the 2019-2020 biennium:

Fund	Fund Name	Resources	Expenditures
001	General Fund	\$ (1,689,600)	\$ (1,689,600)
130	Contingency Fund	\$ 796,000	\$ 796,000
Total		\$ (893,600)	\$ (893,600)

Section 2. Amending Previously Adopted Budget Ordinances

City Ordinance Nos. 18-18, 19-08, 19-09, 19-12, 19-17 and 20-06, as previously adopted and as hereby amended, are hereby ratified, confirmed, and continued in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect and be in force 5 days after passage and publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON THE 2nd DAY OF JUNE, 2020.

CITY OF MERCER ISLAND

Benson Wong, Mayor

ATTEST:

Deborah A. Estrada, City Clerk

APPROVED AS TO FORM:

Bio Park, City Attorney

Date of Publication: _____

2020 Budget Amendment



COVID-19 Response: General Fund

CITY COUNCIL | AB 5694 | June 2, 2020

Purpose

- ❑ Brief Background
- ❑ Memorialize Phase 1 and Phase 2 Cost Saving Measures
- ❑ Contingency Funds
 - ❑ Support Emergency Operations thru August 2020
 - ❑ Establish an Unemployment Reserve
- ❑ Utilize Compensated Absences Reserve
- ❑ Will pause during presentation for questions



Roles and Responsibilities

City Manager

- ❑ Chief Executive Officer
- ❑ Executes biennial budget
- ❑ Authority to make budget and personnel decisions

City Council

- ❑ Sets policy
- ❑ Approves biennial budget
- ❑ Legislative action and personnel policies



Brief Background



Council Action – May 5

Directed staff to:

1. Continue Level 2 emergency response
2. Return with a budget amendment on 5/19 to:
 1. Appropriate funding from the Compensated Absences Reserve to pay accrued benefit cash-outs for laid off workers.
 2. Appropriate \$500,000 of Contingency Funds for Emergency Operations thru August.
 3. Appropriate Contingency Funds to address projected YFS Fund deficit.
 4. Rebalance the 2020 budget based on Phase 1 and Phase 2 reductions.
 5. Present policy options to address remaining revenue shortfalls.



Council Action – May 5

Directed staff to:

1. Continue Level 2 emergency response
2. Return with a budget amendment on 5/19 to:
 1. **Appropriate funding from the Compensated Absences Reserve to pay accrued benefit cash-outs for laid off workers.**
 2. **Appropriate \$500,000 of Contingency Funds for Emergency Operations thru August.**
 3. Appropriate Contingency Funds to address projected YFS Fund deficit.
 4. **Rebalance the 2020 budget based on Phase 1 and Phase 2 reductions.**
 5. Present policy options to address remaining revenue shortfalls.



Cost Saving Measures



General Fund – 2020 Forecast

Item 10.

Forecasted General Fund Revenue Shortfall

\$(4,700,000)

Approximately 15% of budgeted revenues



Phase 1 – Cost Saving Measures

- ❑ Laid off contract and seasonal labor in Parks and Recreation
- ❑ Hiring freeze for vacant positions
 - ❑ Parks and Recreation Department
 - ❑ Community Planning and Development Department
- ❑ Phase 1 cost saving measures resulted in:

\$1,150,000 in General Fund Savings



Phase 2 – Cost Saving Measures

- ❑ Laid off 13 full-time equivalent positions in Parks and Recreation and Facilities Division
- ❑ Scaled down operating budget in Parks and Recreation and Public Works
- ❑ Reduced resources for staff travel and training
- ❑ Phase 2 cost saving measures resulted in:

\$1,757,000 in savings in the General Fund



Phase 2 – Unexpected Changes

- ❑ Moved Parks Maintenance and Capital Planning to Public Works
- ❑ Unanticipated staffing loss with two senior Public Works Managers
 - ❑ Retirement
 - ❑ Resignation
- ❑ City retained Parks Operations Manager and Natural Resource Specialist



Cost Saving Measures as of May 1

General Fund Budget Amendments	Total
Phase 1 Cost Savings Measures	\$(1,150,000)
Phase 2 Cost Saving Measures	\$(1,757,000)
Staffing Adjustment – Park Maintenance/Capital	\$121,400
Total Budget Reduction	\$(2,785,600)



Contingency Funds Emergency Operations



Contingency Fund

Beginning Fund Balance as of June 2020

\$4,212,236



Emergency Operations

- ❑ “Level 2” activation – sustained long term response to shifting needs
- ❑ Meticulous tracking of staff time and emergency-related purchases
- ❑ Unbudgeted expenses
 - ❑ Equipment and supplies
 - ❑ Critical staff support



Emergency Operations - supplies

- ❑ Unbudgeted emergency-related purchases
- ❑ Prior to May 1, spent **\$150,000** on emergency-related purchases
- ❑ Estimate **\$12,500** in monthly expenses
 - ❑ Personal Protective Equipment
 - ❑ Auxiliary restroom facilities
 - ❑ Cleaning supplies
 - ❑ Equipment to comply with Governor's Safe Start Plan



Emergency Operations – staff

- ❑ Unbudgeted staff support
- ❑ Up to 20 positions supporting EOC at any given time
- ❑ 8 positions unbudgeted – solely dedicated to emergency operations
 - ❑ Timekeeping and cost tracking
 - ❑ Reimbursement requests and interagency communications
 - ❑ Recovery planning
 - ❑ Centralized customer service (Call Center)
- ❑ Monthly cost of **\$74,000**



Emergency Operations

Unbudgeted Emergency Operation Center (EOC) Expenses					
	MAR – APR	MAY	JUN	JUL	AUG
L1 – supplies and services	150,000				
L2 – EOC staff costs		74,000	74,000	74,000	74,000
L2 – EOC supplies and services		12,500	12,500	12,500	12,500
Monthly Totals	\$150,000	\$86,500	\$86,500	\$86,500	\$86,500

\$496,000 appropriation from Contingency Fund

Supports emergency operations through August 31

Reimbursable through CARES Act and FEMA Public Assistance



Contingency Funds Unemployment Reserve



Unemployment Reserve

- ❑ New staff request – create separate reserve for unemployment costs
- ❑ Standard practice for Cities to “self-insure”
- ❑ Typically paid for with each Department’s vacancy savings
- ❑ Highly unpredictable and difficult to track



Unemployment Reserve

- ❑ Staff estimates \$275,000 in fully-burdened unemployment costs
 - ❑ Former employees may not apply
 - ❑ May find other opportunities
 - ❑ May not use full benefit
- ❑ Via CARES Act, Federal Government agreed to reimburse 50% of unemployment costs March 13 – December 31, 2020.



Unemployment Reserve

- ❑ Establish up to a \$300,000 unemployment reserve
 - ❑ Only use Contingency Funds when expense is incurred
 - ❑ Cleaner accounting during current Pandemic
 - ❑ Better tracking of General Fund budget activity
- ❑ Return to Council 2021 (or sooner) to close reserve and replenish Contingency Fund once 50% federal reimbursements are received.



CARES Act

- ❑ Confirmed the City will receive \$734,100 in CARES Act funding
- ❑ Provided through the Department of Commerce
- ❑ Strictly for one-time expenses related to the COVID-19 Pandemic
- ❑ Note, 50% Federal reimbursement for unemployment costs is separate from \$734,100 emergency assistance.
 - ❑ Managed through State Employee Security Department
 - ❑ Mechanics still being worked out



Contingency Fund

June 2020 Fund Balance	\$4,212,236
EOC Support	\$(496,000)
Unemployment Reserve	<u>\$(300,000)</u>
Remaining Fund Balance	\$3,416,236



Compensated Absences Reserve



Compensated Absences Reserve

- ❑ May 5 Council directed staff to use the Reserve
- ❑ Balance as of June 1 is **\$1,051,055**
- ❑ Covers accrued benefit cash-outs
- ❑ Cash-outs for Phase 1 and Phase 2 is \$131,000
- ❑ Additional one-time cash-out costs anticipated in 2020



Compensated Absences Reserve

- ❑ Staff anticipate no more than \$300,000 from the reserve in 2020
 - ❑ Accurate tracking of accrued benefit cash-outs during the Pandemic
 - ❑ Clean accounting of post-employment costs



Staff Recommendation



Staff Recommends Council

1. Suspend Rules of Procedure 6.3, requiring a second reading for an ordinance.
2. Adopt Ordinance No. 20-08 amending the 2019-2020 budget to:
 1. Memorialize Phase 1 and Phase 2 cost saving measures totaling \$2,785,600 in General Fund reductions.
 2. Appropriate \$496,000 in Contingency Funds to support ongoing emergency operations through August 31, 2020.
 3. Authorize use of up to \$300,000 in Contingency Funds to establish an Unemployment Reserve.
 4. Authorize use of the Compensated Absences Reserve for one-time accrued benefit cash-outs in an amount not-to-exceed \$300,000.



Questions

Prepared by

Matthew Mornick

LaJuan Tuttle





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

**AB 5700
June 2, 2020
Regular Business**

AGENDA BILL INFORMATION

TITLE:	AB 5700: COVID-19 Response: YFS Fund 2020 Contingency Funds Request (Ord. No. 20-09)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed:
RECOMMENDED ACTION:	Review and adopt Ordinance No. 20-09 to authorize use of the unrestricted YFS Fund balance and appropriate Contingency Funds to support the Youth and Family Services Department through August 31, 2020.	<input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Finance
STAFF:	Matthew Mornick, Interim Finance Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 20-09
CITY COUNCIL PRIORITY:	n/a

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

SUMMARY

EXECUTIVE SUMMARY

This budget amending ordinance (Exhibit 1 – Ord. No. 20-09) authorizes use of the unappropriated remaining YFS Fund balance (\$329,425) and allocates up to \$250,000 from the Contingency Fund to sustain current Youth and Family Services (“YFS”) operations through August 31, 2020. Adopting ordinance 20-09 does not limit the City Council’s decisions regarding future Thrift Shop operations, or an alternative course of action. Authorizing use of the unappropriated Fund Balance and the Contingency Fund ensures the YFS Fund balance does not become negative.

BACKGROUND

The primary mission of the Mercer Island Thrift Shop is to raise money to support YFS Department services. In 2020, the Thrift Shop was projected to earn nearly \$2 million in gross revenues, 65 percent of the YFS Department’s resources. Other revenues to the Department include donations from the Mercer Island Youth and Family Services Foundation, federal grants, and charges for services.

The City of Mercer Island declared a state of emergency on March 5, 2020 as a result of the COVID-19 Pandemic (“Pandemic”) and the Thrift Shop closed on March 16, 2020. By the end of March, because of thin

margins within the YFS Fund, quarterly and irregular receipt of grant funds, and the immediate impact of the Thrift Shop's closure, the YFS Fund began drawing down unappropriated YFS Fund resources to cover expenses.

At the May 5, 2020 City Council meeting, staff projected a \$1.3 million revenue shortfall in the YFS Fund and indicated that an appropriation may be needed to address the projected deficit.

YFS Fund Balance Appropriation

At the beginning of the year, the YFS Fund balance was \$506,478. Of this, the City Council previously appropriated \$177,053 to restore elementary school counselors and support ongoing operations (ORD 19-09). This left a remaining unappropriated balance of \$329,425. At the end of March, and due to the closure of the Thrift Shop, the YFS Fund began drawing down the unappropriated YFS Fund balance with the Fund forecasted to go negative the end of June.

Although the unappropriated Fund balance has already been used to stabilize the YFS Fund during the Pandemic, City Council action is needed to retroactively approve this allocation of funds.

Contingency Fund Allocation

The YFS Fund is anticipated to be in deficit (negative fund balance) in June and is projected to remain in deficit unless further reductions are made, revenue streams are restored, or new resources are identified. Under State Law ([RCW 35.33.075](#), [35A.33.075](#), [35.34.120](#), and [35A.34.120](#)), cities are required to adopt and maintain a balanced budget. This entails managing the City's finances to ensure Funds within the budget remain balanced, or put differently, maintain a positive cash flow.

City Council authorization is needed to address the near-term deficit in the YFS Fund. The projected YFS Fund balance through the end of August is provided in the table below.

YFS Fund - 160 (in thousands)	Budget	Jan-20 <i>Actuals</i>	Feb-20 <i>Actuals</i>	Mar-20 <i>Actuals</i>	Apr-20 <i>Actuals</i>	May-20 <i>Estimate</i>	Jun-20 <i>Estimate</i>	Jul-20 <i>Estimate</i>	Aug-20 <i>Estimate</i>
REVENUES	3,283	190	157	183	10	14	83	9	9
EXPENDITURES	3,332	312	206	209	210	106	109	75	72
Use of Fund Balance		(123)	(49)	(26)	(200)	(92)	(27)	(66)	(63)
BEGINNING BALANCE									
Appropriated Fund Balance	177	123	49	5	0	0	0	0	0
Unappropriated Fund Balance	329	0	0	21	200	92	27	66	63
Remaining Fund Balance	\$506	\$384	\$335	\$309	\$108	\$16	\$(10)	\$(76)	\$(140)

Staff project a \$10,000 deficit at the end of June that grows to \$140,000 by the end of August. This projection is based on a "worst-case" scenario and assumes the Thrift Shop does not re-open. This projection also assumes current YFS Department staffing levels are maintained through the end of August – no further reductions and staff on 90-day standby layoffs are not recalled. This worst-case scenario was used to project the YFS Fund deficit only and does not preclude the City Council from making future decisions on Thrift Shop operations or pursuing other alternatives to support the YFS Department.

Compounding the challenge with forecasting the YFS Fund deficit is the variable manner in which other revenues are received. One of the major revenue sources for the YFS Department is two federal grants.

Historically, the City has invoiced quarterly for grant reimbursements, but is transitioning to monthly reimbursement requests to ensure more timely payment of reimbursements.

The Mercer Island Youth and Family Services Foundation is also a significant contributor to the YFS Fund, with \$360,000 in anticipated contributions for 2020. The Foundation has agreed to submit their quarterly contributions at the beginning, rather than at the end, of each respective quarter to help sustain available working capital in the YFS Fund.

The recommended budget amendment authorizes use of up to \$250,000 from the Contingency Fund to balance the YFS Fund through the end of August using the “worst-case” operating assumption described above. This appropriation covers the projected \$140,000 deficit through August, as well as providing \$110,000 in working capital, equivalent to one month of operating costs at current staffing levels. This ensures the YFS Fund does not go negative and allows City Council and staff sufficient time to further evaluate the Thrift Shop operating scenarios and other alternatives for the YFS Department.

Under this authorization, Contingency Funds are only used as needed and after all other revenues are received and expended. Staff can return to the City Council in the future with a plan to restore the Contingency Fund for resources used to support the YFS Fund during the Pandemic.

Thrift Shop Operational Considerations and Next Steps

The City Council and staff are currently evaluating several alternatives related to the Thrift Shop, which are planned for discussion at an upcoming City Council meeting. These include:

- Evaluating potential use of the Recycling Center to accept donations.
- Evaluating a potential remodel of the Thrift Shop to expand the retail floor area.

The City Council will discuss Thrift Shop operating plans in June, with direction anticipated no later than early July. The YFS Fund forecast for 2020 and beyond will be revised to reflect the operating direction.

RECOMMENDATION

1. Suspend the City Council Rules of Procedure 6.3, requiring a second reading for an ordinance.
2. Adopt Ordinance No. 20-09 amending the 2019-2020 budget to:
 - a. Appropriate \$329,425 of unrestricted YFS Fund Balance.
 - b. Authorize up to \$250,000 to be used from the Contingency Fund to sustain a positive cash balance and ensure sufficient availability of working capital in the YFS Fund through August 31, 2020.

**CITY OF MERCER ISLAND
ORDINANCE NO. 20-09**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
INCORPORATING CERTAIN BUDGET REVISIONS
TO THE 2019-2020 BIENNIAL BUDGET AND
AMENDING ORDINANCE NOS. 18-18, 19-08, 19-09, 19-12, 19-17,
20-06 AND 20-08**

WHEREAS, the City Council adopted the 2019-2020 Budget by Ordinance No. 18-18 on December 4, 2018, representing the total for the biennium of estimated resources and expenditures for each of the separate funds of the City; and

WHEREAS, budget adjustments are needed that have been previously approved by the City Council, as noted in the following table;

Fund	Department	Description	Agenda Bill	Budget Year	Expenditure Adjustment	Funding Source
Contingency Fund	Non-Departmental	Transfer to Youth & Family Services Fund due to Thrift Shop revenue shortfall	AB5687 5/05/2020	2020	\$ 250,000	Contingency Reserve

WHEREAS, budget adjustments are needed that have not been previously approved by the City Council, as noted in the following table;

Fund	Department	Description	Budget Year	Amount	Funding Source
Youth & Family Services Fund	YFS	Appropriate YFS Fund Balance to cover revenue shortfall	2020	\$ 329,425	YFS un-appropriated fund balance

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

Section 1. Amending the 2019-2020 Budget

The 2019-2020 Budget for the City of Mercer Island, as adopted in Ordinance No. 18-18 and amended by Ordinance Nos. 19-08, 19-09, 19-12, 19-17, 20-06 and 20-08, is hereby amended to incorporate increases and decreases in resources and expenditures in the following funds for the 2019-2020 biennium:

Fund	Fund Name	Resources	Expenditures
130	Contingency Fund	\$ 250,000	\$ 250,000
160	Youth & Family Services	\$ 579,425	\$ -
Total		\$ 829,425	\$ 250,000

Section 2. Amending Previously Adopted Budget Ordinances

City Ordinance Nos. 18-18, 19-08, 19-09, 19-12, 19-17, 20-06 and 20-08, as previously adopted and as hereby amended, are hereby ratified, confirmed, and continued in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect and be in force 5 days after passage and publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON THE 2nd DAY OF JUNE, 2020.

CITY OF MERCER ISLAND

Benson Wong, Mayor

ATTEST:

Deborah A. Estrada, City Clerk

APPROVED AS TO FORM:

Bio Park, City Attorney

Date of Publication: _____

2020 Budget Amendment



COVID-19 Response: Youth and Family Services Fund

CITY COUNCIL | AB 5700 | June 2, 2020

Purpose

- ❑ Background

- ❑ YFS Fund
 - ❑ Unappropriated Fund Balance
 - ❑ Request for Contingency Funds

- ❑ Will pause during presentation for questions and at end



Background



Council Action – May 5

Directed staff to:

1. Continue Level 2 emergency response
2. Return with a budget amendment on 5/19 to:
 1. Appropriate funding from the Compensated Absences Reserve to pay accrued benefit cash-outs for laid off workers. (Balance \$1 million+ as of 12/31/2019).
 2. Appropriate \$500,000 of Contingency Funds for Emergency Operations thru August.
 3. Appropriate Contingency Funds to address projected YFS Fund deficit.
 4. Rebalance the 2020 budget based on Phase 1 and Phase 2 reductions.
 5. Present policy options to address remaining revenue shortfalls.



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 2. Appropriate \$500,000 of Contingency Funds for Emergency Operations thru August.
 3. **Appropriate Contingency Funds to address projected YFS Fund deficit.**
 4. Rebalance the 2020 budget based on Phase 1 and Phase 2 reductions.
 5. Present policy options to address remaining revenue shortfalls.



YFS Fund



YFS Fund Balance

January 1, 2020

\$506,500



YFS Fund Balance

- ❑ Council appropriated \$177,100 to:
 - ❑ Restore Elementary School Counselors in 2019-2020 Budget
- ❑ Fund Balance of \$329,400 remained unappropriated.



YFS Fund Balance

- ❑ When Thrift Shop closed in March, YFS Fund began drawing down the unappropriated Fund Balance
- ❑ The \$329,400 balance stabilized YFS Fund through May
- ❑ Council action required to retroactively formalize use of unappropriated Fund Balance



YFS Fund Balance

YFS Fund - 160 (in thousands)	Budget	Jan-20 <i>Actuals</i>	Feb-20 <i>Actuals</i>	Mar-20 <i>Actuals</i>	Apr-20 <i>Actuals</i>	May-20 <i>Estimate</i>	Jun-20 <i>Estimate</i>	Jul-20 <i>Estimate</i>	Aug-20 <i>Estimate</i>
REVENUES	3,283	190	157	183	10	14	83	9	9
EXPENDITURES	3,332	312	206	209	210	106	109	75	72
Use of Fund Balance		(123)	(49)	(26)	(200)	(92)	(27)	(66)	(63)
BEGINNING BALANCE									
Appropriated Fund Balance	177	123	49	5	0	0	0	0	0
Unappropriated Fund Balance	329	0	0	21	200	92	27	66	63
Remaining Fund Balance	\$506	\$384	\$335	\$309	\$108	\$16	\$(10)	\$(76)	\$(140)

By end of August, staff estimate **\$(140,000)** deficit



YFS Fund Balance

- ❑ \$140,000 deficit in YFS Fund September 1 assumes:
 - ❑ Current staffing levels
 - ❑ Does not include resources to re-open Thrift Shop
 - ❑ Employees placed on 90-day standby are not recalled

- ❑ Staff efforts to improve variable cash flow
 - ❑ Monthly reimbursement requests for two Federal Grants
 - ❑ MIYFS Foundation contributions billed at beginning of each quarter



YFS Fund – Contingency Funds

- ❑ State law requires the City maintain a positive cash flow in the budget
- ❑ Staff requests \$250,000 from Contingency Funds
 - ❑ \$140,000 in gap funding
 - ❑ \$110,000 in additional working capital (one month of operations)
- ❑ Funds only used after all other revenues are received and expended
- ❑ Staff will return to Council with a plan to restore the Contingency Funds



Contingency Fund

June 2020 Fund Balance ¹	\$3,416,236
YFS Fund Support thru August 31	<u>\$(250,000)</u>
Remaining Fund Balance	\$3,166,236

¹ Includes contributions from AB 4694.



Next Steps



Next Steps

- ❑ Staff return to Council 6/16

- ❑ Evaluate alternatives related to the Thrift Shop, including
 - ❑ Potential use of the Recycling Center to accept donations
 - ❑ Potential remodel of the Thrift Shop to expand the retail floor area
 - ❑ Potential re-open dates

- ❑ Costs and benefits will be outlined for Council discussion

- ❑ Action this evening does not limit future Council decisions



Staff Recommends Council

1. Suspend Rules of Procedure 6.3, requiring a second reading for an ordinance.
2. Adopt Ordinance No. 20-09 amending the 2019-2020 budget to:
 1. Appropriate \$329,425 of unrestricted YFS Fund Balance to support YFS services provided in 2020.
 2. Authorize up to \$250,000 from the Contingency Fund to sustain a positive cash balance and ensure sufficient working capital in the YFS Fund through August 31, 2020.



Questions

Prepared by

Matthew Mornick

LaJuan Tuttle



**CITY OF MERCER ISLAND
ORDINANCE NO. 20-12**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON;
ADOPTING A MORATORIUM ON THE ACCEPTANCE OF CERTAIN
BUILDING PERMIT APPLICATIONS IN THE MERCER ISLAND TOWN
CENTER ZONE; SCHEDULING A PUBLIC HEARING; DECLARING AN
EMERGENCY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING
AN IMMEDIATE EFFECTIVE DATE.**

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City of Mercer Island (City) adopted a Comprehensive Plan in 1994 and has amended the plan on several occasions since that time; and

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City has adopted a zoning code and map (Mercer Island City Code, Title 19, Unified Land Development Code); and

WHEREAS, as part of its Growth Management Act obligations, the City desires to significantly update and amend development regulations applicable to certain parts of the Mercer Island Town Center, including requirements for various types of commercial retail space; and

WHEREAS, during its annual Planning Session, the City Council established a work plan for 2020 and 2021 that prioritized the included updates to the Town Center development regulations; and

WHEREAS, the City Council may adopt an immediate moratorium for a period of up to six months on the acceptance of building and development permit applications for major new construction as long as the City Council holds a public hearing on the proposed moratorium within sixty days after adoption, pursuant to RCW 35A.63.220 and RCW 36.70A.390; 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 to adopt findings of fact supporting and justifying the moratorium, and to implement a work plan to prepare and adopt changes to the Town Center development regulations; and

WHEREAS, allowing building and other new development to continue in certain parts of the Town Center zone before the City Council can fully consider new Town Center development regulations will substantially impact orderly growth in the Town Center zone; and

WHEREAS, building permit applications and other development proposals submitted under existing regulations may be inconsistent with the updated Town Center regulations; and

WHEREAS, the City Council finds that if new developments vest under the current Town Center regulations, it may result in a poorly designed Town Center, visual blight, economic hardship, and poor infrastructure design 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 Council needs to take immediate action; and

WHEREAS, the moratorium does not apply to any complete application for a development proposal that has vested pursuant to MICC 19.15.170 to the regulations in effect prior to the effective date of this ordinance; and

WHEREAS, the City shall schedule a public hearing before August 01, 2020, consistent with the requirements set forth in RCW 35A.63.220 and RCW 36.70A.390.

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

- Section 1. Moratorium Established.** The Mercer Island City Council hereby imposes a six month moratorium on the submission or acceptance of applications for any building permits or any other land use approvals for Major New Construction as defined in MICC 19.16.010 for properties located south of SE 29th Street within the Town Center (TC) zone at Mercer Island. All applications subject to this moratorium received by the City shall be rejected and returned to the applicant.
- Section 2. Whereas Clauses Adopted.** The “Whereas Clauses” set forth in the recital section above are hereby adopted as the preliminary findings of the City Council for passing this ordinance.
- Section 3. Public Hearing.** A public hearing shall be scheduled and noticed to be held before August 01, 2020 pursuant to RCW 35A.63.220 and RCW 36.70A.390 to hear and consider the comments and testimony of those wishing to speak regarding the moratorium enacted by this ordinance. After the public hearing, the City Council will either adopt findings of fact justifying the continuation of the moratorium, or adopt an ordinance lifting it.
- Section 4. Duration of Moratorium.** The moratorium established by this ordinance 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 5. Declaration of Emergency.** As set forth in the “Whereas Clauses” adopted in Section 2 of this ordinance, the City Council hereby declares that an emergency exists necessitating that this ordinance take effect immediately

upon proper passage by the whole membership of the City Council, and that the same is exempt from SEPA review under WAC 197-11-880.

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 proper passage by the City Council as provided under RCW 35A.13.190.

Passed unanimously by the City Council of the City of Mercer Island, Washington, at its regular meeting on June 2, 2020, and signed in authentication of its passage.

CITY OF MERCER ISLAND



Benson Wong, Mayor

ATTEST:



Deborah A. Estrada, City Clerk

Approved as to Form:

/s/

Bio Park, City Attorney

Date of Publication: June 10, 2020



2020 PLANNING SCHEDULE

Item 15.

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

Special Meetings and Study Sessions begin at 6:00 pm. Regular Meetings begin at 7:00 pm. Items are not listed in any particular order. Agenda items & meeting dates are subject to change.

JUNE 2		5/15	5/19	5/19	5/21	5/25
ABSENCES:		DD	FN	CA	Clerk	CM
ITEM TYPE TIME TOPIC					STAFF	
EXECUTIVE SESSION (5:00 PM)						
90	Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 90 minutes. Action may be taken.				Bio Park	
CONSENT CALENDAR						
--	AB 5703: Proclamation No. 252 – Commitment to Diversity, Equity, and Inclusion in the time of COVID-19				Kirsten Taylor	
--	AB 5695: 2020 Watercourse Stabilization Project Bid Award				Fred Gu	
REGULAR BUSINESS						
30	AB 5699: Boards & Commissions Annual Appointments				Deb Estrada	
30	AB 5694: COVID-19 Response: 2020 Budget Adjustments (1 st Reading & Adoption Ord. No. 20-08)				Matt Mornick LaJuan Tuttle	
30	AB 5700: COVID-19 Response: YFS Fund 2020 Contingency Funds Request (Ord. No. 20-09)				Matt Mornick LaJuan Tuttle	
15	AB 5704: City Council Regular Meeting Time Code Amendment (1 st Reading & Adoption Ord. No. 20C-10)				Bio Park	
15	ALPR Purchase and Budget Allocation Discussion (No Agenda Bill)				Nice/Anderl	
15	Multifamily Tax Exemption/MICC 4.50 (No Agenda Bill)				Jacobson/Nice	

JUNE 9						
ABSENCES:						
ITEM TYPE TIME TOPIC					STAFF	
STUDY SESSION (5:00 PM)						
CONSENT CALENDAR						
	AB 5705: King County Regional 2020 Hazard Mitigation Plan Adoption				Jennifer Franklin	
	AB 5692: Resolution No. 1581 authorizing RCO grant application for dock renovation at Luther Burbank Park				Paul West	
REGULAR BUSINESS						
30	AB 5697: ARCH Housing Trust Fund Project Approval				Alison Van Gorp	
60	AB 5701: COVID-19 Response: Financial Status Update and Phase 3 Cost Saving Measures				Matt Mornick	
EXECUTIVE SESSION						

JUNE 16 Legal Notice: Public Hearing Legal Notice: 5/20/20 ABSENCES:		5/29 DD	6/2 FN	62/ CA	6/4 Clerk	6/8 CM
ITEM TYPE TIME TOPIC					STAFF	
STUDY SESSION (5:00 PM)						
SPECIAL BUSINESS						
CONSENT CALENDAR						
AB xxxx: 2020 Arterial and Residential Street Overlays Bid Award					Clint Morris	
REGULAR BUSINESS						
AB xxxx: Zayo Franchise (Tentative)					Evan Maxim	
15	AB xxxx: Interim Small Cell Ordinance 6-month extension Public Hearing					Evan Maxim
30	AB xxxx: 2021-2026 Adoption of Transportation Improvement Program (Public Hearing continued from 5/19 Meeting)					Patrick Yamashita
60	AB xxxx: Youth and Family Services and Thrift Shop Next Steps					Matt Mornick
AB xxxx: Shoreline Master Program Final Action					Evan Maxim	
EXECUTIVE SESSION						