



# CITY COUNCIL MINUTES REGULAR MEETING JANUARY 6, 2014

## CALL TO ORDER & ROLL CALL

City Clerk Ali Spietz called the regular meeting to order at 7:05 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Councilmembers Debbie Bertlin, Jane Brahm, Mike Cero, and Tana Senn, Councilmember-Elect Benson Wong, Deputy Mayor Dan Grausz, and Mayor Bruce Bassett were present.

## SPECIAL BUSINESS

### AB 4908 Councilmember Oaths of Office and Mayor and Deputy Mayor Elections

City Clerk Ali Spietz welcomed the audience and explained the process for administering the oaths of office and conducting the Mayor and Deputy Mayor elections.

Re-elected Councilmember Dan Grausz's wife Clare Meeker administered his Oath of Office.

Re-elected Councilmember Tana Senn's husband Kevin Flaherty and children Rachel and Ben administered her Oath of Office.

Councilmember-Elect Benson Wong's wife Terry Mark administered his Oath of Office.

City Clerk Spietz called for nominations from the floor for the office of Mayor for 2014-2015. Councilmember Brahm nominated Bruce Bassett. There were no other nominations. Councilmember Bassett was elected Mayor by a unanimous voice vote of 7-0.

City Clerk Spietz called for nominations from the floor for the office of Deputy Mayor for 2014-2015. Councilmember Brahm nominated Dan Grausz. There were no other nominations. Councilmember Grausz was elected Deputy Mayor by a unanimous voice vote of 7-0.

City Clerk Spietz administered the Mayoral Oath of Office to Mayor Bassett and the Deputy Mayoral Oath of Office to Deputy Mayor Grausz. She then turned the meeting over to Mayor Bassett.

### Recognition of Rich Conrad's Service to the City of Mercer Island

Mayor Bassett read a resolution acknowledging and commending former City Manager Rich Conrad for his 35 years of service to the City of Mercer Island.

Rich Conrad spoke about his 35 years of working at the City, he spoke about the unique Mercer Island community and about the dedicated and extraordinary staff that makes Mercer Island so special.

Councilmembers spoke about what they will miss about Rich and thanked him for his service to the City.

### Swearing-In of City Manager Noel Treat

Mayor Bassett administered the City Manager Oath of Office to Noel Treat.

## APPEARANCES

There were no appearances.

## CONSENT CALENDAR

Councilmember Senn requested removal of the Payables reports from the Consent Calendar. Mayor Bassett moved the Payables reports to the first item of Regular Business.

### **Payroll: \$672,323.47 (12/13/13) & \$651,901.46 (12/27/13)**

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

It was moved by Bertlin; seconded by Brahm to:

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

Passed 7-0

FOR: 7 (Bassett, Bertlin, Brahm, Cero, Grausz, Senn, Wong)

## REGULAR BUSINESS

### **Payables: \$925,749.36 (12/11/13), \$976,782.39 (12/17/13), & \$266,750.88 (12/31/13)**

Councilmember Senn asked if the payment for backpack blowers was for gas-powered blowers. City Manager Treat responded that they are gas-powered and that during the next replacement cycle, staff will be looking at more environmentally friendly alternatives.

It was moved by Senn; seconded by Brahm to:

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

Passed 7-0

FOR: 7 (Bassett, Bertlin, Brahm, Cero, Grausz, Senn, Wong)

### **AB 4910 Regulation and Licensing of Solicitors (Second Reading & Adoption)**

City Attorney Katie Knight and Police Chief Ed Holmes presented an ordinance regulating and licensing solicitors for second reading and adoption. City Attorney Knight noted that staff made the following changes to the ordinance per Council direction:

- add the name of the organization with which the solicitor is affiliated and proof of the solicitor's affiliation with the organization to the application form;
- clarify the definition of solicitor;
- have City staff set the license fee; and
- set the license expiration at one-year from issuance

The Council discussed amendments to the following provisions for clarification:

- the definition of solicitor as it relates to political doorbelling. MICC 5.16.030(B)(5) was changed to remove "speech or"
- the requirement that a solicitor carry their license at all times. MICC 15.16.070 was changed to add the words "when soliciting" after "at all times"
- the delivery of a newspaper before 10:00 am violating the ordinance. MICC 5.16.030(B)(4) was changed to add "or delivering" after "purpose of displaying" MICC 5.16.030(B)(1) was changed to add "except as otherwise provided in paragraph 4 below"

It was moved by Brahm; seconded by Bertlin to:

**Adopt Ordinance No. 14C-01 regulating and licensing solicitors as amended.**

Passed 6-1

FOR: 6 (Bassett, Bertlin, Brahm, Cero, Senn, Wong)

AGAINST: 1 (Grausz)

### **AB 4909 Fire Station 92 Construction Budget**

Maintenance Director Glenn Boettcher provided a pre-construction update regarding the Fire Station 92 construction project. He noted that the firefighters have moved into temporary quarters, the construction contract

has been fully executed, asbestos removal has been completed, and building demolition will begin in the next week.

City Manager Treat explained that it was a combination of the estimator not completely understanding and pricing the HVAC equipment and controls correctly and the underestimation of the growth in the market due to increased construction demand that contributed to the disparity between the bid results and the estimate.

Project Manager Amy DeDominicis presented information about possible cost-saving measures to reduce the almost \$400,000 shortfall created by unfavorable bid results for the Fire Station 92 construction project. She noted that the proposal to change the HVAC system could possibly push the project back by two months.

Council directed staff to keep the undergrounding of overhead power along SE 68th Street in the project.

Staff noted that the project team will continue working to identify other opportunities to bring the construction budget down during the project and the results will be shared with Council during project updates throughout construction.

There was consensus from the Council for staff to preserve as much as possible of the construction contingency to address the project budget shortfall.

### **AB 4907 Draft 2014 Legislative Priorities**

Assistant City Manager Kirsten Taylor presented a draft 2014 Legislative Priorities for the City of Mercer Island that reflect the Association of Washington Cities 2014 Legislative Priorities and other potential legislative items of interest to the City.

Following Council discussion, there was consensus to remove one item and add four additional topics. Staff was directed to make the edits and send the final 2014 Legislative Priorities to the City's Legislators: Senator Steve Litzow, Representative Judy Clibborn, and Representative Tana Senn.

The Council discussed follow-up on these legislative priorities and possibly scheduling a debriefing with legislators following the short session.

*Attached to these minutes as reference are the final City of Mercer Island 2014 Legislative Priorities.*

### **OTHER BUSINESS**

#### **Councilmember Absences**

There were no absences.

#### **Planning Schedule**

City Manager Treat announced that there would be a Study Session on January 21 with Sound Transit, WSDOT and Metro. The Study Session will be from 6-8 pm and the Regular Meeting will begin at 8 pm.

Mayor Bassett announced that there are currently no topics scheduled on Sunday of the Planning Session. The Planning Session may end on Saturday evening if no other issues arise.

The Council moved the February 18 meeting to February 24 due to the mid-winter school break.

The Council moved the April 7 meeting to March 31 due to spring break.

#### **Board Appointments**

There were no board appointments.

Mayor Bassett will begin the process of appointing council liaisons to boards, commissions, sub-committees, and regional groups.

#### **Councilmember Reports**


Councilmember Brahm spoke about the December Arts Council and ETP meetings. She also reminded all about the upcoming library remodel meeting.

Deputy Mayor Grausz spoke about the City of Seattle swearing-in ceremony.

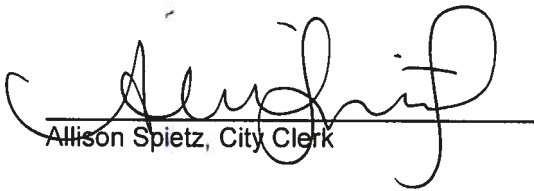
Councilmember Senn thanked Representative Judy Clibborn for her transportation negotiations, spoke about the life-size whale made out of plastic bags in the lobby in Olympia, stated that she is on three committees in the legislature, and welcomed Benson Wong to the City Council.  
Councilmember Cero thanked City Attorney Knight and City Manager Treat for the summary statement of the City's response to EIS for tolling on I-90.

**ADJOURNMENT**

The Regular Meeting adjourned at 9:53 pm.

  
Bruce Bassett, Mayor

Attest:

  
Allison Spietz, City Clerk



## City of Mercer Island 2014 State Legislative Priorities

The City of Mercer Island supports the following legislative priorities for 2014:

### **TRANSPORTATION FUNDING LEGISLATIVE PRIORITIES:**

- **Funding for Highway 520 Without I-90 Tolling**  
Support a cost-effective transportation package to fully fund SR-520 through a combination of gas tax and other sources rather than I-90 tolling revenue.

### **ASSOCIATION OF WASHINGTON CITIES LEGISLATIVE PRIORITIES:**

- **Ensure fiscal sustainability and flexibility**  
Restore local liquor revenue sharing to the historic revenue sharing formulas. Share new marijuana revenue.
- **Foster and invest in infrastructure and economic development**  
Fund transportation needs now, including providing new local transportation options. Halt and refrain from raiding infrastructure funds like the Public Works Trust Fund and Model Toxics Control Accounts and build them back to health.

### **ENVIRONMENTAL HEALTH LEGISLATIVE PRIORITIES:**

- **Support Leadership Alliance Against Coal**  
Support the Alliance in contributing to the State's analysis of the impacts of coal trains and coal exports on the transportation infrastructure, environment, health, economy, and cultural heritage in Washington State.
- **Support Efforts of Climate Legislative and Executive Workgroup (CLEW)**  
Support CLEW efforts through regional influence in policy arenas such as endorsing an approach to greenhouse gas reduction that is bold, comprehensive, and that uses a market-based solution (i.e. cap-and-trade or carbon tax).

### **PUBLIC RECORDS ACT (PRA) LEGISLATIVE PRIORITIES:**

- **City-Maintained Email Address Lists**  
Urge State Legislators to draft legislation that would exempt city-maintained email address lists from disclosure under the Public Records Act.

### **AUTONOMOUS VEHICLES LEGISLATIVE PRIORITIES:**

- **Driverless Electric Vehicle Demonstration Project**  
Support legislation that authorizes WSDOT to enter into agreements with municipalities for driverless electric cars pilot projects.

### **GUN CONTROL LEGISLATIVE PRIORITIES:**

- **Mandatory Background Checks**  
Support legislation that would require expanded background checks for all gun sales.

### **EDUCATION FUNDING LEGISLATIVE PRIORITIES:**

- **Fully Fund K-12 Education**  
Support fully funding basic education and fulfilling the McCleary decision.