



CITY COUNCIL MINUTES REGULAR MEETING DECEMBER 5, 2016

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 5:01 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

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

AGENDA APPROVAL

It was moved by Bertlin; seconded by Grausz to:

Amend the agenda to add a third Executive Session before the Regular Meeting to discuss with legal counsel, pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 15 minutes and approve the agenda as amended.

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

EXECUTIVE SESSION

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

At 5:01 pm, Mayor Bassett convened Executive Session #1 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 45 minutes.

At 5:46 pm, Mayor Bassett extended the Executive Session for an additional 5 minutes.

At 5:51 pm, Mayor Bassett extended the Executive Session for an additional 5 minutes.

At 5:53 pm, Mayor Bassett adjourned Executive Session #1.

Executive Session #2 regarding that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining pursuant to RCW 42.30.140(4)(b) for approximately 15 minutes

At 5:53 pm, Mayor Bassett convened Executive Session #2 regarding that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining pursuant to RCW 42.30.140(4)(b) for approximately 15 minutes.

At 6:06 pm, Mayor Bassett adjourned Executive Session #2.

Executive Session #3 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 15 minutes

At 6:06 pm, Mayor Bassett convened Executive Session #3 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 15 minutes.

At 6:14 pm, Mayor Bassett adjourned Executive Session #3 and the Regular Meeting reconvened.

STUDY SESSION

AB 5237 Sound Transit Presentation on South Bellevue Park-and-Ride Closure

Assistant City Manager Kirsten Taylor introduced Paul Cornish, Light Rail Development Manager, and Luke Lamon, Government and Community Relations Officer, from Sound Transit who presented an overview and timeline of the East Link Light Rail project, noting that they are in the construction phase. Mr. Cornish about the closure of the South Bellevue Park and Ride lot as early as January 2017 for 5 years to build a light rail station. He detailed the park-and-ride closure mitigation program for the South Bellevue lot, including using existing park-and-ride facilities with capacity, leasing new park-and-ride facilities. He explained the process for determining where the South Bellevue parkers are coming from in order to site new park-and-rides and what Sound Transit is doing to enhance transit mobility during the closure.

The Council asked, and Mr. Cornish responded to, the following questions:

- Q. What will ST do when the percentage of parkers from off-island increases at the Mercer Island Park-and-Ride (MI P&R) when the South Bellevue lot closes?
 - A. ST will continue to monitor where the parkers are coming from and can share this information with the City on a quarterly basis.

- Q. Why didn't ST try to find the same number of parking spots in the alternative park-and-rides.
 - A. Due to where parkers are coming from, ST do not need to accommodate the parkers from way up north as their parking habits may change with the South Bellevue closure.

- Q. What the plan is for Mercer Island parkers who will be displaced from the MI P&R as the 550 route is the most used and none of the alternative park-and-rides are on the 550 route and the MI P&R is the easiest alternative for parkers who used to park at the South Bellevue lot?
 - A. ST is trying to catch parkers on the 550 route as there are no plans to add parking on Mercer Island.

- Q. Will ST will look at who is parking at the MI P&R and when it fills up the weeks and months after the South Bellevue closure?
 - A. ST will find out if it possible to get the data about the MI P&R to the City on a more frequent basis than quarterly.

- Q. What is the reference to rideshare options in the Just One Trip program (Uber and Lyft)?
 - A. There is a grant to subsidize rideshare trips in the Just One Trip program. ST will provide the City with the details on the subsidy programs.

- Q. Will Bellevue Way will be narrowed to three lanes when the South Bellevue lot closes?
 - A. Yes, Bellevue Way will be narrowed to three lanes, but during rush hour there will always be two lanes in the peak direction.

- Q. Will Sound Transit try again (with the City of Bellevue's help) to reach out to the six potential parking sites on Bellevue Way that did not want to participate in parking alternatives?
 - A. No, due to various issues, majority of the sites would not be able to accommodate the parking throughout the whole year.

- Q. When will the Bellevue Way lane configuration will happen?
 - A. Once the construction schedule is set, ST and the contractor will determine when the Bellevue Way lanes will change.

- Q. Can ST provide and post targeted signage at the MI P&R informing parkers about the alterative park-and-rides in Bellevue?
 - A. Yes.

- Q. How successful was the pilot permit parking program
 - A. The pilot program was successful and ST will be implementing the 2+ HOV permit parking program in nine ST facilities.

- Q. Can Mercer Island could participate in the permit parking program?
- A. City Manager Bissonnette responded that Mercer Island requested to be taken out of the program as it would reduce the number of parking stalls available to all parkers and the HOV stalls would not be limited to Mercer Island only parkers.
- Q. Will ST be increasing the frequency of the 550 route?
- A. No.
- Q. Will ST create (and come back to the Council with) a contingency plan for the potentially displaced Mercer Island parkers if the MI P&R is more heavily used when the South Bellevue lot closes that:
- (1) implements a monitoring program from day one that looks at when the MI P&R fills up and then monitor license plates to determine from where parkers are coming;
 - (2) asks Town Center land owners or churches on Mercer Island to see if there are parking alternatives for Mercer Island parkers?
- A. ST can come back with a contingency plan, but reminded the Council that they cannot use public funds for Mercer Island only parking options.

APPEARANCES

Nancy Wile, 5257 Forest Ave SE, spoke about sustainability on Mercer Island. She spoke about the recently created "Sustainable Mercer Island." The purpose of which is to push forward agenda and policies that the community and City has established to become a more sustainable community.

Dr. Jonathan Harrington, 9514 SE 68th Street, provided a history of sustainability efforts on Mercer Island and asked the Council to continue making sustainability a priority.

Peter Donaldson, 3635 88th Ave SE, spoke about his involvement in sustainable actions on Mercer Island and asked the Council to reconsider cutting the sustainability program and staffing as a way to solve the budget challenge.

Colten Lake, Boy Scout Troup 624, spoke about the troop being in attendance as part of their Citizenship in Community badge

Baron Dickey, 6809 96th Ave SE, spoke about the proposed lane structure change on I-90 over Mercer Island. He expressed concern about the reduction of lane width, concrete roadway restriping, and emergency vehicle access on the shoulder.

Subeer Manhas, 4899 Forest Ave SE, expressed concerns about mobility and transportation changes with the construction of light rail. He believes the City needs strong leadership in dealing with Sound Transit.

Peter Struck, 9130 SE 54th Street, spoke about the closing of the South Bellevue Park-and-Ride and expressed concern that there will be a huge shift in commuters from South Bellevue to Mercer Island.

Alison Stoval, 8419 SE 82nd Street, believes that mass transit is very important for Mercer Island, but not at the expense of children, as school staff may not be able to get to the Island due to traffic issues.

Tim Tiscornia, 5812 East Mercer Way, urged the Council to negotiate with Sound Transit for access to and from the Island for residents.

Tom Acker, 2427 84th Ave SE, stated that he believes negotiations with Sound Transit for I-90 access is most important issue on Mercer Island. He wants the Council to lead and represent the community.

Nancy Hewitt-Spaeth, 8320 SE 34th Street, expressed concern about housing values dropping if I-90 access is limited.

Russell Williams, 3811 West Mercer Way, supports mass transit and views it as critically important for Mercer Island and the entire region. He acknowledged that the land closures and access changes will be difficult, but there will be mass transit in exchange for it.

Brian Mayton, 2523 71st Ave SE, spoke about the importance of a quality school district.

Amy Fujishige, 9530 SE 68th Street, spoke about how the loss of mobility correlates to a loss in household wealth. She also expressed concern about retaining and attracting qualified teachers with a loss of mobility.

Sara Smith, 7109 84th Ave SE, expressed concern about the lack of outreach by the City regarding mobility challenges with upcoming I-90 construction.

Eun Young Kim, 7703 89th Place SE, on behalf of Jennifer Selby, 8320 SE 61st Street, expressed concern about the substantial number of I-90 transportation issues that have yet to be resolved to the benefit of Mercer Island residents.

Jim Lovested, 8001 84th Ave SE, is concerned about how the City Council is addressing the I-90 SOV/HOV and loss of mobility issues.

Jon Hanlon, 7406 92nd Place SE, spoke about the impacts of loss of mobility to the schools, the community at large (traffic and commute). He is concerned that the trains will already be full when they get to the Island, making them unusable for Mercer Island residents.

Hillary Benson, 7344 Island Crest Way, believes that the City is up against larger agencies that don't care about Mercer Island and will have to fight harder for what Mercer Island needs.

CONSENT CALENDAR

Payables: \$123,954.53 (11/22/16)

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

Payroll: \$830,031.49 (11/23/16)

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

Minutes: November 29, 2016 Special Meeting Minutes

Recommendation: Adopt the November 29, 2016 Special Meeting Minutes as written.

It was moved by Bertlin; seconded by Wong to:

Approve the Consent Calendar and the recommendations contained therein.

Passed 5-0

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

NO VOTE: 1 (Grausz)

ABSENT: 1 (Wisenteiner)

SPECIAL BUSINESS

Deputy Mayor Bertlin recognized Interim City Manager Pam Bissonnette's last Council meeting. She spoke about her work over the past 6 months and thanked her for her service and dedication to the City of Mercer Island.

REGULAR BUSINESS

AB 5239 2017-2018 Final Budget Adoption

Finance Director Chip Corder presented the final 2017-2018 budget for adoption by the City Council. He noted that two additional changes made to the Operating Budget at the November 21, 2017 Council meeting:

- Dedicate some portion of a contract Administrative Assistant in DSG to code enforcement support, ensuring that there is no budgetary or total staffing impact.
- Water rates will only increase 5.5 percent in 2017 instead of 6.0 percent.

He noted that after applying the total net funding changes to the projected 2018 deficit of \$1,217,200, the total projected deficit (or “contra”) is reduced to \$849,081, which equates to 2.6 percent of the combined General Fund and Youth & Family Services Fund budgets in 2018.

It was moved by Wong; seconded by Bertlin to:

Suspend the City Council Rules of Procedure 5.2, requiring a second reading for an ordinance.

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

It was moved by Wong; seconded by Bertlin to:

Adopt Ordinance No. 16-17, which encompasses the biennial budget for the City of Mercer Island, Washington for fiscal years 2017-2018 as amended.

It was moved by Grausz; seconded by Wong to:

Amend the previous motion as follows:

Amend Section 3 of Ordinance No. 16-17 by adding the following sentence: "Staff will bring back to the City Council, in early 2017, a revised budget policy regarding the application of the monies in the Criminal Justice Fund."

Motion to Amend Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

Amended Motion Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

Final text of motion: Adopt Ordinance No. 16-17, which encompasses the biennial budget for the City of Mercer Island, Washington for fiscal years 2017-2018, amending Section 3 of Ordinance No. 16-17 by adding the following sentence: "Staff will bring back to the City Council, in early 2017, a revised budget policy regarding the application of the monies in the Criminal Justice Fund."

AB 5238 3rd Quarter 2016 Financial Status Report & Budget Adjustments

Finance Director Chip Corder presented the Third Quarter 2016 Financial Status Report and a 2015-2016 budget amending ordinance. He noted that the total General Fund surplus in 2016 is projected to be \$1.35 million, but estimated that \$550K-\$600K of the projected surplus relates to development fees, are restricted to funding development services.

It was moved by Weiker; seconded by Wong to:

Suspend the City Council Rules of Procedure 5.2, requiring a second reading for an ordinance.

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

It was moved by Weiker; seconded by Wong to:

Adopt Ordinance No. 16-16, amending the 2015-2016 Budget.

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

AB 5234 Crown Castle Small Cell Franchise Agreement (2nd Reading)

Assistant City Attorney Christina Schuck presented an ordinance for second reading and adoption for a franchise agreement which grants authority Crown Castle to license up to 39 small cell facilities in locations throughout the City. She reviewed the changes to the agreement since the first reading at Council's direction as follows:

- Section 5.1.8 is revised to require public notice of application and public notice of decision for proposed small cell facilities;

- The subsections of Section 6.3 are re-ordered to be consistent with the locational priorities order of (1) trees, (2) views, then (3) streets;
- Sections 6.3 and 6.12 are revised to remove language regarding “cutting” and further define pruning limits and requirements; and
- Section 6.3.2 is revised to require small cell facilities to be located on PSE poles in locations that minimize the appearance of small cell facilities from existing adjacent residential properties to the maximum extent feasible.

Councilmember Wong asked Crown Castle about affirmative reporting regarding women or minority owned businesses before construction begins. Crown Castle responded that they could report to the City and would add it to the agreement.

It was moved by Grausz; seconded by Bertlin to:

Adopt Ordinance No. 16-12 granting WA-CLEC LLC, d/b/a Crown Castle, a nonexclusive telecommunications franchise to install, construct, maintain, repair and operate small cell facilities within the public rights of way, including changes to reflect the notice provisions in Section 5.1.8, view provisions in Section 6.3.2 and women and minority business enterprises provisions in Section 11.2.

Passed 5-0

FOR: 5 (Bassett, Bertlin, Grausz, Sanderson, Wong)

ABSENT: 1 (Wisenteiner)

ABSTAIN: 1 (Weiker) *Councilmember Weiker abstained due to her employment with Puget Sound Energy.*

AB 5236 Draft 2017 Legislative Agenda

Assistant City Manager Kirsten Taylor presented a draft version of the 2017 State Legislative Priorities for the Council to review as follows: education funding, recreational, Association of Washington Cities priorities, Sound Cities Associations priorities, environmental health, housing, public health, cost recovery for long-range planning and code enforcement.

The Council requested changes to (1) add a value statement about how to conduct government business; (2) provide emphasis on key priorities versus groups of priorities; (3) list in priority order; and (4) keep it to one page. Councilmembers will provide any additional comments to Assistant City Manager Taylor to be incorporated for final version at the January 3, 2017 meeting.

It was moved by Weiker; seconded by Wong to:

Extend the meeting until 11:00 pm

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Sanderson, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

AB 5235 I-90 Loss of Mobility Negotiations Status Report

Interim City Manager Pam Bissonnette provided a recap of current negotiations regarding I-90 loss of mobility. She noted that staff from the City, Sound Transit and WSDOT have been working together to identify I-90 vehicle access alternatives in light of the FHWA’s determination that the future R8A outer roadway would be for HOV only. She stated that some of the alternatives are not acceptable to the City, but that some are being studied further to determine feasibility. Ms. Bissonnette spoke about new alternatives developed from public comment at the November 9, 2016 public meeting. She also provided information about the next steps for negotiations.

Assistant City Manager Kirsten Taylor reviewed the negotiation principles and current public outreach. She also spoke about the public input process over the past three years for the Mercer Island Light Rail Station Design. She noted that a meeting with the Sound Transit CEO is scheduled for this week and that Mercer Island staff will continue to meet with Sound Transit staff weekly and WSDOT and FHWA staff monthly.

OTHER BUSINESS

Councilmember Absences

Councilmember Wisenteiner's absence was excused.

Planning Schedule

City Manager Bissonnette noted that there will be a reception for the new City Manager Julie Underwood before the January 3, 2017 Council Meeting.

Mayor Bassett noted that the City Council's 2017 Planning Session will be held February 3-4, 2017 at the Mercer Island Community and Event Center.

Board Appointments

Mayor Bassett appointed Deputy Mayor Bertlin and Councilmembers Sanderson and Wisenteiner to the Technology Public Engagement Subcommittee. He noted that would be asking Council for their desired 2017 liaison appointments to in the coming weeks.

Councilmember Reports

Councilmember Grausz spoke about the Joint Resources Committee meeting.

Councilmember Bertlin spoke about the \$50K in King County's budget for the bike path in the Aubrey Davis Park Master Plan. She also spoke about the upcoming Mountains to Sound Greenway Trust meeting.

Mayor Bassett spoke about the Advanced Transportation Technologies Conference he attended.

EXECUTIVE SESSION

Executive Session #4 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 30 minutes

At 10:34 pm, Mayor Bassett convened Executive Session #4 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 26 minutes.

At 11:00 pm, Mayor Bassett extended the Executive Session for an additional 10 minutes.

At 11:10 pm, Mayor Bassett adjourned Executive Session #4 and the Regular Meeting reconvened.

ADJOURNMENT

The Regular Meeting adjourned at 11:10 pm.

Attest:

Bruce Bassett, Mayor

Allison Spietz, City Clerk