



CITY OF MERCER ISLAND

CITY COUNCIL MEETING AGENDA

Monday
November 21, 2016
5:00 PM

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

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

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

REGULAR MEETING

CALL TO ORDER & ROLL CALL, 5:00 PM

AGENDA APPROVAL

EXECUTIVE SESSION

Executive Session #1 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 105 minutes

Executive Session #2 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 45 minutes

APPEARANCES, 7:30 PM

CONSENT CALENDAR

Payables: \$549,918.68 (11/9/16) & \$870,319.27 (11/17/16)

Payroll: \$754,130.51 (11/10/16)

Minutes: November 7, 2016 Regular Meeting Minutes, November 8, 2016 Special Meeting Minutes, November 15, 2016 Special Meeting Minutes

AB 5230 West Mercer Way Roadside Shoulder Improvements Phase 1 Bid Award

REGULAR BUSINESS

AB 5231 Public Hearing: 2017-2018 Preliminary Budget Review: Finalize Changes & Adopt Tax Ordinances and Fee Resolutions

AB 5229 Crown Castle Small Cell Franchise Agreement (1st Reading)

AB 5232 2017 Comprehensive Plan Final Docket

AB 5233 I-90 Loss of Mobility Negotiations Status Report

OTHER BUSINESS

Councilmember Absences

Planning Schedule

Board Appointments

Councilmember Reports

ADJOURNMENT

CERTIFICATION OF CLAIMS

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

Charles L. Corder

Finance Director

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

Mayor

Date

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	184106-184235	11/09/16	\$ 549,918.68
			\$ 549,918.68

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00184106	11/09/2016	AA ASPHALTING INC Pavement patching - Groveland	P92031	0081491IN	09/30/2016	6,464.88
00184107	11/09/2016	ABBOTT, RICHARD LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184108	11/09/2016	ABRAMSON, JESSICA OVERPAYMENT REFUND		OH007320	11/01/2016	445.40
00184109	11/09/2016	ADAMS, RONALD E LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184110	11/09/2016	ARTISAN ELECTRIC INC Solar Array Replacement	P92799	160518	11/13/2016	2,146.20
00184111	11/09/2016	AUGUSTSON, THOR LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184112	11/09/2016	AUTONATION INC Repairs to 7607	P92743	108402	09/15/2016	1,554.72
00184113	11/09/2016	AWC NOVEMBER 2016		OH007305	11/08/2016	327.30
00184114	11/09/2016	BAKER, DENNIS L TRAINING EXPENSES		OH007328	10/24/2016	23.95
00184115	11/09/2016	BARNES, WILLIAM LEOFF1 Medicare Reimb		DEC2016A	11/09/2016	1,729.25
00184116	11/09/2016	BOOTH, GLENDON D LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184117	11/09/2016	CALLAGHAN, MICHAEL LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184118	11/09/2016	CDW GOVERNMENT INC CARTRIDGE FOR BADGE PRINTER	P92819	FTB3653	10/25/2016	62.75
00184119	11/09/2016	CENTURYLINK PHONE USE NOV 2016		OH007329	11/01/2016	1,519.61
00184120	11/09/2016	CHAPTER 13 TRUSTEE PAYROLL EARLY WARRANTS		OH007308	11/10/2016	1,331.00
00184121	11/09/2016	CHO, WOONG & HEE OVERPAYMENT REFUND		OH007318	11/01/2016	525.94
00184122	11/09/2016	CLEANERS PLUS 1 Patrol uniform cleaning	P92855	76376	11/01/2016	94.54
00184123	11/09/2016	CM DESIGN GROUP ROADSIDE SHOULDER IMPROVEMENTS	P91329	16076	10/19/2016	24,207.62
00184124	11/09/2016	COMPTON LUMBER & HARDWARE INC 8 X 8 TREATED LUMBER MISC. LEN	P92719	797069	10/24/2016	3,999.85
00184125	11/09/2016	CONFIDENTIAL DATA DISPOSAL Shredding Inv #89177	P92853	80903	06/30/2015	400.00
00184126	11/09/2016	CONNER HOMES AT TRELLIS LLC REFUND HYDRANT METER DEPOSIT		OH007325	11/02/2016	2,900.00
00184127	11/09/2016	COOPER, ROBERT LEOFF1 Excess Benefit		DEC2016A	11/09/2016	1,528.26
00184128	11/09/2016	CRAIG, SAMUEL & TARA PERMIT REFUND		1508068	10/20/2016	172.84
00184129	11/09/2016	CRYSTAL SPRINGS SEPTEMBER WATER DELIVERY	P92795	091016/100816	09/10/2016	660.03
00184130	11/09/2016	DEEDS, EDWARD G LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184131	11/09/2016	DEVENY, JAN P LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90

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00184132	11/09/2016	DOWD, PAUL LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184133	11/09/2016	DROLL LANDSCAPE ARCH, ROBERT W Groveland Park Repair & Shorel	P91615	1406508	09/25/2016	640.75
00184134	11/09/2016	DUNN LUMBER COMPANY 6 X 8 X 8' TREATED LUMBER	P92530	4300021	10/07/2016	61.22
00184135	11/09/2016	EARTHCORPS INC 2015-2016 Volunteer Recruitmen	P85100	6223	09/30/2016	3,891.00
00184136	11/09/2016	ELSOE, RONALD LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184137	11/09/2016	EMMANUEL DAY SCHOOL Preschool scholarships for EA	P89415	OH007297	11/03/2016	361.00
00184138	11/09/2016	FAZILAT PROPERTIES LLC OVERPAYMENT REFUND		OH007319	11/01/2016	412.45
00184139	11/09/2016	FORESTRY SUPPLIERS INC MISC. SUPPLIES	P92766	10247500	10/07/2016	221.22
00184140	11/09/2016	FORSMAN, LOWELL LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184141	11/09/2016	FREEMAN, JAMES & AMILA OVERPAYMENT REFUND		OH007324	11/01/2016	213.93
00184142	11/09/2016	GARDNER, BRENT WORK CLOTHES		OH007310	10/14/2016	42.00
00184143	11/09/2016	GEMPLER'S INC (4) Gapseal (Replace PB35 on	P92574	S102939450	10/13/2016	94.15
00184144	11/09/2016	GENTINO, CATHERINE L BOOK		OH007312	10/31/2016	42.44
00184145	11/09/2016	GOODMAN, J C LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184146	11/09/2016	GRAINGER INVENTORY PURCHASES	P92808	9262826002	10/25/2016	237.63
00184147	11/09/2016	H D FOWLER INVENTORY PURCHASES	P92784	I4364986	10/24/2016	682.73
00184148	11/09/2016	HAGSTROM, JAMES LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	146.90
00184149	11/09/2016	HOME DEPOT CREDIT SERVICE SANDER & PAINT	P92774	0285607085746	10/28/2016	98.70
00184150	11/09/2016	IKEY PDRC Interface Cable between i	P92767	110956	10/26/2016	90.00
00184151	11/09/2016	INTERNATIONAL CODE COUNCIL INC ICC Dues	P92832	3111320	10/11/2016	135.00
00184152	11/09/2016	JAYMARC ESTATES LLC PERMIT REFUND		1412083	10/20/2016	186.16
00184153	11/09/2016	JDB CORP PERMIT REFUND		1511164	10/20/2016	551.40
00184154	11/09/2016	JOHNSON, CURTIS LEOFF1 Medicare Reimb		DEC2016A	11/09/2016	998.11
00184155	11/09/2016	JONES, MARK TRAINING EXPENSES		OH007313	10/21/2016	23.29
00184156	11/09/2016	JUHLIN, NIKKI OVERPAYMENT REFUND		OH007323	11/01/2016	323.66
00184157	11/09/2016	KING COUNTY FINANCE INV79425-79425 SE 40TH & 86TH	P92824	79425	09/30/2016	19,825.75

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00184158	11/09/2016	KUHN, DAVID LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184159	11/09/2016	LACY, ALAN P LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184160	11/09/2016	LAKE, MARY LOU OVERPAYMENT REFUND		OH007315	11/02/2016	180.66
00184161	11/09/2016	LEE, WALLACE LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184162	11/09/2016	LEOPOLD, FREDERIC LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	146.90
00184163	11/09/2016	LOISEAU, LERI M LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184164	11/09/2016	LYONS, STEVEN LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	135.60
00184165	11/09/2016	MARTIN, MARK PERMIT REFUND		1601261	10/20/2016	195.91
00184166	11/09/2016	MCNAMARA SIGNS New signage for parking at MIC	P92800	24030	10/24/2016	1,477.41
00184167	11/09/2016	MERIDIAN CONSTRUCTION PERMIT REFUND		1306247	10/20/2016	6,581.24
00184168	11/09/2016	METROPRESORT PRINTING AND MAILING OF 3RD QU	P92829	486666	10/11/2016	205.12
00184169	11/09/2016	METTLER TOLEDO Evidence scale calibration	P92796	641386265	10/18/2016	162.06
00184170	11/09/2016	MI CHAMBER OF COMMERCE Monthly membership luncheons	P89590	2929	11/01/2016	30.00
00184171	11/09/2016	MI EMPLOYEES ASSOC PAYROLL EARLY WARRANTS		OH007306	11/10/2016	133.75
00184172	11/09/2016	MILLAD DEVELOPMENT LLC PERMIT REFUND		1504115	10/20/2016	30.78
00184173	11/09/2016	MN CUSTOM M2N LLC OVERPAYMENT REFUND		OH007322	11/01/2016	644.27
00184174	11/09/2016	MONTSERRAT CONDO ASSOCIATION REFUND ADJUSTMENT		OH007316	11/09/2016	7,275.10
00184175	11/09/2016	MORGAN SOUND INC MITV - HD Video Production Sys	P91806	GP28227	10/26/2016	41,821.20
00184176	11/09/2016	MYERS, JAMES S LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184177	11/09/2016	NAPA AUTO PARTS INV 260693 (10/3/16) TO 62785	P92872	OH007333	10/31/2016	1,783.90
00184178	11/09/2016	NELSON, CASEY CONFERENCE EXPENSES		OH007311	10/17/2016	650.70
00184179	11/09/2016	NGUYEN, THACH NGOC PERMIT REFUND		1603012	10/20/2016	561.98
00184180	11/09/2016	NORTH LAKE MARINA- IN 852 MECURY BRAVO II PATROL	P92768	894	10/13/2016	22,484.16
00184181	11/09/2016	OLDCASTLE PRECAST INC S136314 STORMWATER MATERIALS	P91841	010207170	09/26/2016	1,423.50
00184182	11/09/2016	OVERLAKE OIL INV 180496 800 GAL. UNLEADED	P92807	0180496IN	10/27/2016	1,907.84
00184183	11/09/2016	PAGLIACCI PIZZA PERMIT REFUND		1607296	10/20/2016	73.01

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00184184	11/09/2016	PERRONE CONSULTING INC PS Engineering consultations	P92833	1511407	10/26/2016	1,328.25
00184185	11/09/2016	PLANLED INC LIGHT FIXTURES (ARCH 2 WAY 4FT	P92754	I1601271	10/25/2016	7,407.68
00184186	11/09/2016	POT O' GOLD INC Coffee equipment and supplies	P92834	0074561/5210/524	10/24/2016	675.37
00184187	11/09/2016	PROFORCE LAW ENFORCEMENT Firearms ammo	P92793	289260	10/13/2016	2,769.85
00184188	11/09/2016	PROVOST, ALAN LEOFF1 Excess Benefit		DEC2016A	11/09/2016	1,414.06
00184189	11/09/2016	PUGET SOUND ENERGY Utility Assistance for Emergen	P89289	OH007299	11/03/2016	21.96
00184190	11/09/2016	PUGET SOUND ENERGY Utility Assistance for Emergen	P89289	OH007298	11/03/2016	49.25
00184191	11/09/2016	PUGET SOUND ENERGY Disconnection and reconnection		OH007331	10/31/2016	4,080.64
00184192	11/09/2016	RAMSAY, JON LEOFF1 Medicare Reimb		DEC2016A	11/09/2016	572.89
00184193	11/09/2016	REYNOLDS, GEORGE OVERPAYMENT REFUND		OH007321	11/01/2016	253.83
00184194	11/09/2016	RICH LANDSCAPING INC 2015-2016 Open Space Vegetatio	P91767	37152	10/18/2016	11,607.28
00184195	11/09/2016	ROSENSTEIN, SUSIE Instructor pay for personal	P92822	113	11/02/2016	195.00
00184196	11/09/2016	RUCKER, MANORD J LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	121.80
00184197	11/09/2016	SCHADEMAN, KIM PERMIT REFUND		1509177	10/20/2016	140.42
00184198	11/09/2016	SCHAEFER, PETER PERMIT REFUND		1411105	10/20/2016	36.49
00184199	11/09/2016	SCHOENTRUP, WILLIAM LEOFF1 Medicare Reimb		DEC2016A	11/09/2016	967.81
00184200	11/09/2016	SEAHURST ELECTRIC INC Break in conduit finding and r	P92838	160730	07/28/2016	1,626.97
00184201	11/09/2016	SEATTLE PUBLIC UTILITIES September 2016 SPU Retail Serv	P92827	093016	09/30/2016	11,168.00
00184202	11/09/2016	SEATTLE, CITY OF Sept 2016 Water Purchases	P92826	OH007301	09/28/2016	284,780.65
00184203	11/09/2016	SENSUS USA 2016 to 2017 AUTOREAD SOFTWARE	P92828	ZA17009884	10/20/2016	1,824.25
00184204	11/09/2016	SHELPHIL - BATTERIES PLUS Stock Batteries	P92752	898269130	10/20/2016	212.08
00184205	11/09/2016	SIGNATURE LANDSCAPE SERVICES 2016 Landscaping Service for F	P90550	103686/103683	06/01/2016	2,402.84
00184206	11/09/2016	SIRENNET.COM INV 207145 FL-0342 LIGHTING	P92725	0207145IN	10/21/2016	645.17
00184207	11/09/2016	SKYLINE COMMUNICATIONS INC MONTHLY EOC INTERNET & EQUIPME	P92813	IN42405	11/01/2016	206.55
00184208	11/09/2016	SMITH, RICHARD LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	170.50
00184209	11/09/2016	SNC DEVELOPMENT PERMIT REFUND		1508096	10/20/2016	128.64

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00184210	11/09/2016	SOUND SAFETY PRODUCTS MISC. WORK CLOTHES	P92726	153815	10/21/2016	330.86
00184211	11/09/2016	SUNBELT RENTALS INC TRACK SKIDSTEER & BUSH HOG CUT	P92823	64208505001	10/26/2016	2,326.14
00184212	11/09/2016	TACOMA SCREW PRODUCTS INC 5/16" X 2" GALV. LAG SCREWS (2	P92736	16185767	10/24/2016	55.11
00184213	11/09/2016	TAWNEY, LAURA PER DIEM REIMB		OH007314	11/07/2016	273.92
00184214	11/09/2016	THOMPSON, JAMES LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	123.30
00184215	11/09/2016	TOOLEY, NORMAN LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184216	11/09/2016	TRI-TEC COMMUNICATIONS INC IP530/560 WALLMOUNT KIT	P92818	619850	10/07/2016	21.90
00184217	11/09/2016	UNDERWATER SPORTS INC. Dive equipment	P92854	20012183/94/1849	07/10/2016	188.78
00184218	11/09/2016	UNITED SITE SERVICES Servicing of ADA at City Hall.	P85569	1144493482	09/27/2016	693.92
00184219	11/09/2016	UNITED WAY OF KING CO PAYROLL EARLY WARRANTS		OH007307	11/10/2016	110.00
00184220	11/09/2016	VERIZON WIRELESS Mobil hot spots	P92873	9774166591	10/23/2016	1,749.91
00184221	11/09/2016	VERIZON WIRELESS MDC Charges/Fire	P89331	9774166596	10/23/2016	2,339.36
00184222	11/09/2016	WA ST DEPT OF TRANSPORTATION INV RE41 JA948L001 BOAT RAMP	P92761	RE41JA948L001	10/17/2016	866.72
00184223	11/09/2016	WA ST TREASURER'S OFFICE OCT16 NC Court Transmittal	P92852	OH007303	10/31/2016	3,406.65
00184224	11/09/2016	WA ST TREASURER'S OFFICE OCT16 Court Transmittal	P92851	OH007302	10/31/2016	28,338.67
00184225	11/09/2016	WALKER, WILLIAM OVERPAYMENT REFUND		OH007317	11/08/2016	265.69
00184226	11/09/2016	WALLACE, THOMAS LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184227	11/09/2016	WALTER E NELSON CO Station 92 Household Supplies	P92792	567325	10/25/2016	2,018.37
00184228	11/09/2016	WEATHERNET LLC INV 2016-30877 2016 NOV-DEC WE	P92261	201630877	09/20/2016	490.00
00184229	11/09/2016	WEGNER, KEN LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184230	11/09/2016	WESCOM Radar calibration Inv 22534	P92856	22545	11/02/2016	328.50
00184231	11/09/2016	WEST COAST SIGNAL INC ON CALL CONTRACT FOR STREETLIG	P85970	1895	10/11/2016	702.35
00184232	11/09/2016	WHEELER, DENNIS LEOFF1 Medicare Reimb		DEC2016B	11/09/2016	104.90
00184233	11/09/2016	WINE, MARTHA City Manager Interview	P92875	OH007296	11/08/2016	411.70
00184234	11/09/2016	WWGCSA INV 11597 PESTICIDE CLASS AND	P92771	11597	10/27/2016	450.00
00184235	11/09/2016	X5 OPCO LLC MONTHLY LONG DISTANCE JAN-DEC	P89271	OH007304	10/31/2016	241.88

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					Total	<u>549,918.68</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	11,592.37
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	6,589.77
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	5,041.49
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	1,940.69
P92852	00184223	WA ST TREASURER'S OFFICE	OCT16 NC Court Transmittal	1,372.86
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	969.23
P92852	00184223	WA ST TREASURER'S OFFICE	OCT16 NC Court Transmittal	817.12
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	725.17
P92852	00184223	WA ST TREASURER'S OFFICE	OCT16 NC Court Transmittal	535.44
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	377.52
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	377.50
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	363.20
P92852	00184223	WA ST TREASURER'S OFFICE	OCT16 NC Court Transmittal	245.17
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	191.98
P92852	00184223	WA ST TREASURER'S OFFICE	OCT16 NC Court Transmittal	131.56
P92852	00184223	WA ST TREASURER'S OFFICE	OCT16 NC Court Transmittal	131.54
P92852	00184223	WA ST TREASURER'S OFFICE	OCT16 NC Court Transmittal	122.19
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	82.13
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	53.75
P92852	00184223	WA ST TREASURER'S OFFICE	OCT16 NC Court Transmittal	44.55
P92851	00184224	WA ST TREASURER'S OFFICE	OCT16 Court Transmittal	33.87
P92852	00184223	WA ST TREASURER'S OFFICE	OCT16 NC Court Transmittal	6.22
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P92827	00184201	SEATTLE PUBLIC UTILITIES	September 2016 SPU Retail Serv	11,168.00
	00184174	MONTERRAT CONDO ASSOCIATION	REFUND ADJUSTMENT	7,275.10
	00184167	MERIDIAN CONSTRUCTION	PERMIT REFUND	6,581.24
	00184126	CONNER HOMES AT TRELIS LLC	REFUND HYDRANT METER DEPOSIT	2,900.00
	00184173	MN CUSTOM M2N LLC	OVERPAYMENT REFUND	644.27
	00184179	NGUYEN, THACH NGOC	PERMIT REFUND	561.98
	00184153	JDB CORP	PERMIT REFUND	551.40
	00184121	CHO, WOONG & HEE	OVERPAYMENT REFUND	525.94
	00184108	ABRAMSON, JESSICA	OVERPAYMENT REFUND	445.40
P92721	00184147	H D FOWLER	INVENTORY PURCHASES	478.57
	00184138	FAZILAT PROPERTIES LLC	OVERPAYMENT REFUND	412.45
	00184156	JUHLIN, NIKKI	OVERPAYMENT REFUND	323.66
	00184225	WALKER, WILLIAM	OVERPAYMENT REFUND	265.69
	00184193	REYNOLDS, GEORGE	OVERPAYMENT REFUND	253.83
	00184141	FREEMAN, JAMES & AMILA	OVERPAYMENT REFUND	213.93
	00184165	MARTIN, MARK	PERMIT REFUND	195.91
	00184152	JAYMARC ESTATES LLC	PERMIT REFUND	186.16
	00184160	LAKE, MARY LOU	OVERPAYMENT REFUND	180.66
	00184128	CRAIG, SAMUEL & TARA	PERMIT REFUND	172.84
P92810	00184146	GRAINGER	INVENTORY PURCHASES	165.76
	00184197	SCHADEMAN, KIM	PERMIT REFUND	140.42
	00184209	SNC DEVELOPMENT	PERMIT REFUND	128.64
	00184183	PAGLIACCI PIZZA	PERMIT REFUND	73.01
	00184198	SCHAEFER, PETER	PERMIT REFUND	36.49
P92808	00184146	GRAINGER	INVENTORY PURCHASES	34.43

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00184172	MILLAD DEVELOPMENT LLC	PERMIT REFUND	30.78
<i>Org Key: 814072 - United Way</i>				
	00184219	UNITED WAY OF KING CO	PAYROLL EARLY WARRANTS	110.00
<i>Org Key: 814074 - Garnishments</i>				
	00184120	CHAPTER 13 TRUSTEE	PAYROLL EARLY WARRANTS	1,331.00
<i>Org Key: 814075 - Mercer Island Emp Association</i>				
	00184171	MI EMPLOYEES ASSOC	PAYROLL EARLY WARRANTS	133.75
<i>Org Key: 814083 - Vol Life Ins - States West Lif</i>				
	00184113	AWC	NOVEMBER 2016	327.30
<i>Org Key: CM1300 - Sustainability</i>				
P92799	00184110	ARTISAN ELECTRIC INC	Solar Array Replacement	744.60
<i>Org Key: CR1100 - COrE Admin and Human Resources</i>				
	00184213	TAWNEY, LAURA	MILEAGE EXPENSE	171.72
	00184213	TAWNEY, LAURA	PER DIEM REIMB	102.20
P92819	00184118	CDW GOVERNMENT INC	CARTRIDGE FOR BADGE PRINTER	31.38
<i>Org Key: DS1100 - Administration (DS)</i>				
P92831	00184220	VERIZON WIRELESS	Data and Phone charges	294.55
P92831	00184220	VERIZON WIRELESS	Mobil hot spots	160.04
<i>Org Key: DS1200 - Bldg Plan Review & Inspection</i>				
P92833	00184184	PERRONE CONSULTING INC PS	Engineering consultations	1,328.25
P92832	00184151	INTERNATIONAL CODE COUNCIL INC	ICC Dues	135.00
	00184142	GARDNER, BRENT	WORK CLOTHES	42.00
<i>Org Key: FN4501 - Utility Billing (Water)</i>				
P92828	00184203	SENSUS USA	2016 to 2017 AUTOREAD SOFTWARE	1,824.25
<i>Org Key: FNBE01 - Financial Services</i>				
P92829	00184168	METROPRESORT	PRINTING AND MAILING OF 3RD QU	205.12
<i>Org Key: FR1100 - Administration (FR)</i>				
P92707	00184227	WALTER E NELSON CO	Station 92 Household Supplies	1,745.06
P92792	00184227	WALTER E NELSON CO	Household Supplies	273.31
	00184119	CENTURYLINK	PHONE USE NOV 2016	167.31
P92818	00184216	TRI-TEC COMMUNICATIONS INC	IP530/560 WALLMOUNT KIT	21.90
<i>Org Key: FR2100 - Fire Operations</i>				
P92743	00184112	AUTONATION INC	Repairs to 7607	1,554.72
P92791	00184221	VERIZON WIRELESS	MDC Charges/Fire	925.21
P92752	00184204	SHELPHIL - BATTERIES PLUS	Stock Batteries	212.08
P92574	00184143	GEMPLER'S INC	(4) Gapseal (Replace PB35 on	94.15
<i>Org Key: GGM001 - General Government-Misc</i>				
P92834	00184186	POT O' GOLD INC	Coffee equipment and supplies	602.44
P92875	00184233	WINE, MARTHA	City Manager Interview	411.70
P92834	00184186	POT O' GOLD INC	Coffee equipment and supplies	45.55
P92834	00184186	POT O' GOLD INC	Water cooler	27.38

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: GGM005 - Genera Govt-LI Retiree Costs</i>				
	00184208	SMITH, RICHARD	LEOFF1 Medicare Reimb	170.50
	00184199	SCHOENTRUP, WILLIAM	LEOFF1 Medicare Reimb	163.80
	00184115	BARNES, WILLIAM	LEOFF1 Medicare Reimb	163.70
	00184148	HAGSTROM, JAMES	LEOFF1 Medicare Reimb	146.90
	00184162	LEOPOLD, FREDERIC	LEOFF1 Medicare Reimb	146.90
	00184154	JOHNSON, CURTIS	LEOFF1 Medicare Reimb	143.30
	00184192	RAMSAY, JON	LEOFF1 Medicare Reimb	136.20
	00184164	LYONS, STEVEN	LEOFF1 Medicare Reimb	135.60
	00184214	THOMPSON, JAMES	LEOFF1 Medicare Reimb	123.30
	00184196	RUCKER, MANORD J	LEOFF1 Medicare Reimb	121.80
	00184107	ABBOTT, RICHARD	LEOFF1 Medicare Reimb	104.90
	00184109	ADAMS, RONALD E	LEOFF1 Medicare Reimb	104.90
	00184111	AUGUSTSON, THOR	LEOFF1 Medicare Reimb	104.90
	00184116	BOOTH, GLENDON D	LEOFF1 Medicare Reimb	104.90
	00184117	CALLAGHAN, MICHAEL	LEOFF1 Medicare Reimb	104.90
	00184130	DEEDS, EDWARD G	LEOFF1 Medicare Reimb	104.90
	00184131	DEVENY, JAN P	LEOFF1 Medicare Reimb	104.90
	00184132	DOWD, PAUL	LEOFF1 Medicare Reimb	104.90
	00184136	ELSOE, RONALD	LEOFF1 Medicare Reimb	104.90
	00184140	FORSMAN, LOWELL	LEOFF1 Medicare Reimb	104.90
	00184145	GOODMAN, J C	LEOFF1 Medicare Reimb	104.90
	00184158	KUHN, DAVID	LEOFF1 Medicare Reimb	104.90
	00184159	LACY, ALAN P	LEOFF1 Medicare Reimb	104.90
	00184161	LEE, WALLACE	LEOFF1 Medicare Reimb	104.90
	00184163	LOISEAU, LERI M	LEOFF1 Medicare Reimb	104.90
	00184176	MYERS, JAMES S	LEOFF1 Medicare Reimb	104.90
	00184215	TOOLEY, NORMAN	LEOFF1 Medicare Reimb	104.90
	00184226	WALLACE, THOMAS	LEOFF1 Medicare Reimb	104.90
	00184229	WEGNER, KEN	LEOFF1 Medicare Reimb	104.90
	00184232	WHEELER, DENNIS	LEOFF1 Medicare Reimb	104.90
<i>Org Key: GGM606 - Excess Retirement-Fire</i>				
	00184115	BARNES, WILLIAM	LEOFF1 Excess Benefit	1,565.55
	00184127	COOPER, ROBERT	LEOFF1 Excess Benefit	1,528.26
	00184188	PROVOST, ALAN	LEOFF1 Excess Benefit	1,414.06
	00184154	JOHNSON, CURTIS	LEOFF1 Excess Benefit	854.81
	00184199	SCHOENTRUP, WILLIAM	LEOFF1 Excess Benefit	804.01
	00184192	RAMSAY, JON	LEOFF1 Excess Benefit	436.69
<i>Org Key: IS2100 - IGS Network Administration</i>				
	00184119	CENTURYLINK	PHONE USE NOV 2016	498.43
P89271	00184235	X5 OPCO LLC	MONTHLY LONG DISTANCE JAN-DEC	241.88
P92812	00184221	VERIZON WIRELESS	IGS GIS, IGS WIFI, IGS LOANER	160.04
	00184119	CENTURYLINK	PHONE USE OCT 2016	103.13
P92767	00184150	IKEY	PDRC Interface Cable between i	90.00
<i>Org Key: MT2100 - Roadway Maintenance</i>				
	00184191	PUGET SOUND ENERGY	ENERGY USE NOV 2016	3,574.02
P85970	00184231	WEST COAST SIGNAL INC	ON CALL CONTRACT FOR STREETLIG	702.35
P92736	00184212	TACOMA SCREW PRODUCTS INC	5/16" X 2" GALV. LAG SCREWS (2	55.11

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00184191	PUGET SOUND ENERGY	ENERGY USE OCT 2016	14.62
<i>Org Key: MT3100 - Water Distribution</i>				
P92808	00184146	GRAINGER	GREASE GUN	37.44
<i>Org Key: MT3120 - Hydrant Maintenance</i>				
P92783	00184147	H D FOWLER	M&H HYDRANT PARTS	124.03
<i>Org Key: MT3150 - Water Quality Event</i>				
P92761	00184222	WA ST DEPT OF TRANSPORTATION	INV RE41 JA948L001 BOAT RAMP	866.72
<i>Org Key: MT3200 - Water Pumps</i>				
	00184119	CENTURYLINK	PHONE USE NOV 2016	237.64
<i>Org Key: MT3300 - Water Associated Costs</i>				
P92727	00184210	SOUND SAFETY PRODUCTS	MISC. WORK CLOTHES	94.66
<i>Org Key: MT3500 - Sewer Pumps</i>				
P92859	00184220	VERIZON WIRELESS	INV 9774087039	78.04
<i>Org Key: MT3600 - Sewer Associated Costs</i>				
	00184114	BAKER, DENNIS L	TRAINING EXPENSES	23.95
	00184155	JONES, MARK	TRAINING EXPENSES	23.29
<i>Org Key: MT3800 - Storm Drainage</i>				
P92771	00184234	WWGCSA	INV 11597 PESTICIDE CLASS AND	450.00
P92784	00184147	H D FOWLER	10" ADS WATER-TIGHT 45 DEGREE	80.13
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P92873	00184220	VERIZON WIRELESS	INV 9774166591 PW CELLULAR SER	1,217.28
P92261	00184228	WEATHERNET LLC	INV 2016-30877 2016 NOV-DEC WE	490.00
P92795	00184129	CRYSTAL SPRINGS	SEPTEMBER WATER DELIVERY	272.72
<i>Org Key: MT4200 - Building Services</i>				
P92820	00184218	UNITED SITE SERVICES	Servicing of ADA at City Hall.	214.31
<i>Org Key: MT4210 - Building Landscaping</i>				
P90550	00184205	SIGNATURE LANDSCAPE SERVICES	2016 Landscaping Service for F	1,940.20
<i>Org Key: MT4300 - Fleet Services</i>				
P92807	00184182	OVERLAKE OIL	INV 180496 800 GAL. UNLEADED	1,907.84
P92872	00184177	NAPA AUTO PARTS	INV 260693 (10/3/16) TO 62785	1,780.16
P92725	00184206	SIRENNET.COM	INV 207145 FL-0342 LIGHTING	645.17
P92774	00184149	HOME DEPOT CREDIT SERVICE	VINYL TUBE	18.35
P92872	00184177	NAPA AUTO PARTS	FC	3.74
<i>Org Key: MT4420 - Transportation Planner Eng</i>				
	00184178	NELSON, CASEY	CONFERENCE EXPENSES	650.70
<i>Org Key: MT4501 - Water Administration</i>				
P92826	00184202	SEATTLE, CITY OF	Sept 2016 Water Purchases	284,780.65
<i>Org Key: PO1100 - Administration (PO)</i>				
P92794	00184221	VERIZON WIRELESS	PD cell phone bill	1,214.10
<i>Org Key: PO1350 - Police Emergency Management</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P92813	00184207	SKYLINE COMMUNICATIONS INC	MONTHLY EOC INTERNET & EQUIPME	206.55
P92819	00184118	CDW GOVERNMENT INC	CARTRIDGE FOR BADGE PRINTER	31.37
<i>Org Key: PO1700 - Records and Property</i>				
P92796	00184169	METTLER TOLEDO	Evidence scale calibration	162.06
P92857	00184125	CONFIDENTIAL DATA DISPOSAL	Shredding Inv #88576	100.00
P92853	00184125	CONFIDENTIAL DATA DISPOSAL	Shredding-Inv 80903	100.00
P92815	00184125	CONFIDENTIAL DATA DISPOSAL	Shredding Inv #89177	100.00
P92857	00184125	CONFIDENTIAL DATA DISPOSAL	Shredding Inv #78308	100.00
<i>Org Key: PO2100 - Patrol Division</i>				
P92856	00184230	WESCOM	Radar repair-Inv 22545	153.30
P92855	00184122	CLEANERS PLUS 1	Patrol uniform cleaning	94.54
P92797	00184230	WESCOM	Radar calibration Inv 22534	87.60
P92797	00184230	WESCOM	Radar calibration Inv 22539	87.60
<i>Org Key: PO2201 - Dive Team</i>				
P92854	00184217	UNDERWATER SPORTS INC.	Dive equipment	141.80
P92854	00184217	UNDERWATER SPORTS INC.	Dive equip	30.55
P92854	00184217	UNDERWATER SPORTS INC.	Dive equip	16.43
<i>Org Key: PO2400 - Special Operations Team (CJ)</i>				
P92793	00184187	PROFORCE LAW ENFORCEMENT	Firearms ammo	2,769.85
<i>Org Key: PR1100 - Administration (PR)</i>				
	00184119	CENTURYLINK	PHONE USE NOV 2016	102.26
<i>Org Key: PR2108 - Health and Fitness</i>				
P92822	00184195	ROSENSTEIN, SUSIE	Instructor pay for personal	195.00
<i>Org Key: PR4100 - Community Center</i>				
P92800	00184166	MCNAMARA SIGNS	New signage for parking at MIC	1,477.41
P92799	00184110	ARTISAN ELECTRIC INC	Solar Array Replacement	1,401.60
<i>Org Key: PR6100 - Park Maintenance</i>				
P92795	00184129	CRYSTAL SPRINGS	AUGUST WATER DELIVERY	387.31
P92785	00184149	HOME DEPOT CREDIT SERVICE	SANDER & PAINT	80.35
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
	00184119	CENTURYLINK	PHONE USE NOV 2016	86.32
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
P92838	00184200	SEAHURST ELECTRIC INC	Break in conduit finding and r	1,626.97
P92847	00184191	PUGET SOUND ENERGY	Disconnection and reconnection	492.00
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
P92726	00184210	SOUND SAFETY PRODUCTS	MISC. WORK CLOTHES	236.20
P89258	00184218	UNITED SITE SERVICES	2016 Portable Toilet Rentals a	151.20
P89258	00184218	UNITED SITE SERVICES	2016 Portable Toilet Rentals a	142.05
<i>Org Key: PR6800 - Trails Maintenance</i>				
P92766	00184139	FORESTRY SUPPLIERS INC	MISC. SUPPLIES	221.22
<i>Org Key: WG130E - Equipment Rental Vehicle Repl</i>				
P92768	00184180	NORTH LAKE MARINA-	IN 852 MECURY BRAVO II PATROL	22,484.16

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: WG532T - Council Chambers AV Equip</i>				
P91806	00184175	MORGAN SOUND INC	MITV - HD Video Production Sys	40,938.52
P91806	00184175	MORGAN SOUND INC	MITV - Video Camera System	882.68
<i>Org Key: WP122P - Open Space - Pioneer/Engstrom</i>				
P87270	00184194	RICH LANDSCAPING INC	2015-2016 Open Space Vegetatio	7,409.05
P85100	00184135	EARTHCORPS INC	2015-2016 Volunteer Recruitmen	1,510.00
P89258	00184218	UNITED SITE SERVICES	2016 Portable Toilet Rentals a	75.60
P92530	00184134	DUNN LUMBER COMPANY	6 X 8 X 8' TREATED LUMBER	61.22
<i>Org Key: WP122R - Vegetation Management</i>				
P91767	00184194	RICH LANDSCAPING INC	Clarke Beach bindweed control	4,198.23
P85100	00184135	EARTHCORPS INC	2015-2016 Volunteer Recruitmen	2,381.00
P85569	00184218	UNITED SITE SERVICES	2015-16 Volunteer event portab	110.76
<i>Org Key: WP506R - Swim Beach Repairs</i>				
P91615	00184133	DROLL LANDSCAPE ARCH, ROBERT W	Groveland Park Repair & Shorel	640.75
<i>Org Key: WP720R - Recurring Park Projects</i>				
P92754	00184185	PLANLED INC	LIGHT FIXTURES (ARCH 2 WAY 4FT	7,407.68
P92031	00184106	AA ASPHALTING INC	Pavement patching - Groveland	6,464.88
P92823	00184211	SUNBELT RENTALS INC	TRACK SKIDSTEER & BUSH HOG CUT	2,326.14
<i>Org Key: WR517T - SE 40th & 86th Intersection Mo</i>				
P92824	00184157	KING COUNTY FINANCE	INV79425-79425 SE 40TH & 86TH	19,825.75
<i>Org Key: XD311C - Water Quality Treatment</i>				
P91841	00184181	OLDCASTLE PRECAST INC	S136314 STORMWATER MATERIALS	1,423.50
<i>Org Key: XR543C - WMW Shoulders (7400-8000 Blk)</i>				
P91329	00184123	CM DESIGN GROUP	ROADSIDE SHOULDER	24,207.62
<i>Org Key: XR545R - PBF-WMW and 80th Stairs</i>				
P92719	00184124	COMPTON LUMBER & HARDWARE INC	8 X 8 TREATED LUMBER MISC. LEN	3,999.85
<i>Org Key: YF1100 - YFS General Services</i>				
P89331	00184221	VERIZON WIRELESS	Monthly expense for mobile	40.01
P89590	00184170	MI CHAMBER OF COMMERCE	Monthly membership luncheons	30.00
<i>Org Key: YF1200 - Thrift Shop</i>				
P90550	00184205	SIGNATURE LANDSCAPE SERVICES	2016 Landscaping Services for	462.64
	00184119	CENTURYLINK	PHONE USE NOV 2016	324.52
<i>Org Key: YF2100 - School/City Partnership</i>				
	00184144	GENTINO, CATHERINE L	BOOK	42.44
<i>Org Key: YF2600 - Family Assistance</i>				
P89415	00184137	EMMANUEL DAY SCHOOL	Preschool scholarships for EA	361.00
P89289	00184190	PUGET SOUND ENERGY	Utility Assistance for Emergen	49.25
P89289	00184189	PUGET SOUND ENERGY	Utility Assistance for Emergen	21.96
Total				<u>549,918.68</u>

CERTIFICATION OF CLAIMS

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

Charles L. Corder

Finance Director

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

Mayor

Date

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	184236-184353	11/17/16	\$ 870,319.27
			\$ 870,319.27

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00184236	11/17/2016	A.M. LEONARD INC INVENTORY PURCHASES	P92809	CI16180898	11/27/2016	239.94
00184237	11/17/2016	ACCESS DATA STORAGE, BLACK BOX PICK U	P92930	1673717	10/31/2016	330.42
00184238	11/17/2016	ACTORS GROUP LTD, THE Deposit for Lecture/cooking	P92879	1460	10/27/2016	325.00
00184239	11/17/2016	AIRGAS USA LLC Oxygen/Fire	P92910	9940453697	10/30/2016	101.99
00184240	11/17/2016	AM TEST INC INV 95484 WATER QUALITY	P92835	95483/95548	10/28/2016	1,095.00
00184241	11/17/2016	APPLIED ECOLOGY LLC 2015-2016 Open Space Vegetatio	P87123	271	08/31/2016	1,097.25
00184242	11/17/2016	BIOBAG AMERICAS INC composting bags	P92816	441541	05/31/2016	2,199.48
00184243	11/17/2016	BLUELINE GROUP EMW 5400 - 6000 BLK WATER SYST	P92073	12531	11/01/2016	22,793.80
00184244	11/17/2016	BONTATIBUS, DEBORAH Overpayment by renter at MICEC	P92877	23265	11/08/2016	40.50
00184245	11/17/2016	BREWTON MD, LUKE Clinical consultations	P90095	OH007334	11/14/2016	150.00
00184246	11/17/2016	CAMDEN GARDENS 2016 Aljoia & Aubrey Davis Par	P89438	60315	11/01/2016	410.63
00184247	11/17/2016	CARLSON, LARRY QTRLY DEC-FEB LEOFF1 MEDI REIM		OH007353	11/16/2016	365.40
00184248	11/17/2016	CASNE ENGINEERING INC INV 28414 TELEMETRY SUPPORT	P92881	28414	10/10/2016	924.00
00184249	11/17/2016	CDW GOVERNMENT INC Microsoft SurfaceBook with 4yr	P92790	FWL8193/FVW4157	11/02/2016	1,734.43
00184250	11/17/2016	CEDAR GROVE COMPOSTING INC Organic Waste Service - Octobe	P92890	0000307118	10/30/2016	25.50
00184251	11/17/2016	CHELAN COUNTY TREASURER Chelan County Jail-Oct bill	P92924	15000100539	10/31/2016	3,150.00
00184252	11/17/2016	CINTAS CORPORATION #460 2016 Rug Cleaning Services for	P89342	460713551/719011	10/27/2016	49.28
00184253	11/17/2016	CLARK'S NATIVE TREES & SHRUBS 2016 Native Plants Open Space	P92803	16179/16179B	10/18/2016	3,042.46
00184254	11/17/2016	COMMERCIAL LANDSC SUPPLY INC INVENTORY PURCHASES	P92739	196912/6939/7309	10/25/2016	492.29
00184255	11/17/2016	COMPTON LUMBER & HARDWARE INC 3/4" CDX PLYWOOD	P92868	798563	10/27/2016	286.98
00184256	11/17/2016	CONSOLIDATED PRESS Brochure printing for recreati	P92906	17739	10/26/2016	454.80
00184257	11/17/2016	CORK, TAMBI A FLEX SPEND REIMB		10NOV16	10/28/2016	425.00
00184258	11/17/2016	CRYSTAL AND SIERRA SPRINGS Monthly water delivery service	P89371	5277493110116	11/01/2016	98.62
00184259	11/17/2016	CRYSTAL SPRINGS Water and coffee supplies MICE	P92846	13123243102816	10/28/2016	369.85
00184260	11/17/2016	CULLIGAN Water Service/Fire	P92912	201611672721	10/31/2016	192.80
00184261	11/17/2016	DATAQUEST LLC Background Check C. Misner	P89372	CIMERCERYOUTH2 01	10/31/2016	376.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00184262	11/17/2016	FIRE PROTECTION INC FIRE FLOW PROBLEM ANNEX	P92934	35188	11/03/2016	331.24
00184263	11/17/2016	FIRETRAIL NURSERY 2016 Native Plants Pioneer Par	P92802	2291	10/18/2016	1,334.86
00184264	11/17/2016	FLETCHER, ZENY Rental deposit return, MICEC.	P92878	22432	11/08/2016	350.00
00184265	11/17/2016	G&K SERVICES TIC#'S 62522/64500/66465/68443	P92871	OH007335	10/31/2016	800.20
00184266	11/17/2016	GRAINGER 5.5 HP CENTRIFUGAL PUMP	P92811	9265256785	10/27/2016	1,063.23
00184267	11/17/2016	GRAND & BENEDICTS INC Operating supplies for Thrift	P89367	0843053IN	11/01/2016	23.96
00184268	11/17/2016	GREEN EARTHWORKS CONST INC MINOR WATERCOURSE REPAIR	P92454	FINALPAYMENT	10/28/2016	38,978.50
00184269	11/17/2016	GREER, J SCOTT Protém Judge	P92935	OH007347	10/11/2016	100.00
00184270	11/17/2016	HARB, SAM MILEAGE EXPENSE		OH007358	11/01/2016	22.79
00184271	11/17/2016	HARRIGAN LEYH FARMER & Professional Services - I-90 L	P92944	3	11/08/2016	12,824.20
00184272	11/17/2016	HEALTHFORCE PARTNERS LLC TB/FLU Shots - 2016	P92720	30522	11/08/2016	606.00
00184273	11/17/2016	HEDEEN & CADITZ PLLC Professional Services - FS 92	P92874	8287	11/03/2016	5,768.40
00184274	11/17/2016	HEITMAN, STEVE PER DIEM REIMB		OH007354	11/14/2016	220.95
00184275	11/17/2016	HOME DEPOT CREDIT SERVICE LED CHRISTMAS TREES	P92843	0049050580283	11/04/2016	825.96
00184276	11/17/2016	HONEYWELL, MATTHEW V Professional Services - Invoic	P92900	943	11/08/2016	950.00
00184277	11/17/2016	HORSCHMAN, BRENT FLEX SPEND REIMB		10NOV16	11/10/2016	426.91
00184278	11/17/2016	IIMC A. Spietz 2017 Membership Dues	P92866	OH007336	11/07/2016	200.00
00184279	11/17/2016	INGALLINA'S BOX LUNCH INC Fire Marshal Meeting Refreshme	P92916	01331508	11/09/2016	57.45
00184280	11/17/2016	INTERCOM LANGUAGE SERVICES INC Interpreting Services	P92940	16639	10/30/2016	1,795.00
00184281	11/17/2016	INTERIOR FOLIAGE CO, THE CITY HALL INTERIOR LANDSCAPING	P92933	36583	11/01/2016	271.34
00184282	11/17/2016	ISSAQUAH CITY JAIL Jail bill-September	P92798	0450008281	10/27/2016	2,910.00
00184283	11/17/2016	JOHNSON, CURTIS FRLEOFF1 Retiree Medical Expen	P92865	OH007337	11/07/2016	270.00
00184284	11/17/2016	JONES, MARK MILEAGE EXPENSES		OH007355	11/03/2016	9.18
00184285	11/17/2016	KING COUNTY FINANCE MONTHLY SEWER JAN-DEC 2016	P89275	30015515	11/01/2016	371,335.05
00184286	11/17/2016	KING COUNTY FINANCE INV 79460-79462 SIGNAL SERVICE	P92839	7946079462	09/30/2016	5,540.27
00184287	11/17/2016	KPG I-90 Traffic Analysis	P91451	1015116	11/04/2016	16,700.93

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00184288	11/17/2016	KRAZAN & ASSOCIATES INC INV 607841-5832 CONSTRUCTION	P92869	I6078415832	08/31/2016	3,970.00
00184289	11/17/2016	KROESENS UNIFORM COMPANY Baseball cap-Magnan	P92922	40331/370/337	10/31/2016	829.68
00184290	11/17/2016	LANGUAGE LINE SERVICES Language Line	P92939	3939851	10/31/2016	23.49
00184291	11/17/2016	LUND, MARK FLEX SPEND REIMB		10NOV16	10/28/2016	1,157.21
00184292	11/17/2016	M & M BALLOON CO Helium refills for MICEC	P89715	29700	02/03/1954	23.54
00184293	11/17/2016	MANRIQUEZ, CHERYL R FLEX SPEND REIMB		10NOV16	10/28/2016	168.77
00184294	11/17/2016	MERCER ISLAND GUILD OF JobLink (\$160) and YFS	P92844	9802/9801/9800	10/24/2016	1,010.00
00184295	11/17/2016	METROPRESORT Printing and Mailing October 2	P89917	487523/487156	10/26/2016	1,862.20
00184296	11/17/2016	MI HARDWARE - BLDG MISC. HARDWARE FOR THE MONTH O	P92929	OH007341	10/31/2016	147.53
00184297	11/17/2016	MI HARDWARE - FIRE Household Supplies	P92911	OH007344	10/31/2016	51.91
00184298	11/17/2016	MI HARDWARE - MAINT MISC. HARDWARE FOR THE MONTH O	P92907	OH007343	10/31/2016	142.77
00184299	11/17/2016	MI HARDWARE - ROW MISC. HARDWARE FOR THE MONTH O	P92842	OH007339	10/31/2016	33.06
00184300	11/17/2016	MI HARDWARE - UTILITY MISC. HARDWARE FOR THE MONTH O	P92841	OH007340	10/31/2016	72.73
00184301	11/17/2016	MI HARDWARE - YFS Operating supplies for Thrift	P89329	OH007345	10/31/2016	3.54
00184302	11/17/2016	MI PTA COUNCIL Portion of Speaker fee for Dr.	P92860	OH007338	11/07/2016	500.00
00184303	11/17/2016	MI UTILITY BILLS PAYMENT OF UTILITY BILLS FOR W	P92895	OH007342	10/31/2016	1,263.27
00184304	11/17/2016	MOBERLY AND ROBERTS Professional services - Invoic	P92943	638	11/01/2016	6,000.00
00184305	11/17/2016	MORGAN SOUND INC MITV - Video Camera System	P91806	GP28272	11/12/2016	66,140.67
00184306	11/17/2016	NELSON, CASEY FLEX SPEND REIMB		10NOV16	10/28/2016	3,500.00
00184307	11/17/2016	NEW FINISHES INC SAND BLAST, PRIME & POWDER COA	P92885	13703	11/04/2016	246.60
00184308	11/17/2016	OLSON, JOHN R Protem Judge	P92936	OH007346	10/18/2016	250.00
00184309	11/17/2016	OVERLAKE OIL INV180565 566 GAL UNLEADED DEL	P92870	0180565IN	10/31/2016	1,361.94
00184310	11/17/2016	OWEN EQUIPMENT COMPANY INV 81816 REPAIR PARTS FOR FL-	P92773	00081816	10/28/2016	187.72
00184311	11/17/2016	PACIFIC RIM EQUIPMENT RENTAL ARTICULATED BROOM RENTAL	P92957	17469	11/09/2016	427.44
00184312	11/17/2016	PARENTMAP Advertisement for recreation c	P92837	2016CI178	10/31/2016	400.00
00184313	11/17/2016	PAULETTO, MAUDE Instructor pay for course #166	P92919	16635	11/10/2016	1,413.30

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00184314	11/17/2016	PETERSEN, CHRISTOPHER HELMET NAMEPLATES		OH007356	11/20/2016	59.99
00184315	11/17/2016	PHILEN, SUZANNE FLEX SPEND REIMB		10NOV16	10/28/2016	128.70
00184316	11/17/2016	PORT SUPPLY Flag clip	P92925	3834	11/03/2016	7.42
00184317	11/17/2016	PUGET SOUND ACCESS MI-TV Videographer 10/18	P92891	2487	11/07/2016	900.00
00184318	11/17/2016	PUGET SOUND ECON FORECASTER PS ECONOMIC FORECASTER	P92896	OH007348	11/04/2016	328.50
00184319	11/17/2016	PUMPTECH INC INV 110653 PS 18 CHOPPER PUMP	P91537	0110653IN	10/19/2016	67,553.84
00184320	11/17/2016	QUALITY LOGO PRODUCTS INC HYI/Prevention products = stre	P92861	Q4720140A	11/07/2016	451.34
00184321	11/17/2016	RELX INC DBA LEXISNEXIS Library Subscriptions - Invoic	P92850	3090704813	10/31/2016	300.88
00184322	11/17/2016	RICH LANDSCAPING INC 2015-2016 Open Space Vegetatio	P87269	37164	10/26/2016	8,746.65
00184323	11/17/2016	RICOH USA INC Cost Per Copy/Fire	P92913	5045258613	10/26/2016	145.01
00184324	11/17/2016	ROSENSTEIN, SUSIE Instructor pay for course #164	P92905	16422	11/09/2016	270.00
00184325	11/17/2016	RUN YONG USA LLC REPLACE WARRANT 183987		OH007357	11/17/2016	10,353.26
00184326	11/17/2016	SANDINE, ASEA FLEX SPEND REIMB		10NOV16	10/28/2016	192.31
00184327	11/17/2016	SEATTLE TIMES CO, THE Ad & Sponsor for Puget Sound	P92892	OH007349	11/01/2016	750.00
00184328	11/17/2016	SEATTLE, CITY OF Oct 2016 Water Purchases	P92908	OH007350	11/01/2016	114,802.82
00184329	11/17/2016	SERFLING, JIMMI L FLEX SPEND REIMB		10NOV16	10/28/2016	424.28
00184330	11/17/2016	SOFTRESOURCES PROJ MGMT PHASE 5 SOFTWARE DEM	P92931	3444	11/07/2016	22,400.00
00184331	11/17/2016	SPIETZ, ALLISON FLEX SPEND REIMB		10NOV16	10/28/2016	40.76
00184332	11/17/2016	STERICYCLE INC On-Call Charges/Fire	P92909	3003623177	10/31/2016	10.36
00184333	11/17/2016	STORM LAKE GROWERS INC 2016 Native Plants Pioneer Par	P92801	16855	10/18/2016	1,365.47
00184334	11/17/2016	SUTTER PAVING INC Pavement Patching and Conversi	P91744	18302	10/21/2016	14,099.22
00184335	11/17/2016	TOOLE DESIGN GROUP LLC Bollard Evaluation and	P90825	7071SEP03	10/13/2016	10,422.69
00184336	11/17/2016	TRAFFIC SAFETY SUPPLY INVENTORY PURCHASES	P92718	120150	11/01/2016	467.38
00184337	11/17/2016	TUSCAN ENTERPRISES INC Lettering for MI-101 Replaceme	P92848	357000	10/29/2016	1,259.26
00184338	11/17/2016	TUTTLE, LAJUAN FLEX SPEND REIMB		10NOV16	10/28/2016	28.85
00184339	11/17/2016	UKOSAKUL, MARISSA Refund to renter for equipment	P92876	22114	11/08/2016	125.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00184340	11/17/2016	UNDERWATER SPORTS INC. Dive camera	P92923	20012551	11/08/2016	416.05
00184341	11/17/2016	USABlueBook INVENTORY PURCHASES	P92867	094544	10/25/2016	200.23
00184342	11/17/2016	UTILITIES UNDERGROUND LOCATION INV 6100166 OCTOBER EXCAVATION	P92863	6100166	10/31/2016	315.70
00184343	11/17/2016	VERIZON WIRELESS VZ Billing - P. Bissonnette	P92864	9774166593	10/23/2016	99.12
00184344	11/17/2016	VERIZON WIRELESS Parks cell phone use for 9/24/	P92894	9774166589	10/23/2016	391.98
00184345	11/17/2016	WA POISON CENTER Sticker supplies for HYI effor	P92836	135228	10/28/2016	433.09
00184346	11/17/2016	WACD PLANT MATERIAL CENTER 2016 Native Plants Plant Mater	P92805	17150DEPOSIT	10/27/2016	284.00
00184347	11/17/2016	WASHINGTON STATE PATROL CPL background checks	P92887	I17002444	11/01/2016	216.00
00184348	11/17/2016	WASHINGTON2 ADVOCATES LLC Oct 2016 I-90 Loss of Mobility	P92899	5651	10/31/2016	10,000.00
00184349	11/17/2016	WHISTLE WORKWEAR MISC. WORK CLOTHES	P92840	TR320842	10/28/2016	206.36
00184350	11/17/2016	WIBLE, CONNIE M 2016 Gallery Reception Enterta	P89848	OH007351	11/10/2016	150.00
00184351	11/17/2016	WOOD, JULIE D Clinical consultations (monthl	P89366	OH007352	11/14/2016	450.00
00184352	11/17/2016	XEROX CORPORATION Oct Copier Cost	P92700	086860542	11/01/2016	5,148.52
00184353	11/17/2016	XEROX CORPORATION PRINTER SUPPLIES		230040357	11/01/2016	699.02
					Total	<u>870,319.27</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P92878	00184264	FLETCHER, ZENY	Rental deposit return, MICEC.	350.00
P92876	00184339	UKOSAKUL, MARISSA	Refund to renter for equipment	125.00
P92877	00184244	BONTATIBUS, DEBORAH	Overpayment by renter at MICEC	40.50
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P92739	00184254	COMMERCIAL LANDSC SUPPLY INC	INVENTORY PURCHASES	306.00
P92718	00184336	TRAFFIC SAFETY SUPPLY	INVENTORY PURCHASES	353.53
P92809	00184236	A.M. LEONARD INC	INVENTORY PURCHASES	239.94
P92867	00184341	USABlueBook	INVENTORY PURCHASES	200.23
P92811	00184266	GRAINGER	INVENTORY PURCHASES	149.67
P92723	00184336	TRAFFIC SAFETY SUPPLY	INVENTORY PURCHASES	113.85
<i>Org Key: 432000 - Storm Drainage-Admin Key</i>				
	00184325	RUN YONG USA LLC	REPLACE WARRANT 183987	10,353.26
<i>Org Key: CA1100 - Administration (CA)</i>				
P92850	00184321	RELX INC DBA LEXISNEXIS	Library Subscriptions - Invoic	300.88
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	38.49
<i>Org Key: CA1200 - Prosecution & Criminal Mngmnt</i>				
P92943	00184304	MOBERLY AND ROBERTS	Professional services - Invoic	6,000.00
P92900	00184276	HONEYWELL, MATTHEW V	Professional services - Invoic	650.00
P92849	00184276	HONEYWELL, MATTHEW V	Professional Services - Invoic	300.00
<i>Org Key: CM1100 - Administration (CM)</i>				
P92864	00184343	VERIZON WIRELESS	VZ Billing - P. Bissonnette	59.09
<i>Org Key: CM11SP - Special Projects-City Mgr</i>				
P92898	00184287	KPG	I-90 Traffic Analysis	13,019.11
P92944	00184271	HARRIGAN LEYH FARMER &	Professional Services - I-90 L	12,824.20
P92899	00184348	WASHINGTON2 ADVOCATES LLC	Oct 2016 I-90 Loss of Mobility	10,000.00
<i>Org Key: CM1200 - City Clerk</i>				
P92866	00184278	IIMC	A. Spietz 2017 Membership Dues	200.00
<i>Org Key: CM1300 - Sustainability</i>				
P92816	00184242	BIOBAG AMERICAS INC	composting bags	1,099.74
P92892	00184327	SEATTLE TIMES CO, THE	Ad & Sponsor for Puget Sound	750.00
P92890	00184250	CEDAR GROVE COMPOSTING INC	Organic Waste Service - Octobe	25.50
<i>Org Key: CM1400 - Communications</i>				
P92891	00184317	PUGET SOUND ACCESS	MI-TV Videographer 10/18	513.00
P92891	00184317	PUGET SOUND ACCESS	MI-TV Videographer 10/4	283.50
P92891	00184317	PUGET SOUND ACCESS	MI-TV Videographer 10/13	103.50
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
P92864	00184343	VERIZON WIRELESS	VZ Billing - K. Segle	40.03
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	11.93
<i>Org Key: CT1100 - Municipal Court</i>				
P92942	00184280	INTERCOM LANGUAGE SERVICES INC	Interpreting Services	1,295.00
P92941	00184280	INTERCOM LANGUAGE SERVICES INC	Interpreting Services	300.00
P92936	00184308	OLSON, JOHN R	Protm Judge	250.00

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PO #	Check #	Vendor:	Transaction Description	Check Amount
P92940	00184280	INTERCOM LANGUAGE SERVICES INC	Interpreting Services	200.00
P92938	00184352	XEROX CORPORATION	Oct Copier Cost	154.05
P92937	00184352	XEROX CORPORATION	Sept Copier Cost	152.93
P92935	00184269	GREER, J SCOTT	Protem Judge	100.00
P92939	00184290	LANGUAGE LINE SERVICES	Language Line	15.00
P92939	00184290	LANGUAGE LINE SERVICES	Language Line	8.49
<i>Org Key: DS1100 - Administration (DS)</i>				
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	38.51
<i>Org Key: DS1200 - Bldg Plan Review & Inspection</i>				
P92889	00184261	DATAQUEST LLC	Background Check C. Misner	21.50
<i>Org Key: DS1300 - Land Use Planning Svc</i>				
P92889	00184261	DATAQUEST LLC	Background Check L. Anderson	21.50
<i>Org Key: FN1100 - Administration (FN)</i>				
P92896	00184318	PUGET SOUND ECON FORECASTER	PS ECONOMIC FORECASTER	328.50
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	23.89
<i>Org Key: FN4501 - Utility Billing (Water)</i>				
P89917	00184295	METROPRESORT	Printing and Mailing October 2	359.89
P89917	00184295	METROPRESORT	Printing and Mailing October 2	260.85
<i>Org Key: FN4502 - Utility Billing (Sewer)</i>				
P89917	00184295	METROPRESORT	Printing and Mailing October 2	359.89
P89917	00184295	METROPRESORT	Printing and Mailing October 2	260.84
<i>Org Key: FN4503 - Utility Billing (Storm)</i>				
P89917	00184295	METROPRESORT	Printing and Mailing October 2	359.89
P89917	00184295	METROPRESORT	Printing and Mailing October 2	260.84
<i>Org Key: FR1100 - Administration (FR)</i>				
	00184274	HEITMAN, STEVE	PER DIEM REIMB	220.95
P92912	00184260	CULLIGAN	Water Service/Fire	192.80
P92913	00184323	RICOH USA INC	Cost Per Copy/Fire	145.01
P92911	00184297	MI HARDWARE - FIRE	Household Supplies	51.91
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	50.43
<i>Org Key: FR2100 - Fire Operations</i>				
P92915	00184337	TUSCAN ENTERPRISES INC	Lettering for MI-101 Replaceme	1,122.38
	00184314	PETERSEN, CHRISTOPHER	HELMET LETTERING	40.00
	00184314	PETERSEN, CHRISTOPHER	HELMET NAMEPLATES	19.99
<i>Org Key: FR2500 - Fire Emergency Medical Svcs</i>				
P92910	00184239	AIRGAS USA LLC	Oxygen/Fire	101.99
P92909	00184332	STERICYCLE INC	On-Call Charges/Fire	10.36
<i>Org Key: FR4100 - Training</i>				
P92720	00184272	HEALTHFORCE PARTNERS LLC	TB/FLU Shots - 2016	606.00
<i>Org Key: FR5100 - Community Risk Reduction</i>				
P92916	00184279	INGALLINA'S BOX LUNCH INC	Fire Marshal Meeting Refreshme	57.45
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P92830	00184352	XEROX CORPORATION	Monthly copy and print charges	893.07
P92830	00184352	XEROX CORPORATION	Monthly copy and print charges	602.79
P92830	00184352	XEROX CORPORATION	Monthly copy and print charges	181.13
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	50.45
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
	00184247	CARLSON, LARRY	QTRLY DEC-FEB LEOFF1 MEDI REIM	365.40
P92865	00184283	JOHNSON, CURTIS	FRLEOFF1 Retiree Medical Expen	270.00
<i>Org Key: IS2100 - IGS Network Administration</i>				
P92930	00184237	ACCESS	DATA STORAGE, BLACK BOX PICK U	330.42
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	11.92
<i>Org Key: MT2100 - Roadway Maintenance</i>				
P92839	00184286	KING COUNTY FINANCE	INV 79460-79462 SIGNAL SERVICE	5,540.27
P92842	00184299	MI HARDWARE - ROW	MISC. HARDWARE FOR THE MONTH O	33.06
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P92895	00184303	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	273.51
<i>Org Key: MT3100 - Water Distribution</i>				
P92841	00184300	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	36.12
<i>Org Key: MT3150 - Water Quality Event</i>				
P92862	00184240	AM TEST INC	INV 95484 WATER QUALITY	240.00
<i>Org Key: MT3500 - Sewer Pumps</i>				
P92881	00184248	CASNE ENGINEERING INC	INV 28414 TELEMETRY SUPPORT	924.00
P92840	00184349	WHISTLE WORKWEAR	MISC. WORK CLOTHES	50.00
P92895	00184303	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	37.15
P92841	00184300	MI HARDWARE - UTILITY	MISC. HARDWARE FOR THE MONTH O	36.61
<i>Org Key: MT3600 - Sewer Associated Costs</i>				
P92840	00184349	WHISTLE WORKWEAR	MISC. WORK CLOTHES	156.36
	00184284	JONES, MARK	MILEAGE EXPENSES	9.18
<i>Org Key: MT3800 - Storm Drainage</i>				
P92816	00184242	BIOBAG AMERICAS INC	composting bags	1,099.74
P92897	00184266	GRAINGER	5.5 HP CENTRIFUGAL PUMP	913.56
P92835	00184240	AM TEST INC	INV 95548 STORM WATER QUALITY	555.00
P92835	00184240	AM TEST INC	INV 95483 STORM WATER QUALITY	300.00
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P92871	00184265	G&K SERVICES	TIC#'S 62522/64500/66465/68443	800.20
P92825	00184352	XEROX CORPORATION	INV 86860533 BASE AND METER CO	366.73
P92863	00184342	UTILITIES UNDERGROUND LOCATION	INV 6100166 OCTOBER EXCAVATION	315.70
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	140.56
<i>Org Key: MT4200 - Building Services</i>				
P92895	00184303	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	952.61
P92933	00184281	INTERIOR FOLIAGE CO, THE	CITY HALL INTERIOR LANDSCAPING	271.34
P92929	00184296	MI HARDWARE - BLDG	MISC. HARDWARE FOR THE MONTH O	147.53
<i>Org Key: MT4300 - Fleet Services</i>				
P92870	00184309	OVERLAKE OIL	INV180565 566 GAL UNLEADED DEL	1,361.94

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P92773	00184310	OWEN EQUIPMENT COMPANY	INV 81816 REPAIR PARTS FOR FL-	187.72
P92848	00184337	TUSCAN ENTERPRISES INC	24 HOUR ON CALL STICKERS	136.88
<i>Org Key: MT4403 - Customer Response - Water</i>				
	00184270	HARB, SAM	MILEAGE EXPENSE	22.79
<i>Org Key: MT4501 - Water Administration</i>				
P92908	00184328	SEATTLE, CITY OF	Oct 2016 Water Purchases	114,802.82
<i>Org Key: MT4502 - Sewer Administration</i>				
P89275	00184285	KING COUNTY FINANCE	MONTHLY SEWER JAN-DEC 2016	371,335.05
<i>Org Key: PO1100 - Administration (PO)</i>				
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	144.56
<i>Org Key: PO1700 - Records and Property</i>				
P92814	00184352	XEROX CORPORATION	Admin copier	578.25
P92814	00184352	XEROX CORPORATION	Records copier	209.78
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	11.92
<i>Org Key: PO1800 - Contract Dispatch Police</i>				
P92926	00184347	WASHINGTON STATE PATROL	CPL background checks	168.00
<i>Org Key: PO1900 - Jail/Home Monitoring</i>				
P92924	00184251	CHELAN COUNTY TREASURER	Chelan County Jail-Oct bill	3,150.00
P92798	00184282	ISSAQUAH CITY JAIL	Jail bill-September	2,910.00
<i>Org Key: PO2100 - Patrol Division</i>				
P92922	00184289	KROESENS UNIFORM COMPANY	Uniform jacket-Rutter	350.40
P92922	00184289	KROESENS UNIFORM COMPANY	Baseball cap-Magnan	13.69
<i>Org Key: PO2200 - Marine Patrol</i>				
P92922	00184289	KROESENS UNIFORM COMPANY	Marine Patrol BB caps	465.59
P92923	00184340	UNDERWATER SPORTS INC.	Dive camera	416.05
P92925	00184316	PORT SUPPLY	Flag clip	7.42
<i>Org Key: PR1100 - Administration (PR)</i>				
P92790	00184249	CDW GOVERNMENT INC	Microsoft SurfaceBook with 4yr	1,734.43
P92906	00184256	CONSOLIDATED PRESS	Brochure printing for recreati	454.80
P92879	00184238	ACTORS GROUP LTD, THE	Deposit for Lecture/cooking	325.00
P92700	00184352	XEROX CORPORATION	same description as Line 1, bu	304.30
P92885	00184307	NEW FINISHES INC	SAND BLAST, PRIME & POWDER COA	246.60
P89333	00184352	XEROX CORPORATION	2016 Lease Charges for Upstair	143.64
P89371	00184258	CRYSTAL AND SIERRA SPRINGS	Monthly water delivery service	49.31
P89333	00184352	XEROX CORPORATION	Use charges for 9/23/2016 -	13.68
<i>Org Key: PR2100 - Recreation Programs</i>				
P92889	00184261	DATAQUEST LLC	Background Check C J Stanford	21.50
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	11.93
<i>Org Key: PR2104 - Special Events</i>				
P89715	00184292	M & M BALLOON CO	Helium refills for MICEC	23.54
<i>Org Key: PR2108 - Health and Fitness</i>				
P92920	00184313	PAULETTO, MAUDE	Instructor pay for course #166	767.55

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P92920	00184313	PAULETTO, MAUDE	Instructor pay for course #166	331.80
P92919	00184313	PAULETTO, MAUDE	Instructor pay for course #166	313.95
P92905	00184324	ROSENSTEIN, SUSIE	Instructor pay for course #164	270.00
<i>Org Key: PR3500 - Senior Services</i>				
P92894	00184344	VERIZON WIRELESS	Parks cell phone use for 9/24/	50.75
P92921	00184261	DATAQUEST LLC	Fee for background check.	36.50
P92889	00184261	DATAQUEST LLC	Background Check A. Aizenstros	21.50
<i>Org Key: PR4100 - Community Center</i>				
P92960	00184275	HOME DEPOT CREDIT SERVICE	LED CHRISTMAS TREES	753.34
P92837	00184312	PARENTMAP	Advertisement for recreation c	400.00
P92846	00184259	CRYSTAL SPRINGS	Water and coffee supplies MICE	369.85
P92934	00184262	FIRE PROTECTION INC	FIRE FLOW PROBLEM ANNEX	331.24
P89332	00184352	XEROX CORPORATION	2016 Lease Charges for MICEC C	311.12
P92668	00184352	XEROX CORPORATION	Lease charges for MICEC Color	265.99
P92668	00184352	XEROX CORPORATION	Use charges for 9/29/2016 to	207.19
P89332	00184352	XEROX CORPORATION	Use charges for 8/21/2016 to	188.03
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	70.29
P92894	00184344	VERIZON WIRELESS	Parks cell phone use for 9/24/	32.64
<i>Org Key: PR5400 - Gallery Program</i>				
P89848	00184350	WIBLE, CONNIE M	2016 Gallery Reception Enterta	150.00
<i>Org Key: PR5900 - Summer Celebration</i>				
P92894	00184344	VERIZON WIRELESS	Parks cell phone use for 9/24/	44.75
<i>Org Key: PR6100 - Park Maintenance</i>				
P92907	00184298	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	136.39
P92843	00184275	HOME DEPOT CREDIT SERVICE	DRILL BIT SETS	72.62
P92894	00184344	VERIZON WIRELESS	Parks cell phone use for 9/24/	36.24
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	11.94
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P92894	00184344	VERIZON WIRELESS	Parks cell phone use for 9/24/	56.33
<i>Org Key: PR6500 - Luther Burbank Park Maint.</i>				
P92739	00184254	COMMERCIAL LANDSC SUPPLY INC	MCLEOD FIRE TOOL	186.29
P92894	00184344	VERIZON WIRELESS	Parks cell phone use for 9/24/	72.65
P89342	00184252	CINTAS CORPORATION #460	2016 Rug Cleaning Services for	49.28
<i>Org Key: PR6600 - Park Maint-School Related</i>				
P92894	00184344	VERIZON WIRELESS	Parks cell phone use for 9/24/	28.40
<i>Org Key: PR6700 - I90 Park Maintenance</i>				
P89438	00184246	CAMDEN GARDENS	2016 Aljoya & Aubrey Davis Par	410.63
P92894	00184344	VERIZON WIRELESS	Parks cell phone use for 9/24/	70.22
P92907	00184298	MI HARDWARE - MAINT	MISC. HARDWARE FOR THE MONTH O	6.38
<i>Org Key: PY4615 - Flex Admin 2015</i>				
	00184257	CORK, TAMBIA A	FLEX SPEND REIMB	425.00
	00184329	SERFLING, JIMMI L	FLEX SPEND REIMB	318.38
	00184277	HORSCHMAN, BRENT	FLEX SPEND REIMB	101.05

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
Org Key: PY4616 - Flex Admin 2016				
	00184306	NELSON, CASEY	FLEX SPEND REIMB	3,500.00
	00184291	LUND, MARK	FLEX SPEND REIMB	1,157.21
	00184277	HORSCHMAN, BRENT	FLEX SPEND REIMB	325.86
	00184326	SANDINE, ASEA	FLEX SPEND REIMB	192.31
	00184293	MANRIQUEZ, CHERYL R	FLEX SPEND REIMB	168.77
	00184315	PHILEN, SUZANNE	FLEX SPEND REIMB	128.70
	00184329	SERFLING, JIMMI L	FLEX SPEND REIMB	105.90
	00184331	SPIETZ, ALLISON	FLEX SPEND REIMB	40.76
	00184338	TUTTLE, LAJUAN	FLEX SPEND REIMB	28.85
Org Key: WD105R - Watercourse Minor Repairs				
P92454	00184268	GREEN EARTHWORKS CONST INC	MINOR WATERCOURSE REPAIR	38,978.50
Org Key: WG513T - Rec & Facility Booking System				
P92932	00184330	SOFTRESOURCES	PROJ MGMT PHASE 5 SOFTWARE DEM	10,850.00
Org Key: WG532T - Council Chambers AV Equip				
P91806	00184305	MORGAN SOUND INC	MITV - Video Camera System	48,439.57
P91806	00184305	MORGAN SOUND INC	MITV - Misc AV Equipment	15,901.10
P91806	00184305	MORGAN SOUND INC	MITV - Design and Documentatio	1,800.00
Org Key: WP122P - Open Space - Pioneer/Engstrom				
P92802	00184263	FIRETRAIL NURSERY	2016 Native Plants Pioneer Par	89.30
P92801	00184333	STORM LAKE GROWERS INC	2016 Native Plants Pioneer Par	51.57
Org Key: WP122R - Vegetation Management				
P87269	00184322	RICH LANDSCAPING INC	2015-2016 Open Space Vegetatio	8,746.65
P92803	00184253	CLARK'S NATIVE TREES & SHRUBS	2016 Native Plants Open Space	3,042.46
P92801	00184333	STORM LAKE GROWERS INC	2016 Native Plants Open Space	1,157.59
P87123	00184241	APPLIED ECOLOGY LLC	2015-2016 Open Space Vegetatio	1,097.25
P92802	00184263	FIRETRAIL NURSERY	2016 Native Plants Open Space	955.17
P92805	00184346	WACD PLANT MATERIAL CENTER	2016 Native Plants Plant Mater	284.00
Org Key: WP720R - Recurring Park Projects				
P91744	00184334	SUTTER PAVING INC	Pavement Patching and Conversi	14,099.22
P92957	00184311	PACIFIC RIM EQUIPMENT RENTAL	ARTICULATED BROOM RENTAL	427.44
P92868	00184255	COMPTON LUMBER & HARDWARE INC	3/4" CDX PLYWOOD	286.98
Org Key: WR101U - Madrona Crest Residential Strt				
P92869	00184288	KRAZAN & ASSOCIATES INC	INV 607841-5832 CONSTRUCTION	1,335.00
Org Key: WR517R - SE 40th (E of ICW) (W Leg)				
P91451	00184287	KPG	SE 40TH / 86TH AVE SE INTERSCE	3,681.82
Org Key: WS901D - Sewer Sys Pump Sta Repairs				
P91537	00184319	PUMPTECH INC	INV 110653 PS 18 CHOPPER PUMP	67,553.84
Org Key: WW523R - EMW 5400-6000 Block Watermain				
P91940	00184243	BLUELINE GROUP	EMW 5400 - 6000 BLK WATER SYST	19,026.30
Org Key: WW526R - Madrona Crest West Water Sys				
P92869	00184288	KRAZAN & ASSOCIATES INC	INV 607841-5832 CONSTRUCTION	1,365.00

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: WW527R - 3838 WMW Water Improvements</i>				
P92073	00184243	BLUELINE GROUP	3838 WMW (SHORECLIFF LANE) WAT	3,767.50
<i>Org Key: XG118T - Maintenance Mgmt System</i>				
P92931	00184330	SOFTRESOURCES	PROJ MGMT PHASE 4 VENDOR ANALY	11,550.00
<i>Org Key: XG300R - Fire Station 92 Replacement</i>				
P92874	00184273	HEDEEN & CADITZ PLLC	Professional Services - FS 92	5,768.40
<i>Org Key: XP520R - Recreational Trail Connections</i>				
P90825	00184335	TOOLE DESIGN GROUP LLC	Bollard Evaluation and	10,422.69
P92802	00184263	FIRETRAIL NURSERY	2016 Native Plants Mercerdale	232.25
<i>Org Key: XP710R - Luther Burbank Minor Improvemt</i>				
P92801	00184333	STORM LAKE GROWERS INC	2016 Native Plants Calkins Poi	156.31
P92802	00184263	FIRETRAIL NURSERY	2016 Native Plants Calkins Poi	58.14
<i>Org Key: XR541C - Safe Routes - Madrona Crest</i>				
P92869	00184288	KRAZAN & ASSOCIATES INC	INV 607841-5832 CONSTRUCTION	1,270.00
<i>Org Key: YF1100 - YFS General Services</i>				
P92844	00184294	MERCER ISLAND GUILD OF	JobLink (\$160) and YFS	560.00
P92700	00184352	XEROX CORPORATION	2016 (October through December	402.37
P89372	00184261	DATAQUEST LLC	Background checks for voluntee	253.50
P89369	00184352	XEROX CORPORATION	Lease charges for Xerox 255 (L	173.47
P89371	00184258	CRYSTAL AND SIERRA SPRINGS	Monthly water service deliver	49.31
P92887	00184347	WASHINGTON STATE PATROL	Background Checks Thrift Shop	48.00
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	11.93
<i>Org Key: YF1200 - Thrift Shop</i>				
P92844	00184294	MERCER ISLAND GUILD OF	Tshop ad in MI Directory 2017	450.00
	00184353	XEROX CORPORATION	PRINTER SUPPLIES	70.27
P89367	00184267	GRAND & BENEDICTS INC	Operating supplies for Thrift	23.96
P89329	00184301	MI HARDWARE - YFS	Operating supplies for Thrift	3.54
<i>Org Key: YF2500 - Family Counseling</i>				
P89366	00184351	WOOD, JULIE D	Clinical consultations (monthl	450.00
P90095	00184245	BREWTON MD, LUKE	Clinical consultations	150.00
<i>Org Key: YF2800 - Fed Drug Free Communities Gran</i>				
P92860	00184302	MI PTA COUNCIL	Portion of Speaker fee for Dr.	500.00
P92861	00184320	QUALITY LOGO PRODUCTS INC	HYI/Prevention products = stre	451.34
P92836	00184345	WA POISON CENTER	Sticker supplies for HYI effor	433.09
Total				870,319.27



CITY OF MERCER ISLAND PAYROLL SUMMARY

PAYROLL PERIOD ENDING		11/4/2016
PAYROLL DATED		11/10/2016
Net Cash	\$	497,403.73
Net Voids/Manuals	\$	7,343.02
Federal Tax Deposit - Key Bank	\$	90,036.89
Social Security and Medicare Taxes	\$	39,133.42
Medicare Taxes Only (Fire Fighter Employees)	\$	2,080.69
Public Employees Retirement System 1 (PERS 1)	\$	-
Public Employees Retirement System 2 (PERS 2)	\$	20,826.12
Public Employees Retirement System 3 (PERS 3)	\$	5,135.27
Public Employees Retirement System (PERSJM)	\$	603.36
Public Safety Employees Retirement System (PSERS)	\$	175.33
Law Enforc. & Fire fighters System 2 (LEOFF 2)	\$	24,605.52
Regence & LEOFF Trust - Medical Insurance	\$	15,453.29
Domestic Partner/Overage Dependiant - Insurance	\$	1,425.15
Group Health Medical Insurance	\$	1,005.95
Health Care - Flexible Spending Accounts	\$	2,614.11
Dependent Care - Flexible Spending Accounts	\$	2,325.45
United Way	\$	110.00
ICMA Deferred Compensation	\$	30,839.78
Fire 457 Nationwide	\$	5,923.10
Roth - ICMA	\$	50.00
Roth - Nationwide	\$	310.00
401K Deferred Comp	\$	-
Garnishments (Chapter 13)	\$	1,331.00
Child Support	\$	852.57
Mercer Island Employee Associationa	\$	133.75
Cities & Towns/AFSCME Union Dues	\$	-
Police Union Dues	\$	-
Fire Union Dues	\$	1,933.80
Fire Union - Supplemental Dues	\$	155.00
Standard - Supplemental Life Insurance	\$	-
Unum - Long Term Care Insurance	\$	972.50
AFLAC - Supplemental Insurance Plans	\$	665.70
Coffee Fund	\$	70.00
Transportation	\$	123.00
Miscellaneous	\$	493.01

TOTAL GROSS PAYROLL	\$	754,130.51
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**CITY OF MERCER ISLAND
CERTIFICATION OF PAYROLL**

PAYROLL PERIOD ENDING
PAYROLL DATED

11/4/2016
11/10/2016

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

Charles L. Corder

Finance Director

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

Mayor

Date

Description		Amount
ADP Checks	50040315-50040320	\$ 10,170.78
ADP Direct Deposits		\$ 487,232.95
Void/Manual Adjustments		\$ 7,343.02
Tax & Benefit Obligations		\$ 249,383.76
Total Gross Payroll		\$ 754,130.51



CITY COUNCIL MINUTES REGULAR MEETING NOVEMBER 7, 2016

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 6:00 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, Wendy Weiker, Dave Wisenteiner, and Benson Wong were present. Councilmember Sanderson was absent.

AGENDA APPROVAL

It was moved by Wong; seconded by Bertlin to:

Approve the agenda as presented.

Passed 6-0

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

ABSENT: 1 (Sanderson)

APPEARANCES

There were no appearances.

CONSENT CALENDAR

Payables: \$553,246.12 (10/20/16), \$278,253.52 (10/27/16), & 211,481.48 (11/03/16)

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

Payroll: \$766,426.10 (10/28/16)

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

Minutes: September 30, 2016 Revised Micro-Planning Session Minutes, October 13, 2016 Special Joint Meeting with MISD Board Minutes, October 17, 2016 Regular Meeting Minutes, October 18, 2016 Special Meeting Minutes, October 25, 2016 Special Meeting Minutes, and November 1, 2016 Special Meeting Minutes.

Recommendation: Adopt September 30, 2016 Revised Micro-Planning Session Minutes, October 13, 2016 Special Joint Meeting with MISD Board Minutes, October 17, 2016 Regular Meeting Minutes, October 18, 2016 Special Meeting Minutes, October 25, 2016 Special Meeting Minutes, and November 1, 2016 Special Meeting Minutes as written.

AB 5226 Resolution for Port of Seattle Grant for Wayfinding Signs

Recommendation: Adopt Resolution No. 1520 authorizing the City Manager to apply for grant funding from the Port of Seattle Economic Development Partnership Program.

It was moved by Bertlin; seconded by Weiker to:

Approve the Consent Calendar and the recommendations contained therein.

Passed 6-0

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

ABSENT: 1 (Sanderson)

REGULAR BUSINESS

AB 5227 City Manager Employment Contract with Julie Underwood

Human Resources Director Kryss Segle presented a resolution authorizing the appointment of Julie Underwood as City Manager of the City of Mercer Island. She spoke about Ms. Underwood's career, leadership qualities, qualifications, and experience.

Councilmembers thanked Director Segle for her work during the recruitment process and the Leadership Team for their diligence in vetting candidates. They expressed their support of Ms. Underwood and look forward to her arrival in January.

It was moved by Wong; seconded by Wisenteiner to:

Adopt Resolution No.1521, authorizing the Mayor to execute an employment agreement with Julie Underwood for Mercer Island City Manager effective January 2017.

Passed 6-0

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

ABSENT: 1 (Sanderson)

AB 5228 I-90 Loss of Mobility Negotiations Status Report and I-90/East Link Local Traffic Impacts Analysis and I-90 Access Alternative Solutions

Assistant City Manager Kirsten Taylor provided historical information about the Mercer Island residents' access to the center roadway express lanes on I-90 for the past 40 years. She explained that as part of the East Link Light Rail project, Mercer Island was provided mitigation from the "loss of mobility" associated with the closure of the center roadway, which included continued access by Mercer Island Single Occupancy Vehicles (SOVs) to the new R8A (sometimes termed HOV) lanes in the outer roadway. She noted that an August 2016 letter from the Federal Highway Authority states that SOV traffic in these planned HOV lanes would be illegal. She stated that the City sent a response letter strongly disagreeing with the FHWA decision and cited all the agreements and pledges Mercer Island relied upon until that time. In addition, the City hired transportation engineering experts (KPG) to analyze the impacts of the FHWA decision.

Michael Lapham from KPG, presented the traffic analysis showing that impacts on local Mercer Island traffic, based on the FHWA decision when the center roadway closes in June 2017 and when East Link becomes operational after 2023, would be significant.

Interim City Manager Pam Bissonnette explained that in light of the FHWA's decision, staff began meeting with Sound Transit, WSDOT, and FHWA staff regarding alternative operational configurations of I-90. She stated that the alternatives are being analyzed and the results will be made available when concluded. She further noted that the decisions on which alternatives are viable and acceptable will be based on a number of factors including but not limited to compliance with federal and state laws; accordance with historic agreements; benefits to regional and local traffic; time to implement; and ability to sufficiently mitigate any adverse impacts.

Assistant City Manager Taylor reviewed the City's I-90 access goals for and spoke about upcoming public outreach.

Mayor Bassett noted that this information would be repeated at the community-wide meeting on Wednesday, November 9 from 6:30pm-8:30pm (7:00 pm presentation of KPG Traffic Impact Study and I-90 Vehicle Access Alternatives) at the Mercer Island Community and Event Center.

AB 5225 Public Hearing: 2017-2018 Preliminary Budget Review: Capital Improvement Program

Finance Director Chip Corder presented the agenda for the review of the Capital Improvement Program for the 2017-2018 Biennial Budget.

The Mayor opened the public hearing at 7:14 pm.

Geoff Spelman, 4250 90th Ave SE, asked the Council to increase the City's contribution to the ARCH Housing Trust Fund for affordable housing.

Mark Clausen, 6107 SE 32nd Street, requested that the Council fully fund 1) pedestrian and bike improvements; 2) the study of the Aubrey Davis Park pathway; and (3) the continuation of paving shoulders on East and West Mercer Ways.

Susan Glick-Burrell, 8211 SE 65th Street, asked the Council to fund closing the gap in the fence at Island Crest Park.

At 7:21 pm, the Mayor continued the public hearing to the November 21 Council Meeting.

Deputy Finance Director Francie Lake presented a revised 2017-2022 REET forecast and reviewed the Council-directed changes and staff changes to the 2017-2018 CIP preview. Public Works Director Jason Kintner spoke about notable Public Works projects in the CIP. Deputy Director Lake also reviewed partially funded and unfunded projects in the 2017-2022 CIP. She also provided information to the Council on outstanding bonds for City parks and buildings.

Director Corder reviewed CIP Budget Policy Issues of deficits in the Street, Capital Improvement and Technology & Equipment Funds. He noted that direction is needed from the Council on the following items:

- Changes to 2017-2018 Preliminary CIP
- Changes to 2019-2022 Preliminary CIP
- The Council's preferred approach to addressing the projected deficits in:
 - Street Fund (2020-2022) (*Staff recommendation: Increase vehicle license fee in 2019*)
 - Capital Improvement Fund (2019-2021) (*Staff recommendation: Increase vehicle license fee in 2019 & redirect \$175K/yr in REET from Street Fund*)
 - Technology & Equipment Fund (2019-2022) (*Staff recommendation: Transfer up to \$200K of 2017 GF surplus, if any, and add \$50K/yr to operating levy lid lift*)

Following discussion, the Council decided to wait until spring 2017 to make a decision regarding supplemental funding for the Street, Capital Improvement and Technology & Equipment Funds at the conclusion of the public engagement process regarding capital funding needs.

Director Corder asked if there is interest from a majority of the Council to have staff further review the Council questions addressed in the November 1st memo to Council on:

- Development revenue estimates/cost recovery targets
- Fire Marshal overtime
- Public outreach costs
- Sustainability program cost breakdown
- Code enforcement
- ROW tree assessment (service package)
- Youth Development Coordinator (service package)

Following discussion and debate, the Council directed staff to:

- Review DSG cost recovery analysis provided in the 11/1 memo to Council for 2015-2018.
- Review fire permit-revenues and fire marshal overtime for 2016-2018 based on the revised development revenue estimates for DSG.
- Hold off on spending the \$40,000 budgeted in 2018 (Public Outreach on DSG Projects Service Package) until the Council takes a comprehensive look at public communication/outreach/engagement at the February 2017 Planning Session.
- Delete the Communications Assistant (0.5 FTE) and Youth Development Coordinator (0.5 FTE) Service Packages from the 2017-2018 budget.
- Continue discussion of identifying ways that the City can increase organizational efficiency and effectiveness (February 2017 Planning Session topic).
- Explore the Code Enforcement staffing topic in greater detail at the February 2017 Planning Session (after a split 3-3 vote on increasing Code Enforcement staffing by 0.5 FTE in 2017).
- Keep the ROW Tree Assessment and Helpdesk Technician Service Packages in the 2017-2018 budget.
- Increase the City's affordable housing contribution to \$64k in 2017 and to \$96K in 2018.

At 10:00 pm, it was moved by Wisenteiner; seconded by Weiker to:

Extend the meeting for 30 additional minutes.

Passed 6-0
FOR: 6 (Bassett, Bertlin, Grausz, Weiker, Wisenteiner, Wong)
ABSENT: 1 (Sanderson)

Director Corder reviewed the agenda for the review of the 2017-2018 Preliminary Budget at the November 21 Council Meeting.

OTHER BUSINESS

Councilmember Absences

Councilmember Sanderson's absence was excused.
Councilmember Grausz will be absent from the January 3 and January 17 meetings.

Planning Schedule

There were no changes to the Planning Schedule.

Board Appointments

It was moved by Bertlin; seconded by Wong to:
Affirm the appointment of Marie Bender to Position #5 (expiring May 2017) on the Open Space Conservancy Trust.
Passed 6-0
FOR: 6 (Bassett, Bertlin, Grausz, Weiker, Wisenteiner, Wong)
ABSENT: 1 (Sanderson)

Councilmember Reports

Councilmember Wong spoke about the Public Safety Subcommittee meeting and the Boys & Girls Club Annual Breakfast.
Councilmember Weiker spoke about the Sound Transit Light Rail Station Design meeting.
Deputy Mayor Bertlin spoke about the Diversity & Inclusion Subcommittee meeting.
Councilmember Grausz spoke about the Planning Commission Meeting regarding Residential Development Standards.
Councilmember Wisenteiner complimented Alison Van Gorp on Residential Development Code public meeting and encouraged staff to be further involved in the process.
Mayor Bassett asked for the Council's approval to sign a letter of support for Model Toxics Control Act reform and funding. The Council agreed. He also asked that it be added to the City's 2017 Legislative Agenda.

ADJOURNMENT

The Regular Meeting adjourned at 10:34 pm.

Bruce Bassett, Mayor

Attest:

Allison Spietz, City Clerk



**CITY COUNCIL MINUTES
SPECIAL MEETING
NOVEMBER 8, 2016**

CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the Special Meeting to order at 9:00 am at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett and Councilmembers Dan Grausz and Wendy Weiker were present. Councilmembers Dave Wisenteiner (joined 9:07 am) and Benson Wong participated by phone. Deputy Mayor Debbie Bertlin and Councilmember Jeff Sanderson were absent.

SPECIAL BUSINESS

Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes.

At 9:04 am, Mayor Bassett convened the Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 90 minutes.

At 10:34 am, Mayor Bassett adjourned the Executive Session.

ADJOURNMENT

The Special Meeting was adjourned at 10:34 am.

Bruce Bassett, Mayor

Attest:

Allison Spietz, City Clerk



**CITY COUNCIL MINUTES
SPECIAL MEETING
NOVEMBER 15, 2016**

CALL TO ORDER & ROLL CALL

Councilmember Sanderson called the Special Meeting to order at 9:07 am at City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Councilmembers Dan Grausz, Jeff Sanderson and Wendy Weiker were present. Mayor Bruce Bassett (joined 9:31 am), Deputy Mayor Debbie Bertlin (joined 9:08 am), and Councilmember Benson Wong participated by phone. Councilmember Dave Wisenteiner Jeff was absent.

SPECIAL BUSINESS

Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes.

At 9:07 am, Councilmember Sanderson convened the Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 90 minutes.

At 10:25 am, Deputy Mayor Bertlin adjourned the Executive Session.

ADJOURNMENT

The Special Meeting was adjourned at 10:25 am.

Bruce Bassett, Mayor

Attest:

Allison Spietz, City Clerk



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

**AB 5230
November 21, 2016
Consent Calendar**

**ROADSIDE SHOULDER IMPROVEMENTS
WEST MERCER WAY PHASE 1 BID AWARD**

Proposed Council Action:
Award the project.

DEPARTMENT OF	Public Works (Clint Morris)
COUNCIL LIAISON	n/a
EXHIBITS	1. Project Location Map 2. Construction Bids Summary
APPROVED BY CITY MANAGER	

AMOUNT OF EXPENDITURE	\$	429,627
AMOUNT BUDGETED	\$	477,000
APPROPRIATION REQUIRED	\$	0

SUMMARY

BACKGROUND

The Roadside Shoulder Development Program was established in 2002 to create paved shoulders suitable for pedestrian and bicycle uses on the Mercer Ways. Since 2004, the City of Mercer Island has constructed numerous shoulder improvement projects, primarily along East Mercer Way. Earlier in 2016, a new segment of paved shoulder was completed on East Mercer Way from the 6600 block to SE 71st Street. Currently, paved shoulders exist along 76% of East Mercer Way's 4.8-mile length and along 63% of West Mercer Way's 6.0-mile length.

In 2014, a new West Mercer Way shoulder project was introduced into the Six-Year Transportation Plan. Construction was scheduled for 2016, at a budgeted amount of \$417,000. This project was supported by Island residents that cycle and walk along this section of West Mercer Way, which is curving and has an uphill grade in the northbound direction.

Design work on the West Mercer Way shoulder project began in spring of 2016. Staff chose to bid this project in late 2016, rather than during the busy summer construction season, in hopes of attracting more bidders seeking work during the traditionally slower winter months. Final plans, specifications, and cost estimates were completed in October and the project was then advertised for bids. Fourteen contractor bids were received and staff is now ready to award a construction contract for the Roadside Shoulder Improvements, West Mercer Way Phase 1 project.

PROJECT DESCRIPTION

The West Mercer Way Phase 1 shoulder improvement project will construct a new asphalt paved shoulder from the 7400 block to the 8100 block. Work includes installation of nearly 500 linear feet of new storm drainage pipe and construction of 3000 linear feet of continuous 5-foot wide asphalt paved shoulder along

the northbound lane edge. A significant portion of the new paved shoulder will be built over existing gravel shoulder areas. As designed, the project is broken into three schedules of work:

Schedule A constructs paved shoulder from the 7400 block to Lake View Lane.

Schedule B replaces and relocates six fire hydrants that conflict with the new shoulder area.

Schedule C constructs paved shoulder from Lake View Lane to the 8100 block.

The water work of Schedule B is being funded through the City water utility's Street Related Water Improvements program. At completion of design work, the total estimated construction cost of all three work schedules was \$325,000.

BID RESULTS AND AWARD RECOMMENDATION

Fourteen construction bids for the project were received and opened on November 4, 2016. Four bids were below the engineer's cost estimate. The lowest bid was received from Trinity Contractors, Inc. for \$295,768, which is \$29,578 (9%) below the engineer's construction cost estimate. Staff has reviewed the bid submittals and completed reference checks on past projects of similar scope. Trinity Contractors, Inc. has constructed comparable roadway, pedestrian, and storm drainage improvement projects for several cities in King and Snohomish counties in recent years. In addition, Trinity Contractors successfully constructed the City of Mercer Island's Roadside Shoulder Improvements, East Mercer Way Phase 9 project in March and April of 2016. The Street Engineer recommends awarding all three schedules of the Roadside Shoulder Improvements, West Mercer Way Phase 1 contract to Trinity Contractors, Inc. The bid results for the project are shown in Exhibit 2.

Adding amounts for construction contingency, design, inspection services, project management, and 1% for the Arts, brings the total estimated cost of the West Mercer Way Phase 1 project to \$429,627. The following table summarizes the overall project costs and available budget amounts. The remaining project budget will be returned to the Street Fund balance.

ROADSIDE SHOULDER IMPROVEMENTS, WEST MERCER WAY PHASE 1 PROJECT BUDGET			
Description	Schedule A Schedule C New Shoulders	Schedule B Water Work	TOTAL
Construction Contract			Award to Trinity Contractors
Schedule A - Shoulder, 7400 to Lake View Lane	\$202,556		\$202,556
Schedule B - Fire Hydrant Replacement		\$47,800	\$47,800
Schedule C - Shoulder, Lake View Lane to 8100	\$45,412		\$45,412
Total Construction Contract	\$247,968	\$47,800	\$295,768
Construction Contingency @ 10% for shoulders	\$24,797		\$24,797
Construction Contingency @ 15% for water work		\$7,170	\$7,170
Project Design - consultant	\$48,399	\$0	\$48,399
Inspection Services - consultant	\$20,013	\$500	\$20,513
Other Design and Inspection Costs	\$9,500	\$1,000	\$10,500
Contract Administration / Project Management	\$17,000	\$3,000	\$20,000
1% for the Arts	\$2,480	\$0	\$2,480
Total Project Budget	\$370,157	\$59,470	\$429,627
2016 Budget - WMW Shoulders, 7400 to 8100	\$417,000		\$417,000
2016 Budget - Street Related Water Improvements		\$60,000	\$60,000
Total Budget Available for Project	\$417,000	\$60,000	\$477,000
Budget Remaining	\$46,843	\$530	\$47,373

Construction activities on the West Mercer Way Phase 1 project are scheduled to begin in January 2017 and should take six to eight weeks to complete. This means that a significant amount of this project's budget will need to be carried over to 2017. Staff will return with carry over requests related to capital projects that were budgeted in 2015-2016 (but not completed in 2016) as part of the 4th Quarter 2016 Financial Status Report.

The completion of this Phase 1 project will bring the total distance of paved shoulders along West Mercer Way to 4.3 miles, or 72% of its total length.

RECOMMENDATION

Street Engineer

MOVE TO: Award the Roadside Shoulder Improvements, West Mercer Way Phase 1 project to Trinity Contractors, Inc. in the amount of \$295,768. Set the project budget to \$429,627, and direct the City Manager to execute the construction contract.

CITY OF MERCER ISLAND KING COUNTY WASHINGTON



ROADSIDE SHOULDER IMPROVEMENTS WEST MERCER WAY PHASE 1

7400 BLOCK TO 8100 BLOCK

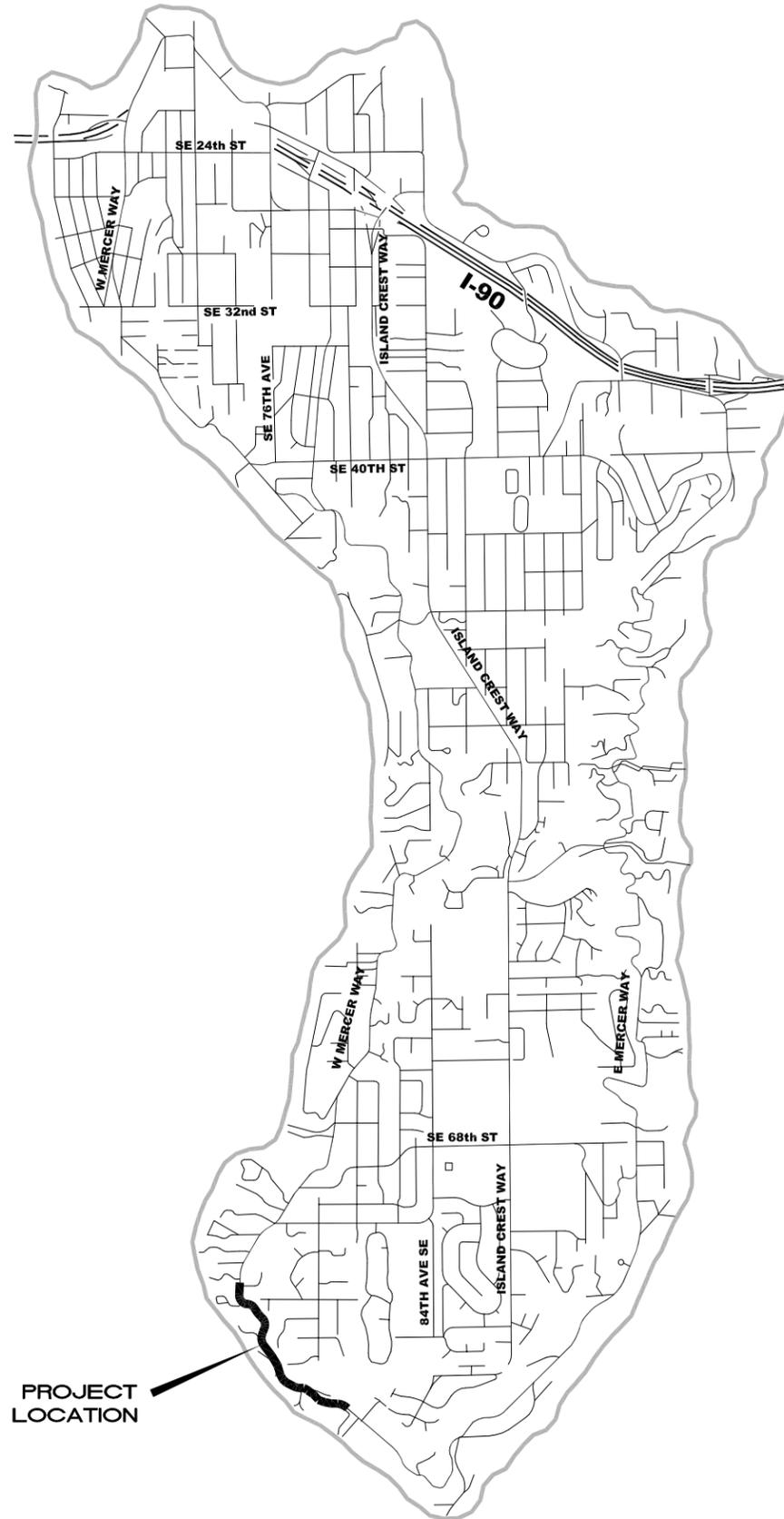
PROJECT NO. XR543C

BID
DOCUMENT

OCTOBER 2016

SHEET INDEX

1	COVER
2	NOTES AND LEGENDS
3	TYPICAL SECTIONS
4-12	ROADWAY AND UTILITY PLAN
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CITY OF MERCER ISLAND

Roadside Shoulder Improvements, West Mercer Way Phase 1, 7400 to 8100 Block

Bid Summary

Bid Opening: November 4, 2016, 2:00 PM

14 bids received

		Schedule A	Schedule B	Schedule C	Total Bid Amount
	Engineer's Estimate	\$234,225.00	\$45,560.00	\$45,562.00	\$325,347.00
Lowest	Trinity Contractors, Inc.	\$202,556.20	\$47,800.40	\$45,411.74	\$295,768.34
2nd	B & B Utilities and Excavating	\$203,955.00	\$49,370.00	\$43,083.00	\$296,408.00
3rd	Sierra Pacific Construction	\$215,494.50	\$48,240.00	\$48,871.50	\$312,606.00
4th	Earthwork Enterprises	\$222,270.00	\$54,320.00	\$46,720.00	\$323,310.00
5th	RRJ Company, LLC	\$236,298.78	\$60,083.52	\$49,789.24	\$346,171.54
6th	Thomco Construction, Inc	\$263,909.00	\$51,764.00	\$51,848.00	\$367,521.00
7th	Kamins Construction, Inc	\$278,690.13	\$48,132.50	\$58,838.20	\$385,660.83
8th	Rodarte Construction	\$286,535.00	\$54,000.00	\$54,275.00	\$394,810.00
9th	Jansen, Inc	\$290,482.28	\$51,338.46	\$53,406.97	\$395,227.71
10th	Pivetta Brothers Const.	\$315,510.00	\$54,080.00	\$51,278.00	\$420,868.00
11th	R.W. Scott Construction	\$296,880.00	\$72,760.00	\$53,217.00	\$422,857.00
12th	W.S. Contractors, LLC	\$327,684.00	\$53,160.00	\$66,679.00	\$447,523.00
13th	Westwater Construction	\$313,545.00	\$58,620.00	\$79,750.00	\$451,915.00
14th	A-1 Landscaping and Const	\$399,275.00	\$76,000.00	\$81,405.00	\$556,680.00



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

**AB 5231
November 21, 2016
Public Hearing**

**2017-2018 PRELIMINARY BUDGET REVIEW:
FINALIZE CHANGES & ADOPT TAX
ORDINANCES AND FEE RESOLUTIONS**

Proposed Council Action:

Conduct public hearing; finalize changes to 2017-2018 Preliminary Budget; pass 2017 NORCOM budget resolution; pass 2017 water, sewer, storm water, and EMS utility rate resolutions; pass 2017 property tax resolution; and adopt 2017 property tax ordinances.

DEPARTMENT OF

Finance (Chip Corder)

COUNCIL LIAISON

n/a

EXHIBITS

1. Resolution No. 1527 (2017 NORCOM budget)
2. Resolution No. 1522 (2017 water utility rates & service charges)
3. Resolution No. 1523 (2017 sewer utility rates & connection charges)
4. Resolution No. 1524 (2017 storm water utility rates)
5. Resolution No. 1525 (2017 EMS utility rates)
6. Resolution No. 1528 (finding of substantial need to set 2017 levy limit at 101%)
7. Ordinance No. 16-13 (2017 property tax levy amount)
8. Ordinance No. 16-14 (2017 property tax levy increase)

APPROVED BY CITY MANAGER

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

SUMMARY

On Monday night, the Council will finalize its changes to the 2017-2018 Preliminary Budget. This agenda bill focuses on the following:

- Follow-up items from prior budget review meetings;
- Council decisions/direction to date;
- Changes to the 2017-2018 Preliminary Budget by Council and staff;
- Resolutions and ordinances related to the 2017-2018 Budget; and
- Adoption of the 2017-2018 Budget on December 5, 2016.

Follow-Up Items from Prior Budget Review Meetings

Estimated DSG Cost Recovery (2016-2018)

Determining the estimated DSG cost recovery in 2016-2018 is not an easy task, because such an analysis is driven by timesheet data for each employee. That level of detail would take considerable time to pull together and “scrub” for 2016, and it simply does not exist for 2017 and 2018. So, using the 2015 cost of service and cost recovery analysis completed by FCS Group in May 2016 as a starting point, staff employed two analytical “shortcuts” in estimating the cost recovery levels at the department level in 2016-2018:

1. The non-recoverable costs in 2016-2018 were calculated based on the percentage of non-recoverable costs in 2015 (8%, as calculated by FCS Group); and
2. The citywide overhead costs in 2016-2018 were based on the citywide overhead costs in 2015 plus an annual 3% inflation factor.

In addition, development revenue estimates for 2016-2018 were re-forecast based on current information about projects in the pipeline for 2017 as well as conversations with multiple builders on the Island about expected building activity in 2017. Overall, 2017 is expected to be another busy year for development activity, albeit modestly down from 2016, given the following:

- The Coval plat will continue to be developed in 2017 and 2018 (only one of 16 homes has been completed to date).
- Buildable land is becoming very scarce, and the cost of land is at record high levels, making development less financially attractive for some builders.
- There are \$68.5 million in major projects planned in 2017-2018 (Sound Transit, Aegis, Shorewood Heights, and Covenant Shores, which are collectively only \$8.3 million less than the three school district projects and the Hadley mixed used project in 2015-2016).

In total, development revenues are projected to decline 4.1% in 2016, 4.5% in 2017, and 8.4% in 2018. To provide some context for these revenue estimates, it should be noted that 2015 was a record setting year for development revenues. Also, the construction of a hotel in the north end of the Town Center was not assumed in 2017-2018 (the hotel developer only has a conceptual design and is still determining the impact of the new Town Center regulations on the project). The summary analysis is on the next page.

Compared to a 99% overall cost recovery level in 2015, the overall cost recovery levels in 2016, 2017, and 2018 are estimated to be 90%, 83%, and 74% respectively. Over this three year period, the average cost recovery level is estimated to be 82%. For the period 2015-2018, the average cost recovery level is estimated to be 86%, which is consistent with the overall annual target of 87% (per the new cost recovery levels that took effect in August 2016).

Regarding the estimated cost recovery levels in 2017 (83%) and 2018 (74%), staff believes that they are understated. The analysis below assumes that staff time in 2016-2018 will be spent on the same kinds of activities and in the same proportions as 2015, in terms of recoverable and non-recoverable activities. DSG staff expects that more time will be spent on non-recoverable activities (residential code update, transportation concurrency, shoreline master program update, environmentally critical areas update, comprehensive plan updates, other code revisions, and growth target update) in 2017-2018 compared to 2015 (Town Center), which will increase cost recovery levels in 2017 and 2018.

Staff will continue to closely monitor development activity through 2017 as part of each quarterly financial status report. In addition, staff will update the General Fund forecast for 2017-2022 at the Council's Mini-Planning Session in June 2017. This is when the Council will decide whether or not to place an operating and/or a capital levy lid lift on the November 2017 ballot. If the adopted budget ends up being too optimistic

regarding development activity in 2017 and/or 2018, staff will return to the Council with one of two possible recommendations: 1) reducing contract staff (which is the most likely recommendation), or 2) increasing cost recovery levels further by increasing fees.

DSG Expenditures	2015	2016	2017	2018
	Actual	Budget	Budget	Budget
Administration & Customer Svcs	\$ 1,301,257	\$ 1,313,461	\$ 1,296,930	\$ 1,347,766
Building Plan Rvw & Inspec Svcs	772,639	826,290	843,548	869,845
Development Engineering	462,244	511,053	507,277	520,936
Land Use Planning Services	424,611	583,951	757,861	743,209
Total Expenditures	\$ 2,960,751	\$ 3,234,755	\$ 3,405,616	\$ 3,481,756
Less costs not funded by development fees:				
Town Center Code Update (Beautification Fund)	(191,455)	(125,320)		
2016 Cost of Service Study		(20,000)		
Residential Code Update Community Engagement		(15,755)		
Service Package: Critical Areas			(125,000)	(35,000)
Service Package: Public Outreach			(45,000)	(40,000)
Service Package: Transportation Concurrency				(20,000)
Service Package: Shoreline Master Program				(35,000)
Service Package: Cost of Service Study				(20,000)
Long Range Planner (90%)		(76,500)	(132,965)	(137,301)
Sub-Total Expenditures	\$ 2,769,296	\$ 2,997,180	\$ 3,102,651	\$ 3,194,455
Adjustments per Fee Study:				
Less Non-Recoverable Costs (8%)	(212,541)	(230,031)	(238,126)	(245,172)
Plus Citywide Overhead	342,426	352,699	363,280	374,178
Total Expenditures Recoverable Through Fees	\$ 2,899,181	\$ 3,119,848	\$ 3,227,805	\$ 3,323,461
Total Development Revenues (Updated 11/11/16)	\$ 2,857,380	\$ 2,796,000	\$ 2,670,000	\$ 2,446,000
Total Cost Recovery	99%	90%	83%	74%
			3 Year Average (2016-2018)	82%
			4 Year Average (2015-2018)	86%

Fire Marshal Overtime Relative to Fire Permit Revenue

Fire permit revenues have been re-forecast for 2016-2018 based on the revised development revenue estimates for DSG (see table below). In addition, Fire Marshal overtime, which represents 42-43 percent of fire permit revenues through October 31, 2016, was updated for 2017-2018 based on this percentage.

Fire Marshal (revised)	2016	2017	2018
Fire Marshal overtime related to development	\$84,000	\$82,000	\$77,000
Fire permit fees	\$197,200	\$191,500	\$181,500
Fire Marshal overtime vs. fees (%)	42.6%	42.8%	42.4%

For comparison purposes, the 2016-2018 estimates from the Preliminary Budget are noted in the table below.

Fire Marshal (Prelim Budget)	2016	2017	2018
Fire Marshal overtime related to development	\$68,000	\$65,900	\$68,826
Fire Permit Fees	\$167,200	\$122,700	\$122,700
Fire Marshal overtime vs. fees (%)	40.7%	53.7%	56.1%

The November 1, 2016 Council memo, which addressed Fire Marshal overtime in 2016-2018, included overtime related to fire investigations, which are performed by the Fire Marshal’s Office. This is unrelated to development activity and has been backed out of the two tables above to get an “apples to apples” comparison between Fire Marshal overtime related to development and fire permit fees.

Compensated Absences

Compensated absences represent an actual liability of the City to its employees, consisting of vacation time that has been earned but not taken by employees and overtime that represented employees have elected to convert to paid time off (called comp time), which can be taken at a later date. The cost of this liability is determined at the end of each fiscal year based on any unused vacation and comp time. In addition, the cost is adjusted annually based on the current hourly pay rate for each employee. The General Fund year-end liability for 2007-2015 is presented in the table below.

Year	Balance
2007	\$0.92M
2008	\$0.98M
2009	\$1.06M
2010	\$1.09M
2011	\$1.03M
2012	\$1.08M
2013	\$1.09M
2014	\$1.16M
2015	\$1.25M

Vacation and comp time caps for represented employees must be negotiated. Current caps by employee group, average vacation balance per employee, and average comp time balance per employee are noted in the table below. The City's vacation and comp time caps are consistent with other cities.

Department	Vacation Cap	Average Vacation Balance Per Employee (as of 9/30/16)	Comp Time Cap	Average Comp Time Balance Per Employee (as of 9/30/16)
Police	280 hours	180 hours	240 hours	81 hours
Fire	280 hours	132 hours	Not allowed anymore	129 hours
Public Works	240 hours	119 hours	40 hours	12 hours
Other Departments	240 hours	143 hours	40 hours (represented employees only)	3 hours (represented employees only)

Given the contractual minimum staffing requirements for Police and Fire, there is little that can be done to keep average vacation balances per employee low. When a patrol officer or firefighter is out sick, on family leave, or on long-term disability leave, that position needs to be backfilled by curtailing the vacations of other employees and/or paying overtime. For Public Works and other departments, the relatively high average vacation balances per employee are a direct result of the City's lean staffing model and the Council-driven annual work plan, which has been very demanding in 2015-2016.

Electronic Public Engagement Tool

Given the recent Town Center code update process and the public outreach/engagement that will be needed in 2017-2018 on the projected budget deficits and DSG projects (e.g., residential code update and shoreline master program update), the Council has expressed interest in utilizing an electronic public engagement tool. Accordingly, staff would like to propose the following next steps:

1. The Mayor and/or Council should identify three members to represent the Council's needs and expectations on a project team with City staff.
2. The project team will meet to review existing capabilities, identify gaps and issues, and develop a list of requirements for a new system.
3. Staff will conduct research to determine potential vendors, solutions, costs, and the impact to existing City projects already on the IT work plan.
4. The project team will review the results of this research and refine a series of options for the full Council's consideration.
5. At a future study session, this information would be presented to the full Council for feedback and further direction.

The City budgets \$50,000 per year in the CIP to address unforeseen or unplanned small technology and equipment costs, thereby enabling the City to respond more quickly and efficiently to high value / low cost initiatives. This project could be placed at the top of the list for using those dollars in 2017-2018.

Efficiency & Effectiveness

Several Council members have expressed an interest in identifying ways that the City can increase organizational efficiency and effectiveness. One option is to conduct a performance audit of one or more departments each year, similar to what was done with Public Works. Another option is to focus on how technology can streamline business practices. If there is sufficient Council interest in this topic, staff recommends discussing it at the February 2017 Planning Session.

Council Decisions/Direction

Capital Budget

- No changes were made to the 2017-2022 Preliminary CIP.
- Staff will return to the Council in March/April 2017 to provide an update on the traffic level of service along the SE 40th Street Corridor as a result of the new elementary school opening in August 2016. At that time, a decision will be made regarding what changes, if any, should be made to the West Leg and East Leg projects in 2017-2018.

Operating Budget

- The Council tentatively approved all service packages in the Preliminary Budget except for the:
 - Communications Assistant (0.5 FTE): \$54,828 in 2018 (General Fund)
 - Youth Development Coordinator (0.5 FTE): \$49,541 in 2018 (Youth & Family Services Fund)
- While tentatively approving the Public Outreach on DSG Projects service package (\$85,000), the Council directed staff to hold off on spending the \$40,000 budgeted in 2018 until the Council takes a comprehensive look at public communication/outreach/engagement at its February 2017 Planning Session, which will encompass the following: 1) the City's current communication efforts; 2) the anticipated communication needs in 2017-2018; 3) redesigning the City's website; and 4) implementing an electronic tool for public engagement.
- The Council directed staff to increase the City's annual affordable housing contribution to ARCH from \$20,000 to \$64,000 in 2017 and to \$96,000 in 2018.
- The Council directed staff to budget \$400,000 for I-90 loss of mobility negotiations in 2017. In addition, the Council directed staff to increase the 2016 budget for I-90 loss of mobility negotiations by \$75,000 (this will be included in a budget amending ordinance as part of the Third Quarter 2016 Financial Status Report, which is scheduled for the December 5, 2016 Council meeting).
- At the November 7, 2016 meeting, the Council was split 3-3 on increasing Code Enforcement staffing by 0.5 FTE in 2017. Given the relationship between code enforcement and code revisions needed to make them enforceable, the Council agreed with staff's recommendation to explore this topic in greater detail at its February 2017 Planning Session.

Changes to Preliminary Budget

Council-directed changes and staff changes to the Preliminary Budget are summarized below for the General Fund and Youth & Family Services Fund.

General Fund

Revenue & Expenditure Changes	2016	2017	2018
Revised revenue estimates by staff:			
Construction sales tax	+135,000		
Property tax (new construction)		+63,878	+68,401
Electric/gas utility tax	-39,000	-41,000	-42,000
King County EMS levy		+4,853	+7,192
Development fees (excluding fire permit fees)	-14,900	+383,000	+159,000
Fire permit fees	+30,000	+68,800	+58,800
Total revenue increases	111,100	479,531	251,393
Expenditure Changes by Council:			
I-90 loss of mobility	+75,000	+400,000	
Increase affordable housing contribution to ARCH		+44,000	+76,000
Delete Communications Assistant service package			-54,828
Expenditure Changes by Staff:			
Fire Marshal overtime (correction to estimates)	+16,000	+16,100	+8,174
Fund Solid Waste Contract Audit service package out of base budget		-15,000	
Total expenditure increases	91,000	445,100	29,346
Net funding available to apply to 2018 projected deficit	20,100	34,431	222,047

In total, \$276,578 is available to reduce the 2018 projected deficit in the General Fund.

Youth & Family Services Fund

Expenditure Changes	2016	2017	2018
Expenditure Changes by Council:			
Delete Youth Development Coordinator service package			-49,541
Total expenditure decreases	0	0	-49,541
Net funding available to apply to 2018 projected deficit	0	0	49,541

Updated Deficit Summary (“Contra”)

Fund	2018
General Fund:	
Projected deficit per Preliminary Budget	-823,773
Net funding available to apply to projected deficit	276,578
Revised projected deficit	-547,195
Youth & Family Services Fund:	
Projected deficit per Preliminary Budget	-393,427
Net funding available to apply to projected deficit	49,541
Revised projected deficit	-343,886
Total revised projected deficit (“contra”)	-891,081

Per the Preliminary Budget, the combined projected 2018 deficits in the General Fund and Youth & Family Services Fund amounted to \$1,217,200. This is the total “contra” amount that was identified at the October 17, 2016 Council meeting. **Staff recommends applying the total net funding available from the Council-directed changes and staff changes to the Preliminary Budget to the \$1,217,200 total projected deficit (or “contra” amount), thereby reducing it to \$891,081, which equates to 2.7 percent of the combined General Fund and Youth & Family Services Fund budgets in 2018.**

Resolutions/Ordinances

2017 NORCOM Budget Resolution

Resolution No. 1527, which is attached as Exhibit 1, approves NORCOM’s 2017 budget allocation to the City of Mercer Island. Every participating city needs to adopt such a resolution before NORCOM approves its 2017 Budget in December 2016. Comparing 2017 to 2016, NORCOM’s budget allocation to Mercer Island increased \$63,365, or 8.8 percent, as shown in the table below.

Department	2016 Allocation	2017 Allocation	\$ Increase/ Decrease	% Change
Mercer Island Police	\$541,090	\$624,639	\$83,549	15.4%
Mercer Island Fire	176,256	156,072	-20,184	-11.5%
Total	\$717,346	\$780,711	\$63,365	8.8%

Mercer Island’s 2017 budget allocation increase was driven by a significant increase in calls for service relative to other agencies.

2017 Utility Rate Resolutions

The 2016 adopted, 2017 proposed, and 2018 forecasted bi-monthly utility rates for water, sewer, storm water, and EMS services are broken down in the table below for a typical single family residential customer. The 2017 proposed rates were recommended by the Utility Board on October 11, 2016.

Utility Rate Component	Bi-Monthly Charge			\$ Change		% Change	
	2016 Adopted	2017 Proposed	2018 Forecast	2017 Proposed	2018 Forecast	2017 Proposed	2018 Forecast
Water (City)	\$99.36	\$104.82	\$110.59	\$5.46	\$5.77	5.5%	5.5%
Sewer Maintenance (City)	\$80.47	\$85.06	\$89.91	\$4.59	\$4.85	5.7%	5.7%
Sewer Treatment (King County)	\$84.06	\$88.44	\$88.44	\$4.38	\$0.00	5.2%	0.0%
Storm Water (City)	\$31.88	\$33.09	\$34.35	\$1.21	\$1.26	3.8%	3.8%
EMS (City)	\$8.53	\$8.88	\$9.24	\$0.35	\$0.36	4.1%	4.1%
Total Utility Rate Increase	\$304.30	\$320.29	\$332.53	\$15.99	\$12.24	5.3%	3.8%

The total utility rate increase in 2017 is 5.3 percent, which is slightly less than the 5.4 percent increase estimated for 2017 in the 2017-2018 Preliminary Budget. The total utility rate increase in 2018 is forecasted to be 3.8 percent.

Resolution Nos. 1522-1525, which are attached as Exhibits 2-5, set the water, sewer, storm water, and EMS rates respectively beginning January 1, 2017.

2017 Property Tax Resolution & Ordinances

All King County cities are legally required to submit an estimate of their 2017 property tax levies to the Metropolitan King County Council by December 5, 2016. However, the King County Assessor's Office does not provide each city with the final assessed valuation and new construction amounts for the new tax year until the second week of December typically. As a result, cities adopt property tax levies for the coming year based on preliminary assessed valuation and new construction amounts. When the finalized amounts are distributed by the Assessor's Office in December, cities simply notify the Metropolitan King County Council of the corrected levy amount. To be explicit about this levy correcting practice, language is included in the 2017 property tax levy ordinances authorizing the Finance Director to report the corrected property tax levy amount to the Metropolitan King County Council.

For the 2017 tax year, the City's total property tax levy consists of the following components:

- **Regular levy:** Funds general government operations, fire apparatus replacement, pre-LEOFF I firefighters' pension benefits, and LEOFF I retiree long-term care costs.
- **1.0 percent optional increase:** Applies to the regular levy and the levy lid lifts, which are noted below, and represents the maximum increase that a Council can adopt for the coming year, excluding new construction, the re-levy of the prior year refunds, and any "banked" capacity.
- **New construction:** Represents the new and improved properties that have been added to the property tax rolls. An additional \$10,000 was added to the current estimate from the King County Assessor's Office of \$227,872 given that the new construction amount has not been finalized yet.
- **Re-levy of prior year refunds:** Represents the amount that was refunded to property owners who successfully appealed their property valuations by the Assessor's Office and that is re-levied in the following year to make the City financially whole.
- **2008 levy lid lift:** Approved by voters in November 2008 for parks maintenance and operations (this is a 15-year levy, which ends in 2023). The 1.0 percent optional increase was included in the 2017 levy amount.

- **2012 levy lid lift:** Approved by voters in November 2012 for the replacement of the South Fire Station and a fire rescue truck (this is a 9-year levy, which ends in 2021). As directed by Council on November 7, 2016, the 1.0 optional increase, which will be dedicated to fire apparatus replacement, was included in the 2017 levy amount.

Per state law, the annual levy increase (what is called the “limit factor”) is limited to the lesser of the implicit price deflator (IPD) or 1.0 percent, plus an allowance for new construction. For the 2017 levy, the IPD is 0.953 percent. To increase the 2017 levy by 1.0 percent, a super majority (a 5-2 vote) of the Council must make a finding of “substantial need” via a resolution. The justification for such a finding is as follows:

- Significant deficits are projected in the General Fund and Youth & Family Services Fund in 2017 and 2018, which will be temporarily bridged using the 2016 projected General Fund surplus (estimated to be \$1.04 million) and up to \$1.22 million of the City’s “Rainy Day” reserve, absent a new revenue source in 2018.

Resolution No. 1528, which is attached as Exhibit 6, makes a finding of “substantial need” to increase the 2017 levy by 1.0 percent.

The **2017 preliminary levy** is compared to the 2016 final levy in the table below.

Levy Element	2016 Final Levy	2017 Prelim Levy
Regular Levy:		
Prior Year Levy	\$10,774,965	\$11,064,260
Plus 1.0% Optional Increase	107,750	110,643
Plus New Construction	181,545	237,872
Plus Re-levy of Prior Year Refunds	9,727	11,006
Total Regular Levy	\$11,073,987	\$11,423,781
Levy Lid Lifts:		
2008 Parks Maintenance & Operations	926,990	936,260
2012 Fire Station & Fire Rescue Truck	662,000	668,620
Total Levy Lid Lifts	\$1,588,990	\$1,604,880
Total Levy	\$12,662,977	\$13,028,661
% Change Relative to Prior Year*	0.75%	1.00%

* Excludes new construction and the re-levy of prior year refunds from the 2017 levy and the re-levy of prior year refunds from the 2016 levy.

Excluding new construction and the re-levy of prior year refunds, the 2017 total preliminary levy is 1.0 percent greater than the 2016 final levy.

The 2017 preliminary levy encompasses two ordinances as required by state law: 1) Ordinance No. 16-13, which identifies the 2017 total property tax levy amount, is attached as Exhibit 7; and 2) Ordinance No. 16-14, which identifies the dollar and percent increase in the 2017 levy relative to the 2016 levy, is attached as Exhibit 8.

Adoption of 2017-2018 Budget

All of the above-noted changes by the Council and staff to the Preliminary Budget, along with any other Council-directed changes, will be incorporated into the 2017-2018 Final Budget ordinance, which will be adopted by the Council on December 5, 2016.

RECOMMENDATION

Finance Director

- MOVE TO:
1. Pass Resolution No. 1527, which approves NORCOM's 2017 budget allocation to the City of Mercer Island.
 2. Pass Resolution No. 1522, which establishes classifications of water users and a schedule of charges for water usage, a schedule of rates for fire service, a schedule of special service charges, meter and service installation charges, and connection charges effective January 1, 2017 and thereafter.
 3. Pass Resolution No. 1523, which establishes rates and connection charges for sewerage disposal services provided by the City of Mercer Island effective January 1, 2017 and thereafter.
 4. Pass Resolution No. 1524, which establishes the bi-monthly service charge for storm and surface water services provided by the City of Mercer Island effective January 1, 2017 and thereafter.
 5. Pass Resolution No. 1525, which establishes the bi-monthly utility fee for the emergency medical and ambulance services supplied by the City of Mercer Island effective January 1, 2017 and thereafter.
 6. Pass Resolution No. 1528, which makes a finding of "substantial need" to set the 2017 levy limit at 101 percent.
 7. Suspend the City Council Rules of Procedure 5.2, requiring a second reading for an ordinance.
 8. Adopt Ordinance No. 16-13, which appropriates funds and fixes the amount of property taxes to be levied for the year 2017.
 9. Adopt Ordinance No. 16-14, which identifies the dollar amount and percentage increases of the regular property tax levy and the levy lid lifts for the year 2017.

**CITY OF MERCER ISLAND
RESOLUTION NO. 1527**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCER ISLAND
APPROVING THE CITY OF MERCER ISLAND'S ALLOCATION FOR THE
NORTH EAST KING COUNTY REGIONAL PUBLIC SAFETY
COMMUNICATIONS AGENCY (NORCOM) 2017 BUDGET.**

WHEREAS, the North East King County Regional Public Safety Communications Agency (NORCOM) was formed effective November 1, 2007; and

WHEREAS, NORCOM is in the process of adopting its annual budget for 2017; and

WHEREAS, the NORCOM Interlocal Agreement, to which the City is a party, requires that the City Council approve the City's allocation for NORCOM's budget, which is estimated to be \$780,711 in 2017;

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

The City of Mercer Island's allocation (\$780,711) for the North East King County Regional Public Safety Communications Agency (NORCOM) 2017 budget is hereby approved.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON THE 21ST DAY OF NOVEMBER, 2016.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk

**CITY OF MERCER ISLAND
RESOLUTION NO. 1522**

A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON ESTABLISHING CLASSIFICATIONS OF WATER USERS AND A SCHEDULE OF CHARGES FOR WATER USAGE, ESTABLISHING A SCHEDULE OF RATES FOR FIRE SERVICE, ESTABLISHING A SCHEDULE OF SPECIAL SERVICE CHARGES, ESTABLISHING METER AND SERVICE INSTALLATION CHARGES, ESTABLISHING CONNECTION CHARGES EFFECTIVE JANUARY 1, 2017 AND THEREAFTER.

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

Section 1. Classifications of Water Users, Schedule of Rates and Charges for Water Use

The following classifications of water user, schedule of rates and charges for water usage and rates for unauthorized use are hereby adopted by the City for all classes of users of the City water system effective January 1, 2017, and thereafter.

- A. Classification – Rates.** The rates for metered water supplied by the City of Mercer Island for each one hundred (100) cubic feet of water consumed in two months, or fractional part thereof, shall be charged in accordance with the "Classification of User" as set forth below:

Residential Bimonthly Water Rates					
Class	Fixed Charge	Volume Charge			
	Per Meter Equivalent*	Block 1 (0-10 ccf)	Block 2 (11-20 ccf)	Block 3 (21-30 ccf)	Block 4 (31+ ccf)
Single Family Residential	\$30.89	\$3.67	\$6.20	\$7.45	\$10.01
Low-Income Residential	\$30.89	\$0.92	\$1.55	\$1.86	\$2.50
Conservation Surcharge**				\$0.10	\$0.30
Class	Fixed Charge	Volume Charge			
	Per Meter Equivalent*	All Use (0-99+ ccf)			
Multi-Family Residential	\$30.89	\$5.43			

* Meter Equivalents are summarized in a following table. The total meter equivalent charge is based on the meter size and is calculated by multiplying the meter equivalents by the per meter equivalent rate.

** A surcharge of \$0.10 per ccf for single family residential bimonthly usage between and including 21 and 30 ccf, and \$0.30 per ccf for bimonthly usage in excess of 30 ccf, shall be included in the rates as an incentive to conserve and may be used to fund conservation education. This surcharge shall apply on consumption of water from June 1 through September 30.

Non-Residential Bimonthly Water Rates			
Class	Fixed Charge	Volume Charge	
	Per Meter Equivalent*	Winter** (All Usage)	Summer** (All Usage)
Commercial/Public	\$30.89	\$3.37	\$8.39
Irrigation	\$30.89	\$5.04	\$10.61

* Meter Equivalents are summarized in a following table. The total meter equivalent charge is based on the meter size and is calculated by multiplying the meter equivalents by the per meter equivalent rate.

** Seasons: Summer is June 1 through September 30; rest of year is winter.

Table of Meter Equivalents and Fixed Charges		
Meter Size	Meter Equivalent	Fixed Charge
3/4 Inch or Smaller	1.0	\$30.89
1 Inch	2.5	\$77.23
1-1/2 Inch	5.0	\$154.45
2 Inch	8.0	\$247.12
3 Inch	16.0	\$494.24
4 Inch	25.0	\$772.25
6 Inch	50.0	\$1,544.50

For purposes of this section, the various "Classification of User" shall be defined as follows:

- B. Single Family.** "Single Family" shall mean a residential structure or dwelling as defined in the City of Mercer Island Zoning Code, capable of being conveyed by separate title, served by a single domestic water meter. Provided, that where prior to December 1, 1980, more than one single family dwelling was served through a single common water meter, such service shall be allowed to continue under the "Single Family" classification until such time as the property or properties are subdivided into separate parcels, or when a higher demand for water service, as determined by the City, is required by a change in use or zoning.
- C. Home Hemodialysis Patients.** Home Hemodialysis Patients shall mean those persons who require medical life-support equipment in the home which utilizes mechanical or artificial means to sustain, restore or supplant a vital function, and which requires the use of water.
- D. Low Income User.** "Low Income User" shall mean a person who shows satisfactory proof that he or she is living in a single family residence, and has a maximum annual income of not more than seventy percent (70%) of the Washington State median income as applicable for the number of individuals in the household as computed annually by the State or City. Applicants shall provide such data as to verify eligibility, upon forms provided by and in the manner determined by the City of Mercer Island.

- E. **Multi-Family.** “Multi-Family” shall mean a residential structure or facility designed and/or used to house two or more families living independently of each other, including but not limited to, duplexes, triplexes, apartment buildings and condominiums, but shall not include hotels and motels.
- F. **Commercial.** “Commercial” shall mean a structure or facility designed and/or used to conduct business and commerce, including but not limited to, motels, hotels, professional, private schools, industrial, churches and all other commercial/business users.
- G. **Public.** “Public” shall mean structures and facilities used by governmental entities including the state, county, City of Mercer Island and other municipal corporations of the state and public schools of the Mercer Island School District.
- H. **Irrigation Meters.** The term "Irrigation Meters" shall mean all meters used for the purpose of watering shrubbery, lawns, flower beds, gardens, ornamentals and the like.
- I. **Rates for Unauthorized Use.** Water taken through unauthorized connections to the City water system shall be charged at double the rates set forth above based on the applicable "Classification of User" from the date of the commencement of such unauthorized use.

Section 2. Rates for Fire Services, Service Charges, Meter Installation Charges and Connection Charges

The following rates for fire service, various service charges, meter installation charges, and connection charges are hereby adopted by the City.

- A. **Fire Service Rates.** There is hereby established a schedule of rates for fire service which are the minimum monthly service charges for fire protection purposes exclusively for any two months, or fractional part thereof, as follows:

Service Connection	Rate
2 inch	\$28.97
3 inch	\$28.97
4 inch	\$36.59
5 inch	\$36.59
8 inch	\$51.87

- B. **Service Charges.** There is hereby established a schedule of service charges to recover operating costs incurred in establishing new accounts, changes in occupancy, special service requests by customers, delinquent account collections and processing of NSF checks as follows:

Service	Charge
New Water Set Up Fee (meter reading)	\$40
Water shut-off, requested by user, during normal working hours	\$30
Water shut-off, requested by user, after hours	\$170
Non-payment door hanger notification (each)	\$25
Non-payment Turn on/Turn off, normal working hours	\$80
Non-payment Turn on/Turn off, after hours	\$195
Locking Water Meter due to Theft	\$250
Non-sufficient funds check handling fee	\$40

C. Meter Installation Charges. There is hereby established a schedule of meter installation charges for connection of new meters to the City water system, and for changes to water service where the previous type of use has been changed or increased as follows: For meters of all sizes, the charge will be based on the actual cost of installation. A deposit is required, based on the estimated cost and is collected at the time of permitting the work.

D. Connection Charges. There is hereby established a schedule of connection charges for the installation of water service to property not previously served or for the installation of water service for an additional type of use and/or increase in meter size as follows:

Meter Size	Connection Charge
3/4 Inch or Smaller	\$ 2,335
1 Inch	5,838
1-1/2 Inch	11,676
2 Inch	18,681
3 Inch	37,363
4 Inch	58,379
6 Inch	116,759

Connection charges are studied periodically and adjusted for inflation in years between studies. The inflation factor applied is CPI-W First Half for Seattle-Tacoma-Bremerton.

For meter upsizes, the difference in the connection charge between the new meter size and the old meter size will be charged.

The provisions of this section shall not be construed to apply to additional water service for fire protection purposes.

E. Due Date. All meter and service installation charges, and all connection charges shall be due and payable at the time the new connection or changed or additional service is requested and shall be delinquent if unpaid at the time the connection or changed or increased service is actually made. A penalty of 10% shall be added to the amount of any such charges that shall become delinquent. All charges provided for by this Resolution which shall have been delinquent for four (4) months shall be certified to the Treasurer of King County and such charges, together with any penalties added thereto, shall be a lien

against the property receiving such service subject only to the lien for general taxes.

Section 3. Effective Date

This resolution shall take effect and be in force on and after January 1, 2017. Nothing contained herein shall affect the amount of collection of rates, fees, and charges established prior to January 1, 2017.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON
AT ITS REGULAR MEETING ON THE 21ST DAY OF NOVEMBER, 2016.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk

**CITY OF MERCER ISLAND
RESOLUTION NO. 1523**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON
ESTABLISHING RATES AND CONNECTION CHARGES FOR
SEWERAGE DISPOSAL SERVICES SUPPLIED BY THE CITY OF
MERCER ISLAND EFFECTIVE JANUARY 1, 2017 AND THEREAFTER.**

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

Section 1. Sewerage Disposal Services Rates and Charges

The rates and charges for sewerage disposal services supplied by the City of Mercer Island for two months, or a fractional part thereof, shall be as follows:

Single Family Bimonthly Sewer Rates				
Class	King County	City Sewer Line Maintenance		
	Fixed Charge	Fixed Charge		Volume Charge
	Sewage Treatment	Billing Cost	Base Charge (For first 600 cf of AVERAGE Winter Water Use¹)	Per 100 cf of AVERAGE Winter Water Use¹ beyond first 600 cf
Single Family Residential	\$88.44	\$7.56	\$38.76	\$6.46
Low-Income Residential ²	\$88.44	\$7.56	\$9.69	\$1.62

Footnotes:

1. Average winter water usage is based on the most current 4 months of winter water usage data available in the billing system. Calculation of the winter water average is based on usage as shown on the January and March bills or February and April bills depending on the billing/reading cycle. Calculation of sewer charges using the winter average is in effect for the following 12 months, until the next winter's water consumption data is available.

In the case of single family property, where there is no method of accurately calculating the average winter water usage because no water was used during the winter months, or any part thereof, or because the property is not connected to the sanitary sewer system, or for any other reason approved by the Deputy Finance Director or the Finance Director, the sewer volume charge herein will be the Island-wide bi-monthly average winter water use.

Newly-constructed single family properties shall be charged a sewer volume charge based on the per unit Island-wide average water usage for single family properties. Newly-constructed multi-family and commercial properties shall be charged a sewer volume charge based on their actual water usage.

2. "Low Income User" shall mean a person who shows satisfactory proof that he or she is living in a single family residence, and has a maximum annual income of not more than seventy percent (70%) of the Washington State median income as applicable for the number of individuals in the household as computed annually by the State or City. Applicants shall provide such data as to verify eligibility, upon forms provided by and in the manner determined by the City of Mercer Island.

Multi-Family and Commercial Bimonthly Sewer Rates			
Class	King County	City Sewer Line Maintenance	
	Sewage Treatment (Per 100 cf of ACTUAL Water Use ³)	Billing Cost	Volume Charge Per 100 cf of ACTUAL Water Use
Multi-Family Residential	\$5.90	\$7.56	\$6.46
Commercial / Public	\$5.90	\$7.56	\$6.46

Footnotes:

- The King County rate for multi-family and commercial is derived by dividing King County's monthly rate (\$44.22) by King County's residential customer equivalency usage value of 750 cubic feet.

Section 2. Connection Charges

The connection charges payable by the property owners for connection to the City of Mercer Island sanitary sewer system shall be as follows:

Connection Charges	
All customer Classes (Single Family, Multi-Family, Commercial and Public)	\$2,047 per King County residential customer equivalent (RCE)

Connection charges are studied periodically and adjusted for inflation in years between studies. The inflation factor applied is CPI-W First Half for Seattle-Tacoma-Bremerton.

All connection charges shall be due and payable at the time the connection service is requested and shall be delinquent if unpaid at the time the connection service is actually made. In the event of delinquency, the connection charges shall be double the amount set forth above.

Section 3. Effective Date

This resolution shall take effect and be in force on and after January 1, 2017. Nothing contained herein shall affect the amount of collection of rates, fees, and charges established prior to January 1, 2017.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON,
AT ITS REGULAR MEETING ON THE 21ST DAY OF NOVEMBER, 2016.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk

**CITY OF MERCER ISLAND
RESOLUTION NO. 1524**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON
ESTABLISHING THE BI-MONTHLY SERVICE CHARGE FOR STORM AND
SURFACE WATER SERVICES SUPPLIED BY THE CITY OF MERCER ISLAND
EFFECTIVE JANUARY 1, 2017 AND THEREAFTER.**

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

Section 1. Storm and Surface Water Services Rates and Charges

The rates and charges for storm and surface water services supplied by the City of Mercer Island for two months, or a fractional part thereof, shall be as follows:

- A. Thirty-three dollars and nine cents (\$33.09) bi-monthly for each Single Family Residential unit in the City.
- B. Eight dollars and twenty-seven cents (\$8.27) bi-monthly for each Low Income User* in the City.
- C. Thirty-three dollars and nine cents (\$33.09) bi-monthly times the number of equivalent service units for each Multi-Family Complex or Commercial property in the City.
- D. The number of equivalent service units for Multi-family and Commercial/Public property is determined by dividing the total square feet of impervious surface for each account (which includes roof tops, pavement, and trafficked gravel) by the average square footage of impervious surface for single family residential accounts (3,471 square feet is the average.)

* “Low Income User” shall mean a person who shows satisfactory proof that he or she is living in a single family residence, and has a maximum annual income of not more than seventy percent (70%) of the Washington State median income as applicable for the number of individuals in the household as computed annually by the State or City. Applicants shall provide such data as to verify eligibility, upon forms provided by and in the manner determined by the City of Mercer Island.

Section 2. Effective Date

This resolution shall take effect and be in force on and after January 1, 2017. Nothing contained herein shall affect the amount of collection of rates, fees, and charges established prior to January 1, 2017.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS
MEETING ON THE 21ST DAY OF NOVEMBER, 2016.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk

**CITY OF MERCER ISLAND
RESOLUTION NO. 1525**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON
ESTABLISHING THE BI-MONTHLY UTILITY FEE FOR THE EMERGENCY
MEDICAL AND AMBULANCE SERVICES SUPPLIED BY THE CITY OF
MERCER ISLAND EFFECTIVE JANUARY 1, 2017 AND THEREAFTER.**

WHEREAS, in 1980, the Mercer Island City Council created an ambulance service public utility for the purpose of regulating the delivery of basic life support emergency medical and ambulance service within the City of Mercer Island (“Utility”); and

WHEREAS, the City of Mercer is authorized to set fees for the Utility under Chapter 15.02 of the Mercer Island City Code, RCW 35.21.766 and RCW 35.27.370(15); and

WHEREAS, the Council has directed staff to establish a flat fee for a BLS ambulance transport service beginning in 2011, and revenue from such fees must be deducted from the demand cost of the ambulance utility; and

WHEREAS, during their 2015 cost of service study, FCS Group has re-calculated the rates based on deducting the BLS ambulance transport service revenue from the demand cost of the ambulance utility;

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

Section 1. Emergency Medical and Ambulance Services Rates and Fees

For the classifications of Single Family Residential, Multi-Family Residential, Commercial, Public Schools, and Public/Other classifications, the emergency medical and ambulance services rates will be charged on a bi-monthly basis, per equivalent service unit (ESU) as shown in the utility billing system. The bi-monthly rates are shown in the table below.

Customer Class	ESU	Bi-Monthly
Single Family Residential	1	\$8.88
Multi-Family Residential	# of Apt or Condo Units	\$8.88
Commercial (<4,500 sq ft)	1	\$8.88
Commercial (4,501-25,000 sq ft)	1	\$8.88
Commercial (25,001-100,000 sq ft)	1	\$8.88
Commercial (>100,000 sq ft)	1	\$8.88
Public Schools	1	\$8.88
Public/Other	1	\$8.88

For the classifications of Residential Board & Care and 24-hour Nursing Care, as shown in the following table, the annual rates have two components: 1) \$53.28 availability rate per ESU; and 2) \$0.00 demand rate per call. The demand rate is based on the actual call volume from January 1, 2013 through December 31, 2014, and reflects the net demand cost after forecasted fire transport revenue has been deducted. Each

of the facilities in these classifications will be billed individually on a bi-monthly basis for their calls during the study period as shown in the table below:

Customer Class	Annual Availability Rate Per ESU	Annual Demand Rate Per Call	Annual			Bi-Monthly Charge
			Availability Charge	Demand Charge	Total Charge	
Residential Board & Care:						
Covenant Shores	\$53.28	\$0.00	\$2,504.16	\$0.00	\$2,504.16	\$417.36
Island House Retirement	\$53.28	\$0.00	\$959.04	\$0.00	\$959.04	\$159.84
Sunrise Retirement	\$53.28	\$0.00	\$2,664.00	\$0.00	\$2,664.00	\$444.00
Aljoya House	\$53.28	\$0.00	\$1,651.68	\$0.00	\$1,651.68	\$275.28
In-Home Care	\$53.28	\$0.00	\$266.40	\$0.00	\$266.40	\$44.40
24 Hour Nursing:						
Covenant Shores (Skilled Nursing)	\$53.28	\$0.00	\$1,971.36	\$0.00	\$1,971.36	\$328.56

New customers in the Residential Board & Care and 24-hour Nursing Home classifications should be charged based on the average calls per unit for their classification until they have established their own call history.

Section 2. Effective Date

This resolution shall take effect and be in force on and after January 1, 2017. Nothing contained herein shall affect the amount of collection of rates, fees, and charges established prior to January 1, 2017.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON THE 21ST DAY OF NOVEMBER, 2016.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk

**CITY OF MERCER ISLAND
RESOLUTION NO. 1528**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON
MAKING A FINDING OF SUBSTANTIAL NEED TO SET THE LIMIT
FACTOR AT ONE HUNDRED AND ONE PERCENT FOR THE 2017
PROPERTY TAX LEVY.**

WHEREAS, the limit factor for annual property tax levies under RCW 84.55.010 is the lesser of 101% or 100% plus inflation of the highest levy of the most recent three years; and

WHEREAS, RCW 84.55.005(1) defines inflation for property tax purposes as the percentage change in the implicit price deflator for personal consumption expenditures for the United States as published for the most recent 12-month period by the Bureau of Economic Analysis of the federal Department of Commerce by September 25th of the year before the taxes are payable; and

WHEREAS, the implicit price deflator is 0.953%, which is less than 1%; and

WHEREAS, the Mercer Island City Council recognizes that significant deficits are projected in the General Fund and Youth & Family Services Fund in 2017 and 2018, which will be temporarily bridged using the 2016 projected General Fund surplus (estimated to be \$1.04 million) and up to \$1.22 million of the City's "Rainy Day" reserve, absent a new revenue source in 2018;

WHEREAS, RCW 84.55.0101 provides for use of a limit factor of 101%, rather than the lesser limit factor of 100.953%, with a finding of substantial need by a majority plus one of the City Council;

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

The Mercer Island City Council hereby finds that there is a substantial need under RCW 84.55.0101 to set the 2017 property tax levy limit factor at one hundred and one percent (101%).

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON
AT ITS REGULAR MEETING ON THE 21ST DAY OF NOVEMBER, 2016.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk

**CITY OF MERCER ISLAND
ORDINANCE NO. 16-13**

AN ORDINANCE RELATING TO THE LEVYING OF REGULAR PROPERTY TAXES AND ESTABLISHING THE AMOUNT TO BE LEVIED IN 2017 ON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY.

WHEREAS, pursuant to RCW 84.55.120, the City Council of the City of Mercer Island has properly given notice of and conducted a public hearing for the purpose of considering testimony regarding the 2017-2018 Preliminary Biennial Budget and the 2017 property tax levy; and

WHEREAS, the City Council of the City of Mercer Island, after due consideration of the evidence and testimony at the public hearing, has determined that the City requires an increase in property tax revenue in order to discharge the expected expenses and obligations of the City of Mercer Island; and

WHEREAS, the voters of the City of Mercer Island approved a levy lid lift in 2008 for the purpose of operating and maintaining Luther Burbank Park and other City parks and open spaces; and

WHEREAS, the voters of the City of Mercer Island approved a levy lid lift in 2012 for the purpose of replacing Fire Station No. 92 and a fire rescue truck; and

WHEREAS, the City intends to collect \$936,260 of the authorized 2008 Park Maintenance and Operations levy lid lift in 2017; and

WHEREAS, the City intends to collect \$668,620 of the authorized 2012 Fire Station and Fire Rescue Truck Replacement levy lid lift in 2017;

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

Section 1. Total Property Tax Levy in 2017.

The property tax levy is hereby authorized to be collected in the 2017 tax year in the estimated amount of \$13,028,661, which amount when added to the estimated revenues will balance the revenues with the expenditures and which amount is in compliance with all applicable laws.

Section 2. Detail of Property Tax.

There is hereby levied upon all taxable property within the City of Mercer Island, Washington, a total tax of \$13,028,661 as follows:

REGULAR LEVY:	
Prior Year Levy	\$11,064,260
1.0% Optional Increase	110,643
New Construction	237,872
Refund Levy	11,006
LEVY LID LIFTS:	
2008 Parks Maintenance & Operations	936,260
2012 Fire Station & Fire Rescue Truck	668,620
TOTAL TAXES REQUESTED FOR 2017	<u>\$13,028,661</u>

The foregoing property tax levy amount shall be automatically adjusted without further action of the City Council to correspond to the final assessed valuation, new construction, and refund levy totals to be received from the King County Assessor prior to December 31, 2016.

Section 3. City Clerk Certification.

Pursuant to RCW 84.52.020, the Clerk is directed to certify the amount necessary to be raised by taxation as specified above to the Metropolitan King County Council. The City Finance Director is authorized and directed to transmit any adjustment made pursuant to Section 2 above to the 2017 property tax levy amount to the Metropolitan King County Council.

Section 4. Effective Date.

This ordinance shall take effect five days after passage and publication in the official newspaper of the City.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON THE 21ST DAY OF NOVEMBER, 2016.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

Approved as to Form:

ATTEST:

Allison Spietz, City Clerk

Kari Sand, City Attorney

Date of Publication: _____

**CITY OF MERCER ISLAND
ORDINANCE NO. 16-14**

**AN ORDINANCE AUTHORIZING AN INCREASE IN PROPERTY TAX
REVENUE FOR THE YEAR 2017.**

WHEREAS, the City Council of the City of Mercer Island has conducted its review of the 2017-2018 Preliminary Biennial Budget; and

WHEREAS, pursuant to RCW 84.55.120, the City Council of the City of Mercer Island held a public hearing for the purpose of considering testimony regarding the 2017 property tax levy; and

WHEREAS, the City Council of the City of Mercer Island, after due consideration of the evidence and testimony at the public hearing, has determined that the City requires an increase in property tax revenue in order to discharge the expected expenses and obligations of the City of Mercer Island; and

WHEREAS, the voters of the City of Mercer Island approved a levy lid lift in 2008 for the purpose of operating and maintaining Luther Burbank Park and other City parks and open spaces; and

WHEREAS, the voters of the City of Mercer Island approved a levy lid lift in 2012 for the purpose of replacing Fire Station No. 92 and a fire rescue truck; and

WHEREAS, the City intends to collect \$936,260 of the authorized 2008 Park Maintenance and Operations Levy Lid Lift in 2017; and

WHEREAS, the City intends to collect \$668,620 of the authorized 2012 Fire Station and Fire Rescue Truck Replacement levy lid lift in 2017.

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

Section 1. Total Property Tax Increase.

There is hereby levied upon all taxable property within the City of Mercer Island, Washington, a total property tax levy of \$13,028,661. Excluding the amounts for new construction and refunds, this is \$126,533, or 1.00 percent, more than the 2016 total property tax levy. The foregoing property tax levy amount shall be automatically adjusted without further action of the City Council to correspond to the final assessed valuation, new construction, and refund levy totals to be received from the King County Assessor prior to December 31, 2016.

Section 2. Regular Property Tax Increase.

An optional increase in the regular property tax levy is hereby authorized for the 2017 levy in the amount of \$110,643, which is a 1.00 percent increase over the previous year. The optional 1.00 percent increase is in addition to the new construction and refund levies. The 2017 total regular levy, excluding the amounts for new construction and refunds, is authorized in the amount of \$11,174,903, which is \$110,643, or 1.00 percent, more than the 2016 total regular levy.

Section 3. 2008 Levy Lid Lift Increase.

The voted property tax levy, which pertains to the Levy Lid Lift passed by a vote of the Mercer Island citizens on November 4, 2008, is hereby authorized for the 2017 levy in the total amount of \$936,260. This is \$9,270, or 1.00 percent, more than the 2016 levy lid lift and is within the provisions of the ballot measure.

Section 4. 2012 Levy Lid Lift Increase.

The voted property tax levy, which pertains to the Levy Lid Lift passed by a vote of the Mercer Island citizens on November 6, 2012, is hereby authorized for the 2017 levy in the total amount of \$668,620. This is \$6,620, or 1.00 percent, more than the 2016 levy lid lift and is in compliance with the provisions of the ballot measure.

Section 5. City Clerk Certification.

Pursuant to RCW 84.52.020, the Clerk is directed to certify the amount necessary to be raised by taxation as specified above to the Metropolitan King County Council. The City Finance Director is authorized and directed to transmit any adjustment made pursuant to Section 1 above to the 2017 property tax levy amount to the Metropolitan King County Council.

Section 6. Effective Date.

This ordinance shall take effect five days after passage and publication in the official newspaper of the City.

ADOPTED BY THE CITY COUNCIL OF MERCER ISLAND, WASHINGTON AT ITS REGULAR MEETING ON THE 21ST DAY OF NOVEMBER, 2016.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Approved as to Form:

Allison Spietz, City Clerk

Kari Sand, City Attorney

Date of Publication: _____



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

**AB 5229
November 21, 2016
Regular Business**

**SMALL CELL FRANCHISE AGREEMENT WITH
CROWN CASTLE (1ST READING)**

Proposed Council Action:

Set Ordinance No. 16-12 to Second Reading on December 5, 2016.

DEPARTMENT OF	City Attorney (Kari Sand & Christina Schuck)
COUNCIL LIAISON	n/a
EXHIBITS	1. Ordinance No. 16-12
APPROVED BY CITY MANAGER	

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

SUMMARY

For the City Council’s consideration is a proposed franchise agreement between the City and Crown Castle for the installation of 39 small cells or “nodes” throughout the City. The small cell network is intended to fill a significant gap in T-Mobile’s service, a client of Crown Castle. The proposed franchise agreement attached as Exhibit 1, has been negotiated with Crown Castle and includes the guidance and feedback provided by Council at two previous Council meetings, as summarized in the background section below. This franchise also reflects City staff’s review of small cell franchise agreements and code provisions throughout the United States and within Washington State.

BACKGROUND AND HISTORY

Crown Castle is a telecommunications infrastructure company that designs, develops, operates, upgrades, maintains and owns fiber-fed small cell networks. On June 3, 2016, Crown Castle, on behalf of T-Mobile, submitted applications to install small cell facilities on Puget Sound Energy (“PSE”) Poles throughout the City. Based upon this application and Crown Castle’s assertions that these small cell facilities are the least intrusive means to fill a significant gap in T-Mobile’s service, City staff determined a franchise agreement was the best tool to regulate installation of the small cells and to set forth specific locational and design requirements to best minimize any impacts.

On September 19, 2016, the City held a study session with representatives from Crown Castle. See AB 5215. City staff presented the Council with information on the law governing the siting of wireless facilities, including small cells. Crown Castle representatives explained small cell technology and how the proposed 39 nodes will work as interconnected collocation systems to deliver the needed coverage and capacity to T-Mobile’s network. All small cell facilities will be connected by fiber optic cables and will distribute T-Mobile’s wireless communication signals through the low power, low profile antennas installed at each node. Each small cell facility will consist of (1) a low profile antenna; (2) low profile equipment; and (3) fiber optic cables.

On October 4, 2016, City staff gave Council an overview of telecommunication franchises in Washington State and sought Council direction to guide the drafting and negotiation of the franchise agreement. See AB 5220. Specifically, staff asked for guidance on aesthetic requirements, locational requirements and future approval of additional small cells on the same network. Staff integrated this policy guidance into the proposed franchise.

COMPARISON WITH OTHER JURISDICTIONS

As part of the franchise agreement drafting and negotiation process, City staff researched how other jurisdictions within Washington State and throughout the country address the relatively new technology of small cells. Small cell technology and widespread plans for their deployment led the Federal Communications Commission (“FCC”) to issue an Order in 2014 (“2014 FCC Order”) and revise its rules. The 2014 FCC Order, with the stated goal of facilitating small cell deployment, clarifies terms within federal law and imposes strict time limits on local government’s processing of certain types of applications. In response to the 2014 FCC Order, many local governments updated their wireless codes to address application processing requirements and to specifically address small cell facilities. Local governments within Washington State regulate small cell facilities through franchise agreements, code provisions or a combination of both. Consequently, there is no one franchise agreement or code provision that serves as a direct comparator. The proposed franchise agreement reflects provisions and regulations from a variety of sources and is tailored to the Mercer Island community based on Council feedback.

KEY TERMS OF PROPOSED FRANCHISE AGREEMENT FOR COUNCIL CONSIDERATION

The key terms of the proposed franchise are outlined and discussed below.

- **Grant of Authority:** The City grants Crown Castle a non-exclusive license to use and occupy rights-of-way in 39 identified locations throughout the City, as well as to attach, install, operate, remove, maintain, repair, replace, reattach, reinstall, relocate and remove its small cell facilities. The small cell facilities shall not unreasonably impair any improvement or interfere with the intended use of the right-of-way. Crown Castle must obtain permission to attach to the PSE utility poles. The franchise does not grant, convey, create or vest in Crown Castle any real property interest (fee, leasehold or easement).
- **Term:** The franchise shall be for an initial term of 5 years, unless terminated earlier by either Party, and may be renewed.

Franchise terms vary between 5 years and 25 years, sometimes including a specified number of automatic renewal terms. For example, a Crown Castle franchise agreement with Matinecock, NY specifies an initial 10-year term with an auto renewal for three successive 5-year terms (totaling 25 years). Lake Oswego, OR agreed to a straight 10-year term with NewPath (now Crown Castle). In contrast, Everett recently entered into a 5-year franchise agreement with Mobilitie, and Portland, OR entered into a 5-year agreement with Verizon. The proposed franchise term of 5 years, with the ability to renew, falls within this range, but it also gives the City some flexibility.

- **Administrative Fees:**
 - Pursuant to RCW 35.21.860, the City is prohibited from imposing franchise fees upon a telephone business, as defined in RCW 82.16.010, or a Service Provider for use of the right-of-way, as defined in RCW 35.99.010, except a utility tax or actual administrative expenses related to the franchise incurred by the City. Crown Castle warrants that its operations, as authorized under this Agreement, are those of a Service Provider as defined in RCW 35.99.010.

- Crown Castle shall pay a \$7,000.00 administrative fee for reimbursement of costs associated with the preparation, processing and approval of this franchise, including wages, benefits, overhead expenses, meetings, negotiations and other functions related to the approval. The administrative fee excludes normal permit fees required for the work in the right-of-way. Payment of the one-time administrative fee is due 30 days after franchise approval. Crown Castle must also reimburse the City for publication costs.

The administrative fee reflects an estimate of the costs associated with staff time expended in the preparation and processing of this proposed franchise to date. This number is subject to change.

- If RCW 35.21.860 is amended to allow collection of a franchise fee, this Agreement shall be amended to require franchise fee payments.
- Crown Castle also agrees to reserve four strands of unlit (dark) fiber owned or operated by Crown Castle in the City for the City's exclusive use in operating any noncommercial data network or communications function, so long as the fiber is located within Crown Castle's planned deployment routes.

Crown Castle staff has offered to work with the City's GIS department in coordinating the reservation of fiber.

- **Approval of Small Cell Facilities:** The franchise sets forth the process to approve up to 39 small cell facilities. Additional facilities will require an amendment to the franchise. A Right-of-Way permit is required for the construction and installation of each of the approved small cell facilities. See MICC 19.09.060(A). This permit and its review will ensure that each site meets the locational and design requirements of the franchise. The franchise specifies that the following information is needed for Development Services Group ("DSG") staff to review the proposed small cell facilities:
 - ROW Permit Application Fees;
 - Site plan with property lines, ROW and private roads, existing and proposed structures. A site plan with all PSE Poles within 100 feet may be required, if necessary;
 - Scaled elevations depicting the size and locations of the small cell facilities;
 - Photo simulations of the proposed small cell facilities;
 - Tree plan, showing the location and species of trees and marking which ones will be pruned or removed, if necessary; and
 - A copy of notice sent to property owners within 150 feet of the proposed small cell facility.

The requirements in this section of the franchise are based upon the City's current submittal requirements for wireless communications facilities and compare to application submittal requirements in a model ordinance prepared for use by Washington cities in response to the 2014 FCC Order. This model ordinance has been enacted by multiple jurisdictions including Bainbridge Island. Kirkland also has similar requirements in its municipal code. Other cities (for example, San Antonio and Houston) detail the approval process and requirements within the franchise agreement.

- **Inventory of Small Cell Facilities:** Crown Castle is required to maintain a current inventory of small cell facilities ("Inventory") throughout the term of the franchise. The Inventory must be provided within 180 days after the effective date and updated if requested by the City. The Inventory must include GIS coordinates, date of installation, type of PSE Pole used for installation, description/type of installation for each small cell facility installation and photographs taken before and after the installation of the small cell facility and taken from the public street. If a small cell facility becomes inactive, the Inventory must include the date the facility was deactivated and removed from the Right-of-Way.
- **Unauthorized Facilities:** Small cell facilities not authorized under the franchise are subject to an unauthorized facility charge of \$1,000 per day. After receiving notice from the City of an unauthorized

facility, Crown Castle will have 30 days to show that the facility was authorized or submit an application for approval of the facility. If the application is not approved, the unauthorized facilities must be removed. Note that this franchise allows approval of up to small cell facilities.

- **Location Priorities:** This section establishes priorities for locating small cell facilities to minimize incompatibilities with adjacent uses, unless the standards and priorities run afoul of 47 U.S.C. § 332 and effectively prohibit Crown Castle from using the least intrusive means to close a significant gap in its wireless service in the City. When the location and design priorities are inconsistent for a proposed Small Cell Facility, the Director will implement the priorities in the following order: Trees, Views, then Streets. Crown Castle must first site small cell facilities on Original PSE Poles in the following priority:
 - Streets.
 - First on Major, Secondary and Collector streets (as classified in the Comprehensive Plan);
 - Then on Local streets.

Portland's franchise agreement with Verizon similarly prioritizes streets for siting facilities—first on freeways, highways and streets in industrial areas, then on high traffic volume streets, then medium traffic volume and finally low traffic volume residential streets.

- Views. On PSE Poles that minimize the appearance of Small Cell Facilities in existing community views to the maximum extent technically feasible.
- Trees. On PSE Poles that are in a location in the following order of priority
 - Do not require the cutting or pruning of trees or other vegetation;
 - Do require pruning, but the minimum necessary that doesn't threaten the vegetation's health or safety.
- **Design Requirements and Priorities:** This section establishes concealment standards to minimize the visual impacts of small cell facilities and is intended to be an existing concealment element in the determination of whether or not a proposed modification is a "substantial change" under Section 6409(a) of the federal Spectrum Act. See 2014 FCC Order. This section in the franchise includes the following:
 - No co-location – each PSE Pole shall contain no more than one small cell facility;
 - Antenna dimensions – antennas shall be no larger than 2 feet tall and 14 inches wide;

Washington State defines a small cell as a personal wireless services facility where each antenna is located inside an antenna enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three cubic feet; and primary equipment enclosures are no larger than seventeen cubic feet in volume. RCW 80.36.375(d). Other cities place greater restrictions on the size of small cell facilities. Lake Oswego's franchise agreement requires that the smallest antennas, equipment and equipment cabinets available to be used. The proposed restriction of 2 feet on antennas came from the discussion at the October 4, 2016 Council meeting.

- Antenna location - Antennas shall be located first within the communication space of the PSE Pole, then as pole top extensions;
- The small cell equipment cabinets shall be located below the antenna on the PSE Pole and shall not exceed 10 cubic feet in volume on any one PSE Pole;
- Replacement PSE Poles shall not be more than 15% or 10 feet taller than the Original PSE Pole, whichever is less;
- All small cell facilities (antennas, cabling, mounting hardware, equipment cabinets) shall be painted to match the color and material of the PSE Pole, or at the City's preference, any color of the City's choosing, so long as the paint is reasonably commercially available;
- All small cell facilities shall be flush-mounted with the PSE Pole;

- Small cell facilities shall not be illuminated; and
- Cables and wires hanging off of a pole shall be sheathed or enclosed in a conduit, so that wires are protected and not visible or visually minimized to the maximum extent possible.
- **Upgrading Design Requirements:** Every 5 years, Crown Castle and the City shall review small cell facility size and stealthing measures to ensure the visual impacts of small cell facilities are minimized. In the event the City determines, as part of this review, that smaller antennas, equipment and/or equipment cabinets are available, Crown Castle shall propose a plan to replace the identified small cell facilities within 2 years. Any small cell facilities not replaced within 2 years shall be deemed an “Unauthorized Installation” and shall be subject to the imposition of an Unauthorized Installation Charge.

This particular provision is based upon guidance received from Council at the October 4, 2016 meeting. In comparison to other franchise agreements, this provision is more robust and requires more of the provider. For example, Houston’s model small cell franchise agreement allows the city engineer to request the provider to consider new technologies to improve aesthetics, but leaves the choice to install new equipment to the provider.

Overall, the design requirements in the proposed franchise are based upon the guidance provided by Council and are modeled after comparison franchise agreements and code provisions. Nearly all of the comparison franchise agreements reviewed contain requirements to sheath conduit and wires and provide camouflaging and concealment measures. Many also require flush mounting.

- **Undergrounding:** In the event PSE Poles at a licensed location are removed and utilities are undergrounded, Crown Castle must underground its fiber and power and work with the City to find alternate locations for the antennas.
- **Pruning or Cutting of Trees:** Crown Castle shall make every effort to avoid unnecessary pruning or trimming of trees and damaging any trees in the vicinity of the small cell locations.
 - Trees on Public Property.
 - Crown Castle, its contractors, and agents shall apply for a tree permit to cut or prune a tree on public property in accordance with the Mercer Island City Code (MICC 19.10.040).
 - Crown Castle shall provide 7 days’ advance notice to the City’s Right-of-Way Manager before any pruning or cutting of trees on public property and any pruning or cutting shall be supervised by the City’s Right-of-Way Manager and meet the International Society of Arboriculture (ISA) standards.
 - Crown Castle shall also provide seven 7 days’ advance notice to the adjacent property owners before cutting or pruning a tree on public property.
 - Any trees that are cut pursuant to a tree permit shall be replaced on the subject property as specified in MICC 19.10.060.
 - All tree trimming and cutting operations should comply with the Manual on Uniform Traffic Control Devices (MUTCD) on temporary traffic control standards when utilizing the Right-of-Way.
 - Trees on Private Property. Crown Castle shall not prune or cut any trees on private property, unless Crown Castle has the express, written permission of the property owner and a tree permit, if required.
- **Amendments:** The franchise may be amended at any time if both parties agree to the amendment in writing. Additionally, either party can request an amendment every five years, provided notice to amend is sent no later than 90 days prior to the end of the initial or renewal term. Because this

franchise authorizes only 39 small cell facilities, the approval of any additional small cells will require Council approval of an amendment to the franchise.

- **Termination:** The City may terminate the franchise subject to Crown Castle's ability to cure the following defaults:
 - Failure of the Crown Castle to comply with any material term;
 - Crown Castle becomes insolvent;
 - Crown Castle's failure to obtain all licenses, permits, and certification required by the City under the franchise;
 - All or a substantial part of Crown Castle's assets are assigned for the benefit of its creditors;
 - A receiver or trustee is appointed for Crown Castle; or
 - Crown Castle fails to install any small cell facilities in the right-of-way within 1 year of the Effective Date of the franchise.

- **Small Cell Facility Removal:**
 - Abandoned small cell facilities that become obsolete must be removed, or the City must approve their abandonment. Those not removed or approved to be abandoned are subject to unauthorized installation charges.
 - Small cell facilities must be removed if the City determines the removal is necessary to protect the public health, safety, welfare or City property.

- **Other Provisions:** The franchise also includes indemnification and insurance provisions, a requirement for Crown Castle to maintain and furnish a security in favor of the City (e.g., a bond) and other standard general provisions.

RECOMMENDATION

City Attorney and Assistant City Attorney

MOVE TO: Set Ordinance No. 16-12 to a second reading on December 5, 2016.

**CITY OF MERCER ISLAND
ORDINANCE NO. 16-12**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
GRANTING TO WA - CLEC LLC, A DELAWARE LIMITED LIABILITY
COMPANY, A NONEXCLUSIVE TELECOMMUNICATIONS FRANCHISE TO
INSTALL, CONSTRUCT, MAINTAIN, REPAIR, AND OPERATE SMALL CELL
FACILITIES WITHIN THE PUBLIC RIGHTS OF WAY**

WHEREAS, WA - CLEC LLC, d/b/a Crown Castle, a Delaware limited liability company (hereafter “Franchisee” or “Crown Castle”) has made application to the City to construct, install, maintain, repair and operate a telecommunications system within the public rights-of-way of the City; and

WHEREAS, Crown Castle represents that it has the legal, technical and financial qualifications to operate in the rights-of-way of the City as a public telecommunications utility in Washington, holding a Registration from the Washington Utilities and Transportation Commission; and

WHEREAS, based on representations and information provided by Crown Castle, and in response to its request for the grant of a franchise, the City Council has determined that the grant of a nonexclusive franchise, on the terms and conditions herein and subject to applicable law, are consistent with the public interest; and

WHEREAS, Crown Castle intends to install its small cell facilities within the rights-of-way on existing Puget Sound Energy (“PSE”) utility poles; and

WHEREAS, Crown Castle warrants and represents that it has the requisite authority to construct, install and maintain its small cell facilities on PSE utility poles; and

WHEREAS, the City is authorized by state law to grant such nonexclusive franchises within the boundaries of the City; and

WHEREAS, City staff and Crown Castle have been working together to negotiate a franchise agreement allowing Crown Castle to install small cell facilities to fill significant gaps in its client’s T-Mobile’s coverage through the least intrusive means; and

WHEREAS, pursuant to RCW 35.21.860, the City is prohibited from imposing franchise fees upon a telephone business or “service provider” as defined in RCW 35.99.010, but can seek reimbursement for costs associated with the preparation, processing and approval of the franchise agreement, including wages, benefits, overhead expenses, meetings, negotiations, publication fees and other functions related to the approval of the franchise agreement; and

WHEREAS, the franchise agreement sets forth specific locational standards and priorities for locating small cell facilities in a manner that minimizes potential incompatibilities with adjacent uses; and

WHEREAS, the franchise agreement sets forth specific design standards to minimize the visual impacts of the small cell facilities by using the smallest antennas, equipment and equipment cabinets available to satisfy engineering requirements and the service objectives of the sites; and

WHEREAS, the design standards set forth are intended to be an existing concealment element in the determination of whether or not a proposed modification is a substantial change under Section 6409(a) of the Spectrum Act, 47 U.S.C. § 1455(a);

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

Section 1. Adoption of Mercer Island Franchise Ordinance. The Mercer Island City Council hereby approves, adopts and directs the City Manager to execute the Franchise Agreement between the City of Mercer Island and WA - CLEC LLC attached hereto as Attachment A.

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 its application to any other person, property or circumstance.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 4. Effective Date and Publication. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force thirty (30) days after the date of publication. This Ordinance shall be published by an approved summary consisting of the title.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the _____ day of _____, 2016, and signed in authentication of its passage.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

Approved as to Form:

ATTEST:

Kari Sand, City Attorney

Allison Spietz, City Clerk

Date of Publication: _____

**CITY OF MERCER ISLAND
SMALL CELL FACILITIES FRANCHISE AGREEMENT**

BY AND BETWEEN

THE CITY OF MERCER ISLAND

AND

WA - CLEC LLC, d/b/a Crown Castle

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1. DEFINITIONS

In addition to terms otherwise defined herein, the following definitions shall apply generally to the provisions of this Franchise:

1.1 Agency: Any governmental or quasi-governmental agency other than the City, including the Federal Communications Commission and the WUTC.

1.2 Crown Castle: Crown Castle shall mean WA - CLEC, LLC, a Delaware limited liability company and its lawful successors, assigns, and transferees.

1.3 Director: The head of the Development Services Group (or its successor department) of the City, or his/her designee.

1.4 Effective Date: This Franchise is effective on the date it is fully executed by both parties following approval of the Franchise by an ordinance of the Mercer Island City Council.

1.5 Flush-Mounted: The installation of antennas and equipment cabinets on a PSE Pole using brackets that offset the inside edge of such equipment from the PSE Pole by 5 inches or less, except as otherwise required by PSE and approved by the City.

1.6 Inventory of Facilities: An accurate and current inventory of all Small Cell Facilities approved by City pursuant to this Franchise and installed by Crown Castle, including sites that become inactive for any reason.

1.7 Laws: Any and all applicable federal, state and local statutes, constitutions, ordinances, resolutions, regulations, judicial decisions, rules, tariffs, administrative orders, certificates, orders, or other requirements, including those of the City or any Agency having jurisdiction over the parties to this Franchise, in effect either as of the Effective Date or at any time during the presence of Crown Castle in the Right-of-Way. Notwithstanding anything to the contrary in this Franchise, Crown Castle will not be required to comply with any change in Laws where Crown Castle remains in conformance with the Laws in existence at the time this Franchise was entered into.

1.8 Nearest Feasible PSE Pole: The PSE Pole(s) which are within 100 feet of a PSE Pole that is included in a ROW Permit application, as long as such PSE Pole(s) are feasible for the installation of a Small Cell Facility, and the location and design of the Small Cell Facility on such PSE Pole(s) comply with the location and design preferences in Sections 6.3 and 6.4 of this Franchise.

1.9 Person: An individual, corporation, limited liability company, general or limited partnership, joint venture, business trust, or any other form of business entity or association.

1.10 PSE Pole: Any utility pole owned by PSE that is suitable for the installation of Small Cell Facilities. An Original PSE Pole is a pole that has not been replaced to accommodate Small Cell Facilities, but that is capable of accommodating Small Cell

Facilities. A Replacement PSE Pole means a pole that replaces an Original PSE Pole to accommodate Small Cell Facilities and does not result in an increase in the total number of PSE Poles. Each reference to a PSE Pole herein shall be deemed to include any Original PSE Pole and any Replacement PSE Pole.

1.11 Right-of-Way: Land acquired by reservation, dedication, prescription or condemnation, and intended to be used as a road, sidewalk, utility line or other similar public use. This term shall not include county, state, or federal rights-of-way or any property owned by any person or agency other than the City of Mercer Island, except as provided by applicable Laws or pursuant to an agreement between the City and any such Person or Agency.

1.12 Services: Communications services offered by Crown Castle pursuant to its authority from the WUTC to provide competitive local exchange services.

1.13 Small Cell Facilities: The optical converters, remote radios, multiplexers, antennas, transmitters, receivers, backup power supplies, power transfer switches, cut-off switches, electric meters, coaxial cables, wires, telecom demarcation box and related materials and equipment (collectively the “Node”), and fiber optic cables, repeaters, splice cases and related materials and equipment (collectively the “Fiber”) to be installed and operated by Crown Castle hereunder at one or more individual pole locations as approved by City under this Franchise. Examples of typical Small Cell Facilities and installation configurations are shown in the drawings and photographs attached hereto as Exhibit B and incorporated herein by reference.

2. GRANT OF AUTHORITY

2.1 License to Use Rights-of-Way. Pursuant to RCW 35A.47.040, the City hereby grants Crown Castle a non-exclusive license to use the City’s Right-of-Way located in the 39 locations listed in Exhibit A to attach, install, construct, operate, lease, maintain, repair, replace, reattach, reinstall, relocate, and remove its Small Cell Facilities, subject to the conditions outlined in this Franchise. Small Cell Facilities shall not unreasonably impair any improvement or interfere with the intended use of the City’s Right-of-Way. Where necessary, Crown Castle shall obtain permission to attach to any PSE Poles, conduits or related facilities.

2.2 This Franchise does not confer any other rights not described herein nor does it permit Crown Castle or parties contracted to use Crown Castle’s Small Cell Facilities to use the City’s Right-of-Way for purposes not specified in this Franchise. Nothing in this Franchise shall be deemed to grant, convey, create, or vest in Crown Castle a real property interest in land, including any fee, leasehold interest, or easement.

2.3 Any work performed pursuant to the rights granted under this Franchise must be subject to prior review and approval by the City in accordance with all applicable existing Laws.

3. TERM AND AMENDMENTS

3.1 Term. This Franchise shall commence on the Effective Date and extend for an initial term of 5 years (the “Initial Term”), unless it is earlier terminated by either Party in accordance with the terms of the Franchise.

3.2 Renewal. This Franchise may be renewed for an additional term of 5 years upon the terms and conditions set forth herein, unless either Party chooses not to renew. If either Party chooses not to renew this Franchise, the Party shall provide written notice to the other Party of its intent not to renew this Franchise at least 180 days prior to the expiration of the Initial Term.

3.3 Effect of Expiration of Franchise. Upon expiration of the Franchise, Crown Castle shall have up to 90 days following expiration in which to remove all of its Small Cell Facilities and related equipment from City Rights-of-Way, except as otherwise provided in Subsection 7.1. Within 30 days following expiration, Crown Castle shall provide the City with a schedule and timeline for removing the Small Cell Facilities. Thereafter, Crown Castle shall have no access to City Rights-of-Way for the purpose of installing any Small Cell Facilities.

3.4 Amendments. Either Party shall have the right to request an amendment of this Franchise on the 5th anniversary of the Effective Date and each renewal period thereafter, provided notice to amend is sent to the other Party no later than 90 days prior to the end of the Initial Term or then-effective Renewal Term. Any contractual amendments shall be approved by an ordinance of the City Council.

3.4.1 If the Parties have not reached agreement on contractual amendments by the end of the then-existing Term, the Parties may agree in writing to a temporary extension of the Franchise as appropriate and necessary to complete negotiations on proposed contractual amendments. If following negotiations, the Parties cannot reach agreement on contractual amendments, the City shall have the right to terminate this Franchise at the end of the agreed upon temporary extension period by providing written notice thereof to Crown Castle. In no event shall the City have the right to terminate this Franchise prior to the expiration of the Term due solely to the Parties failing to reach an agreement on an amendment to the Franchise requested by the City.

4. ADMINISTRATIVE FEES AND UTILITY TAX

4.1 Franchise Fees Prohibited by State Law. Pursuant to RCW 35.21.860, the City is prohibited from imposing franchise fees upon a telephone business, as defined in RCW 82.16.010, or a Service Provider for use of the Right-of-Way, as defined in RCW 35.99.010, except a utility tax or actual administrative expenses related to the franchise incurred by the City. Crown Castle does hereby warrant that its operations, as authorized under this Franchise, are those of a Service Provider as defined in RCW 35.99.010.

4.2 Reimbursement of Costs. Crown Castle shall be subject to a seven thousand dollar (\$7,000) administrative fee for reimbursement of costs associated with the preparation, processing and approval of this Franchise, including wages, benefits, overhead expenses, meetings, negotiations and other functions related to the approval. The administrative fee excludes normal permit fees required for the work in the City Right-of-Way. Payment of the one-time administrative fee is due within 30 days after the Mercer Island City Council's approval of the Franchise ordinance.

4.3 Changes in State Law. If RCW 35.21.860 is amended to allow collection of a franchise fee, this Franchise shall be amended to require franchise fee payments as allowed by Law or, if the amount of the franchise fee is not expressly set by such Law, by the amount agreed-upon by the Parties.

4.4 Provision of Dark Fiber to the City. Crown Castle agrees that at all times during the term of this Franchise it shall reserve 4 strands of unlit (dark) fiber owned by Crown Castle in the City Right-of-Way for the City's exclusive use in operating any noncommercial data network or communications function.

4.5 Electricity Charges. Crown Castle shall be solely responsible for the payment of all electrical utility charges to the applicable utility company based upon the Small Cell Facilities' usage of electricity and applicable tariffs.

5. APPROVAL OF SMALL CELL FACILITIES

5.1 Right-of-Way Permit. Crown Castle has applied for, and is required to obtain a City Right-of-Way permit ("ROW Permit") for the construction and installation of its each of its 39 Small Cell Facilities in the City Rights-of-Way identified in Exhibit A. The application for the ROW Permit includes, but is not limited to all of the following:

5.1.1 The ROW Permit Application fees;

5.1.2 A site plan that includes the property lines, adjacent City Rights-of-Way, private roads, and existing and proposed structures. The City may require the site plan to include all PSE Poles within 100 feet, if necessary. Maps shall be drawn at 1:20 scale;

5.1.3 Scaled elevations depicting the size and locations of proposed Small Cell Facilities on the PSE Pole;

5.1.4 Photo simulations of the Small Cell Facility site showing current and proposed conditions;

5.1.5 A tree plan, shown either on the site plan required in this Section 5.1.2 or on a separate tree plan, but only for those Small Cell Facilities where Crown Castle will trim or cut any trees. The tree plan shall show the location, diameter, species of all significant trees (defined as conifers greater than 6 feet tall or deciduous trees greater than 6 inches in diameter at 4 ½ feet above the ground), clearly designate

all eagle perch/nest trees, and draw an X through trees proposed to be removed or pruned. No trees may be cut or pruned without the City's approval in the ROW Permit and shall be consistent with the requirements of Section 6.12 of this Franchise;

5.1.6 Engineering plans (if required by Law), and construction plans and drawings;

5.1.7 A document demonstrating compliance with all the applicable location and design criteria in Section 6 of this Franchise; and

5.1.8 A copy of the notice sent to property owners within 150 feet of the proposed Small Cell Facility, in a form acceptable to the City, and an affidavit of mailing.

5.2 Right-of-Way Determination. The City will determine whether the location of any PSE Pole identified by Crown Castle as a proposed location for its Small Cell Facilities is within City Right-of-Way. If it is not, the request would be outside the scope of the Franchise as City would not have authority to approve the application.

5.3 Inventory. Crown Castle shall maintain a current Inventory of Facilities throughout the Term of this Franchise. Crown Castle shall provide to City a copy of the Inventory no later than 180 days after the effective date of this Franchise, and shall be updated within 30 business days of a reasonable request by the City. The Inventory shall include GIS coordinates, date of installation, type of PSE Pole used for installation, description/type of installation for each Small Cell Facility installation and photographs taken before and after the installation of the Small Cell Facility and taken from the public street. Concerning Small Cell Facilities that become inactive, the Inventory shall include the same information as active installations in addition to the date the Facilities were deactivated and the date the Facilities were removed from the Right-of-Way. The City shall compare the Inventory to its records to identify any discrepancies, and the Parties will work together in good faith to resolve any discrepancies. Crown Castle will only be required to report one time on an Inventory any Facilities which were removed from the Right-of-Way.

5.4 Unauthorized Installations. Any Crown Castle Small Cell Facilities installations in the City Right-of-Way that were not authorized under this Franchise or other approval by the City ("Unauthorized Facilities") that are identified by the City as a result of comparing the Inventory to internal records or through any other means will be subject to the payment of an Unauthorized Facilities Charge by Crown Castle. City shall provide written notice to Crown Castle of any Unauthorized Facilities identified by City staff and Crown Castle shall have 30 days thereafter in which to establish that this site was authorized. Failure to establish that the site is authorized will result in the imposition of an Unauthorized Facilities Installation Charge in the amount of \$1,000.00 per Unauthorized Facility per day starting on the 31st day. Crown Castle may submit an application to the City under this Franchise for approval of the Unauthorized Facilities. If the application for the Unauthorized Facilities is not approved based on applicable considerations under this

Franchise or applicable Laws, Crown Castle shall remove the Unauthorized Facilities and any related facilities from the City's Right-of-Way within thirty (30) days after the expiration of all appeal periods for such denial. The City shall not refund any assessed fines, unless Crown Castle is successful in an appeal.

5.5 Revocation. The Director may revoke Crown Castle's permission to use a licensed location listed in Exhibit A for Crown Castle's non-compliance with a term or terms of this Franchise subject to the same notice and right to cure procedures for a default in Section 14.4. The Director may amend or supplement Exhibit A as needed to remove the Small Cell Facilities subject to the revocation during the Term of this Franchise without approval from City Council.

6. CONSTRUCTION OF FACILITIES REQUIREMENTS

6.1 Compliance with Law Required. The work done by Crown Castle in connection with the installation, construction, maintenance, repair, and operation of Small Cell Facilities on PSE Poles within the Public Right-of-Way shall be subject to and governed by all applicable Laws related to the construction, installation, operation, maintenance, and control of Crown Castle's Small Cell Facilities installed in the City's Right-of-Way. Crown Castle shall not attach, install, maintain, or operate any Small Cell Facilities or other equipment in or on the City's Right-of-Way without the prior approval of the City for each location.

6.2 Duty to Minimize Interference.

6.2.1 All PSE Pole excavations, construction activities, and aerial installations on PSE Poles in the City Rights-of-Way shall be conducted in a manner that minimizes interference with the use of the City's Rights-of-Way and with the use of private property, in accordance with all regulations of the City necessary to provide for public health, safety and convenience. Notwithstanding the non-exclusive nature of this Franchise, City agrees that it will not grant the right to use the City Right-of-Way to any other franchisee or permittee if the City knows that such use is likely to physically interfere with or create electronic interference with Crown Castle's existing Small Cell Facilities in the City Right-of-Way.

6.2.2 If the City receives an application from another franchisee or permittee for the installation of Small Cell Facilities within 100 feet of Crown Castle's Small Cell Facilities approved herein, and the City reasonably believes such facilities might create physical or electronic interference with Crown Castle's Small Cell Facilities, then the City may instruct the other franchisee or permittee to provide written notice to Crown Castle of the proposed installation. The notice shall include a description of the radio frequencies, power levels, direction of broadcast, location of the proposed installation and any other information that is reasonably necessary for Crown Castle and its customers to confirm whether there will be any physical or electronic interference with Crown Castle's Small Cell Facilities. Within 30 days after receipt of the notice required herein, Crown Castle shall notify the other franchisee or permittee and the City if there is reasonable cause to believe there will

be physical or electronic interference from the proposed installation. If Crown Castle notifies the franchisee or permittee and the City that there will not be any interference, or if Crown Castle fails to respond within the 30 day period, the City shall have satisfied its duty to avoid interference with under this Section 6.2.

6.3 Location Priorities. This section establishes the City’s priorities for locating Small Cell Facilities in the City’s Rights-of-Way in a manner that minimizes potential incompatibilities with adjacent uses. The location priorities in Section 6.3 shall be balanced with the design priorities in Section 6.4, and are subject to 47 U.S.C. § 332, which allows Crown Castle to use the least intrusive means to close a significant gap in wireless service in the City. When the location and design priorities are inconsistent for a proposed Small Cell Facility, the Director will implement the priorities in the following order: Trees, Views, then Streets.

6.3.1 Streets. On Public Rights-of-Way, in the following order of priority:

6.3.1.1 Major, Secondary and Collector streets

6.3.1.2 Local

A Small Cell Facility may be located on a Local street if the coverage objective will not be met if the Small Cell Facility is installed on a nearby Major, Secondary or Collector street.

6.3.2 Views. On PSE Poles in a location that minimizes the appearance of Small Cell Facilities in existing community views to the maximum extent feasible. For purposes of this section, “community views” means a view of Lake Washington from public right-of-way, occupied space on adjacent residential or commercial properties.

6.3.3. Trees. On PSE Poles that are in a location in the following order of priority:

6.3.3.1 The installation will not require the cutting or pruning of trees or other vegetation.

6.3.3.2 The installation of the Small Cell Facility will require pruning of trees or other vegetation, provided that any pruning shall be the minimum necessary and shall not constitute a threat to the tree’s or vegetation’s health or safety in the opinion of the City Arborist. No trees may be cut for a Small Cell Facility.

6.4 Design Requirements and Priorities. This section establishes the design requirements and priorities for Small Cell Facilities. For the 39 Small Cell Facilities listed on Exhibit A, the design requirements and priorities are intended to be concealment features when considering whether a proposed modification is a substantial change under Section 6409(a) of the Spectrum Act, 47 U.S.C. § 1455(a).

6.4.1 No co-location. Each PSE Pole shall contain no more than one Small Cell Facility.

6.4.2 Antenna Design. Antennas shall measure no larger than 2 feet in height and 14 inches in width.

6.4.3 Antenna Location. Antennas shall be located in the following order of priority:

6.4.3.1 Within the communication space of the PSE Pole as illustrated in Exhibit C.

6.4.3.2 A pole top extension to locate antenna equipment above the electrical conductor. Pole top extensions shall meet all PSE requirements and shall not extend beyond the top of the pole more than 48 inches.

6.4.4 Small Cell Facilities Cabinet Location and Dimensions. The equipment cabinets for Small Cell Facilities shall be located below the antennas in the communications space on the PSE Pole as illustrated in Exhibit C. The equipment cabinets for Small Cell Facilities shall not exceed 10 cubic feet in volume on any one PSE Pole for the 39 Small Cell Facilities listed on Exhibit A.

6.4.5 Replacement PSE Poles Height. Replacement PSE Poles shall not be more than 15% or 10 feet taller than the Original PSE Pole, whichever is less, except for guy poles which may be increased to a height equal to the surrounding PSE Poles upon a showing that the proposed height increase must be granted in order to allow Crown Castle to use the least intrusive means to close a significant gap in wireless service.

6.4.6 Other Design Priorities.

6.4.6.1 Color and Material. Small Cell Facilities antennas, conduit, mounting hardware and equipment cabinets shall be painted to match the color of the PSE Pole, or at the City's preference, Crown Castle shall paint its Small Cell Facilities any color of the City's choosing, so long as the paint is reasonably commercially available. If Small Cell cabinets require a special heat-reducing paint finish, they shall be a neutral color such as brown, beige, off-white, or light gray.

6.4.6.2 Flush Mount. All Small Cell Facilities shall be Flush-Mounted.

6.4.6.3 No Illumination. Small Cell Facilities shall not be illuminated.

6.4.6.4 Concealed Wires. Small Cell Facilities' external cables and wires shall be enclosed in a conduit so that wires are protected and not visible or

visually minimized to the maximum extent possible, except for the space between the conduit and the antennas and/or equipment cabinets.

6.5 Upgrading Design Requirements. Every 5 years following the Effective Date, Crown Castle and the City shall review Small Cell Facility size to ensure the visual impacts of Small Cell Facilities are consistent with the antennas, equipment and equipment cabinets then-available that will satisfy engineering requirements and the service objectives of the site. In the event the City reasonably determines following this review that smaller antennas, equipment and/or equipment cabinets are available and will satisfy engineering requirements and service objectives of the site, Crown Castle shall propose a plan to replace the identified Small Cell Facilities within 2 years. Any Small Cell Facilities not replaced within 2 years shall be deemed an “Unauthorized Installation” and shall be subject to the imposition of an Unauthorized Installation Charge on day 1 of year 3 as set forth in Section 5.4.

6.6 Underground District. If any PSE Poles at a licensed location are removed for the purpose of undergrounding the utilities during the Term of this Franchise, then Crown Castle shall comply with such undergrounding requirement as set forth in this subsection. Crown Castle agrees to underground its fiber and power, at its own expense, in the event all overhead utilities are undergrounded in an area in which Small Cell Facilities are installed. The City agrees that only fiber and power connections will be required to be undergrounded in underground utility districts.

6.7 Installation. Crown Castle shall, at its own cost and expense, install the Small Cell Facilities in a good and workmanlike manner and in accordance with the requirements promulgated by the Director, as such may be amended from time to time. Crown Castle’s work shall be subject to the regulation, control and direction of the Director as allowed by Law. All work done in connection with the installation, operation, maintenance, repair, modification, upgrade, removal, and/or replacement of the Small Cell Facilities shall be in compliance with all Laws.

6.7.1 Inspections. The Director may perform visual inspections of any Small Cell Facilities located in the City Right-of-Way as the Director deems appropriate without notice. If the inspection requires physical contact with the Small Cell Facilities, the Director shall provide written notice to Crown Castle within 5 business days of the planned inspection. Crown Castle may have a representative present during such inspection.

6.7.2 Emergency. In the event of an emergency, the City may, but is not required to, notify Crown Castle of an inspection. The City may take action necessary to remediate the emergency situation, and the Director shall notify Crown Castle as soon as practically possible after remediation is complete.

6.8 Placement. Small Cell Facilities shall not impede pedestrian or vehicular traffic in the Right-of-Way. If Small Cell Facilities are installed in a location that is not in accordance with the plans approved by the Director and impedes pedestrian or vehicular

traffic or does not comply or otherwise renders the City Right-of-Way non-compliant with applicable Laws, including the American Disabilities Act, then Crown Castle shall remove the Small Cell Facilities. Crown Castle shall be subject to a \$2,000 per day penalty for every day more than 10 business days after City has delivered written notice of such condition to Crown Castle until the Small Cell Facility is relocated to the correct area consistent with Exhibit A and/or the application materials, regardless of whether or not Crown Castle's contractor, subcontractor, or vendor installed the PSE Pole or Small Cell Facilities.

6.9 Electrical Supply. Crown Castle shall be responsible for obtaining any required electrical power service to the Small Cell Facilities. The City shall not be liable to Crown Castle for any stoppages or shortages of electrical power furnished to the Small Cell Facilities, including without limitation, stoppages or shortages caused by any act, omission, or requirement of the public utility serving the structure or the act or omission of any other tenant of the structure, or for any other cause beyond the control of the City.

6.10 Fiber Connection. Crown Castle shall be responsible for obtaining access and connection to fiber optic lines or other backhaul solutions that may be required for its Small Cell Facilities.

6.11 Generators. Crown Castle shall not install any generators without the City's prior approval in accordance with Laws.

6.12 Pruning or Cutting of Trees. Crown Castle shall make every effort to avoid unnecessary pruning or trimming of any trees or vegetation in the vicinity of the Small Cell Facilities. Crown Castle shall also make every effort to avoid damaging any trees or vegetation in the vicinity of the Small Cell Facilities.

6.12.1 Trees on Public Property. Crown Castle, its contractors, and agents shall apply for a tree permit to cut or prune a tree on public property in accordance with the chapter 19.10 of the Mercer Island City Code (MICC) as now enacted or hereafter amended. Crown Castle shall provide 7 days' advance notice to the City's Right-of-Way Manager before any pruning or cutting of trees on public property and any pruning or cutting shall be supervised by the City's Right-of-Way Manager and meet industry standards. Crown Castle shall also provide 7 days' advance notice to the adjacent property owners before cutting or pruning a tree on public property. Any trees that are cut pursuant to a tree permit shall be replaced on the subject property as specified in chapter 19.10 MICC. All tree trimming and cutting operations should comply with the Manual on Uniform Traffic Control Devices (MUTCD) on temporary traffic control standards when utilizing the City's Right-of-Way.

6.12.2 Trees on Private Property. Crown Castle shall not prune or cut any trees on private property, unless Crown Castle has the express, written permission of the property owner and a tree permit is obtained, if applicable.

6.12.3 The City shall not be liable for any damages, injuries, or claims arising from Crown Castle's actions under this section.

6.13 Graffiti Abatement. As soon as practical, but not later than 14 days from the date Crown Castle receives notice thereof, Crown Castle shall remove all graffiti on any of its Small Cell Facilities located in the City's Right-of-Way. The foregoing shall not relieve Crown Castle from complying with any City graffiti or visual blight ordinance or regulation.

6.14 Repairs. Whenever the installation, placement, attachment, repair, modification, removal, operation, use, or relocation of the Small Cell Facilities, or any portion thereof is required or permitted under this Franchise, and such installation, placement, attachment, repair, modification, removal, operation, use, or relocation causes any property of the City to be damaged or to have been altered in such a manner as to make it unusable, unsafe, or in violation of any Laws, Crown Castle, at its sole cost and expense, shall promptly repair and return such property to its original condition. If Crown Castle does not repair such property or perform such work as described in this paragraph, then the City shall have the option, upon 15 days' prior written notice to Crown Castle or immediately if there is an imminent danger to the public, to perform or cause to be performed such reasonable and necessary work on behalf of Crown Castle and to charge Crown Castle for the reasonable and actual costs incurred by the City. Crown Castle shall reimburse the City for its actual repair costs within 30 days after receiving the invoice from the City.

6.15 No Interference.

6.15.1 Crown Castle, in the performance and exercise of its rights and obligations under this Franchise shall not physically interfere in any manner with the existence and operation of any and all existing public and private rights-of-way, sanitary sewers, water mains, storm drains, gas mains, poles, aerial and underground electrical and telephone wires, electroliers, cable television, and other telecommunications, utility, or municipal property, without the express written approval of the owner or owners of the affected property or properties, except as permitted by applicable Law or this Franchise.

6.15.2 If Crown Castle's Small Cell Facilities physically interfere with any of the activities enumerated within Section 6.15.1 above, then Crown Castle shall promptly cease operation of or relocate the Small Cell Facilities causing the interference upon receiving notice from the City. If, 10 days after receipt of written notice from the City of such interference, the Small Cell Facilities continue to interfere, such Small Cell Facilities may be deemed unauthorized and subject to the provisions of Section 5.4 of this Franchise.

6.15.3 Following installation or modification of Small Cell Facilities, the Director may require Crown Castle to test the Small Cell Facilities' radio frequency and other functions to confirm it does not interfere with the City's Operations or other equipment or property that are located within ten (10) meters of the Small Cell Facilities.

6.15.4 The City will include in any agreement or otherwise obligate other wireless services providers or communications services providers with permission from the City to use the Right-of-Way to provide Wireless Services to comply with the provisions of Section 6.15 of this Franchise to avoid, correct, and/or eliminate physical or harmful interference with Crown Castle's Small Cell Facilities.

6.15.5 The Parties acknowledge that the rules and regulations of the Federal Communications Commission regarding radio frequency interference apply to the terms of this Franchise.

7. ABANDONMENT, RELOCATION AND REMOVAL

7.1 Abandonment of Obsolete Facilities. Crown Castle shall remove or receive the City's permission to abandon Small Cell Facilities when such facilities are no longer used or useful regardless of whether or not it receives notice from the City. Unless the City sends notice that removal must be completed immediately to ensure public health, safety, and welfare, or that the Facilities may be abandoned, the removal must be completed within the earlier of 90 days of the Small Cell Facilities no longer being used or useful or within 90 days of receipt of written notice from the City. When Crown Castle removes or abandons permanent structures in the City Right-of-Way as allowed by this Franchise, Crown Castle shall notify the Director in writing of such removal or abandonment and shall file with the Director the location and description of each Small Cell Facility removed or abandoned. The Director may require Crown Castle to complete additional remedial measures necessary for public safety and the integrity of the City Right-of-Way. Small Cell Facilities not approved to be abandoned pursuant to this Section 7.1 shall be deemed an "Unauthorized Installation" and shall be subject to the imposition of Unauthorized Installation Charges as set forth in Section 5.4.

7.2 Removal Required by City.

7.2.1 Crown Castle shall, at its sole cost and expense, promptly disconnect, remove, or relocate the applicable Small Cell Facilities within the time frame and in the manner required by the Director if he/she reasonably determines that the disconnection, removal, or relocation of any part of the Small Cell Facilities (a) is necessary to protect the public health, safety, welfare, or City property, (b) the Small Cell Facilities, or portion thereof, is adversely affecting proper operation of streetlights or City property, or (c) Crown Castle fails to obtain all applicable licenses, Permits, and certifications required by Law for its Small Cell Facilities, or use of any licensed location under this Franchise. If the Director reasonably determines that there is imminent danger to the public, then the City may immediately secure, adjust, disconnect, remove, or relocate the applicable Small Cell Facilities at Crown Castle's sole cost and expense.

7.2.2 The Director shall provide 90 days' prior written notice to Crown Castle before removing a Small Cell Facility under this Section 7.2, unless there is imminent danger to the public health, safety, and welfare.

7.2.3 Crown Castle shall reimburse the City for the City's actual cost of removal of Crown Castle's Small Cell Facilities or PSE Poles in accordance with this Franchise within 30 days of receiving an invoice from the City.

7.3 Removal, Abandonment or Relocation by Crown Castle.

7.3.1 If Crown Castle removes or relocates any Small Cell Facilities at its own discretion, it shall notify the Director in writing not less than 10 business days prior to removal or relocation. Crown Castle shall obtain all Permits required for relocation or removal of its Small Cell Facilities prior to relocation or removal. Crown Castle shall also update the Inventory of its Small Cell Facilities required in Section 5.3 within 30 days of such removal or relocation.

7.3.2 The City shall not issue any refunds for any amounts paid by Crown Castle for any reason for Small Cell Facilities that have been removed.

7.3.3 In the event Crown Castle desires to abandon any part of the Small Cell Facilities in the City Right-of-Way, it shall file a written request with the Director describing the nature and location of the Small Cell Facilities to be abandoned. The Director may allow, condition or deny, at the Director's sole discretion, Crown Castle's request. If the Director does not respond to Crown Castle's request within 60 days, the request shall be deemed approved.

7.4 Removal or Relocation Required for City Project.

7.4.1 Crown Castle understands and acknowledges that the City may require Crown Castle to remove or relocate its Small Cell Facilities, or any portion thereof, from the City Right-of-Way, and Crown Castle shall, at the Director's direction, remove or relocate the same at Crown Castle's sole cost and expense, whenever the Director reasonably determines that the relocation or removal is needed for any of the following purposes:

7.4.1.1 Required for the construction, completion, repair, widening, relocation, or maintenance of, or use in connection with, any City construction or maintenance project.

7.4.1.2 Required to locate the utilities underground as set forth in this Franchise.

7.4.2 In any such case, the City shall use reasonable efforts to afford Crown Castle a reasonably equivalent alternate location, if available.

7.4.3 If Crown Castle fails to remove or relocate the Small Cell Facilities, or any portion thereof, as requested by the Director within 90 days of Crown Castle's receipt of the request, then the City shall be entitled to remove the Small Cell

Facilities, or any portion thereof, at Crown Castle's sole cost and expense, without further notice to Crown Castle, and Crown Castle shall, within 30 days following issuance of invoice for the same, reimburse the City for its reasonable expenses incurred in the removal (including, without limitation, overhead and storage expenses) of the Small Cell Facilities, or any portion thereof.

7.5 Removal Required After Termination or Expiration of Franchise. Within 30 days after termination or expiration of this Franchise, Crown Castle shall commence removal of all of Crown Castle's Small Cell Facilities from the City Right-of-Way and peaceably surrender the licensed location to City in the same condition the City Right-of-Way was in on the date the Permit was granted for that licensed location, excepting ordinary wear and tear. Removal of all of Crown Castle's Small Cell Facilities under this section shall be completed within 180 days. If Crown Castle fails to begin removal of the Small Cell Facilities on or before the 30th day after the Franchise expires or terminates or fails to complete removal within 180 days, the City may remove, store, or dispose of any remaining portion of the Small Cell Facilities in any manner the Director deems appropriate. Crown Castle shall, within 30 days after receipt of the City's written request and invoice, reimburse the City for all costs incurred by the City in connection therewith (including any reasonable overhead and storage expenses). The terms of this Section 7.5 shall not apply to Small Cell Facilities which may be abandoned in the City Right-of-Way pursuant to the written approval of the Director.

7.6 Removal Required After Revocation. Within 30 days after the date of the notice of revocation of a licensed location, Crown Castle shall commence removal of the Small Cell Facilities from the City Right-of-Way and peaceably surrender the licensed location to City in the same condition the City Right-of-Way was in on the date the Permit was granted for that licensed location, excepting ordinary wear and tear. If Crown Castle fails to complete removal within 90 days, the City may remove, store, or dispose of any remaining portion of the Small Cell Facilities in any manner the Director deems appropriate. Crown Castle shall, within 30 days after receipt of the City's written request and invoice, reimburse the City for all costs incurred by the City in connection therewith, including any reasonable overhead and storage expense. The terms of this Section 7.6 shall not apply to Small Cell Facilities which may be abandoned in the City Right-of-Way pursuant to the written approval of the Director.

7.7 Ownership. The City agrees that no part of any Small Cell Facilities constructed, modified, or erected or placed within the City Right-of-Way by Crown Castle will become, or be considered by the City as being affixed to or a part of, the City Right-of-Way. All portions of the Small Cell Facilities constructed, modified, erected, or placed by Crown Castle on the City Right-of-Way will be and remain the property of Crown Castle and may be removed by Crown Castle at any time during or after the Term consistent with this Franchise.

7.8 Restoration. Crown Castle shall repair any damage to the City Right-of-Way, and the property of any third party resulting from Crown Castle's removal or relocation activities (or any other of Crown Castle's activities hereunder) within 10 days following

the date of such removal or relocation, at Crown Castle's sole cost and expense, including restoration of the City Right-of-Way and such property to the same or better condition as it was immediately before the date Crown Castle was granted a Permit for the applicable licensed location, including restoration or replacement of any damaged trees, shrubs or other vegetation. Such repair, restoration and replacement shall be subject to the sole, reasonable approval of the Director.

7.9 Crown Castle Responsible. Crown Castle shall be responsible and liable for the acts and omissions of Crown Castle's employees, temporary employees, officers, directors, consultants, agents, affiliates, subsidiaries, sublicensees, sublessees, and subcontractors in connection with the performance of this Franchise, as if such acts or omissions were Crown Castle's acts or omissions.

8. INDEMINIFICATION AND INSURANCE

8.1 Indemnification. Crown Castle shall defend, indemnify, and hold harmless the City, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of Crown Castle's use of the City's Rights-of-Way, or from the conduct of Crown Castle's business, or from any activity, work or thing done, permitted, or suffered by Crown Castle in or about the City Rights-of-Way, including, but not limited to, reasonable attorneys' fees and costs, except only such injury or damage as shall have been occasioned by the sole negligence of the City. This section shall survive the expiration or termination of the Franchise.

8.2 Insurance Term. Prior to the commencement of any work pursuant to this Franchise, Crown Castle shall procure and maintain for the duration of the Franchise, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the Crown Castle's operation and use of the City's Rights-of-Ways. Crown Castle shall file with the City evidence of insurance coverage satisfactory to the City with minimum coverage and limits of liability specified below.

8.3 No Limitation. Crown Castle's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the Crown Castle to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

8.4 Minimum Scope of Insurance. Crown Castle shall obtain insurance of the types and coverage described below:

8.4.1 Commercial General Liability insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover liability arising from operations, products-completed operations, and stop-gap liability as applicable. There shall be no exclusion for liability arising from explosion, collapse or underground property damage. The City shall be named as additional an insured on Crown Castle's Commercial General Liability insurance policy using ISO

Additional Insured-Managers or Lessors of Premises Form CG 20 11 or a substitute endorsement providing at least as broad coverage.

8.4.2 Property insurance shall be written on an all risk basis.

8.5 Minimum Amounts of Insurance. Crown Castle shall maintain the following insurance limits:

8.5.1 Commercial General Liability insurance shall be written with limits no less than \$3,000,000 each occurrence, \$5,000,000 general aggregate;

8.5.2 Property insurance shall be written covering the full value of Crown Castle's property and improvements with no coinsurance provisions;

8.5.3 Automobile Liability insurance at least as broad as ISO CA 00 01 including coverage for owned, non-owned, leased, or hired vehicles, as applicable, with a minimum limit of \$3,000,000 each accident for bodily injury and property damage; and

8.5.4 Workers' Compensation insurance for Washington State as required by Title 51 RCW Industrial Insurance.

8.5.5 The City may reasonably increase the minimum policy limits and coverage from time to time as the City deems appropriate to adequately protect the City and the public.

8.6 Additional Insured. The Commercial General Liability insurance policy and Excess of Umbrella liability insurance, if any, shall name the City, its elected officials, officers, and employees as additional insureds as respects any covered liability arising out of Crown Castle's performance of this Franchise. Coverage shall be in an occurrence form and in accordance with the limits and provisions specified herein. Claims-made policies are not acceptable. Such insurance shall not be canceled, nor shall the occurrence or aggregate limits set forth above be reduced, until the City has received at least thirty (30) days' advance written notice of such cancellation or change. Crown Castle shall be responsible for notifying the City of such change or cancellation.

8.7 Other Insurance Provisions. Crown Castle's Commercial General Liability insurance policy or policies are to contain, or be endorsed to contain that they shall be primary insurance as respect to the City. Any Insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Crown Castle's insurance and shall not contribute with it.

8.8 Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

8.9 Verification of Coverage. Crown Castle shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Crown Castle.

8.10 Failure to Maintain Insurance. Failure on the part of Crown Castle to maintain the insurance as required shall constitute a material breach of the Franchise, upon which the City may, after giving 5 business days notice to Crown Castle to correct the breach, terminate the Lease or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand.

9. SECURITY

9.1 Within 30 days of the execution of this Franchise, Crown Castle shall maintain and furnish to the Director a Security in favor of the City. "Security" means either an executed performance bond, letter of credit, or a bank or cashier's check made payable to the City, or other form of security acceptable to the Director for the purpose of protecting the City from the costs and expenses associated with Crown Castle's failure to comply with its material obligations under and throughout the life of this Franchise, including but not limited to, (a) the City's restoration of its Right-of-Way; (b) the City's removal of any of Crown Castle's Small Cell Facilities that are abandoned without the Director's approval or not properly maintained or that need to be removed to protect public health, safety, welfare, or City property; or (c) the City's remediation of environmental and hazardous waste issues caused by Crown Castle after Crown Castle receives reasonable notice from the City of any of the non-compliance listed above and opportunity to cure.

9.2 The amount of the Security shall be determined by mutual agreement by Crown Castle and the City Attorney/Director in writing.

9.3 The Bond, if any, must be in a form approved by the City Attorney and issued by a corporate surety authorized and admitted to write surety bonds in Washington state. The surety must be listed on the current list of accepted sureties on federal bonds published by the United States Treasury Department or reinsured for any liability up to \$100,000.00, by a reinsurer listed on the U.S. Treasury list.

9.4 In the event the surety or party issuing the Security cancels or decides not to renew or extend the Security, Crown Castle shall obtain, and provide to the City Attorney for approval, a replacement Security with another surety, authorized to do business in Washington, within 30 days of the date the Security has been cancelled or non-renewed. If Crown Castle fails to provide the replacement Security within the 30-day period, the Director, after consulting with the City Attorney, may immediately suspend Crown Castle from any further performance under this Franchise and begin procedures to terminate for default pursuant to the terms of Section 13.4.

9.5 In the event that the City draws upon the Security, Crown Castle must replenish the amount of the Security within 30 days. Notwithstanding any provisions of this Franchise

to the contrary, the Director shall be required to notify Crown Castle in writing as a precondition to drawing on, seeking payment under, or executing against the Security.

9.6 In the event that Crown Castle shall fully and faithfully comply with all of the terms of this Franchise, the City shall return the Security to Crown Castle within 60 days of the Franchise's expiration or termination, to the extent such Security is not otherwise applied consistent with this Franchise.

10. RECORDS AND REPORTS

10.1 Crown Castle shall maintain Records of its operations under this Franchise that are open and accessible to the City. The City shall have the ability to inspect such Records of Crown Castle as are reasonably necessary to monitor compliance with the Franchise at a local office during Normal Business Hours and upon reasonable notice. Such notice shall specifically reference the Section of the Franchise that is under review, so that Crown Castle may organize the necessary books and records for easy access by the City. Such notice shall not apply to the Public Records File required by the FCC. If any such Records are under the control of an Affiliated Entity or a third party or are stored in a computer, Crown Castle shall promptly take steps to secure access to such records as are reasonably necessary for the City's inspection. Alternatively, if the books and records are not easily accessible at the local office of Crown Castle, Crown Castle shall pay the reasonable travel costs of the City's representative to view the books and records at the appropriate location.

10.2 Crown Castle acknowledges that information submitted to the City is subject to the Washington Public Records Act, chapter 42.56 RCW, and is open to public inspection, subject to any exceptions permitted by law (unless an exemption applies).

10.3 Crown Castle may identify documents submitted to the City that Crown Castle believes are non-disclosable, such as trade secrets. Crown Castle shall prominently mark any document for which it claims confidentiality with the mark "Confidential," in letters at least one-half (1/2) inch in height, prior to submitting such document to the City. The City shall treat any document so marked as confidential and will not disclose it to Persons outside of the City, except as required by law and as provided herein. If the City receives a public disclosure request for any documents or parts of documents that Crown Castle has marked as "Confidential," the City shall provide Crown Castle with written notice of the request, including a copy of the request. While it is not a legal obligation, the City, as a courtesy, will allow Crown Castle up to 10 business days to obtain and serve the City with a court injunction to prevent the City from releasing the documents. If Crown Castle fails to obtain a Court order and serve the City within the 10 business days, the City may release the documents. The City will not assert an exemption from disclosure or production on Crown Castle's behalf.

11. EQUAL EMPLOYMENT

11.1 Non-Discrimination in Employment and Benefits. During the performance of this Franchise, Crown Castle agrees as follows:

11.1.1 Crown Castle shall not discriminate against any employee or applicant for employment because of race, religion, creed, color, sex, age, marital status, sexual orientation, gender identity, political ideology, ancestry, national origin, or the presence of any sensory, mental or physical handicap, unless based upon a bona fide occupational qualification or any other unlawful basis. Crown Castle will make affirmative efforts to ensure that applicants are employed, and that employees are treated during employment, without regard to their creed, religion, race, color, sex, age, marital status, sexual orientation, gender identity, political ideology, ancestry, national origin, or the presence of any sensory, mental or physical handicap. Such efforts shall include, but are not limited to, the following: employment, upgrading, demotion, or transfer; recruitment, or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

11.1.2 Crown Castle shall substitute the name of the subcontractor wherever the word "Crown Castle" appears in Subsection 11.1.1 and insert these revised provisions in all subcontracts for work covered by this Franchise.

11.1.3 By acceptance of this Franchise, Crown Castle is affirming that it complies with all applicable federal, state, and local non-discrimination laws.

11.2 Women and Minority Business Enterprises ("WMBE").

11.2.1 Crown Castle shall use good faith efforts to promote and seek utilization of women and minority businesses for any subcontracting opportunities that arise in connection with this Franchise.

11.2.2 Efforts may include the use of solicitation lists, advertisements in minority community publications, breaking requirements into tasks or quantities that promote WMBE utilization, making schedule or requirement modifications likely to assist WMBE firms, targeted recruitment, and using minority community and public organizations to perform outreach.

11.2.3 Record-Keeping: Crown Castle shall maintain, for at least 24 months after the expiration or earlier termination of this Franchise, relevant records and information necessary to document all Crown Castle's solicitations to subcontractors and suppliers, all subcontractor and supplier proposals received, and all subcontractor and suppliers actually utilized in meeting Crown Castle's Franchise obligations. The City shall have the right to inspect and copy such records.

11.2.4 Crown Castle shall ensure that all employees, particularly supervisors, are aware of, and adhere to, their obligation to maintain a working environment free from discriminatory conduct, including, but not limited to, harassment and intimidation of women or minority businesses.

11.2.5 Non-Discrimination: Crown Castle shall not create barriers to open and fair opportunities for WMBEs to participate in any City contract and to obtain or compete for contracts and subcontracts as sources of supplies, equipment, construction and services.

12. TRANSFER OR ASSIGNMENT

12.1 Neither Crown Castle nor any other Person may transfer the Facilities or the Franchise without the prior written consent of the City, which consent shall not be unreasonably withheld or delayed. No change in control of Crown Castle, defined as an acquisition of 50% or greater ownership interest in Crown Castle, shall take place without the prior written consent of the City, which consent shall not be unreasonably withheld or delayed. No consent shall be required, however, for (i) a transfer in trust, by mortgage, hypothecation, or by assignment of any rights, title, or interest of Crown Castle in the Franchise or in the Facilities in order to secure indebtedness, or (ii) a transfer to an affiliated entity directly or indirectly owned or controlled by Crown Castle or its parent entities. Within 30 days of receiving a request for consent, the City shall, in accordance with FCC rules and regulations, notify Crown Castle in writing of the additional information, if any, it requires to determine the legal, financial and technical qualifications of the transferee or new controlling party. If the City has not taken action on Crown Castle's request for consent within 120 days after receiving such request, consent shall be deemed given.

12.2 Except as allowed in this Section 12, the Small Cell Facilities and this Franchise shall not be sold, assigned, transferred, leased or disposed of, either in whole or in part, either by involuntary sale or by voluntary sale, merger or consolidation; nor shall title thereto, either legal or equitable, or any right, interest or property therein pass to or vest in any Person without the prior written consent of the City, which consent shall not be unreasonably withheld.

12.3 Crown Castle shall promptly notify the City of any actual or proposed change in, or transfer of, or acquisition by any other party of control of Crown Castle. The word "control" as used herein is not limited to majority stock ownership but includes actual working control in whatever manner exercised. Every change, transfer or acquisition of control of Crown Castle shall make this Franchise subject to cancellation unless and until the City shall have consented thereto.

12.4 The parties to the sale, transfer or change of control shall make a written request to the City for its approval of a sale, transfer or change of control and shall furnish all information required by applicable law.

12.5 The City may condition the transfer of this Franchise upon such terms and conditions as it deems reasonably appropriate, including, for example, any adequate guarantees or other security, as allowed by applicable law. Additionally, the prospective controlling party or transferee shall effect changes as promptly as practicable in the operation of the Facilities, if any changes are necessary, to cure any violations or defaults presently in effect or ongoing.

12.6 The City shall act by ordinance or resolution on the request within 120 days of the request, provided it has received all information required by applicable law. Subject to the foregoing, if the City fails to render a final decision on the request within 120 days, such request shall be deemed granted unless the requesting party and the City agree to an extension of time.

12.7 Within 30 days of any transfer, sale or change of control, if approved or deemed granted by the City, Crown Castle shall file with the City a copy of the deed, agreement, lease or other written instrument evidencing such sale or transfer of ownership or control, certified and sworn to as correct by Crown Castle and the transferee or new controlling entity. In the event of a sale or transfer of ownership, the transferee shall also file its written acceptance agreeing to be bound by all of the provisions of this Franchise. In the event of a change in control, in which Crown Castle is not replaced by another entity, Crown Castle will continue to be bound by all of the provisions of the Franchise and will not be required to file an additional written acceptance. The approval of any change in control shall not be deemed to waive any rights of the City to subsequently enforce noncompliance issues relating to this Franchise.

12.8 Notwithstanding the foregoing, the City's consent shall not be required for a hypothecation or an assignment of Crown Castle's interest in the Franchise in order to secure indebtedness or for a transfer to an intra-company Affiliate, provided that Crown Castle must reasonably notify the City within 30 days and the Affiliate must have the requisite legal, financial and technical capability.

13. GENERAL PROVISIONS

13.1 Compliance with Laws. Notwithstanding anything to the contrary in this Franchise, each Party shall ensure that any and all activities it performs pursuant to this Franchise shall comply with all applicable Laws, including but not limited to: (i) worker's compensation laws, (ii) unemployment compensation laws, (iii) the Federal Social Security Law, (iv) the Fair Labor Standards Act, and (v) all Laws relating to environmental matters and occupational safety.

13.2 Force Majeure. Except for payment of amounts due, neither Party shall have any liability for its delays or its failure of performance due to: fire, explosion, pest damage, power failures, strikes or labor disputes, acts of God, the elements, war, civil disturbances, acts of civil or military authorities or the public enemy, inability to secure raw materials, transportation facilities, fuel or energy shortages, or other causes beyond its control, whether or not similar to the foregoing.

13.3 Notices. All notices pursuant to this Franchise shall be in writing and delivered personally or transmitted either: by (i) U.S. Postal Service registered or certified mail, postage pre-paid; or (ii) pre-paid overnight delivery service. Notices shall be deemed given upon receipt in the case of personal delivery, 3 days after deposit in the mail, or the next day in the case of overnight delivery. All notices shall be sent to at the following addresses, provided that either Party may from time to time designate any other address for this purpose by written notice to the other Party delivered in the same manner set forth above.

If to City:

City of Mercer Island
City Hall
9611 SE 36th Street
Mercer Island, WA 98040
Attn: City Manager

If to Crown Castle:

WA – CLEC LLC
c/o Crown Castle
2000 Corporate Drive
Canonsburg, PA 15317
Attn: Ken Simon, General Counsel

With a copy to:

WA – CLEC LLC
c/o Crown Castle
2000 Corporate Drive
Canonsburg, PA 15317
Attn: SCN Contracts Management

24/7 emergency contact number:

(206) 275-7610

24/7 emergency contact information:

Telephone: (888) 632-0931
Email: SCN.NOC@crowncastle.com

13.4 Termination.

13.4.1 Termination for Cause by City. If Crown Castle defaults under this Franchise, the City may terminate this Franchise subject to Crown Castle's ability to cure such defaults below. Default by Crown Castle includes, but is not limited to:

13.4.1.1 Failure of Crown Castle to comply with any material term of this Franchise;

13.4.1.2 Crown Castle becomes insolvent;

13.4.1.3 Crown Castle's failure to obtain all licenses, Permits, and certification required by the City under this Franchise (to the extent not unreasonably withheld by the City) and pay all fees associated therewith after the City has notified Crown Castle that licenses, Permits, and certifications must be obtained to work in the City Right-of-Way;

13.4.1.4 All or a substantial part of Crown Castle's assets are assigned for the benefit of its creditors;

13.4.1.5 A receiver or trustee is appointed for Crown Castle; or

13.4.1.6 Crown Castle fails to install any Small Cell Facilities in the City Right-of-Way within 1 year of the Effective Date of this Franchise.

13.4.2 If a default occurs, the City shall deliver a written notice to Crown Castle describing the default and the proposed termination date. If the City sends a default

notice, Crown Castle shall have 60 days from the receipt of such notice to cure the default (unless the nature of the event takes longer to cure and Crown Castle commences a cure within such 60 day period and thereafter diligently pursues it, but will not exceed 180 days unless agreed to by the City, which agreement will not be unreasonably withheld). If Crown Castle cures the default before the proposed termination date, the proposed termination is ineffective.

13.4.3 If the default is not cured in the time and manner set out above, then the City may immediately terminate this Franchise by notifying Crown Castle in writing of such termination. After receiving the notice, Crown Castle shall immediately cease operations and remove its Small Cell Facilities from the City Right-of-Way in accordance with Section 7 of this Franchise, and any payment due shall be remitted by Crown Castle within 30 days of the receipt of the notice to the address in the Section 13.3 of this Franchise.

13.5 Governing Law. This Franchise shall be governed and construed by and in accordance with the laws of the state of Washington without regard to its conflict of law provisions.

13.6 Venue. Any litigation between the City and Crown Castle arising under or regarding this Franchise shall occur if in the state courts, in the King County Superior Court, and if in the federal courts, in the United States District Court for the Western District of Washington.

13.7 Interpretation. All headings contained in this Franchise are inserted for convenience only and are not intended to affect the meaning or interpretation of this Franchise or any clause. All exhibits referred to in this Franchise and any addenda, attachments, and schedules which may from time to time be referred to in any duly executed amendment to this Franchise are by such reference incorporated in this Franchise and shall be deemed a part of this Franchise. Where appropriate: the singular shall include the plural and vice versa; “or” shall mean “and/or”; and “including” shall mean, including but not limited to.” In any case where the approval or consent of one Party hereto is required, requested or otherwise to be given under this Franchise, such Party shall not unreasonably delay, condition, or withhold its approval or consent.

13.8 Severability of Provisions. If any one or more of these provisions of this Franchise shall be held by court of competent jurisdiction in a final judicial action to be void, voidable, or unenforceable, such Provision(s) shall be deemed severable from the remaining provisions of this Franchise and shall not affect the legality, validity, or constitutionality of the remaining portions of this Franchise.

13.9 Waiver; Amendment. The waiver by either Party of any breach or violation of any provision of this Franchise shall not be deemed to be a waiver or continuing waiver of any subsequent breach or violation of the same or any other provision of this Franchise. This Franchise may not be amended except pursuant to a written instrument signed by both Parties.

13.10 Representations and Warranties. Each of the Parties represents and warrants that it has the full right, power, legal capacity, and authority to enter into and perform the Parties' respective obligations hereunder and that such obligations shall be binding upon such Party without the requirement of the approval or consent of any other person or entity in connection herewith, except as provided specifically herein.

13.11 Entire Franchise. This Franchise contains the entire understanding between the Parties with respect to the subject matter herein. There are no representations, agreements, or understandings, whether oral or written, between or among the parties relating to the subject matter of this Franchise which are not fully expressed herein.

13.12 Publication Costs. Crown Castle shall reimburse the City for the cost of publishing the Franchise ordinance within 30 days of receipt of the City's invoice.

IN WITNESS WHEREOF, and in order to bind themselves legally to the terms and conditions of this Franchise, the duly authorized representatives of the Parties have executed this Franchise as of the Effective Date.

CITY OF MERCER ISLAND

WA – CLEC LLC

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Exhibit A

List of 39 locations licensed by this Franchise

[To be added at Second Reading]

Exhibit B

Examples of typical Small Cell Facilities and installation configurations

[To be added at Second Reading]

Exhibit C

PSE Pole Diagram

[To be added at Second Reading]



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

**AB 5232
November 21, 2016
Regular Business**

**2017 COMPREHENSIVE PLAN AMENDMENT
FINAL DOCKET**

Proposed Council Action:

Adopt Resolution No. 1526 establishing the 2017 Comprehensive Plan amendment final docket.

DEPARTMENT OF	Development Services Group (Scott Greenberg)
COUNCIL LIAISON	n/a
EXHIBITS	1. Memo to Planning Commission, Oct. 14, 2016 with Attachments 2. Proposed Resolution No. 1526
APPROVED BY CITY MANAGER	

AMOUNT OF EXPENDITURE	\$	na
AMOUNT BUDGETED	\$	na
APPROPRIATION REQUIRED	\$	na

SUMMARY

Mercer Island City Code section 19.15.050(D)(1) establishes a docketing process for the development of a Comprehensive Plan amendment “work program” for the following year. The docketing process requires that the Planning Commission review the preliminary docket of proposed Comprehensive Plan amendments requested by the City and submitted by private parties and make a recommendation to the City Council of which proposed amendments should be further analyzed and acted upon in 2017.

On October 19, 2016, the Planning Commission recommended by a 6-1 vote that all of the amendment requests on the preliminary docket be moved forward to the final docket. The docket items are described on both Exhibits 1 and 2. The Planning Commission found that all proposals met the following criteria (from MICC 19.15.050(E)):

1. *The request has been filed in a timely manner, and either:*
 - a. *State law requires, or a decision of a court or administrative agency has directed, such a change;*
or
 - b. *All of the following criteria are met:*
 - i. *The proposed amendment presents a matter appropriately addressed through the comprehensive plan;*
 - ii. *The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;*
 - iii. *The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;*
 - iv. *The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city’s vision; and*
 - v. *The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the*

proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

The City Council's role in the docketing process is described in MICC 19.15.050(D)(1)(d):

“The city council shall review the preliminary docket at a public meeting. By December 31, the city council shall establish the final docket based on the criteria in subsection E of this section. Once approved, the final docket defines the work plan and resource needs for the following year’s comprehensive plan amendments.”

The threshold question for the City Council is whether the items on the preliminary docket should be further analyzed and considered by the Planning Commission, City Council and community in 2017. The City Council is under no obligation to approve a proposed amendment just because it is on the final docket. The decision to actually amend the Comprehensive Plan will come in 2017 after SEPA environmental review, consideration of each item by the Planning Commission and City Council, and public hearing(s).

The final docket should be adopted by resolution (Exhibit 2). Following City Council adoption of the final docket, the docket will serve as part of the work program for the Planning Commission and staff for 2017.

RECOMMENDATION

Development Services Group Director

MOVE TO: Adopt Resolution No. 1526 adopting the 2017 Comprehensive Plan amendment final docket.



DEVELOPMENT SERVICES GROUP

9611 SE 36TH ST., MERCER ISLAND, WA 98040
(206) 275-7605

TO: Planning Commission

FROM: Evan Maxim, Planning Manager

DATE: October 14, 2016

RE: Preliminary Docket – 2017 Comprehensive Plan Amendments

Summary

The City Council recently adopted a docketing process for the development of a Comprehensive Plan amendment “work program” for the following year. The docketing process requires that the Planning Commission review the preliminary docket of proposed Comprehensive Plan amendment and make a recommendation to the City Council. The threshold question for the Planning Commission is whether the items on the preliminary docket should be further analyzed and considered by the Planning Commission, City Council and community in 2017. Following adoption of a final docket by the City Council near the end of 2016, the docket will serve as part of the work program for the Planning Commission for 2017.

Process

The Mercer Island Unified Land Development Code (MIULDC) describes the formal process in subsection 19.15.050(D)(1) MIULDC:

1. Preliminary Docket Review. By September 1, the city will issue notice of the annual comprehensive plan amendment cycle for the following calendar year. The amendment request deadline is October 1. Proposed amendment requests received after October 1 will not be considered for the following year’s comprehensive plan amendment process but will be held for the next eligible comprehensive plan amendment process.

- a. *The code official shall compile and maintain for public review a list of suggested amendments and identified deficiencies as received throughout the year.*
- b. *The code official shall review all complete and timely filed applications proposing amendments to the comprehensive plan and place these applications on the preliminary docket along with other city-initiated amendments to the comprehensive plan.*
- c. *The planning commission shall review the preliminary docket at a public meeting and make a recommendation on the preliminary docket to the city council each year.*
- d. *The city council shall review the preliminary docket at a public meeting. By December 31, the*

2017 Comprehensive Plan Amendment Preliminary Docket

city council shall establish the final docket based on the criteria in subsection E of this section. Once approved, the final docket defines the work plan and resource needs for the following year's comprehensive plan amendments.

Public notice was provided on August 29, 2016 and the resulting Comprehensive Plan Amendment proposed items is identified below.

Public Comment

Staff recommends that the Planning Commission provide an opportunity for the public to provide input on the proposed preliminary docket. It is suggested the Planning Commission allow for 3 minutes of speaking time per speaker prior to making a recommendation to the City Council.

Docket Criteria

The City has established criteria for the evaluation of the preliminary docket, which should be considered by the Planning Commission in making their recommendation to the City Council. These criteria are contained in Mercer Island Unified Land Development Code (MIULDC) in subsection 19.15.050(E)(1) MIULDC:

1. *The request has been filed in a timely manner, and either:*
 - a. *State law requires, or a decision of a court or administrative agency has directed, such a change; or*
 - b. *All of the following criteria are met:*
 - i. *The proposed amendment presents a matter appropriately addressed through the comprehensive plan;*
 - ii. *The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;*
 - iii. *The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;*
 - iv. *The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and*
 - v. *The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.*

Staff has confirmed that the preliminary docket items below have been filed in a timely manner.

Preliminary Docket

The preliminary docket of Comprehensive Plan amendments is summarized in the following table.

Two of the proposed amendments (items 7 and 8) have been proposed by private parties. Supporting material describing each amendment is contained in attachments A and B to this memorandum.

Two of the proposed amendments (items 6 and 7) are also intended as placeholders for possible Comprehensive Plan amendments coming out of the Planning Commission and City Council's review of the Residential Development Standards and Mercer Island Center for the Arts (MICA) code amendments. The Planning Commission will begin its review of these code amendments in the Fall of

2016 with a recommendation to the Council in the winter of 2016/2017.

Item No.	Proposed By	Potentially Affected Section, Goal or Policy	Summary of proposal
1	Development Services Group	Introduction	Delete “Amending the Comprehensive Plan” and “Process for Amending the Comprehensive Plan”
2	Development Services Group	Appendix B	Update Appendix B
3	Development Services Group	Appendix C	Adopt updated MISD 6-year CFP
4	Parks Department (Paul West)	To be determined. Goal 11 or 19 in the Land Use Element	Add I-90 Lid Connector Trail Lease Agreement with WSDOT to Luther Burbank Park pedestrian connection to Town Center.
5	City Council (9/6/16)	Figure 1-Land Use Map	Change Land Use designation of Kite Hill/West Hill at the Mercer Island Community and Event Center from “Public Facility” to “Park”
6	City Council (9/6/16)	To be determined	Amendments necessary to support future changes to residential development standards to be adopted in 2017
7	Mercer Island Center for the Arts (9/30/16) (see Attachment A)	To be determined	Amendments necessary to support proposed amendments to the zoning code to be adopted in 2017
8	Leon Cohen (9/30/16) (see Attachment B)	Figure 1-Land Use Map	Change Land Use designation of city-owned property located at the SW corner of 76 th Avenue SE and SE 24 th Street from “Public Facility” to “Town Center 5”

Recommended Motion

Recommend approval of the preliminary docket of Comprehensive Plan Amendments to the City Council for creation of a final docket of Comprehensive Plan Amendments, for review in 2017.

Alternative Motion

Recommend approval of items _____ of the preliminary docket of Comprehensive Plan Amendments to the City Council for creation of a final docket of Comprehensive Plan Amendments, for review in 2017.



MERCER ISLAND CENTER FOR THE ARTS

Mercer Island Center for the Arts
P.O. Box 1702
Mercer Island, WA 98040

29 September 2016

City of Mercer Island
Development Services Group
c/o Evan Maxim, Planner
9611 SE 36th Street
Mercer Island, WA 98040

Dear Mr. Maxim,

Mercer Island Center for the Arts (MICA) would like to submit a Comprehensive Plan Amendment application for the 2017 review cycle. As you know, the City of Mercer Island (City) is currently undergoing SEPA review in regards to the Memorandum of Understanding Regarding a Center for the Arts, entered between MICA and the City, in respect to the Agreement to Lease Subject to Certain Conditions Precedent Zoning Text Amendment application. The City’s review of these materials is referred to in this letter as “the Proceedings.”

While we believe a Comprehensive Plan Amendment is likely *not* required, we want to be sure we have followed proper procedure if, through these Proceedings, it is found that such an amendment is needed.

Completed DSG forms, and the application fee of \$414.00 accompany this letter, which addresses the Decision Criteria and other topics required for the application.

Thank you very much for your consideration,

Mercer Island Center for the Arts
Board of Directors

*encl: Application fee
Vicinity Map
MICA/City MOU
Preliminary lease boundary
Comp. Plan Amendment Form*

Joshua Rosenstein, Vice President

Filing Requirements

- Comprehensive Plan Amendment Application Fee
A check for \$414 is included with this application.

- SEPA Environmental Checklist
MICA submitted a SEPA Checklist on 15 June 2016, and it is pending City of Mercer Island review.

- SEPA Environmental Checklist Fee
Previously submitted (with SEPA Checklist).

- A detailed description of the proposed amendment in nontechnical terms
*Comprehensive Plan amendment(s) if necessary to support: MICA's proposed Zoning Text Amendment to amend the regulations related to the Public Institution - P zone; all land use or other approvals required to comply with the Memorandum of Understanding Regarding a Center for the Arts, entered between MICA and the City (MOU) in respect to the Agreement to Lease Subject to Certain Conditions Precedent (Proposed Lease) ; or all land use or other approvals necessary with respect to MICA's proposed Mercer Island Center for the Arts project (collectively the "Proceedings"). The MOU is attached.
It is anticipated that during the City's review of MICA's proposed Zoning Text Amendment it will determine if a Comprehensive Plan Amendments will be required and, if so, what the specifics of the amendment(s) would be.*

- Written narrative and response to applicable Decision Criteria
Decision Criteria responses are on page 4 of this letter.

- Vicinity Map
A vicinity map showing the property's location relative to downtown, as well as a more detailed site plan is attached to this letter.

Specific Property Filing Requirements

If the proposed Comprehensive Plan amendment is directed at a specific property please also provide the following:

- A verified statement by the applicant that the property is the subject of the application, is in the exclusive ownership of the applicant, or that the applicant has submitted the application with the consent of all owners of the property.

The property is owned by the City of Mercer Island, and execution of the Proposed Lease is pending subject to the requirements of the MOU, including completion of SEPA review and approval of the Zoning Text amendment.

- A legal description of the site and parcel number

The lease boundary legal description is pending the Proceedings. A preliminary legal description is attached. Mercerdale Park's parcel number is 122404-9068.

- Site Plan and Vicinity Map to scale.

See above – Site Plan and Vicinity Map attached.

Decision Criteria Responses

- a. The amendment is consistent with the Growth Management Act, the county-wide planning policies, and the other provisions of the Comprehensive Plan and City policies.

Consistency will be determined during review of MICA's proposed Zoning Text Amendment. MICA is currently unaware of any inconsistency, particularly as the City is within an urban growth area, the proposed project is on the boundary of the City's Town Center area, and the contemplated use complies with the Parks and Open Space Policies and other policies established by the City's Comprehensive Plan. The Proceedings are therefore consistent with the project's location at the northwest corner of Mercerdale Park.

- b. There exists obvious technical error in the information contained in the Comprehensive Plan, or the amendment addresses changing circumstances of the City as a whole.

To the extent that the City's Comprehensive Plan is deemed to be inconsistent with MICA's proposed Zoning Text Amendment there is an obvious technical error in the information required contained in the comprehensive plan mandating a Comprehensive Plan amendment to correct such error. Alternatively, any required amendment to the Comprehensive Plan would be as a result of the changed circumstances that result from the outcome of the Proceedings.

- c. If the amendment is directed at a specific property, the following additional findings shall be determined:

- i. The amendment is compatible with the adjacent land use and development pattern;

The City's Comprehensive Plan land use policies outside the Town Center, where the project is located, emphasizes that "[c]ompatible permitted uses such as education, recreation, open spaces, government social services, and religious activities will be encouraged" (Goal 7). Further, "[d]evelopment regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical, and spiritual health of Mercer Island." (Policy 9.) MICA's proposed project will provide arts, culture, youth activities, outdoor performances, and other amenities entirely consistent with these policies.

Moreover, the project site is directly adjacent to the Town Center, which would absolutely allow for MICA's proposed use. The intent of the Town Center is to be a place of diverse land uses, integrating residential, retail, office, civic, transit and vehicular use, and pedestrian needs, within an aesthetically attractive, easily accessible and economically healthy environment. A performing arts center is a civic and public use that is compatible and complementary to both the current P zone and the proposed Zoning Text Amendment. It is aligned with the historical primary access by vehicle that the Town Center seeks to maintain while also is attractive and convenient to pedestrians and bicyclists. As a public and community

focused land use, the performing arts center, a community/recreational facility, consistent with the adjacent Town Center classification.

These issues are being addressed as part of the Proceedings.

- ii. The property is suitable for development in conformance with the standards under the potential zoning;

Suitability for development will be confirmed during the SEPA review and Zoning Text Amendment process.

- iii. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

MICA's substantial benefits to the community have been described in previous submissions such as the MOU and the SEPA review and Zoning Text Amendment submittals. These benefits include nurturing, promoting, and supporting high-quality cultural arts activities for the community. The project's construction and operation of a center for the performing and visual arts and for arts education programs, including theatres, a recital hall, classrooms, a food and beverage venue and other arts and arts education spaces will serve to greatly enhance the community as a whole with no adverse impact community facilities or the public health, safety, and general welfare.

CITY OF MERCER ISLAND
DEVELOPMENT SERVICES GROUP
 9611 SE 36TH STREET | MERCER ISLAND, WA 98040
 PHONE: 206.275.7605 | www.mercergov.org



CITY USE ONLY		
PERMIT #	RECEIPT #	FEE
CPA 16-002	154154	426.42
Date Received: 9/30/16		

DEVELOPMENT APPLICATION Received By:

STREET ADDRESS/LOCATION <i>SW corner of 76th Ave S of 24th Street</i>	ZONE <i>"P"</i>
COUNTY ASSESSOR PARCEL #'S	PARCEL SIZE (SQ. FT.)

PROPERTY OWNER <i>City of Mercer Island</i>	ADDRESS	CELL/OFFICE:
PROJECT CONTACT NAME <i>Leon Cohen</i>	ADDRESS	E-MAIL: <i>206 714 8237</i> <i>Leon@LeonGCS.com</i>
TENANT NAME <i>N/A</i>	ADDRESS	CELL PHONE:
		E-MAIL:

DECLARATION: I HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY OR I HAVE BEEN AUTHORIZED BY THE OWNER(S) OF THE SUBJECT PROPERTY TO REPRESENT THIS APPLICATION, AND THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE

Leon Cohen

DATE

9/30/16

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL:

Requesting Land use designation change from "P" TO TC-5 mix use similar to the adjacent property 2411 76th Ave S

(Please use additional paper if needed) ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

CHECK TYPE OF USE PERMIT(S) REQUESTED (3% Technology Fee is included in fees below):

APPEALS	DESIGN REVIEW Continued	SUBDIVISION SHORT PLAT Continued....	
<input type="checkbox"/> Building (+cost of file preparation) \$896.16	<input type="checkbox"/> New Wireless Communications Facility \$6,153.22	<input type="checkbox"/> Four Lots \$7,692.04	
<input type="checkbox"/> Land use (+cost of verbatim transcript) \$896.16	DEVIATIONS		
<input type="checkbox"/> Code Interpretation \$896.16	<input type="checkbox"/> Changes to Antenna requirements \$1,854.00	<input type="checkbox"/> Deviation of Acreage Limitation \$ 927.00	
CRITICAL AREAS			
<input type="checkbox"/> Determination \$2,778.94	<input type="checkbox"/> Changes to Open Space \$1,854.00	<input type="checkbox"/> Short Plat Amendment \$5,383.81	
<input type="checkbox"/> Reasonable Use Exception \$5,560.97	<input type="checkbox"/> Fence Height \$ 927.00	<input type="checkbox"/> Final Short Plat Approval \$ 927.00	
DESIGN REVIEW			
<input type="checkbox"/> Administrative Review of sign & colors \$ 614.91	<input type="checkbox"/> Critical Areas Setback \$2,779.97	<input type="checkbox"/> Fire Review \$126.69/hr	
<input type="checkbox"/> Administrative Review of other Sign & Colors \$ 742.63	<input type="checkbox"/> Impervious Surface (5% Lot coverage) \$2,779.97	VARIANCES (Plus Hearing Examiner Fee)	
<input type="checkbox"/> Administrative Review of Development Signs \$ 769.41	<input type="checkbox"/> Shoreline \$3,706.97	<input type="checkbox"/> Type 1 \$3,706.97	
<input type="checkbox"/> Change to Final Design Approval \$ 742.63	<input type="checkbox"/> Wet Season Construction Moratorium \$ 966.14	(includes all variances of any type or purpose in all zones other than a single family residential Zone B, C-O, PBZ, MF-2L, MF-3, TC, P)	
<input type="checkbox"/> Design Commission Study Session \$1,538.82	ENVIRONMENTAL REVIEW (SEPA)		
<input type="checkbox"/> Design Review - Major	<input type="checkbox"/> Checklist: Single Family Residential Use \$ 556.20	<input type="checkbox"/> Type 2 \$1,979.66	
<input type="checkbox"/> \$ 0-\$ 5,000 \$1538.82	<input type="checkbox"/> Checklist: Non-Single Family Residential Use \$1,854.00	(includes all variances of any type or purpose in single family residential zones: R-8.4, R9.6, R-12, R-15)	
<input type="checkbox"/> \$ 5,001-\$ 25,000 \$3,076.61	<input type="checkbox"/> Environmental Impact Statement \$2,779.97	OTHER LAND USE	
<input type="checkbox"/> \$25,001-\$ 50,000 \$3,846.02	<input type="checkbox"/> (Revision = 40% of Fee)	<input type="checkbox"/> Accessory Dwelling Unit \$ 186.43	
<input type="checkbox"/> \$50,001-\$100,000 \$4,615.43	SHORELINE MANAGEMENT		
<input type="checkbox"/> Over \$100,000 Valuation \$7,692.04	<input type="checkbox"/> Exemption \$ 449.08	<input type="checkbox"/> Code Interpretation Request (plus \$149..35/hr over 6 hours) \$ 922.88	
DESIGN REVIEW - Minor			
<input type="checkbox"/> \$ 0-\$ 5,000 \$1,031.03	<input type="checkbox"/> Permit Revision \$ 741.60	<input type="checkbox"/> Comprehensive Plan Amendment (CPA) \$ 425.42	
<input type="checkbox"/> \$ 5,001-\$ 25,000 \$2,061.03	<input type="checkbox"/> Semi-Private Recreation Tract (modification) \$ 741.60	<input type="checkbox"/> Addition fee if added to Final Docket \$3,836.75	
<input type="checkbox"/> \$25,001-\$ 50,000 \$2,577.06	<input type="checkbox"/> Semi-Private Recreation Tract (new) \$1,854.00	<input type="checkbox"/> Conditional Use (CUP) \$7,413.94	
<input type="checkbox"/> \$50,001-\$100,000 \$3,092.06	<input type="checkbox"/> Substantial Dev. Permit \$2,779.97	<input type="checkbox"/> Lot Line Revision \$3,076.61	
<input type="checkbox"/> Over \$100,000 Valuation \$5,461.06	SUBDIVISION LONG PLAT		
Wireless Communications Facilities - 6409 Exemption \$1,538.82			
<input type="checkbox"/> Long Plat \$19,229.07	<input type="checkbox"/> Two Lots \$5,383.81	<input type="checkbox"/> Lot Consolidation \$3,076.61	
<input type="checkbox"/> Subdivision Alteration to Existing Plat \$ 4,633.97	<input type="checkbox"/> Three Lots \$6,461.19	<input type="checkbox"/> Noise Exception - Type 1 \$1,230.85	
<input type="checkbox"/> Final Subdivision Review \$ 4,615.43	SUBDIVISION SHORT PLAT		
<input type="checkbox"/> Fire Review \$126.69/hr	<input type="checkbox"/> Two Lots \$5,383.81	<input type="checkbox"/> Noise Exception - Type 2 \$ 614.91	
SEPA Categorically Exempt:			
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Noise Exception - Type 3 \$ 461.44	
SEPA Checklist Required:			
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Reclassification of Property (Rezoning) \$4,633.97	
		<input type="checkbox"/> ROW Encroachment Agreement (requires separate ROW Use Permit) \$ 550.02	
		<input type="checkbox"/> Sign Fee \$ 50.00	
		<input type="checkbox"/> Zoning Code Text Amendment \$4,263.17	

* Includes all variances of any type or purpose in all zones other than single family residential zone: B,C-O,PBZ,MF-2,MF2L,MF-2L, MF-3,TC,P)

** Includes all variances of any type or purpose in single family residential zone: R-8.4, R-9.6, R-12, R-15)

CITY USE ONLY		
SEPA Categorically Exempt:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
SEPA Checklist Required:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Permit Fee:		
Permit Fee:		
Total Fees:		

DECISION CRITERIA SHEET

Describe the requested change to the current Mercer Island Comprehensive Plan. If possible, identify (by section: element, policy or goal) the existing provisions of the Code, which would be changed or identify (by section: element, policy or goal) where the proposed amendment would be located within the existing Comprehensive Plan. Please address the Decision Criteria listed below. These criteria are based on ULDC 19.15.020(G) 1.

Your response does not have to be limited to the space provided below and can be provided in a separate written response.

- a. The amendment is consistent with the Growth Management Act, the county-wide planning policies, and the other provisions of the Comprehensive Plan and City policies;

AFFIRMATIVE

- b. There exists obvious technical error in the information contained in the Comprehensive Plan, or the amendment addresses changing circumstances of the City as a whole;

N/A

- c. If the amendment is directed at a specific property, the following additional findings shall be determined:

THIS AMENOMENT IS DIRECTED AT THE CORNER PROPERTY OWNED BY THE CITY OF MI, IT LAYS NORTH OF 2411 76TH AVE SE, PLEASE REFER TO SURVEY (ATTACHED)

- i. The amendment is compatible with the adjacent land use and development pattern;

REQUESTING THE ZONE BE CHANGED TO THE SAME ZONING AS THE ADJACENT PROPERTY AT 2411 76TH AVE SE TC-5 MIDRISE

- ii. The property is suitable for development in conformance with the standards under the potential zoning;

AFFIRMATIVE, TC-5 MIDRISE

- iii. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

WILL IN FACT BENEFIT THE WHOLE M.I COMMUNITY IN MANY MEANINGFUL WAYS, SOME BENEFITS ARE: PROPERTY WILL GET ON TAX ROLL, THE GATEWAY CORNER WILL FUNCTION TO COMPELL FOLK TO WALK AND DRIVE INTO TOWN CENTER ADDITIONAL PARKING FOR COMPUTERS AND WALK OFF SHOPPERS WATER PLAZA PUBLIC AMENITY.

**CITY OF MERCER ISLAND
RESOLUTION NO. 1526**

**A RESOLUTION OF THE CITY OF MERCER ISLAND, WASHINGTON,
ESTABLISHING THE CITY'S 2017 COMPREHENSIVE PLAN AMENDMENT
DOCKET**

WHEREAS, the City of Mercer Island is required to plan under the Growth Management Act of 1990, as amended, including adopting and regularly updating and amending its Comprehensive Plan; and

WHEREAS, the Growth Management Act allows the City to amend the Comprehensive Plan on an annual basis; and

WHEREAS, public notice of the opportunity to apply for Comprehensive Plan amendments for 2017 was provided on August 29, 2016; and

WHEREAS, on October 19, 2016, the City of Mercer Island Planning Commission held a public meeting to allow for interested parties to comment on a preliminary docket of amendments and made a recommendation to the Mercer Island City Council on a final docket of amendments to be considered in 2017; and

WHEREAS, on November 21, 2016, the Mercer Island City Council held a public meeting to consider the Planning Commission's recommended final docket of amendments to be considered in 2017;

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

1. The City Council directs City staff and the Planning Commission to analyze, study, and make recommendations to the City Council on the proposed Comprehensive Plan amendments listed on the final docket attached hereto as Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS REGULAR MEETING ON THE 21st DAY OF NOVEMBER 2016.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk

RESOLUTION NO. 1526—EXHIBIT A

Item No.	Proposed By	Potentially Affected Section, Goal or Policy	Summary of proposal
1	Development Services Group	Introduction	Delete “Amending the Comprehensive Plan” and “Process for Amending the Comprehensive Plan”
2	Development Services Group	Appendix B	Update Appendix B
3	Development Services Group	Appendix C	Adopt updated MISD 6-year CFP
4	Parks Department (Paul West)	To be determined. Goal 11 or 19 in the Land Use Element	Add I-90 Lid Connector Trail Lease Agreement with WSDOT to Luther Burbank Park pedestrian connection to Town Center.
5	City Council (9/6/16)	Figure 1-Land Use Map	Change Land Use designation of Kite Hill/West Hill at the Mercer Island Community and Event Center from “Public Facility” to “Park”
6	City Council (9/6/16)	To be determined	Amendments necessary to support future changes to residential development standards to be adopted in 2017
7	Mercer Island Center for the Arts (9/30/16)	To be determined	Amendments necessary to support proposed amendments to the zoning code to be adopted in 2017
8	Leon Cohen (9/30/16)	Figure 1-Land Use Map	Change Land Use designation of city-owned property located at the SW corner of 76 th Avenue SE and SE 24 th Street from “Public Facility” to “Town Center 5”



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

**AB 5233
November 21, 2016
Regular Business**

**I-90 LOSS OF MOBILITY NEGOTIATIONS
STATUS REPORT**

Proposed Council Action:
Receive status report.

DEPARTMENT OF	City Manager (Kirsten Taylor)
COUNCIL LIAISON	n/a
EXHIBITS	n/a
APPROVED BY CITY MANAGER	

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

SUMMARY

I-90 loss of mobility negotiations status reports will be provided at each Council meeting. The updates for this meeting include recent public outreach dates and opportunities, dissemination of outreach materials, updated I-90 access alternatives, a future presentation to Council on the upcoming closure of South Bellevue Park & Ride, and budget appropriations.

Public Outreach

Several public outreach opportunities have been scheduled by the City, with the purpose of providing current, accurate information, and answering questions from the community. The City wants to hear from members of the community regarding the important issues around the loss of mobility negotiations. Staff and councilmembers have held a major community meeting along with several smaller outreach events since the last City Council meeting.

In addition to outreach events, the City also continues to use other means to raise awareness of the closure of the I-90 Center Roadway (expected June 2017) and the possible changes to I-90 vehicle access for Islanders. Outreach channels include news releases posted on the City’s website, articles in the local newspaper, ongoing coverage in the City’s weekly E-newsletter, and extensive use of social media updates on a variety of platforms. New material and links to studies and presentations have also been added to the City’s website, including an updated FAQ document.

Community members have been submitting suggestions for additional I-90 vehicle access alternatives, and providing feedback on the twelve original access alternatives that were presented to Council on November 7 and to the community at an open house meeting on November 9. The community is encouraged to continue to provide suggested alternatives and input on the original twelve alternatives as soon as possible, and staff will bring all received community-generated access suggestions for Council consideration and discussion at the December 5 City Council meeting.

Recent Public Outreach Meetings:

- November 9 Community Open House Meeting (75+ attendees)
- November 15 Aljoya Roundtable Discussion (8 attendees)
- November 16 Mercer Island Clergy Association (Representatives of 6 faith communities)
- November 16 Osher Current Events Roundtable (15 attendees)

Outreach meetings are still being arranged with other community organizations and groups and will continue into the new year.

Progress on Negotiations

City staff is continuing to stay on schedule in negotiations with Sound Transit and discussions with Washington State Department of Transportation (WSDOT) and Federal Highways Authority (FHWA).

South Bellevue Park & Ride Closure

Sound Transit staff will give a presentation on the upcoming closure of the South Bellevue Park & Ride and planned parking mitigation to be located in Bellevue at the December 5 City Council meeting.

Budget Update

Due to the increase in the scope of work for the City's outside engineering firm, KPG engineers, and outside legal counsel, staff will be requesting \$75,000 in additional budget appropriations for 2016. This request will be included in the Finance Director's Third Quarter 2016 Financial Status Report on December 5.

RECOMMENDATION

Assistant City Manager

Receive report. No action required.



CITY COUNCIL PLANNING SCHEDULE

All meetings are held in the City Hall Council Chambers unless otherwise noted.
 Special Meetings and Study Sessions begin at 6:00 pm. Regular Meetings begin at 7:00 pm.
 Items listed for each meeting are not in any particular order.

NOVEMBER 21 - 6:00 PM		
Item Type	Topic/Presenter	Time
<i>Executive Session #1 (5:00-6:45 pm)</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 105 minutes	105
<i>Executive Session #1 (6:45-7:30 pm)</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 45 minutes	45
<i>Consent Calendar (7:30 pm)</i>	West Mercer Way Roadside Shoulder Improvements Phase 1 Bid Award – C. Morris	--
<i>Public Hearing</i>	2017-2018 Preliminary Budget Review: Finalize Changes & Adopt Tax Ordinances and Fee Resolutions – C. Corder	90
<i>Regular Business</i>	Crown Castle Small Cell Franchise Agreement (1 st Reading) – C. Schuck	45
<i>Regular Business</i>	2017 Comprehensive Plan Final Docket – E. Maxim	30
<i>Regular Business</i>	I-90 Loss of Mobility Negotiations Status Report – K. Taylor	15

NOVEMBER 29 (TUESDAY) – 9:00 AM – 10:30 AM		
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90

DECEMBER 5		
Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60
<i>Executive Session</i>	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	15
<i>Study Session</i>	Sound Transit Presentation on South Bellevue Park-and-Ride Closure – K. Taylor	30
<i>Study Session</i>	I-90 Loss of Mobility Negotiations Status Report – K. Taylor	15
<i>Regular Business</i>	3 rd Quarter 2016 Financial Status Report & Budget Adjustments – C. Corder	15
<i>Regular Business</i>	2017-2018 Final Budget Adoption – C. Corder	15
<i>Regular Business</i>	Draft 2017 Legislative Agenda – K. Taylor	45
<i>Regular Business</i>	Crown Castle Small Cell Franchise Agreement (2 nd Reading) – C. Schuck	20

DECEMBER 13 (TUESDAY) – 9:00 AM – 10:30 AM		
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90

DECEMBER 19		
Item Type	Topic/Presenter	Time
	<i>Potentially Canceled</i>	

DECEMBER 20 (TUESDAY) – 9:00 AM – 10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
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DECEMBER 27 (TUESDAY) – 9:00 AM – 10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
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2017**JANUARY 3 (TUESDAY)**

Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60
<i>Consent Calendar</i>	Island Crest Park Ballfield Improvements – Authorization to Bid – P. West	--
<i>Regular Business</i>	Final 2017 Legislative Agenda – K. Taylor	20
<i>Regular Business</i>	Code Amendments to Require Installation of Automatic Fire-Sprinkler Systems in New Residential Construction and Substantial Alterations (1 st Reading) – S. Heitman & H. Rostov	30
<i>Regular Business</i>	Zoning Code Text Amendment related to Religious Institutions (1 st Reading)—N. Gaudette	30

JANUARY 10 (TUESDAY) – 9:00 AM–10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
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JANUARY 17 (TUESDAY) – 6:00 PM

Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60
<i>Study Session</i>	Scheduling of Recreational Facilities and Ballfields – B. Fletcher	60
<i>Regular Business</i>	Code Amendments to Require Installation of Automatic Fire-Sprinkler Systems in New Residential Construction (2 nd Reading) – S. Heitman & H. Rostov	15
<i>Regular Business</i>	Zoning Code Text Amendment related to Religious Institutions (2 nd Reading)—N. Gaudette	15

JANUARY 24 (TUESDAY) – 9:00 AM–10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
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JANUARY 31 (TUESDAY) – 9:00 AM–10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
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FEBRUARY 3-4 (FRIDAY & SATURDAY)

	2017 Planning Session (MICEC)	
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FEBRUARY 6		
Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60
<i>Consent Calendar</i>	ARCH Trust Fund, Work Program & Budget – A. Van Gorp	--

FEBRUARY 14 (TUESDAY) – 9:00 AM–10:30 AM		
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90

FEBRUARY 21 (TUESDAY)		
Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60

FEBRUARY 28 (TUESDAY) – 9:00 AM–10:30 AM		
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90

MARCH 6		
Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60

MARCH 14 (TUESDAY) – 9:00 AM–10:30 AM		
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90

MARCH 20		
Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60

MARCH 28 (TUESDAY) – 9:00 AM–10:30 AM		
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90

APRIL 6		
Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60

APRIL 11 (TUESDAY) – 9:00 AM–10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
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APRIL 20

Item Type	Topic/Presenter	Time
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes	60

APRIL 20 (THURSDAY)

	JOINT MEETING WITH MISD BOARD	
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APRIL 28 (TUESDAY) – 9:00 AM–10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
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OTHER ITEMS TO BE SCHEDULED:

- Code Amendments and Comprehensive Plan Amendment for NPDES Update – P. Yamashita (Q1 2017)
- Single-Family Residential Development Standards - E. Maxim (2017 Q1)
- ARCH Trust Fund Recommendations and Work Program – A. Van Gorp (Q1 2017)
- Code Enforcement Ordinance Update – A. Van Gorp (Q1 2017)
- General Sewer Plan Update – J. Kintner (Q2 2017)
- Light Rail Station Design Oversight – K. Taylor
- Mercer Island Center for the Arts (MICA) Lease – K. Sand
- CenturyLink Cable Franchise – K. Sand
- PSE Electric Franchise – K. Sand
- Zayo Telecom Franchise – K. Sand
- Six Year Sustainability Plan – R. Freeman

COUNCILMEMBER ABSENCES:

- Grausz: January 3 & January 17